



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

February 25, 2021

The Council of Park City, Summit County, Utah, met in open meeting on February 25, 2021, at 3:30 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Mayor Beerman read the Determination of Substantial Health and Safety Risk.

WORK SESSION

Park City Arts and Culture District Follow Up Discussion – Finance Plan:

Jed Briggs, Budget Manager, reviewed that the December sales tax revenue was down nine percent from last year, but it was higher than the projected numbers and he felt encouraged. With regard to the Arts and Culture District, he displayed three scenarios for how the project could be financed:

Scenario One – the full project buildout/\$89,165,450: Housing revenue included funds from Transient Room Tax (TRT) and Additional Resort Sales Tax (ARST) bonds, the remaining funds from the senior center and the firehouse sale, the remainder of the soils repository budget, and funds from the Housing fee-in-lieu. Non-housing revenue sources were the TRT 2022 bond, TRT related Capital Fund balance, and the assumed sale of land to the district partners. Transportation and walkability revenue would come from the Transportation Fund.

Scenario Two – Parking, Buildings Two, Three, and Four, and a RFP for Building One (private developer)/\$63,957,714: The Housing revenue would be removed, the TRT and ARST bond would be higher and all other revenue would be the same as Scenario One.

Scenario Three – Parking, Buildings Two, Three, and Four, and bottom level of Building One/\$67,707,714: Revenue would come from the same sources as Scenario Two with an additional amount on the TRT and ARST bond.

Council Member Gerber noted the cost was only \$25 million less than the total budget if Building One was removed. David Everitt stated there were fixed costs that would still be needed for the other aspects of the project and the housing money would not be used to cover those costs.

Mayor Beerman asked what revenue would be from TRT bonds and what revenue would be from ARST bonds. Daenitz indicated a \$9 million TRT bond and a \$33 million ARST bond would be issued. Briggs stated ARST funds could only be used for Main Street and Open Space, but Council could appropriate them as they chose, so they could be used for the Arts and Culture District. Council Member Henney asked to see the list of Old Town Infrastructure Study (OTIS) planned and completed projects. Discussion ensued on some of the projects from that list. Dias stated staff could come back with the status of the projects on the list. Council Member Doilney was interested in seeing the opportunity costs that would come with using each category of funds. Council Member Joyce stated there was a lot of discussion on connectivity being part of the Arts and Culture District project, but he hadn't heard that funding had been allocated for connectivity. He stated if it was planned to be part of the district, the cost should be part of the budget.

Council Member Henney stated the scenarios showed that no property taxes were being used to pay for the district, but the funding was coming from tourism dollars and the district was going to be repurposed for community benefit. Council Member Joyce knew this was tourist funded, but his concern was the opportunity costs that the City would now have to delay or give up. Mayor Beerman noted that aside from the ARST funds, the other funds were restricted and could only be used for certain purposes. Council Member Doilney asserted there was an opportunity cost for not building the Arts and Culture District. He thought there were only two options for this location - the Arts and Culture District or 100% affordable housing. Council Member Henney stated this parcel was always intended for public benefit. Council Member Worel indicated the Council had an obligation to do what it said it would do. This district was intended to diversify and expand the economy. Council Member Henney thought the district would benefit the community and tourists would benefit as a bonus. Council Member Worel agreed and stated this would be a community gathering center. Council Member Gerber thought there was room for nonprofits to fundraise for this project in order to take some burden off the City. Council Member Henney noted Sundance and Kimball Art Center were investing massive funds as well.

Briggs reviewed the City would only bond against 65% of the total ARST/TRT revenues. There was TRT and ARST cash funding over and above the annual debt payment, and 100% of that revenue could be used for the Arts and Culture District. Mayor Beerman asked if cash projects could be done with the surplus tax revenue that didn't get allocated for bond repayment, to which Daenitz affirmed.

Council Member Doilney discussed future plans for gondolas as a transportation solution, and asked if that would be one of the opportunity costs for constructing the Arts and Culture District. Council Member Henney thought that discussion would revolve around the Olympics, since that event would bring federal money for a gondola

project. Briggs noted staff was budgeting for Transportation over the next five years and there were many funding sources that could be pursued.

Council Member Joyce asked staff to report back on the average Capital Projects budgets funded each year for the last five years. Daenitz stated the average ARST cash expenditures were usually under \$1 million a year. Dias stated the Budget Department projected annually for Capital Projects, based on the previous year's Capital Fund budgets. The City would borrow today, but it would use the funds over the next few years as projects were implemented. Council Member Doilney asked how much of the budget the Arts and Culture District was using. Dias stated this funding had been set aside and was ready to use for housing, transportation, etc. Council Member Gerber agreed that the project felt like less of a burden when people knew the money was coming from TRT revenue, Housing and Transportation funds, etc.

Briggs noted the City goal was to never go above 50% debt ratio to revenues collected. He recommended Council consider expanding the use of ARST from OTIS for the Arts and Culture District with a 20-year term bond. Daenitz reviewed that the municipal borrowing rates had a negative interest rate in real terms and noted this would not last for long.

Briggs displayed a chart showing projects the City completed with ARST revenues. Council Member Worel asked how market rate commercial units would reduce the project cost if they were added to the district. Daenitz stated residential rentals would continue to support housing, but with commercial rental revenue, the City would have flexibility in how to use that income. Everitt thought the revenue could offset the need for TRT funds or it could be additional funds for programming or maintenance in the district. Briggs thought commercial market rate units would be an operational boon for more programming. Council Member Henney indicated market rate commercial would create vibrancy in the district. Council Member Gerber asked how restrictions could be placed on commercial units to make sure the businesses in those spaces were in line with the community values.

Council Member Joyce worried the bonding for the district would bind future Councils with debt for 20 years, which was out of the normal bonding bounds of 15-year bond terms. He suggested the City bond for 15 years and issue a GO bond for the remaining funding gap. Council Member Henney recognized those concerns, but he disagreed in the need for a GO bond because of the cash revenue the City consistently received above the debt obligation, which could be used for projects annually. Mayor Beerman indicated the City did not go into debt unless the public favored what it was needed for, so the debt was not irresponsible. Council Member Doilney agreed the City had not bonded in this way before, but it was a transformational project that would be the heart of the City.

Everitt reviewed there was an option of value engineering the housing portion and in Buildings Two, Three and Four, office space could be substituted for residential units. The tradeoff would be no artist housing for those buildings. He thought the residential component in Building Three was necessary. Council Member Henney asked how the Housing funds would be used if they didn't go to the Arts and Culture District. Council Member Worel asked how much housing would be lost with Scenarios Two or Three. Everitt thought 50 residential units could be built on the parking lot pad in the future. He stated if Council went with Scenario Three, there would be additional time to figure out the housing piece before it was necessary to move forward with the housing component. Council Member Gerber thought the Arts and Culture District housing would fund future housing projects. She stated the extra cost for doing the total buildout was \$25 million more, which was a pretty good deal and would result in building efficiencies.

Council Member Henney thought Homestake could be used as the funding source for future housing projects instead of having the Arts and Culture District as the funding source. Council Member Gerber indicated it was difficult to find land and a lot of money would be wasted while Council continued with ongoing discussions on housing and opportunity costs. Council Member Doilney stated that \$25 million broke out to \$500,000 per unit and he thought housing could be built cheaper elsewhere. Council Member Gerber stated the costs would continue to rise as time went on, and this was the way to go right now. Mayor Beerman stated Scenarios Two and Three left the door open to construct housing on this parcel. Council Member Henney favored moving forward with the project even though a scenario had not yet been chosen. Mayor Beerman stated there should be one more meeting to receive public input and to decide how to proceed.

Regarding the 20-year bond, Council Member Doilney asked what projects would not be implemented if the bond was used for Arts and Culture District. Mayor Beerman stated public input should be received on this. Everitt asked if office space should be considered for the district. Council was not in favor of office space and felt it would not contribute to the vibrancy of the district. Council Member Worel hoped for commercial spaces with cultural diversity. Everitt asked if a comprehensive resolution would be appropriate so people could see what was being considered. Council Member Gerber thought there should be a breakdown of the portion paid by residents versus tourists. Daenitz stated an estimation could be drafted, but the numbers would not be 100% accurate. Mayor Beerman preferred drafting a proposal for the public to review. The Council was ready to hear thoughts from the community. Council Member Henney noted there had been many emails regarding the Arts and Culture District.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce (excused at 7:50 p.m.) Council Member Nann Worel Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present via technology
None	Excused

II) APPOINTMENT

1. Appoint LGBTQ+ Task Force Council Liaison:

Leah Langan, LGBTQ+ Liaison, stated the first LGBTQ+ external taskforce meeting occurred this week. She stressed allies for this group were critical and she requested a Council liaison. Council Member Henney volunteered to be the liaison and Council Member Gerber offered to be the backup liaison. The Council agreed to the appointments.

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Doilney reminded people February was Black History Month and March was Women's History Month. Council Member Worel indicated the library was opening Monday, March 1st, and it had a new website. Council Member Gerber attended the Historic Park City Alliance (HPCA) board meeting, and indicated they approved continuing the car-free Sundays for this year. Council Member Henney thought the car-free idea was a good consequence of COVID. He enjoyed the engagement at the Park City Leadership meeting as well as at the State of the City address this past week. He liked the Golf staff report that called out the challenges and how staff handled those. He asked for an agenda item to discuss the City/County Transit separation because of rumors that there were hard feelings between the City and County. He clarified that there were transit frustrations, and the separation was the best way to solve the frustration.

Mayor Beerman indicated the City and County built the Transit system and now the County wanted to expand the service in the County limits. Council Member Henney wanted the public to know this was a positive separation. Mayor Beerman thanked those who made the State of the City a success. There was great participation, and he was pleased with the result.

Staff Communications Reports:

1. 2020 Golf Season:

Vaughn Robinson reviewed that the golf course opened as everything was shutting down from COVID. By the end of the season, the protocols were the normal routine for staff. He stated the golf carts were in great demand since more people wanted private carts. He would come to Council at the next meeting to request more carts for this season.

2. McPolin Farm COVID Update:

3. Marsac 100 Petition and Property Status:

Council Member Worel noted that the last paragraph of the report requested direction from Council. She asked for a future discussion on this topic and wanted a stance from Council to never protect the parcel or to protect the parcel. The Council was not in favor of having that discussion. Council Member Doilney indicated the City had affordable housing concerns and so he was not in favor of dedicating property in the City limits for open space. Mayor Beerman stated the City owned 50 properties in the City and it did not have to determine a status on each of those. He noted this property was low on the priority list and reiterated there were no plans to improve that property. Dias stated there was a petition by neighbors concerning this parcel and the City didn't acknowledge it immediately because of COVID priorities taking staff time.

4. Soils Repository and Gordo Property Update:

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

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

Jeff Edison, via Zoom, stated the community prioritized trails and green space. He reviewed the history of 100 Marsac, including that a study showed that the parcel was not feasible for affordable housing. The parcel was important to the neighbors for accessing trails and walking their dogs. They hoped for resolution so the property's status was not up in the air to the neighbors.

Sergio, via Zoom, wanted the Council to rescind State Code 24-4-207, the use of remote public meetings during emergencies, because he felt it was unnecessary. The CDC stated nobody was at risk. Mayor Beerman stated the City followed the recommendations of the Summit County Health Department and they followed the State of Utah recommendations.

Mary Christa Smith, via Zoom, thanked the Park City School District and other school districts in Summit County for opening for in-person school. She indicated it had a huge mental health benefit for the students.

Ed Parigian, via Zoom, indicated Council had discussed the Arts and Culture District for over two years. The project could be re-imagined, but he thought there would be detrimental opportunity costs if the district was not constructed.

Cheri Beck, via Zoom, thanked Council for their future-focused management of the City. She stated the Kimball Art Center (KAC) was a force in the community and it was needed. Creating the Arts and Culture District would clean up that part of the City and would create a hub for the City. She felt the Arts and Culture District with the KAC in it would be an asset to the community.

The following were eComments and emails submitted to the Council:

Lisa Shine email: "I am very passionate in my support of the Arts & Culture District moving forward. Not only am I a working artist but i also serve on the Board of the Kimball Art Center and have for the past 4 years. Additionally, I am fortunate to be able to participate in PCSC arts councils pop up galleries and art shows. This district is essential to connect the arts organizations in Park City and provide a hub for a vibrant arts community. Park City and our county is home to a significant amount of artists of all modes and media. This district will be a mecca for them and in turn will expand our creative communities as well as be draw for tourism and local life. I believe that aside from our robust outdoor recreation, the Arts already do and will continue to drive increased tourism and revenue to our local businesses, strengthen our economy, and are a fundamental component of a healthy community. Additionally, the A&C district offers a web of exciting new access by providing community spaces, pedestrian walkability, open spaces, affordable housing and transit and traffic solutions. A&C is essential to our community and i look forward to seeing it come to fruition, to spending a great deal of time there and possibly having a studio in the district."

Aldy Milliken eComment: "I am making public comment in support of the Arts and Culture District for Park City. Thank you so much for pursuing this dynamic project on behalf of our citizens."

Renee Huang email: "I'm writing to pledge my support for the Arts & Culture district in Park City as a 11-year Summit County resident (moved here in 2010 for the summer; stayed for the winter!) with two kids in the Park City public school system at Treasure Mountain Junior High and Ecker Hill Middle School. I am also writing from my role as the Director of Communications and Digital Media for Utah Symphony | Utah Opera, which as you know, has hosted the Deer Valley Music Festival for 15+ years in Park City as the orchestra's summer residency. You will have received many emails in

support of the economic benefits and ways the arts create culture in a community. Just as strong is the desire to make art a way of life that fosters connection. Park City does such a great job of creating access to outdoor active lifestyles that keep our bodies physically healthy. However, the arts stretch the imagination and enliven the mind in ways that are incomparable. Artistic expression allows a connection within people and between people that leads to greater understanding, diversification, open mindedness and acceptance. Art is a “safe” space for people to express and consume distinct perspectives in a judgement free zone. We see people from all walks of life during the Deer Valley Music Festival and the experience that they leave with is one of immediacy with their surroundings, an appreciation for their loved ones, and a general sense of wellbeing that can be attributed to the ability of music to open people up to possibility. Art does this – it expands us and provides hope through timeless connection and inspiration. The creation of an Arts & Culture district that will devote itself to all aspects of art is fundamental for the continued growth and vibrancy of our community. Not only will the resulting connectivity enrich all facets of life in work, school, play and beyond, it will continue to attract to our region forward thinking creators who will contribute to that upward creative expansion. As we have seen hundreds of families move to Park City over the last year for its educational access and progressive lifestyle, an Arts & Culture district will further allow those newcomers to anchor into a community of innovators and creators, and give them even more reason to stay and invest in our region in the long term. In short, the arts are not something you dabble in as a hobby or occasional pastime. They are a vital part of a well-rounded human being that when fully activated, leads to even greater potential in creating a balanced community spirit. You don’t consume the arts – you become part of the living, breathing creation that the arts provides and they, in turn, enrich your life and experience tenfold. That’s why I support the continued investment and creation in an Arts & Culture district in Park City.”

