



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
February 16, 2017**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, February 16, 2017.

CLOSED SESSION

4:00 p.m. To Discuss Property and Litigation

WORK SESSION

4:50 p.m. Council Questions and Comments

5:00 p.m. – Council Prioritization of the Top Priority Items for Future Work Sessions **PAGE 4**

5:30 p.m. – City Teen Services Discussion **PAGE 20**

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

- Neighborhood Traffic Management Program (NTMP) Update **PAGE 28**
- Aerie Drive and Deer Valley Drive Crosswalk **PAGE 35**
- January 31, 2017 Coffee with Council Summary **PAGE 49**

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

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from January 26, 2017 and February 2, 2017 **PAGE 55**

V. OLD BUSINESS

1. 2017 Legislative Update **PAGE 72**

VI. NEW BUSINESS

1. Consideration to Approve the Joint Clean Energy Cooperative Statement with Rocky Mountain Power in a Form Approved by the City Attorney **PAGE 73**

(A) Public Input (B) Action

2. Consideration to Approve Resolution 03-2017, a Resolution Adopting Affordable Housing Guidelines and Standards for Park City, Utah **PAGE 84**

(A) Public Hearing (B) Action

3. Consideration to Approve the Purchase of the 2017 Golf Fleet in the Amount of \$330,793.20 with Intermountain Golf Cars in a Form Approved by the City Attorney **PAGE 102**

(A) Public Input (B) Action

4. Consideration to Approve Ordinance 2017-04, an Ordinance Amending the Land Management Code of Park City, Utah, Revising Chapter 1 - General Provisions and Procedures, and Chapter 11 - Historic Preservation **PAGE 108**

(A) Public Hearing (B) Action

5. Consideration to Approve Ordinance 2017-05, an Ordinance Approving a Zoning Map Amendment from Residential Medium (RM) District to Historic Residential Low-Density (HRL) District and Recreation Open Space (ROS) at 622, 652, and 660 Rossie Hill Drive as Well as the BLM-Owned Parcels, Park City, Utah **PAGE 138**

(A) Public Hearing (B) Action

6. Consideration to Approve Ordinance 2017-06, an Ordinance Approving the Kipp Subdivision, Being the Second Amendment to the Aerie Phase One Subdivision, Amending Lot 5 and Lot 6, Located at 1264 and 1276 Aerie Drive, Park City, Utah **PAGE 182**

(A) Public Hearing (B) Action

7. Consideration to Continue an Ordinance Approving the 1061 Lowell Avenue Subdivision Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **PAGE 212**

(A) Public Hearing (B) Continuation to Date Uncertain

8. Consideration to Continue an Ordinance Approving the Northstar Subdivision First Amended - Vacating Lot 1 Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **PAGE 214**

(A) Public Hearing (B) Continuation to Date Uncertain

9. Consideration to Continue an Ordinance Approving the Main Street Plaza Subdivision, Located at 220 & 250 Main Street Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City **PAGE 216**

(A) Public Hearing (B) Continuation to March 9, 2017

VII. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m.

Posted: See: www.parkcity.org



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Council will discuss the Top Priorities – and the order in which they would like to see these items come back to Council. The Top Priorities of the City include:

- Affordability
- Improve Multi-cultural Citizen Involvement
- Citizen Engagement
- Environmental Health
- Historic Preservation
- Lower Park Avenue Redevelopment Plan
- Open Space Acquisition
- Regional Collaboration
- Conservation of Natural Resources
- Citizen Wellbeing
- Arts & Culture

Respectfully:

Diane Foster,



City Council Staff Report

Subject: Prioritizing the Top Priority Discussions Items for discussion at Future Work Sessions
Authors: Jed Briggs & Diane Foster
Department: Budget & Executive
Date: February 16, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends that Council prioritize the order that staff should bring the Top Priorities back to City Council in a work session.

Executive Summary

On February 9 and 10 the City Council met for their Annual City Council Retreat. As is customary each year, the City Council reviewed and updated the Priorities to which they would like staff to pay extra attention to this year.

The three Critical Priorities of Transportation, Housing and Energy did not change.

During this work session the City Council will identify the order in which they would like staff to bring the Top Priorities back to City Council so that they can further define each Top Priority such that staff will have a clear understanding of what Council would like to see achieved in the next year.

Items to consider when identifying Top Priorities

- Top Priorities are defined as topic areas in which “City Council would like to see significant progress”.
 - These are “marching orders” for which Council would like to have a detailed and specific action plan for the significant progress that Council would like to see achieved.
 - For every Top Priority, except perhaps for one where the City does not have operational control, staff will schedule the Top Priority Item into a City Council work session for discussion of the detailed and specific action plan.
 - However, Council may want to have an item that signals to the community that it is an important topic for the City Council, but not necessarily something where they would like to see “significant progress.” Safe Community is an example—this is a very important essential service for most local governments. Looking to the “placemat” graphic found in Appendix B, this item is a Desired Outcome that is clearly identified – and there is a leaf on the tree that is titled “Safe Community”. Environmental Health and Conservation of Natural Resources are two areas that could be classified as Desired Outcomes, unless there are actions in these areas that Council would like a specific action plan, increased

budget and there is a realistic probability that significant progress could be achieved in the next year.

- If Council would prefer, staff could maintain a vertical list that shows Critical Priorities, Top Priorities and Desired Outcomes on a single page.
- There may be a perception that if something isn't on the Top Priority list, staff isn't working on it – or that if an item is removed from the Top Priority list, staff will stop working on that item. Neither of these statements is true, unless Council provides specific direction to not take any action. Take Public Safety as an example: Creating a safe community and implementing resort community policing are very, very important to City Council. Each and every year our Police Department identifies and implements ways to improve; our Police Department being a leader in state for the innovation of Police body cams is just one example.
- Some of the Top Priorities are in areas that are not under the operational control of the City and the City does not have staff members dedicated to taking specific and meaningful action to cause significant progress. However, it is still appropriate for Council to identify items such as these as Top Priorities – as they could be targets for funding through Special Service Contracts or through the City's normal contracting process. Citizen Wellbeing is a good example, where Summit County and community non-profit partners provides Behavioral/Mental Health and Substance Abuse services.
- For some of the Top Priorities it is difficult to identify a clear and significant **new** plan of action. Water Conservation is an example where our City Council and Water Department and have partnered to introduce successful programs from other water jurisdictions that are legally applicable to Utah and have created a water pricing structure that effectively encourages conservation. While staff will always to continue to explore new programs, products and pricing strategies, the most effective tools for the coming year are likely the ones we have in place.
- As we have seen with the Critical Priorities, there is a “sweet spot” of how many items can realistically be focused on at one time. This suggests that if there is an item identified as a Top Priority for which Council cannot identify the desired significant progress or Council does not want to provide new funding to an area, Council should consider if that item should be on the Top Priority list at all or if it should be listed under Desired Outcomes.

Appendix A: City Council Priorities

Critical Priorities

If we don't get these right, could have a significant negative impact on our community:

Housing

Middle Income, Attainable & Affordable Housing

Transportation

Congestion reduction; local & regional plans

Energy

Energy Conservation, Renewable Energy & Carbon Reduction, and Green Building Incentives

Top Priorities

City Council would like to see significant progress on these items:

Affordability

Improve Multi-cultural Citizen Involvement

Citizen Engagement

Environmental Health

Historic Preservation

Lower Park Avenue Redevelopment Plan

Open Space Acquisition

Regional Collaboration

Conservation of Natural Resources

Citizen Wellbeing

Arts & Culture

Top Priorities Detailed

Affordability

Goal Statement: Work toward a more affordable cost of living in the community.

- Daycare
- Fees
- Special Service Contracts
- More options for housing
- Free Transit System for local connectivity and mobility

Multi-cultural Citizen Involvement

Goal Statement: Improve multi-cultural citizen involvement.

- Boards/Commissions Representation
- Latino Outreach

Citizen Engagement

Goal Statement: Implement the most effective methods by which the community can participate in and become educated about City topics, issues, and projects.

- Technology
- Council Coffee
- Council Summary
- Community Engagement Hub for City Communication

Environmental Health

Goal Statement: Improve environmental quality and maintain regulatory compliance.

- Water
- Soil
- Air

Historic Preservation

Goal Statement: Ensure compatibility of new structures to historic.

- Historic Preservation Grants
- Other Incentives
- Main Street Plan
- Façade Easements
- Historic Preservation Board

Lower Park Avenue Redevelopment Plan

Goal Statement: Creating a sense of place through strategic development.

Open Space Acquisition

Goal Statement: Acquire, Preserve and Manage Open Space

Regional Collaboration

Goal Statement: Foster strong working relationships with strategic stakeholders.

- Affordable Housing Committee
- Wasatch County
- Joint Regional Councils

Conservation of Natural Resources

Goal Statement: Optimize resource conservation of natural resources.

- Water
- Soils and Vegetation

- Energy

Citizen Wellbeing

Goal Statement: Expand scope of regional partnerships to support human health.

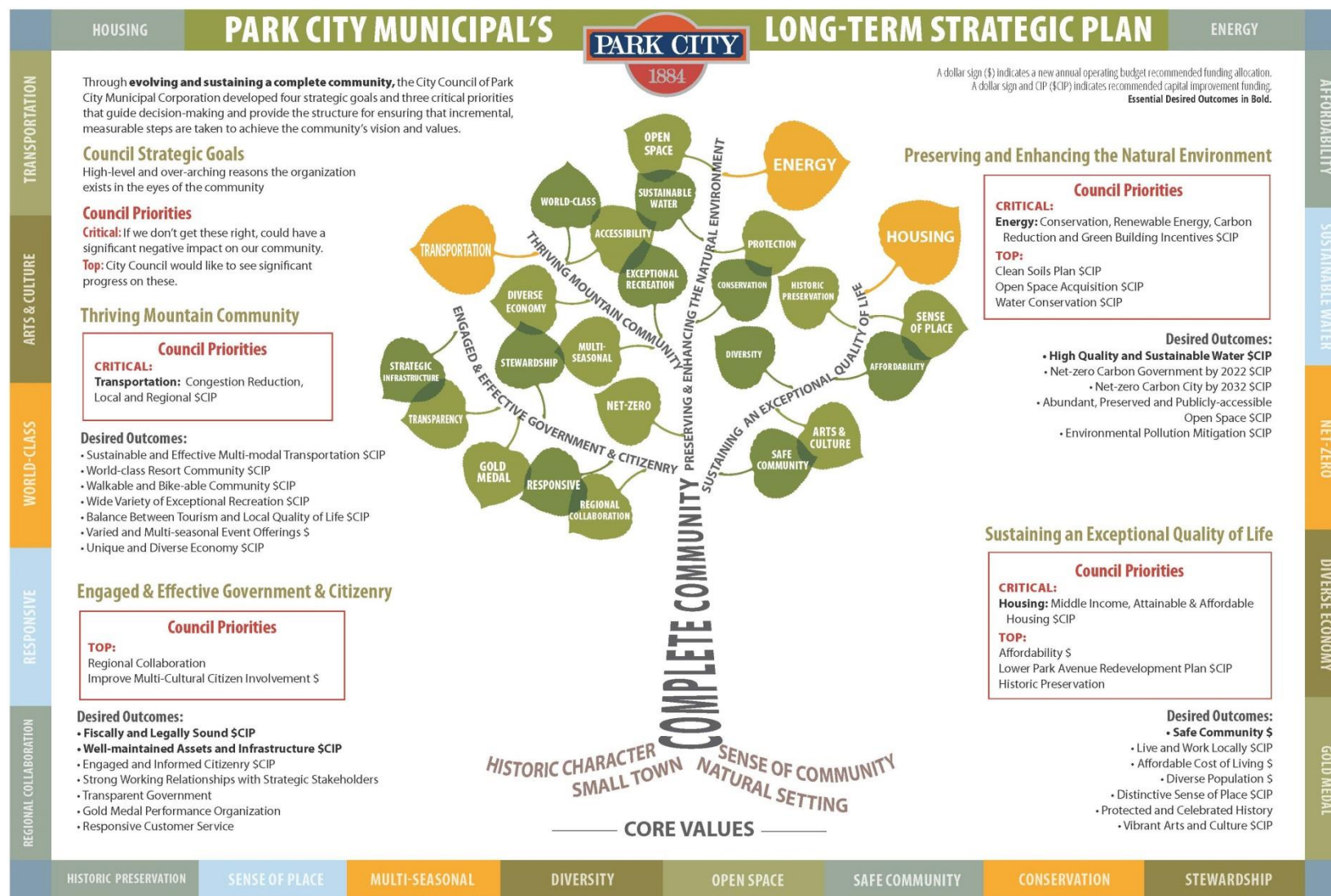
- Mental Health
- Behavioral Health
- Substance Abuse

Arts & Culture

Goal Statement: Support development and production of vibrant arts and culture scene.

- Arts & Culture Master Plan

Appendix B



Appendix C:

2016 City Council Critical Priorities

If we don't get these right, could have a significant negative impact on our community:

Housing: Middle Income, Attainable & Affordable Housing (Anne, Rhoda)

1. **Goal statement:** Produce 800 additional affordable housing units by 2026 with an interim goal of 220 units by 2020 to ensure that Park City is a complete community by facilitating a range of affordable, quality housing opportunities that meet the life-cycle needs of persons at all economic levels.
2. **Accomplishments over the last year (or so):**
 - a. The Blue Ribbon Affordable Housing Commission completed their work in conjunction with consultant analysis and made recommendations to update current regulations - now in process of implementation.
 - b. City Council set measurable affordable housing goals, and began a series of joint meetings with Summit County Council to look at how affordable housing can be addressed in a regional collaboration.
 - c. The Housing Needs Assessment study was updated confirming housing needs at all low and moderate income levels.
 - d. City affordable housing project are making progress: Design and construction began on the at 1450-1460 Park Avenue which will result in eight single family homes located in Old Town, and Concept designs were approved in Lower Park Avenue for Woodside Park which will produce between 60 and 80 affordable housing units.
 - e. Pricing and an updated housing mitigation plan was approved for Park City Heights which resulted in the release of the first 14 units of which five have closed.
3. **Next steps or projects in the next year or two:**
 - a. Complete development of 1450-1460 Park Avenue and Woodside Park project (2 years).
 - b. Propose new affordable housing regulation integrating transportation and general community development goals.
 - c. Further define affordable housing goals for rental-and-for-sale units as well as a policy for providing City employee housing.
- d. Complete acquisition of Yard South property and complete entitlement process for housing and transportation as well as pursue other affordable housing development opportunities.
- e. Develop joint city/county five-year affordable housing development plan.
4. **Key performance indicators:**
 - a. Number of deed restricted affordable housing units in Park City
 - b. Percentage of Park City workforce living within Park City School District boundaries\

Transportation: Congestion reduction; local & regional plans (Alfred, Blake)

1. **Goal Statement:** Multi-modal Mobility: a diverse transportation system that reduces dependency on the private automobile and environmental impacts associated with the

private automobile by providing alternative transportation modes that serve the needs of our residents, employees, and visitors

2. Accomplishments over the last year (or so).

a. Transportation Program Management

- i. Validated the City and County's approach to regional transportation solutions which was demonstrated by the overwhelming passage of Proposition 9 and 10.
- ii. Hired two new staff members to expedite implementation of transportation program

b. Transit:

- i. Constructed the Kimball Junction Transit Center
- ii. Received 12 new low sulfur/clean diesel buses and 1 new low sulfur/clean diesel trolley
- iii. Received Notice of Award for 6 new electric buses
- iv. Continued installation of wifi on PC buses and real-time next bus technology at key transit stops
- v. Continued winter Lime Express service connecting Canyons and Park City Mountain base areas which included the contribution of approximately \$59,000 from Canyons Resort Management Association

c. Transportation Demand Management Program

- i. Established and chaired Greater Park City Transportation Management Association
- ii. Kicked off and sustain the City and County's joint "Ride On" campaign
- iii. Formalized new traffic pattern at Park City Mountain Base
- iv. Implemented Winter and Peak Day Traffic Management Plan
 - 1. Pre-event/day communications protocols
 - 2. Advanced public outreach
 - 3. Dedicated transit lane on Deer Valley Drive on peak days
 - 4. Police Traffic Management at key intersections
 - 5. UDOT signal override coordination

d. Transportation Planning (Completed the following planning documents)

- i. Old Town and Main Street Parking Management Plan
- ii. SR 248 Corridor Improvement Plan – Traffic Supplement
 - 1. Received conditional approval from UDOT to proceed as lead agency on design and construction
- iii. Park City Transportation Demand Management Plan
- iv. Bonanza Park Transportation and Parking Study
- v. Short Range Transit Development Plan

e. Transportation System Performance Monitoring (Developed and implemented robust transportation monitoring program)

- i. Installation of Phase 1 and Phase 2 Blyncsy sensors bringing total to approximately 40 sensors
- ii. Installation of 4 permanent Variable Message Signs and two new real time traffic cameras

- iii. In progress – installation of local traffic cameras
- iv. Completed 2016 Traffic and Transportation Master Plan

3. Next steps or projects in the next year or two.

- a. Communitywide Transportation Demand Program and incentives including Employer Trip Reduction Program for large employers (resorts, lodging, restaurant, school district)
- b. Design, Permit, and Construct Phase 1 of the SR 248 Corridor and Safety Improvement Project
- c. Design and Permit Phase 2 of the SR 248 Corridor and Safety Improvement Project
- d. Implement Phase 1 and Phase 2 of regional e-bike share program
- e. Implement express bus service from Kimball Junction Area to Old Town
- f. Implement pilot “Downtown” on-demand transit service
- g. Establish designated taxi/shuttle/ride share load and unload zone
- h. Develop and adopt revised parking standards in Land Management Code
- i. Develop and adopt Traffic Impacted Analysis requirements in Land Management Code
- j. Construct new and replace existing transit shelters at high volume transit stops.

4. Key performance indicators:

- a. Reduced transit headways on express routes to 15 mins
- b. Reduce Average Daily Traffic Volumes on key entry corridors by 5%
- c. Reduce Single Occupancy Vehicle rates on key entry corridors by 10%
- d. Increase transit ridership to exceed 2 million riders per year

Energy: Energy Conservation, Renewable Energy & Carbon Reduction, and Green Building Incentives (Luke, Celia)

General: team is fully staffed and charging full steam ahead!

Energy conservation

- Water and Energy Project Management Plan for Public Utilities almost complete. This plan lays out multi-year strategy for energy efficiency and renewable energy improvements for our water utility.

Renewable energy

- Ongoing negotiations with Rocky Mountain Power to ensure that rooftop solar remains an affordable and accessible option for PCMC as well as residents.
- PCMC has installed 328 kW of rooftop solar on 7 municipal buildings.
- Plan for electric vehicles to go in front of council in March
- Submission of application to the DOE’s SolSmart initiative in consortium with SLC, Moab, Summit County for technical advisory services on how to boost solar in our communities.

Carbon reduction

- Selection of ClearPath tool for GHG inventories moving forward. The tool, which Summit County is also using, allows forecasting and modeling of different CO2 mitigating actions.

- 2016 Municipal GHG inventory largely complete. Results and recommended action plan to go to council on March 9th.
- RFP for quantifying open space carbon sink value to be issued by end of February.

Green building incentives

Ongoing. Creation of building standard and incentivisation scheme forthcoming (internal draft standard to council early April).

Top Priorities

City Council would like to see significant progress on these:

Affordability (Jed, Diane) Needs more work

1. **Goal Statement:** Move toward a greater affordable cost of living
2. **Accomplishments over the last year (or so):**
 - a. **Money given through special service contracts to:**
 - i. People's Health Clinic
 - ii. Christian Center
 - iii. PC Tots
 - iv. Mountain Mediation
 - v. PC Education Foundation
 - vi. Holy Cross Ministries
3. **Next steps or projects in the next year or two.**
 - a. Special service contract deliberation next budget year.
4. **Key performance indicators:**
 - a. NCS: Cost of living – Percent rating positively (e.g. excellent/good) – 19%
 - i. PC benchmark **lower** when compared to other cities
 - ii. Down from 25% in 2013

Improve Multi-cultural Citizen Involvement (Linda)

(We also directly address Council goal of fostering an “engaged and effective government and involved citizenry)

Accomplishments August 2016 – Feb. 2017:

- Hired new Community Engagement Liaison (Lynn Ware Peek) and revised the position's job description to include an emphasis in multi-cultural community engagement. Within first five months of employment, Peek has established collaborative partnerships with PC Unidos, Latinos in Action, the PCSD Latino Outreach Specialist, and continues to expand her network of Latino advocates in the Park City Community. Peek was also instrumental in organizing a community outreach event with PC Unidos in December to address the community's immigration concerns.
- Creation and implementation of Council Community Outreach Series - monthly events connecting Council members with community stakeholders for informal discussion of city issues and initiatives. Average attendance has been 40

guests/event. Audience comprised of a variety of community members – business owners, millennials, seniors, non-profit leaders.

- Editorial redesign and distribution of PCMC monthly newsletter, created new City Council Summary digital publication – both publications published in English and Spanish, and developed a new PCMC social media strategy which has resulted in greater online engagement, continued and enhanced Park City Community Spotlight video series.
- Established the Community Engagement Department as the internal resource for all City departments to support proactive stakeholder communications and development of public engagement campaigns. Current public engagement campaign direction and support include:
 - Public Utilities (storm water outreach campaign and video)
 - Public Works (Old Town parking management roll out)
 - Environmental Sustainability (GUEP outreach/Sundance event management)
 - Transit/Transportation (Ride On/Prop 9 & 10 campaign/Proterra launch/Trolley launch/Kimball Transit Center opening)
 - Legal (Bonanza Flats bond and purchase communications)
 - Recreation (master plan community engagement and participation)
 - Special Events (ongoing Main Street outreach, special event impact messaging)
 - Engineering (Prospector streets project and flood plain communication)
 - Police (enhanced PIO/crisis communication support and media inquiry management)
 - Executive (provide weekly issue briefings and prepare media talking points and advisement)
- Established strong and positive working relationships with KPCW, Park Record, Salt Lake media outlets, Summit County PIO, PCSD PIO, and the Park City Foundation.

Next Steps:

- Establish and lead PCMC communications work group comprised of representatives from each department to meet bi monthly for communications training and to collaborate on community engagement campaigns.
- Research, select and implement online community engagement tool to provide a timely and robust platform for citizens to provide feedback on City initiative and projects and to receive timely communication updates on projects and initiatives. (will augment current outreach tools - e-blasts, text alerts, project open house events, community presentations, etc...)

Performance Metrics:

- Decrease in the amount of citizen complaints (letters to Council, letters to editor, public input, and social media comments) regarding lack of City communication or outreach on projects or initiatives.
- Increased stakeholder engagement with City social platforms and increased open rate of e-blast communication (newsletters, Council summary, etc)

- Increase in stakeholder satisfaction regarding community engagement and communication efforts as reported through the Fall 2017 National Citizen's Survey
- Anecdotal feedback from internal PCMC departments on the quality of their communication collateral and community engagement campaigns.

Clean Soils Plan (Jim)

1. **Goal statement:** Improve Environmental Quality & Maintain Regulatory Compliance
2. **Accomplishments:**
 - a. Continued Progress on Prospector Drain
 - b. Remedial Actions on Upper Watershed Sites
 - c. Start Air Quality Discussions with County
3. **Next Steps:**
 - a. Complete Site Characterization for Prospector Drain
 - b. Perform Engineering Evaluation and Cost Analysis for the Prospector Drain
 - c. Continued progress on the Natural Resource Damage Restitution for the Prospector Drain.
 - d. Continue to foster and maintain relationship with EPA and UDEQ
 - e. Continue to explore all paths to finding an economically feasible disposal location or option.
 - f. Revise Soil Ordinance to make clear expectations and requirements.
 - g. Engage in air quality outreach with Summit County.
4. **Key performance indicators:**
 - a. Approval of Prospector Drain Site Characterization.
 - b. Provide Council with Revised Soil Ordinance for discussion and Approval.
 - c. Add Air Quality information to Park City website.

Historic Preservation (Bruce)

2016 Accomplishments

- Completed structural upgrade to McPolin Barn with no impairment to Landmark status.
- Negotiated 15 year funding agreement with Park City Mountain for mine site stabilization and provided regulatory support to the ad hoc Friends of Historic Mine Sites.
- Completed changes to Historic District Design Guideless for designated Historic Buildings to be up for adoption by City Council in spring 2017.
- Received \$6,000 from Utah Certified Local Government grant program to cover a portion of preservation consulting services, memberships and conference attendance.
- Negotiated the restoration of Historic homes at 1450 and 1460 Park Ave.
- Negotiated the restoration of the Landmark Kimball Garage and addition(s).
- Reviewed 116 Historic District Design Reviews-Pre plus 30 formal Historic District Design Reviews.

2017 Goals

- Complete Intensive Level Survey updates and re-adopt the Historic Sites Inventory.

- Complete rezone of BLM Parcel 18 and protect the potential for restoration of the four Landmark houses in the tract.
- Continue to build brand presence for historic neighborhoods and increase awareness of the importance heritage resources. Includes Historic Preservation Awards and Preservation Month event at McPolin Barn.
- Complete façade-width ordinance requiring Main Street business to maintain historic façade dimensions in support of the Storefront Enhancement Program.
- Complete updates to Historic District Design Guidelines for new structures including reduction of flat roofs as primary roof structure, encouraging more compatible building form and materials.
- Complete update for Historic District Grant Program.
- Negotiate the stabilization of key mine site structure per agreement with Park City Mountain
- Complete expansion of the National Register Listing boundary for certain properties on south Main Street.
- Complete preliminary analysis of historic neighborhood character zones and cultural landscape protection.
- Facilitate the Vernacular Architectural Forum tour of Park City in partnership with Park City Museum.

Key Metrics

Successful completion of 2017 tasks

Lower Park Avenue Redevelopment Plan (Jon, Nate, Anne)

Accomplishments over the last year:

1. 1450/60 Park Ave. Affordable housing – Under construction.
2. Fire station affordable housing (Phase 1) – Finalizing design.
3. Woodside to Empire affordable housing (Phase 2) – Concept design complete.
4. Community Center RFP – about to be issued.

Next steps or projects :

1. Finalize purchase of South Yard.
2. Begin Construction on Fire station (summer 2017).
3. Finalize planning for Miner’s Hospital & City Park.
4. Begin Construction on Phase 2 (spring 2018).
5. Establish future of Keetly Building (existing senior ctr.).

Performance Indicators:

1. 1450/60 Park = 8 units of the goal of 220 by 2020.
2. % of projects that are completed within final budget approved by Council.
3. Satisfaction with Community Engagement Process for Projects.
4. % projects that meet City’s energy goals.

Open Space Acquisition (Heinrich)

1. **Goal Statement:** Acquire, Preserve and Manage Open Space
2. **Accomplishments:**

- a. Bonanza Flat Purchase Agreement
 - b. Bonanza Flat Bond and Voter Approval
 - c. Continuation of COSAC and Recommendations to City Council
 - d. Library Field Discussion
 - e. Off-Leash Designations
 - f. Wildfire Mitigation Projects
 - g. Noxious Weed Program
- 3. Next Steps:**
- a. Acquisition Projects (continued)
 - b. Open Space Management Projects- Bonanza Flat
- 4. Key Performance Indicators:**
- a. NCS: Open Space – Percent rating positively (e.g. excellent/good) – 78% (PC benchmark higher when compared to other cities)
 - i. Down from 82% in 2013
 - b. NCS: Natural Areas Preservation – Percent rating positively (e.g. excellent/good) – 75% (PC benchmark higher when compared to other cities)
 - i. Down from 79% in 2013

Regional Collaboration (Matt D)

1. **Goal Statement:** Improve Regional Collaboration
 - a. Staff changed our regional and intergovernmental strategy this past year, away from a centralized approach to a decentralized approach. We now use several different managers, on a myriad of issues, in order to capitalize on their technical expertise and previously developed relationships.
 - b. For example, managers working on different regional collaboration projects include, but are not limited to, Jed, Nate, Heinrich, Anne, Jon, Ken, Alfred, Bruce, Blake, Matt D., Mark, and Diane
2. **Past accomplishments –**
 - a. Transportation propositions 8 & 9 were passed successfully, including a mutually agreeable interlocal agreement with Summit Co. that governs the allocation of resources from one of the transportation sales taxes
 - b. Staff collaboration on affordable housing with the County, resulting in a joint Council’s meeting, resulting in the likelihood of a Joint Affordable Housing Task Force
 - c. Sustainability goals recently adopted by SLC and, potentially, MOAB. Staff and elected officials were helpful in facilitating the adoption of new policy goals for these other jurisdictions
 - d. Continued work with various communities along the Wasatch Back and Front, including legislative, Mountain Accord, UTA, etc., etc.
3. **Future -**
 - a. Joint Affordable Housing Committee w Council
 - b. Continue monitoring JSPA planning approval process

Water Conservation (Clint)

1. Accomplishments:

- a. 2016 highest utilization of Smart Irrigation Controller Rebate at 29.
- b. Increased the reach of the WaterSmart program by extending the Home Water Report program to Commercial, Multi-Family, & Irrigation accounts.
- c. 39% Portal Registration. Continues to be the highest WaterSmart portal registration percentage of all deployments.
- d. Another successful rain barrel distribution event and partnership with Utah Rivers Council.
- e. Additional and better defined residential water rate tiers to incentivize conservation.

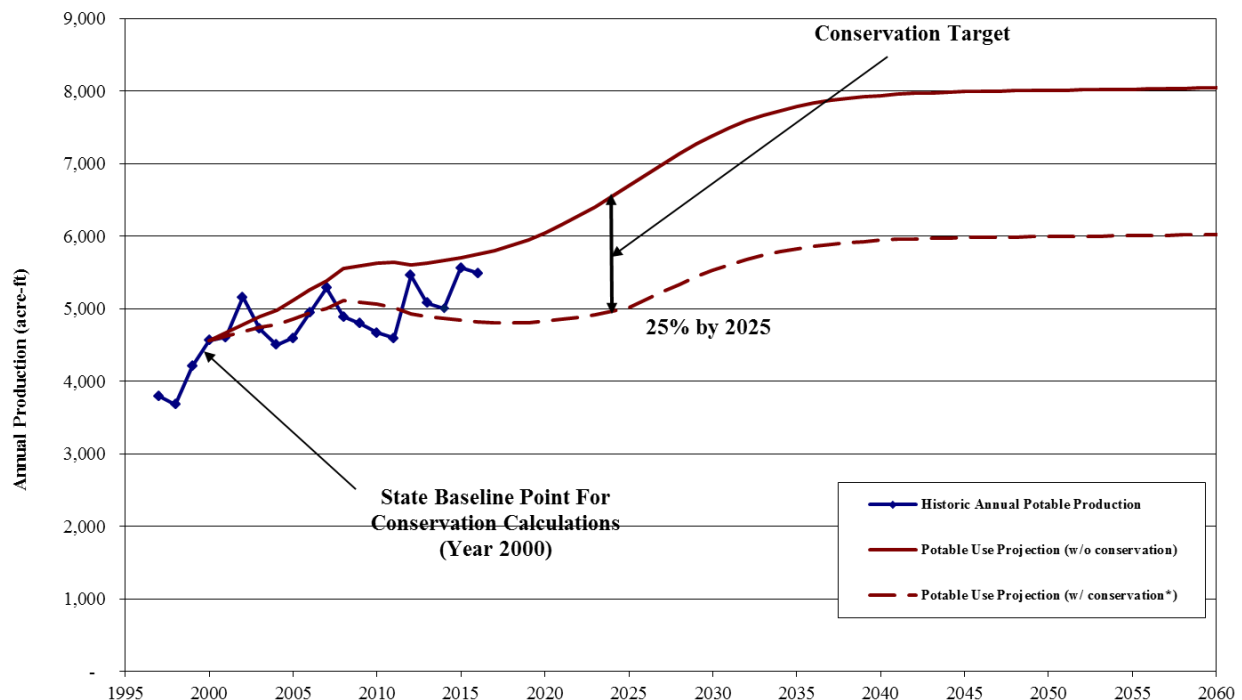
2. Next Steps:

- a. Identify water loss target for system and implementation plan.
- b. Investigate combing online bill payment with existing customer portal to drive additional portal visitations and registrations.
- c. Update the existing remote meter reading system to assist with water loss targeting.

3. Key Performance Indicators:

- a. Reduce water usage at least 25% by 2025.

Historic and Projected Park City Annual Potable Water Production



*The State of Utah conservation goal is primarily based on a per capita conservation reduction of 25 percent by 2025. The conservation projection shown is a 25 percent reduction per equivalent residential unit (which includes non-residential and seasonal demands).



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

The City departments of Golf, Recreation, Ice, and Library currently offer a variety of services and resources to engage youth and teens in positive experiences. Existing resources and possible expansion of services will be discussed.

Respectfully:

Adriane Juarez, Library Director



City Council Staff Report

Subject: City Teen Services Discussion
Author(s): Jonathan Weidenhamer, Vaughn Robinson, Ken Fisher,
Amanda Angevine, Adriane Herrick Juarez
Department(s): Economic Development, Golf, Rec, Ice, Library
Date: February 16, 2017
Type of Item: Work Session

Summary Recommendation

Staff recommends continuing to use existing City staff and facilities such as the Golf Course, MARC, the Ice Rink, and the Library to support and promote youth and teen programming.

Additionally, staff recommends Council provide direction to staff to work with the Youth City Council on a research project to identify what teens do now for activities and what types of activities and facilities they would really utilize if they were developed in the future.

Executive Summary

The City Departments of Golf, Recreation, Ice, and Library currently offer a variety of services and resources to engage youth and teens in positive experiences. Existing resources and possible expansion of services will be discussed.

Acronyms

GRIL Golf, Recreation, Ice, Library Team
RFP Request for Proposals

The Problem

While there are many activities and amenities available to teens and youth in the Park City area, there is always a need for more.

Background

- The City Council has discussed the idea of a teen center at a few different Council meetings in the past year. One of the items discussed was if the City created a central facility that was a teen center, would it get used.
- City Council directed staff to replace the current Recreation Building at City Park with a multi-use space that will function primarily as a senior center and summer camp space; however Council also wanted the space to be flexible so it could be utilized for other community needs, such as non-profit events. There was some limited discussion about the potential for programming some teen-specific activities at the space; however no specific direction was received on that topic.
- In response to input at a public meeting on February 25, 2016, City Council asked staff to consider our role in providing teen programming and facilities.

- On March 9, 2016 staff met and developed the following recommendations:
 - The City should take a convener role, not a sole solution provider role;
 - The City has had good success in the past with this group and there is an opportunity for greater engagement with this target audience ;
 - Staff recommends, as a next step, that we convene a group of stakeholders together to see where we've been & organize next steps.
 - Staff also is pleased to have the Youth City Council willing to play a role in this process.
- On December 12, 2016 at a Joint Meeting of the Park City Council, Summit County Council and Park City School District the group discussed the idea of having increased programming for teens over the holidays. Staff at The MARC, Park City Ice Arena, Park City Library, Park City Film Series and Basin Recreation responded by developing some new programming for teens. Over the 2016 school winter break GRIL Staff worked with the schools, Park City Film Series and other local not for profits to develop, highlight, and commutate a myriad opportunities, many of which were free for teen and youth activities. <http://parkcityut.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=2222&Inline=True> (page 33)
- On January 12, 2017 Council considered the final uses/program prior to release of an RFP for a Community Center at City Park, of which the “anchor” tenants will be seniors and summer day camp. Council was supportive of other flexible uses for the building when not programmed for those tenants.
- On February 2, 2017, during a Council study session with the Library Board and staff, a brief discussion was held around the notion that the new community center at City Park would not necessarily have programming for teens and to further consider using the Library, including the Coffee Shop space, to do so.
- On February 9, 2017, during the City Council Retreat, the Youth City Council discussed with Council a list of project ideas they could undertake. The one that the City Council and the Youth City Council agreed upon was a project to look at the need for incremental teen activities in the Park City area. The Youth City Council discussed the idea of the first step being some type of research project that would help identify the needs. Staff is pleased this project was selected, as having the target user group do the needs identification will be quite helpful.

Alternatives for City Council to Consider

- 1. Utilize existing GRIL facilities and (staff) resources to support youth/teen programming. Look to further develop and support existing community partnerships where possible. (Recommended)**

Pros

1. Involves community and creates a network.
2. Spreads youth & teen activities throughout the City.
3. Engages teens in utilizing existing City resources.

Cons

- a. Without incremental funding, it will not be possible to greatly increase or expand programming beyond current programs and levels of service.

2. Direct the GRIL team to support the Youth City Council in

- a. **identifying the currently available activities & facilities, and the utilization thereof by teens (“What do teens do now?”); and**
- b. **identify what activities or facilities would be fully utilized by teens if they were developed. (Recommended)**

Pros

- The target audience is working on defining their own needs.
- Provides background research that will minimize, but not eliminate, the chances that a facility or program that will be developed and then not use by the teen population.
- Is a partnership with the Youth City Council.
- Low cost

Cons

- It will require some patience to allow time for the research and analysis to be completed.
- The Youth City Council does not have a formal market research background (although that can be augmented)

3. Expand scope of City Park Community Building to include exclusive space for youth/teens:

Pros:

- a. Would allow for an exclusive teen area.

Cons:

- a. Staff is not confident a structured program and facility would be used.
- b. Could slow down the current process and preclude finalization of scoping for FY 18 budget;
- c. Expansion of the building program and footprint would likely cause the project to exceed current budget, which would impact the Lower Park Avenue Budget resulting in impacts to the affordable housing program unless additional funds were identified.

4. Explore relocation and adaptive use of Keetly Buidling (existing Senior Center) at MaWhinney Lot for a stand-alone teen facility:

Pros:

- a) Would allow for an exclusive teen area

Cons:

- a. Staff is not confident a structured program and facility would be used.
- b. May impact the Lower Park Avenue Budget, resulting in impacts to the affordable housing program.

5. Return during the FY 2018 budget process to consider expanding operational resources (staffing and programming) to further expand city’s level of service for youth and teens :

Pros:

- b. Would allow consideration of expanded role and resources to be done in context of Council's other priorities;

Cons:

- c. The current level of service would be maintained for the next four months.

