PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 20, 1997

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, February 20, 1997.

AGENDA

Work Session - To be held in Work Session Room - Main Level

3:00 p.m. Council questions and comments
3:30 p.m. Council Chambers remodel
4:30 p.m. Growth rate mechanisms

Posted: 2/18/97

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
FEBRUARY 20, 1997

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Jerry Gibbs, Public Works Director; Pat Putt, Planning and Zoning Administrator; Bob Stephens, Administrative Services Director; Rick Lewis, Community Development Director

Holly Adams and Burke Cartwright, Edward Daniels Architects (EDA); Joe Nelson, Spectrum Engineering; Mike Andrews and Kathy Kahn, General Plan Citizen Advisory Task Force; Bruce Erickson and Chris Larson, Planning Commissioners; Paul deGroot, Home Builders Association

1. **Council questions and comments.** Hugh Daniels noted that it is time for the City Attorney and City Manager's reviews and it should be scheduled the beginning of April. He complimented the presentation of Council's goals displayed in the work session room. Shauna Kerr discussed her concerns about changing Park City's area code to 435 and felt it important that with Salt Lake retaining the area code that Park City, as an Olympic venue, should be consistent with other venues. Ms. Kerr continued that she and Melissa Call met with the Senior Citizens who have created a wish list and recommended holding a work session to discuss senior issues. She explained that they are supportive of the City taking over the Center. Mr. Harlan reported that he received a call from a senior citizen requesting use of the facility when the Senior Citizen Center membership is not using it. Ms. Call indicated that the Senior Citizen Center members use it two days out of the week; Ms. Kerr felt that use by another group would be very controversial. Chuck Klingenstein felt that one of Council's goals should be to ensure that the Center serves all seniors in the community. Mr. Harlan explained that the caller indicated that his group didn't feel welcomed by the membership at the Center. The City Manager didn't feel that this issue has to be solved at this time and there will be additional discussion in March regarding if the City is interested in taking over this operation. Ms. Kerr reported that she attended a legislative session on Monday with representatives of the Utah League of Cities and Towns. She relayed that ULCT requested that she approach the Council about "loaning" the City Attorney's time for a period to follow up on bills, particularly the Amendments to the Private Property Protection Act, HB391 and Private Property Protection Act Revisions, HB64.

Ms. Hoffman stated that there are rumors that HB391 will be tabled and placed into interim study. She discussed another bill which could eliminated redevelopment agencies and a proposal to place a moratorium on impact fees. She discussed another proposal which would change the process for incorporation, annexation and would eliminate townships. Ms. Hoffman explained that there is a chance that language may be incorporated to address our concerns about undeveloped lands proposed for annexation. As drafted, if an annexation proposal is protested by 10% of residents within one-half mile of the annexation territory, it goes to a boundary dispute commission which performs a feasibility study. If the feasibility study shows that the annexation area will produce 105% or more revenue of the projected needs for municipal services, the annexation can not be processed. In other words, if the revenue is positive, a City can not annex and must incorporate more area resulting in an increased municipal burden. Ms. Hoffman explained that this would make sense to curb possible annexations within Salt Lake County. Paul Sincock suggested that this legislation apply to certain classes of counties and cities. Ms. Hoffman responded that she will be crafting language which will apply for petitions to annex undeveloped land. The Mayor emphasized that there are many bills that are crucial to Park City and it would be short-sighted not to protect the City's interests. There was discussion about the staffing in the Legal Department and allocating staff time at the legislature. Ms. Hoffman explained HB391 and her preference that it be tabled and referred to an interim committee so that it can be refined throughout the year. There was discussion about the uncertainty of the process at the Legislature and Ms. Kerr emphasized that if the Legislature is not following its own rules, it should be made public as legislators promised that the process would be up-front and not behind closed doors. She felt that not following its own rules is unethical and the public should know about that. The Mayor added that the Legislature is acting as a "super-city council" without having local government experience. The Mayor stated that he has been active at the Legislature for the past four to five years and instead of making legislation more efficient and effective, it continually tries to create obstacles that make government difficult and complicated. He is convinced that many legislators are unaware of what they are voting on and it is difficult to predict what they will do. Paul Sincock felt that HB391 and HB64 should be addressed together so that one or the other doesn't slip through. Mr. Klingenstein hoped that there would be cooperation between other cities and counties to fight mutual issues of interest.