Alix Railton email: “I support the Arts & Culture district. I have been a Park City resident for 30 years. I have raised two wonderful children here, with my husband. I am a fulltime artist, a goldsmith. I sit on the board of the Park City Summit County Art Council and I am a member of PCPAA. I feel, quite strongly, that the contribution that art and culture make to our community, in fact, to our world, is crucially valuable and important. I am pleased to see the city and community being so willing to take so seriously, this essential and substantial investment in our future. Especially in these turbulent times-art and culture can sustain and support our community both in terms of intellectual health and mental health. This investment in arts and culture spaces will also be a conduit to a more equitable and vibrant community. A vibrant Arts and Culture district will also contribute significantly to the financial health of our community. This is an essential investment, especially as the climate and environmental changes taking place change how and why people are drawn to our wonderful society.”

Claire Wiley eComment: “In support of the Arts and Culture District: We are so in tune with our environment here and we find connection in the activities our surroundings

afford us. Similarly, we can find connection in the arts. Adding a more robust layer of arts and culture into our town will only create a more diverse, vibrant and connected community.”

Mark Maziarz eComment: “I’m a fine art photographer who is in support of the Arts and Culture District. I’ve been giving this a lot of thought, and I want to thank you for your work in looking at creative ways to make this district happen for our town. The right half of my brain is excited about the studio spaces, the maker spaces and the retail aspect, but that excitement is tempered a bit by the left half of my brain which has a degree in economics. I understand what you’re dealing with and thanks for your commitment. I have 2 comments: when I talk with people about the district, I sometimes hear that we already have a lot of galleries in Park City. That’s true and a lot of them are great galleries, but galleries are usually the last step in the art creation process. All our galleries pay really high rent and they need to display art that sells. The Arts and Culture District can serve as a sort of an art incubator where artists can take creative chances with new subjects, new techniques and new forms of presentation. That, for me, is the real value of the district and the most exciting part of it when you consider the collaborative nature of a bunch of artists of varying experience and skill levels working in an art space. The second comment is that if you build this kind of vibrant, creative art incubation space, you’ll have people chomping at the bit to be part of it. Either by taking studio tours or mini-classes or process presentations, or if we can do artist residencies, we can offer what I’ve called vanity residencies where people are paying to stay in the district and collaborating with and learning from other artists. Thanks for your time and if anyone has any questions or wants to brainstorm, please get a hold of me. Thanks.”

Amy Trombetti email: “I serve on 3 non-profit boards, The Arts Council, UMOCA and Encircle Heber Advisory Board. I am also an educator and work in Special Education. I am a resident of Park City and have an office in Park City. When I moved to Park City I found the Arts Council. This was a path for me to be introduced to new people in the community, attend events that were not flooded with educators and parents talking shop and I made the most amazing friendships. A whole new world was introduced to me. I found a creative outlet I never knew I had and am so thankful that I had the arts and it really saved my mental health especially during the pandemic/shut down. We know Arts and Culture is a priority for our community and vital to our culture. Making a substantial investment in Arts & Culture, a priority at the City, is essential. This development is much broader than just arts and culture. This adds affordable housing, transportation components, and the district will connect creative hubs throughout our community (i.e. walkability to Eccles, the district, Jim Santy, PC museum/Main Street, bring more vibrancy to Prospector Square and Ironhorse District). These are just a few of many opportunities this district would provide. Please continue moving forward with the Arts and Culture District. We do not need one more disappointment after being shut down and so deprived of social outlets and community outlets. We need something to look forward to. Below are a few highlights from the state of the Arts Report (2019 data):

Arts & Culture industries in Summit County produced a total of 4,243 jobs with 1,727 people in Summit County directly employed in Arts and Culture; The local Arts and Culture community received \$2,806,891 in grants; Projected growth of jobs in Arts and Culture industries produced an estimated \$1,800,000 million in taxes.”

Matt Mullin eComment: “I support the Arts and Culture District. While COVID has presented challenges we are all dealing with from a financial standpoint, it has also made one thing abundantly clear. In-person teaching and engagement improve the human experience. This district will give us all of that. Time spent together, creating, observing, and enjoying what we can all do when given the space and place to do it. We have the place, the people, and the money to build something that will let all of us see each other more often, build bridges across our micro-communities, and elevate the hearts and minds of every person in Park City.”

Carol Sletta email: “I was one of the residents who met with the consultants, giving input why this location was not good for affordable housing or any housing, for many reasons. (I was a little surprised that I was not advised that 100 Marsac was being discussed since I had attended the meeting with the consultants and Park City residents.) Public safety: Marsac/"Mine Road", Chambers, Prospect, Sandridge, Hillside--quite the intersection area to add another street in this Historic neighborhood. This is an intersection that consistently sees vehicles running the stop sign heading north on Marsac. And let's not forget the runaway truck lane just south of this parcel. Let's not be short sighted and sell off this open space to a developer. Wasn't the intent of the City purchasing this parcel to keep it as Open Space?”

Sam Oh email: “My family and I are residents at 206 Ontario Avenue. We are vehemently opposed to any residential or commercial development at 100 Marsac. We feel strongly that the location should be permanently made into greenspace. The density in Park City is already at a breaking point. While the dollars and cents of these types of projects are compelling, they are always irreversible. Once the space is converted, we cannot get it back to greenspace. While we recognize that affordable housing is an issue, it cannot come at the expense of overcrowding and the long term harm that density of this nature brings. We implore you to reject the development proposal and make the space green forever.”

Clive Bush email: “In response to the 100 Marsac Agenda Item, please note the attachment - I would ask that you consider reviewing your errant policy of retaining this parcel for its perceived value as future developable land. The City was very fortunate to get this property at a bargain, basement price - may you now raise it to its full value of very rare and priceless open space in Old Town.”

J. Alden Philbrick email: “I understand that you are restarting discussions at the Council meetings regarding the development of the parcel known as 100 Marsac Ave. We

voiced opinions when you were looking at creating many home sites at that location and determined that it was not economically feasible, as we argued. Apparently, there is new discussion along those lines and we are adamantly opposed. It needs to be used as greenspace as the terms of the Talisker transaction dictate after the low income housing option was taken off the table. Any development there crosses many reasonable lines of informed analysis and should not be pursued. Old Town will lose valuable highly visible Greenspace, traffic on Marsac will escalate to problematic levels, the expense is enormous, and the environmental issues are many. Please do not proceed with this development.”

Roberto Albarran email: “As long time Park City residents, we have worked to protect 100 Marsac for almost 15 years. Let’s make sure we keep it as Green space for the present and future as well.”

Jeff and Emma Sopko email: “We live on Sandridge Avenue across from the 100 Marsac site that has been under review for potential development. We understand that there is a virtual meeting tomorrow, Thursday, Feb. 25 and that this meeting will include an update on the status of the 100 Marsac property. While we have lived at our current address on Sandridge for 3 years, we understand that the 100 Marsac property has a quite a legacy, and it's future has been under review for almost 15 years with the latest decision in June, that the site is not a feasible location for housing development. We strongly support that 100 Marsac be used as greenspace to protect and maintain this area for residents, pets, and wildlife alike. Additionally, there are significant important historical structures on the site, which are worthwhile to preserve Park City's history. To prevent continued re-evaluation and deliberation regarding the future of this site (which apparently has been already iteratively evaluated), we would like to ask that the Council designate this space as greenspace for historic Park City once and for all to end further re-evaluation and debate regarding the use of 100 Marsac.”

V) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from February 4, 2021:

Council Member Worel moved to approve the City Council meeting minutes from February 4, 2021. Council Member Henney seconded the motion.

RESULT: APPROVED

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

VI) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Contract for a Drinking Water Source Protection Plan Update and Continued Technical Support Related to Ground Water Sustainability, in a Form Approved by the City Attorney, with Loughlin Water Associates, LLC, in an Amount Not to Exceed \$135,500:

2. Request to Authorize the City Manager to Execute an Addendum to the Professional Services Agreement, in a Form Approved by the City Attorney, with Lithos Engineering Inc., for the Spiro Mine Tunnel Reconstruction Project in an Amount Not to Exceed \$100,000.00:

3. Request to Grant an Easement for Construction and Maintenance of Wastewater Collection and Transportation Pipelines and Appurtenances, across City-Owned Property to Snyderville Basin Water Reclamation District (SBWRD):

4. Request to Grant Non-Exclusive Rights-of-Way, Easements and Environmental Deed Restrictions Associated with the Alice Claim Subdivision, Across Parcel PC-S-55-X to King Development Group, LLC, Questar Gas Company dba Dominion Energy Utah, and Rocky Mountain Power, in a Form Approved by the City Attorney:

5. Request to Authorize the City Manager to Execute the Professional Services Agreement with Optibus Inc., for Software Installation and Support to Facilitate Enhanced Transit Route Design and Driver Schedule Optimization, in an Amount Not to Exceed \$61,000 Per Year, for Three Years, in a Form Approved by the City Attorney:

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

RESULT: APPROVED

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

VII) OLD BUSINESS

1. 2021 Legislative Update:

Matt Dias, City Manager, indicated cities and towns felt they were under attack and legislators thought local control should be diminished. Nightly rentals, building regulations, a MIDA bill, a sales tax bill, and other micromanaging bills were pervasive this year. The billboard legislation died on the floor, and the building regulations bill stripped local regulations for windows, inspections and other measures. Dias thought Park City would get an exception for the historic district for its billboard. The accessory dwelling unit bill would allow units in any zone in the community. The City tried to

preserve the residential unit by requiring that the dwelling would have to be owned by a primary resident and the accessory units would not be permitted for nightly rentals. Council Member Doilney wondered if the impact on the community was not related to the legislators. Dias indicated the statewide realtors' association was in favor of the bill and he thought work could be done at the local level with that group. Council Member Doilney thought the community needed to come together on its goals, and realtors were the first point of contact for many, so the City should reach out to this group to come together.

Council Member Doilney noted HB 302, that would have prohibited transgender youth from competing in sports in their chosen gender, didn't go through, and he asserted that was a good win.

2. Consideration to Continue an Ordinance Amending Title 11, Building and Building Regulations, Chapter 16 Flood Damage, of the Municipal Code of Park City, Implementing New Mapping and Regulations for Flood Damage Prevention in the Areas of Special Flood Hazard:

John Robertson, City Engineer, stated he would bring this item to the next meeting for consideration.

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

Council Member Henney stated residents above Round Valley Drive were concerned about the Flood Zone map and he requested staff reach out to them.

Council Member Henney moved to continue an ordinance amending Title 11, Building and Building Regulations, Chapter 16 Flood Damage, of the Municipal Code of Park City, implementing new mapping and regulations for flood damage prevention in the areas of special flood hazard to March 11, 2021. Council Member Doilney seconded the motion.

RESULT: CONTINUED TO MARCH 11, 2021

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

3. Transportation Planning and Projects Update:

Julia Collins, Alex Roy, and Austin Taylor, Transportation Planning Department, and John Robertson, City Engineer, presented this item. Collins stated her team was working with a consultant to complete the Transportation Master Plan, named Park City Forward. They were also working on an active transportation master plan which would provide a world-class walking and biking network. The Short Term Transit Plan was in progress as well, and it would look at transit routes, facilities, funding, service, and mode. In Phase Two, the plan would evaluate aerial transit with a dedicated bus.

Robertson stated there were 10 transportation projects in progress and they would be completed within the next two years, including Rossie Hill Road, Quinn's Junction Park and Ride, Park Avenue bus stops, and sidewalk improvements. There were also projects that were being done in conjunction with UDOT, including a stop light at Richardson Flat and SR-248 and the Park Avenue project that would go to SR-224.

Collins reviewed the planned regional transportation projects and explained how they were categorized and how the associated grants were prioritized.

Council Member Doilney suggested putting a barrier between SR-248 and the cemetery to protect bicyclists. Council Member Worel indicated she was excited about the grants for these projects. She asked if micro transit could be moved up on the priority list. Collins stated staff was working to see what types of vehicles and technology would be successful in a micro transit capacity. She thought there would be many models combining micro transit with regular transit. Council Member Henney stated micro transit was discussed in the Joint Transportation Advisory Board (JTAB) meeting and noted there was a lot of interest, but a lot of work still needed to be done to get to that point.

Council Member Gerber indicated there were several projects related to the Arts and Culture District and Three Kings Water Treatment Plant. She asked if there was the ability to move transportation projects to coordinate with the capital projects in progress. Collins stated sometimes projects couldn't be moved up because UDOT set the grant funding dates. She reviewed the process for prioritizing projects.

Dias noted collaboration between departments helped propel projects and ensured the projects were designed strategically to fill City goals. Council Member Henney stated collaboration with multiple departments had helped events and was now helping transportation. Mayor Beerman asked if a bus shelter in Prospector was in the plans. Collins indicated a bus rider survey was performed and from those results it was determined Park Avenue bus stops would receive the first improvements. She thought Prospector Square was on the list for future improvements. Council Member Henney asked for an update on where Prospector was on the priority list.

Council Member Doilney asked if staff applied for grants before projects were approved by Council. Collins stated staff was able to identify projects without needing the exact details. Some grants required a lot of detail so the design would need to be finished before a grant application could be submitted. Dias stated staff could apply for a grant on a project, and if the application was made and approved, that project would be prioritized and brought to Council to see if the City had matching funds that the grant required. He noted these interactive maps would help the community know what the City was working on.

Council Member Joyce was excused at 7:50 p.m.

VIII) NEW BUSINESS

1. Consideration to Continue an Ordinance Amending Land Management Code Chapters 15-2.4 and 15-15 to Address Shared Driveways and Common Parking Structures within the Historic Residential Medium Density Zoning District:

Laura Kuhrmeyer, Planner, requested to continue this item to March 18th.

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

Council Member Gerber moved to continue an ordinance amending Land Management Code Chapters 15-2.4 and 15-15 to address shared driveways and common parking structures within the Historic Residential Medium Density Zoning District to March 18, 2021. Council Member Doilney seconded the motion.

RESULT: CONTINUED TO MARCH 18, 2021

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

EXCUSED: Council Member Joyce

2. Consideration to Adopt Resolution 03-2021, a Resolution Authorizing the Resubmission of an Application for Designation as a Utah Enterprise Zone to the State of Utah Governor's Office of Economic Development:

Jenny Diersen, Special Events Manager, stated enterprise zones were important because they helped with economic development. The City adopted an enterprise zone in 2015, but she didn't think it had been used. The proposed resolution would help businesses receive tax credits. Businesses eligible for the program included art, education services, entertainment, recreation, accommodation, and food services. Council Member Henney asked why it was never used previously. Jonathan Weidenhamer, Economic Development Manager, stated some entities might have received credits, but the City could not track that.