Analysis

The City Departments of Golf, Recreation, Ice, and Library offer a variety of services to engage youth and teens in positive activities both during school breaks and year-around. For example, the skate park has functioned a teen gathering place for many years. This has been a great facility to engage kids that may not participate in traditional athletic activities. A list of what is offered in the various City Departments can be found in Appendix A of this report. City Council asked for a work session to discuss the possible expansion of services to teens throughout the City and, in particular, the spaces in the Library.

The Library entry gallery was mentioned as a potential gathering space for teens. The time and creativity needed to engage the teen population is significant. A program that works initially can fade quickly in popularity as fresher and more exciting opportunities capture teen interests. In addition, as teen use at the City facilities grows so do behavioral incidents including graffiti, damaged equipment, and noise.

Staff recommends that if Council would like to see an expanded programming for teens or new programs and services are to be developed beyond the current programs and level of service. prior to research defining both what teens do now and what activities/facilities would be most utilized, those items can be brought back to Council for a discussion during the quickly approaching budget process. if

Department Review

The Golf, Recreation, Ice, Library (GRIL) Team along with Economic Development, Legal and City Manager have reviewed.

Funding Source

No incremental source identified or considered as part of this report.

Attachments

- A Teen Engagement within Existing City Facilities

A Teen Engagement within Existing City Facilities

LIBRARY

The Library partnered with PC CAPS in Spring 2016 to determine how to best serve the teen population. PC CAPS Students polled their peers to discover what students were looking for in library services. The report can be found at:

<https://docs.google.com/a/pcschoools.us/presentation/d/1wGtBergptlAgAHVVGSYv4ccrM7c4lq40id7qLyg2Z-U/edit?usp=sharing>

A Library Teen Advisory Board (TAB) was formed to advise and inform librarians about programs and services to benefit this population, and in February the TAB recommended ACT/SAT Study program be developed using the library's online resources.

Pablo Abarca was hired as a Youth and Spanish Services Library Assistant. His abilities provide an in-house liaison for Latino and Spanish-speaking Teens as they navigate the library.

The resources provided in the Library's YouCreate lab have had a positive response from Teens in our community. They are frequently using the 3D printers, video recording equipment, and the Sound Booth. Teens are also using the gaming systems.

Teens are high-level users of the Library's Study Rooms every day after school as it gives them the space and autonomy they to engage in study or group collaboration.

The Library added a LEGO Club weekly on Friday's @ 2pm and have been getting lots of school age and "tween" patrons coming to this program.

The Library continually works to develop 'one-off' programs to engage youth and teens such as an annual LEGO building contest, a Star Wars Party on May, Teen Open Mic Night, ACT/SAT Prep, and an "Anti-Valentine's Un-Celebration" including pizza, an anti- valentine's piñata, the movie Sixteen Candles, and some Anti Valentines Madlibs and crafts.

Teen Open Mic night was a hit when it first started, but later had to be canceled due to a lack of participation as teens moved on to other things.

The Library partners with the Park City Film Series to offer screenings of interest for youth and teens during school breaks, and at various other times throughout the year.

PC Recreation/PC MARC

Steps taken since fall

- Opened up the PC MARC for free to all PCSD kids during winter break and have continued free admission to the facility Monday – Friday between the hours of 2-4 p.m. for PCSD kids
- Created a youth friendly space on the lower level with couches, television, foosball table & two ping pong tables.
- Engaged kids at TMJHS by going to the school during lunch to ask them to fill out a survey of potential activities they would like to do at the PC MARC after school

- Partnered with Youth Sports Alliance for new Active8 program which is a new initiative to teach leadership skills to middle school age kids
 - Department is teaching First-Aid & CPR, Tennis, Pickleball & Boulderling to participants
- Partnered with McPolin Elementary to bring students in their afterschool program to PC MARC to participate in tennis & other activities in the gym
- Partnered with TMJHS to use their archery equipment to begin teaching & developing archery to students

Plans for the Future

- Scheduling a focus group discussion with PCHS students to further develop ideas for programing/activities
- Development of a new community center in City Park will be an additional facility that may be able to be programmed for teens based on availability.
- Continue to develop non-traditional activities/programs such as archery & fishing

Ongoing

- Several programs that are for teens ranging from tennis to soccer to skateboarding to group fitness.

Park City Ice Arena

Steps taken since fall

- Offered free skate rental to Park City School District students over the holiday school break.

Ongoing

- Schedule includes public skate sessions which are open to all ages and skating experience as well as drop-in freestyle (figure skating) and hockey sessions for sport specific recreation.
- Local Clubs rent the facility to facilitate sport specific programing for teens in hockey, figure skating and speed skating.
- Offer classes, camps and clinics that supplement programs offered by Local Clubs.

Park City Golf Club

Offerings/Ongoing

- Teen Golf Camp which is from 1:00-4:00 pm, Monday-Thursday the first week after school ends
- Junior League every Monday between the hours of 2:00-5:30 pm during the summer break
- Private lessons are available at any time
- Driving Range is open from 7:00am to 7:00pm every day of the week (excluding clinics)
- Practice Greens and a Chipping area are available during business hours
- Tee times are available (excluding tournaments or league play times)

Plans for the Future

- Expanding a Junior Travel Team to play 6 matches this year against Jeremy Ranch, The Canyons, Glenwild, Park Meadows and Promontory.
- Creating practice/instruction sessions amongst these teams at a host course
- Participating in a collaboration with The Canyons Golf Course in The First Tee Program
- When the course opens up will have a meeting with Professional Staff to see what else can be offered.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

The information provided in this Staff Communication Report is an update on the items that have been or are in the process of being evaluated by the Neighborhood Traffic Management Program (NTMP).

Respectfully:

Corey Legge, Engineer Tech

City Council Staff Communication Report



To: City Manager for Mayor and City Council
Subject: NTMP Update
Author: Corey Legge
Department: Engineering
Date: February 16, 2017
Type of Item: Informational (NTMP)

The information provided in this Staff Communication Report is an update on the items that have been or are in the process of being evaluated by the Neighborhood Traffic Management Program (NTMP). A description of the NTMP's objectives, policies, and procedures is also included.

Acronyms

MUTCD- Manual of Uniform Traffic Control Devices
 NTMP – Neighborhood Traffic Management Program
 RELS – Request for Elevated Level of Service

Summary of the NTMP Items since September 2015

In Progress				
NTMP Item	Request for	Progress	Start Date	Comments
Webster Drive Parking Issue	Parking permit program	Phase I	9/15/2015	Discussed with Vaughn and Clint with Golf. Took parking inventory at Hotel Park City. Discussed with Planning Department. Held a meeting September 28 th , 2016 with Engineering, Planning, and Transportation. Engineering and Planning are performing a zoning analysis from the Plat. Still in the analysis phase.
Aerie Drive Pedestrian Crossing	Crosswalk at Aerie Drive and Deer Valley Drive	Phase II	1/10/2016	Parametrix conducted a study of crossing alternatives. Community meeting was held June 29 th , 2016 to discuss issues and concerns with residents. Parametrix analyzed alternatives and provided a recommendation. Staff report to be provided to City Council at part of this Staff Communication Report. Staff recommends the no action alternative as outlined in the Staff Communication's Report that follows this report in the February 16, 2017 City Council packet.

In Progress				
NTMP Item	Request for	Progress	Start Date	Comments
Lowell Avenue Residential Parking	Residential Permit Parking Program	Phase II	1/10/2016	Met with resident. Collected data. Held a community meeting to gain information from residents. Hales Engineering is conducting a qualitative analysis. Held a second community meeting with residents and staff. Testing alternatives throughout the winter and will present a recommendation once the study is complete.
Parking at Bottom of Rossie Hill	Eliminate parking to improve landscape	Phase I	1/10/2016	Discussed with requestor. Mitigation measure will occur during the OTIS Rossi Hill Reconstruction in 2018.
Pedestrian Movement	Install stairs from Rossie Hill Drive to Deer Valley Drive Loop Road	Phase I	1/10/2016	Discussed with requestor and planning. Mitigation measure: Adjacent development will be approached about installing the stairs as part of their development.
Deer Valley Drive Crosswalks	Request to add cross walks along Deer Valley Drive	Phase II	2/9/2016	Collected data, researched MUTCD crosswalk guidelines. Denied original request. Held a public meeting with residents, concern was with the existing cross walks and cars were not stopping. Mitigation measure: Improved existing crosswalk at Sunnyside Drive and added flags. Will continue to monitor crossing. Staff has seen improvement once the flags were installed.
9 th Street and Park Avenue Crosswalk	Request to add crosswalks at the 9 th Street and Park Avenue Intersection	Phase I	8/9/2016	Stop sign installed 6 months ago, crosswalks will be installed in the Spring.
Pedestrian Crossings at intersection of Bonanza Drive and Kearns Boulevard	Request to lengthen allotted time for pedestrian crossing and add crossing flags	Phase I	8/9/2016	Discussed with requester. Crossing was evaluated to determine what changes would improve conditions for pedestrians. It is against UDOT policy to install crossing flags at a signalized intersection. The request was denied at Phase I. Direction was provided to the requester that Phase II would be initiated once a petition is submitted containing five signatures from residents. UDOT will re-evaluate if Phase II is initiated.

Completed Items				
NTMP Item	Request for	Progress	Start Date	Comments
Parking Issue Sidewinder	Parking issue near 2298 Sidewinder Drive	Complete	12/15/2015	Increased police enforcement. Hales Engineering has finalized parking study. Mitigation measure: "No parking 2 AM - 6 AM" signs were installed June 27th.
Rossie Hill Width	Improve parking, snow clearance, and emergency vehicle access	Complete	1/10/2016	Met with requestor on May 20, 2016. Report/discussion presented to Council on August 4, 2016. It was decided that Rossi Hill Drive would be widened to 26 feet during the 2018 road re-construction with seasonal parking ban along the north side of the street. This decision is pertinent to the section of Rossi Hill Drive between Ontario Avenue and Echo Spur.
Rossie Hill No Parking Signs at hair pin turn located on lower section of road.	Make no parking signs more efficient	Complete	1/10/2016	Discussed with requestor. Mitigation measure: Installed "No Parking" sign at easterly bend of Rossie Hill.
Deer Valley Drive Intersection Signage	Address signage at Royal Street intersection and the exit from Deer Valley Resort	Complete	2/10/2016	Mitigation measure: Improved signage at Royal Street intersection and do nothing at the exit to Deer Valley Resort.
9th Street Stop Sign	Discuss the need for a stop sign at 9th street	Complete	2/11/2016	Staff completed NTMP evaluation criteria form for stop signs. Staff determined that the high traffic volume on Park Avenue and close proximity to the Main Street business district warranted multi-way stop signs. Stop signs were installed at each leg of the intersection.
Short Term Parking Spaces on Park Avenue	15 minute parking signs near 8th and Park	Complete	4/12/2016	15 minute parking signs were installed by the City's Streets department.
Parking Issue on King Road by Upper Norfolk	"No Standing" Sign at 69 King Road	Complete	6/14/2016	Evaluated site triangles, intersection dimensions, and turning radius off of Upper Norfolk. Limited road width warranted two "No Parking" signs on the south side of the street to be installed. Both sides of King Road is now signed "No Parking"
Super Hero Parking	Install "Super Hero Parking Only" signs	Complete	9/13/2016	Two signs were installed in Park City. One sign is located in the Bob Wells Parking Lot and the other is located in the Library Parking Lot. Police know that these signs will not be enforced. The purpose of these signs is to show a higher level of respect for those willing to put their life on the line to protect us and our rights.

Neighborhood Traffic Management Program

During one of the previous meetings with Council concerning the NTMP program, it was suggested that a study session may be a good idea to better understand the nuances of this program. This section is being provided to Council so that staff can ask the question, "Is Council interested in a study session to better understand the NTMP program?"

Alternatives to Study Session include:

- a) the ability for a Council member to meet with Engineering to have Engineering staff provide an overview of the program to one or two Council members in a meeting; or
- b) Council may determine that the information below and on the City's website provides sufficient information and a Study Session is not needed.

Purpose

There is a growing concern in Park City to manage automobile use and reduce the impact of noise, safety, and improve livability/walkability. The Neighborhood Traffic Management Program (NTMP) provides residents an opportunity to jointly work with City professionals to evaluate the requirements, benefits, costs, and tradeoffs of using various traffic calming measures and techniques within their own neighborhood. The program outlines the many ways residents, businesses and the City can work together to help keep neighborhood streets safe.

Objective

The primary objective of the NTMP is to improve neighborhood livability and quality of life by promoting safe conditions for residents, motorists, bicyclists, and pedestrians. This is accomplished by establishing guidelines for consistent decision making; utilizing the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD), traffic engineering and safety studies, experiences of other communities, community guidelines, and input from staff.

Policies and Procedures

The NTMP often employs a combination of education, enforcement, and engineering methods to address a resident's issue. The traffic control devices installed through the NTMP shall comply with project objectives, municipal code, and pertinent state and federal regulations. Any traffic management techniques desired to be used on Utah Department of Transportation (UDOT) owned streets must also be approved by UDOT. All individuals, neighborhoods, and business districts on city streets are eligible to participate in the NTMP.

A Neighborhood Traffic Management Program page is maintained on the City's website: <http://www.parkcity.org/departments/traffic-transportation/neighborhood-traffic-management-program> and that page includes a link to the NTMP Policy: <http://www.parkcity.org/home/showdocument?id=1086>

Phase 1

- Phase 1 consists of the NTMP receiving an inquiry or complaint relating to traffic, parking, signage, sidewalks, pedestrian, bicycles, lighting or other issues

concerning activity within the city's street rights of way or UDOT rights of way within the city limit,

- The item may be handled directly by the NTMP representative or discussed at the monthly meeting of the NTMP,
- Evaluation of Phase 1 actions should not exceed three (3) months. If the applicant is not satisfied, they may enter into Phase 2 of the process.

Phase 2

- Initiation/Eligibility - Neighborhood complaint must include petition signed by at least 5 residents or businesses in the area to initiate Phase 2 of traffic calming process.
- Review of petition by NTMP to determine if the issue(s) can be resolved through existing ordinances or programs and/or if more information needs to be collected.
- Phase 2 First Meeting - Neighborhood meeting is hosted by Park City to gain an understanding of issues and determine goals of traffic calming petition,
- Phase 2 Implementation,
- Phase 2 Evaluation,
- Phase 2 Neighborhood Evaluation Meeting,
- Staff Communications Report to City Council, and
- Appeal Process- A citizen(s) within the effected neighborhood may appeal a staff recommendation within 30 days of the Council's review of the Staff Communications Report. The appeal goes to Council for review and decision. As part of the appeal process, Council may request a future work session to make a determination and take action.

Phase 3

- Phase 3 Initiation-Twenty-five percent (25%) of the residents within the proposed neighborhood area may request in writing a request to initiate the Phase 3.
- Define Neighborhood Boundary- At a minimum; a neighborhood will include all residents or businesses with direct access on streets to be evaluated by Phase 3 implementation.
- Phase 3 Data Collection and Ranking- Staff perform data collection to evaluate and rank neighborhood problems and the ability to solve problems.
- Phase 3 Consensus Meeting- A neighborhood meeting is held to present Phase 3 implementation proposal including project budget, possible time frame, discuss temporary installation, etc.
- Phase 3 Petition- Residents and businesses in neighborhood boundary are mailed/or hand delivered a petition by the City identifying Phase 3 actions, cost, and explanation of implications of vote. Unreturned petitions count as no votes. Resident support for traffic calming is defined as 67 percent positive response. No more than four weeks is allowed for the return of a petition.
- Phase 3 Implementation- Permanent installation will be implemented after the approval of funding by the City Council. Implemented actions will be continually monitored based on visual observation and accident data.

- Post Project Evaluation- City staff will review impacts on traffic to determine if goals were met. Neighborhoods will have an opportunity to review data and provide comment.
- Removal (if required) - Staff will authorize removal of improvements upon receiving a petition showing 75% support of the neighborhood.

Request for Elevated Level of Service (RELS)

An applicant that has undergone all of the NTMP phases may still submit a petition for a RELS request if they remain unsatisfied. Applicants have the ability to bypass the NTMP process and may submit a RELS request at any time.

It should be noted that the RELS process has never formally been assigned to the NTMP committee. Because of the diverse cross section of City Departments on the NTMP, it made sense to use this committee to evaluate any RELS requests.

RELS Process

- Initiation/Eligibility- A petition from a representative number of households/businesses of a given subdivision, business district, or a registered owners association must be submitted to the Executive Office.
- Initial Internal Review- a staff project manager will be appointed. The project manager will define the basic levels of service that are being provided and the enhanced levels of service that are requested. The project manager will verify that the request is consistent with Council goals and priorities. If the minimum budget thresholds are not exceeded, meaning the project's pre-budget is below \$20,000, no council approval is needed for the project manager to proceed.
- Informational Staff Communication Report to Council,
- Comprehensive Internal Review,
- Initiate Public Forum- Achieved through neighborhood meetings to create a consensus from the general public of what may be accomplished based on available funding. Any district that receives "enhanced" levels of service should be an active participant in funding, or participate in identification of a funding source other than City budget.
- Communication to Council via Staff Communication Report or Work Session- Project manager may proceed to this step to receive authorization for technical review, identify prioritized project wish list, or move to CIP committee review.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Through the NTMP program, residents of the Aerie Subdivision requested a crosswalk at the intersection of Aerie Drive and Deer Valley Drive. The crosswalk would cross Deer Valley Drive. Staff hired a traffic consultant, Parametrix, to study and analyze the issue. Parametrix prepared an analysis outlining four alternatives. Staff supports alternative four; reject any crossing at the intersection of Aerie Drive and Deer Valley Drive. Staff will continue to explore viable pedestrian and bicycle options from the Aerie Subdivision to the Main Street area, which represent safe and efficient standards.

As presented in the analysis section below, this petition has been evaluated through the NTMP Phase 2 process. Residents have the ability to appeal staff's recommendation within 30 days of the Council's review of this report.

Respectfully:

Corey Legge, Engineer Tech

City Council Staff Communication Report



To: City Manager for Mayor and City Council
Subject: Aerie Drive and Deer Valley Drive Crosswalk
Author: Corey Legge
Department: Engineering
Date: February 16, 2017
Type of Item: Informational (NTMP)

Summary Recommendations

The purpose of this report is to update Council on staff's decision in regards to the Aerie Subdivision request for a crosswalk at the intersection of Aerie Drive and Deer Valley Drive.

Executive Summary

Through the NTMP program, residents of the Aerie Subdivision requested a crosswalk at the intersection of Aerie Drive and Deer Valley Drive. The crosswalk would cross Deer Valley Drive. Staff hired a traffic consultant, Parametrix, to study and analyze the issue. Parametrix prepared an analysis outlining four alternatives. Staff supports alternative four; reject any crossing at the intersection of Aerie Drive and Deer Valley Drive. Staff will continue to explore viable pedestrian and bicycle options from the Aerie Subdivision to the Main Street area, which represent safe and efficient standards.

As presented in the analysis section below, this petition has been evaluated through the NTMP Phase 2 process. Residents have the ability to appeal staff's recommendation within 30 days of the Council's review of this report.

Acronyms

FHWA- Federal Highway Administration
MUTCD- Manual of Uniform Traffic Control Devices
NTMP- Neighborhood Traffic Management Program
PCMC-Park City Municipal Corporation

Background

- On January 16th, 2016, a request was issued by residents of the Aerie Subdivision to install a crosswalk for the upcoming 2016 Sundance and evaluate permanent solutions. This request initiated the NTMP Phase 1 evaluation.
- On January 20th, 2016, the NTMP denied the request to install an at-grade crosswalk due to the high volume of vehicles on Deer Valley Drive which has a posted speed limit of 40 mph. The MUTCD and FHWA advise against any at grade crosswalk on roads with speeds exceeding 40 mph.
- During April 2016, the NTMP received five petition letters from residents requesting to enter the Phase 2 analysis.

- May 10th, 2016, a Professional Services Agreement was established with Parametrix Inc. to conduct an analysis of crossing options.
- June 29th, 2016, Parametrix and PCMC held a neighborhood evaluation meeting. Approximately eight residents attended along with three Parametrix staff and two PCMC staff. Staff's objective of this meeting was to acquire a clearer understanding of the issue and gather information to further evaluate the request.
- September 29th, 2016, Parametrix delivered the Aerie Drive/Deer Valley Drive Pedestrian Crossing Analysis.

Alternatives

The crossing analysis evaluated three (3) crossing alternatives; an at-grade crossing, a pedestrian overpass, and a pedestrian underpass. Furthermore, Parametrix included an alternative four (4) which considers other solutions. The cost associated with each crossing alternative was obtained from the 2007 Park City Walkable/Bikeable Neighborhood Study.

- Alternative 1- Provide a HAWK signal and at-grade pedestrian crosswalk.
 - Pros- Low cost compared to the grade-separated alternatives.
 - Cons- Potential for vehicle-pedestrian conflict and interruption of traffic flow. The MUTCD recommends this alternative for roads with speeds over 35 mph, traffic volumes above 1300 vehicles per hour, and a pedestrian count of at least 20 pedestrians per hour. Data acquired during Parametrix's analysis indicates it is very unlikely this crossing location would generate the required pedestrian volumes.
- Alternative 2- Provide a grade-separated pedestrian overpass.
 - Pros- Removes the risk of conflict between pedestrians and vehicles.
 - Cons- More costly alternative at an estimated cost of \$2.4 million. Presents several physical challenges for design and constructability. The steep slope on the west side of Deer Valley Drive increases the height between a pedestrian structure and an at-grade touchdown point. Furthermore, there are property and facility constraints that limit the space to tie into existing sidewalks, and/or the Poison Creek Trail.
- Alternative 3- Provide a grade-separated pedestrian underpass.
 - Pros- Removes the risk of conflict between pedestrians and vehicles. Better fit with Park City's aesthetics than an overpass or HAWK signal.
 - Cons- Most costly alternative at an estimated cost of \$3.4 million. Presents several physical challenges for design and constructability. A large amount of excavation would be necessary for the pedestrian underpass to travel beneath the roadway and emerge at the level of Silver Creek. With limited distance between Deer Valley Drive and the Poison Creek Trail, it is possible an underpass would not be feasible at this location. An additional engineering study would need to be completed.

- Alternative 4- Reject crossing options at the Aerie Drive/Deer Valley Drive intersection. Consider other courses of action to address concerns about the Aerie Drive neighborhood connectivity to Main Street. Staff would examine; 1.) Providing seasonal or special event transit service for Aerie Drive. 2.) A new recreational trail from Aerie Dr. south to Deer Valley Drive (near the round-about) where feasible.

Analysis

It is difficult to justify a pedestrian crossing at the intersection of Aerie Drive and Deer Valley Drive given the low pedestrian demand, high traffic volume, limited crash history, environmental and physical constraints, and associated costs. Residents living in the Aerie Community are able to safely access Main Street by alternate routes and modes of transportation. Starting at the Aerie Drive/Mellow Mountain Road intersection, the distance to the Aerie Drive/Deer Valley Drive intersection and the distance to the Mellow Mountain Road/Deer Valley Drive intersection is essentially equivalent (1.2 miles). Mellow Mountain Road location offers access to bus stops, sidewalks, and a safe crossing of Deer Valley Drive. As the ride share industry continues to grow, companies such as Uber and Lyft may offer additional options for residents to access Main Street.

To improve Aerie Drive resident's access to Main Street during special events, staff will examine public transit routes and pick up locations along Aerie Drive and Mellow Mountain Road. Furthermore, staff will explore routes for a new trail to connect Aerie Drive to Deer Valley Drive southeast of the roundabout. This may provide more direct access to City Hall, the transit center, and Main Street.

Next Steps in the NTMP Process

1. Neighborhood Evaluation meeting will be held with neighborhood liaison and interested neighbors to discuss results of Phase 2. This meeting will occur within 30 days of this staff communication report being submitted to Council. The neighborhood will be provided a copy of the report and this staff communication report this week.
2. If citizens are not satisfied with staff's recommendation, they may appeal within 30 days of the Council's review of this Manager's Report. The neighbors would submit a written appeal to the NTMP committee. The appeal would then be brought forward to Council for review and decision.
3. Council can deny the appeal and take no action, accept the appeal, or have the issue further evaluated by initiating phase 3 of the NTMP. Phase 3 may also be initiated if twenty-five percent (25%) of the residents within the neighborhood request in writing to initiate phase 3.

Department Review

This report has been reviewed by City Manager, Legal, Police, Public Works, and Community Development. All concerns raised by these departments have been incorporated herein.

Funding Sources

There are no immediate funding impacts caused by this decision.

Attachments

Aerie Drive Deer Valley Drive Pedestrian Crossing Analysis by Parametrix

MEMORANDUM

DATE: September 16, 2016

TO: Matt Cassel PE, Park City Municipal Corporation
Corey Legge, Park City Municipal Corporation

FROM: Charles Allen PE, PTOE, Parametrix
Tim Peterson, Parametrix
Andrea Olson, AICP Parametrix

SUBJECT: Aerie Dr Deer Valley Dr Pedestrian Crossing Analysis

CC:

PROJECT NUMBER: 344-7395-003

PROJECT NAME: Aerie Dr Deer Valley Dr Pedestrian Crossing Analysis

INTRODUCTION

Park City Municipal Corporation (PCMC) requested Parametrix to conduct an analysis of pedestrian crossing needs and alternative treatments at the intersection of Aerie Drive and Deer Valley Drive. Residents from Aerie Drive have expressed concerns to PCMC about the desire and ability to safely cross Deer Valley Drive on foot. The purpose of this document is to summarize existing conditions, evaluate crossing options and provide a recommendation to PCMC for moving forward.

AREA DESCRIPTION

The Aerie Neighborhood is located on the western slopes of Masonic Hill overlooking downtown Park City. The neighborhood consists of 70-80 homes most of which front Aerie Drive as it meanders up the steep hillside. The remainder of the homes in the neighborhood are located on short, dead-end streets that spur from Aerie Drive towards the top of Masonic Hill. There are two access points to the Aerie Drive neighborhood. The most direct access can be made at the Aerie Drive/Deer Valley Drive intersection. Secondary access is available via Mellow Mountain Road which connects to Deer Valley Drive approximately ½ mile east of the Deer Valley Drive roundabout. Figure 1 illustrates the Aerie Drive and the surrounding area.

The Aerie Drive/Deer Valley Drive intersection is a three-leg “T” intersection with stop control on the Aerie Drive approach. Deer Valley Drive features a left-turn lane into Aerie Drive but no right-turn lane. The lack of shoulders as well as the steep embankment and retaining walls on the east side of Deer Valley Drive limit sight distance for the intersection when approaching on Deer Valley Drive from the south.

Aerie Drive is a steep, winding road starting at Deer Valley Drive and ending at the top of Masonic Hill – a distance of about 1.2 miles. The roadway features two travel lanes within 24 ft. of pavement with rolling curb and gutter but no sidewalks. The roadway has several tight switchbacks going up Masonic Hill which, when combined with the steep grade, can make for a challenging drive during winter conditions.

Figure 1: Study Area



Deer Valley Drive is a five-lane arterial with two travel lanes in each direction and a continuous center turn lane. Like Aerie Drive, the roadway features curb and gutter but no paved shoulders or sidewalks. Deer Valley Drive is also part of State Route 224 (SR-224) and serves as the primary link between downtown Park City, Deer Valley Resort, and major highways leading to and from the region. Between the Deer Valley Drive roundabout and Bonanza Drive intersection the speed limit on the roadway is 40 mph and there are only a limited number of driveways and intersecting streets, one of which is Aerie Drive. According to data from the Utah Department of Transportation (UDOT) the average daily volume in 2014 was approximately 13,000 vehicles per day for this section of Deer Valley Drive.

The Lost Prospector trail is an unpaved, single-track trail that crosses Aerie Drive approximately 800 feet up the hill from the Deer Valley Drive intersection. North of Aerie Drive, the trail rounds Masonic Hill connecting to various other trails before terminating at the Fox Tail trail near the Round Valley area. South of Aerie Drive, the Lost Prospector trail continues another ½ mile where it connects to Mellow Mountain Road. From there, trail users can follow Mellow Mountain Road to access other trails such as the Gambel Oak trail or the April Mountain trail.

NEIGHBORHOOD MEETING

Parametrix and PCMC hosted a neighborhood meeting on June 29, 2016 for residents of Aerie Drive. The meeting was held at the PCMC City Council Chambers where residents were invited to share concerns and provide input regarding crossing needs at Deer Valley Drive. Approximately eight residents attended along with three Parametrix staff and two PCMC staff.

Residents were invited to place stickers on a map of where they lived, where they crossed Deer Valley Drive and to which destinations they walked. Residents were also asked to mark how frequently they walk across Deer Valley Drive and what time of day they cross Deer Valley Drive. The results of this input were as follows.

1. All residents that attended the meeting live on Aerie Drive.
2. All residents at the meeting indicated they cross Deer Valley Drive near the intersection of Aerie Drive except for one who crosses near Sunnyside Drive via Mellow Mountain Road.
3. Destinations that residents cross Deer Valley Drive to reach include: City Hall, Poison Creek Trail, Upper and Lower Main Street, Park City Mountain Resort, the City Park and the Transit Center.

Additional data on walking habits of the responding residents is summarized in Table 1 and Table 2:

Table 1: How Frequently Do You Walk across Deer Valley Drive?

More than Once Per Day	Once Per Day	2-5 Times Per Week	Once Per Week	1-3 Times Per Month	Less than Once Per Month
0	0	3	0	2	0

Table 2: What Time of Day Do You Walk across Deer Valley Drive?

Morning		Midday		Afternoon		Evening	
Before 7 am	7:00 am-9:00 am	9:00 am-11:00 am	11:00 am-1:00 pm	1:00 pm-3:00 pm	3:00 pm – 5:00 pm	5:00 pm – 7:00 pm	After 7:00 pm
1	4	1	0	1	1	3	0

A group discussion took place at the neighborhood meeting where residents gave input and expressed concerns about crossing Deer Valley Drive and the intersection of Aerie Drive and Deer Valley Drive as well as other general topics related to the study area. Some of the concerns and suggestions brought up by the residents include:

- Sight distance concerns for vehicles attempting to right onto Deer Valley Drive from Aerie Drive
- Sight distance concerns for vehicles attempting to turn right or left out of Aerie Drive onto Deer Valley Drive
- Marking the Aerie Drive intersection with “T” intersection warning signs on Deer Valley Drive.
- Installing a traffic signal at Aerie Drive and Deer Valley Drive
- Installing a pedestrian signal (HAWK or flashing red) at Aerie Drive and Deer Valley Drive
- Installing a pedestrian overpass or underpass at Aerie Drive and Deer Valley Drive
- Acceleration and/or deceleration lanes on Deer Valley Drive at Aerie Drive
- Reducing the speed limit on Deer Valley Drive from the roundabout north to Bonanza Drive
- Converting the intersection of Deer Valley Drive and lower Main Street to right-in/right-out (like Heber Avenue)
- Concerns over the nightly rentals at Hearthstone located near the bottom of Aerie Drive and the associated parking on Aerie Drive near the Deer Valley Drive intersection.
- Vehicles parking on-street and off-street at the bottom of Aerie Drive irritating residents and creating fears of parked vehicles sparking wildfires

Additionally, many of the residents said that they don’t cross Deer Valley Drive because they feel it’s too difficult to cross and too unsafe to cross.

DATA COLLECTION

PCMC conducted a brief evaluation of pedestrian activity at the Aerie Drive/Deer Valley Drive intersection. The intersection was monitored for two and a half hours (2:00 PM – 4:30 PM) on Friday, July 1, 2016. During this time one pedestrian was observed attempting to cross Deer Valley Drive.

The PCMC count appears consistent with descriptions and data from the public meeting. Residents present at the public meeting indicated that they only crossed Deer Valley Drive 2-5 times per week at most. It should be noted that the 2:00 PM-4:30 PM count may have missed the peak crossing time frame since resident feedback indicates the 7-9 am time period and the 5-7 pm time period as the times of day they were most likely to cross Deer Valley Drive. Still, the number of pedestrian crossings reported during the peak times are only slightly more than what is reported during off-peak times.

During the past few years, PCMC has collected bicycle counts on both the Poison Creek Trail which runs along the west side of Deer Valley Drive, and the Lost Prospector Trail which crosses Aerie Drive to the east of Deer Valley Drive. According to these data, the Poison Creek Trail averages about 500 trips per day and the Lost Prospector Trail averages about 100 trips per day.

SAFETY DATA

Parametrix gathered historic crash data for the Aerie Drive/Deer Valley Drive intersection from the UDOT Traffic & Safety Division. Data encompassed crashes extending back to 2010 through as recent as 2015. During this six-year time period, there were 10 recorded crashes in the vicinity of the intersection. Six of the 10 crashes were wild-animal hits. Of the four non-wild-animal crashes, two crashes were single-vehicle crashes in which drivers ran off the road. The other two crashes included a crash where a vehicle slid into Deer Valley Drive from Aerie Drive on snowy pavement and a crash where a northbound vehicle sideswiped another northbound vehicle in the adjacent lane. There were no crashes involving bicyclists or pedestrians and none of the crashes resulted in injuries. In summary, the crash data indicates that intersection-related crashes at the Aerie Drive/Deer Valley Drive intersection are infrequent. Of the crashes that do occur, most are related to wildlife in the roadway and injuries rarely occur.

CROSSING ANALYSIS

Given the neighborhood desire for infrastructure to support pedestrian crossings at Deer Valley Drive, Parametrix evaluated three crossing alternatives:

1. At-grade crossing,
2. Grade-separated overpass, and
3. Grade-separated underpass.

At-grade Crossing Alternative

The simplest method to facilitate pedestrian crossings at Deer Valley Drive is an at-grade crossing – meaning a crossing on the same level as the roadway. Combined with an additional sidewalk between Aerie Drive and 9th Street, the crossing could be a cost-effective alternative compared to the grade-separated options. A 2006 study completed for Park City Municipal Corp. indicated that the cost of installing a sidewalk between Aerie Drive and 9th Street would be \$156,000. This figure in combination with the cost of installing a pedestrian signal would be a fraction of the expected cost for a grade-separated pedestrian crossing.

Potential drawbacks of an at-grade crossing on Deer Valley Drive include pedestrian safety and the interruption of traffic flow. Northbound traffic on Deer Valley Drive that is required to stop at a pedestrian signal would have the potential to cause additional congestion at the 9th Street/Main Street intersection and the Deer Valley Drive roundabout upstream from the proposed crossing, especially during peak ski out load. Additionally, there is always the potential for vehicle-pedestrian conflict at an at-grade crossing. From a pedestrian safety perspective an at-grade crossing will always have some inherent safety risks which can be eliminated completely with a grade-separated crossing.

At-Grade Crossing Guidelines and Requirements

There are numerous at-grade crossing treatments and amenities and it is important to find the right treatment for the right location. An improperly designed treatment will result in low driver and pedestrian compliance and create new safety hazards for the surrounding transportation network. For example, a painted crosswalk on a 10-lane interstate will achieve virtually no driver compliance because of the high travel speeds and because drivers do not expect to see pedestrians on a freeway. This situation would create an extreme hazard for both pedestrians and drivers. On the other extreme, installing a traffic signal to control pedestrian crossings on a residential cul-de-sac will achieve no pedestrian compliance because pedestrians feel comfortable crossing a quiet street themselves and do not want to wait for a pedestrian walk signal when there are likely to be no oncoming vehicles.

Finding the right combination of crossing treatments is critical to making a crossing effective. Data documented in National Cooperative Highway Research Program (NCHRP) Report 562 confirms that the safest and most effective crossings often use strategic traffic control devices or design elements to meet the information and control needs of both motorists and pedestrians. NCHRP Report 562 states that when considering a treatment, it is important to consider desirable characteristics such as:

1. Making the street crossing task simple and convenient for pedestrians
2. Making sure crossing pedestrians have excellent visibility
3. Making sure vehicle speeds are slowed or controlled in the area of the pedestrian crossing
4. Making sure vehicle drivers are more aware of the presence of the crosswalk
5. Making sure drivers yield the right-of-way to legally crossing pedestrians

To evaluate the need for pedestrian amenity treatments, Parametrix utilized guidelines within NCHRP Report 562 to determine the most appropriate at-grade pedestrian crossing treatment for Deer Valley Drive. The guidelines

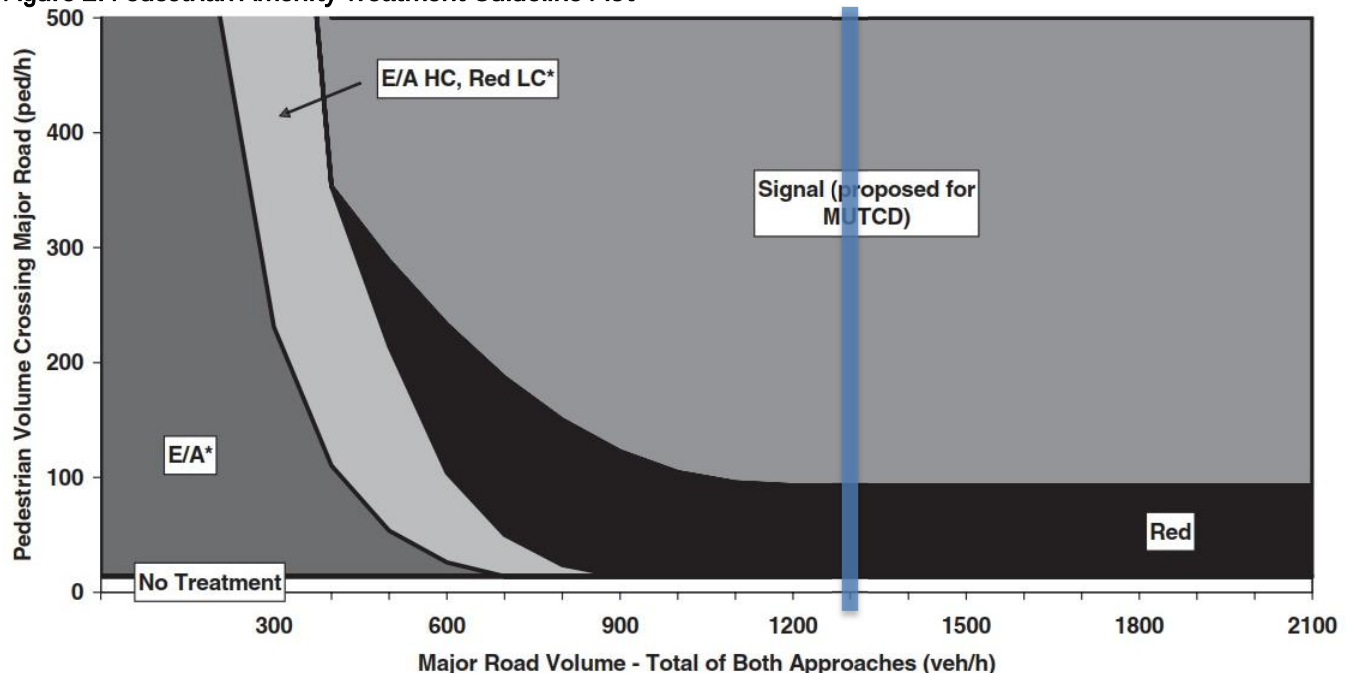
provide thresholds for pedestrian amenity treatments based on a number of different criteria including pedestrian volumes, road volume, road width and speed limit. According to unique characteristics of the crossing location, there are several potential categories of treatments:

- Enhanced
- Active
- Red
- Signal

“Enhanced” treatments include devices that are active in the crossing at all times, such as static signage, and pavement markings. “Active” treatments are devices that activate a warning when pedestrians are present or crossing a street, such as flashers or pedestrian flags. The “Red” category includes signals or beacons that display a circular red signal to motorists when activated by pedestrians. This includes HAWK, PELICAN, or TOUCAN signals. The “Signal” category includes conventional traffic signals which are administered by guidelines in the Manual on Uniform Traffic Control Devices (MUTCD). Finally, each category can be further sub-divided as being “HC” High Compliance, or “LC” Low Compliance.