There was discussion about the path behind the School District which is not the responsibility of the City to maintain. Mr. Klingenstein continued that the panel discussion hosted by the Board of Realtors was productive. Paul Sincock commented on the web site for the Legislature which he felt is outstanding. He suggested that the City provide a web page service including City documents like the LMC, General Plan, etc., and announcement of important meetings. Toby Ross explained that a provider has been selected and there will be more availability on the Internet system, however, there is no staff person designated to keep information on the web site current. Mr. Sincock expressed his desire to have this service considered during the budget review as an option. Mr. Harlan asked if there is a way to determine the public use of the web page and Ms. Hoffman indicated that there is software to track "hits". Mr. Harlan stated that this needs to be weighed and Ms. Hoffman added that it may make sense to consolidate web sites like the Board of Realtors and the City. Mr. Harlan commented on a Park City logo banner at the Winter Sports Park jump site, and felt that monitoring the location of the Park City name and logo may be too difficult to enforce. Ms. Kerr commented that she is more concerned about commercial uses, and Mr. Harlan agreed that commercial use may be a good guideline. Jerry Gibbs reported that the traffic calming island will be shortened by 15 feet and narrowed by four feet on Wednesday, meeting UDOT requirements.

2. Council Chambers remodel. Holly Adams of EDA discussed the larger dias with a six inch step and the partition rendering two useable conference areas. The dias is designed to be less formal and is priced in the mid-range. Ms. Adams suggested a light color wood and the mix of woods for the panel and Mr. Cartwright discussed defining the individual seating areas. She commented on the improvements in the pendant lighting fixtures and lighting over the dias which is larger and will easily accommodate eight people. The panel will be cantilevered to provide more leg room. Mr. Sincock felt that defining individual seating areas may not be a good idea as the number seated at the dias may change, i.e., Planning Commission meetings. Ms. Adams emphasized that the six inch drop in the dias improves sight lines and there is more room behind the seating. Ms. Adams discussed opening the windows up in the back, although the windows aren't centered in the room but there would be window coverings. When the screen is down, two windows will be covered. The Mayor felt that the windows will be a good addition. A moveable handicap ramp system was discussed for the dias. The location of the podium was discussed which is flexible and Mr. Klingenstein pointed out the importance of presentations. Mr. Cartwright discussed the benefits of electronic equipment so that the presenter is on the side and not between the audience and the Council and the seating can be moved up. Ms. Adams discussed the storage of the tables and stacking the chairs when the room needs to be opened up.

Joe Nelson of Spectrum Engineering stated that it was his understanding that Council felt the ability to control the AV system from anywhere in the room was important, in the event it is needed for two meetings. Mr. Nelson suggested a wireless system, i.e., remote controls for VCRs which is expensive. There was discussion about microphone amplification and it was felt that it would only be needed for large meetings when the room is opened up. Mr. Sincock brought up his concerns about the locations of the screens which are proposed at both ends and the side wall. He felt that the rear and side screens are only marginally useful as people would be looking forward. He felt that instead of screens on the side and the back, there could be side monitors. Mr. Nelson emphasized that the location of display devices have not been thoroughly analyzed but it is important to keep in mind that there are two projectors, two screens and two 27" monitors in the proposal and budget which are capable of displaying standard computer and video signals. They are not capable of displaying very fast computers which is much more expensive, just standard VGA type computers. Mr. Nelson added that rather than permanently mounting display devices to provide flexibility by having them portable. Mr. Harlan pointed out the significant range in costs from one concept at $180,000 to $250,000 and asked if Council was considering $180,000 at its last meeting. Mr. Ross recalled that the range was from $260,000 to $150,000. Mr. Sincock believed that Council was attempting to arrive at a solution between the improved system and advanced system and didn't see a difference in this presentation on AV. Joe Nelson understood that Council asked for a cost break-down of components which would assist in the selection of a system.

The Mayor asked for clarification of the purchase of two 27" monitors for $7,200. Mr. Nelson responded that they are like computer monitors that are also capable of accommodating videos. Mr. Sincock understood that there are adapters available, but Mr. Ross explained that the resolution is not as good. Mayor Olch felt that there are quality monitors available for less. Mr. Kerr suggested perhaps purchasing one monitor and another screen might be sufficient. Mr. Olch felt that one monitor could face the audience and one the Council and perhaps the projection screens should be eliminated. There was discussion about purchasing a small screen to reduce the price and Mr. Nelson pointed out that it would be a mistake going smaller as the worst case viewing distance for images, not text, should really be no more than eight times the screen height which would be pushing it with a 27" monitor in this room. Mr. Olch emphasized that he doesn't have a problem with the size, but the price, and felt there are other products out there for less money. Mr. Nelson reminded Council that there are profit and overhead costs included in the estimates.