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

Council Member Gerber moved to adopt Resolution 03-2021, a resolution authorizing the resubmission of an application for Designation as a Utah Enterprise Zone to the State of Utah Governor's Office of Economic Development. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Joyce

3. Consideration to Approve Ordinance 2021-08, an Ordinance Approving the Argent at Empire Pass Condominiums, First Amended, Located at 7677 Village Way, Park City, Utah:

Alex Ananth, Senior Planner, Bill Fiveash, Developer, and Hannah Tyler, consultant, presented this item. Ananth stated the developer requested to combine two units to one unit, and to subdivide the land to facilitate a potential future land swap. She noted Parcel A on the plat would be restricted to open space since the adjoining parcel was using all the density. She indicated there were two comments from the public at Planning Commission meeting who wanted the subdivision to be delayed to the future. The Planning Commission approved the proposal unanimously.

Fiveash stated he was the developer for the adjoining One Empire Pass Subdivision as well as the Argent. The intent was to use this Parcel A as a tool to protect the area for the Argent homeowners by allowing a future developer to have space between that development and the Argent. He reviewed the history of the properties in that area and noted the One Empire Pass residents were concerned that if the future development were moved away from the Argent, it would be closer to their property.

Council Member Worel clarified that the open space would shift towards the Argent and then the corner could be developed. Fiveash indicated a property swap would likely put a conservation easement next to the Argent so nothing could be built in that zone. He pointed out there were no current negotiations with the other landowner, but he wanted to be prepared so that the view corridors of the Argent owners would be protected.

Mayor Beerman opened the public hearing.

Tom Jacobsen via Zoom, thought there were significant plans being made today. He stated the lot split was not needed since it was already open space and would never be developed. He thought the future owners of the development should be the ones to make the decision to split the land if they chose to in the future. He indicated whatever was done should be done at the right time with a clear vision of what was being done in the neighborhood. If the subdivision was approved, he suggested putting a deed restriction on the property that would limit it as open space.

Mayor Beerman closed the public hearing.

Council Member Worel expressed concern with subdividing Parcel A. She felt the open space was a benefit to the community. Council Member Doilney indicated creating

Parcel A complicated the issue. Council Member Henney stated the parcel wouldn't change the size of a building, but only the location. Fiveash indicated subdividing Parcel A seemed like good housekeeping. Council Member Henney asked if the Marsac Claim parcel could have more density with Parcel A. Ananth stated Marsac Claim was not part of the Flagstaff Development and it was unlikely more density would be allowed, but it could allow a development more parallel to the road and give more space to the adjoining property. Council Member Worel stated the subdivision of the property was premature and it didn't need to be addressed. Ananth reviewed the Planning Commission stated it would come back for review and so there was no problem splitting this property now. Council Member Doilney didn't think the City should act on a potential tool that would give one property a view corridor over another property. Council Member Henney didn't want to go against Planning Commission's recommendation. Council Member Gerber stated the request met the Land Management Code (LMC), but just because you can do something doesn't mean you should. This approval felt like it was putting one neighbor against another.

Harrington clarified the LMC used the standard criteria from State code so there was no question on the standard. There were two options: one was to have Planning Commission further study the issue, and the other was to remand the item to the Planning Commission for further clarity. Council could move in another direction, but it needed to have findings to oppose the application. Harrington stated some open space parcels were platted separately, but sometimes problems were created because HOAs then forgot to pay property taxes on those parcels, etc., so further conditions of approval could be added so this wouldn't create a precedent for future applications.

Council Member Worel asked to continue the item. Fiveash stated this had been a negotiation for years. He would prefer to pull Parcel A from consideration and only approve the unit combination. Ananth stated Condition of Approval Six would need to be removed.

Council Member Henney moved to approve Ordinance 2021-08, the amended ordinance approving the Argent at Empire Pass Condominiums, First Amended, located at 7677 Village Way, Park City, Utah, with the amendment that only the plat amendment combining Units 201 and 202 to a single unit will be adopted. Council Member Gerber seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Joyce

4. Consideration to Approve Ordinance 2021-09, an Ordinance Approving an Extension of the Lilac Hill East Subdivision Located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah:

Ananth requested a one-year continuation to record the plat. Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Gerber moved to approve Ordinance 2021-09, an ordinance approving an extension of the Lilac Hill East Subdivision located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah. Council Member Worel seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Joyce

5. Consideration to Approve Ordinance No. 2021-10, An Ordinance Repealing Land Management Code Section 15-6-7, Master Planned Affordable Housing Development; Enacting Chapter 15-6.1, Affordable Master Planned Developments; and Amending Chapter 15-15, Defined Terms:

Rebecca Ward, Land Use Planner, Erik Daenitz, Budget Analyst, and Jason Glidden, Affordable Housing Manager, presented this item. Ward indicated a study was performed to see what initiatives were needed to promote private development of affordable housing. The proposed Affordable Master Planned Development (AMPD) code amendments would increase density, reduce parking, implement zoning incentives, provide that at least 50% affordable units were in the development, and permit AMPDs in non-historic zoning districts where multi-unit developments were an allowed or conditional use.

Ward suggested allowing height densities for only some zones if Council had a problem with implementing the bonus for all zones. Council Member Doilney asked what the maximum height would be, to which Ward responded the roof had to be no greater than 45 feet, although mechanical equipment could be on top of the roof up to five extra feet.

Mayor Beerman stated some affordable housing was being considered for the Flagpole Lot and on top of China Bridge and he asked why the Planning Commission did not want any affordable units in the Historic District. Ward indicated the Planning Commission discussed each zone separately and the Historic District height maximum was 28 feet, so they felt the new height might be difficult. Also, if the Historic District was included, the amendments would need to go to the Historic Preservation Board for review. Mayor Beerman suggested the broader historic district could allow affordable units and the City could continue to block it in the National Historic District. Council Member Gerber indicated there were several buildings on Main Street that exceeded 28 feet in height. Glidden stated there was an allowance for extra height if the building design was a step back. Council Member Gerber felt it made sense to restrict height in the Historic Residential Zone, but the Historic Commercial Zone had more height and the new height amendment would blend better. Council Member Henney clarified the

difference between the Master Planned Development (MPD) process and the AMPD process was the MPD process would remain the same and the new AMPD would require a new application process. Council Member Worel asked what would trigger the AMPD. Ward stated there had to be at least 10 residential units or 20,000 square feet. Daenitz stated an AMPD would only work with a certain size parcel.

Council Member Doilney favored this change and thought it would promote responsible growth. Council Member Worel asked if the code amendments were shown to the public/private development taskforce. Glidden stated they were shown to certain members of the taskforce and those members felt there was still a gap in order to make a private development pencil, but it could work with public/private partnerships.

Council Member Gerber asked about the sliding scale that would make a project work. Ward stated the wording said 50% affordable, and affordable was defined at 80% Area Median Income (AMI) or less. Council Member Gerber asked how much of a density bonus a developer would receive. Ward stated the bonus would be based on volume as long as the setback requirements were met. Council Member Gerber asked if a 40-year deed restriction was common. Glidden affirmed it was common and stated the owner would have to apply to terminate the deed restriction after the 40-year term expired, and the Housing Authority would have to approve that application. Council Member Gerber asked if the City would get something back if those deed restrictions were removed. Glidden stated that would be discussed at the next meeting. Council Member Henney stated the 40-year deed restriction limit was standard protocol with the current deed restricted units in the City.

Mayor Beerman opened the public hearing.

Deb Rentfrow via Zoom, asked for an amendment to make a provision that height density be allowed on a case-by-case basis. Regarding parking, she requested adding language to the ordinance that Planning Commission have discretion based on the location of the development. She also submitted the following eComment: "This new Affordable Housing Ordinance applies to the existing GC, RM, RD, RDM, LI and RC zones. The GC and RC zones currently have maximum building height of 35 ft, the LI zone a maximum of 30 ft and the RM, RD and RDM zones a maximum of 28 ft. This new ordinance will allow a 45 ft high structure plus an additional 5 ft for chimneys, mechanicals, etc. to be placed adjacent to a much smaller residence or building. These zones include Thaynes, Payday, Empire, Woodside, Kearns, Monitor, Lucky John and Little Kate to name a few. The suggestion that existing residents may apply for a building height exception during a remodel or rebuild of 5 ft and reduce the impact is absurd. The variance between the current zone height limits and the Affordable limit will be at least 10 ft and could be as much as 22 ft. In addition, the measurement process recommended by Planning does NOT take into account the slope of the land meaning it could actually tower much more over a neighboring structure. This is in direct conflict

with ensuring new development has no visual impact to the adjacent or neighboring properties and is compatible with the surrounding community. And, as written, the Planning Commission would have no discretion to reduce the building height based on the neighboring properties. The issue of reducing parking further for Affordable also seems unrealistic. Just take a walk down Woodside; the street is completely parked up with residential vehicles. The report by the City's consultant Cascadia reported 48% of residents in Affordable Housing have two or more cars. Street parking is already an issue and by further reducing requirements on-site, this problem will be exacerbated. This also assumes no one ever comes to visit the owner/renter in the affordable residence except via transit and the owner/renter never has to go anywhere outside of or far from transit. In summary, this Ordinance significantly benefits the developer over the community and needs further review."

Mayor Beerman closed the public hearing.

Council Member Worel asked how HOA covenants would affect an AMPD. Ward stated if an HOA had limitations on a single family home that might come into play, but the City didn't enforce HOA regulations. Council Member Henney asked if the HOA or the LMC would take precedence. Harrington stated the HOA would have to enforce their CCRs through legal action.

Mayor Beerman suggested approving the amendments with the request to send them to the Historic Preservation Board for review. Council Member Gerber asked if parts of zones could be carved out for affordable housing. Ward stated the Historic District could be crafted in a way that it would be related to the adjacent buildings. Glidden stated this could be approved tonight without the Historic District language, and then amendments that included the Historic District would be taken to the Historic Preservation Board for review and then they would come back to Council. Council Member Doilney asked if any zones should be eliminated from height bonuses. Council supported including all zones for height bonuses.

Council Member Gerber moved to approve Ordinance No. 2021-10, an ordinance repealing Land Management Code Section 15-6-7, Master Planned Affordable Housing Development; enacting Chapter 15-6.1, Affordable Master Planned Developments; and amending Chapter 15-15, Defined Terms with direction to have staff to explore additional density in the Historic zones. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Joyce

6. Consideration to Approve Ordinance No. 2021-11, an Ordinance Approving the King's Crown Condominiums First Amended Condominium Plat Located in Park City, Summit County, Utah:

Rebecca Ward, Planner, and Rory Murphy, Developer, presented this item. Ward reviewed that the MPD was modified and the plat was amended. The Planning Commission outlined some conditions of approval, including a 12-foot setback from the southern lot line, the garage entrance was moved to the north, and more. The developer and neighbors worked on additional conditions, including the types of trees to be planted, the placement of mechanical equipment, and others as attached to this document.

Council Member Henney asked if the additional steps resolved the issues with the neighbors. Murphy indicated he was trying to acknowledge and respect the concerns of the neighbors. Council Member Henney asked if the additional conditions would please the neighbors. Murphy stated it was hard to make that determination. He knew there were concerns and he thanked Planner Ward and others for their efforts. Harrington stated the other party acknowledged their concerns and Council was aware of those. He thought there was a compromise on both sides.

Council Member Gerber asked if there was concern having the neighbors create the conditions without Planning Commission reviewing those conditions. Harrington stated he and Ward evaluated those conditions and determined they were mostly aesthetic and not substantive, so he was comfortable bringing those directly to Council.

Mayor Beerman opened the public hearing.

Alena Stein via Zoom, felt strongly about the length of time the development would take and she hoped for a quick resolution. She thought a speed bump should be placed in front of her house and thought it would protect her driveway. She also appreciated the additional conditions that would buffer noise.

Scott DuBois, Jones Waldo, via Zoom, stated he represented the neighbors across from Building D, and reported some of the biggest concerns had been addressed and he hoped the project could move forward. He also sent the following email: "This will confirm the statements made in Craig Terry's email. Specifically, my clients, Jon Horwitz and Patricia Kravtin, will not object to CRG's application, provided that the Additional Conditions of Approval attached to Craig's email are incorporated into the ordinance and approved by the City Council at tonight's meeting. Please let me know if you have any questions or if I can provide any further information."

Craig Terry email: "Parsons Behle & Latimer represents CRG Development, LLC (referred to herein as "CRG") in connection with CRG's application to Park City for the King's Crown Condominiums, First Amended Plat, which application is scheduled for

consideration by the City Council of Park City during its meeting on February 25, 2021. I have communicated with Scott DuBois of the law firm of Jones Waldo, who has informed me that he represents Patricia Kravtin and Jonathan Horwitz (collectively referred to herein as the "Neighbors"). Attached to this email is a list of Additional Conditions of Approval for the King's Crown Condominiums, First Amended Plat, which Additional Conditions are identified as Conditions 12 through 17 (the "Additional Conditions of Approval"), for consideration by the City Council. Scott DuBois has informed me that his clients, the Neighbors, will not object to the approval by the City Council of the proposed King's Crown Condominiums, First Amended Plat and the amendment of Ordinance No. 2021-11 (as described in the City Council Staff Report prepared by Rebecca Ward), provided that the attached Additional Conditions of Approval are also approved by the City Council during the City Council Meeting on February 25, 2021. In material reliance upon the representation of Scott DuBois on behalf of his clients, the Neighbors, described above, CRG has authorized me to inform the City Council that the Additional Conditions of Approval are acceptable to CRG. Scott DuBois is copied as a recipient of this email message. I am asking Scott DuBois to communicate directly with both of you by email and confirm the accuracy of the above paragraph regarding the position of his clients, the Neighbors, with respect to the attached Additional Conditions of Approval. If either of you have any questions about this communication or about the Additional Conditions of Approval, please feel welcome to contact me."

Mayor Beerman closed the public hearing.