NCHRP Report 562 contains guideline plots to aid in identifying the appropriate pedestrian treatment for various roadway scenarios. Parametrix applied the roadway, traffic and pedestrian parameters for Deer Valley Drive to the plot best representing site conditions. Figure 2 shows the guideline plot and Table 3 summarizes the roadway and pedestrian characteristics used to select the plot. Because pedestrian crossing volumes are not definitively known, Parametrix applied a vertical blue line to Figure 2 to indicate which crossing recommendations would apply under a range of pedestrian volumes.

Figure 2: Pedestrian Amenity Treatment Guideline Plot



*E/A = Enhanced/Active, HC = High Compliance, LC = Low Compliance

Source: Figure A-16, NCHRP Report 562

Table 3: At-grade Crossing Evaluation Inputs

Input	Value	Notes
Roadway Width	60 ft	Curb to curb measurement
Vehicle Speed	40 mph	Posted speed limit
Walking Speed	3.5 ft/sec	Default walking speed
Major Road Volume	1,300 veh/hr	Estimated at 10% of 2014 AADT of 1,300 vehicles per day
Pedestrian Crossing Volume	Variable	

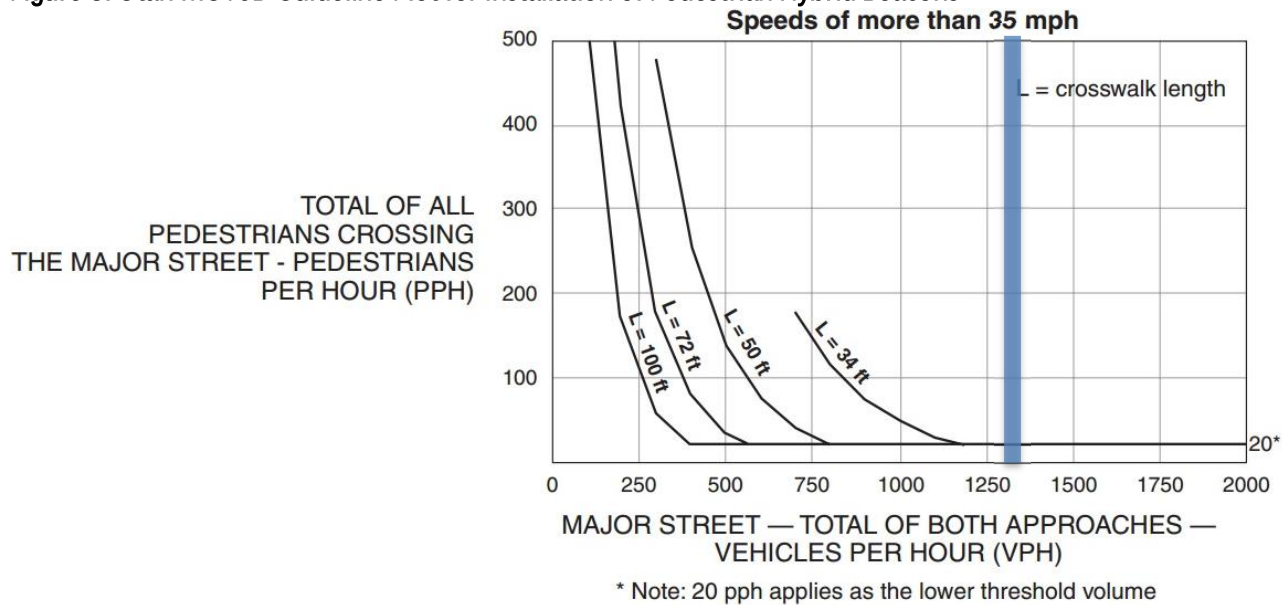
Examining Figure 2, the blue line indicates the range of potential pedestrian crossing volumes spans three categories of treatments: No Treatment, Red, or Signal. If there are fewer than 14 pedestrian crossings during the peak hour, than no signs, signals, or markings are recommended. Instead, NCHRP Report 562 suggests exploring geometric changes such as median refuge islands or curb extensions. If there are between 14 and 100 peak hour pedestrian crossings, than a Red treatment is recommended. If peak hour pedestrian crossings exceed 100, than a signal evaluation should be conducted according to the MUTCD to see if the location merits a full traffic signal. Finally, it should be noted that given the roadway conditions, Enhanced/Active treatments like crossing signage and flashing beacons are inappropriate at this location under any pedestrian volume scenario.

To meet any of the suggested pedestrian treatments, the minimum number of pedestrians crossing must be at least 14 pedestrians per hour. Data acquired during this study indicates it is very unlikely the crossing location would achieve this level. Responses from the neighborhood meeting suggest three to four individuals cross Deer Valley Drive during the busiest two-hour am and pm peak periods and that these crossings are not conducted daily but only two to five times per week. Additionally, the count conducted on a Friday from 2:00-4:30 pm yielded only one pedestrian crossing. The likelihood that there is a single hour when 14 or more pedestrian crossings (one crossing every four minutes) are made across Deer Valley Drive are slight.

Now, it is noted that crossing data obtained at the neighborhood meeting represents habits of only those in attendance and that there could be more crossings being regularly conducted by those not in attendance and not observed during the data collection. Additionally, installing a pedestrian crossing could release some pent-up demand and result in an increase in the number of pedestrians crossing per hour. Even so, the number of unreported or unobserved crossings must be very significant to generate 14 or more crossings in a single hour. To put this into context, there are 78 homes within the expected walk shed of the proposed crossing. These include the homes on Aerie Drive, Aerie Circle, Golden Way, Eagle Way, and the six homes at the top of Mellow Mountain Road. In order to generate more than 14 crossings, a resident from about one in five of these homes would need to cross Deer Valley Drive during the same one-hour time frame.

Theoretically, should pedestrian volumes increase to the level that a Red treatment is appropriate per NCHRP guidelines, coordination with UDOT would be required since Deer Valley Drive is a state highway. The most common Red-type treatment currently in Utah is a HAWK signal and Chapter 4F of the Utah MUTCD specifies the requirements to warrant a HAWK signal (see Figure 3). As shown in Figure 3, the warrant is similar to the guideline plot from the NCHRP Report 562, except the minimum pedestrian volume is 20 pedestrians per hour. Thus, in order to justify the most likely Red treatment – a HAWK – signal, the minimum pedestrian volume is actually higher than the NCHRP guidelines.

In summary, there is no data or projections to confirm that an at-grade pedestrian crossing would meet either NCHRP guidelines or the Utah MUTCD requirements. Given the low pedestrian crossing demand and the high speeds, high volumes, and roadway width on Deer Valley Drive, an at-grade pedestrian crossing is not appropriate in this location and would likely result in increased safety hazards.

Figure 3: Utah MUTCD Guideline Plot for Installation of Pedestrian Hybrid Beacons

Source: Utah MUTCD

Grade-separated Overpass Alternative

A grade-separated pedestrian overpass would eliminate conflicts between vehicles and pedestrians crossing Deer Valley Drive. The slope on the east side of Deer Valley Drive offers a natural starting point for the overpass as pedestrians would be able to access the structure without climbing any ramps. The west side of Deer Valley Drive, however, presents several physical challenges to locating an overpass structure and its accompanying access ramps. First, the terrain slopes down on the west side of Deer Valley Drive increasing the height between a pedestrian structure and an at-grade touchdown point. Second, there are property and facility constraints on the west side. Several existing buildings, the Poison Creek Trail and Silver Creek itself severely limit the room to construct overpass supports as well as ramps that can tie into existing sidewalks, and/or the Poison Creek trail. Finally, the overpass would present challenges for a design that aesthetically fits the surrounding environs.

A pedestrian overpass at this location was studied in a previous study completed in 2006. The 2006 cost estimate was \$2 million dollars which would be about \$2.4 million in 2016 dollars. Compared to an at-grade crossing, a pedestrian overpass would be a much more costly alternative.

Grade-separated Underpass Alternative

As with an overpass, a grade-separated underpass would eliminate conflicts between vehicles and pedestrians crossing Deer Valley Drive. Additionally, an underpass could be more aesthetically pleasing than an at-grade pedestrian crossing or an overpass as it would essentially be hidden from view. However, an underpass presents even more physical challenges with the surrounding terrain than an overpass. First, a large amount of excavation would have to be done on the east side of Deer Valley Drive to get the pedestrian underpass low enough to pass beneath Deer Valley Drive. Second, to go underneath the roadway, an underpass would have to be constructed at such a low elevation that it would be at the level of the creek or possibly lower than the creek when it emerges on the west side. Finally, there is only 35 feet between Deer Valley Drive and the Poison Creek Trail, with the creek in between. This short distance would make it difficult to bring the underpass up to the elevation of the Poison Creek Trail on the west side of Deer Valley Drive while also negotiating the creek. An additional engineering study would need to be completed to determine if building an underpass is feasible at this location.

A grade-separated underpass would be the most costly alternative with a 2006 estimate of \$3.4 million to construct (approximately \$4 million in 2016 dollars).

RECOMMENDATIONS & CONCLUSIONS

Parametrix evaluated the existing pedestrian crossing conditions and demand at the Aerie Drive/Deer Valley Drive intersection. Guided by neighborhood input and count data, Parametrix also reviewed national and local guidelines and standards for pedestrian treatments. Given the extremely low pedestrian demand, cost, safety concerns, the lack of an existing crash history, and environmental and physical constraints, Parametrix recommends that neither of the three crossing options – at-grade crossing, grade separated overpass, grade separated underpass – be implemented at this time.

At-grade pedestrian crossing must be designed carefully with appropriate amenities to create a comfortable environment for both pedestrians and drivers and ensure maximum user compliance. The study location is a wide road with high traffic volumes and speeds. As such, only a pedestrian-hybrid signal, such as a HAWK signal, or else conventional traffic signal would achieve sufficient driver compliance to support a safe pedestrian crossing. However, the site manifests a pedestrian crossing demand well below the thresholds to justify these treatments. Parametrix estimates that 20 percent of homes within the walk shed would have to generate a pedestrian crossing – all within the same one-hour period – in order to meet minimum pedestrian crossing thresholds. These levels are not experienced today and are not likely to be achieved even with a crossing in place.

Both the grade-separated overpass and underpass options present significant costs as well as physical and environmental constraints. It is expected that the excavation required to build a tunnel approach on the east side of Deer Valley Drive and tunnel beneath Silver Creek on the east side would result in significant expenses. Additionally, the environmental and property constraints on the west side of Deer Valley Drive, such as the Poison Creek Trail and Silver Creek itself, could render construction infeasible for either a tunnel or bridge. These physical challenges along with the lack of pedestrian crossing demand make it difficult to justify the potential costs.

NEXT STEPS

Though at-grade and grade-separated crossings are not appropriate at the Aerie Drive location at this time, PCMC should continue to monitor pedestrian conditions and demand. Additionally, consideration can be given to alternatives that address the underlying concerns about the Aerie Drive neighborhood connectivity. For example, providing seasonal or special event transit service for Aerie Drive could be evaluated. The growing ride-share industry, such as companies like Uber and Lyft, might offer additional mobility options for Aerie Drive residents to access downtown Park City. Further study could be taken to improve crossings at alternatives locations. Some residents indicated they walk along Mellow Mountain Drive and Sunnyside Drive to cross Deer Valley Drive at the roundabout. Improving the attractiveness or access to this crossing may offer a suitable pedestrian crossing option for Aerie Drive residents' needs. Additionally, a new trail on Masonic Hill connecting the roundabout to the Lost Prospector Trail would offer more direct access to the roundabout for Aerie Drive residents. This option would likely require an accompanying evaluation of a new crosswalk on either the north leg or the east leg of the roundabout.

Additional concerns about the Aerie Drive/Deer Valley Drive area not related to the crossing situation were expressed by residents at the neighborhood meeting. Some of these concerns include parking patterns at the bottom of Aerie Drive, turn lanes, intersection sight distance, and speed limits on Deer Valley Drive. These concerns are outside the scope of this study and Parametrix recommends they be addressed through other appropriate means and efforts.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

On January 31, 2017, Park City Municipal's Community Engagement Department held Coffee with Council, the fourth in a series of monthly Council outreach events. Councilmembers Cindy Matsumoto and Nann Worel hosted the event, which was held from 9-10:30am at the Park City Coffee Roasters location at the Park City Library. Approximately 25-30 residents and business owners attended the event for informal conversation about City projects and initiatives. Attached, please find a recap of topics and conversation held during the event.

This informational report provides includes a recap of topics and conversation held during the event.

Respectfully:

Linda Jager, Community Engagement Manager



Coffee with Council, Park City Library (Park City Coffee Roaster)

January 31, 2017

Council members presenting: Nann Worel, Cindy Matsumoto

Other council members present: None

City staff present: Linda Jager, Jason Glidden, Lynn Ware Peek, emeritus: Myles Rademan.

Guests in attendance: 20-25. Tom Oliver, Seth Bockholt, Fern Baird, Glenn Wright, Jack Campbell, Randy Scott, Todd Hageman, Michael Kaplan, Carol Sletta, Robert Ett, Heidi Hughes, Melanie Seus, Dave Cushing, Jerry Moore, Lorraine and Wally Stuecken, Shelly Barrus, Mike Sweeney, Petra Butler

Notes prepared by Lynn Ware Peek

Introduction by Linda Jager

Cindy (referred to as “C”): We don’t want to make all the decisions on our own, that’s why we love to hear from our citizens.

Nann (“N”): She has heard that residents “don’t see our council enough,” this is why we started this series of conversations with council: they are conversations to hear what the residents think since we don’t want to and can’t make decisions in a vacuum.

Lorraine Stauker: *Follow up about the buses in Prospector; seems like many residents were concerned about that? How did busing go for Sundance?*

C: Looking at the bus routes all the time. With large amounts of snow and the Women’s March, it was a challenge. Our transit team is a good team and they try to be responsive.

N: The dedicated bus lane on DV Drive helps a lot during large events – it shows that when you get people here faster on the bus, it’s effective. It was our first time to activate the Richardson Flat lot (during Sundance), and it worked well. We liked how it worked.

C: We hope to have the dedicated lane in on Hwy 248 so people will see that the bus will go on by.

Lorraine & Wally: *That lot is in the middle of nowhere.*

Jack Campbell, longtime resident: *Thanks for the opportunity to come and listen, this is a great idea. His kids grew up here playing soccer and he talked about current soccer tournament success. He acknowledged that a lot of traffic is associated, mostly on Arts Festival weekend. Soccer crowds conflict, but he said the PC soccer club leaders lament that the city is “looking at discontinuing the tournament.” The business leaders in town see things from an economic framework and he asked to remember the kids and families and that not every decision needs to be made from an economic standpoint. Perhaps there are events that don’t benefit the businesses, but they do benefit the residents and bring benefit in other types of ways.*

C: There is a big discussion in town about event fatigue. We formed the **SEAC** committee about a year ago and are talking about all the events. It’s a balancing act. Of the many events we have, most are raising money for a non-profit, some events benefit the business community. It’s truly a balancing act, we do want to know if are we getting too many events? Do you have an event that’s special to you? Council wants to know.

Todd Hagemen: Technical director for the Tour of Utah and property manager, children in school district. *Said he was not speaking in official capacity for the TOU. Small companies make the majority of revenue in the winter, but any business will make money in the winter. It’s the summer and off season revenue that will make or break them. So these types of events that put heads on beds are the most important. Like the soccer tournament, softball, Tour of Utah, keeps businesses like his going. We can’t “shutter” our businesses anymore like we used to in the off season. Families are represented here. Events for small businesses are crucial and should trump small inconveniences to businesses and/or residents. He feels that perhaps the squeaky wheels are getting the grease, and feels like the responses and complaints are fear-based. He talked about the Tour of Utah wanting to run up Park Avenue (and handful of residents impacted) on a Monday between 1-3pm and how it was turned down and offered to go up Deer Valley Drive(would impact far more people). It seemed to him an irrational decision.*

C: We do hear the complaints more often than the positive. We don’t want to make decisions based solely on the complaints. City is disappointed the TOU isn’t coming this year. It gives us national and statewide attention. We do hear one-sided conversation and would like to hear all perspectives.

N: We do appreciate your perspective as a parent and small biz owner. We have to see as events overall not just one event like the TOU. It’s when events stack up on each other for weeks on end; that’s when we start to talk about event fatigue. Nann encouraged him to come and give input at SEAC.

Michael Kaplan: *former Old town business owner. Way back when, when they discontinued events, we felt it. He gave the example of Telluride, they dedicate one weekend to a “no festival weekend”... not a bad idea.*

Randy Scott: *Park Avenue resident. I live there because it has vibrancy. What is the history of the turn of events, are there actually more? Obviously as rents go up on space, we need more revenue to stay alive.*

C: We see events getting bigger and “more successful.” Everyone wants it how it was when they arrived... her kids now don’t want to go to the Main Street 4th of July because it’s too busy and they say no one goes anymore. The city has discussed having a local tie-in to have your float in the parade. We have thought of different ways to make it more local. We want to keep it the small town that it is and we know the citizens want us to strive for that.

Dave Cushing: *I came from a really big town, so I can’t imagine it ever being terrible with these great events. If we survive Sundance, we can survive anything.*

C: The winter events define us, it’s who we are—but it’s the summer events that take away our quiet weekends.

Carol Sletta: *Why would the city be concerned about a few bikes going by (talking about TOU) when they are numerous street closures for several days with construction projects going on. What about construction mitigation on the Old Town streets? It impacts my street, dump trucks, and closures for days on end. I’m less concerned about events than construction. City is missing a big boat by not addressing our construction woes.*

N: Do you find that the construction mitigation not enforced, or the mitigation isn’t enough?

Carol: *Seems they are not enforced. Projects shouldn’t be approved if they don’t have the staff to mitigate.*

C: She’s sensitive to this, her daughter left Old Town for that very reason. Every time a house gets renovated, you lose a neighbor and gain a second home owner. Utah laws limit us saying no to development. We can however work on mitigation and the response to mitigation.

Todd H: *Is it possible for the city, when they know there’s a construction project, like the Kimball Garage and the Brew Pub, for example, that the city takes into account and stagger the construction projects?*

C: We do look at that. When we did the sidewalks we do take a look at that and took a break for one construction season.

Michael Kaplan: *What was the city thinking about the anti-idling stuff?*

C: To save our air. Of course there are certain considerations, but we were trying to control air quality.

Michael: *We shouldn’t enforce this!*

Randy Scott: *Congratulations on purchasing the Peace House. What is the budget for doing this?*

C: Transit paid for that, but we have a budget to do this.

N: Transit housing is not adequate, so we buy more space.

N & C: Talked about the new Peace House facility at Quinn’s.

Robert Ett: *What's the City's affordable housing agenda?*

C: The funding comes from the RDA.

Petra Butler: *What do we consider affordable?*

C: We are always adjusting that. The PC Heights prices are much higher. The units we are going to release on Lower Park Avenue, we haven't set the prices. They are going to be more in the \$250k-\$400 range. She explained some of the different configurations.

Petra: *Calling a \$500k homes affordable is ludicrous. The people who work here, our teachers, our firefighters can't afford that.*

N: It's based on area median income. We are also looking at rentals. We want to have housing available for those getting starting who wouldn't be able to purchase. The city is collaborating with joint advisory board on transportation that meets monthly to look at some of these issues regionally, they are going to form one join advisory board on housing that is similar to the one on Transportation.

Micahel Kaplan: *He is trying to build some affordable housing rentals. He mentioned that they are affordable for 60% of AMI area median income.*

C: City is excited about the project on 1450 1460 Park Avenue – 8 units. Single family homes, starter homes, smaller. Could be for families starting off or seniors. Will be a mix of people, hopefully people who can help us grow into a better community by creating great businesses. She also talked about the Woodside Park area and the homes that will go in there and talked about the mix. Almost all the single family homes in that area have an auxiliary apartment and it will stay affordable and it can be rented, will be rent restricted.

Carol Sletta: *Will the enforcement of that be better than the construction mitigation enforcement?*

Petra Butler: *Affordable housing buyers tend to rent out their homes.*

Seth Bockholt: *Is there money going in for the projects so they don't have to be profitable? If the city is the developer, how does that work? How is it subsidized and how does it make sense for the city on a for profit basis?*

C: We put out RFP's and there is a process; we pay for the development. The staff has a committee that evaluates the proposals. We evaluate how much we can recoup and then be put back in to the affordable housing. We try to target so that we get enough back into so we can keep money in the affordable housing fund.

Seth: *There are quite a lot of affordable projects in the county too? It would be interesting to compare and contrast the numbers and the value of building the units in town vs the projects in the county. Is it necessary for the city to build when the county can build more and cheaper at only 10 minute drive away?*

C: We work with the county, but our projects are much smaller since we have limited space. The projects in Summit and Wasatch counties are much bigger. We create affordable housing in town because we want the workforce in town, not just the mega rich, with the workforce at the outskirts. We want to avoid a geographic boundary between the two. In 200-2010, we were stagnant. Our building was huge, but the year round residents didn't grow, only by several 100. Because they are all second home owners. WE don't want that.

N: Again, that's why collaboration is key with Summit and Wasatch counties.

N: That ties into our transportation goals. In this week's City Council agenda, there's a report card for our transportation and how we are doing on our goals.

Glenn Wright: *The new transit center, it will become a transit hub. We have plans to build interceptor lots. You can't build everything at one time. Your entire transit structure.. must evolve.*

Carol Sletta: *Asked about the Mine Road out load at 5pm. We heard a long time ago that the employees were going to be bussed up to those properties, but all we see coming down are single occupancy cars. What ever happened to busing the employees in from Richardson flats? We need some sort of other transportation – like some kind of a rail system that runs along the Rail Trail.*

C: Well, that's a state park, so I guess we would have to take it back to use it as a rail option again.

Fern Baird: *Asked Petra Butler, school board member, about the HS expansion presentation, this Thursday. We'd love input. Going to be at the lecture hall at the high school, February 2, Thursday. The designs are up on the PCSD website.*

Event concluded at 10:30am.





DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for the January 26, 2017, and February 2, 2017, City Council meetings. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder



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

January 26, 2017

The Council of Park City, Summit County, Utah, met in open meeting on January 26, 2017, at 4:30 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property at 4:30 p.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Henney, Matsumoto, and Worel. Council Member Gerber was excused.

CLOSED SESSION

Council Member Beerman moved to adjourn from Closed Meeting. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Henney, Matsumoto, and Worel. Council Member Gerber was excused.

REGULAR MEETING

I. ROLL CALL

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

1 **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

2 **Council Questions and Comments:**

3 Council Member Henney attended a Chamber of Commerce meeting, and indicated
4 there were reports on the unprecedented snow and the enormous amount of media
5 articles on Park City being a top travel destination. He attended the Summit Land
6 Conservancy meeting, as well as the Recycle Utah meeting and noted that Insa Riepen
7 resigned as executive director after working there for 17 years. He commented that last
8 weekend there was the Sundance Festival, a march on Main Street and a snow storm;
9 and the buses ran, the plows moved snow and the sidewalks were shoveled. He was
10 grateful for the work that staff did to accomplish this task.

11
12 Council Member Worel echoed what Council Member Henney said and thanked the
13 staff for their hard work. She attended the Library Board meeting and the Childcare
14 Task Force Meeting. She noted a needs assessment would be done to learn the
15 childcare needs in the area, but it was thought the real need was for the care of 0-3 year
16 olds, as well as a need for a year-round daycare program. She also indicated she was
17 on the Doug Wright Show discussing the festival.

18
19 Council Member Matsumoto thanked staff as well and indicated she attended the
20 Women's March, which was very well attended. She thought the Sundance Festival had
21 gone very well.

22
23 Council Member Beerman agreed with the other Council members' comments on the
24 excellent work done by staff, and indicated the focus on climate during Sundance had
25 been amazing. He felt the City should keep the foot on the gas with regard to the critical
26 priorities. He also noted he attended a lunch at the Utah League of Cities and Towns
27 (ULCT) with Mayor Thomas.

28
29 Mayor Thomas stated he attended a holiday Chamber party, a Doterra event, the All
30 Hands meeting at the Police Department, a Quality Growth discussion, and the ULCT
31 event with Council Member Beerman. He congratulated staff for staying on top of all the
32 issues associated with Sundance.

33
34 **Staff Communications Reports:**

- 35
36 • **Quarterly Financial Report - Fiscal Year 2017**
37
38 • **Arts and Culture Master Plan Funding Update**

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

41
42 Mayor Thomas opened the meeting for those who wished to address the Council on
43 matters not listed on the agenda.

Bridgette Meinhold expressed appreciation for the City's efforts in purchasing Bonanza Flats and keeping it as open space for all to use and enjoy.

IV. APPOINTMENTS

1. Special Event Advisory Committee (SEAC) Appointments of Sarah Aures, Penn Kinsey, and Karen West-Ellis for Terms Which Will Expire June, 2019:

Jenny Diersen, Staff Liaison for SEAC, presented the names of Aures, Kinsey, and West-Ellis for appointment to the committee.

Council Member Worel moved to approve the appointments of Sarah Aures, Penn Kinsey, and Karen West-Ellis to the Special Event Advisory Committee (SEAC) for terms which will expire June, 2019. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Henney, Matsumoto and Worel

EXCUSED: Council Member Gerber

2. Consideration to Appoint a Mayor Pro Tem and Alternate for Calendar Year 2017:

Council Member Beerman moved to appoint Council Member Henney as Mayor Pro Tem and Council Member Worel as the alternate Mayor Pro Tem for calendar year 2017. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Henney, Matsumoto and Worel

EXCUSED: Council Member Gerber

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Sign a Professional Services Agreement with Vision Internet for the VisionLive Maintenance Agreement Related to the 2015 Finalized Web Design in an Amount Not to Exceed \$50,000.00, in a Form Approved by the City Attorney:

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

RESULT: APPROVED

AYES: Council Members Beerman, Henney, Matsumoto and Worel

EXCUSED: Council Member Gerber

VI. OLD BUSINESS

1. Consideration of Addendum B to the Real Estate Purchase Contract for the South Yard Parcel, Located at 1251 Kearns Boulevard:

Heinrich Deters, Sustainability, presented this item and explained that Addendum B of the Real Estate Purchase Agreement was to extend the closing date to May 2, 2017. He indicated staff recommended placing the remainder of the purchase price, \$5,940,000, in escrow until the plat was recorded and the closing occurred.

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

Council Member Henney moved to approve Addendum B to the Real Estate Purchase Contract for the South Yard Parcel, located at 1251 Kearns Boulevard. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Henney, Matsumoto and Worel

EXCUSED: Council Member Gerber

VII. NEW BUSINESS

1. Consideration to Approve Resolution 02-2017, a Resolution Declaring February 2017 as Children's Dental Health Month:

Aimee Armer, Development Director, Peoples Health Clinic (PHC), stated she was happy that the Council would consider passing this proclamation because it would bring awareness of the free dental exams for children at the clinic and the importance of dental health. Marielle Pariseau stated oral health has been in the background as an unknown health problem that children have. Robin Nygaard, board member of PHC, and Beth Armstrong, Executive Director, thanked the Council for their support.

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

Council Member Worel moved to approve Resolution 02-2017, a Resolution declaring February 2017 as Children's Dental Health Month. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Henney, Matsumoto and Worel

EXCUSED: Council Member Gerber

2. 2017 Legislative Platform and Overview:

Matt Dias, Assistant City Manager, presented this item. He explained that he would be summarizing the events and proceedings of the State Legislature during each Council meeting for the next six weeks. He noted the first four days at the Legislature had been busy. There was Local Officials' Day and the Youth City Council participated. He gave a shout out to Senator Van Tassel for taking the Youth Council into a private Rules Committee, and also onto the Senate Floor. Dias noted that Park City had a new representative, Tim Quinn, who lived in Heber City. Staff was excited to work with him on the issues coming up during this session as well as with Senator Van Tassel.

Dias discussed some of the issues which would be discussed by the Legislature this year. Even though the economy was strong, revenue was flat, so he expected that very few new programs would be approved. There would be a new income tax discussion going on, and staff would not participate in that discussion, but would be watching it. There would also be local issues on land use and licensing. Dias anticipated an effort to take away local control, which staff would definitely fight.

Last night Governor Herbert gave the State of the State and he mentioned air quality and changes to alcohol laws, which surprised many. There was also a bill that would take down some of the regulations of the Zion Curtain. Many thought this bill didn't have a chance, but now that the Governor mentioned it, there was hope for its passage. Another item to watch would be the online sales tax issue, which the City would support since it would give parity with the Main Street brick and mortar businesses. Dias indicated there could be some efforts to change the tax code so the State could monitor online purchases and verify those purchases were taxed.

Dias distributed a sheet with pictures of all the State Senators and Representatives. He talked about the guidelines presented in the packet and asked if Council was in favor of these guidelines that he could follow in the event he could not poll the Council before making decisions during this Legislative session.

Council Member Beerman asked about the wording of "maintaining maximum local flexibility," to which Dias explained that there was push back to the word "control" so the City wanted to show its flexibility in working with the Legislature and other officials on the hill.

3. Consideration to Approve the Proposed Real Estate Purchase Contract in the Amount of \$1,250,000 to Acquire Lot 2, Ontario Subdivision, Park City, Utah:

1 Heinrich Deters, Sustainability, presented this item and indicated the purchase contract
2 included a lease back option from the owners for \$1 per year until 2018, when the City
3 would then obtain the property for seasonal transit housing.

4
5 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
6 closed the public hearing.

7
8 Council Member Worel moved to approve the Real Estate Purchase Contract in the
9 Amount of \$1,250,000 to acquire Lot 2, Ontario Subdivision, Park City, Utah. Council
10 Member Henney seconded the motion.

11 **RESULT: APPROVED**

12 **AYES:** Council Members Beerman, Henney, Matsumoto and Worel

13 **EXCUSED:** Council Member Gerber

14
15 Doug Clyde, Summit County Council Member, thanked Council for their support of
16 Peace House.

17
18 Jane Patten, Peace House Facility Project Director, thanked Council for the way they
19 handled this purchase.

20
21 **VIII. ADJOURNMENT**

22
23 With no further business, the meeting was adjourned.

24
25
26

Michelle Kellogg, City Recorder



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

February 2, 2017

The Council of Park City, Summit County, Utah, met in open meeting on February 2, 2017, at 4:30 p.m. in the City Council Chambers.

STUDY SESSION

Joint Meeting with the Library Board and Fiscal Year 2016 Annual Report:

Mayor Pro Tem Henney opened the meeting and welcomed the Library Board. He indicated this was a very high functioning board and he was impressed with the board members' work. Council Member Worel indicated this board was efficient, effective and creative. She was excited that the other Council members would be able to hear about the work of this board as well. The board members and Council introduced themselves.

Adriane Juarez, Library Director, reviewed the Fiscal Year 2016 Annual Report of the library. She reviewed the following statistics for the past year:

- Attendance increased 67%
- 126,999 items were located in the library
- 161,215 people visited the library
- 100,018 items were checked out
- 16,483 public computer sessions were used
- 17,368 total attendance for all library programs
- 2,192 volunteer hours
- 40,089 Wi-Fi hours used
- Increased attendance by the Hispanic population due to the efforts of the City's new employee who started some Spanish speaking programs
- The new YouCreate Lab was used 1,809 times for movie making, sound recording, and digital creations.
- Park City Library was the first library in the state with a 3D printer.
- Coffee shop amenity at the library where food and beverages are welcome throughout the library.
- Library website was updated with a new logo and colors
- "Train Your Brain" summer program encouraged youth to self-select books which would help their development.
- Meeting rooms were used 1,755 times

- Eight (8) study rooms were used 5,356 times
- Wii and Xbox were played 1,275 times in the Youth/Teen area.

It was indicated the Youth/Teen room was a good way to get youth in the door, and hopefully their interest would spread to the other programs offered because the library was a good, safe place for youth to congregate. Mayor Pro Tem Henney asked the age range of youth attending. Jess Griffiths, Library Board member, responded that the high achievers came first, then the lower achievers began coming as well, and it's now known as the place to meet after school. She indicated that three to five year olds and 13-15 year olds and up were utilizing the library, so now the board was thinking of ways to attract the 7-12 year old age range, and how to get books into the homes that didn't have them.

Mayor Pro Tem Henney stated the library desired to expand the teen program, and residents had also expressed a need for a teen program. He hoped to discuss the topic of having a youth center at the library at a future work meeting. Juarez suggested assigning staff hours to support these initiatives. Council Member Beerman suggested the coffee shop could be used on Saturdays for a teen hang out since the shop was closed that day. Abby McNulty, Library Board member, noted the sentiment from teens that there was not enough programming in the City for their age group. She felt the library offered the space, but the staff was spread thin.

Juarez expressed appreciation to the Friends of the Library for all their work and support. The group also briefly discussed the future expansion of the balcony area. Chris Cherniak, Vice Chair of the Library Board, read a prepared statement on the importance of libraries in communities. Mayor Pro Tem Henney expressed the Council's appreciation for the Library staff and indicated the success there had exceeded all expectations.

WORK SESSION

Traffic and Transportation Master Plan Annual Report Card:

Alfred Knotts, Transportation Planning Manager, and his department, Matthew Hartnett and Julia Collins, presented this item. Knotts indicated he would discuss the trends found in the past year, but long term trends had not been established. He hoped to have succinct and concrete performance measures for reporting on current and future transportation projects. Hartnett indicated there were a number of positive trends, such as the improvements in headways towards Kimball Junction, pursuing new partnerships and gaining new technologies such as the Blynscy data to help develop a fuller understanding of how Park City's transportation system was being used, and installing the Variable Message Signs (VMS) as a means of reaching out to the public to educate them on using the transportation system. He noted some negative trends identified in the report, including Single Occupancy Vehicle (SOV) Mode Share, which were quite high on SR 224 and SR 248, there was concern surrounding relative travel times

1 between transit and personal transportation, and the estimates of greenhouse gas
2 emissions.

3
4 Council Member Gerber asked why the goals for 2040 all went down except the bus
5 route from Park City Mountain Resort (PCMR) to Park City High School (PCHS). Knotts
6 stated there were some deficiencies in the reporting and this figure could be off. He
7 stated the Transportation Plan would be updated to reflect capital projects, financially
8 constrained and unconstrained project lists, environmental targets, land use decisions
9 and other key features which the 2011 report did not include. Knotts also indicated that
10 the City and County should work together since much of the future growth would be in
11 the County.

12
13 Council Member Beerman hoped the report could be narrowed to six to 10 benchmarks
14 in the future. He spoke of the other critical priorities with ambitious goals and thought
15 transportation should have an ambitious goal as well. Knotts stated there needed to be
16 a desired future condition that could be worked towards.

17
18 Council Member Worel was happy that the report would be simplified. She asked if the
19 report could be uploaded to the City website in a simple manner. Knotts stated this
20 report could go up on the website.

21
22 Mayor Pro Tem Henney requested a city video be made of the simplified report.

23
24 **Discuss Public Utilities and Streets Facility - Employee Housing Alternatives:**

25 Clint McAfee, Public Utilities Director, Roger McClain, Water Manager, Nate
26 Rockwood, Capital Budget Manager, Anne Laurent, Community Development Manager
27 and Rhoda Stauffer, Affordable Housing Specialist, presented this item. McClain
28 indicated he brought back potential housing unit options on the public utilities facility
29 property based on the discussion from the previous Council meeting. The options were:

30
31 1A-Twenty two transit studio-style housing units would be built above the vehicle
32 storage bays.

33
34 1B- The facility built now would not include housing, but it would be constructed so as to
35 facilitate future housing construction on the site with minimal impact.

36
37 2- Housing would be built at the existing Public Works facility on Ironhorse Drive.

38
39 McClain noted some key issues with the options, including the housing survey was not
40 complete, results could show a need at both sites, the estimated cost of housing was far
41 more economical than other options by housing staff, and the demands for transit
42 housing were immediate. He noted that the redevelopment of the Ironhorse Drive parcel
43 would take several years and would come at a higher cost, and that funding sources for
44 any of the housing alternatives had not been identified.

McClain asserted a housing decision needed to be made within the next 60 days in order to not incur additional costs to the new facility. He recommended waiting to see the housing survey assessment before making a decision. Laurent stated the group would come back in March for further discussion.