Planner Pat Putt admitted that he has not had the benefit of previous discussions on the remodel but discussed the features of the council chambers in Breckenridge, which was an auditorium style set-up. There was a table in front of the dias and a camera mounted overhead on the ceiling so that the presentation material on the table could also be viewed on the monitors by the audience. He felt it beneficial for the Council to be closely interacting with staff and/or presenters and that the Council easily and clearly see the exhibits on the table rather than on a monitor. The Mayor suggested that it may be helpful if Council looked at installed AV systems. Mr. Nelson felt that it would be a matter of setting up a field trip. Mr. Putt emphasized that the Council Chambers is not currently working for any one. There isn't an opportunity to optimize presentations for everyone, but Mr. Putt felt it important that the Council and Planning Commission get clear information from the onset and use other displays for the public. Mr. Sincock felt that a good system could be provided for $38,000 to $40,000 and upgrades could be added later. Hugh Daniels and Shauna Kerr felt that it probably would cost somewhat more, and Ms. Kerr asked if equipment could be purchased directly to avoid the contractor's mark-ups. Joe Nelson responded that it is a good approach and many owners do that, but the only down-side there is there may not be a performance guarantee if the equipment is owner furnished. Ms. Adams added that if it is owner-furnished and contractor-installed and it doesn't work, no one will take responsibility. Mr. Nelson felt that the infrastructure should be contracted for but monitors, etc. could be purchased separately. Hugh Daniels pointed out that Council has changed what it is looking at installing which will also change what will need to get done and it may be beneficial to come up with a budget limit of $45,000 and have the experts make determinations on equipment. In response to a question, Joe Nelson explained that a visual projector is like an overhead projector with a camera. Chuck Klingenstein expressed that with respect to AV equipment estimates, he is worried about being gouged. The Mayor suggested selecting a figure of $45,000 and Mr. Cartwright believed it could be put out for competitive bid, then items could be included or excluded. Ms. Adams added that decisions could be made with true and actual costs.

Joe Nelson explained to Bob Stephens that the projectors also have the capability to display computer images. The Administrative Services Director explained that when this room is not used for public meetings, it can be used for training staff on things like the Internet. He suggested that the screens be slanted on each side. Mr. Cartwright stated that once a system is selected, the placement of equipment can be determined. Ms. Adams added that it would be desirable to have screens on both sides for projection capabilities.

Ms. Adams suggested light wood with cherry and ebony accents for the lecterns. Most of the walls would be painted white, but there is a wallpaper finish below the chair rail and the partition. She displayed carpet, glass and wall covering samples for the doors and suggested muted tones. There was discussion about the carpet samples and the Council requested other carpet options. Members preferred the true veneer woods and felt a wallpaper selection could be made when other carpet selections are presented. Ms. Adams asked for direction on the carpet; is it color, pattern or a combination of both. The Mayor stated that it is both and requested that the consultants look at different colors. The City Manager asked if plans and specs should be prepared for a bid for the project so that it can commence construction. The Mayor felt that it is close as there is consensus on the dias, lighting and HVAC and a decision on the AV and carpeting is not crucial today. Ms. Adams stated that she will proceed with the design of the dias pad, redo the carpet and wallpaper selection, proceed with the higher priced lighting, investigate the $45,000 budget on the AV with additive alternative options, proceed with the high grade acoustic treatment, and the high grade HVAC, i.e., air conditioning on both sides of the room.

3. **Growth management techniques.** Rick Lewis explained that Council reviewed Phase 1 of the General Plan but requested a more detailed review of growth management techniques. He relayed that growth management is not new to Park City. The tools are described in the LMC and General Plan; how it is controlled is outlined in the design guidelines and standards; and timing is addressed in the process of annexations, master planned developments and subdivisions.

With regard to permit allocation systems, it is difficult to determine the timing and how the permits are allocated. There are several communities with experience in this mechanism. Golden, Colorado set policy of limiting its growth to 1% increase per year through building permits and it is still in the implementation stage. Mr. Lewis pointed out the many projects being built in different stages and a decision would have to be made for projects with approvals. Mr. Lewis added that the General Plan discusses support of the resort economy and resort base development, which would probably be exempt if a quota were in place. It was the conclusion of staff and the Planning Commission that there would be more downside than positive results as it would severely impact the smaller developer competing for allocations. Other concerns involved tampering with economics and rate allocation may a legal risk in Utah.

Mr. Lewis advised that there are about 1,200 undeveloped single family lots and about 1,700 multi-family units within Park City. Approximately 240 units have been built a year and it could take 10 to 12 years to deplete the inventory. The City is reviewing one annexation that has the potential of adding more inventory.