Council Member Doilney moved to approve Ordinance No. 2021-11, an ordinance approving the King's Crown Condominiums First Amended Condominium Plat located in Park City, Summit County, Utah. Council Member Worel seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Joyce

IX) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

2021 LEGISLATIVE BILLS TO WATCH							
Category	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Housing	HB 82S04	Single-Family Housing Modifications	Rep. Ray Ward		Modifies provisions to single-family housing: ADUs must be permitted use if allowed, may not establish restrictions re: use, including size parking, frontage. Prohibits HOAs from prohibiting ADUs & creates a loan program for ADU creation.	2/18: passed House, to Senate. 2/19: 1st Senate reading. 2/24: to standing comm.	Oppose
Building	HB 98S01	Local Government Building Regulation Amendments	Rep. Paul Ray		Amends provisions related to local government building regulations; opt out of inspections & use independent inspector-can be the builder & issue COO, opt out of plan review, prohibits building design elements	1/19: 1st House reading. 2/5: 2nd House reading.	Oppose
Planning	HB 107S01	Subdivision Plat Amendments	Rep. Joel Ferry		Specify easements & ROW for water conveyance in the plat, facilities within 100 ft of plat, written notice of the facility. Cities have to mail written notice to facility owner & requires a survey to verify some water conveyance facility info	Passed House. Passed Senate; 2/25: signed by speaker, sent for enrolling.	TBD
	SB 65	Community Reinvestment Agency Amendments	Rep. Wayne Harper		Interlocal agreement for the purpose of transferring incremental revenue; new tool-agency can levy a property tax on property in boundaries; agency cannot extend scope; Allows agency to use property tax revenue for agency-wide projects; prohibits agency from new CRA unless	Passed Senate, 2/24: 1st House reading.	No position (discretionary)
Sustainability	HB17S01	Utility Permitting Amendments	Rep. Stephen Handy		Preemption of municipalities ability to restrict utility hookups.	2/3: passed House. 2/12: Passed House. 2/16: to Gov.	Oppose
Finance	HB 94S01	Microenterprise Home Kitchen Amendments	Rep. Christine Watkins		Health Dept approval will allow home catering, bypassing commercial kitchen	2/19: passed House; 1st Senate reading. 2/22: to standing comm.	Opposes
Police	HB 154	Use of Force Revisions	Rep. Kera Birkeland		Defines terms of force by peace officers. Thet act of committing a death must occur before an officer is justified in using deadly force, on behalf of a third party, or in order to protect themselves.	1/19: 1st House reading. 2/23 to standing comm.	Oppose
Police	HB 66	Sheriffs Amendments	Rep. Casey Snider		During a riot situation, it allows the sheriffs office to have primary authority. Was drafted to address the SLC issue. It removes local authority over our jurisdiction if we disagree on how it should be handled.	1/19: 1st House reading.	Oppose
Sustainability	HB 209S03	Vehicle Registration Fee Revisions	Rep. Kay Christofferson		Increases registration fees on electric, hybrid, plug-in hybrid, & other vehicles.	2/22: FAILED	Oppose
Sustainability	HCR 5	Concurrent Resolution Encouraging Statewide Emission Reduction Goals	Rep. Stephen Handy		Encourages the adoption of emissions reduction goals.	1/19: 1st House reading	Support
Sustainability	HB 89S01	Hydrogen Tax Credit Amendments	Rep. Douglas Sagers		Creates tax credit provisions related to hydrogen energy.	1/19: 1st House reading. 2/12: to standing comm. 2/17: motion to recomm failed.	Support
Sustainability	HB 145	Clean and Renewable Energy Requirement Amendments	Rep. Raymond Ward		Modifies provisions relating to clean energy requirements for a large-scale electric utility. Sets 50% reduction goal by 2030 for Rocky Mountain Power.	1/19: 1st House reading; 1/20: to standing committee. 1/20: to standing committee	Support
Sustainability	HB 153	Energy Storage Asset Tax Credit	Rep. Stephen Handy		Enacts an income tax credit related to the purchase of an energy storage asset.	1/19: 1st House reading. 2/9: to standing committee. 2/12: house comm held	Support

2021 LEGISLATIVE BILLS TO WATCH							
Category	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Housing	SB 164	Utah Housing Affordability Amendments	Rep. Jacob Anderegg		Proposed amendments: 1. When affordable housing is required in inclusionary zoning, it is offset by additional market rate units so that developer profit is not impacted, but additional units would require more density, which would likely exceed the allowed density in a zone. 2. Cities receiving eco dev support from GOED to land a business will be required to perform a housing analysis and provide a plan for how they will accommodate the housing needs, no issue for PC. 3. Accounts would be required to be created for each development related fee that is collected and cities must report how much was collected and spent from these accounts; this is not supportive to affordable housing. 4. Increase the # of strategies in City's housing plans to be eligible for transpo funding; no issue for PC but would like to add additional options.	2/4: 1st Senate reading. 2/25: Senate Comm-not considered.	Oppose
	SB 61S03	Outdoor Advertising Amendments	Sen. Scott Sandall		Amends provisions related to billboard & other signage and electronic or mechanical changeable message signs.	2/3: 2nd Senate reading. 2/15: circled. 2/24: fiscal note available	Oppose
Emergency Management	HB 96S1	Emergency Management Amendments	Rep. Suzanne Harrison		Amends provisions of the Emergency Management Act related to emergency preparedness and response, and other duties of the Division of Emergency; requires political subdivisions to designate an emergency manager	Passed house. 2/5: 1st Senate reading. 2/25: 2nd Senate reading, placed on 3rd reading calendar.	Support
Emergency Management	HB 169	Disaster Response and Recovery Act Amendments	Rep. Brady Brammer		Amends the Disaster Response and Recovery Act to allow the Legislature or a legislative body of a political subdivision to limit certain emergency powers during a state of emergency.	1/19: 1st Hous reading; 1/21: received fiscal note	Undecided
Planning	HB 115S03	Municipal Boundary Modifications	Rep. Steve Waldrip		Amends provisions related to municipal boundaries; counties retain veto authority but have to put basis in certain factors in writing and subject to appeal re arbitrary and capricious standard.	1/19 1st House reading; to standing committee. 2/8: 2nd House reading. 2/9: fiscal note available. 2/12: 3rd House reading. 2/16: 1st Senate reading.	Support
Safety	HB 60S03	Conceal Carry Firearms Amendments	Rep. Walt Brooks	Sen. David Hinkins	Would allow concealed carry of a firearm without permit.	Passed House, Passed Senate. 2/8 Signed by speaker. 2/15: Gov. signed.	Oppose
Safety	SB 102S01	Peace Officer Training Qualification Amendments	Sen. Karen Mayne	Rep. Paul Ray	Would permit some lawful permanent residents to apply to become peace officers.	2/3: passed Senate. 2/17: passed House. 1/29: signed by pres, sent for enrolling, 2/23: enrolled bill prepared.	Support
Safety	HB 245	Forcible Entry & Warrants Amendments	Sen. Craig Hall		Would limit the use of "no knock warrants."	1/27 1st House reading. 1/28 received fiscal note. 2/2: to standing committee. 2/16: held.	Support
Emergency Management	HB 184	Protection of Personal & Religious Liberty	Sen. Cory Maloy		Would block government's authority to close churches during emergencies such as COVID.	1/19: 1st House reading. 1/21: received fiscal note.	
	HB 243S01	Privacy Protection Amendments	Rep. Francis Gibson		Allows the state auditor to appoint a director and a commission to oversee data privacy throughout the state.	1/26: 1st House reading. 2/3: 2nd House reading. 2/9: 3rd House reading, circled.	Oppose
	HB 291S01	Residential Picketing Prohibition	Rep. Ryan Wilcox		Creates the offense of targeted residential picketing.	Passed House. 2/16: 1st Senate reading. 2/22: placed on 2nd reading calendar.	
Council Commissions	SB 125S01	Open & Public Meetings Amendments	Sen. David Buxton		Allows the convening of an electronic meeting without an anchor location if the building where the meeting would normally be held is ordered closed to the public to protect	Passed Senate. 2/18: Passed House, sent for enrolling. 2/23: draft of enrolled bill prepared.	Support
Sustainability	HB 263	Utah Clean Energy Fund	Rep. Joel Briscoe		Would create a non-profit "clean energy fund" dedicated to financing energy efficiency and zero-emissions energy technologies.	1/28: 1st House reading. 2/12: to standing comm. 2/16: Held.	Support

2021 LEGISLATIVE BILLS TO WATCH							
Category	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Stance
Social Equity	HB 302S02	Preserving Sports for Female Students	Rep. Kera Birkeland		Would reserve participation in athletic activities for only cis-female students in public and higher education.	Passed House. 2/18: 1st Senate reading. 2/24: Held.	Opposed
Social Equity	HB 92	Medical Practice Amendments	Rep. Rex Shipp	Sen. Curtis Bramble	Would prohibit a physican or surgeon from performing a transgender procedure on a minor.	1/19: 1st House Reading. 2/19: sent to rules.	Opposed
Safety Traffic	HB 142	Cyclist Traffic Amendments	Rep. Carol Moss	Sen. Curtis Bramble	Would allow bicyclists to treat stop signs as yeild signs.	Passed House. 2/4: 1st Senate reading. 2/25: placed on 2nd reading calendar.	
Safety Traffic	SB 168	Designated Vehicle Routes Amendments	Sen. Michael McKell		allows certain cities and towns to adopt ordinances restricting the use of street-legal all-terrain vehicles.	2/4: 1st Senate reading. 2/16: 2nd Senate reading. 2/18: 3rd Senate reading, circled. 2/24: Amendment failed.	
Childcare Social Equity	HB 277S01	Child Care Eligibility Amendments	Rep. Ashlee Matthews	Sen. Lincoln Fillmore	Would increase access to childcare subsidies	2/18: passed House. 2/19: 1st Senate reading. 2/24: placed on 2nd reading calendar.	Support
Public Health	HB 308	Covid-19 Vaccine Amendments	Rep. Robert Spendlove		Prohibits a government entity from requiring that an indiviual receive a vaccine for COVID-19.	Passed House. 2/23: 1st Senate reading. 2/24: to standing comm.	Neutral
Public Notice	SB 201S01	Public Notice Amendments	Sen. Karen Mayne		Acknowledges that newspapers are going online and cutting back service to once a week deliveries. Noticing requirements are changing to reflect the limited service by allowing certain meetings to only be noticed on the Public Notice Website.	Passed Senate. 2/23: 1st House reading. 2/24: to standing comm.	Support
Fleet	SB113S02	Transportation Amendments	Sen. Wayne Harper	Rep. Kay Christofferson	Prohibits a city from leasing a vehicle for less than 3 yrs or \$60k.	Passed Senate. 2/23: 1st House reading. 2/25: fiscal note sent to sponsor.	Oppose
Tax	SB241	Sales Tax Distribution Amendments	Sen. Daniel McCay		modifies the distribution method applicable to local sales and use tax revenue subject to distribution among the counties and municipalities by moving to a population-based distribution over a 30-year period; and	2/25: 1st Senate reading, to standing comm.	
Short-Term Rentals	SB 221	Short-Term Rental Amendments	Sen. Jacob Anderegg		Prohibits a municipality or county from enacting or enforcing an ordinance that would not allow owner-occupied short-term rentals.	2/19: 1st Senate reading; 2/23: fiscal note available.	Oppose
Planning	SB 204	Permitting Amendments	Sen. Kirk Cullimore		Requires local entity to include certain info in a state or local state permit application.	2/25: passed Senate, to House.	

Transportation Update

February 25, 2021

Julia Collins, Senior Transportation Planner
John Robertson, City Engineer



Agenda

1. Transportation Planning Department Overview
2. Update on Transportation Master Plans
3. Overview of Capital Projects 1-2 years
4. Overview of 5-10 year Capital Transportation Projects
5. Council Discussion



Transportation Planning Department

Alex Roy	Austin Taylor	Julia Collins
Transit projects, state roads, policy development, special projects	Active transportation and TDM program lead	Budgeting and prioritizing projects, grants, network planning, special projects



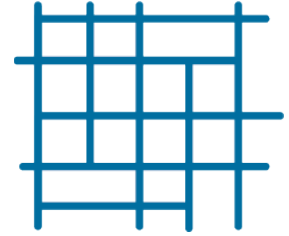
Completed Project Highlights

3-5 Year Capital Projects List

PROJECT	STATUS	NOTES
Car Share Program	Not completed	No sustainable model identified so far
Transportation Management Association	Completed	
Dedicated bus lane on SR-224	Completed	
Deer Valley Dr. intersection improvements	Completed	Striping exercises addressing turn lanes
Empire/Silver King intersection improvements	Completed	Still considered unsafe for pedestrians
Ongoing commitment to maintenance	Completed	Called for trails & transit specifically
ITS for paid parking	Completed	
ITS for real-time bus info	Completed	
Transit to Salt Lake City	Completed	PC-SLC Connect



Park City Forward: Transportation Master Plan



Relevant projects from the former plan have been accomplished

- 1 - Helps us be unified on transportation goals for the City**
- 2 – Public engagement that feeds into all elements**
- 3 – Scenario planning and modeling: testing plausible futures**
- 4 – Funding sources and budget planning**
- 5 – Develop projects based on data projections, community values, and financial inputs**



Short Range Transit Plan

- Innovative high-value options for transit service
- Clear vision for future of transit in Park City
- Routes, facilities, funding, service, mode
- Phase II: evaluate aerial transit with dedicated bus
- Update every 4-5 years, previous one (2015) all projects implemented
- Up-to-date plan helps secure federal funding
- Federal Transit Authority (FTA) will cover 80% of the costs



Active Transportation Master Plan

- Blueprint for advancing a world-class biking and walking network
- High priority projects and policies to encourage residents, employees and visitors to walk and bike year-round
- Build on the completed 2006 Walkability project list
- Routes, facilities, funding, education, policies and programs
- UDOT technical assistance grant



Upcoming Capital Transportation Projects

This is an overview of funded capital transportation projects to be implemented by Spring 2022.