Council Member Worel asked if some rooms with showers for snow plow drivers who had been out all night was part of the design. McAfee didn't think that was a benefit for those drivers, but he would see what the survey results showed.

Council Member Gerber stated if the need was there, she would be in favor of approving these housing units. She was also in favor of developing the Ironhorse Drive parcel for City employees. Council Member Beerman was in favor of the Ironhorse Drive parcel as well, because the new facility was so far from the center of town.

Council Member Matsumoto preferred the Ironhorse area as well. Council Member Gerber asked if a bus would pass by the new Public Works facility area once the Park City Heights Subdivision was developed, and noted that the bus could pick up employees as well. Fonnesbeck indicated when the subdivision was 50% complete, a bus would start servicing the area. He also indicated people in the housing at the Public Works facility would have to be transit employees because of the federal funding used to build the facility. Discussion on federal funding ensued. Council Member Beerman noted that the federal funding would depreciate over years, so at some point in the future the restrictions on that housing would be null.

REGULAR MEETING

I. ROLL CALL

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

1 **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

2
3 **Council Questions and Comments:**

4 Council Member Gerber attended the Leadership Day on Capitol Hill and remarked that
5 it was a great experience. She attended a Youth City Council meeting and noted the
6 Youth Council needed some help picking a project, so they were going to come to the
7 Council Retreat and discuss some alternatives with Council. She attended the Chamber
8 luncheon and listened to the economic outlook. She also attended the street concert
9 and noted it was well attended. She thanked the Special Events staff and Public Works
10 staff for their work.

11
12 Council Member Beerman attended the Legislature and the Citizens Open Space
13 Advisory Committee (COSAC) meeting and indicated he could see different
14 recommendations coming from COSAC and the Recreational Advisory Board (RAB). He
15 requested that Blake Fannesbeck report on how the electric bus performed during the
16 Sundance Festival. Council Member Beerman attended an environmental caucus,
17 where he discussed Bonanza Flats and the need for fundraising. He also thought the
18 Sundance Festival was an excellent event and that it had been handled well. He
19 requested a future discussion on handling cars during Sundance by closing the
20 downtown and using shuttles, buses and taxis.

21
22 Council Member Worel indicated she and Council Member Matsumoto hosted the
23 Coffee with Council and it was well attended. There was conversation about having a
24 bench in front of the post office. Foster indicated Deters would handle this item and
25 bring it to Council for further discussion. Council Member Beerman suggested checking
26 with Weidenhamer because there was a Walkability Plan in place.

27
28 Council Member Matsumoto reported that some people at the Coffee with Council had
29 expressed that they did not have event fatigue. She attended a Historic Preservation
30 Board meeting and indicated they had started rewriting the guidelines.

31
32 Mayor Pro Tem Henney asked the Council members if they felt the Coffee with Council
33 should continue. The Council members affirmed that these events were worthwhile.
34 Mayor Pro Tem Henney remarked that Sundance, the Women's March, and the snow
35 were issues, yet the events went smoothly. He thanked staff, Sundance and the
36 community for all their efforts.

37
38 Blake Fannesbeck, Transportation Manager, stated the Proterra electric bus was
39 operating during the Sundance Festival on a limited basis since there was not a
40 charging station at the Kimball Junction Transit Center yet. Every time the bus returned
41 from Kimball Junction, it had to recharge. Staff found that the heaters on the bus were
42 the main things that drained the battery. The bus broke down once, but the part was
43 received the next day. Darren Davis noted that snow tires were put on the bus, and he
44 drove it into 12-14 inch snow banks with no problems. The bus drove like a tank, with

1 full loads of passengers and it performed like the other buses. Fonnesbeck indicated
2 good comments were received from the passengers.

3
4 Fonnesbeck also indicated he was at the Park and Ride with 300 people waiting to go to
5 the Women's March. By the time of the march, well over 500 parked cars were in the lot.
6 The buses were arriving at 30-40 minute intervals because of weather conditions and
7 traffic. Foster stated Knotts had worked with UDOT about getting a temporary traffic
8 signal but the logistics did not work out.

9
10 **Staff Communications Reports:**

11
12 • **Parking Technology Update:**

13 No comments were given.

14
15 • **Park City Clean Energy Video Premiere:**

16 Linda Jager presented the City's 10th video which highlighted the City Clean Energy
17 efforts. She noted this video was shown during a presentation during the Sundance
18 Festival.

19
20 • **Winter Recess Student Admission to Park City Facilities:**

21 Foster gave a shout out to the library, the MARC, and the Ice Arena for their efforts on
22 programming over the winter school recess.

23
24 **III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE**
25 **AGENDA)**

26 Mayor Pro Tem Henney opened the meeting to those who wished to address the
27 Council on matters which were not listed on the agenda. No comments were given.

28
29 **IV. CONSIDERATION OF MINUTES**

30
31 **Consideration to Approve the City Council Meeting Minutes from January 5, 10,**
32 **12, 17, and 19, 2017:**

33 Council Member Worel referred to Page 53, Line 16 of the Council Packet, which was
34 Page 4 of the January 12th minutes, and requested that it read "the cost of operating the
35 community center . . ." Council Member Beerman referred to Line 24 of the same page
36 and requested that the word "but" replace the word "because."

37
38 Council Member Matsumoto moved to approve the City Council Meeting Minutes from
39 January 5, 10, 12, 17, and 19, 2017 as amended. Council Member Gerber seconded
40 the motion.

RESULT: APPROVED

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

ABSTAINED: Council Member Worel for the January 19, 2017 minutes

V. OLD BUSINESS

1. 2017 Legislative Update:

Matt Dias provided a bill tracking list to the Council, and noted there were already 700 bills filed at the legislature. Last night the short term rental bill was filed. He wanted to withhold judgment on this bill until some definitions could be worked out, but as of now, it stated that primary residents could have the nightly rentals. Dias hoped some of the language could be changed, and he would report on this further next week. Council Member Matsumoto asked if the HOAs would have to follow the State law. Harrington stated the HOAs would have to enforce their CCRs if that language was part of the CCRs.

Council Member Beerman asked what the definition of primary resident was in the bill. Dias stated the senator that presented the bill intended that this would only be for primary residents. Council Member Beerman stated this bill was very specific and it was better than he thought it would be.

Dias indicated another important bill was an effort for localities to take the appeal authority from the Board of Adjustments and give it to the Council. Harrington stated some appeals went straight to the district court. Dias explained the City had been working on this bill during the past year. If passed, the law would create a little more work for Council but it wasn't too detrimental. Other bills that Dias was expecting this week included a discussion on enterprise funds.

VI. NEW BUSINESS

1. Consideration to Authorize the Mayor to Execute an Amendment to the Existing Historic Preservation Easement for the Historic House and Garage Located at 664 Woodside Avenue:

Anya Grahn, Planner, presented this item. She indicated a facade easement was recorded last February. This easement would be amended to reflect the modifications to the house and the garage.

Mayor Pro Tem Henney opened the public hearing. No comments were given. Mayor Pro Tem Henney closed the public hearing.

Council Member Gerber moved to authorize the Mayor to execute an amendment to the existing historic preservation easement for the historic house and garage located at 664 Woodside Avenue. Council Member Worel seconded the motion.

RESULT: APPROVED

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

2. Consideration to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with COP Construction L.L.C. for the Construction of the Creekside Water Treatment Plant for an Amount Not to Exceed \$3,426,935.00:

Michelle DeHaan and Griffin Lloyd, Water Department, presented this item. DeHaan discussed the Creekside Water Treatment Plant project, and reviewed the history of the well. Lloyd stated that the contract presented tonight was the result of several factors. There were budgeting challenges, including relocating the building, inserting solar panels and a natural gas generator to support the City's energy goals, and reallocating funds from other projects to make this project viable. He noted the construction start date was scheduled for April 1st and a chain link fence would be erected around the construction site so the park could remain open.

Mayor Pro Tem Henney opened the public hearing. No comments were given. Mayor Pro Tem Henney closed the public hearing.

Council Member Gerber wanted to verify that there were no health risks associated with the water at this time, but just stricter regulations. DeHaan affirmed that Council Member Gerber's assessment was correct.

Council Member Worel moved to authorize the City Manager to execute a construction agreement, in a form approved by the City Attorney, with COP Construction L.L.C. for the construction of the Creekside Water Treatment Plant for an amount not to exceed \$3,426,935.00. Council Member Beerman seconded the motion.

RESULT: APPROVED

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

3. Consideration to Authorize the City Manager to Execute the Fifth Addendum for the Well Source Alternatives Assessment Professional Services Agreement (PSA) with CH2M Hill Engineers (CH2M), in a Form Approved by the City Attorney, for Additional Park Meadows Well Filtration (Creekside Water Treatment Plant) Design and Construction Engineering Services for an Increase to the Current Contract Amount of \$177,000.00 for a Total Contract Amount Not to Exceed \$656,671.00:

It was indicated that this item was associated with the discussion of the previous item.

Council Member Beerman moved to authorize the City Manager to execute the Fifth Addendum for the Well Source Alternatives Assessment Professional Services Agreement (PSA) with CH2M Hill Engineers (CH2M), in a form approved by the City Attorney, for additional Park Meadows well filtration (Creekside Water Treatment Plant) design and construction engineering services for an increase to the current contract amount of \$177,000.00 for a total contract amount not to exceed \$656,671.00. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

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

VII. ADJOURNMENT

**VIII. HOUSING AUTHORITY MEETING
ROLL CALL**

Attendee Name	Title	Status
Jack Thomas	Chair	Excused
Andy Beerman	Committee Member	Present
Becca Gerber	Committee Member	Present
Tim Henney	Chair Pro Tem	Present
Cindy Matsumoto	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chair Pro Tem Henney opened the meeting to those who wished to address the Council on matters which were not listed on the agenda. No comments were given.

NEW BUSINESS

1. Consideration to Amend the Approved Affordable Housing Mitigation Plan Proposed by Intermountain Healthcare for the Housing Obligation Resulting from the Annexation Agreement Recorded on January 23, 2007:

Rhoda Stauffer, Affordable Housing Specialist, Jane Patten and Doug Clyde, Peace House, and Morgan Bush, IHC, were present for this item. Committee Member Worel referred to Page 146 of the staff report and asked if there was a date by which the IHC housing obligation had to be fulfilled. Stauffer indicated there was no set deadline, but she needed to work on getting that obligation fulfilled.

Chair Pro Tem Henney thanked the group for coming up with this solution. He opened the public hearing. No comments were given. Chair Pro Tem Henney closed the public hearing.

Committee Member Gerber moved to amend the approved Affordable Housing Mitigation Plan proposed by Intermountain Healthcare for the housing obligation resulting from the annexation agreement recorded on January 23, 2007. Committee Member Worel seconded the motion.

RESULT: APPROVED

AYES: Committee Members Beerman, Gerber, Henney, Matsumoto and Worel

Doug Clyde and Jane Patten thanked Council for their support.

ADJOURNMENT

The Council reconvened to the regular City Council meeting.

Council Member Beerman moved to close the meeting at 7:30 p.m. to discuss property, personnel and litigation. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

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

ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Each week during the 2017 Legislative Session, staff will provide a verbal update and synopsis of the Session to date, as well as an updated Legislative bill tracking list at the meeting for Council and the public's review.

Respectfully:

Michelle Kellogg, City Recorder



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Rocky Mountain Power's current delivered electricity is 77% fossil fuel based. Park City has a commitment to be 100% renewable electricity by 2022 for city operations and 2032 community-wide ([Resolution 23-2016](#) approved unanimously by Council on September 22, 2016). Staff and Rocky Mountain Power are investigating all options to allow Park City to achieve its goals. This may include proposing new mechanisms to the Public Service Commission or Utah Legislature.

In order to meet these goals, it is proposed that Rocky Mountain Power and the City enter into a cooperative agreement to work together to find solutions on accomplishing the city's goals. This agreement is similar to the agreement signed between Salt Lake City and Rocky Mountain Power.

Respectfully:

Luke Cartin, Environmental Sustainability Manager



City Council Staff Report

Subject: Energy Critical Priority Update – Cooperative Statement
Author: Luke Cartin
Department: Sustainability
Date: February 16, 2017
Type of Item: Legislative

Summary Recommendation

Staff recommends Council approve the Joint Clean Energy Cooperative Statement with Rocky Mountain Power in a form approved by the City Attorney.

Executive Summary

In Utah, Rocky Mountain Power's current delivered electricity is approximately 77% fossil fuel based. Park City has a commitment to be 100% renewable electricity by 2022 for City operations and 2032 community-wide ([Resolution 23-2016](#) approved unanimously by Council on September 22, 2016). Staff and Rocky Mountain Power are investigating all options to allow Park City to achieve its goals. This may include proposing new mechanisms to the Public Service Commission or Utah Legislature.

In order to meet these goals, it is proposed that Rocky Mountain Power and the City enter into a cooperative agreement to work together to find solutions on accomplishing the city's goals. This agreement is similar to the agreement signed between Salt Lake City and Rocky Mountain Power.

Abbreviations

RMP Rocky Mountain Power
CCA Community Choice Aggregation

Background

- On September 24, 2015 City Council elevated Energy to a Critical Priority and set a goal of net zero carbon emissions for municipal operations by 2022 and citywide by 2032.
- On February 25, 2016 City Council requested that a resolution be drafted and presented to Council specific to our Energy Critical Priority, inviting other communities to join us in our goal.
- On March 24, 2016 City Council passed the aforementioned resolution. This resolution is also serving as the March 2016 Energy Critical Priority Update.
- On September 22, 2016 City Council passed Resolution 23-2016 to set 100% renewable electricity goals by 2022 for municipal operations and 2032 community-wide.

How this could further the goals expressed in the General Plan

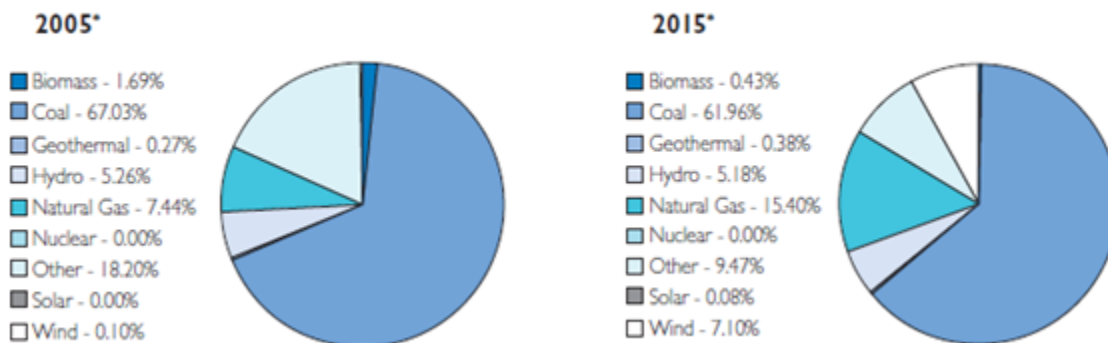
This program aligns with three goals expressed in the General Plan:

- **5A** Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal.
- **5B** Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity.
- **5C** Park City Municipal Corporation will be a strong partner in efforts to reduce community GHG emissions, leading by example and providing policy guidance while promoting personal

The Problem

RMP's current portfolio make up is based heavily in carbon emitting energy sources, equating to 1.607 lbs. per kilowatt-hour.

ENERGY RESOURCE MIX



To achieve the Park City 2022 and 2032 goals, the portfolio must be made up of renewable resources.

2022 Goal: 100% renewable electricity for City operations

Currently Park City Government has many sources of renewable electricity. This is comprised of:

- On-site solar panels: 327.7 kW of installed solar capacity
- Blue Sky Program participation: 996,000 kWh
- Subscriber Solar Program participation: 4,029,600 kWh

Please note: the City operations carbon footprint is scheduled for review during the March 9th work session

Park City and Rocky Mountain Power are looking into the different ways to accomplish the City's renewable electricity goals. Rocky Mountain Power has as option for entities

that use over 5000 kW called [Rate Schedule 34](#). This allows large users to procure renewable electricity through contracts with utility-scale renewable developers. The City's current load is 3813 kW. Though this number could be driven higher with fleet electrification, planned energy efficiency at our Water Department will save an anticipated 10+%.

The City could purchase RECs to reach the goal. Or, it could build or partner in a large renewable facility (multi-megawatt solar array). Under current Utah regulations, there would be no way to credit city facilities with renewable electricity produced at a large renewable project. Park City and Rocky Mountain Power will continue to look for a solution.

2032 Goal: 100% renewable electricity community-wide

The 2032 renewable electricity goal is for all electricity within City boundaries to be 100% renewable based on an annual usage. This goal has also been adopted by Salt Lake City. Summit County and Moab have expressed interest in joining Park City in this community-wide goal.

Park City, Summit County, and Salt Lake City are wrapping up a joint renewable electricity study. This study includes modeling on what is needed to switch these communities to 100% renewable electricity, including potential rate impacts. It is currently in draft form, and will be presented to Council and the community for discussion when it is completed this spring.

There is no mechanism in Utah to allow a municipality to aggregate community electricity use to source renewable electricity. There are models from other states that do allow aggregation. One such model is Community Choice Aggregation.

[Community Choice Aggregation](#) is enabled through state-level legislation, and is currently allowed in Massachusetts, New York, Ohio, California, New Jersey, Rhode Island and Illinois. It allows cities, counties and other municipal districts to aggregate customers within their jurisdiction and enters into an energy-supply contract. There is an opt-out clause for customers who do not wish to participate. In Utah, CCA legislation was proposed in 2014 through [House Bill 110](#) by Representative Kraig Powell. It did not pass.

Joint Clean Energy Cooperative Statement Highlights

The joint cooperative statement sets forth a plan with milestones on getting Park City to its goals. It highlights the need for "measured 100% net renewable electrical energy portfolio for municipal functions by 2022 and for the community as a whole by 2032" as well as to "accelerate adoption of energy efficiency." The statement also directly calls out investigating Electric Vehicle Charging Infrastructure.

Milestones:

The first milestone for the initial framework of deliverables is April 30, 2017. Annual reports will be filed every April 30th to demonstrate progress of energy efficiency, renewable energy, and carbon reduction.

Commitment:

The City and RMP will work together in good faith. The City will not separately implement other options including CCA before January 1, 2022. If all approvals are met and the programs are satisfactory for both parties, the City will not implement any directly conflicting programs after that.

Dispute Resolution:

If an issue arises, the Mayor and the CEO of Rocky Mountain Power will become directly involved to work together to resolve the issue.

How this could further the goals expressed in the General Plan

This program aligns with three goals expressed in the General Plan:

- 5A** Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal.
- 5B** Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity.
- 5C** Park City Municipal Corporation will be a strong partner in efforts to reduce community GHG emissions, leading by example and providing policy guidance while promoting personal

Recommendations for City Council to Consider

This section outlines the three recommendations that staff is making to Council. Included in the recommendations are the pros and cons associated with adopting these recommendations.

Option 1: Council adopt the Joint Clean Energy Statement

Pros

- a. This would clarify how RMP and the City will work together to reach the City's sustainability goals.
- b. Aligns Park City and Salt Lake City's goals and timelines with Rocky Mountain Power.
- c. Sets forth a plan for deliverables and dispute resolution.
- d. Work together to identify and propose legislative or regulatory changes needed for municipalities to reach renewable goals

Cons

- a. Could limit Park City's options in the future on how to achieve its renewable electricity goals.

Option 2: Do not sign the cooperative agreement

Pros

- a. Keep all options on the table on how to achieve the renewable energy goals including proposing new enabling legislation, municipalization, or regulatory changes.
- b. Negotiations could continue between staff and RMP on finding a solution outside of this cooperative agreement.

Cons

- a. Solutions, including legislative action or regulatory changes, Rocky Mountain Power could passively or actively oppose.

Option 3: Modify Statement

Modify Joint Clean Energy Cooperative Statement for RMP's review. Any modifications would then need to be approved by Rocky Mountain Power and returned to City Council for consideration.

Department Review

Sustainability, Legal and Executive

Funding Source

No funding is required at this time.

Attachment

Joint Clean Energy Cooperative Statement

**PARK CITY MUNICIPAL
AND ROCKY MOUNTAIN POWER
JOINT CLEAN ENERGY COOPERATION STATEMENT**

Park City Municipal (“**City**”), a Utah municipal corporation, and PacifiCorp dba Rocky Mountain Power, an Oregon corporation (“**Company**”) jointly state their intention to cooperate in accordance with the below stated objectives.

I. OVERVIEW

The City is responsible for protecting the public health and safety of its residents, which includes facilitating access to clean air, dependable and affordable energy, clean water and a livable environment.

The Company is a public electric utility regulated by the Public Service Commission of the state of Utah (“**PSC**”) with a responsibility for providing safe and reliable electrical service to its customers by means and at rates that are fair, just and reasonable as determined by the PSC.

The City has determined that meaningful reductions in pollution and greenhouse gas emissions will benefit all City residents, visitors, businesses and Utah as a whole, through improved public health, additional economic opportunities, long-term energy price stability and a stronger sense of community security.

The City and the Company desire to work cooperatively to support the City’s energy goals as identified herein through the use of programs and innovative technologies that may be unique to the City and will be further developed through ongoing feasibility and implementation work.

II. GOALS

The City is committed to reducing pollution and the carbon intensity of electricity used in the City by both the municipality and general citizenry. The City has set a goal to transition to an annually measured 100% net renewable electrical energy portfolio for municipal functions by 2022 and for the community as a whole by 2032.

The City desires to accelerate adoption of energy efficiency in the community and for municipal operations because the cheapest, cleanest energy is energy that is not used. This, in turn, will reduce energy costs.

The City aspires to the goal that net-cost changes, if any, to the City or its energy users associated with achieving its stated clean energy goals are reasonable. The City envisions

measures to mitigate any incremental costs associated with pursuing a clean energy future to all City energy users with a high priority placed on preventing negative impacts to low-income residents.

Further, the City is willing to consider paying higher upfront costs with the understanding that the value to the City is meeting the City's environmental goals and objectives. The City acknowledges that net lifecycle financial costs and benefits as defined by the Utah Public Service Commission associated with measures used to achieve its energy goals will benefit, and thus be the responsibility of, the City and electricity users within City limits. The City acknowledges that the Company may need necessary approval(s) as to terms, costs and rates relating to services provided by the Company in order to implement the measures contemplated by this cooperation statement.

The City is motivated, in part, by continuing reductions in renewable energy costs and the desire for stable long-term energy rates. The City also wishes to cooperate with the Company to develop a local energy system that meets the social and economic goals of the City.

III. RENEWABLE ENERGY, ENERGY EFFICIENCY AND ELECTRIC VEHICLE PROJECTS

- The City and the Company will strive to develop a variety of energy efficiency and renewable resource options for all energy users in the City—residential, commercial, industrial, governmental and non-profit—to reduce carbon intensity and make significant progress towards the City's reduced emissions and reduced energy usage goals. These options include remote and locally sited utility-scale solar and regional wind installation solutions, along with customers' ability to net meter their own installations. The plan will primarily consider and evaluate the following options for further development:
 - New Subscriber Solar and Wind. Evaluation of existing renewable resources to meet city needs and potential retirement of RECs.
 - A customized renewable energy program that addresses the transition from coal-based generation to renewable and the associated costs.

The City and the Company will work together on programs that may include energy efficiency, demand response, energy storage and renewable energy projects, including programs designed to provide energy users within the City the ability to purchase the output of regional renewable energy facilities.

The City and the Company will strive to jointly evaluate new technologies such as smart-grid and customer-side investments designed to allow efficient utilization of resources, reduced greenhouse gas emissions and deployment of renewable energy and electric vehicle ("EV") charging infrastructure.

The City and the Company will strive to investigate options to deploy **EV** infrastructure and innovative technologies to support EVs.

IV. MUNICIPAL RENEWABLE ENERGY PROJECTS

To facilitate the City's renewable energy and carbon reduction goals for City facilities and increase and expand the City's municipal clean energy portfolio, the City has subscribed to approximately one-point-six megawatts (1.6 MW) of solar energy for use at various City facilities under the Company's Subscriber Solar Program. To the extent additional solar energy is or becomes available under the Company's Subscriber Solar program or otherwise, the City may subscribe to additional solar energy for City facilities in the future.

The City and the Company intend to cooperate to identify additional avenues for leveraging City assets (e.g., infrastructure and property) and City and Company investments to build additional renewable energy projects to achieve the City's municipal energy goals.

V. IMPLEMENTATION STEPS AND TIMING

The City and the Company intend to work together to develop an implementation plan outlining respective roles, processes, responsibilities, timelines, program and project development pathways and costs to achieve the goals and deliverables outlined in this Cooperation Statement. The City and Company will meet regularly to develop a framework of deliverables to support the implementation plan. The target deadline for completion and acceptance of the initial framework of deliverables by the Company and the City is March 31, 2017.

The Company desires to assist the City to develop a 10-year load forecast, to be updated as needed, setting a baseline from which work on the clean energy plan can be established.

The City and the Company intend to jointly publish an annual report by April 30 of each year, beginning in 2018, to detail status and progress towards renewable energy, energy efficiency and carbon reduction goals.

The City and the Company intend to cooperate to identify mutually agreeable projects and programs and the Company will take a leadership role in identifying and pursuing the necessary approvals required.

The City and the Company intend to work together in good faith to develop and implement projects and programs to help the City achieve its clean energy targets with the understanding that implementing these measures will require entering into contracts and agreements to administer the developed programs and may require commission approval.

VI. COMMITMENT OF COOPERATION

As stated above, the City and the Company desire to work together to successfully achieve the City's stated goals and the objectives that will be jointly developed over time. The City desires to work directly with the Company on its renewable energy supply and agrees not to separately implement options including Community Choice Aggregation (CCA) that would directly conflict with the parties ability to continue to mutually implement the objectives stated in this cooperation statement prior to January 1, 2022. If by January 1, 2022, approvals are secured and the program(s) plans are satisfactory to the City and the Company, the City will not implement CCA or other directly conflicting options thereafter. If either the City or the Company has a dispute regarding progress towards objectives outlined in this Cooperation Statement or the timeliness of related implementation, the mayor and the CEO of the Company desire to be directly involved and work together to attempt to resolve whatever issues may arise.

This Cooperation Statement shall become effective upon signing by both the City and Company and will inform cooperation between City and Company, likely starting in 2016. Progress towards objectives stated herein will be reviewed and the Cooperation Statement may be extended in the future, with or without amendments, through a commitment by both the City and the Company.

[Signature page follows]

IN WITNESS WHEREOF, the parties to this JOINT COOPERATIVE STATEMENT
have affixed their signatures:

Mayor Jack Thomas
Park City Municipal

Date: _____

Cindy Crane
President and CEO, Rocky Mountain Power

Date: _____



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

The proposed amendments to Housing Resolution 13-15 include:

- Amend income targets to reflect most critical current needs = 45 percent of AMI for rental units and 80 percent of AMI in the case of for-sale units;
- Remove the limit to which permit and impact fees may be waived (excluding those fees assessed by non-City agencies such as the Fire District and Snyderville Basin Water Reclamation District); and
- Adjust the calculation of in-lieu fees to equal current construction costs which comes to \$374 per SF or \$336,600 per AUE (900 SF).

Respectfully:

Rhoda Stauffer, Housing Specialist



City Council Staff Report

Subject: Affordable Housing Policy Discussion,
Author: Rhoda Stauffer, Housing Program Manager
Anne Laurent, Director
Department: Community Development
Date: February 16, 2017
Type of Item: Legislative

Summary Recommendation

Staff recommends that City Council review, take public comment, and approve proposed amendments, effective immediately on all new development projects, to the City's Affordable Housing Resolution as detailed in this report.

Executive Summary

The proposed amendments to Housing Resolution 13-15 include:

- Amending income targets to reflect most critical current needs;
- Removing the limit to which permit and impact fees may be waived (excluding those fees assessed by non-City agencies such as the Fire District and Snyderville Basin Water Reclamation District); and
- Adjusting the calculation of in-lieu fees to incorporate existing construction costs.

Acronyms

- AMI – Area Median Income
- AUE – Affordable Unit Equivalent
- DWS – Utah Department of Workforce Services
- EPS – Economic and Planning Systems
- MPD – Master Planned Development
- PCMC – Park City Municipal Corporation
- SF – Square foot/feet

The Problem

The current Housing Resolution is in need of amendments to respond to recommendations from both the Blue Ribbon Housing Commission as well as the final report submitted by Economic and Planning Systems (EPS) in April of 2016. Issues needing to be addressed include:

1. Changing target household incomes in accordance with current workforce needs.
2. Institute the ability to waive up to 100 percent of impact and permit fees (excluding those fees assessed by non-City agencies such as the Fire District and Snyderville Basin Water Reclamation District) for affordable housing development. However, not in cases where the units are the result of a housing obligation.
3. Changing the basis for calculating in-lieu fees to more accurately reflect the cost of building units in Park City where the cost of construction is significantly higher

than surrounding communities. The new method will be based on actual construction costs from prior years.

Background

In early 2015, Council established “Affordable, Attainable and Middle Income Housing” as one of their critical priorities. At the February 2015 Council retreat, a four- pronged, five year work plan was adopted which included Regulatory Tools as one of the program categories. In July 2015, Council approved a contract with EPS to complete a number of reviews and analysis, including: a thorough regulatory review to identify potential barriers to affordable housing development; comparative analysis of the best approach to mitigating the impact of both new construction as well as redevelopment on affordable housing needs within the community; assessment of the true employee generation formulas for Park City’s primary employers; examination of the most effective formula for in-lieu fee calculation; most balanced and equitable trigger mechanism for housing obligations; and assessment of the connection between the impacts generated by development and the housing mitigation required.

EPS worked from September 2015 to March 2016. They included several interactions and work sessions with the Blue Ribbon Housing Commission to guide the final draft report which was presented to a joint session of City Council and Planning Commission on April 28. In a subsequent joint Study Session, City Council and Planning Commission members on June 30, the discussion included amendments to Housing Resolution 13-15. These proposed amendments were approved in the August 4 City Council meeting.

Amendments to Housing Resolution 13-15 – a redlined document is attached as Exhibit A.

- A. ***Amend the income limits/targets:*** Staff is recommending that the target income for affordable units be revised. In 2007, the basis for affordability was changed from AMI to Workforce Wage due to the fact that AMI in Summit County was quite high. Workforce Wage was calculated based on actual wages documented by Utah Department of Workforce Services (DWS) and increased by average jobs per household and supplemental income.

Today, staff recommends utilizing the same data from DWS while documenting it in terms of AMI. AMI is a more universally understood measure in the field of affordable housing and income restrictions. By way of example: in 2016, in Park City, 100 percent of workforce wage for a family of three (average of 1.5 jobs per household) (\$55,986) was very close to 60 percent of AMI (\$53,136).

Also, staff recommends basing a change in target on the most recent data from the Affordable Housing Needs Assessment completed in November by James Wood of the University of Utah Kem C. Gardner Policy Institute. The greatest need for rental

Housing Resolution 13-15

		Annual	Monthly Rent/Mortg.	Sale Price
100% of Workforce Wage - Rent				
	Household of 1	\$ 43,534	\$ 1,088	
	Household of 2	\$ 49,753	\$ 1,244	
	Household of 3	\$ 55,986	\$ 1,400	
	Household of 4	\$ 60,465	\$ 1,512	
150% of Workforce Wage - For Sale				
	Household of 1	\$ 65,301	\$ 1,633	\$ 269,834
	Household of 2	\$ 74,630	\$ 1,866	\$ 303,836
	Household of 3	\$ 83,797	\$ 2,099	\$ 345,395
	Household of 4	\$ 90,767	\$ 2,267	\$ 375,259

units is in income ranges of 30 to 60 percent of AMI. This is both based on the Affordable Housing Needs Assessment as well as a review of the waiting lists for the income restricted rentals in town owned and managed by Mountainlands Community Housing Trust. The Housing Resolution bases income targets on an average so that some units can be priced below and some above the target number. Rather than 60 percent of AMI, staff recommends basing rental affordability on an average of 45 percent of AMI so that averaging allows for units to be priced from 30 to 60 percent of AMI.

Similarly, the current target for 'for-sale' units is "on average, affordable to" 150 percent of Workforce Wage (\$83,797 annual income) which is very close to 100 percent of AMI (\$88,560 annual income). Based on the Affordable Housing Needs Assessment, the need for for-sale units is primarily households earning between 60 and 100 percent of AMI. Therefore, to serve that range, staff recommends basing for-sale affordability on an average of 80 percent of AMI so that averaging allows for

Recommended Changes

		Annual	Monthly Rent/Mortg.	Sale Price
45% of AMI - Rent				
	Household of 1	\$ 41,318	\$ 1,033	
	Household of 2	\$ 47,221	\$ 1,181	
	Household of 3	\$ 53,136	\$ 1,328	
	Household of 4	\$ 59,040	\$ 1,476	
80% of AMI - For Sale				
	Household of 1	\$ 55,091	\$ 1,377	\$ 244,448
	Household of 2	\$ 62,961	\$ 1,574	\$ 251,694
	Household of 3	\$ 70,848	\$ 1,771	\$ 287,024
	Household of 4	\$ 78,740	\$ 1,968	\$ 322,240

units to be priced from 60 to 100 percent of AMI.

- B. **Remove limit of \$5,000 for fee waivers:** In a Study Session on November 3, 2016, Council made the decision to waive all fees that can be waived on City-sponsored affordable housing projects. [See a summary of that meeting at this link.](#) This amendment allows for waivers that exceed the former limit of \$5,000 which will be ratified at the City Council meeting on March 9 when staff returns to Council for a broader discussion regarding waivers of construction, development and impact fees. Staff will be recommending that for affordable housing and those with a public interest (IE: city projects) in particular, all construction, development and impact fees be waived. This amendment continues to refer to code which will be amended as well as the Administrative Fee Waiver Policy after the decision at the March 9 meeting. Finally, Council determined that a total or partial fee-waiver will be considered on a case-by-case basis for private developers voluntarily including affordable units within their market developments. Staff will be tracking waived fees carefully to monitor the impacts on City services. However, consistent with feedback from City Council, staff is not recommending that fees be waived for affordable housing units that are produced as a result of a housing obligation from applicable MPDs or Annexations.
- C. **Modify in-lieu fee calculation:** Staff is recommending that current standard construction costs be used as the basis for in-lieu fee calculations. The current average cost per SF for city-sponsored projects is \$374. Projects used to calculate this are 1450-1460 Park Avenue and Woodside Phases I & II. This comes to \$336,600 per 900 SF AUE. An interesting note is that this number is very close to the price a household of three can afford if their income is 100 percent of AMI (annual income of \$88,560 and affordable sale price of \$329,612). So, even though the cost to build is affordable, because private developers require a profit margin and on re-sales the market bears a much higher price, homes aren't available in the affordable range. Staff will conduct annual review of the in lieu calculation to monitor market changes as well as fluctuation in the cost of construction. Future updated calculations will be brought to Council in June of each year.

Staff is still studying two additional recommendations from EPS and the Blue Ribbon Housing Commission. One recommendation is to change the basis for assessment of housing obligations to something that captures more of the new units being developed outside of MPDs and Annexations. The second recommendation is to change the employment generation numbers for commercial development. Housing staff is working with the City Attorney's office and conducting additional research to determine the best way to meet the intent of the recommendations while maintaining a balanced and equitable approach.

How this work furthers the goals of the General Plan

Goal seven of the General Plan states "Create a diversity of primary housing opportunities to address the changing needs of residents" and goal eight states: "increase affordable housing opportunities and associated services for the workforce of

Park City.” The recommendations to amend Housing Resolution 13-15 are to facilitate the development of an increased number of units affordable to members of Park City’s workforce. General Plan strategies addressed by this work include:

- 7A - Increase diversity of housing stock to fill void within housing inventory.
- 7E - Create housing opportunities for the cities aging population.
- 8A - Provide increased housing opportunities that are affordable to a wide range of income levels.
- 8C - Increase housing ownership opportunities for workforce within primary residential neighborhoods.

Department Review

The report has been reviewed by the offices of Community Development, City Attorney and Executive.

Funding Source

No funding is required for these amendments.

Summary Recommendation

Staff recommends that City Council review, take public comment, and approve proposed amendments to the City’s Affordable Housing Resolution as detailed in this report.

Attachments

Exhibit A – Redlined Housing Resolution 13-15

**RESOLUTION ADOPTING AFFORDABLE HOUSING GUIDELINES AND
STANDARDS FOR PARK CITY, UTAH**

WHEREAS, the livability and viability of Park City is directly affected by the availability of a sufficient amount of housing affordable to all residents; and

WHEREAS, the City Council desires to establish policies to ensure a reasonable opportunity for a variety of housing and which bears an essential nexus to maintaining the social, economic and political fabric of the community; and

WHEREAS, the 201~~62~~ Park City Housing Needs Assessment ~~and Plan~~ concluded that housing costs continue to outpace wages in the service sector areas of the resort-based economy and has resulted in making housing unaffordable to working residents of the City; and

WHEREAS, the ~~2012-2016~~ Park City Housing Needs Assessment ~~and Plan~~ projects that the Leisure and Hospitality employment sector will continue to drive the demand for additional workforce housing in Park City; and

WHEREAS, it is in the best interest of the community and a legitimate government interest to formulate guidelines and standards to establish a consistent criteria for review of Master Planned Development applications and annexation petitions and other development actions where affordable housing is needed to mitigate the impact of the project on the community; and

WHEREAS, the cost of providing affordable housing and any solutions should equitably apportion~~ed the cost~~ based on impact generation, growth inducement and the underlying goal to provide a diversity of housing types and prices in ~~our the~~ community in order to maintain a healthy economy and diverse population.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Park City, Utah as follows:

SECTION 1. ADOPTED HOUSING STANDARDS AND GUIDELINES. The following housing standards and guidelines are hereby adopted. Unless otherwise defined separately herein, all words and terms shall have the same meaning as defined in the Land Management Code, as amended.

SECTION 2. APPLICABILITY. These standards shall apply to all new Housing and Commercial Development created under Title 15, Chapter 6 Master Planned Developments (MPD) and Title 15, Chapter 8 Annexations of the Park City Land Management Code. These standards shall apply to prior agreements on density or configuration unless specifically addressed within Development Agreements.