In response to a question from Chuck Klingenstein regarding the consensus of the Citizen Advisory Committee about rate control, Mike Andrews responded that toward the end of the process, participation from members diminished. There was spirited debate about this issue but he didn't feel that a consensus emerged, but there was recognition that there was a downside and an upside to options. He personally didn't believe that it is the role of government to care about the employment of contractors who can make their own business decisions in the marketplace. Mr. Andrews added that there was concern of the committee members to mitigate the impacts of construction which affects quality of life, whether it is controlled through permits or enforcement of existing regulations. He emphasized that the committee believed that growth was inevitable. Mr. Andrews pointed out that construction impacts, such as truck traffic and weekend construction noise was discussed and it was debated whether it is better to have an area built-out as soon as possible or extend its development time. The Mayor explained that there hasn't been a tract developer in years. Chuck Klingenstein felt that mitigation of construction is important and a rate system may not necessarily address these construction concerns. He added that he wanted to ensure that Council engaged in a good discussion about growth management techniques but doesn't want to waste time. Mr. Klingenstein did not feel that a limited growth rate system would achieve what people are wanting and believed that the town needs a weekend off from the impacts of construction. He also suggested cut-off dates for foundation work coupled with a requirement for closing infrastructure improvements by a date certain. He felt that an area impact analysis would be helpful as Old Town and lower Deer Valley are very impacted while Park Meadows is not. There would have to be an analysis of certain neighborhoods and commercial centers to determine the capacities to handle development construction based on parking, community road service standards, etc. and if Flagstaff, the Deer Valley hotel, and the Ski Area are concurrently developed, "we are not going to be enjoying life at all". Mr. Klingenstein believed that constituents want the Council to do something, but are not sure what it is and it is easy to grab on to the permit allocation method as a solution. He added that the consultants did not arrive at something new and innovative. Mr. Ross believed that there were new and innovative things discussed, but they were not particularly well received. Chuck Klingenstein reiterated that the state legislature will quickly disallow rate systems and it may not achieve what Council wants. The Mayor understood that Council member Klingenstein specifically requested a discussion about the rate system as the Council has already reviewed construction mitigation approaches. Mr. Klingenstein felt that the staff needs more direction on the final growth management control components.

Planning Commissioner Bruce Erickson stated that the group debated this issue long and hard. He stated that the Commission heard that growth was a problem but there was confusion between growth control and growth management. Growth management may mean that you can grow as large as you like, but at a rate. The Commission didn't care as much about the rate as the total number of units, because the primary issue related to growth are the impacts on schools, traffic, etc. and construction impacts are insignificant when the overall growth occurs. The Planning Commission elected to deal with how large Park City will get and where things will go. Mr. Erickson indicated that the Commission understood the impacts from construction and recognized the existing construction management plan in place by ordinance. There are also controls on rates of growth by requiring phasing plans on MPDs. Controlling density by a rate control system may be appropriate in Old Town as three homes under construction on an Old Town street is a lot different than three houses in Park Meadows. He believed that the Commission could support a rate control in Old Town, but tended to agree with the Citizens Advisory Board. Commissioner Erickson stated that the recommendation is to enforce the construction management measures in place and do a better job of regulating the phasing in place, consider a rate mechanism in Old Town, and cut the total number of units in the ultimate build-out. The Mayor asked for clarification on the latter recommendation. Mr. Erickson explained that the Commission decided how big we wanted to be and the Commission established a base density of one unit per 40 acres (annexation declaration area) and admitted that the policy is better in potential annexation areas than in the City's existing neighborhoods. He added that there are PUD approvals still in effect. Planning Commissioner Chris Larson added that rate control systems look appealing on the onset, but fall apart quickly upon review. As soon as there are limitations, the "little guy" is punished not the large developer; also, there is potential for a wide range of exemptions.