Legend



Spring 2021
Construction



Summer 2021
Construction



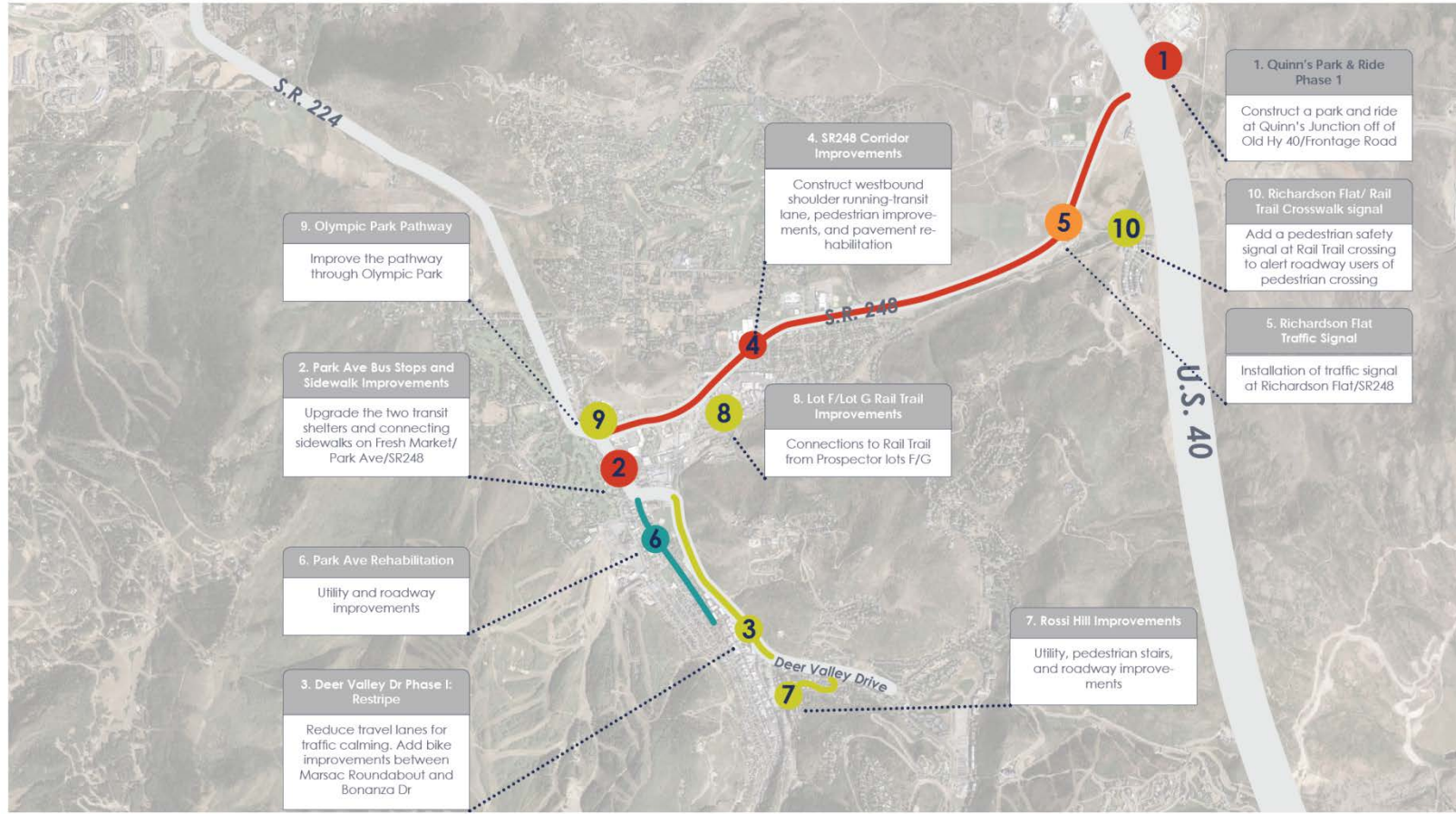
Fall 2021
Construction



Spring 2022
Construction



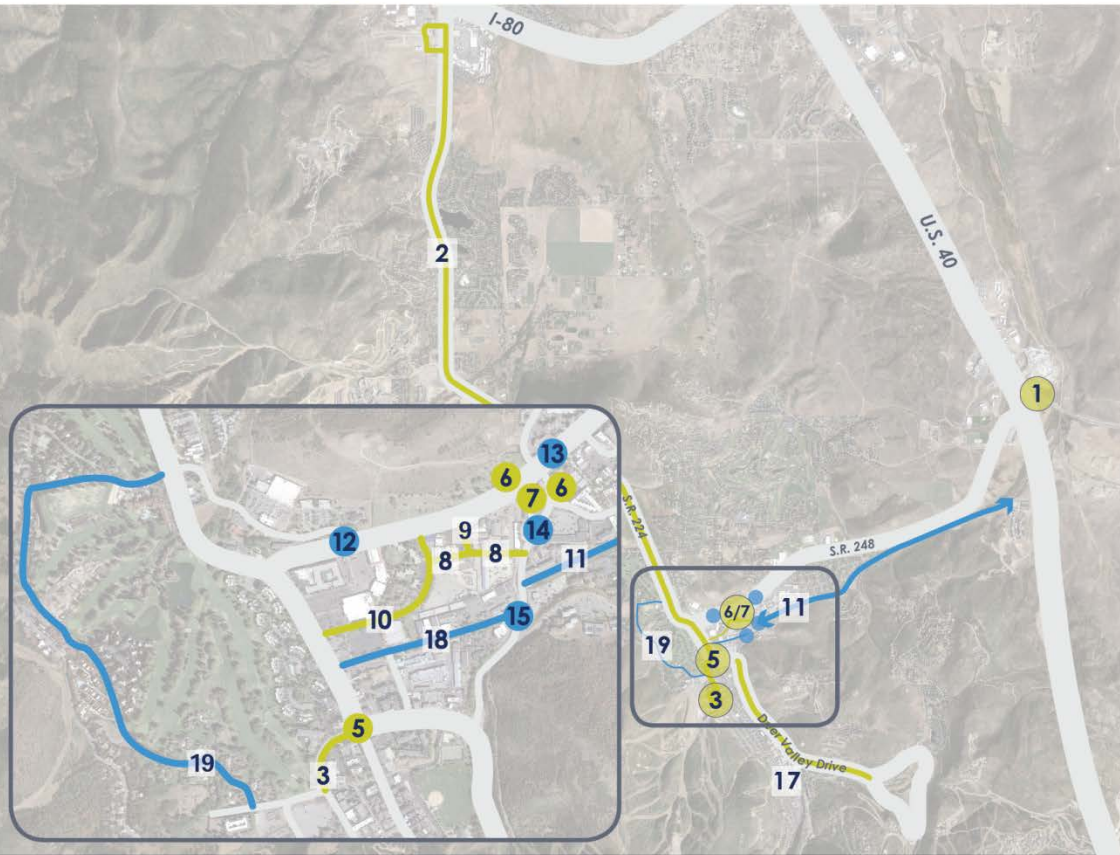
Regional
Roadway



Planned Regional Transportation Projects

This is an overview of planned regional transportation projects to be implemented in 5-10 years. Projects listed are not currently funded and are awaiting budget allocation or funding opportunities.

Legend



Capital Projects List

1. Quinn's Junction Park & Ride Phase II

Project Details: Build a transit station, end of line transit facilities, electric bus charger, and an e-bike station. Provide intersection improvements, signage, and VMS boards.

2. SR 224 Bus Rapid Transit (BRT)

Project Details: Add side-running BRT transit lanes, transit intersection improvements, and signage. Project includes potential roadway widening to accommodate transit lanes.

3. Empire Avenue and Multimodal connections

Project Details: Provide transit priority and enhanced connectivity for bikes/pedestrians. Improvements could include transit lanes, pathways, and other improvements outside the base area redevelopment.

4. Deer Valley Drive Complete Streets

Project Details: Provide transit priority and enhanced connectivity for bikes/pedestrians. Improvements could include transit lanes, pathways, and other improvements outside the resort area redevelopment.

5. Empire/Park/SR224 Intersection and Street Improvements

Project Details: Update intersection with transit priority and pedestrian safety improvements.

6. Arts & Culture Transit Stops

Project Details: Construct regional transit stops on Westbound SR248 and Northbound Bonanza. Add transit facilities/amenities, bus pullouts, sidewalk and pathway improvements.

7. Arts & Culture Parcel Transportation Improvements

Project Details: Includes two on-site transit shelters with bus pullout; a waiting area inside building #2; and a pathway and sidewalks on SR248/Bonanza. Funded with \$3 million in the existing budget.

8. Munchkin Complete Street Connection and Improvements

Project Details: Extend road through to Homestake. Add a 15' pathway on the south side, and a 5' sidewalk on north side; shared bike lane markings and a high visibility crossing at Munchkin/Bonanza Dr; utility relocations, roadway connections, and landscaping.

9. Woodbine Complete Streets Improvements

Project Details: Reconstruct Woodbine with a 5' sidewalk, shared bike lane markings, signs, drainage, utilities and an improved Woodbine/SR248 crossing.

10. Homestake Complete Streets Improvements

Project Details: Add a 12' pathway on south side of Homestake and shared bike lane markings and improve SR224 pedestrian crossings. Project may also include utility relocation, roadway connections, pathway/sidewalks, bike markings, protected pedestrian crossings, and landscaping.

11. Rail Trail Widening

Project Details: Resurface and widen the rail trail to 14'; improve drainage, erosion control, and add bridges.

12. Snow Creek Crossing (tunnel under SR248)

Project Details: Road will be extended through to Homestake. Inclusion of a 15' pathway on south side; 5' sidewalk on north side; shared bike lane markings, high visibility crossing at Munchkin/Bonanza Dr; utility relocation, roadway connections and landscaping.

13. SR248/ Bonanza Wells Fargo Tunnel

Project Details: Tunnel under SR248/turns in front of Wells Fargo

14. Bonanza/Prospector Tunnel or Bridge

Project Details: Crossing Bonanza connecting Arts and Culture to Prospector Square and Rail Trail

15. Iron Horse Intersection/Rail Trail tunnel

Project Details: Tunnel improvement from Arts and Culture district to existing tunnel on Bonanza Drive

*16. Mobility as a Service Improvements/Curb-side Improvements

Project Details: Drop-off and pick-up zones, modifications to curb space, include methods such as car and bike sharing, taxis and car rentals/leases, and provides consumer travel options.

17. Old Town Complete Street Improvements

Project Details: Numerous active transportation improvements and traffic calming features for the Old Town core. May include byway opportunities, lighting, wayfinding, pedestrian crossings, improved bike/pedestrian facilities.

18. Iron Horse Complete Street Improvements

Project Details: Enhanced sidewalks and improved pathways, connections to Rail Trail, intersection improvement to Bonanza Dr.

19. Three Kings Complete Street Improvements

Project Details: Transit improvements, pathway connections, bike markings, and traffic calming measures on Three Kings Drive to Thayer Canyon Drive.

*Other Projects

State of Good Repair and Operational Projects

A. Electric Vehicle Charging Infrastructure

Upgraded electric chargers: DC fast charger/thickle charger.

B. Electric Bus Fleet Replacement

Convert entire transit fleet to electric vehicles.

C. Bus Shelter Maintenance

Improved design, sidewalk connections, transit shelters, lighting, signage, etc.

D. Rail Trail Maintenance

Maintain the rail trail pavement, improve drainage, weed control, etc.

E. SR248 Express Bus NEPA

Plan and design to connect Quilns and Park City with transit priority

F. On-Demand Micro Transit

On-Demand transit service with flexible routing, scheduling, vehicles, etc.

G. Electric Autonomous Vehicle

Electric autonomous vehicle that operates as a circulator service.

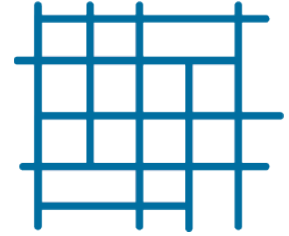
H. Variable Message Boards

Continue to expand real time traveler information.

*Not pictured on map



Upcoming Grant Opportunities

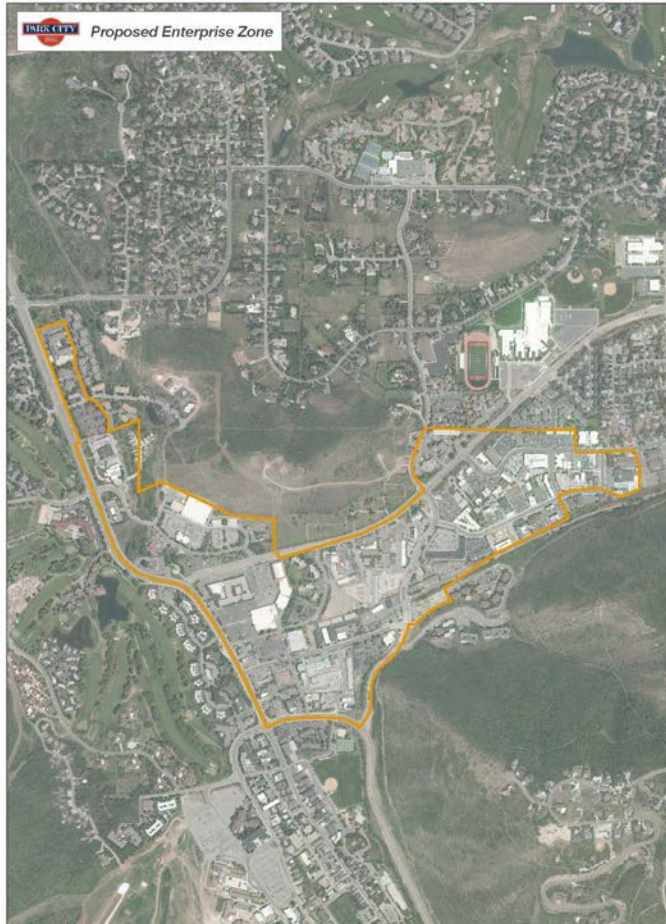


A priority based approach—allows the City to be BOLD and strategic use of City funding

- 1 - UDOT Transportation Investment Fund (TIF)**
- 2 – FTA 5311 Rural Transit Capital Program**
- 3 – Summit County Transportation Sales Tax Revenue 3rd quarter**
- 4 – FTA LoNo Emissions**
- 5 – UDOT Small Urban Roadway Funds**
- 6 – Other discretionary grants**



Adopt Resolution for Enterprise Zone



Enterprise zones are an important tool for local municipalities in economic and community development.

City adopted an EZ in 2015. It has not been used in Park City. It has been successful in other parts of Summit County and the State.

If approved, tax credits will be available in the Prospector, Snow Creek and Bonanza Park/Arts District areas for:

1. Capital Improvements;
2. Job Creation;
3. Contributions to 501 (c)(3) private non-profit engaged primarily community and economic development.

Park Avenue and Main Street have been removed from the prior Zone based on feedback from GOED:

1. This program is for underperforming areas.
2. Avoid duplication of State incentive programs that manipulate free market.

Retail and construction is not eligible for this program. Types of businesses that are eligible include Arts, Entertainment, Recreation, Education Services and Accommodation and Food Services.

<https://business.utah.gov/rural/>

Condominium Plat Amendment Argent at Empire Pass

City Council
February 25, 2021



— Background —

- 2019 Condominium Plat approved for 28 units, parking below, currently under construction.
- 2-acre site, Lot 2 VEP North Subdivision, Pod A, Flagstaff Mountain DA.



SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
201	3,484 SF

201

SCALE SHEET 2 OF 2

JOB NO.: 6-3-19 FILE #:\projects\city\map\202105\060119-sect 21.dwg

DRAWN BY: _____

CHECKED BY: _____

DATE: _____

TIME: _____

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

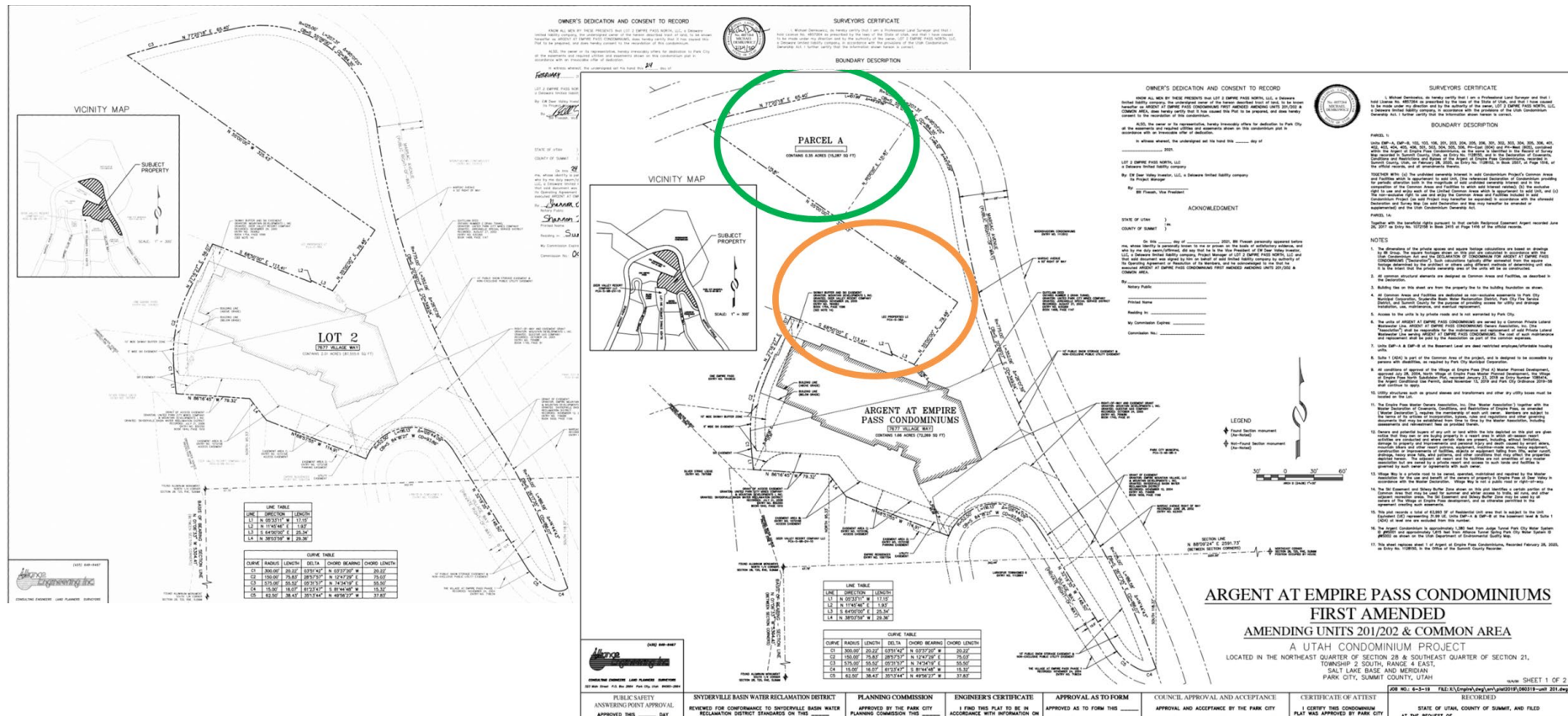
AT THE REQUEST OF _____

FEE: _____ RECEIVED: _____

ENTRY NO.: _____

SECTION 21, T1N, R1E

— Plat Amendment —



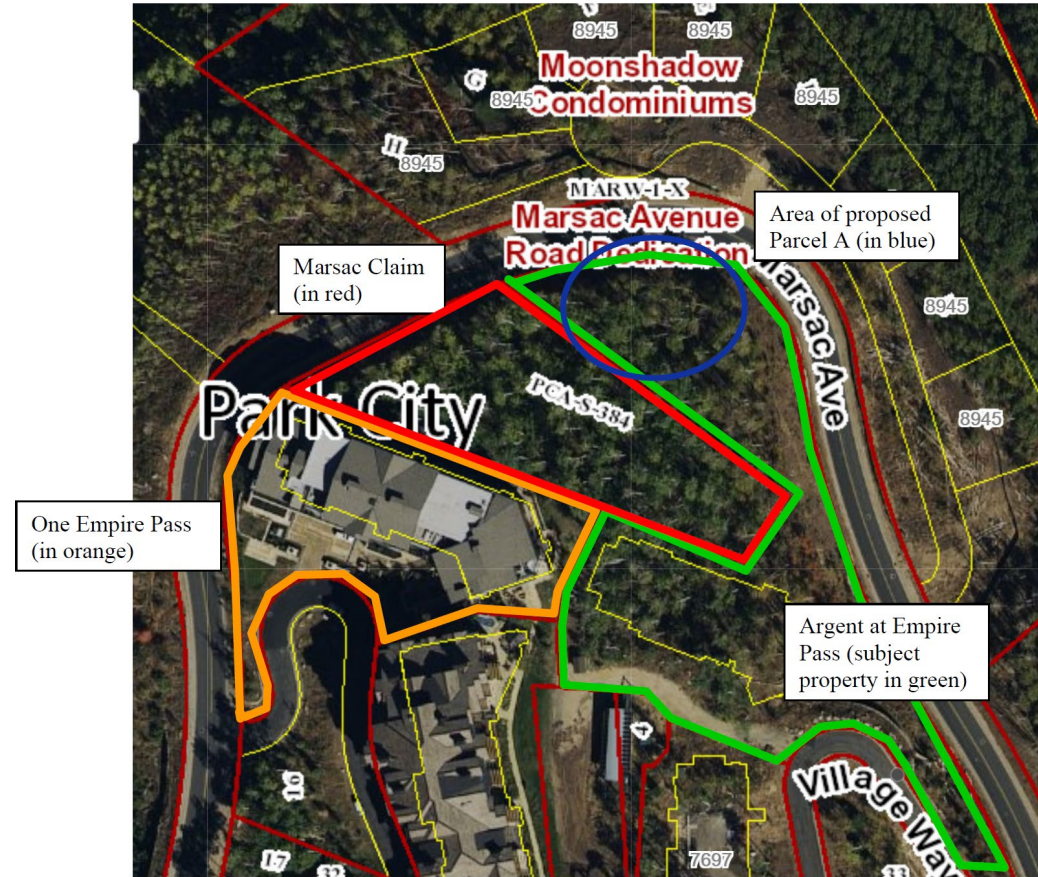
— Good Cause —

- Staff finds Good Cause for this Condominium Plat Amendment as it is consistent with the density and uses identified in the approved VEP Master Planned Development Site Plan, the Village at Empire Pass North Subdivision Plat, and the original approval of the Argent at Empire Pass.
- The Condominium Plat Amendments allow for the combination of two units into one larger unit, and for the creation of Parcel A, a 0.35 acre parcel. COA #6 requires a Plat Note indicating Parcel A is restricted as Open Space, is not separately developable, and has no density associated with it. Any future amendments will be processed in accordance with the Land Management Code in effect at the time of application. Dividing Lot 2 into two separate parcels has no material change on the Density, Open Space or Setbacks of the project.



– Public Comment –

- Creation of Parcel A places Marsac Claim Density adjacent to One Empire Pass
- Creation of Parcel A should wait until there is a plan for Marsac Claim



— Recommendation —

- Staff recommends the Council hold a Public Hearing and approve the Plat Amendment, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft Ordinance.
-





AFFORDABLE MASTER PLANNED DEVELOPMENTS

LAND MANAGEMENT CODE AMENDMENT



AFFORDABLE MASTER PLANNED DEVELOPMENTS

BACKGROUND

Since 1984, the Affordable Master Planned Development (AMPD) code provided a 20-unit density bonus for AMPDs that were 100% affordable.

However, in 37 years, no AMPD has ever been constructed by a private developer or through a public-private partnership.

While there have been public-private partnerships to develop affordable units in Park City, the AMPD density bonus was not the incentive for these partnerships.



AFFORDABLE MASTER PLANNED DEVELOPMENTS

BACKGROUND

In 2018, Council directed Planning and Housing staff to evaluate the AMPD code to identify obstacles.

Staff proposed AMPD amendments to

- Reduce the requirement from 100% to 50% affordable or attainable housing
- Create a sliding scale for a density bonus based on the Area Median Income served
- Reduce parking
- Exempt micro-units 500 square feet or less from parking requirements



AFFORDABLE MASTER PLANNED DEVELOPMENTS

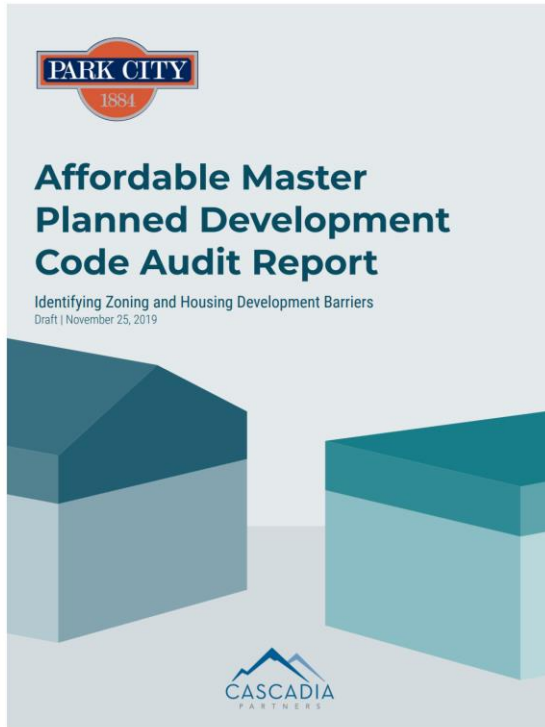
BACKGROUND

In 2018, the Planning Commission forwarded a positive recommendation, but the Council requested further study to demonstrate whether the AMPD amendments went far enough to incentivize public-private partnerships



AFFORDABLE MASTER PLANNED DEVELOPMENTS

The City hired Cascadia Partners to complete two studies.



PARK CITY AMPD - HEIGHT AND PARKING BEST PRACTICES RESEARCH

To: Hannah Tyler, Planner, City of Park City
From: Jamin Kimmell, Senior Associate, Cascadia Partners LLC
Date: October 15, 2020
Subject: **Best Practice Research on Height and Parking Code Standards**

The purpose of this memorandum is to summarize research conducted by Cascadia Partners on best practices for regulating off-street parking and building height for developments with affordable housing units. The memo presents examples of similar communities that have recently updated their code, as well as developments that were enabled by the code update. The memo concludes with a set of recommended code concepts for the City to consider to more effectively incentivize private development of affordable housing. The memo is organized into the following sections:

1. **Background:** This section reviews the context for this research and the City's existing standards.
2. **Research Approach:** This section discusses our approach to identifying case studies and gathering information on lessons and best practices from other communities.
3. **Case Studies:** This section details four cases of similar communities that have recently updated height and parking standards: Ketchum, ID; Truckee, CA; Mammoth Lakes, CA, and Bend, OR.
4. **Recommendations:** This section recommends a set of preliminary code concepts for the City to consider in updating the Affordable Master Planned Development (AMPD) standards.

BACKGROUND

Code Audit Recommendations

In 2019, the City of Park City engaged Cascadia Partners to audit the Affordable Master Planned Development (AMPD) code provisions. The goal of the AMPD Code Audit was to understand the impact of the draft density bonus standards City staff had prepared for the AMPD and evaluate potential strategies for enhancing the financial feasibility of developing under the AMPD standards. Key recommendations of the AMPD Code Audit Report include:

- Prioritize changes for smaller, infill lots
- Strive for predictable, by-right standards
- Use base zone setbacks
- Eliminate large premier buffer
- Focus on achieving active open space
- Change lot coverage/building footprint standards for AMPD projects
- Right size parking for infill projects
- Allow one extra floor outside of historic districts



AFFORDABLE MASTER PLANNED DEVELOPMENTS

BACKGROUND

The proposed Land Management Code amendments are

- The final phase in a three-year process
- Created to incentivize private development and public-private partnership for affordable housing development

To implement goals, objectives, and community planning strategies from the:

- General Plan
- Moderate Housing Assessment and Plan
- Long-Term Strategic Plan



AFFORDABLE MASTER PLANNED DEVELOPMENTS

THE GENERAL PLAN

- Increase density that might allow for affordable/attainable housing
- Increase affordable housing opportunities for the workforce
- Update incentives for density bonuses for affordable housing developments
- Evaluate the Land Management Code to remove unnecessary barriers to affordable housing
- Review the Affordable Master Planned Development requirements and amend according to existing economics

AFFORDABLE MASTER PLANNED DEVELOPMENTS

THE MODERATE HOUSING ASSESSMENT AND PLAN

- Build affordable and attainable units on City-owned property through public-private partnerships
- Implement zoning incentives for affordable units in new developments, reduce parking for certain affordable housing, and amend the Land Management Code to incentivize affordable housing development
- Encourage affordable housing near transit



AFFORDABLE MASTER PLANNED DEVELOPMENTS

THE LONG-TERM STRATEGIC PLAN

“[S]olving housing will greatly mitigate traffic . . . some residents worry that bringing more affordable and attainable housing into the region will affect property values, but we counter that a community without completeness is less resilient, less vibrant, and less desirable.”



AFFORDABLE MASTER PLANNED DEVELOPMENTS

REVIEW PROCESS

The Planning Commission conducted the following work sessions:

Parking Reductions (October 28, 2020)

Increased Height (November 11, 2020)

Separating the AMPD from the MPD Code, establishing a 50% affordable unit minimum, allowing mixed-use development, and restricting nightly rentals (December 9, 2020)



AFFORDABLE MASTER PLANNED DEVELOPMENTS

COMMUNITY OUTREACH & PUBLIC HEARINGS

Staff created an Engage Park City page and sent public notice for two Planning Commission public hearings and tonight's City Council meeting

The Planning Commission held public hearings on January 27 and February 10 and – while some Commissioners expressed concern regarding height – unanimously forwarded a positive recommendation to Council



AFFORDABLE MASTER PLANNED DEVELOPMENTS

PROPOSED CODE

The proposed Land Management Code amendments create a new review/approval process for Affordable Master Planned Developments (AMPDs)

- AMPDs must provide at least 50% of total Residential Unit Equivalents as affordable units
- Permits AMPDs in non-historic Zoning Districts where Multi-Unit Dwellings are an allowed or conditional use
- Establishes volume-based density
- Aligns LMC definitions with Housing Resolution definitions

AFFORDABLE MASTER PLANNED DEVELOPMENTS

PROPOSED CODE

- Allows for parking reductions and increased height
- Allows for mixed-use development (up to 10,000 square feet of commercial/retail/office/public/quasi-public uses)
- Prohibits nightly rentals and timeshares
- Requires recordation of deed restrictions for a 40-year period
- Requires annual compliance reports
- Reduces Open Space from 50% to 20% and setbacks to zone-required setbacks

—— AFFORDABLE MASTER PLANNED DEVELOPMENTS ——

SEPARATE AMPDs FROM MPDs

MPDs trigger affordable housing obligations under Housing Resolution 25-2020 and require affordable units for 20% of the total Residential Unit Equivalents and units for employees generated

This requirement is to mitigate the impact of the development on the community in part by providing affordable units for the workforce generated by the specific development proposed

These affordable units do not count toward density on-site – they are a density bonus

—— AFFORDABLE MASTER PLANNED DEVELOPMENTS ——

SEPARATE AMPDs FROM MPDs

AMPDs incentivize private development or public-private partnerships in the development of projects wherein at least 50% of the Residential Unit Equivalents are affordable

The affordable units count toward the density, but there are other incentives for AMPDs that differ from MPDs and include:

- Volume-based density
- Reduced open space (from 50% to 20%)
- Reduced setbacks
- Increased height
- Potential parking reductions

AFFORDABLE MASTER PLANNED DEVELOPMENTS

ZONING DISTRICTS

AMPDs are **not** allowed in any Historic District

Only in Zoning Districts that already permit Multi-Unit Dwellings as an Allowed or Conditional Use

- Residential Development
- Residential Development Medium
- Residential Medium
- Recreation Commercial
- General Commercial
- Light Industrial
- Community Transition



AFFORDABLE MASTER PLANNED DEVELOPMENTS

PARKING

Applicants may request a reduction in parking and must:

- Demonstrate that parking reductions materially increase the feasibility of the proposed AMPD
- Fund and submit a parking and traffic study completed by a third party selected by the City
- Demonstrate that the proposed AMPD sufficiently addresses the parking demand for the AMPD



AFFORDABLE MASTER PLANNED DEVELOPMENTS

THE COMMISSION MAY REDUCE PARKING

- On sites that are one acre or less by deducting 5,000 square feet per 15,000 square feet of Gross Floor Area for each floor from the sum of total floor area that is used to calculate parking requirements
- Off-Street parking is available along the perimeter of the AMPD
- A clear and irrevocable agreement authorizes AMPD residents to park in an off-Site Parking Area or Parking Structure that is located within 1,000 feet of the AMPD perimeter boundary
- The AMPD is within ¼-mile from a bus stop that includes a waiting shelter consistent with City standards

—— AFFORDABLE MASTER PLANNED DEVELOPMENTS ——

THE COMMISSION MAY REDUCE PARKING

- On-Site parking is provided for motorcycles and/or scooters
- Bicycle parking exceeds the requirements of Section 15-3-9
- The AMPD provides dedicated parking spaces for resident carshare vehicles

If the Planning Commission approves a reduction in parking, the Applicant must submit a parking management plan prior to issuance of any Certificate of Occupancy

The Planning Commission may amend the parking management plan at any time to address changing circumstances

AFFORDABLE MASTER PLANNED DEVELOPMENTS

INCREASE BUILDING HEIGHT

- A. BUILDING HEIGHT.** Affordable Master Planned Development Building Height shall comply with the underlying Zoning District Building Height for the perimeter Building Façade planes. Building Height is forty-five feet (45') from Existing Grade when the following criteria are met:
1. The Building includes a ten-foot (10') stepback on all perimeter Building Façade planes from the underlying Zoning District Building Height to the forty-five-foot (45') Building Height;
 2. Infrastructure is in place or can be updated to meet the increased demand; and
 3. The Building complies with Building Façade variation requirements.