SECTION 3. PURPOSE. The purpose of this Resolution is to ensure that new development does not adversely affect the supply of affordable housing in the City and to maintain the social, economic and political fabric of Park City's community character. It is intended that the requirements imposed herein are roughly proportionate and reasonably related to the impacts of the Development.

SECTION 4. REVIEW. This Resolution shall be reviewed by the City Council at least biennially to ensure that these standards are meeting the housing goals and objectives.

SECTION 5. DEFINITIONS.

- **Affordable Housing:** Housing costs – rent plus basic utilities or mortgage, tax, insurance and/or Homeowners Association payments – that consume no more than 30 percent of a household's income.
- **Affordable Housing Unit:** Dwelling units that are deed restricted to the housing size and type for individuals meeting occupancy guidelines approved by the Park City Council.
- **Affordable Unit Equivalent:** A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.
- **Area Median Income (AMI):** Area Median Income is a calculation of annual household income determined by the US Department of Housing and Urban Development (HUD) that categorizes income levels as: extremely low income <=30 percent of AMI; very low income = 31 to 50 percent of AMI; low income = 51 to 80 percent of AMI; and moderate income = 81 to 100 percent of AMI. Based on local wages, Park City defines affordable housing as those units affordable to households with incomes at or below 100 percent of AMI.
- **Attainable Housing:** Housing that is affordable to households with incomes between 101 and 150 percent of AMI.
- **Bedroom:** Designed to be used for sleeping purposes and which contains closets and meets all applicable City Building Code requirements for light, ventilation, sanitation and egress.
- **Deed Restriction:** A contract entered into between Park City Municipal Corporation and the owner or purchaser of real property identifying the conditions for occupancy and resale.
- **Household:** All related and unrelated individuals occupying a unit.
- **Household Income:** Combined ~~gross~~ income of all individuals who will be occupying the unit regardless of legal status. Adjustments to the gross for business expenses can be made for persons who are self-employed.
- **Net Livable Square Footage:** Is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions. Also included, but not limited to, habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.
- ~~**Park City Workforce Wage:** The median wage of the core Park City workforce as determined annually by the City Council. See Section 17.G. for calculation method.~~
- **Studio Unit:** Living quarters designed around a relatively large single room incorporating the features of a living room, bedroom, dining room/kitchen and bathroom.
- **Target Income:** The specific household income to be served by affordable or attainable units which is determined based on current need at the time units are put in service.

SECTION 6. EXEMPTIONS. The development of affordable housing units as defined by the Land Management Code is exempt from the requirements of this Resolution. This may include projects developed by or sponsored by nonprofit organizations and projects for which agreements have been executed that provided affordable housing or land for said purpose.

SECTION 7. FEE WAIVERS. Title 11, Chapter 12-13 of the Municipal Code provides that “any part of the fees included in this Title may be waived by the City Council upon recommendation of the City Manager, for those projects which are deemed to serve a beneficial public purpose that would be harmed by the City requiring the payment of such fees, such as low income

housing projects.” Pursuant to Title 11, Chapter 13-4(A) of the Municipal Code, the City Council can waive impact fees for construction of affordable housing ~~up to \$5,000 per unit.~~

Affordable housing projects that are in fulfillment of housing obligations resulting from development agreements in Annexations or MPDs are not eligible for fee waivers.

SECTION 8. CALCULATION OF MINIMUM AFFORDABLE HOUSING REQUIREMENTS

A. Residential Development.

For projects where units are offered for sale or rent, the Developer shall provide affordable housing units in an amount equal to fifteen percent (15%) of the total residential units constructed. Affordable units developed on-site in fulfillment of this requirement are not included in the density calculation for the project.

RESIDENTIAL GENERATION CALCULATION EXAMPLE

An Applicant has received approval for a 128 unit Master Planned Development.

1. 128 units (total units approved) multiplied by .15 (residential mitigation rate) equals 19.2 Affordable Unit Equivalents.
2. One Affordable Unit Equivalent equals 900 square feet of net livable space.
3. The total approved units for this MPD is 128 market rate units plus 19.2 affordable unit equivalents which equals 17,280 total net square feet of additional livable space.

B. Commercial Development

The Developer shall be required to mitigate 20 percent of the employees generated. For projects with a commercial component, the minimum affordable housing requirements shall be determined according to the following formulas:

Table 1: Employee Generation by Type of Use.

Type of Use	Full Time Equivalents (2080 hours) per 1,000 net leasable square feet
Restaurant/Bar	6.5
Education	2.3
Finance/Banking	3.3
Medical Profession	2.9
Other professional services	3.7
Personal services	1.3
Real Estate/Property management	5.9
Commercial/Retail	3.3
Recreation/amusements	5.3
Utilities	2.9
Lodging/hotel	0.6/room
Condominium Hotel	Greater of lodging/hotel calculation or residential mitigation rate
Overall/General	4.4

The Overall/General Type of Use shall apply to any use not listed in the Employee Generation Table if an Independent Calculation is not performed.

EMPLOYEE GENERATION CALCULATION EXAMPLE

An application for a Master Planned Development of 20,000 square feet of commercial space and 100 hotel rooms has been submitted. The commercial uses include:

- 10,000 square feet of retail space
- 5,000 square feet of restaurant/bar space
- 5,000 square feet of professional services

1. Using the above Employee Generation Table, the project will generate 144 employees.
 - *Retail* at 3.3 employees per 1,000 square feet equals 33 employees
 - *Restaurant/Bar* at 6.5 employees per 1,000 square feet equals 32.5 employees
 - *Professional Services* at 3.7 employees per 1,000 square feet equals 18.5 employees
 - *Hotel* at .6 employees per unit equals 60 employees.
2. 144 (total number of employees) multiplied by .20 (mitigation rate) equals 28.8 employees.
3. 28.8 employees divided by 1.5 (workers per household) equals 19.2 employee unit equivalents required.
4. The Developer is required to provide 19.2 Affordable Unit Equivalents or a total of 17,280 net square feet of additional livable space in addition to approved commercial and hotel density.

C. Reduction of Employee Generation for Institutional/Nonprofit Use. The City Council may reduce the base employee generation rate by up to fifty percent for uses that are “non-commercial or non-residential in nature, which provide educational, social or related services to the community and which are proposed by public agencies, nonprofit agencies, foundations and other similar organizations-” upon finding that the benefits/impacts of such Development as they relate to other general plan goals and/or action items outweigh the housing impacts.

D. Independent Calculation. An applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table. The independent calculation shall be accepted by the City Council if the Council determines the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 1: Employee Generation Table. Should the independent calculation not be accepted, then the applicable employee generation factor from the Employee Generation Table shall be applied to the proposed Development. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable and be memorialized in a Development Agreement between the property owner and the City. Such Agreement shall be executed prior to the issuance of any building permit.

E. Redevelopment: Additions and Conversions of Use. Redevelopment or remodeling in an existing use or the change in use from one use to another is exempt from the requirements of this Resolution, provided such activity does not create additional employment generation as determined in *Table 1: Employee Generation by Type of Use*. Only the uses and areas that existed prior to the redevelopment or remodeling shall be exempt from the requirements of this Resolution. Any new area or unit or any change in use which creates additional Employee Generation as determined in *Table 1: Employee Generation by Type of Use* shall be subject to the provisions of this Resolution. Mitigation shall be required for the employees generated by the proposed total square footage (including addition) minus the employment generation of the total structure. If the developer converts one land use to another with higher employment generation rates, the mitigation will be based on the increase in FTEs. For example, a conversion of a 1,000 sq. ft. retail establishment with an employee generation rate of 3.3 FTEs

per 1,000 square feet to a private club with a generation rate of 6.5 FTEs per 1,000 square feet results in a net increase in 3.2 FTE and would require additional mitigation.

F. Final Unit Requirement Calculations. The final calculations for the number of inclusionary units and the rental or sales price for these units shall be made prior to the issuance of building permits for the covered project.

SECTION 9. METHODS OF HOUSING REQUIREMENT COMPLIANCE

A. Unit Types: The distribution of on-site dwelling unit types that meet the deed restricted affordable unit requirements of this section shall be as follows:

- Single-Family: In developments where only single-family detached dwelling units are being produced, the required on-site Affordable Unit Equivalents shall also be single-family detached dwelling units.
- Multi-Family: In developments where only multi-family buildings are being produced, the required on-site Affordable Unit Equivalents shall also be within the multi-family building or buildings.
- Mixed: In developments where there is a mix of dwelling unit types such as: detached single-family, townhomes, duplexes or attached single-family, or multi-family condominium or apartment buildings, or other types of units, the required on-site Affordable Unit Equivalents shall also be a mix in the same proportion as the market rate dwelling units.
- Alternative Distribution Ratios: Different unit distribution among the Affordable Unit Equivalents may be permitted on a case-by-case basis if doing so would accomplish additional benefits or result in a better design than not using the distribution of units provided for in this section.

B. Minimum Square Footage Standards: In order to assure livability, the standard net livable square footage for affordable units shall be as follows:

Dormitory	150 square feet
Single Room Occupancy	275 square feet
Studio	400 square feet
One Bedroom	650 square feet
Two Bedroom	900 square feet
Three Bedroom	1,150 square feet
Four Bedroom	1,400 square feet

Any deviation from these standards shall be approved by Park City Housing Authority as part of the applicable Affordable Housing Mitigation Plan.

The Building Department prior to the issuance of any building permits for either the free market or employee housing component of the project must verify square footage. The Building Department may check the actual construction of the Affordable Unit Equivalents.

3. Winter Seasonal Units. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy the employee housing requirements by provision of dormitory/lodge units designed

for occupancy by seasonal employees. The dormitory/lodge units must satisfy all requirements of the applicable Guidelines and shall be required to meet the following minimum standards:

- Occupancy of a dormitory unit shall be limited to no more than 8 persons.
- There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
- At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one toilet, one wash basin, one bathtub with a shower and a total area of at least 60 net livable square feet.
- A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.
- Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.
- Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.
- Seasonal Lodge Developments may be required to house qualified employees of the community at large.

4. Special Needs Emergency/Transitional Housing. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy a portion of its employee housing requirements by provision of special needs emergency/ transitional housing units through either direct construction, land donation or the donation of existing units. There must be a quantified, demonstrated need for the emergency/transitional housing within the Park City boundaries. The housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all requirements of the applicable Housing Guidelines and Standards as well as comply with all applicable local, state and federal requirements. Given the unique and varying characteristics of the population to be served, the rents for emergency/transitional housing must be approved in advance by the City Council.

5. Minimum Green Building Requirements. All new construction or substantial rehabilitation projects developed in fulfillment of the affordable housing obligation must demonstrate that it meets the NAHB Green Standards or a LEED Certification level. All appliances and products including light bulbs shall be Energy Star qualified products for all new construction or substantial rehabilitation.

6. Affordable Unit Amenities. Inclusionary units may differ from the market units with regard to interior amenities and gross floor area provided that:

- These differences, excluding differences related to size differentials are not apparent in the general exterior appearances of the project's units; and
- These differences do not include insulation, windows, heating systems and other improvements related to the energy efficiency of the project's units.
- The gross floor area of the inclusionary units is not less than the ~~following~~ minimum requirements listed in Section 9.B. above, unless waived by the City.

C. Methods of Meeting Minimum Requirements.

The following methods, in order of priority, may be used to meet the minimum affordable housing mitigation requirements.

1. Construction of unit(s) on the site on which the development is proposed.

Affordable housing units shall be constructed on the project site, unless the developer can demonstrate compelling evidence that an alternative method would result in a better design, enhanced level of affordability or that the construction on-site would adversely affect the design of the project.

2. Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted for affordability.

3. Dedication of existing units within Park City corporate limits provided such units have not been previously deed-restricted for affordability. Units must be of equivalent value, quality and size of the deed restricted units that would have been constructed on-site. Existing units must be in move-in condition with appliances, windows, heating, plumbing, electrical systems, fixtures and equipment in good working condition. The value of dedicated existing units will be determined, at the expense of the developer, by an appraiser selected by the developer from a list of certified appraisers provide by the City of ~~fr~~ by such alternative means of valuation as to which a developer and the City may agree. All units shall be inspected and shall meet applicable Park City building codes. Applicant shall bear the costs and expenses of any required upgrades to meet the above standards as well as any reports required to assess the suitability for occupancy and compliance with the standards of the proposed units. All appliances and products including light bulbs shall be Energy Star qualified products.

4. Construction of units outside Park City, but within the Park City School District boundary as it stands on January 1, 2015.

5. Conveyance of land within the Park City School District boundary as it stands on January 1, 2015 provided such land has not been previously deed-restricted for affordability. The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.

6. Payment of Fees in Lieu of Development. If the City determines that (1) no other alternative is feasible, or (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources, then a Payment of Fees in Lieu of Development may be accepted. The collected funds may only be expended for projects located within the corporate limits of Park City or within the Park City School District boundary as it stands on January 1, 2015. The ~~Payment in Lieu~~ Fee shall be based on the actual cost of construction in the prior year and calculated and published annually in April-June on the City's affordable housing webpage. Updates may occur more frequently at the request of the City Council to reflect changing real estate conditions. Any Fees in Lieu collected and any interest

accrued, shall be used only for the purpose of planning for, subsidizing or developing affordable and employee housing.

SECTION 10. DEED RESTRICTION. Prior to the plat recordation provisions to ensure continued affordability of inclusionary units shall be embodied in legally binding agreements and/or deed restrictions, which shall be prepared by the developer, but which shall not be recorded or filed until reviewed and approved by the City Attorney with such modifications as it may deem necessary to carryout the purpose of this Resolution. No building permit application shall be accepted in the absence of proof of the execution of requirement agreements and covenants. In the event such restrictions are voided by bankruptcy or other legal action, the City may revoke the Certificate(s) of Occupancy until such time as subsequent owner complies with the standards herein.

SECTION 11. TIMING OF OCCUPANCY. The affordable units shall be ready for occupancy no later than the date of the initial or temporary occupancy of the free market portion of the project. If the free market units are to be developed in phases, then the affordable housing can be developed in proportion to the phasing of the free market units as approved in the Housing Mitigation plan.

SECTION 12. APPLICABILITY OF RESOLUTION TO PRIOR APPROVALS OR PENDING APPLICATIONS.

A. Prior Development Agreements. Developments, which received development plan approvals prior to the adoption of this housing resolution, shall conform to the provisions of the resolution in place at the time of applicable complete application. Any modifications to an existing Development Agreement that results in an increase in housing units or employee generation shall be subject to the provisions of this Resolution.

B. Prior Annexation. Unless otherwise provided in Conditions of Approval or a Development Agreement, Developments subject to affordable housing requirements imposed by annexation agreements entered into prior to the effective date of this Resolution may develop in conformity with the Resolution in place at the time the Annexation Agreement was approved.

C. Pending Project Approval Actions. Developments for which complete applications were filed prior to the effective date of this Resolution, but have not been reviewed by the appropriate body, must conform to the Resolution in place at time of application.

SECTION 13. HOUSING MITIGATION PLAN. The Applicant shall submit a Housing Mitigation Plan. The Housing Mitigation Plan shall be reviewed by the Planning Commission as part of the application to the City for the Annexations or Master Planned Development with a recommendation forwarded to the City Council. The Housing Mitigation Plan shall include the following:

A. Calculation and Method. The calculation of, and method by which housing is to be provided, in compliance with Section 8 "Calculation of Minimum Affordable Housing Requirement" and Section 9 "Method of Housing Requirement Compliance."

B. Unit Descriptions. If affordable housing units are to be developed, a site plan and building floor plans (if applicable), illustrating the number of units proposed, their location,

the number of bedrooms in and square foot of each unit, and the rental/sale mix of the development. The proposed sale prices and rent levels shall also be included.

SECTION 14. CONSTRUCTION TIMING.

- A. Construction of Market Units.** Affordable units shall be made available for occupancy on approximately the same schedule as a project's market units; except that Certificates of Occupancy (temporary or permanent) for the last ten percent of the market units shall be withheld until Certificates of Occupancy have been issued for all of the inclusionary units. Other phasing agreements may be accepted, if doing so would accomplish additional benefits for the City consistent with the purposes of this Resolution. A schedule setting forth the phasing of the total number of units in a covered project, along with a schedule setting forth the phasing of the required inclusionary units shall be approved prior to the issuance of a building permit.
- B. Fulfillment in Advance of Obligation.** Affordable units may be completed in advance of development that triggers an affordable housing obligation. In instances where a residential or commercial developer wants to build and deed restrict units in advance of incurring an affordable housing obligation, the units will be valued as to number of AUEs under the Housing Resolution in existence at the time the market development occurs. The future development shall be identified within the recorded deed restriction document. The units shall be built in accordance with prevailing Land Management Code and deed restricted at the time of approval. The total square footage of deed restricted units will be converted to Affordable Unit Equivalents in compliance with the Housing Resolution in effect at the time a plat is approved for the development that triggers the housing obligation. If for some unforeseen reason, the development triggering the obligation is not completed, the City will entertain a request that the recorded deed restriction(s) on the affordable units be removed.

SECTION 15. GOOD FAITH MARKETING REQUIRED. All sellers or owners of deed restricted affordable units shall engage in good faith marketing efforts each time a deed restricted unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance of becoming informed of the availability of such units. A public marketing plan shall be submitted by the developer for the initial sale or lease of the units.

SECTION 16. LOCAL PREFERENCE OPTION. In order to address the City's local preference options, any deed restricted affordable housing project shall give preference to full-time employees (a minimum of 30 hours per week) of businesses within the Park City School District boundaries. Preference is also given to Senior Citizens (62 & older) and persons who are physically and/or mentally challenged.

SECTION 17. MAXIMUM RENTS AND SALES PRICES. The following provision shall apply to the calculation of rents, selling prices and/or carrying charges of deed restricted affordable units.

- A. Occupancy.** In calculating the rents or carrying charges of inclusionary units, the following relationship between unit size and household size shall apply:

- Dormitory/Single Room Occupancy: 1 person per 150 net livable square feet.
- Studio/Efficiency: 1 person per household
- One-bedroom: 1.5 person household
- Two-bedrooms: 2.5 person household
- Three-bedroom: 4 person household
- Four-bedroom: 6 person household.

B. Rental Units. In general, inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 45-100% percent of the Park City Workforce Wage Summit County AMI.

C. For Sale Units. ~~The In general, the~~ initial sales price for an affordable unit in any one development shall average a price affordable to a household earning 80 percent of Summit County AMI ~~150 percent of Park City Workforce Wage~~ (“Target Household Income”). Sale Price shall be calculated according to the following guidelines: ~~utilities plus~~ mortgage payment for the Owner Occupied Unit, including principal, interest, taxes and insurance (“PITI”), shall not exceed 30% of the Target Household Income. The assumptions used to calculate the sales price shall be: (i) a 5% down payment; (ii) a 30-year term; and (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahhousingcorp.org) at the time of the offer.

D. Appreciation Limits. Provisions to ensure continued affordability of inclusionary units offered for sale shall include a formula limiting equity appreciation to either a shared percentage of the equity appreciation or a cap on the equity appreciation, with such adjustments for improvements made by the seller and necessary costs of sale as may be approved by the City. The form of the resale restriction shall be determined by the City at the time of approval of the Housing Mitigation Plan.

E. Limitation on Rental Rates and Terms. The rate at which an Owner shall rent the Units shall not exceed the Maximum Rent as established by the City in accordance with Section 17.B. above. The Maximum Rent shall be ~~set as affordable to households earning 100% of Park City Workforce Wage and~~ adjusted annually by the percentage increase in the Consumer Price Index for the western region. Allowable increase will be published in April June of each year on the City’s affordable housing webpage. Unless otherwise approved, the minimum lease term shall be six months.

F. Income Limits. The City reserves the right to place an income/asset limitation for prospective owners or renters as needed to further the goals of this Resolution.

~~**G. Park City Workforce Wage.** Park City Workforce Wage for a family of three shall be calculated in April of each year and published on the City’s affordable housing webpage. It is based on the prior year’s wages as reported by the Utah Division of Workforce Services. Workforce Wage is calculated as follows:~~

- ~~○ Summit County median wage for prior year;~~
- ~~○ Add six percent for additional earnings such as tips, incentives, bonuses, and overtime as well as other income such as investments and non-cash benefits; and~~
- ~~○ Multiply total by 1.5 to account for the average household in Park City having 1.5 workers.~~

SECTION 18. TERM OF AFFORDABILITY. The Term of Affordability shall be for a period of not less than forty (40) years. At the expiration of the initial forty (40) year term, this Agreement shall be reviewed for additional consecutive ten (10) year terms, unless the City shall determine, based on an independent housing needs assessment, that the Unit is no longer necessary to satisfy the affordable/employee housing needs in Park City.

SECTION 19. WAIVERS. The City Council may waive all or part of the requirements of this Resolution in exchange for enhanced project affordability or livability including but not limited to the incorporation of sustainable building practices and systems in the unit design and development.

SECTION 20. ADMINISTRATIVE RELIEF. The City Council may waive all or part of the requirements of this Resolution where the applicant can establish by clear and convincing financial data and other evidence relating to the character of the development or surroundings that the imposition of the requirements set forth in this article shall create an economic hardship. The Council shall use the same standards that it applies to historic properties in making a determination of economic hardship. A waiver under this section shall be granted only to the extent necessary to relieve the hardship or difficulty that serves as the basis for the requested waiver and shall not be considered precedent for future requests for administrative relief.

SECTION 21. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the Resolution.

SECTION 22. EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council. All prior Housing Resolutions and parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed. This Resolution repeals and replaces all prior housing resolutions including Resolution s 37-91, 8-93, 6-94, 7-95, 17-99, 10-2006, 20-07, ~~and 25-12, 02-15, and 13-15.~~

PASSED AND ADOPTED this ___ th day of ~~July, 2016~~ February, 2017.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Council shall consider the approval of the purchase of seventy four (74) electric golf cars and one (1) electric utility cart for the driving range in the amount of \$331,000 with Intermountain Golf Cars.

Respectfully:

Vaughn Robinson, Golf Manager



City Council Staff Report

Subject: Purchase of 2017 Golf Car Fleet
Author: Vaughn Robinson
Department: Golf
Date: February 16, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends the approval of the purchase of seventy four (74) electric golf cars and one (1) electric utility cart for the driving range in the amount of \$331,000 with Intermountain Golf Cars.

Executive Summary

- Consideration to Approve the Purchase of the 2017 Golf Fleet in the amount of \$331,000 with Intermountain Golf Cars in a Form Approved by the City Attorney.

Acronyms

- CIP Capital Improvement Plan
- RFP Request for Proposal

The Problem

- Park City Golf Club has the goal of producing a resort quality product at a municipal price. In order to do this we not only need our golf cars to be mechanically sound but also aesthetically pleasing.
- The current fleet of Club Car Precedent golf cars is five (5) years old and showing signs of wear and tear. Small tears in the seats, scratches in the body, rattling windshields and some having steering that pulls to the left are just a few of the reasons to replace the current fleet. The industry standards are for a fleet to last between three (3) and five (5) years with typical warranty coverage, especially batteries at four (4) years or less.
- Batteries not performing up to standard, expelling more energy when in use and needing more energy to charge overnight.
- Loss of revenue due to cars being out of service for repairs
- Our current Utility Car for the driving range is a gas engine. With the goal of becoming more “green” and to help meet the City’s net zero goal, we have an opportunity to be one of the first local courses to use an electric range car instead of gas.
- We have purchased our last three fleets of golf cars primarily for two reasons. The ability to use the carts for five (5) years, instead of the typical four (4) years for a typical lease, this gives us an extra year of revenues without a guaranteed ongoing payment. At the end of the five (5) years we also have an asset typically valued around \$100,000.00 to trade toward a new fleet.

Background

- We are seeking Council approval for the purchase of a new golf car fleet. As per City policy Council approval is required for purchases over \$15,000. The total purchase price will not exceed \$331,000.
- Staff explored the option of replacing the batteries in each car instead of replacing the entire fleet. We agreed that with the condition the current fleet is in, the product we need to provide to our guests and that we are financially stable enough to absorb this expense, so it is in our best interest to replace the entire fleet.
- We then issued an RFP and three (3) vendors supplied bids. We received bids from Club Car, EZGO, and Yamaha. There were six (6) areas of criteria for the selection committee to evaluate:
 1. Depth, breadth, and success of proposers experience in the golf car business.
 2. Warranty information
 3. Overall financial benefit of proposal to PCMC
 4. Maintenance availability and experience
 5. Quality of business references
 6. Appearance and functionality of the golf car
- The selection committee (Vaughn Robinson, Denise Carey, Clint Daley, Tony Larsen, Will Beroset, Shawn Andreason and Nate Roberts along with input from Friends of Golf committee member Rich Miller) selected the company Intermountain Golf Cars and their Club Car Precedent car.
- Reasons Intermountain Golf Car was chosen: This is the latest version of the current fleet we have. Familiarity with what issues may arise, knowledge of the golf car and how it works, the relationship we've built over the last 5 years, battery work performed last year to get us through the season with no problems, turning radius and overall size of the car with the confined space of our golf car storage room. They were also the lowest net bid (trade in of old fleet and additional concessions made) as well as finished 1st or 2nd in the other criteria areas.
- The amount to purchase the fleet is approximately \$331,000. We will pay approximately \$100,000 out of the golf fund, \$125,000 will be financed by the City's General Fund (Fund 011) with the remainder of the purchase price includes a \$105,700 trade-in value on the cars purchased in 2012 thereby reducing the cash payment to approximately \$225,000. With this purchase, Council gives the Golf Course approval to use monies out of the General Fund. This loan amount of \$125,000.00, plus interest 1.75%, will be paid back to the General Fund annually over a 4 year term.
- In 2012 the Park City Golf Club purchased their current fleet of seventy three (73) golf cars and one (1) driving range utility gas car using this same model. The total purchase price was approximately \$311,000. The golf course used approximately \$71,000 from the golf fund, \$140,000 loan from capital fund 31 which was paid back over four (4) years with an interest rate of 1.5% and also

included a trade-in value from cars purchased in 2007 of approximately 100,000 thereby reducing the cash payment to approximately \$211,000.

- This project is not currently included in the Capital Improvement Plan (CIP) adopted with the FY 2017 Budget. If Council approves the purchase of a new golf car fleet as recommended, the FY 2017 CIP budget will be adjusted to include the project and funding amount as part of the year end budget adjustments to be approved by Council. As this is being treated as a short term loan from the General Fund, the Budget staff does not view this project as having a significant impact on funding levels for other projects or services. All expenditures related to the golf car purchase including short-term loan interest will be funded through golf fees.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Council approve the purchase of seventy four (74) electric golf cars and one (1) electric range utility vehicle with Intermountain Golf Car (Club Car).

Pros

- a. Familiarity of fleet. Newer model of our current fleet.
- b. Slightly smaller overall size and better turning radius match up better with our compact golf car storage room.
- c. Best net purchase price of the three (3) bids received.
- d. Great relationship built with Intermountain Golf Car over the last five (5) years.
- e. New Charging system named ERIC. Efficient, Reliable, Intelligent, Connected. 10% more efficient than previous charger. Beeps three (3) times when plugged into car to minimize staff error and car not charging. System turns off and on when needed instead of just running one (1) cycle and turning off.
- f. Option of fifteen (15) foot charging cord which is necessary because of the chargers being mounted on beams above the golf cars-at no additional cost.
- g. Best looking car, provides the resort image we are looking for.
- h. Color is impregnated into material instead of just painted or a shell.
- i. Bumpers are not only designed for impact but also for a caddie to ride on the rear bumper without causing damage.

Cons

- a) Same manufacturer as current fleet so may not be as visible that we have a new fleet of golf cars.
- b) Forward/Reverse switch easily bumped into neutral.
- c) New chargers have less serviceable parts. Cost of \$400-\$500 to replace a charger if we damage one.
- d) Possibly not as efficient as EZGO regenerative braking system. This system works best with steep hills and we have mostly a gradual slope to our holes so it is difficult to estimate how much more efficient this might be.

2. Second Alternative: Council could direct to purchase golf cars with Highland Golf (Yamaha).

Pros

- a. This option would still provide new aesthetically pleasing golf cars.
- b. Can maintain an electric fleet of golf cars with minimal deficiencies arising from charging time of twelve (12) hours per golf car instead of ten (10) hours from recommended Club Car.
- c. Highland Golf provides great service to their customers.
- d. Dash panel and compartments are the best looking and most functional.

Cons

- a. Higher probability of damage when parking cars at night due to car being longer and wider.
- b. Less comfort in driving for the customer. Turning radius is wider and steering is not as smooth as recommended Club Car.
- c. Updated body style, when we purchased Yamaha's in 2007 with a new updated body we had a tremendous amount of problems with the cars...this creates uncertainty-has this been fixed?
- d. Aesthetically not nearly as pleasing as Club Car and does not have an impregnated color throughout the car to hide scratches better.
- e. Would need to purchase a gas utility car which does not conform to our net zero goals of the city.
- f. Charging cords are only available in a nine (9) foot length which then creates issues with charging cords reaching the cars due to the set-up of the golf car storage room.
- g. Thousands of dollars more than recommended golf car fleet.

Consequences of Selecting This Alternative

There would be a sense of uncertainty with staff. The previous fleet of Yamaha cars had many issues leading to cars dying after three (3) holes, customers having to walk in from the golf course because their car died, roof tops rattling because of broken bolts and steering issues. The previous fleet we could not apply the parking brake at night and then the golf cars would roll causing issues with the charging cords pulling out of the charger and then carts not charging.

3. Third Alternative: Council could direct staff to purchase golf cars with RMT Equipment (EZGO).

Pros

- a. This option would still provide new aesthetically pleasing golf cars.
- b. Maintain an electric Fleet of golf cars.
- c. Re-charging braking system should lower charging time at night.
- d. 4 wheel independent suspension.
- e. Claim to be 30% more efficient than other cars (I inquired with two (2) golf courses which have or had EZGO and neither kept records as to energy efficiency versus previous golf car fleet).

Cons

- a. Upcharge for extended length charging cord.

- b. With the regenerative braking system when a car dies the process of getting car of the course is lengthy at best with possibility of needing a forklift to remove car from course.
- c. Rumors of brake engaging, due to malfunction in electrical system, while moving at full speed.
- d. Regenerative braking system creates a jerky ride when you let off the gas which was a complaint of staff when we demoed the car for two weeks.
- e. The other major complaint from staff was that the ride was uncomfortable. A bit surprising since the independent suspension should induce a softer ride but it turns out the seat back is very upright creating an uncomfortable sitting position.
- f. Golf car goes into hibernation mode when not in use after five (5) minutes which entails the customer to turn the key off for three (3) seconds and then back on to engage power. This means a lot of explaining by staff to customers especially during tournaments.
- g. Over \$20,000 more expensive.
- h. Our experience with RMT Equipment's service has been poor in the past. They say they are trying to fix it but inquiries with courses that use their cars have shown it is not improving rapidly.

4. Null Alternative: If the request is denied then the golf course will use the current fleet of golf cars and gas range car for operations.

Pros

- a. No purchase expense from new fleet.

Cons

- a. Golf Cars will not match the resort feel/image of the golf course.
- b. Probable loss in revenues due to inoperable cars.
- c. More work on staff repairing golf cars.
- d. Loss of energy efficiency due to age of cars.
- e. Loss of trade-in value.
- f. Gas utility range car does not match net zero goal.

Department Review

The City Manager, Legal, Budget, Finance, Golf and Public Works Departments have reviewed this report.

Funding Source

All expenditures related to the golf car purchase including short-term loan interest will be funded through golf fees. Initial funding will come from the Golf Fund Equipment Replacement Project, and an inter-fund loan from the General Fund and through trade-in value of current golf car fleet. All budget adjustments necessary for the purchase and inter-fund loan will be detailed as part of the year-end budget adjustment. Details of the inter-fund loan will also be detailed and noted in the 2017 Comprehensive Annual Financial Report (CAFR).



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Summary

As part of constant review of the Land Management Code, the proposed amendments came up either as policy discussions or as procedural items which need to be updated. These amendments provide clarity and regulations regarding the following items:

- 1) Non-adversarial appeals and ability to allow new evidence at appeal level (Chapter 1);
- 2) Standards for continuations (Chapter 1);
- 3) Clarification regarding zoning for public lands within the City limits (Chapter 1);
- 4) Timing of hearings for Determination of Significance applications (Chapter 11);

The LMC implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to preserve the community's neighborhoods and unique character and values, as well as comply with State requirements. These proposed Land Management Code (LMC) amendments have been reviewed for consistency with the current adopted Park City General Plan.

On October 26, 2016, the Planning Commission conducted a public hearing and discussed these amendments. No public input was provided on these items. Minor changes to the language were proposed by the Commission followed by a unanimous vote to forward a positive recommendation to City Council. Staff recommends approval of these amendments.

Respectfully:

Kirsten Whetstone, Senior Planner

City Council Staff Report



PLANNING DEPARTMENT

Application: PL-16-03348
Subject: LMC Amendments
Author: Kirsten Whetstone, MS, AICP, Senior Planner
Date: February 16, 2017
Type of Item: Legislative- Land Management Code (LMC) Amendments

Recommendation

Staff recommends City Council review the proposed administrative and substantive amendments to the Land Management Code (LMC), conduct a public hearing, and consider adopting an ordinance approving amendments to the Park City Land Management Code related to 1) appeals, 2) continuances, 3) zoning of public land within Park City limits, and 4) timing of hearings on determination of significance, in a form approved by the City Attorney and pursuant to the findings of fact and conclusion of law in the attached Ordinance.

Description

Project Name: LMC Amendments
Approximate Location: Citywide
Proposal: Land Management Code (LMC) amendments- various administrative and substantive amendments to the Park City Development Code regarding the following:

- 1) Non-adversarial appeals and ability to allow new evidence at appeal level (**Chapter 1**);
- 2) Standards for continuations (**Chapter 1**);
- 3) Clarification regarding zoning when previously state or federal land (**Chapter 1**);
- 4) Timing of hearing Determination of Significance applications (**Chapter 11**);

For the sake of clarity here is a list of acronyms used in this report:

Acronyms

CUP Conditional Use Permit
BLM Bureau of Land Management
LMC Land Management Code
MPD Master Planned Development
SF Square Feet
HPB Historic Preservation Board
DOS Determination of Significance

Summary

As part of constant review of the LMC, the proposed amendments came up either as policy discussions or as procedural items which need to be updated. These amendments provide clarity and regulations regarding the following items:

- 1) Non-adversarial appeals and ability to allow new evidence at appeal level (Chapter 1);
- 2) Standards for continuations (Chapter 1);
- 3) Clarification regarding zoning for public lands within the City limits (Chapter 1);
- 4) Timing of hearings for Determination of Significance applications (Chapter 11);

The LMC implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to preserve the community's neighborhoods and unique character and values, as well as comply with State requirements. These proposed LMC amendments have been reviewed for consistency with the current adopted Park City General Plan.

On October 26, 2016, the Planning Commission conducted a public hearing and discussed these amendments. No public input was provided on these items. Minor changes to the language were proposed by the Commission followed by a unanimous vote to forward a positive recommendation to City Council.

Purpose of the Land Management Code

The LMC is designed, enacted, restated and reorganized to implement the goals and policies of the (adopted) Park City General Plan, and for the following purposes:

- (A) To promote the general health, safety and welfare of the present and future inhabitants, Businesses, and visitors of the City,
- (B) To protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the Historic character, and unique mountain town community,
- (C) To protect and preserve peace and good order, comfort, convenience, and aesthetics of the City,
- (D) To protect the tax base and to secure economy in governmental expenditures,
- (E) To allow Development in a manner that encourages the preservation of scenic vistas, environmentally sensitive lands, Historic Structures, the integrity of Historic Districts, and the unique urban scale of original Park City,
- (F) To provide for well-planned commercial and residential centers, safe and efficient traffic and pedestrian circulation, preservation of night skies and efficient delivery of municipal services,

(G) To prevent Development that adds to existing Geologic Hazards, erosion, flooding, degradation of air quality, wildfire danger or other conditions that create potential dangers to life and safety in the community or that detracts from the quality of life in the community,

(H) To protect and ensure access to sunlight for solar energy devices, and

(I) To protect or promote moderate income housing.

It is the intention of the City in adopting this LMC to make amendments on a regular basis and to fully exercise all of the powers granted to the City by the provisions of the Title 10, Chapter 9a of the Utah Municipal Land Use Development and Management Act. Utah Code Annotated, 1991, as amended and all other powers granted by statute or by common law, for the necessary regulation of the Use and Development of land within the City.

General Plan

These proposed LMC amendments have been reviewed for consistency with the current adopted Park City General Plan. The LMC implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to preserve the community's neighborhoods and unique character and values. Additionally, the LMC is intended to be updated on a regular basis to stay current with State Law. Where appropriate, the specific General Plan sections are discussed in the analysis below.

Background

As part of constant review of the LMC, the proposed amendments came up either as policy discussions or as procedural items which need to be updated. On October 26, 2016, the Planning Commission conducted a public hearing and discussed these LMC amendments. Minor changes were proposed to the language and the Commission voted unanimously to forward a positive recommendation to City Council.

Analysis

Proposed LMC Amendments

I. Non-adversarial appeals and ability to allow new evidence at appeal level (See Exhibit A- Chapter 1 General Provisions).

Background: Court room style adversary procedures are unsuitable to making land use decisions at the local administrative level. The City Council, subordinate City boards and commissions are not partisans on any side of any land use dispute but are charged with making land use decisions in the best interest of the entire City after weighing all input.

The City Staff and City Attorney are charged with assisting the City Council and subordinate City boards and commissions to adjust competing interests affecting

land use decisions and are not advocates of any side, but play the role of providing technical assistance and advice to the decision making bodies.

When the differing perspectives of the various decision-making bodies and differing input at each stage of a decision-making process result in an approach which is not the same from that originally recommended by City staff, the staff nonetheless regularly assist in implementing and guiding such changed approaches at successive stages of a decision-making process within the City.