In response to a question from Roger Harlan, Mr. Lewis explained that the densities for the Ski Area and Deer Valley hotel are included in his numbers. He emphasized that the construction impacts from these projects will be great. Mr. Sincock shared information he obtained from the Building Department and personally calculated that the average square footage of a single family or duplex is about 4,000 square feet, but the five year growth rate for single family averages only about 3% a year. He felt that is not the problem in terms of rate of growth and multi-family is pretty low until the last two years where it has jumped significantly. He felt that the affordable housing and Town Lift projects contribute to that segment and it may not continue. Mr. Sincock estimated that the five year average is between 23% per year based on valuation or 17% based on square footage, averaging growth at 20% per year. This is a huge rate of growth which accounts for the feedback in the community. He believed it is mostly multi-family and commercial not necessarily single family. Even when lots are built out, there will still be construction and if there is a quota system, people will rush to get their permits and things will not look any different three years from now. Mr. Sincock distributed a plan on an idea he crafted. If a large structure is proposed a radius area is determined and another building can not be built there until the first building is completed. Ms. Kerr pointed out an instance in Park Meadows where it may be desirable to build two homes next to each other consecutively to consolidate impacts. Paul Sincock stated that his plan would not apply to remodels, decks, porches, etc. with less than a $20,000 valuation. It would apply to all zones in the City and there would be no outdoor construction on Sundays. He added that it may only apply to the Old Town area. Mr. Sincock reiterated that the bigger the project, the larger the radius. Mr. Harlan asked what would occur if a neighborhood preferred to have simultaneous construction. Mr. Sincock felt that if a majority of property owners agreed, the rules could be changed. Ms. Hoffman explained that authority can not be delegated to a neighborhood. The City Manager pointed out that Summit Watch is constructing its fifth building and if the radius plan were in place, it would take five years to build it out. Ms. Hoffman discussed the construction mitigation process in Breckenridge where a large bonds must be posted by the developers. The Mayor discussed the Ridgeview Subdivision, and as a Planning Commissioner then, he suggested a designated truck route which was not supported by the Commissioners. He felt that impacted areas need to be dealt with on an individual basis. Ms. Kerr believed there is a perception that there will be opposition to construction mitigation proposals, but developers are anticipating that something is going to happen and it is inevitable. Mr. Sincock suggested that rather than using the radius proposal, master planned development approvals contain construction mitigation requirements. Ms. Kerr felt that the more experienced contractors will find these requirements more familiar and acceptable. Hugh Daniels felt that Mr. Sincock's proposal has some merit and something has to be done in Old Town. In speaking with constituents, Mr. Daniels believed that residents are upset with construction impacts and pointed out in the early 1980s, the town unit-wise was growing faster than it is currently. Growth was at about 14% versus 3% for the first five years from 1990. Mr. Daniels believed that a true rate control system interferes with the market and is not prudent, although a discussion among Council members on this subject is helpful. He is not opposed to looking at numbers in Old Town and there are a number of huge projects. Mr. Daniels emphasized that Council will be carefully looking at annexations. He pointed out that if the General Plan is reviewed annually, changes can be made to address the timing of impacts. Mr. Daniels understood the benefits of building at the same time, but that is basically what has been happening. There was discussion about the simultaneous construction of buildings on Main Street. Rick Lewis relayed that the Chief Building Official believes that the more flexibility in construction mitigation plans, the better. Bruce Erickson recommended that the growth management techniques be taken out of the General Plan and constitute a separate document.

Mr. Harlan felt that Council needs to support the increased enforcement proposed in the upcoming budget. He felt that a lot can be learned from the construction in the Town Lift area in consideration of the magnitude of the proposed Deer Valley hotel and the Ski Area projects. Chris Larson assured Council that a staging plan will be detailed in the approval process, but the more problematic sites are the smaller projects. Hugh Daniels added that he is not interested in seeing the construction mitigation details in the General Plan. Mr. Klingenstein agreed and added that there is interest in looking at outdoor construction being prohibited on weekends. Ms. Kerr noted that she has received concerns that this type of prohibition would put the handyman out of business and would be difficult for people to get a contractor for small repairs. Kathy Kahn, representing the Chamber Bureau Board and also a member of the Citizen Advisory Committee, stated that the Committee was unable to reach consensus and she urged Council to reach agreement. The Committee did want growth to be managed. Paul Sincock suggested that if a project falls in a construction zone that further construction mitigation steps be considered.

Paul deGroot, contractor and representing the Home Builders Association, stated that he is not fearful about how this will affect the home builders but the home owners, especially if they can not build for few years. He felt that transporting workers to construction sites could be done, and tools could be stored on site in some instances. Mr. deGroot explained that this would be difficult on small jobs and wouldn't work for many subcontractors. There is also very little staging area in Old Town. He felt that restricting hours of construction has some merit, but there are only seven months of construction. Anytime a project lasts longer, the more it costs. Mr. deGroot supported getting the construction mitigation techniques out of the General Plan and that analysis occur on a case-by-case basis. There's already a lot on the books, and he discouraged creating more legislation that is not enforced.

Chuck Klingenstein requested that the Planning Commission and City Council receive quarterly reports on building activity. He thanked the Council for having an open discussion on growth management and he is prepared to hold a public hearing and move on with LMC amendments.

Prepared by Janet M. Scott