— AFFORDABLE MASTER PLANNED DEVELOPMENTS —

Staff recommends the City Council open a public hearing and consider adopting Ordinance No. 2021-10, Repealing Land Management Code Section 15-6-7, *Master Planned Affordable Housing Development*, Enacting Chapter 15-6.1, *Affordable Master Planned Developments*, and Amending Chapter 15-15, *Defined Terms*



AFFORDABLE MASTER PLANNED DEVELOPMENTS

OVERARCHING HOUSING GOAL

PARK CITY AFFORDABLE/ATTAINABLE HOUSING

Goal: 800 City & private obligation units by 2026



What Does Home Mean to You?

"A safe, peaceful place. My own bed and my own kitchen. A place where friends are welcome at all times. I could not live anywhere else in Park City. It's been home for almost 17 years. It's convenient, a real neighborhood with colorful people who have kids, dogs cats, and friends"



Insa Riepen
Community Leader

"Home is the place we feel most safe, comfortable, and loved. It's the place my heart resonates."

Tara Stauffer
Teacher
Park City School District



"A place where you feel comfortable and safe at all times. I love that everything is close to where I live. I wanted to make Park City my home because I love working and playing in the mountains."

Nick Calas
Retired Park City Municipal employee
39-year Park City resident



"For me, it's a sense of place. My home is my retreat where I could set down roots and express my personality and interests in a way I couldn't in a rental property. I love the sense of community. It's small enough to get to know people and there are plenty of activities the town has to offer."

Claire Marlin
Retired Park City Municipal employee
16-year Park City resident



"A place where we can kick back relax or have an awesome dance party with the kids. The small community that works together to make this a special place. Every mountain town is special in its own way but I wouldn't trade Park City for any other ski town."

Matthew & Julie Genthner
12-year Park City residents

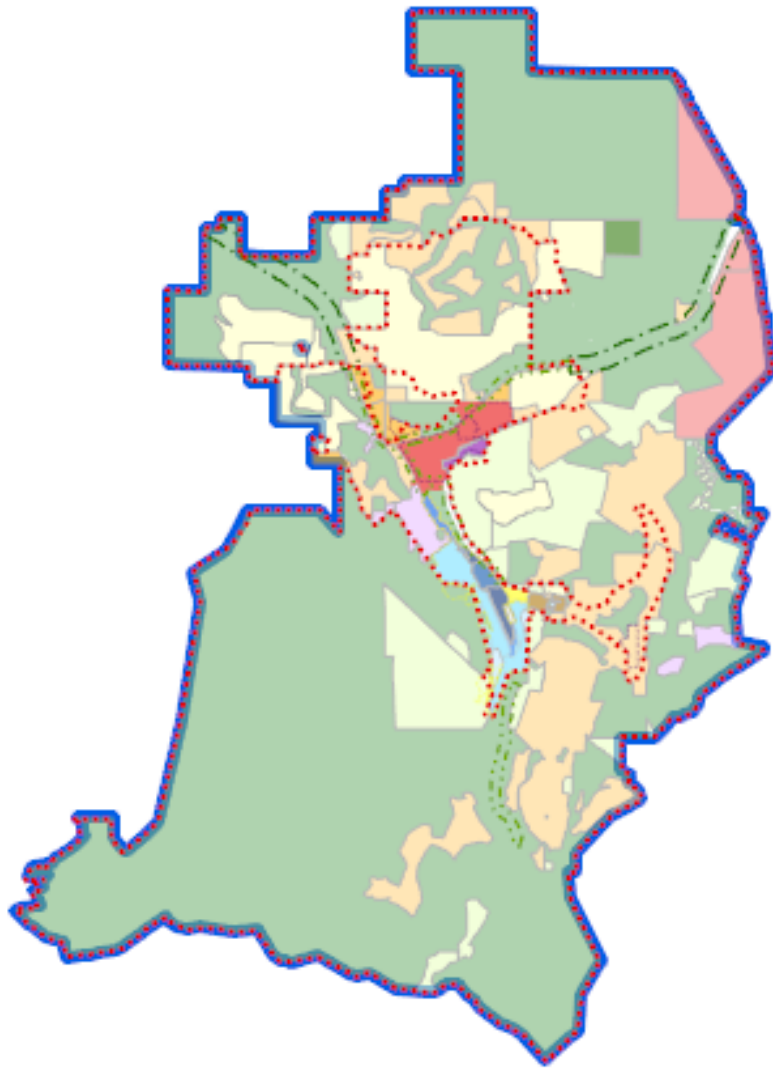


"These days home is where our family is. Park City is a place where people intend to come for a variety of reasons, but usually because this is a place they want to be. We love that about this place. We love that people who live here think this is a slice of paradise. We like living somewhere that we feel grateful to live."

Jeannie & Julian Gasiewski
21-year Park City residents

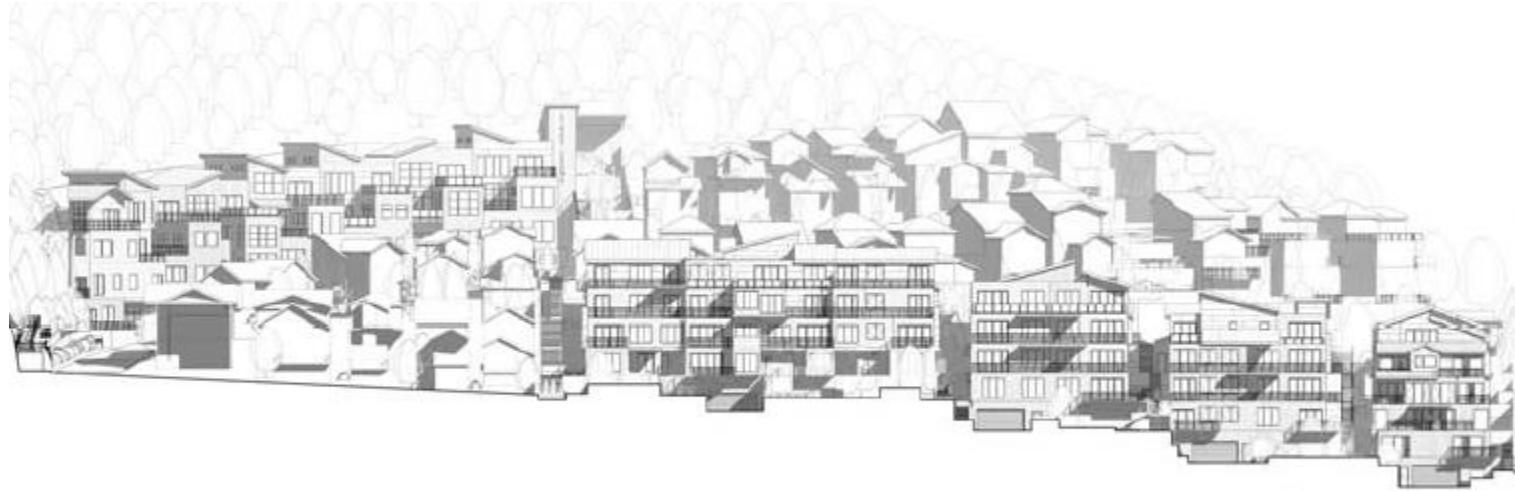
Zoning District	Building Height	Exceptions	Increased Height for MPDs
Residential Development	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum
Residential Development Medium	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum
Residential Medium	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum
Recreation Commercial	35'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 40'	Allowed – no maximum
General Commercial	35'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 40'	Allowed – no maximum
Light Industrial	30'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 35'	Allowed – no maximum
Community Transition	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum

Zoning District	Building Height	Exceptions	Increased Height for MPDs
Residential Development	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum
Residential Development Medium	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum
Residential Medium	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum
Recreation Commercial	35'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 40'	Allowed – no maximum
General Commercial	35'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 40'	Allowed – no maximum
Light Industrial	30'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 35'	Allowed – no maximum
Community Transition	28'	+5 for 4:12 roof pitch, chimneys, mechanical equipment - 33'	Allowed – no maximum



KING'S CROWN CONDOMINIUMS

BUILDING D PLAT AMENDMENT



KING'S CROWN CONDOMINIUMS BUILDING D

The King's Crown MPD is highlighted in green and includes

- 26 single-family lots
- 7 townhomes
- Workforce condominiums
- Condominiums B | C | D
- Over 11 acres of open space

Condominiums were located near Marriott's MountainSide to the north and Lift Lodge to the east

Townhomes were located near North Star Townhomes to the south

Single-family lots are across single-family dwellings along Lowell Avenue



KING'S CROWN CONDOMINIUMS BUILDING D

BACKGROUND

The Commission approved the King's Crown MPD in 2018 and the King's Crown Condominiums Plat in 2019, which includes Buildings B | C | D

Buildings B and C are under construction

There was a discrepancy in the exhibits regarding the location of King's Crown Condominiums Building D

KING'S CROWN CONDOMINIUMS BUILDING D

BACKGROUND

The applicant submitted a letter requesting to vacate and rescind Building D approvals to begin the review process anew

and

Applied to modify the King's Crown MPD and amend the King's Crown Condominiums Plat

KING'S CROWN CONDOMINIUMS BUILDING D

BACKGROUND

On January 27, the Planning Commission determined the King's Crown Condominiums Building D Plat Amendment was a substantive MPD modification

On February 10, 2021, the Planning Commission unanimously approved a modification to the King's Crown MPD to clarify the location of Building D

and

Unanimously forwarded a positive recommendation for City Council's consideration of the King's Crown Condominiums Plat

KING'S CROWN CONDOMINIUMS BUILDING D

THE PLAT AMENDMENT COMPLIES WITH THE KING'S CROWN MPD AND LAND MANAGEMENT CODE

The Applicant requests the following minor amendments to Building D of the King's Crown Condominiums:

- Reduce the units from 12 to 11
- Reduce the parking from 22 to 21 spaces
- Reduce the limited common area by 386 square feet, and
- Increase the private area by 712 square feet

KING'S CROWN CONDOMINIUMS BUILDING D

GOOD CAUSE

The Planning Commission must make a finding of Good Cause prior to making a positive recommendation to City Council for a plat amendment.

Good Cause is defined as “providing positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities . . . preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

KING'S CROWN CONDOMINIUMS BUILDING D

GOOD CAUSE

The Planning Commission recommends Conditions of Approval to mitigate impacts to the neighborhood:

- A 12-foot setback from the southern lot line
- Building D garage entrance – moved to the north
- Boulder retaining walls that front Lowell Avenue

KING'S CROWN CONDOMINIUMS BUILDING D

GOOD CAUSE

- A mid-stair planter
- Deciduous trees a minimum caliper of 2 inches, and evergreens a minimum planted height of 15 feet for landscaping
- Expanded public access easement at the base of the stairs
- Signage at the base of the public access easement informing the public of access to the ski run

The concepts, ideas, drawings and specifications herein are an original unpublished work and the property of iWOW Atelier LLC and shall not be used in any other work, or for any other purpose, without the written consent of iWOW Atelier LLC. Any unauthorized use of the concepts, ideas, drawings and specifications herein shall be deemed an infringement of the intellectual property rights of iWOW Atelier LLC. The concepts, ideas, drawings and specifications herein are provided for your information only and shall not be used in any other work, or for any other purpose, without the written consent of iWOW Atelier LLC. Any unauthorized use of the concepts, ideas, drawings and specifications herein shall be deemed an infringement of the intellectual property rights of iWOW Atelier LLC.