In addition, differing perspectives of various decision-making bodies as well as the differing input at each stage of a decision-making process often results in City staff gaining an improved understanding of the nature and implications of development proposals, thus improving staff's ability to analyze such proposals under the applicable land use regulations, and make useful recommendations to decision-makers.

It is not uncommon for applicants or opponents of projects, or both, who come before the City Council to claim that the City staff and City Attorney are biased towards them. Consistency of technical and legal advice is critical to coherent and consistent implementation of local government's laws and regulations and this result cannot be achieved if different staff members, who act wholly independently of one another, provide conflicting technical and legal advice concerning a land use matter pending before the City.

Resolving land use issues requires a unique appreciation of the context of the development, community values and similar considerations that have historically been resolved through local government decision making procedures, that are uniquely accessible to ordinary citizens, and into which they expect and demand broad input.

Purpose of Amendments: The purpose of these amendments is to allow for non-adversarial decision making at the appeal stage and to recognize the importance of staff to provide their technical and legal advice as well as professional judgment and recommendation without claim of bias.

Implications and consequences: The primary implication of these amendments is to make the appeals process less formal and adversarial. Instead, if adopted, the process will be more open and allow for technical input from staff as well as input from the public to reach the best decision possible, while not advocating for a particular side.

Staff recommendation: Staff recommends amending the code as follows:

LMC § 15-1-18 Appeals and Reconsideration Process

...

G. **BURDEN OF PROOF AND STANDARD OF REVIEW.** The appeal authority shall act in a quasi-judicial manner. The appellant has the burden of proving that the land use authority erred. The appeal authority shall review factual matters de novo and it shall determine the correctness of the decision of the land use authority in its interpretation and application of the land use ordinance. All appeals must be made in writing. Review of petitions of appeal shall include a public hearing and shall be limited to consideration of only those matters raised by the petition(s), unless the appeal authority grants a by either party to enlarge the scope of the appeal to accept information on other matters. New evidence may be received so long as it relates to the scope of the appeal.

H. **NON-ADVERSARIAL PROCESS.** For all appeals before City Council, and any Board or Commission, the following shall apply:

1. The procedural hearings and reviews established by the City's regulatory procedures, does not adopt or utilize in any way the adversary criminal or civil justice system used in the courts.
2. The role of City staff, including legal staff, is to provide technical and legal advice and professional judgment to each decision making body, including City Council as they are not advocates of any party or position in a dispute, notwithstanding the fact that their technical and legal advice and professional judgment may lead them to make recommendations concerning the matter.
3. In the absence of clear evidence in the record that a staff member has lost his or her impartiality as a technical adviser, the City's need for consistent, coherent and experienced advisers outweighs any claims of bias by the applicant.

(Subsequent subsections will be re-lettered/numbered)

II. **Standards for continuations (See Exhibit A- Chapter 1 General Provisions).**

Background: In the past, the code has been silent on the process when a continuation is requested by an applicant. The department policy has been to bring the item forward as a continuance if it is the first time an applicant is requesting a staff determination of special circumstance. However, if the item has been noticed, then the item is brought as a regular agenda item and noted that the applicant has requested a continuance.

Purpose of Amendments: The purpose of these amendments is to clarify when staff can continue an item and when the Boards/Commissions must make that determination.

Implications and consequences: These amendments will clarify what can be a difficult situation for applicants, the public and staff. If an applicant is asking for a continuance but the item has been continued before or it has already been noticed, there is some degree of uncertainty whether the item will be heard or not. This may create confusion for the applicant and staff in knowing whether to prepare and the public to know whether the item will be heard. The proposed LMC amendment will make this situation clearer.

Staff recommendation: The following language is proposed:

15-1-12.5 Continuations

Planning Staff shall have the authority to approve an applicant's request for a continuance for an item scheduled for a public hearing or an item scheduled for an appeal, up to two (2) times, so long as the request for the continuance is made in writing and is received by Planning Staff at least five (5) business days prior to the scheduled public hearing or appeal. If Planning Staff does not have the authority to continue an item, the Board, Commission or Council will determine if there is a sufficient reason to continue the item on the scheduled date. If it is determined there is not sufficient reason to continue the item, the item will remain on the agenda and be considered.

III. Clarification regarding zoning when previously State or Federal land (See Exhibit A- Chapter 1 General Provisions).

Background: The City has several Bureau of Land Management (BLM) parcels within its jurisdiction. There have been questions about what the zoning would be for those parcels if they cease to be federal or state lands.

Purpose of Amendments: The purpose of these amendments is to clarify the zoning for public land, such as BLM or other federal or state lands.

Implications and consequences: The amendment will clarify the zoning for BLM or other state or federal lands.

Staff recommendation: Staff proposes amendments to add the following language to Chapter 1:

15-1-6 Zone Districts and Zone Map

In order to carry out the purposes of the LMC, Zoning Districts have been established as set forth in LMC Chapters 15-2 and as identified on the Official Zoning Map. In interpreting the Official Zoning Map, the following standards shall apply:

- A. The zoning boundary lines are intended to conform to existing Property boundary lines when not in a public Right-of-Way, or to follow the center line of public Rights-of-Way, including prescriptive Rights-of-Way, unless the lines are located by specific dimensions, in which case the dimensions shall control.
- B. Where the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map.
- C. There is no minimum Area or diversity of ownership requirement for a zone designation. Neither the size of a Zoning District nor the number of landowners within the district may be used as evidence of the illegality of a Zoning District or of the invalidity of a municipal decision.
- D. All property within the City limits is subject to the City's Zoning Districts, including State or Federal property which may be exempt from the City's land use ordinance and jurisdiction. If such zoning is subsequently invalidated, no building permit, subdivision or approval for any development activity may be applied for until the City establishes a valid zoning for the property.

IV. Determination of Significance (DOS) applications timing of hearing (See Exhibit B - Chapter 11 Historic Preservation).

Background: The Determination of Significance section of the LMC requires staff to schedule a hearing before the Historic Preservation Board (HPB) within thirty (30) days. This language is confusing as to whether the item just needs to be scheduled, i.e. a date set, within 30 days or whether the hearing has to be held within 30 days. Additionally, since the HPB only meets once a month, holding a hearing within that time frame is difficult.

Purpose of Amendments: The purpose of these amendments is to clarify the language.

Implications and consequences: These amendments will require the application to be heard with reasonable diligence.

Staff recommendation: The following language is proposed:

15-11-10 Park City Historic Sites Inventory

...

B. PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

...

1. **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning Staff shall ~~schedule~~hold a hearing before the Historic Preservation Board within ninety (90) days.

...

C.REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY.

...

2. PROCEDURE FOR REMOVAL.

- a. **Complete Application.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning Staff shall ~~schedule~~hold a hearing before the Historic Preservation Board within (90) days.

Process

LMC amendments are processed according to Section 15-1-7. Amendments to the LMC require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18. A public hearing is required by both the Planning Commission and City Council, with proper notice.

Notice

On October 12, 2016, notice of the October 26, 2016 public hearing was published in the Park Record and placed on the City's website as well as on the Utah Public Notice website. On February 1, 2017, notice of the February 16, 2017 public hearing was published in the Park Record and placed on the City's website and on the Utah Public Notice website.

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of LMC amendments. No public input was provided at the Planning Commission hearing on these items.

Alternatives

- The City Council may approve the LMC Amendments as presented or as amended; or
- The City Council may deny the LMC Amendments and direct staff to return with findings supporting that decision; or
- The City Council may continue the discussion to a date certain or uncertain.

Significant Impacts

There are no significant fiscal or environmental impacts to the City from these LMC Amendments that provide clarification of current development code language and definitions and as further described above.

Recommendation

Staff recommends City Council review the proposed administrative and substantive amendments to the Land Management Code, conduct a public hearing, and consider adopting an ordinance approving amendments to the Park City Land Management Code related to 1) appeals, 2) continuances, 3) zoning of public land within Park City limits, and 4) timing of hearings on determination of significance, in a form approved by the City Attorney and pursuant to the findings of fact and conclusion of law in the attached Ordinance.

Exhibits

Ordinance 2017-04

Exhibit A – Chapter 1 General Provisions and Procedures

Exhibit B – Chapter 11 Historic Preservation

Exhibit C – Minutes of PC Meeting of October 26, 2016

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY,
UTAH, REVISING CHAPTER 1 GENERAL PROVISIONS AND PROCEDURES AND
CHAPTER 11 HISTORIC PRESERVATION**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives, and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code on a regular basis and identifies necessary amendments to address planning and zoning issues that have come up; to address specific LMC issues raised by Staff, Planning Commission, and City Council; and to align the Code with the State Code and Council's goals; and

WHEREAS, Chapter 1 provides a description of general provisions and procedures of the Park City's land development and management code that the City desires to revise. These revisions are specifically related to the non-adversarial appeals and ability to allow new evidence at appeal level, standards for continuations, and clarification regarding zoning when previously State or Federal land; and

WHEREAS, Chapter 11 provides a description of requirements, provisions, and procedures specific to Historic Preservation. These revisions concern Determination of Significance applications and timing of hearings; and

WHEREAS, the Planning Commission hearing was duly noticed, a public hearing was conducted at the regularly scheduled meeting on October 26, 2016, and the Commission forwarded a positive recommendation to City Council; and

WHEREAS, the City Council hearing was duly noticed and a public hearing was conducted at its regularly scheduled meeting on February 16, 2017; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the State of Utah Code and the Park City General Plan and to be consistent with the values and goals of the Park City community and City Council, to protect health and safety, to maintain the quality of life for its residents, to preserve and protect the residential neighborhoods, to ensure compatible development, to preserve historic resources, to protect environmentally sensitive lands, and to preserve the community's unique character.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter One (General Provisions and Procedures). The recitals above are incorporated herein as findings of fact. Chapter 1 of the Land Management Code of Park City is hereby amended as redlined (see Exhibit A).

SECTION 2. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 11 (Historic Preservation). The recitals above are incorporated herein as findings of fact. Chapter 11 of the Land Management Code of Park City is hereby amended as redlined (see Exhibit E).

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 16th day of February, 2017

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

Attest:

Michelle Kellogg, Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibits (Redlines of specific LMC Sections)

Exhibit A – Chapter 1 General Provisions and Procedures

Exhibit B – Chapter 11 Historic Preservation

Exhibit A – LMC Chapter One- General Provisions and Procedures

15-1-6 Zone Districts and Zone Map

In order to carry out the purposes of the LMC, Zoning Districts have been established as set forth in LMC Chapters 15-2 and as identified on the Official Zoning Map. In interpreting the Official Zoning Map, the following standards shall apply:

- A. The zoning boundary lines are intended to conform to existing Property boundary lines when not in a public Right-of-Way, or to follow the center line of public Rights-of-Way, including prescriptive Rights-of-Way, unless the lines are located by specific dimensions, in which case the dimensions shall control.
- B. Where the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map.
- C. There is no minimum Area or diversity of ownership requirement for a zone designation. Neither the size of a Zoning District nor the number of landowners within the district may be used as evidence of the illegality of a Zoning District or of the invalidity of a municipal decision.
- D. All property within the City limits is subject to the City's Zoning Districts, including State or Federal property which may be exempt from the City's land use ordinance and jurisdiction. If such zoning is subsequently invalidated, no building permit, subdivision or approval for any development activity may be applied for until the City establishes a valid zoning for the property.

[...]

15-1-12.5 Continuances

Planning Staff shall have the authority to approve an applicant's request for a continuance for an item scheduled for a public hearing or an item scheduled for an appeal, up to two (2) times, so long as the request for the continuance is made in writing and is received by Planning Staff at least five (5) business days prior to the scheduled public hearing or appeal. If Planning Staff does not have the authority to continue an item, the Board, Commission or Council will determine if there is a sufficient reason to continue the item on the scheduled date. If it is determined there is not sufficient reason to continue the item, the item will remain on the agenda and be considered.

[...]

15-1-18 Appeals and Reconsideration Process

- A. **STAFF.** Any decision by either the Planning Director or Planning Staff regarding Application of this LMC to a Property may be appealed to the Planning Commission. Appeals of decisions regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board of Adjustment.

- B. **HISTORIC PRESERVATION BOARD (HPB)**. The City or any Person with standing adversely affected by any decision of the Historic Preservation Board may be appealed to the Board of Adjustment.
- C. **PLANNING COMMISSION**. The City or any Person with standing adversely affected by a Final Action by the Planning Commission on appeals of Staff action may petition the District Court in Summit County for a review of the decision. Final Action by the Planning Commission on Conditional Use permits and Master Planned Developments (MPDs) involving City Development may be appealed to the Board of Adjustment at the City Council's request. All other Final Action by the Planning Commission concerning Conditional Use permits (excluding those Conditional Use permits decided by Staff and appealed to the Planning Commission; final action on such an appeal shall be appealed to the District Court) and MPDs may be appealed to the City Council. When the City Council determines it necessary to ensure fair due process for all affected parties or to otherwise preserve the appearance of fairness in any appeal, the City Council may appoint an appeal panel as appeal authority to hear any appeal or call up that the Council would otherwise have jurisdiction to hear. The appeal panel will have the same scope of authority and standard of review as the City Council. Only those decisions in which the Planning Commission has applied a land Use ordinance to a particular Application, Person, or Parcel may be appealed to an appeal authority.

1. **APPEAL PANEL MEMBERSHIP AND QUALIFICATIONS.** The appeal panel shall have three (3) members. The decision to appoint and the appointment of an appeal panel shall be made by the City Council at a duly noticed public meeting after publicly noticed request for qualifications. Qualifications shall include a weighted priority for the following: Park City or Area residency, five years or more of prior experience in an adjudicative position, and/or a legal or planning degree. Each member of the appeal panel shall have the ability to:
 - a. Conduct quasi-judicial administrative hearings in an orderly, impartial and highly professional manner.
 - b. Follow complex oral and written arguments and identify key issues of local concern.
 - c. Master non-legal concepts required to analyze specific situations, render findings and determinations.
 - d. Absent any conflict of interest, render findings and determinations on cases heard, based on neutral consideration of the issues, sound legal reasoning, and good judgment.
2. **PROCESS.** Any hearing before an appeal panel shall be publicly noticed, include a public hearing, and meet all requirements of the Utah Open and Public Meetings Act. The appeal panel shall have the same authority and follow the same procedures as designated for the "City Council" in this section 15-1-18 (G-I). The City Council may decide to appoint an appeal panel for a particular matter at any time an application is pending but the

appointment of the individual members of the panel shall not occur until an actual appeal or call up is pending.

D. **STANDING TO APPEAL**. The following has standing to appeal a Final Action:

1. Any Person who submitted written comment or testified on a proposal before the Planning Department, Historic Preservation Board or Planning Commission;
2. The Owner of any Property within three hundred feet (300') of the boundary of the subject site;
3. Any City official, Board or Commission having jurisdiction over the matter; and
4. The Owner of the subject Property.

E. **TIMING**. All appeals must be made within ten (10) calendar days of the Final Action. The reviewing body, with the consultation of the appellant, shall set a date for the appeal. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

F. **FORM OF APPEALS**. Appeals to the Planning Commission, Board of Adjustment, or Historic Preservation Board must be filed with the Planning Department. Appeals to the City Council must be filed with the City Recorder. Appeals must be by letter or petition, and must contain the name, address, and telephone number of the petitioner; his or her relationship to the project or subject Property; and must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken. The Appellant shall pay the applicable fee established by resolution when filing the appeal. The Appellant shall present to the appeal authority every theory of relief that it can raise in district court. The Appellant shall provide required envelopes within fourteen (14) days of filing the appeal.

G. **BURDEN OF PROOF AND STANDARD OF REVIEW**. The appeal authority shall act in a quasi-judicial manner. The appellant has the burden of proving that the land use authority erred. The appeal authority shall review factual matters de novo and it shall determine the correctness of the decision of the land use authority in its interpretation and application of the land use ordinance. All appeals must be made in writing. Review of petitions of appeal shall include a public hearing and shall be limited to consideration of only those matters raised by the petition(s), unless the appeal authority grants a by either party to enlarge the scope of the appeal to accept information on other matters. New evidence may be received so long as it relates to the scope of the appeal.

H. **NON-ADVERSARIAL PROCESS**. For all appeals before City Council, and any Board or Commission, the following shall apply:

1. The procedural hearings and reviews established by the City's regulatory procedures, does not adopt or utilize in any way the adversary criminal or civil justice system used in the courts.
2. The role of City staff, including legal staff, is to provide technical and legal advice and professional judgment to each decision making body, including

City Council as they are not advocates of any party or position in a dispute, notwithstanding the fact that their technical and legal advice and professional judgment may lead them to make recommendations concerning the matter.

3. In the absence of clear evidence in the record that a staff member has lost his or her impartiality as a technical adviser, the City's need for consistent, coherent and experienced advisers outweighs any claims of bias by the applicant.

I. **WRITTEN FINDINGS REQUIRED.** The appeal authority shall direct staff to prepare detailed written Findings of Fact, Conclusions of Law and the Order.

J. **CITY COUNCIL ACTION ON APPEALS.**

1. The City Council, with the consultation of the appellant, shall set a date for the appeal.
2. The City Recorder shall notify the Property Owner and/or the Applicant of the appeal date. The City Recorder shall obtain the findings, conclusions and all other pertinent information from the Planning Department and shall transmit them to the Council.
3. The City Council may affirm, reverse, or affirm in part and reverse in part any properly appealed decision of the Planning Commission. The City Council may remand the matter to the appropriate body with directions for specific Areas of review or clarification. City Council review of petitions of appeal shall include a public hearing and be limited to consideration of only those matters raised by the petition(s), unless the Council by motion enlarges the scope of the appeal to accept information on other matters.
4. Staff must prepare written findings within fifteen (15) working days of the City Council vote on the matter.

K. **CITY COUNCIL CALL-UP.** Within fifteen (15) calendar days of Final Action on any project, the City Council, on its own motion, may call up any Final Action taken by the Planning Commission or Planning Director for review by the Council. Call-ups involving City Development may be heard by the Board of Adjustment at the City Council's request. The call-up shall require the majority vote of the Council. Notice of the call-up shall be given to the Chairman of the Commission and/or Planning Director by the Recorder, together with the date set by the Council for consideration of the merits of the matter. The Recorder shall also provide notice as required by Sections 15-1 -12 and 15-1-18 (K) herein. In calling a matter up, the Council may limit the scope of the call-up hearing to certain issues. The City Council, with the consultation of the Applicant, shall set a date for the call-up. The City Recorder shall notify the Applicant of the call-up date. The City Recorder shall obtain the findings and all other pertinent information and transmit them to the Council.

L. **NOTICE.** There shall be no additional notice for appeals of Staff determination other than listing the matter on the agenda, unless notice of the Staff review was provided, in which case the same notice must be given for the appeal. Notice of appeals of Final Action by the Planning Commission and Historic

Preservation Board; notice of all appeals to City Council, reconsiderations, or call-ups shall be given by:

1. Publishing the matter once at least fourteen (14) days prior to the first hearing in a newspaper having general circulation in Park City;
2. Mailing courtesy notice at least fourteen (14) days prior to the first hearing to all parties who received mailed courtesy notice for the original action.
3. Posting the Property at least fourteen (14) days prior to the first hearing; and
4. Publishing notice on the Utah Public Notice Website at least fourteen (14) days prior to the first hearing.

M. **STAY OF APPROVAL PENDING REVIEW OF APPEAL**. Upon the filing of an appeal, any approval granted under this Chapter will be suspended until the appeal body, pursuant to this Section 15-1-18 has acted on the appeal.

N. **APPEAL FROM THE CITY COUNCIL**. The Applicant or any Person aggrieved by City action on the project may appeal the Final Action by the City Council to a court of competent jurisdiction. The decision of the Council stands, and those affected by the decision may act in reliance on it unless and until the court enters an interlocutory or final order modifying the decision.

O. **RECONSIDERATION**. The City Council, and any Board or Commission, may reconsider at any time any legislative decision upon an affirmative vote of a majority of that body. The City Council, and any Board or Commission, may reconsider any quasi-judicial decision upon an affirmative vote of a majority of that body at any time prior to Final Action. Any action taken by the deciding body shall not be reconsidered or rescinded at a special meeting unless the number of members of the deciding body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

P. No participating member of the appeal panel may entertain an appeal in which he or she acted as the land Use authority.

Exhibit B - Chapter 11 Historic Preservation

15-11-10 Park City Historic Sites Inventory

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community.

A. **CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.**

1. **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Historic Preservation Board finds it meets all the criteria listed below:
 - a. It is at least fifty (50) years old or if the Site is of exceptional importance to the community; and
 - b. It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and
 - c. It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:
 1. An era that has made a significant contribution to the broad patterns of our history; or
 2. The lives of Persons significant in the history of the community, state, region, or nation; or
 3. The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman.
2. **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Historic Preservation Board finds it meets all the criteria listed below:
 - a. It is at least fifty (50) years old or the Site is of exceptional importance to the community; and
 - b. It retains its Essential Historic Form as may be demonstrated but not limited by any of the following:
 1. It previously received a historic grant from the City; or
 2. It was previously listed on the Historic Sites Inventory; or
 3. It was listed as Significant on any reconnaissance or intensive level survey of historic resources; and

- c. *It has one (1) or more of the following:*
 - 1. *It retains its historic scale, context, materials in a manner and degree which can be restored to its Essential Historic Form even if it has non-historic additions; or*
 - 2. *It reflects the Historical or Architectural character of the site or district through design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District even if it has non-historic additions; and*
 - d. *It is important in local or regional history architecture, engineering, or culture associated with at least one (1) of the following:*
 - 1. *An era of Historic Importance to the community, or*
 - 2. *Lives of Persons who were of Historic importance to the community, or*
 - 3. *Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.*
3. **CONTRIBUTORY SITE.** *Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Contributory Site if the Planning Department finds it meets all the criteria listed below:*
- a. *The structure is forty (40) years old or older (this includes buildings not historic to Park City that were relocated to prevent demolition); and*
 - b. *Meets one of the following:*
 - 1. *Expresses design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District; or*
 - 2. *It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:*
 - 1. *An era of Historic importance to the community; or*
 - 2. *Lives of Persons who were of Historic importance to the community, or*
 - 3. *Noteworthy methods of construction, materials, or craftsmanship used during the Historic Period*
 - c. *Contributory structures may be eligible for Historic District Grant funding. Contributory structures are eligible for demolition.*
4. *Any Development involving the Reassembly or Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Sections*

15-11-14 or 15-11-15 of this code shall remain on the Park City Historic Sites Inventory. Following Reassembly or Reconstruction, the Historic Preservation Board will review the project to determine if the work has required a change in the site or structure's historic designation from Landmark to Significant.

B. PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

The Planning Department shall maintain an inventory of Historic Sites. It is hereby declared that all Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures within Park City, which comply with the criteria found in Sections 15-11-10(A)(1) or 15-11-10(A)(2) are determined to be on the Park City Historic Sites Inventory.

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

1. **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning staff shall hold a hearing before the Historic Preservation Board within ninety (90) days.
2. **NOTICE.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.
3. **HEARING AND DECISION.** The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be added to the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

C. REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may remove a Site from the Historic Sites Inventory. Any Owner of a Site listed on the Park City Historic Sites Inventory may submit an Application for the removal of his/her Site from the Park City Historic Sites Inventory. The Planning Department may submit an Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and

procedures for removing a Site from the Park City Historic Sites Inventory are as follows:

1. CRITERIA FOR REMOVAL.

- a. *The Site no longer meets the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) because the qualities that caused it to be originally designated have been lost or destroyed; or*
- b. *The Building (main, attached, detached, or public) Accessory Building, and/or Structure on the Site has been demolished and will not be reconstructed; or*
- c. *Additional information indicates that the Building, Accessory Building, and/or Structure on the Site do not comply with the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2).*

2. PROCEDURE FOR REMOVAL.

- a. **Complete Application.** *The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning staff shall hold a hearing before the Historic Preservation Board within ninety (90) days.*
- b. **Notice.** *Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.*
- c. **Hearing and Decision.** *The Historic Preservation Board will hear testimony from the Applicant and public and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." The HPB shall review the Application "de novo" giving no deference to the prior determination. The Applicant has the burden of proof in removing the Site from the inventory. If the HPB finds that the Application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure will be removed from the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.*

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 26, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO:

Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Ashley Scarff, Planner; Polly Samuels McLean, Assistant City Attorney;

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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Campbell, who was expected to arrive later in the meeting.

ADOPTION OF MINUTES

October 12, 2016

Commissioner Joyce referred to page 9, second paragraph, “no secondary access point was identified or approval”. He changed approval to correctly read **approved**. Third paragraph, line 7 “...or approximately 150,000” should be changed to read 150,000 **square feet**. Same paragraph, line 9, “Building footprints could not be enlarged this restriction”. He inserted the word **with** to correctly read, “Building footprints could not be enlarged **with** this restriction”.

Commissioner Joyce referred to Page 10, first paragraph, line five, and changed Sweeney to correctly read **Sweeneys**. Page 11, first paragraph, line 6, “They were generally positions...” was changed to correctly read, “They were generally **positioned**.” Page 13, first paragraph, line 6, “Mr. Perkins remarked that the Coalition building stood longer after it had ceased operation”. Commissioner Joyce changed the sentence to correctly read, “Mr. Perkins remarked that the Coalition building stood **long** after it had ceased operation.”

Commissioner Suesser referred to page 33, first paragraph, line 1, “Commissioner Suesser stated that the current proposal has significantly since 2005”. She inserted the word **changed** to correctly read, “Commissioner Suesser stated that the current proposal has

the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

5. **Land Management Code (LMC) amendments- Various administrative and substantive amendments to the Park City Development Code, specifically amending Land Management Code Chapter One – General Provisions regarding Appeals and Reconsideration Process; creating standards for continuations of matters before Boards and Council; zoning clarifications; Chapter 2 – Historic Zones - Clarifying that where there are footprint restrictions, the footprint formula does not include prescriptive rights of way or roads; and when existing subdivisions are amended additional density is dis-favored; Chapter 6 MPDs and Chapter 7 Subdivisions -when existing MPDs or subdivisions are re-opened or amended additional density is dis-favored - Chapter 11 Historic Preservation - timing of hearing Determination of Significance applications; Chapter 15-6 Master Planned Developments – removing requirements for Pre-Application Public Meeting and Determination of Compliance. (Application PL-16-03348)**

Commissioner Band returned to the meeting.

Planning Director Erickson stated that the first four sections revise Chapter 1 to clear up how appeals are handled, how they allow continuances of appeals, clarifications with respect to zoning and density on Federal land, and the timing of hearings of determination of significance.

Director Erickson noted that the Planning Commission previously heard Item 5 of the proposed amendments on a plat amendment on Crescent Tram where the applicant was requesting additional density for land that was underneath the prescriptive use for the roadway. He suggested a work session discussion on the additional density issue.

Commissioner Joyce commented on Continuations and noted that the agenda has several continuation items at each meeting. Commissioner Joyce noted that a Continuation may not affect the Planning Commission, but it does affect the public who have legitimate concerns; particularly second homeowners who live out of state and make arrangements to attend a specific meeting. He believed the number of Continuations had increased over the past year.

Director Erickson explained that one reason for continuations is the complexity of the issues and the legal basis of how items are being reviewed based on that complexity of

issues. A second reason is the Staff trying to obtain accurate information from the applicants in a timely manner to complete the Staff report for that meeting. A third reason is the volume of workload and the ability to get the reports completed and reviewed in time for the packet. Director Erickson stated that the Planning Department has a busy calendar and he could think of no other way to control it other than through Continuances.

Commissioner Joyce clarified that he was not implying that the Staff should be getting the work done sooner. He was trying to find a way to keep items from being on the calendar and then moved off for a continuance. Director Erickson stated that Continuing to a specific means the applicant does not have to re-notice. It has been previous practice to do a Continuance to a date certain and to do the same notice for the City Council action. If there is a breakdown at any point in the process the dates all change. Director Erickson remarked that the Staff was taking the approach of continuing to a date uncertain and having the application re-notice so the local public and the second homeowner will receive a notice. He pointed out that currently notices are mailed in an envelope. The Planning Department is considering using a postcard to speed up the process and reduce mailing costs. The Staff will produce and send the postcards to the addresses provided by the applicant from the County tax rolls.

Chair Strachan asked about the process if an applicant decides the night before the scheduled hearing date that they need more time and ask for a Continuance. If the Planning Commission continues the item to a date certain, he wanted to know how the public is informed of the next hearing date if they are not re-noticed.

Assistant City Attorney McLean stated that if the item is Continued the day of the meeting, the public would have to either attend the meeting to know it was Continued or they could read the Minutes. If the item is Continued before the meeting day, the Staff will contact anyone from the public who had contacted the Planner with questions or concerns. The intent is to be as transparent as possible when items are Continued.

Chair Strachan clarified that the process had not changed, and the amendment only codifies the process. Ms. McLean explained that often times the Staff receives new information a day or two before the public hearing or the applicant asks for a Continuance. Since the item was noticed it is difficult to let the public know in a short time that the item will not be heard. She remarked that the amendment codifies the fact that if an applicant does not request a Continuance a week before the scheduled public hearing, they should plan on it being heard at that meeting.

Commissioner Thimm referred to the language in red on page 172 of the Staff report for Section 15-1-12.5 – Continuances, which states that an item can be Continued up to two times. He wanted to know the process if either the Staff or the applicant encountered

issues that required the item to be Continued twice; but within the noticing period an extenuating circumstance requires a third Continuation.

Assistant City Attorney McLean suggested that the language could be modified to make it clear that if an item was Continued twice, and another Continuance is requested, the Planning Commission could make that determination instead of the Staff. The proposed amendment formalizes the Staff's ability to Continue an item, rather than bringing it to the Planning Commission for a decision. Chair Strachan read the second sentence of the same paragraph, "If Staff does not have that authority...", meaning the item was already Continued twice, "to Continue the item, the Board, Commission or Council will determine whether there is sufficient reason to Continue the item". He believed the issue of a third Continuance was addressed with that language.

Assistant City Attorney McLean corrected the last line of the paragraph to say, "If the Board, Commission or Council determines there is not sufficient reason, the item **will** remain on the agenda and be considered".

Commissioner Suesser referred to the proposed language in Section 15-1-12.5, "The Staff has the authority to continue an item which is scheduled for a public hearing or is an appeal up to two (2) times so long as the request is made in writing within five (5) business days prior to the public hearing or appeal". She asked if that was five business days prior to a public hearing or within five business days.

Assistant City Attorney McLean thought it should say at least five days. Commissioner Suesser asked why the applicant would be limited to two Continuances if they gave written notice and their item was not noticed. Director Erickson stated that one reason is to avoid getting caught up in gamesmanship. The goal is to have due process and to get the public involved as quickly as possible.

Commissioner Band referred to Item 4 - Timing of hearing Determination of Significance Applications. She thought the language under 15-11-10, The Procedure for Designating Sites to the Park City Historic Sites Inventory was unclear, specifically the wording "with reasonable diligence" in the sentence, "Upon receiving a Complete Application for designation, the Planning staff shall hold a hearing before the Historic Preservation Board with reasonable diligence". If she were an applicant she would question the meaning of reasonable diligence. Commissioner Band thought the timing should be more specific.

Director Erickson stated that other portions of the Code, such as the Historic District Design Review, has a 45-day time period once a complete application has been

determined. He explained that the Historic Preservation Board only meets once a month and that 30-day window does not meet their schedule.

Commissioner Band asked why they could not say it would be scheduled within 30 days. Commissioner Joyce did not believe that would accomplish the intended goal. He understood the confusion, but saying it will be scheduled within 30 days does not mean it will be heard within that period. Commissioner Joyce agreed that the process was broken, but he did not believe putting an item on the schedule within 30 days would fix the problem. Commissioner Band thought the language was confusing as to whether the item needs to be scheduled with a set date set within 30 days, or whether the hearing has to be held within 30 days. If that was the problem they were trying to fix, they needed to clarify it.

Assistant City Attorney McLean stated that they could revise the language to say, "...shall hold a hearing within 60 days" or whatever number they determine. Commissioner Phillips suggested 90 days to give the Staff sufficient time. The Staff and the Commissioners were comfortable with 90 days.

Commissioner Joyce referred to Item 5 regarding roads and easements not counting as property area in footprint calculation. He thought it sounded like the Staff was going to replicate the addition for the lot size definition throughout the Code. Commissioner Joyce asked if there was a reason for not redefining the lot area since it was already a defined term. They could do it one time in one place and refer to the terminology. Ms. McLean stated that it could be easily done. Once the Planners are up-to-date on the new language they can tell the public where to look.

Commissioner Thimm referred to the same section and noted that the language in the text talks about the area in any public thoroughfare. He asked if thoroughfare was defined in the LMC. Director Erickson replied that it was not a defined term in the LMC. Commissioner Thimm had researched Wikipedia and found that a thoroughfare could be anything from a highway to a street to a footpath to a hiking trail to a running course. He asked if the intent is to deal with a vehicular thoroughfare in this particular situation.

Assistant City Attorney McLean explained that generally the issue has been where the existing street is not platted and how to deal with that on lots. Commissioner Thimm stated that he has lived in his home for over 16 years and there are no fences in his neighborhood. People trudge through the block and through his property. He would not want to lose rights to certain development of his property because people have used it as a pedestrian thoroughfare for 16 years. Ms. McLean stated that it was linked to State Code and it would not create new rights for anyone or for the road. If the public has been going through private property and there becomes a prescriptive easement, it could possibly get litigated, but the public might have a right to continue using it. Ms. McLean

pointed out that the Staff tried to match the language of the State Code, and the rights of the State Code were being codified with the amendment. It also gives people notice on how the City plans to address those easements and the roads. She thought it made more sense and would be more legally defensible if they matched the State language. Commissioner Thimm asked if thoroughfare was defined in State Code. Ms. McLean did not recall that it was defined.

Commissioner Thimm asked if it was possible to add language specifying “a public vehicular thoroughfare”. Ms. McLean replied that there were situations like Crescent Tram where it is not completely vehicular.

Commissioner Campbell thought the amendment was in response to the Crescent Tram project that came before the Planning Commission a few months ago. Ms. McLean stated that it was partly due to Crescent Tram but the issue has come up other times over the years. Commissioner Campbell shared Commissioner Thimm’s concern that the language was too broad. He recalled that the Planning Commission felt bad over the outcome of Crescent Tram but they had no other choice. He was concerned about opening the door to similar cases if they leave it too broad. Commissioner Campbell stated that he would feel more comfortable if thoroughfare was a defined term. He asked if thoroughfare could be replaced with another legally defensible term.

Director Erickson suggested that they could do a better job of defining public thoroughfare in accordance with the State Code. They would want a process to determine that public thoroughfare could occur before they would regulate the lot size question. Once they determine whether or not it is a public thoroughfare, they can determine what to do with the density that occurs in that size of parcel. Ms. McLean clarified that the amendment was framed based on what State Code dictates. It is a broader definition based on case law, but once that occurs it automatically gets dedicated.

Commissioner Campbell recalled that the problem with Crescent Tram was that it was never dedicated. Ms. McLean replied that it was not on the plat. She pointed out that the plat of Park City does not match the streets they use. She named a number of unplatted streets in Park City.

Director Erickson stated that he and Ms. McLean would work with the State law to see if they could define when public thoroughfare is determined. Commissioner Thimm asked for clarification on the word “continuously”. Ms. McLean replied that it goes to a very litigated question in State Code. She stated that “continuous” has been interpreted under the State Code and she was not comfortable trying to define it differently. Commissioner Thimm asked Ms. McLean if she was comfortable defending the word “continuously” based upon State law. Ms. McLean answered yes.

Assistant City Attorney McLean asked if there was consensus among the Commissioners for the Staff to define “thoroughfare”. Commissioner Campbell was not comfortable moving forward with the amendment because the proposed language was too broad. Ms. McLean stated that the Staff would work on the language and bring it back to the Planning Commission.

Commissioner Suesser referred to Item 3 - Districts and Zone Map, and the proposed language under 15-1-6 (D), “The City hereby zones all property within the City limits, including State or Federal property”. She suggested revising the language to say that, “All property within the City limits is subject to the City’s zoning districts”. Ms. McLean was comfortable with that revision. The remaining language would stay as written.

Commissioner Campbell was concerned with the second sentence, “If such zoning is subsequently invalidated, no building permit, subdivision or approval for any development activity may be applied for until the City establishes a valid zoning for the property”. He was concerned that an applicant could get delayed for years. Commissioner Campbell preferred to include a time limit. Commissioner Suesser thought that would be a State or Federal determination. Chair Strachan agreed. It would be a fight between the City and Federal. Commissioner Campbell suggested changing the language to say, “...until a valid zoning is established”. Chair Strachan stated that the Feds cannot establish zoning. He agreed with Commissioner Campbell that an applicant could get locked in for years, but this amendment would give notice of a potential problem if Federal land is purchased.

Assistant City Attorney McLean stated that an owner has the right to submit a request for zoning. Once an application is submitted, the City has to act on that application. It is required by State Law and ripcord provisions are included specifically for those types of applications. Commissioner Campbell thought they should add a sentence indicating that it is subject to the ripcord provision. Chair Strachan thought they were going down a slippery slope of trying to write in all the State Code Provisions. He thought the burden should be on the buyer to do their due diligence and hire attorneys and real estate agents to properly inform them of the laws. Commissioner Suesser thought it was covered under the first sentence. Commissioner Band thought the best warning was the second sentence stating that no approval would be given until a valid zoning district is established.

The majority of Commissioners were comfortable with the language under 15-1-6 (D) with the revision to the first sentence proposed by Commissioner Suesser.

Commissioner Joyce believed there was consensus by the Planning Commission on the proposed amendments 1 through 4, all relating to Chapters 1 and 11. Item 5 regarding the road and lot size pertained to Chapter 2.

Chair Strachan opened the public hearing on the amendments to Chapters 1 and 11 of the LMC as discussed.

Craig Elliott agreed with the discussion regarding potential issues with the thoroughfare. He thought it could be dangerous because every property has an issue with something. Regardless of whether it is a sidewalk, roadway, or walkway, every project in town has an issue with it. Mr. Elliott was concerned that a property could be changed to where it would no longer be a legal lot, and that would affect the property owner who had the expectation of building a new house or updating the existing house. He asked the Planning Commission to consider that in their discussion.