**EXHIBIT - CONDITIONS
OF APPROVAL**

EXHIBIT

Copyright: WOV cluster, LLC 2007

EXHIBIT

KING'S CROWN CONDOMINIUMS BUILDING D



KING'S CROWN CONDOMINIUMS BUILDING D

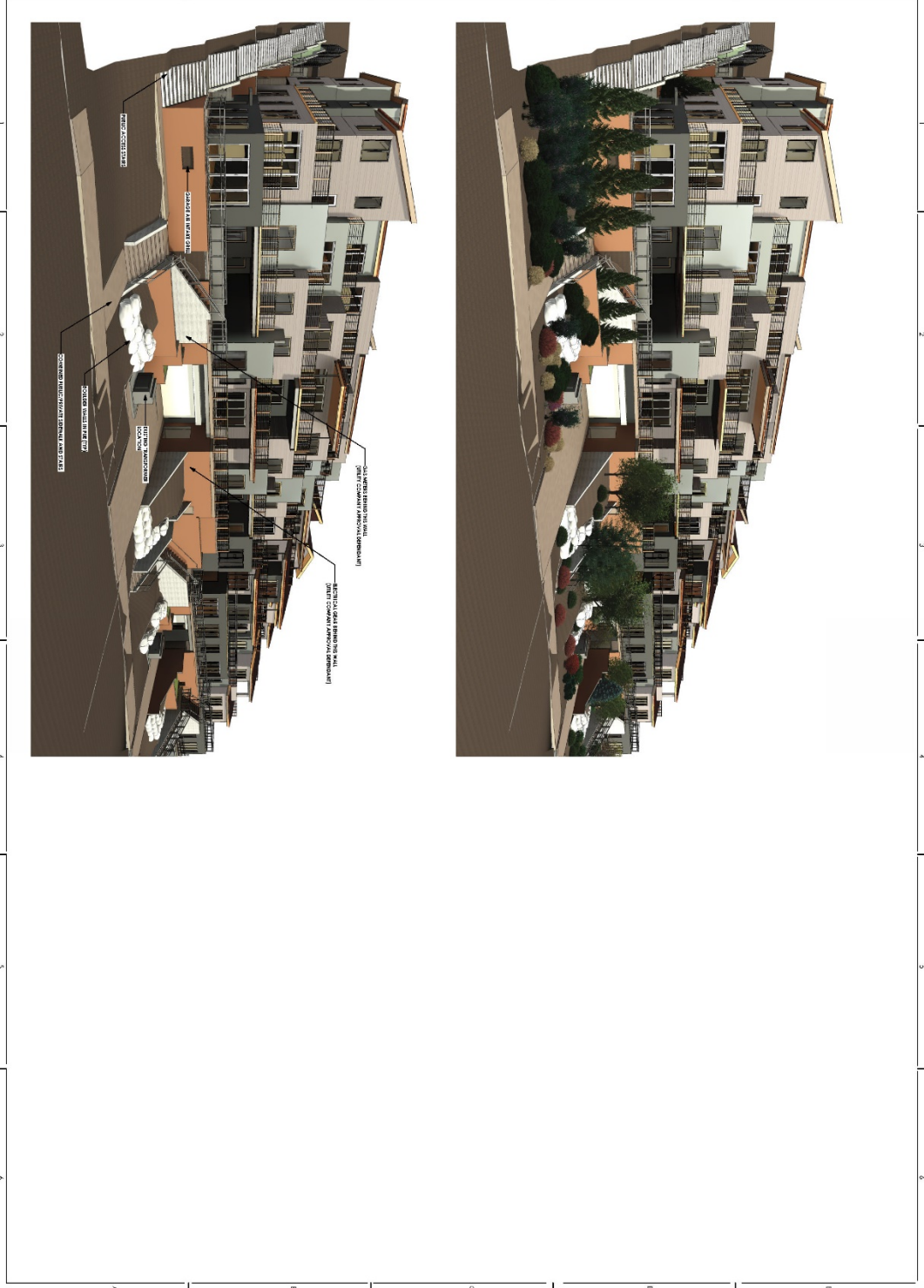
RECOMMENDATION

Staff recommends the City Council conduct a public hearing and consider approving Ordinance No. 2021-11

Additional Conditions of Approval for the King's Crown Condominiums, First Amended Plat:

12. Applicant shall combine the public staircase access and the condo staircase into a single staircase as shown in Applicant's drawings included below, identified as Exhibits A and B.
13. Applicant shall place the stairway as shown in Applicant's drawings below as Exhibits A, B and C so that the southernmost edge of the single stairway wall is located north of the northern lot line of the Residences at King's Crown Condominiums that fronts on Lowell Avenue.
14. Applicant shall provide a substantial level of landscape screening between the southernmost edge of Building D's property line and the single stairway, as shown on Applicant's Landscape Plan included below and identified as Exhibit A, that will include a line of four Colorado Spruce trees, each at least 15 feet tall, running between those two points, so that the screening is present throughout the year. The four Colorado Spruce trees between these two points shall be planted as close to each other as possible, while still allowing for the proper spacing between the trees to allow for future growth. The 15- foot height of the four Colorado Spruce trees will be measured from the ground at the level of the public access sidewalk located immediately to the west of the trees. Additional landscaping filling this area shall be as shown on the Applicant's Landscape Plan included below and identified as Exhibit A.
15. Applicant shall place all utilities and mechanical equipment for Building D on the northern side of the Building D driveway, with the only exceptions being: (a) vents, flues and other similar openings that will penetrate the exterior walls of individual condominium units necessary for furnaces, clothes dryer exhausts, fireplace exhausts, unit fan exhausts, fresh air intakes and other similar purposes pertaining to individual condominium units, and (b) the existing electric transformer, the future garage air intake grill and the future gas meters located within an enclosed area, as identified on Exhibits A and B below, subject however in all such cases to the approval by Park City and by the applicable utility company of the location of such grills, equipment, meters and utilities. Applicant shall place the future garage air intake grill as far north as feasible, subject to the requirement that the air intake grill needs to be located at the very south end of the garage. Subject to the exceptions listed above, the requirement pertaining to the placement of utilities and mechanical equipment includes, but is not limited to, electric meters, generators, generator exhaust and ventilation equipment (including intake and exhaust vents for the garage and the common spaces), and any other common exhaust for a common laundry, a common kitchen or other similar room serving all of the occupants of Building D. Applicant shall provide effective screening and shielding of all such utilities.
16. Pursuant to current Condition of Approval #5, which requires Applicant to place boulders fronting Lowell Avenue, Applicant will place boulders in the area between the newly combined stairway and the Building D Driveway, as shown on Applicant's Landscape Plan included below and identified as Exhibit A.
17. Applicant shall clad exposed vertical concrete walls of the aboveground garage in corten steel south of the driveway, as shown on Exhibit B, provided however that the sloped concrete walls adjacent to the stairways shall not be clad with corten steel or with any other material, but shall remain board-formed concrete, as shown on Exhibit B.

The concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Architecture, LLC and shall not be used in any other work without the written consent of WOW Architecture, LLC. All conditions shall be verified on site, and the architect shall be brought to the attention of the architect before proceeding.



DIAGRAMMATIC VIEWS

EXH. B

PROJECT #:
100025

ISSUE DATE:

ISSUE:

REVISIONS

KING'S CROWN

1271 LOWELL AVENUE
PARK CITY, UTAH

CIVIL:
EYEGREEN ENGINEERING

STRUCTURAL:
JACOB ENGINEERING

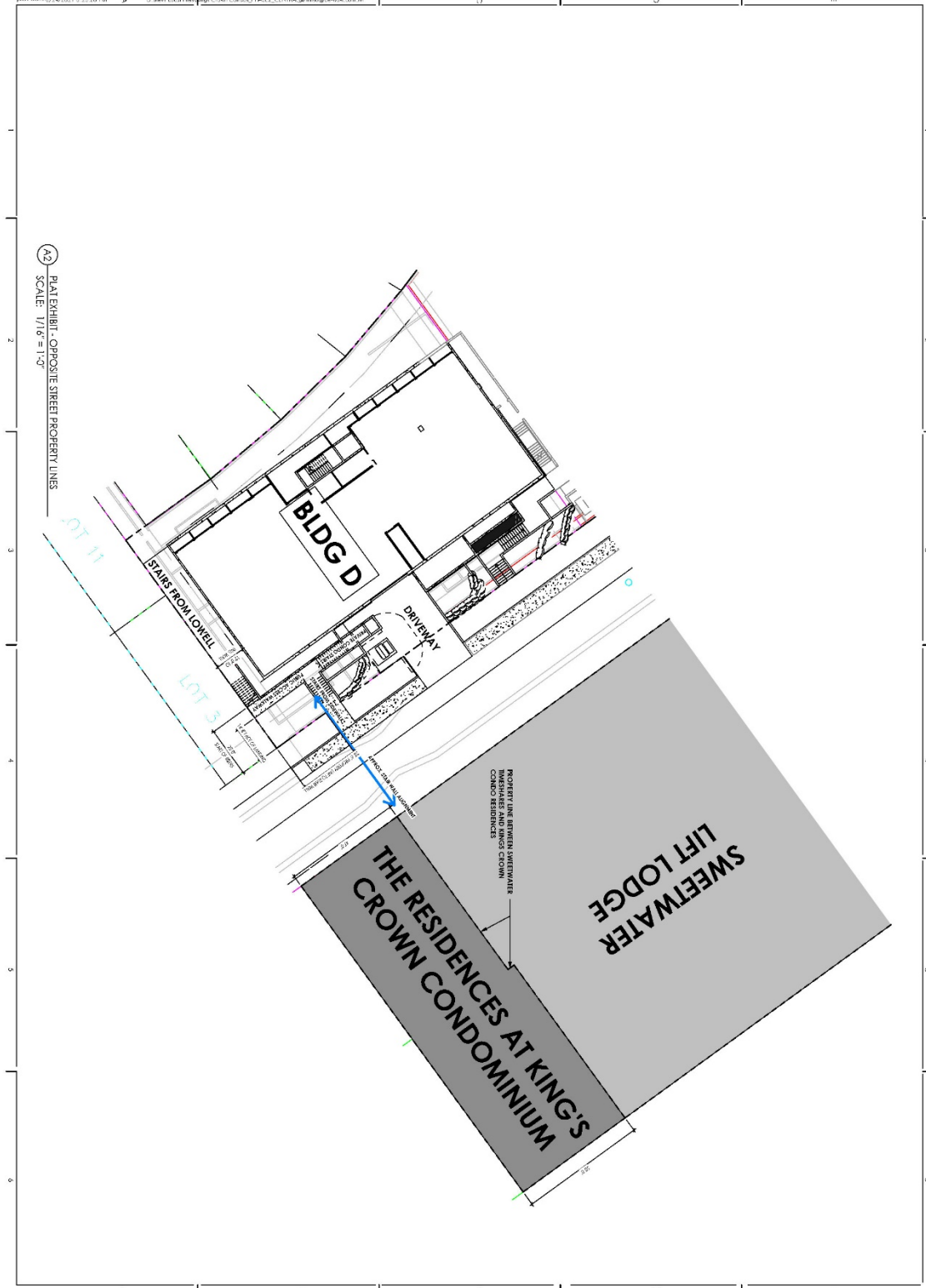
MECHANICAL:
EYEW ENGINEERING

ELECTRICAL:
EYEW

LANDSCAPE:
WOW + NATURAL INTERIORS

**PRELIMINARY
NOT FOR
PERMIT
CONSTRUCTION**

WOW



A2
SCALE: 1/16" = 1'-0"
PLAT EXHIBIT - OPPOSITE STREET PROPERTY LINES

DIAGRAM WITH
NEIGHBOR PROPERTY
LINES
EXH. C

PROJECT #:
180023
ISSUE DATE:
ISSUE:
REVISIONS

KING'S CROWN
1271 LOWELL AVENUE
PARK CITY, UTAH

CIVIL:
OVERSIGHT/ENGINEERING
STRUCTURAL
JARRATT ENGINEERING
MECHANICAL
DE WY JB ENGINEERING
ELECTRICAL
SHAF INC.
LANDSCAPE:
INTERIOR:
WOW + NATURAL INSTINCTS

PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION

WOW

100 Marsac Avenue IS MORE VALUABLE AS Open Space!

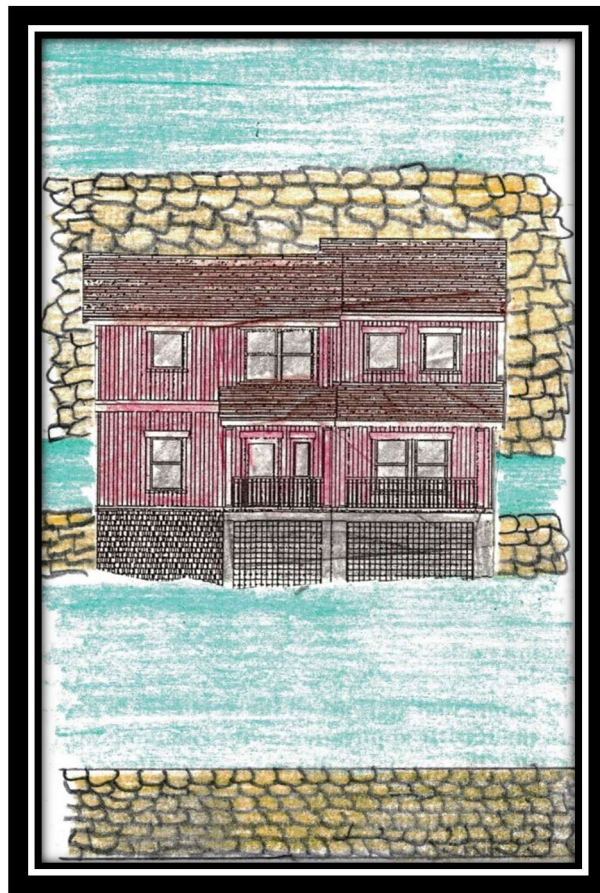


- Why did the previous attempts to build affordable housing meet with opposition and ultimately fail.
- Should 100 Marsac be valued as Developable land by THE CITY?

Affordable Housing?: Sky-high development costs, soil remediation, history, and safety are all legitimate obstacles in the development of this site. Topography and location are to blame - not the grouchy residents!

Both, prior Affordable Housing submissions omitted a streetscape to depict what a multi-unit development might look and sound like. Talsiker's contoured plan of retaining walls is redrawn here as a streetscape to highlight the magnitude of mitigating 60 feet of very steep slope.

A permanent scar on this very visible green space and view corridor for good. A spectacle of this magnitude has no parallel in Old Town; the sound reverberation from traffic on Marsac and from events on Main Street would be irreparable. The monolithic appearance spanning the width of five units or more would dwarf existing Historic Landmarks on both sides of the canyon.



**MULTI-UNIT DEVELOPMENT IS A MISGUIDED DEVELOPMENT CONCEPT
FOR THIS LOCATION WITH HUGE NEGATIVE IMPACTS.**

**SO WHY NOT HOLD IT FOR FUTURE DEVELOPMENT –
IT'S VALUABLE RIGHT?**

1,2,or 3 Private Houses?: While less impactful, the possible sale and subsequent private development of this parcel raises the ethical question of whether the city should sell open space for the sole purpose of raising money? Clearly, the development of this parcel is NOT urban in-fill, but it would be URBAN SPRAWL; it provides a flat natural scenic stroll on the edge of town like no other; it's immediately adjacent to existing open space, the Ontario Mill site, as well as the desired conservation parcel of the portion of the Huntsman Parcel at 5000 Royal Street. It would aggrieve many, including myself, who have voted and contributed our own dollars to save open space elsewhere to see this rare open space in Old Town sold for profit.

We really need to look no further than the General Plan:

Goal 1 Park City will protect undeveloped lands; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. **Development here is not inward growth; it would destroy undeveloped lands, and IT IS SPRAWL.**

Goal 4 Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the *Natural Setting*.

EVERY SINGLE ONE OF THESE 4A through 4E apply to this property.

Objectives

4A Protect natural areas critical to biodiversity and healthy ecological function.

4B Buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life, and visitor experience.

4C Prevent fragmentation of open space to support ecosystem health, wildlife corridors, and recreation opportunities.

4D Minimize further land disturbance and conversion of remaining undisturbed land areas to development to minimize the effects on neighborhoods.

4E Collaborate with neighborhoods to create small parks or passive open space areas.

In Summary: Each time this parcel is proposed for development, it has met with stern opposition from local residents; not a function of NIMBYISM, but of well-reasoned points of view that are supported by the facts as well as the General Plan.

The city should review its current position on this property and compare them with the core values and guiding principles throughout the General Plan. By doing so, the value of this property as open space is priceless.