Mr. Elliott referred to the comments regarding reasonable diligence. It was vague and that could be troublesome for people who want to do something with their property. He thought 90 days was reasonable for a property that has existed over 50 years. It is important for people to understand what they are getting into.

Chair Strachan closed the public hearing.

Commissioner Suesser referred to the Non-Adversarial Process on page 171 of the Staff report. She thought (H) was unclear as written and suggested adding "the following shall apply". The revised language would read, "For all appeals before City Council and any Board or Commission, the following shall apply."

Commissioner Suesser referred to Item 2 under (H), on page 171 and suggested revising the language to read, "The role of City staff, including legal staff, is to provide technical and legal advice and professional judgment to each decision making body, including City Council, as they are not advocates for any party or position in a dispute, notwithstanding the fact that their technical and legal advice and professional judgment may lead them to make recommendations concerning the matter."

Commissioner Campbell referred to page 170 of the Staff report - G. Burden of Proof and Standard of Review. He read the last sentence in the proposed language in red, "New evidence may be received so long as it relates to the scope of the appeal". He suggested replacing the wording "so long as" with "as long as".

Chair Strachan re-opened the public hearing on Chapter 1 of the LMC.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the Land Management Code Amendments to Chapters 1 and 11 as amended, pursuant to the attached draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission moved into Work Session to discuss LMC amendments related to Chapters 6 and 7.

WORK SESSION

Discussion only - Additional density is disfavored when existing MPDs or subdivisions are re-opened or amended (Chapters 6 and 7)

Director Erickson stated that as they review the Zoning and LMC sections, there is no mechanism to assure the property owner that the subdivision they bought into will remain that subdivision. He commented on two types of circumstances. One was in the Historic Districts where lot combinations and replats are a regular occurrence. However, if someone owned 20 acres of ground zoned Residential Development in Solamere, the real estate community would give the expectation that the lot could be re-subdivided and increase the density in a previously approved subdivision. Director Erickson stated that all the issues of increased density, such as water, sewer, traffic, transportation and all other issues in the subdivision would need to be re-opened due to the increase in density. The Staff was suggesting that unless there is a substantial public benefit, the City would disfavor increasing density in subdivision or MPDs.

Director Erickson remarked that the two substantial benefits would be significant additional open space and a mechanism for affordable housing. No other benefit was relevant enough to change an entire subdivision just because one person wanted to subdivide a lot.

Chair Strachan felt strongly about making this item a much more rigid and anti-development based Code amendment. He thought the language should be clear that no increases in density are permitted unless it provides the benefit of open space or affordable housing.

Commissioner Band agreed. Commissioner Phillips also agreed; however, he suggested giving consideration if there was an opportunity to transfer the density to a



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

City Council has expressed concern about the future development of the BLM parcels along Rossie Hill Drive, which include 622, 652, and 660 Rossie Hill Drive. The neighborhood of the BLM parcels is currently zoned Residential Medium (RM) District along Deer Valley Drive, and Estate (E) to the south of Rossie Hill Drive; this area provides a transition between Old Town to the West and Lower Deer Valley to the east. As outlined in the General Plan, the aesthetics of the Lower Deer Valley neighborhood should be preserved with special consideration to preserving the few remaining miners' houses along Deer Valley Drive and encouraging compatible development that does not overwhelm the historic houses. Additionally, the General Plan recommends the use of conservation neighborhoods tools to protect native vegetation and wildlife corridors in the Lower Deer Valley neighborhood.

In order to maintain the aesthetic experience of arriving at the resort and meeting City Council's goals for preserving historic resources along Deer Valley Drive, City Council directed staff to make a zone change amendment on September 22, 2016. The Planning Commission forwarded a positive recommendation to City Council for this zone change on January 11, 2017.

Respectfully:

Anya Grahn, Planner II



PLANNING DEPARTMENT

City Council Staff Report

Subject: Zoning Map Amendment Request
Author: Anya Grahn, Historic Preservation Planner
Bruce Erickson, AICP, Planning Director
Project Number: PL-16-03323
Date: February 16, 2017
Type of Item: Legislative – Zoning Map Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Zoning Map Amendment Request from Residential Medium (RM) District to Historic Residential Low-Density (HRL) District and Recreation Open Space (ROS) at 622, 652, and 660 Rossie Hill Drive and the BLM-owned parcels as well as an additional zone change from Estate (E) to ROS for the BLM-owned parcels above Rossie Hill Drive, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: Park City Planning Department
Location: 622, 652, and 660 Rossie Hill Drive as well as the adjacent BLM Parcels
Existing Zoning: Residential Medium (RM) and Estate (E)
Proposed Zoning: Historic Residential Low-Density (HRL) and Recreation Open Space (ROS)
Adjacent Land Uses: Single-family and multi-unit residential
Reason for Review: Zoning Map Amendment applications require a Planning Commission recommendation and City Council review and action

Executive Summary/Proposal

City Council has expressed concern about the future development of the BLM parcels along Rossie Hill Drive, which include 622, 652, and 660 Rossie Hill Drive. The neighborhood of the BLM parcels is currently zoned Residential Medium (RM) District along Deer Valley Drive, and Estate (E) to the south of Rossie Hill Drive; this area provides a transition between Old Town to the West and Lower Deer Valley to the east. As outlined in the General Plan, the aesthetics of the Lower Deer Valley neighborhood should be preserved with special consideration to preserving the few remaining miners' houses along Deer Valley Drive and encouraging compatible development that does not overwhelm the historic houses. Additionally, the General Plan recommends the use of conservation neighborhoods tools to protect native vegetation and wildlife corridors in the Lower Deer Valley neighborhood.

In order to maintain the aesthetic experience of arriving at the resort and meeting City Council's goals for preserving historic resources along Deer Valley Drive, City Council

directed staff to make a zone change amendment on September 22, 2016 ([Staff Report](#) page 92, [Minutes](#) page 18). The Planning Commission expressed concern about the zone change as they did not believe Deer Valley Drive was a transition between Old Town and Deer Valley Resort and they had reservations about creating a non-contiguous island of zoning; however, they forwarded a positive recommendation to City Council for this zone change on January 11, 2017, largely due to the owner's support of the rezone.

Background

Prior to 2013, the BLM has owned the hillside containing the three historic miner's houses at 622, 652, and 660 Rossie Hill Drive, the fire-damaged historic house at 632 Deer Valley Loop, and the triangle parcel above Rossie Hill Drive. In 2013, the BLM granted a land patent to the Bertagnoles for the 632 Deer Valley Loop parcel after 30 years of Color of Title legal action. Richard Dennis is currently in a Color of Title action with BLM for the three (3) remaining houses.

This hillside was initially zoned R-1 in 1968, which permitted a density of about 14.5 units/acre; however, by 1985, it had been rezoned to RM. The RM zoning district serves as a transition neighborhood between Old Town to the west and Lower Deer Valley to the east. The neighborhood is largely characterized by resort-oriented housing development, including single family, duplex, and multi-unit dwellings that serve as primary and second homes as well as nightly rentals.

The triangle parcel to the west of Coalition View Court is currently zoned Estate; however, the size of the parcel is a substandard lot for the minimum lot size requirements for the Estate zone.

During City Council's review of the Lilac Hill Subdivision at 632 Deer Valley Loop on July 14, 2016, Council was concerned about future development of the adjacent BLM parcels. In particular, Council asked staff to return with limitations on house size, height, site parameters, and restrictions on relocation of the historic houses. On September 22, 2016 [See [City Council Staff Report](#) (starting page 92) and [City Council Minutes](#) (starting page 15)], staff presented to City Council the potential to rezone the area from Residential-Medium (RM) to Residential Development (RD) District; however, upon further analysis, staff finds that Historic Residential Low-Density (HRL) is more appropriate.

Staff's change of recommendation from RD to HRL was largely due to the size of BLM parcel PC-537-X, which contains the three Richard Dennis-owned historic houses at 622, 652, and 660 Rossie Hill Drive. The RD zone district limits density to three units per acre (3 units/1 acre), and this property contains 3 houses on 0.74 acres. Therefore, if zoned RD, the site would be legal non-complying and no further development could occur. However, additions could be made to the existing homes during restoration.

Additionally, the proposed zone change is consistent with the plat notes added to the Lilac Hill Subdivision, approved by City Council on October 20, 2016 [See [City Council](#)

[Staff Report](#) (starting on page 108) and [City Council Minutes](#) (starting page 9)]. The property at 632 Deer Valley Loop is zoned RM; however, any new development at this site is required to comply with Park City Design Guidelines for Historic Districts and Historic Sites in order to ensure that new development is compatible to the historic structure on this lot and the Historic Structures in the surrounding area. The Conditions of Approval of [Ordinance 16-32](#) for this Subdivision also provided a 40% open space provision.

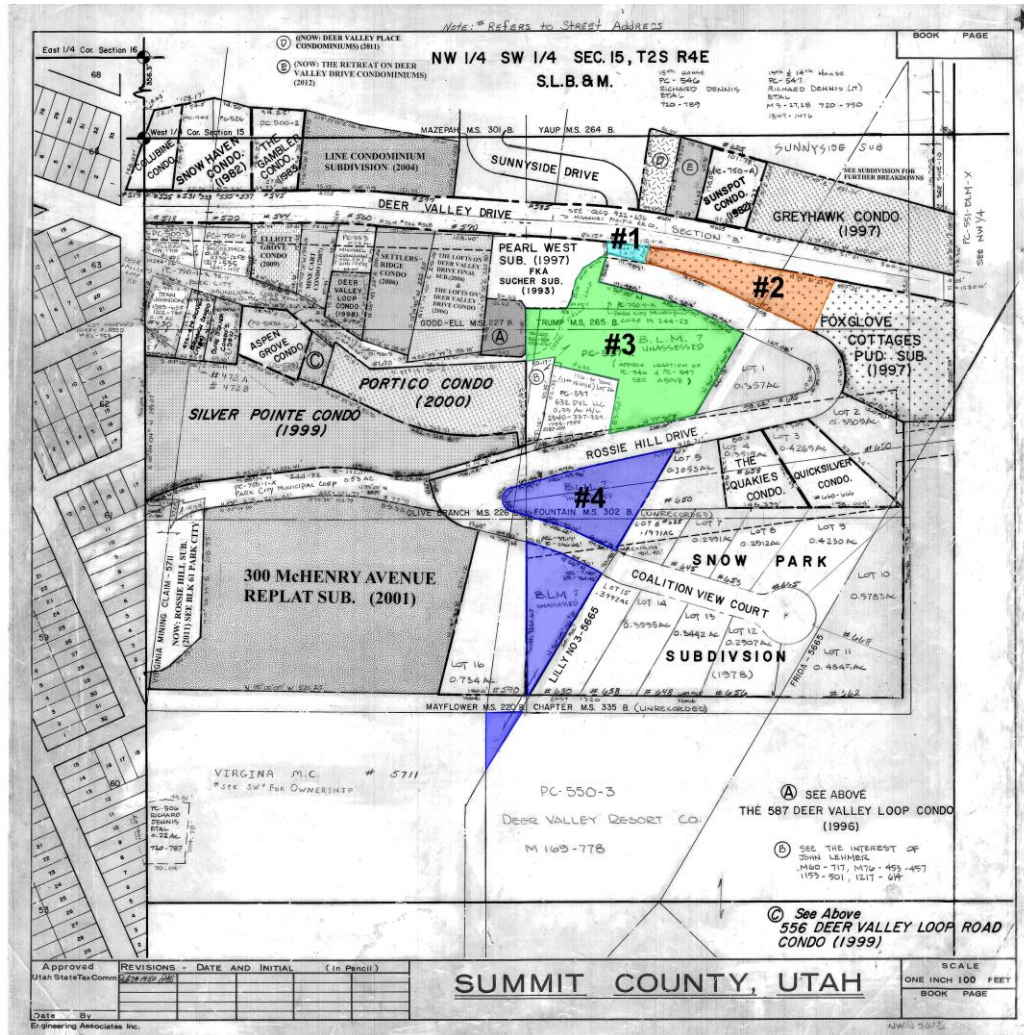
On January 11, 2017, the Park City Planning Commission reviewed this application. [See [Staff Report](#) (starting page 221) and Minutes (Exhibit F)]. Several of the Planning Commissioners expressed concern about zoning such a small parcel and that the HRL zoning proposal was not contiguous to the HRL neighborhood along McHenry Neighborhood. They also expressed interest in the City purchasing the property in order to better control development of the property consistent with the neighbors' wishes of seeing the hillside preserved as open space or even a pocket park. Ultimately, however, the Planning Commission found that the proposal would provide growth management, mitigated the neighborhoods' wishes and concerns about development of the Dennis-BLM parcel, and favored the rehab of the buildings to avoid demolition by neglect. The Planning Commission unanimously forwarded a positive recommendation to City Council for the rezone.

Zoning Map Amendment

In order to accommodate their goals, City Council directed staff to bring an application to rezone the BLM properties and private property which includes:

- Parcel 1: The City-owned parcel PC-750-4-X to the south of Rossie Hill Drive and north of the historic houses on Rossie Hill Drive
- Parcel 2: The portion of the Foxglove Cottages PUD Subdivision (1997) that was designated as common open space on their plat
- Parcel 3: BLM parcel PC-537-X which includes the Richard Dennis-owned historic houses at 622, 652, and 660 Rossie Hill Drive
- Parcel 4: BLM triangle parcel that extends from Rossie Hill to the north, across Coalition View Court, and south adjacent to the Snow Park Subdivision

These parcels are shown on the image below:



Summit County, Utah Parcel Map

These parcels are under separate ownership. The property is identified as Summit County parcels M244-24, PC-750-1-X, M-244-23, PC-537-X, and the un-assessed BLM triangle parcel that is located to the south and east of Rossie Hill Drive and south of Coalition View Court.

Parcel #1 is owned by Park City Municipal Corporation; it is the paved area that connects Rossie Hill Drive to Deer Valley Drive. Parcel #2 has been designated as open space on the Foxglove Cottages PUD Subdivision, recorded in 1997, and owned by the Foxglove Homeowners association. Parcel #3 is owned by the BLM; however, the BLM is in a Color of Title legal action with the Dennis family for the northeast side of the property which includes the three (3) historic houses along Rossie Hill Drive. Finally, Parcel #4 is also owned by the BLM.

Parcels #1, #2, and #3 are currently zoned Residential Medium (RM); whereas the triangle Parcel #4 is zoned Estate (E). Zoned as estate, Parcel #4 is an undevelopable parcel as the Estate zone requires a minimum lot size of three (3) acres for all uses with

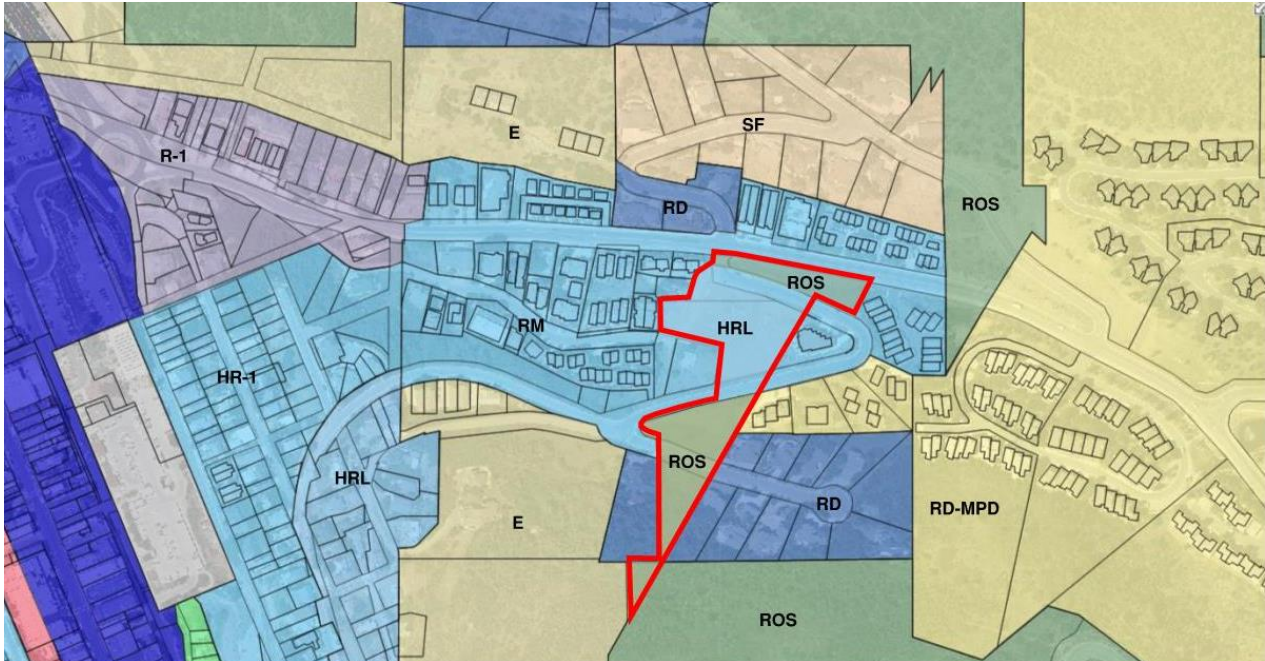
density limited to one (1) unit per three (3) acres. Parcel #4 consists of approximately 0.6 acres north of Coalition View Court and approximately 0.4 acres on the south side of Coalition View Court. These lots are substandard lots and cannot be developed under the current zoning.

Staff proposes rezoning Parcel #1, #2, and #4 as Recreation and Open Space (ROS). This will protect this area from development and allow it to retain its natural character of an open meadow. It will also help preserve the context of the historic houses along Rossie Hill Drive as they will continue to be framed by open space. The purposes of the ROS District include:

- A. establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
- B. permit recreational Uses and preserve recreational Open Space land,
- C. encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- D. preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
- E. encourage sustainability, conservation, and renewable energy.

Staff also proposes to rezone Parcel #3 from RM to HRL. The change in zone will aid in meeting Council's goals as it will reduce the amount of density permitted on the site as the RM zone would permit up to twenty-two (22) units of development and the HRL zone would only allow eight (8) units of development; these unit calculations are based only on the size of the lot and do not consider the placement of the historic houses on the property. The Historic zone designation will ensure that development is reviewed under the Historic District Design Guidelines and Review process (HDDR).

This property is not contiguous to the existing HRL Zone District, which is located approximately 750 feet to the west / southwest along Rossie Hill Drive. The size of the proposed rezoning area is approximately 15% of the total the size the entire existing HRL Zone District along McHenry Road.



This map outlines the area impacted by the proposed zoning change in red and notes the proposed zone changes for these parcels. Note the surrounding land uses.

This proposal to modify this specific area is aligned with the City's General Plan and current zoning restrictions. The zone change will maintain the existing open space on the hillside and designated by the Fox Glove Cottages PUD Subdivision and further protect the historic properties along Deer Valley Drive through the HRL zoning regulations, meeting the goals of the General Plan.

The purpose statements of the HRL zoning district reflect the strategies and goals outlined in our General Plan. The purpose statements for the HRL Zoning District include:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- B. provide an Area of lower density Residential Use within the old portion of Park City,
- C. preserve the character of Historic residential Development in Park City,
- D. encourage the preservation of Historic Structures,
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
- G. define Development parameters that are consistent with the General Plan policies for the Historic core.

These purpose statements reflect the goals for Historic Character as outlined in the General Plan. The General Plan seeks to preserve the integrity, mass, scale, and

character of Park City's Historic fabric. It also addressed examining lot sizes in Old Town to ensure compatible mass and scale of infill development and additions to historic structures. It recommends developing compatibility regulations that limit lot size, massing, siting, and height in order to guide compatible neighborhood development as well as retain and preserve the character of historic sites. Most importantly it intends to maintain local and national historic assignments, prevent incompatible infill as well as significant modifications/alterations to historic structures, and the loss of historic resources.

Parcel #3 was identified as Old Town in the General Plan. However, the historic resources along Deer Valley Drive were actually addressed as part of the Lower Deer Valley Neighborhood. In this area, Deer Valley is meant to be a transition between historic Old Town and the relatively new resort. The General Plan sought to preserve the aesthetic experience of the approach to the resort by maintaining cultural resources along Deer Valley Drive, particularly the few remaining miner's home. Again, preservation is a key component to the HR-L zoning District.

The following table outlines the differences between the existing RM and proposed HRL zones:

Zone Allowance:	Residential Medium-Density (RM)	Historic Residential Low-Density (HRL) District
<i>Lot Size Requirements:</i>		
<i>Single Family</i>	<i>2,812 SF</i>	<i>3,750 SF</i>
<i>Duplex Dwelling</i>	<i>3,750 SF</i>	<i>Not permitted</i>
<i>Triplex Dwelling</i>	<i>4,687 SF</i>	<i>Not permitted</i>
<i>Four-plex Dwelling</i>	<i>5,625 SF</i>	<i>Not permitted</i>
<i>More than four dwelling units</i>	<i>5,625 SF + 1,000 SF for each additional unit</i>	<i>Not permitted</i>
<i>Lot Width</i>	<i>37.50 ft.</i>	<i>35 ft.</i>
<i>Setbacks</i>		
<i><u>Front Yard</u></i>		
<i>Single Family, Duplex, and Accessory Buildings</i>	<i>15 ft.</i>	<i>10-15 ft. depending on lot depth</i>
<i>Front Facing Garages for Single Family and Duplex Dwellings</i>	<i>20 ft.</i>	<i>N/A</i>
<i>Triplex or Multi-Unit Dwellings</i>	<i>20 ft.</i>	
<i>Front Facing Garages for Multi-Unit Dwellings</i>	<i>25 ft.</i>	<i>N/A</i>
<i><u>Rear Yard</u></i>		
<i>Single Family and Duplex Dwellings</i>	<i>10 ft.</i>	<i>10-15 ft. depending on lot depth</i>
<i>Triplex or Multi-Unit Dwelling</i>	<i>15 ft.</i>	<i>N/A</i>
<i>Accessory Building less than 18 ft. in height</i>	<i>5 ft.</i>	<i>1 ft.</i>
<i><u>Side Yard</u></i>		
<i>Single Family, Duplex, and</i>		<i>3-10 ft. depending on lot width</i>

<i>Accessory Buildings</i> <i>Triplex or Multi-Unit Dwelling</i> <i>Accessory Building less than 18 ft. in height</i>	5 ft. 10 ft. 3 ft.	N/A 3 ft.
<i>Open Space Requirement</i> <i>Triplex or Multi-Unit Dwelling</i>	60%	Not permitted
<i>Building Height</i>	28 ft.	27 ft. from existing grade; maximum height of thirty five feet (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish grade on all sides of the Structure.
<i>Maximum House Size</i>	N/A	Based on footprint allowance

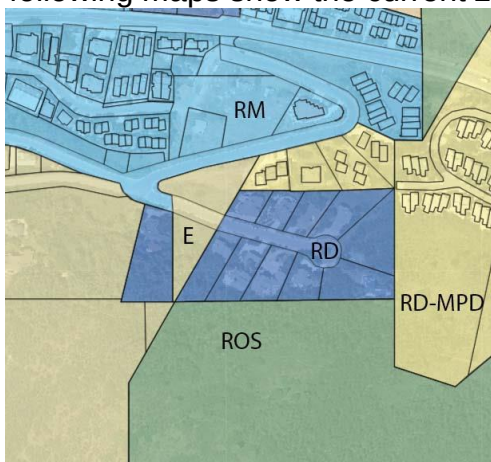
¹ As part of a MPD or subdivision, the Planning Commission may designate maximum house sizes to ensure Compatibility. See equations outlined in LMC 15-2.13-6.

As noted in the following table, the allowed uses of the zones are fairly similar in promoting residential development. The HRL zone restricts residential development only to single family dwellings which is consistent with the historic development on Parcel #3. Additionally, the conditional uses of the HRL zone include Passenger Tramway Stations and Ski Base Facilities, Ski Tow Ropes, Ski Lifts, Ski Runs, and Ski Bridges which further support resort development to the east. The following table shows the differences in allowed uses between the RM and RD zones:

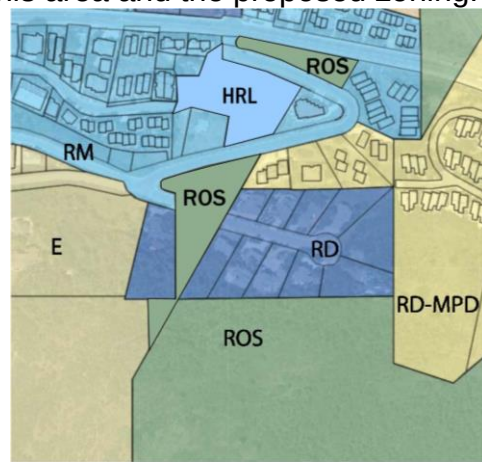
Zone Allowance:	Residential Medium-Density (RM)	Historic Residential Low-Density (HRL) District
<i>Single Family Dwelling</i>	Allowed	Allowed
<i>Duplex Dwelling</i>	Allowed	Not Permitted
<i>Triplex Dwelling</i>	Allowed	Not Permitted
<i>Secondary Living Quarters</i>	Allowed	Not Permitted
<i>Lockout Unit</i>	Allowed	CUP
<i>Accessory Apartment</i>	Allowed	CUP
<i>Nightly Rental</i>	Allowed	CUP
<i>Home Occupation</i>	Allowed	Allowed
<i>Child Care, In-Home Babysitting</i>	Allowed	Allowed
<i>Child Care, Family</i>	Allowed	Allowed
<i>Child Care, Family Group</i>	Allowed	Allowed
<i>Accessory Building and Use</i>	Allowed	Allowed

Conservation Activity	Allowed	Allowed
Agriculture	Allowed	Allowed
Bed & Breakfast Inn	Allowed	Not Permitted
Parking Area or Structure with four (4) or fewer spaces	Allowed	Not Permitted
Multi-Unit Dwelling	CUP	Not Permitted
Guest House, on Lot greater than one (1) acre	CUP	Not Permitted
Group Care Facility	CUP	Not Permitted
Child Care Center	CUP	Not Permitted
Public and Quasi-Public Institution, Church, and School	CUP	Not Permitted
Essential Municipal Public Utility Use, Facility, Service, and Structure	CUP	CUP
Telecommunication Antenna	CUP	CUP
Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter	CUP	CUP
Boarding House, Hostel	CUP	Not Permitted
Hotel, Minor	CUP	Not Permitted
Outdoor Event	Admin-CUP	Not Permitted
Residential Parking Area or Structure with four (4) or fewer spaces	Not Permitted	Allowed
Parking Area or Structure with five (5) or more spaces	CUP	CUP
Temporary Improvement	Admin-CUP	Admin-CUP
Recreation Facility, Public and Private	CUP	CUP (Private only)
Master Planned Development with moderate income housing Density bonus	CUP	Not Permitted
Master Planned Development with residential and transient lodging Uses only	CUP	Not Permitted
Master Planned Development with Support Retail and Minor Service Commercial Uses	CUP	Not Permitted
Fences greater than six feet in Height from Final Grade	Admin-CUP	Admin-CUP
Passenger Tramway Station and Ski Base Facility	Not Permitted	CUP
Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge	Not Permitted	CUP

The following maps show the current zoning for this area and the proposed zoning:



Current Zoning



Proposed Zoning

General Plan Compliance

Volume I of the General Plan contains goals, objectives, and strategies for each of the four (4) Core Values: Small Town, Natural Setting, Sense of Community, and Historic Character. The General Plan goals are copied below in italics below:

Small Town

- Goal 1: Park City will protect undeveloped lands; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. *The proposed Zoning Map Amendment directs complimentary development into an existing neighborhood while safeguarding the neighborhood's historic character through rezoning Parcel #3 to HRL and the remaining parcels to recreation and open space by zoning it ROS.*
- Goal 2: Park City will emphasize and preserve our sense of place while collaborating with the Wasatch Back and Salt Lake County regions through regional land use and transportation planning. *Not applicable.*
- Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small town character. *Not applicable.*

Natural Setting

- Goal 4: Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting. *The proposed zoning change will continue to maintain the existing open space by zoning it ROS to further protect it from future development.*
- Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent (15%) below 2005 levels in 2020. *The zone change will ensure the protection of existing natural resources and open space by zoning it ROS.*
- Goal 6: Climate Adaptation: Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change. *Not applicable.*

Sense of Community

- Goal 7: Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents. *Not applicable.*
- Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City. *Not applicable.*
- Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors. *The purpose statements of the ROS zoning district encourages parks, trails, and other recreational uses*

as well as the preservation and enhancement of environmentally sensitive lands such as the meadows, stream corridors, and forests.

- Goal 10: Park City will provide world-class recreation and public infrastructure to host local, regional, national, and international events that further Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community. Not applicable.
- Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. The proposed zone change will encourage the rehabilitation of the three (3) existing miner's cottages along Rossie Hill Drive while also maintaining their context by rezoning the existing open space as ROS.
- Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City. Not applicable.
- Goal 13: Arts & Culture: Park City will continue to grow as an arts and culture hub encouraging creative expression. Not applicable.
- Goal 14: Living within Limits: The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region. Not applicable.

Historic Character

- Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations. The rezone of the historic cottages from RM to HRL will allow redevelopment of these sites and ensure their longevity by encouraging their adaptive reuse. The context of their location will be maintained and preserved by rezoning the existing open space as ROS.
- Goal 16: Maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors. The proposed Zone Changes does not affect the "heart" of the City, Main Street.

Good Cause

Planning Staff finds that there is Good Cause for this Zone Amendment as the amendment will not cause undo harm to adjacent property owners and all requirements of the Land Management Code can be met. In addition, the portion of land proposed to change from RM to HRL and RM and E to ROS have not been developed previously and still contain undisturbed native grasses and shrubs in a natural state typical of other designated open space areas so no re-vegetation will be necessary and it satisfies the requirements of the Zone.

Process

The approval of the proposed rezoning application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-8.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

On December 28, 2016 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on December 31, 2016 according to requirements of the Land Management Code.

On February 2, 2017, the property was posted and notice was mailed to property owners within 300 feet for the City Council public hearing. Legal Notice was published in the Park Record February 1, 2017, according to requirements of the Land Management Code.

Public Input

The Planning Department has received written communication from the neighborhood. Overall the neighbors are supportive of the zone change; however, they would like to see more of the area zoned ROS to protect the open space for both animal migration, historic context, and trails and recreation. Public comment has been included in this packet as Exhibit E.

Alternatives

- The City Council may approve the Zoning Map Amendment; or
- The City Council may deny the Zoning Map Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Zoning Map Amendment; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Planning Department's Recommendation

The zoning designation would remain as is.

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Zoning Map Amendment Request from Residential Medium (RM) District to Historic Residential Low-Density (HRL) District and Recreation Open Space (ROS) at 622, 652, and 660 Rossie Hill Drive and the BLM-owned parcels as well as an additional zone change from Estate (E) to ROS for the BLM-owned parcels above Rossie Hill Drive, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Zoning Map Amendment Draft Ordinance and map of amendment

Exhibit B – Survey of Richard Dennis Property

Exhibit C – Aerial photographs of the rezone

Exhibit D – Site Photographs

Exhibit E – Public Comment

Exhibit F – Planning Commission Minutes, 1.11.17

Exhibit A: Zoning Map Amendment Draft Ordinance

Ordinance 2017-05

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM RESIDENTIAL MEDIUM (RM) DISTRICT TO HISTORIC RESIDENTIAL LOW-DENSITY (HRL) DISTRICT AND RECREATION OPEN SPACE (ROS) AT 622, 652, AND 660 ROSSIE HILL DRIVE AS WELL AS THE BLM-OWNED PARCELS, PARK CITY, UTAH.

WHEREAS, City Council directed staff to initiate a Zoning Map Amendment on September 22, 2016; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on December 28, 2016 the property was posted and notice was mailed to property owners within 300 feet; and

WHEREAS, legal notice was published in the Park Record on December 31, 2016 according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 11, 2017 to receive input on Zoning Map Amendment; and

WHEREAS, the Planning Commission, on January 11, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 16, 2017 the City Council held a public hearing to receive input on the Zoning Map Amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve Amend the Zoning Map.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. Zoning Map Amendment from Residential Medium (RM) District to Historic Residential Low-Density Development (HRL) District and Recreation Open Space (ROS) at 622, 652, and 660 Rossie Hill Drive as well as the BLM-owned parcels as shown in Attachment 1 is approved subject to the following Findings of Facts, and Conclusions of Law.

Findings of Fact:

1. The property is identified as Summit County parcels M244-24, PC-750-1-X, M-244-23, PC-537-X, and the un-assessed BLM triangle parcel that is located to

- the south and east of Rossie Hill Drive and south of Coalition View Court.
2. The property is currently zoned Residential Medium-Density (RM) and the triangle parcel is zoned Estate (E).
 3. There are currently three historic houses located at 622, 652, and 660 Rossie Hill Drive. These are located on parcel PC-537-X. These houses are designated as Landmarks on the City's Historic Sites Inventory.
 4. This rezone also includes the northwestern half of the Foxglove Cottages PUD Subdivision, which was recorded in 1997. This subdivision included a provision that the common area is master planned open space, and may not be sold separately. The eastern half of the property is designated as open space on the subdivision.
 5. This property is not contiguous to the existing HRL Zone District, which is located approximately 750 feet to the west / southwest along Rossie Hill Drive.
 6. The size of the proposed rezoning area is approximately 15% of the total size of the entire existing HRL Zone District along McHenry Road.
 7. The access to the sites is from Rossie Hill Drive and Coalition Court.
 8. The ROS District lists Conservation Activity as the only allowed use.
 9. The requested Zoning Map Amendment from RM to HRL and ROS is appropriate in that the zone change will meet City Council's goals of preserving the hillside and promoting redevelopment of the historic houses and is consistent with the General Plan.
 10. This zone change proposes rezoning parcel PC-537-X from RM to HRL. The RD zone only allows up to 8 single family units of development; under the RM zone, the density is roughly 24 units of development consisting of a mix of multi-unit dwellings over four units.
 11. This zone change proposes rezoning the remainder of PC-537-X and the other parcels to Recreation Open Space (ROS) which encourages preserving and enhancing environmentally sensitive lands, encouraging sustainability, conservation, and renewable energy.
 12. The proposed Zoning Map Amendment directs complimentary development into an existing neighborhood and protects the historic properties along Deer Valley Drive through the HRL zoning regulations, meeting the goals of the General Plan.

Conclusions of Law:

1. There is Good Cause for this Zoning Map Amendment.
2. The Zoning Map Amendment request is consistent with the Park City General Plan and the Park City Land Management Code.
3. The Zoning Map Amendment is consistent with applicable State law.
4. Neither the public nor any person will be materially injured by the proposed Zoning Map Amendment.
5. Approval of the Zoning Map Amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication and when the revised Official Zoning Map is signed by the City upon final review by the City

Attorney.

PASSED AND ADOPTED this 16th day of February, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

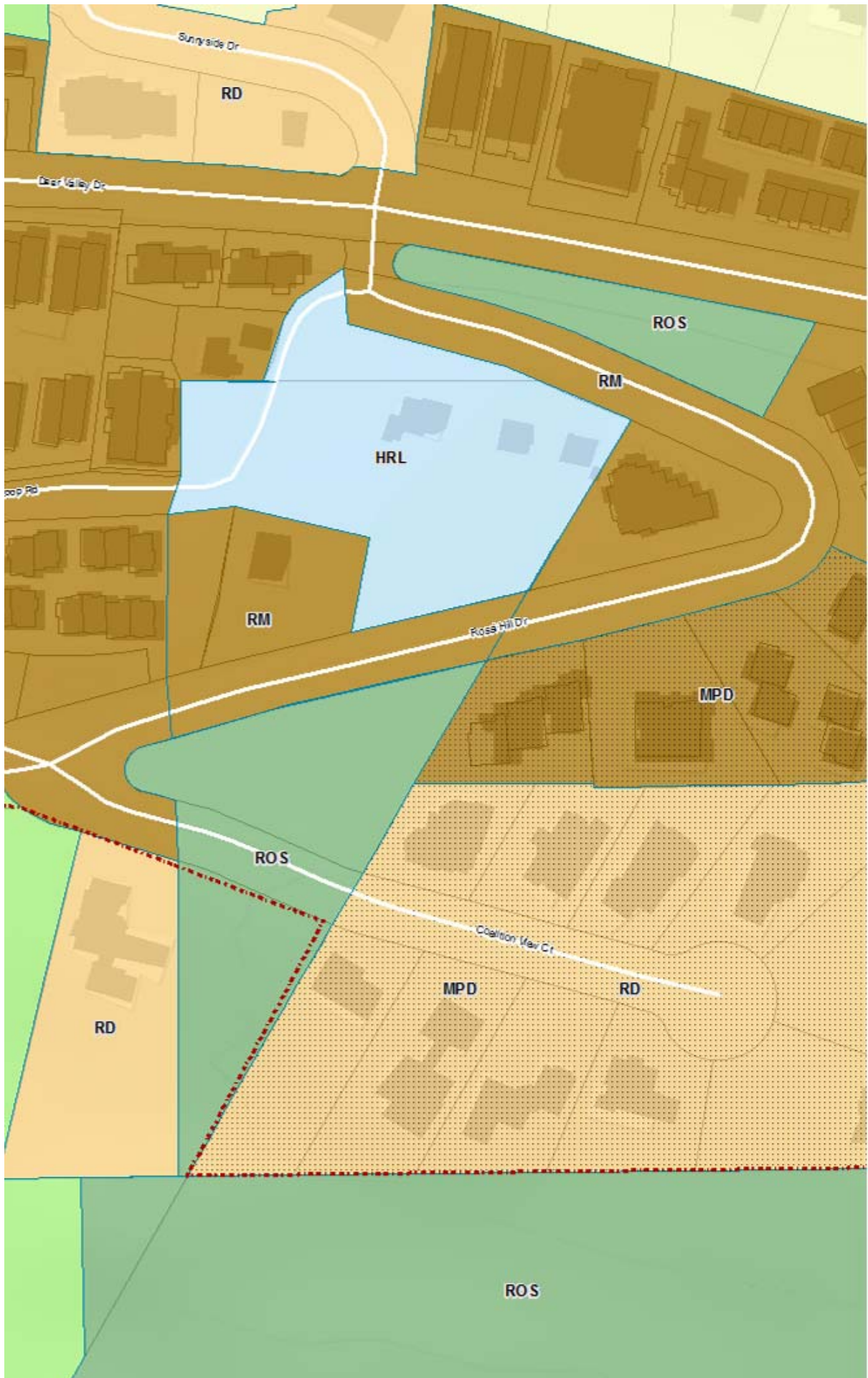
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

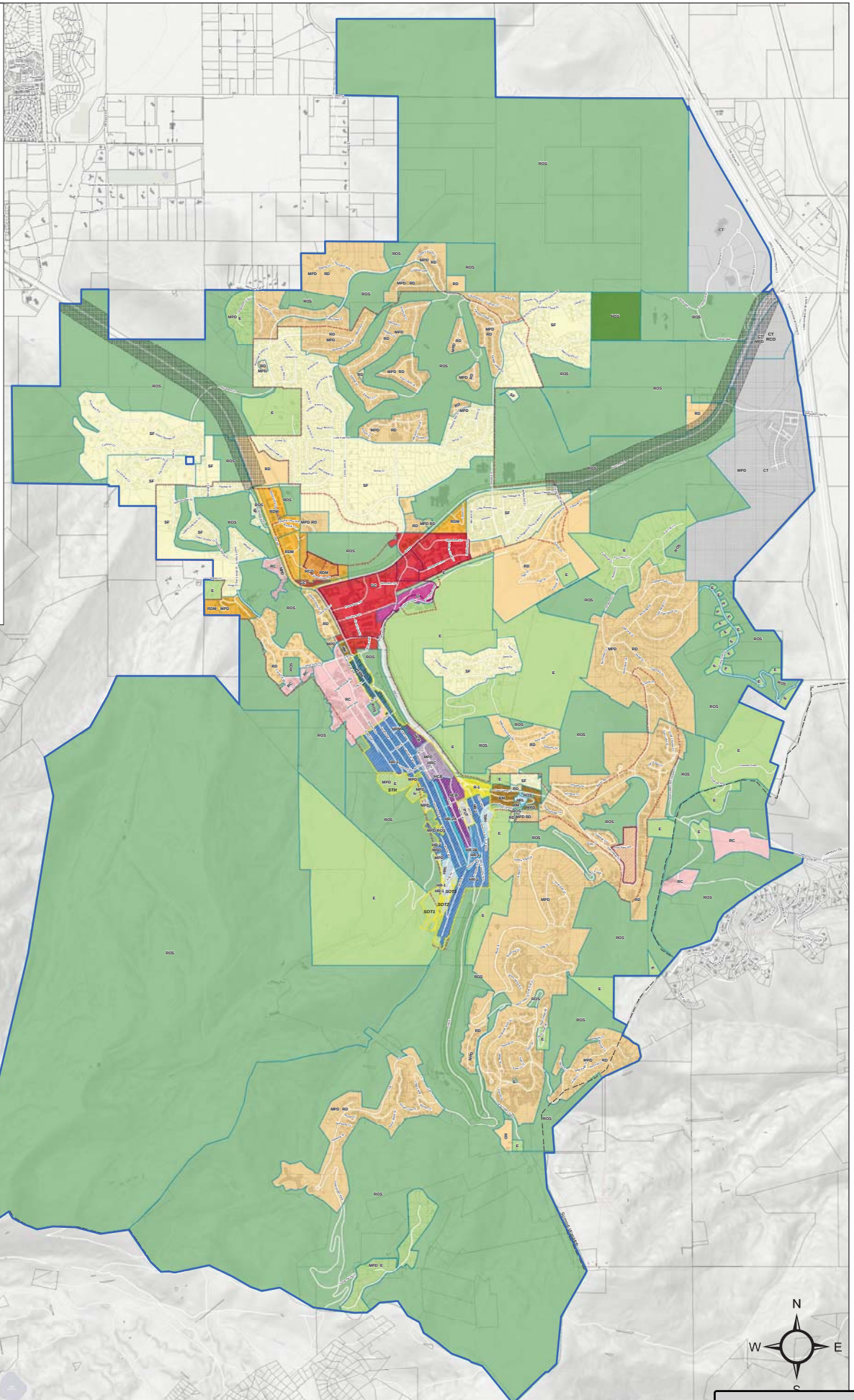
Attachment 1 – Proposed Zoning Map Amendment

Proposed Zoning Map Amendment



Legend

- Park City Limits
- County Boundaries
- Sending Zones
- Receiving Zones
- Sensitive Lands (SLO)
- Frontage Protection Zone (FPZ)
- Entry Corridor Protection (ECP)
- Master Planned Development (MPD)
- Regional Commercial (RCO)
- Community Transition (CT)
- Estate (E)
- General Commercial (GC)
- Historic Commercial Business (HCB)
- Historic Residential (HR-1)
- Historic Residential (HR-2A)
- Historic Residential (HR-2B)
- Historic Recreation Commercial (HRC)
- Historic Residential - Low Density (HRL)
- Historic Res. - Medium Density (HRM)
- Light Industrial (LI)
- Protected Open Space (POS)
- Public Use Transition (PUT)
- Residential (R-1)
- Recreation Commercial (RC)
- Residential Development (RD)
- Residential Dev. - Medium Density (RD-M)
- Residential - Medium Density (RM)
- Recreational Open Space (ROS)
- Single Family (SF)
- Parcels



Official Zoning Map

Jack Thomas, Mayor

Bruce Erickson, Planning Director

Adam Strachan, Planning Commission Chair





Rossie Hill Zone Change

(Please note that 632 Deer Valley Drive is not included)





Anya Grah

From: planning
Sent: Wednesday, January 11, 2017 9:56 AM
To: Anya Grah
Subject: FW: Save Rossi Hill

From: Jamie Vaught [vaughtlaw@gmail.com]
Sent: Tuesday, January 10, 2017 2:08 PM
To: planning
Subject: Save Rossi Hill

I own a home at 668 Rossie Hill Drive. I support the zoning change to HRL and ROS because it will preserve the unique character of the piece of Park City that is Rossi Hill.

Park City has a unique "feel" and appearance, and this is due in part to the open spaces and to the appearance of the historic areas around town, especially on Rossi Hill. I purchased my home on Rossi Hill due to the unique feel and appearance of the Rossi Hill area.

Let's preserve Park City for our residents, home owners, visitors and future generations.

Please do not support any plans that would allow increased development on Rossi Hill, especially any high-density development. Please preserve the feel and appearance of Rossi Hill.

Thank you

James Vaught

James Vaught Law Office, PLLC

2393 Alumni Drive, Suite 204

Lexington, KY 40517

859-455-7444

859-554-5931 fax

Anya Grah

From: planning
Sent: Wednesday, January 11, 2017 3:45 PM
To: Anya Grah
Subject: FW: Rossie Hill Historic Open Space

From: Christina Marie Shiebler [christina@shiebler.com]
Sent: Wednesday, January 11, 2017 1:21 PM
To: Adam Strachan; Laura Suesser; Melissa Band; Douglas Thimm; John Phillips; Preston Campbell; Steve Joyce
Cc: planning; Council_Mail; Jack Thomas; Bruce Erickson; Anya Grah
Subject: Rossie Hill Historic Open Space

Good afternoon and thank you for taking the time to read my email.

My family has been in Park City for nearly 25 years. I myself have been a resident of Park City for nearly 13 years. I have lived on Coalition View Court, part of the Rossie Hill (affectionately named "Happy Hill") neighborhood, for 11 years and counting. I am a proud to be from this incredible community and also proud to be a part of the Rossie Hill Historic Open Space Alliance.

I, along with 358 others (241 from Park City and surrounding, 28 are from our home state of Utah, and 16 out-of-state Park City second home / property owners or visitors) support the protection and preservation of this incredible and historic land.

I am in support of the zoning amendment as referenced in the packet for the meeting scheduled for this evening. Additionally it is my hope and the hope of the many others supporting the Save Rossie Hill Historic Open Space that the Commission recommend to Council that further long range protections be applied to this land. We have a unique opportunity to preserve this land and its rich history. I, along with so many other members of our community, would like to see additional / stronger zoning changes, consideration to strengthen protection through the historic guidelines and / or the general plan, and / or strong consideration and proposal to have the City acquire the land to be held as open and historic space in perpetuity.

As I look through the packet for the meeting and see the Treasure Hill agenda item, I can not help but think that this ongoing community issue is an opportunity for great community to look 30 years in to the future and take the opportunity to preserve and secure this Rossie Hill sacred land. Although the scale is wildly different, the sentiment is the same. Change is inevitable, but how we change and grow is within our control.

I am grateful to the members of Staff, the Planning Commission, Council and the Mayor for your individual and collective willingness to work on behalf of our great community. Your work has great impact on the current and future state of Park City, and I respect the time and attention you all give to these important issues.

Respectfully,
Christina Marie Shiebler

Anya Grahn

From: planning
Sent: Wednesday, January 11, 2017 9:56 AM
To: Anya Grahn
Subject: FW: Upcoming Rossie Hill hearings

From: Rachel.Sahlman@aps.com [Rachel.Sahlman@aps.com]
Sent: Tuesday, January 10, 2017 11:16 AM
To: planning
Subject: Upcoming Rossie Hill hearings

Planning Commission,

I understand there are two upcoming hearings concerning the zoning at Rossie Hill. Although my husband Scott and I are unable to attend the meetings, we wanted to pass along our thoughts about Rossie Hill and open space in Park City. We have lived at 625 Deer Valley Drive for more than 10 years and have enjoyed the historical character and witnessed the wildlife migration that is part of that space. The area is already beginning to have a more densely populated feel and I am concerned that we are losing the character of an area we love very much. There needs to be room to breathe and as the density increases along Deer Valley Drive, I'm afraid that we are losing the true character of the area. Additional multi-housing will overwhelm this small valley community and will add to the traffic, noise and congestion. We choose Park City because of its beautiful open spaces, wildlife, peace and quiet. Please don't put that at risk. Our address is below if needed for future reference.

Best regards,

Scott and Rachel Sahlman

Contact phone: 602-402-6166
625 Deer Valley Drive A2
Park City, UT 84060

--- NOTICE ---

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Anya Grah

From: planning
Sent: Wednesday, January 11, 2017 9:55 AM
To: Anya Grah
Subject: FW: Rossie Hill Proposal on tomorrow's agenda

More public comment on BLM.

Ashley

From: Jordan Pynes [jordan@tsahousing.com]
Sent: Tuesday, January 10, 2017 6:27 PM
To: Adam Strachan; Laura Suesser; Melissa Band; Douglas Thimm; John Phillips; Preston Campbell; Steve Joyce; planning
Cc: Council_Mail
Subject: Rossie Hill Proposal on tomorrow's agenda

Dear Commission Members:

My name is Jordan Pynes and my family has owned and resided at 645 Coalition View Court for the past eight years. Thank you for your consideration for the proposed zoning changes on Rossie Hill. It is my hope you will approve the proposed modifications to the existing zoning of the Rossie Hill Open Space.

I believe the proposal is a fair and win-win agreement. While most of us in the community would like to see zero future development, I think what is being proposed is the right compromise. Please consider preserving as much open space as possible to protect the character of our neighborhood, the wildlife that is a wonderful part of our daily lives and the beautiful historic homes that help make Park City/Rossie Hill such a charming community.

Thank you for all your hard work and with this matter. I hope you will approve the zoning change that is being proposed.

Jordan Pynes

Anya Grah

From: planning
Sent: Wednesday, January 11, 2017 9:56 AM
To: Anya Grah
Subject: FW: Rossie Hill

From: Mark Kaire [Mark@kairelaw.com]
Sent: Tuesday, January 10, 2017 3:42 PM
To: Adam Strachan; Laura Suesser; Melissa Band; Douglas Thimm; John Phillips; Preston Campbell; Steve Joyce; planning
Subject: Rossie Hill

Esteemed Commission Members,

By way of brief introduction my name is Mark Kaire, and together with my wife and 3 children we reside at 635 Coalition view court. I am hopeful that my family and I will make this a full time residence in the near future.

I would like to take this opportunity to truly thank the planning department and commission members for trying to formulate a plan that works for all the residents of park city. The plan is a true compromise- all parties walk away thinking they gave up too much. To that end, while I am saddened with the amount of development that is proposed, I am likewise grateful that the plan limits the amount of new homes, preserves the historic character, and changes the zoning of parcel #4 to ROS.

Please consider preserving as much open space as you deem necessary to protect the character of this neighborhood and these treasured historic homes.

Thank you for all your help and cooperation in this matter.

Mark and Jennifer Kaire

Mark A. Kaire
Kaire & Heffernan, LLC
999 Brickell Avenue
PH 1102
Miami, FL 33131
305-372-0123(P)
305-377-4222(F)
www.kairelaw.com

To: Park City Planning Commission

From: Robert Gurss

Date: January 9, 2017 (for January 11, 2017 Planning Commission Meeting)

RE: Zoning Map Amendment Request, PL-16-03323

Mr. Chairman and members of the Planning Commission, my name is Robert Gurss. My wife and I are full time residents of Park City. We live at 654 Rossie Hill Drive, directly behind the BLM property containing three historic mining era homes.

As this Commission is well aware, Park City's historic architecture is probably the most important factor that makes "Park City Park City." I volunteer at the Park City Museum, giving tours of historic Main Street in the summer. I can tell you from personal experience that many people come to Park City precisely because of our colorful mining history. Having preserved that history, Park City is able to stand out among other Mountain West resort towns that offer little more than condominiums, high end homes, and touristy shops.

The mining era homes on Rossie Hill Drive are a unique remnant of our history. I often see tourists stopping on the road to take pictures of the homes, and it's not unusual to see an artist at an easel painting pictures of the houses and their surroundings. These houses are historic treasures, not only because they are in nearly original form, but also because these 3 houses are probably the ONLY remaining Park City historic homes in an original semi-rural setting. Once upon a time, small homes dotted some of the hills around Park City, often surrounded by gardens or small pastures. Most of the few that remain are now surrounded by or completely engulfed by modern day construction (e.g., the Line), with little remaining sense of their original settings.

Therefore, it is essential that the City take this opportunity to protect these rare vestiges of our history by preserving these historic homes and the surrounding open space.

The Planning Department has done a good job addressing this issue, and I applaud their efforts. Their current proposal is for HRL zoning for parcel #3, containing the 3 historic homes. That is a major improvement over the "existing" zoning of RM, which may have allowed the entire parcel to be covered by a huge condominium complex. However, according to the Department's proposal, even with the HRL zoning, up to 5 new homes (for a total of 8 single family homes) could be built on parcel #3 based on the total acreage in the parcel. As the Department notes, the actual number of new structures would be limited by the location of the current historic homes and related factors. Nevertheless, the potential for up to 5 new homes on the land (up to 3,750 SF each), most likely behind the current houses, is troublesome as it would take away much of the semi-rural setting that make these historic homes so special. The Planning Department's proposal points to the recommended ROS zoning of other portions of the BLM land, including Parcel #4 (i.e. the "triangle" straddling Coalition View Ct), as a way to preserve open space relative to the historic homes. While I and my neighbors strongly support that ROS designation, the open space immediately surrounding the historic homes within parcel #3 should also be preserved, whether through zoning or enforcement of relevant historic guidelines.

The original Planning Department recommendation presented to City Council on September 22, 2016, divided parcel #3 into two parts, with the southern (uphill) portion proposed for ROS. I would ask the Commission to consider drawing a similar line, with the northern (downhill) portion of parcel #3 zoned HRL, and the southern (uphill) portion of parcel #3 (and all of parcel #4) zoned ROS, assuming such a division would better preserve both the historic homes and their unique original setting.

Thank you for your consideration.

Anya Grahm

From: planning
Sent: Wednesday, January 11, 2017 3:45 PM
To: Anya Grahm
Subject: FW: Public Input - Rossie Hill Zoning Amendment (PL-16-03323)

From: Diane Bernhardt [diane.a.bernhardt@gmail.com]
Sent: Wednesday, January 11, 2017 2:32 PM
To: Adam Strachan; Laura Suesser; Melissa Band; Douglas Thimm; John Phillips; Preston Campbell; Steve Joyce
Cc: planning; Anya Grahm; Bruce Erickson
Subject: Public Input - Rossie Hill Zoning Amendment (PL-16-03323)

Chairman and Commissioners,

My name is Diane Bernhardt. I am a resident at 630 Coalition View Ct and I represent the *Save Rossie Hill Historic Open Space Alliance*, an organization whose mission is to promote the creation of a long-range vision and action plan for the protection of the historic open space on Rossie Hill.

With this mission, our first goal is to advocate for and facilitate the protection of the open space and the historic miners' cabins which are located on BLM Parcel 18.

To that end, we created a petition representing our community's support for the preservation of the Rossie Hill Historic Open Space. Those supporting the petition declared that:

1. they support the restoration and preservation of the historic mining-era homes.
2. they support the preservation of the irreplaceable open space for future generations
3. they request the rezone of BLM parcel 18 to ensure the protection of this open space from new land development.

The response to the petition was extraordinary. First circulated on Thursday, August 11, six days later, it had gathered 297 signatures. As of yesterday, the petition had 359 signatures in the affirmative of which 241 are from Park City or its suburbs, 28 are from Utah, and 16 are out-of-state Park City property owners or frequent visitors. Through the sensational support of the petition, our community has made **abundantly** clear that the preservation of this unique open space is **very** important.

We thank the Planning Staff for this considered zoning amendment proposal. It makes appreciable progress toward the goal of protecting this prized open space. The HRL designation provides significantly more defense for the miner's cottages than the current zone, but still permits development that will overpower the quaint homes and take them out of their historical context. We support the approval of this zoning amendment in order to provide immediate, increased protection. However, we **also** respectfully request that the Commission recommend to Council that further protections are required to truly preserve this land, using tools such as: additional zoning changes, amendments to the general plan, strengthening of historic guidelines, or municipal acquisition of this land for the benefit of our community.

We respectfully request that the Commission forward a positive recommendation to City Council to approve the Zoning Map Amendment Request as recommended by staff with additional recommendation that further protective measures are required to fully safeguard this iconic Park City landscape.

Thanks for the opportunity to provide input from the members of *Save Rossie Hill* and from the 359 community members signing the petition requesting the rezone and further protections.

Diane Bernhardt

<http://saverossiehill.org>

<http://www.thepetitionsite.com/225/200/591/save-rossie-hill-historic-open-space-by-rezoning/>

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Francisco: We wouldn't be ready. Yeah.

Chair

Strachan: I'm just wondering whether our agenda on February 8th is going to get backed up because we're lacking a meeting.

Commissioner

Suesser: So lacking a meeting on the 25th?

Planner

Francisco: And I'm not sure how effective we would be without seeing the update that's being proposed now for Presidents Day 2017. I don't know if--- Bruce?

Shawn

Ferrin: Do you want to continue to the 8th and we'll have a discussion with Staff about what's next on the agenda. And if we're back, great, and if we're not you can continue it again.

Chair

Strachan: That sounds fair. Yeah, that sounds fair.

Shawn

Ferrin: We can at least have it [inaudible].

Chair

Strachan: Yeah, that's fine. All right. Motion to Continue then to February 8th.

MOTION: Commissioner Thimm moved to CONTINUE the Treasure Hill Conditional Use Permit to February 8th, 2017. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

2. **622, 652, and 660 Rossie Hill Drive as well as the BLM-owned parcels, request for Zone Change from Residential Medium (RM) District to Historic Residential Low-Density (HRL) and Recreation Open Space (ROS) as well as from Estate (E) to ROS.** (Application PL-16-03323)

Planner Anya Grahm reported that this request was to rezone the BLM properties, as well as the three historic houses that are at approximately 622, 652, and 660 Rossi Hill Drive. Planner Grahm explained that they were talking about rezoning Parcels 1, 2 and 3 from RM to ROS.

Parcel #1 is owned by the City and provides the linkage between Rossi Hill Drive on to Deer Valley Drive. Parcel #2 is a portion of the Fox Glove Cottages PUD Subdivision. The PUD identifies all the common space as open space. Changing the zoning to ROS was not much different because it was already identified to remain open space. Parcel #4 is also owned by the BLM, and currently the parcels are zoned E for Estate. The density on Estate is one unit per three acres. Therefore, this parcel is not able to be developed because of the density requirement, and the Planning Department was suggesting changing it to ROS for Recreation Open Space.

Planner Grahm stated that Parcel #3 is partially owned by the City, and partially in a Title of Color litigation with the BLM by the Dennis family.

Planner Grahm showed what the map would look like if the proposed zoning change occurs. She pointed out the current zoning versus the proposed zoning. Planner Grahm remarked that it would blend with the HRL District, which is Historic Residential Low Density.

Planner Grahm noted that there have been questions about whether or not this zoning change would set a precedent. She stated that there are other cases where the zoning has a similar situation of creating a pocket of a different zone within a larger neighborhood. One example was the Library Field, which is designated as ROS. She also commented on an annexation parcel that was zoned Estate even though it was surrounded by Single Family and RD development. Another example was the rezone of the Sunnyside Subdivide. In that case the residents came forward with a request to change from RD to Single Family to eliminate the opportunity for nightly rentals. In doing so, it left a pocket of RD that could continue to be used as residential.

Planner Grahm had received public comments that was forwarded to the Planning Commission via email, and the Commissioner were also given hard copies of those comments as well.

Assistant City Attorney McLean explained that the standard the Planning Commission was looking at is whether it promotes the general welfare. It has to be a rationally based decision under State Case Law. The Commissioners need to balance their decision on good cause and the rationality behind it. The findings should be on whether or not this promotes the general welfare. Ms. McLean noted that the Planning

Commission has done zone changes, but not frequently. It is covered under Section 10-9A-801, which is the appeal section that talks about how those decisions are reviewed. The State Code states that the zoning promotes the purpose of the chapter being the Land Use Chapter. The Courts interpret it as for the general welfare.

Chair Strachan thought the direction from the City Council was unclear. Director Erickson stated that the Council's goal was three-fold. One was to bring the property more in compliance with the General Plan as the transition zone between the historic district and Deer Valley. Second was to provide a mechanism to restore the three houses. And third was to do the best possible to maximize the amount of open space on the property without removing property rights from the Color of Title action. Director Erickson remarked that the City Council had asked for a rigorous start towards those goals, and the Planning Department came up with low density zoning alternatives, including the RD zone, which is three units per acre. It would have effectively taken away most of the development rights. The HRL, which is the proposed solution, could yield as many as eight units, including restoration of the three houses. Director Erickson noted that there may be additional open space opportunities when the Color of Title action is complete.

Commissioner Joyce asked how the rezone helps with the transition from Historic Old Town to Deer Valley, when at least a quarter to a half mile on both sides is packed with condos. Director Erickson replied that the Staff position is that the rhythm and pattern is maintained by the protection of the three houses in that location, as well as the restoration and the provision of the open space on the hillside, which becomes a pocket park consistent with the Library Field, the City Park at the south end of Main Street, and Creekside Park. Director Erickson stated that it works very much like the undeveloped street rights-of-way in the Historic District. He explained that they could develop the site, but those three houses would not remain in the same existing historic agricultural context. A limited amount of development may achieve that goal, consistent with a few other historic houses on the other side of the street.

Chair Strachan opened the public hearing.

Robert Gurse stated that he and his wife are full-time residents of Park City at 654 Rossi Hill Drive, directly behind the BLM property. Mr. Gurse remarked that Park City's historic architecture is the most important factor that makes Park City Park City. He volunteers at the Park City Museum giving tours of Main Street in the summer. From personal experience, he knows that a lot of people come to Park City because of its history. Having preserved that history, Park City is able to stand out among other Mountain West resort town that little more than condominiums and high priced homes and tourist shops. Mr. Gurse stated that the mining era homes on Rossi Hill area a

unique remnant of Park City's history. He often sees tourists stop on the road to take pictures of these homes. He has also seen people set up an easel and paint pictures of the homes and their surroundings. Mr. Gurse believed these homes were historic treasures for Park City, not only because they are in nearly original form, but because they are probably the only remaining Park City historic homes in their original semi-rural setting. He stated that at one time small homes dotted the hills around Park City, often surrounded by gardens and small pastures. Most of those homes that remain have been completely engulfed by condominiums and other modern structures with no remnants of their original setting. Mr. Gurse believed it was essential for the City to take this opportunity to protect these rare vestiges of its history by preserving these historic homes and the surrounding open space. He thought the Planning Department had done a good job addressing this issue, and he applauded their efforts. The current proposal for HRL zoning for Parcel #3 containing the three historic homes is a major improvement over the existing zoning of RM, which would allow the entire parcel to become a huge condominium complex. However, according to the proposal by the Planning Department, even with the HRL zoning, up to five new homes for a total of eight could be built on this parcel based on the total acreage. The actual number of new structures would be limited by the location of the current homes and other factors, but the potential for five new homes on this land mostly likely behind the current homes is troublesome. It would take away much of the semi-rural setting that makes these homes so special. Mr. Gurse noted that the Planning Department's proposal points to the recommended ROS zoning of other portions of the BLM land, including Parcel #4, as a way to preserve the open space relative to the historic homes. He and his neighbors support that; however, additional steps should be made to protect the open space immediately surrounding these homes to the extent possible whether it is through rezoning or through strict enforcement of relevant historic guidelines. Mr. Gurse stated that the original Planning Department to the City Council on December 22nd divided Parcel #3 into two parts, with the southern portion as ROS. He asked the Planning Commission to at least consider drawing a similar line with the northern downhill portion of that parcel zoned HRL, and the southern uphill portions zoned ROS, along with Parcel #4 and Parcel 1 and 2. Such a division would better preserve both the historic homes and their unique original setting.

Bryce Panser, stated that he was an attorney representing Richard Dennis and his two daughters who own the three historic cabins. He has been involved with this since the initial meeting that Mr. Gurse mentioned. Mr. Panser stated that this came up in the context of an adjacent property seeking to establish a record lot for the Bertagnole cabin, which is in a Color of Title Action, which is similar to what the Dennis family has been involved in for the last ten years. He remarked that the neighbors were upset that anything would be done with this pristine area, which they have come to understand is a city park and believe it should be maintained as a park. As Mr. Gurse had indicated,

one of the proposals floated was to make much of the parcel that the Dennis' claim as ROS. Mr. Panzer understood that the Planning Department examined this and ultimately concluded that the proposal that had been floated would make the remaining cabin properties non-complying, and would confiscate all possible development rights. It would make it uneconomical and unattractive for anyone to do anything with the cabins which have fallen into disrepair. When the Planning Department come up with the proposal of converting the parcel to HRL, his client thought it made sense. He wanted to see the cabins preserved and believe this proposal provided a mechanism for doing it. Mr. Panzer pointed out that Richard Dennis was born in one of these cabins, and his family has owned the three cabins for the last 100 years or so. Mr. Panzer remarked that what the neighbors suggested was a laudable goal, but if the City wants to preserve the land as a pocket park, they should purchase the property or acquire in some fashion, rather than restrict the development. Mr. Panzer pointed out that this does not create a transition zone between Old Town and Deer Valley because of the existing development. However, in essence it is a compromise. It is a solution that his clients are agreeable to, and that fits with what they think the future development of this property should be.

Jeff Camp, a resident at 590 Coalition View Court, stated that he has lived adjacent to the BLM property for 25 years. He pointed out that no one ever raises the issue of animals. Having live there for 25 years he watches the animals over and over again. It used to be a corridor for the animals to go down and cross Deer Valley Drive and up into the open space in the Aerie. A wall has been built but the animals still squeeze through it. Mr. Camp noted that an elk herd used to come through there but he has not seen them in years since the two duplexes were built on the opposite side of Deer Valley Drive. Mr. Camp remarked that all the animals need water. The deer and moose are very prevalent on that land because it is the only place where they can get to the water. Walls of condominiums prevent them from getting to the Deer Valley ponds, and the creek runs underground at the intersection of Rossi Hill Road. Mr. Camp believed the issue was more about saving a place for the animals. He commended the City for wanting to zone the upper parts ROS, and he also liked the HRL zone for the Dennis parcel. However, he agreed with Mr. Gurse that the remainder of Parcel #3 should be ROS as well. He noted that in terms of the BLM, the use has always been ROS. Mr. Camp stated that the BLM is supposed to preserve open space, but now they were divesting their property. Mr. Camp has been in touch with the BLM for a number of years and watching their intentions for that property. He provided copies of a document he obtained from the BLM several years ago. When he first started living there the BLM land was one large parcel, but over time it was divided into smaller lots. Mr. Camp believed the Dennis family was claiming property rights to property that they do not own. They own the shacks that are on top of the ground, but they do not own the land. It is Color of Title. The Bertagnole family fought it 30 years and he suggested that the

Dennis family may fight it for another 10 years. Mr. Camp requested that the Planning Commission give the Dennis family the smaller parcel and let it be HRL, as proposed, and make the remainder of Parcel #3 ROS to protect the animals.

Diane Bernhardt, a resident at 630 Coalition View Court, stated that she represented the Save Rossi Hill Historic Open Space Alliance, whose mission is to promote the creation of a long range vision and action plan for the protection of the historic open space on Rossi Hill. The first goal of this mission is to advocate for and facilitate the protection of the open space and the historic miners' cabins located on BLM parcel 18. To that end, the organization created a petition representing community support for the preservation of the parcel. Those supporting the petition declared that: 1) they support the restoration and preservation of the historic mining era homes; 2) they support the preservation of the irreplaceable open space for future generations; 3) they request a rezone to ensure the protection of this open space from new land development. Ms. Bernhardt stated that the response to this petition was extraordinary. It was first circulated on August 11th, and six days later it had gathered 297 signatures. As of yesterday, the petition had 359 signatures in the affirmative, of which 241 are from Park City or its suburbs, 28 are from Utah, and 16 are out-of-state Park City property owners or frequent visitors. Ms. Bernhardt remarked that through the sensational support of the petition, the community has made it abundantly clear that preservation of this unique open space is very important. The Save Rossi Hill Historic Open Space Alliance thanked the Planning Staff for this considered zoning amendment proposal. It makes appreciable progress towards the goal of protecting these remarkable acres. The HRL designation provides significantly more defense for the miners' cottages than the current zone, but still permits development that will overpower the quaint homes and remove them from their historical context. The organization supports the approval of the zoning amendment in order to provide immediate increased protection. However, the also respectfully requested that the Planning Commission recommend to the City Council that further protections are required to truly protect this land using tools such as additional zoning changes, amendments to the General Plan, strengthening of historic guidelines, or the municipal acquisition of this land for the benefit of the community. Ms. Bernhardt urged the Planning Commission to forward a positive recommendation to the City Council to approve the zoning map amendment request as proposed by Staff, with additional recommendation that further protective measures are required to fully safeguard this iconic Park City landscape. She thanked the Commissioners for the opportunity to provide input from the members of Save Rossi Hill, and from the 359 petitioners calling for this rezone and for further protections.

Christina Schiebler, a resident at 638 Coalition View Court, agreed with her neighbors and the Rossi Hill Open Space Alliance.

Chair Strachan closed the public hearing.

Commissioner Phillips was pleased to see that the Dennis family was not wanting to maximize development. It is extremely important to preserve these old buildings, but in some ways it felt like they were downzoning to accomplish that goal. Commissioner Phillips was trying to see the other side as well, to make sure no mistakes were being made. He recalled that the Lilac Subdivision was approved by the Planning Commission, but he was unsure what happened with it at the City Council level.

Director Erickson reported that the plat was approved by the City Council and created one lot of record. Planner Grahm explained that when the City Council reviewed the Lilac Hill Subdivision, which is the burnt out house at 632 Deer Valley Loop, added conditions of approval included a requirement to provide 40% open space. Another condition was to make sure that any development on that site or any future subdivided parcels or lots created out of that site had to comply with the design guidelines. Planner Grahm noted that as discussed by the Planning Commission, any work to the historic house would have to comply with the guidelines; however, new construction on new lots would not have to comply because it is outside of the historic districts. Planner Grahm stated that the added condition of approval makes sure that work on the historic house, as well as any new development, must comply with the guidelines to help promote that historic character. She recalled that another added condition of approval talked about not blocking the view to the historic house so the hillside would maintain its existing look and feel. Planner Grahm remarked that those were the primary conditions for why the Planning Staff recommended the HRL. Even though that parcel would remain RM and would not be rezoned to HRL, the HRL zone carries over the design guidelines and some of the requirements that keep the historic context.

Commissioner Phillips stated that in reading the Staff report there was reference to 22 units, and then it talked about the amount of allowed units being based off of the square footage. He asked to what extent the Dennis family was informed of what they could actually do, as opposed to the actual number that could fit. Planner Grahm replied that the Staff did not look what could be allowed because they did not want to draw subdivision lines and try to estimate what the development could be. That was the reason for basing it off the square footage of the lot as a whole.

Commissioner Phillips favored the proposal because it would definitely help preserve the structures. However, if the Dennis family were to build other buildings on this site, he asked if the City would look at limiting the other buildings to be more consistent with the same mass and scale of the existing structures. Planner Grahm believed the design guidelines would dictate that. She pointed out that height requirements in the LMC stipulates a maximum height of 27'. Commissioner Phillips pointed out that 27' would

tower over the existing structures, and he asked if they could require a lower height or if it was a given based on the requirements. Planner Grahm did not believe it was a given; but when the building comes in with the Design Guidelines, the Staff would mitigate it at that point to make sure it would not overpower the historic buildings.

Commissioner Suesser asked if the Staff had considered isolating the three cottages to the HRL section, and keeping the remainder of Parcel 3 ROS. Planner Grahm replied that the Staff had looked at that, but the concern was that some development has to be allowed on the site in order to rehab the houses and make it financially feasible. The Staff also looked at the historic Sanborn maps from 1927 and at that time this hillside had ten small houses on it. It helped the Staff understand what should be built there and to keep that context. Commissioner Suesser understood that anything else built on Parcel 3 would have to comply with HRL guidelines. Planner Grahm replied that she was correct. It would have to comply with that section of the LMC in addition to the Design Guidelines.

Commissioner Joyce stated that he lives up the hill from this parcel and he looks at those structures every day. He wanted to see the structures preserved, but at the same time what they want cannot influence what they do. Commissioner Joyce was uncomfortable creating a little zoning island of one lot of one land owner; and at some level downzoning them. He was looking for good excuses as to why that was acceptable, but he thought the transitional reason was ludicrous. Commissioner pointed out that two feet from one of the historic houses, the City approved an 8,000 square foot duplex on one side and Foxpoint was on the other side. Commissioner Joyce was not in favor of micro-zoning. In his opinion, it was a bad use of the zoning tool and they should not make it a habit. He clarified that the only reason he would vote to support this was because the landowner supports it. He would recommend to the City Council that if they want to preserve these houses they should purchase them. If they want to make it a park, the City should buy it. Otherwise, if the landowner comes back wanting to build 27' houses, he would support their proposal because the zoning allows it and he believes it is reasonable. Commissioner Joyce reiterated that his original intent was to vote no on this proposal because he believes micro-zoning is wrong.

Commissioner Campbell agreed with Commissioner Joyce. He was opposed to what was clearly the downzoning of the other lot and he voted against it. He would have voted against this one as well. Commissioner Campbell was not sure the owner being in favor swayed him, but he backed Commissioner Joyce 100% that everyone gets great satisfaction out of seeing those structures as they drive up and down the road. The only way it will remain is if the City buys it. Commissioner Campbell suggested that the Planning Commission let the City Council know that they agree to approve this

request, but in return they would like the Council to look at purchasing the structures to preserve them.

Commissioner Band concurred with Commissioners Campbell and Joyce. Open space that is privately owned is not open space; it is privately owned land. She shared the sentiment that if the City wants it preserved they should purchase it. Commissioner Band believed this proposal was a great compromise, and that many of the neighbors shared her opinion. She personally favored spot zoning. It is a great tool if people are creative and she thought Park City should look at it in the future.

Assistant City Attorney McLean stated that spot zoning or micro-zoning does not exist in Utah. It is a matter of finding the right zone for a particular area. Zoning cannot be done only for economic reasons.

Commissioner Thimm concurred with the other Commissioners with respect to zoning. His decision was swayed by the historic structures. Commissioner Thimm did not believe that creating the non-contiguous zoning islands was a good practice and he thought they should be careful about doing that. He felt this proposal would create a district that is set up by the existing historic structures in trying to modulate the scale of what is occurring in that area. Creating open space by zoning towards the ROS would preserve that ground in an appropriate way. Commissioner Thimm supported the proposal.

Commissioner Phillips was in favor of a City purchase, but he would be uncomfortable changing the zoning before the purchase. He preferred to purchase first and then change the zoning. Commissioner Phillips stated that he still had some misgivings, but he was willing to support the proposal.

Director Erickson remarked that the effect of this particular zone change reduces trip generation on Deer Valley Drive from 22 units x 10 to 8 units x 10. He explained that doing the zoning to protect the context of these historic houses is much closer to form based code in saying that this is the character we want to preserve in this location for X, Y and Z reasons. Director Erickson stated that this was more than a strict downzone. It was a careful enactment of progressive non-Euclidian technics and growth management on Deer Valley Drive, and protection of the neighborhood values. When the Staff looked at this rezone proposal, the number one mission was to protect the houses.

Commissioner Campbell referred to Silver Star, the Rio Grande and similar places that were deteriorating but there were plans for preservation; however, a commercial piece behind it paid for the preservation. It was a model he would like to see and he was

certain that the City, the Planning Staff and the public could get behind it. Commissioner Campbell clarified that he did not believe that model would work in this case because no one would want additional commerce in that area. His intent was to make sure that commercial components are considered in places where it would work.

Director Erickson stated that the mechanism already exists for historic houses where commercial uses such as a café could occur. As lower Park Avenue redevelops, he anticipated one or two additional coffee shops in that zone.

Commissioner Campbell wanted it on the record that his vote would be in favor of anything that would keep the historic buildings from demolition by neglect. It is never the intent, but it does happen to many structures if rebuilding them does not make sense.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council to approve the zoning map amendment request from RM to HRL and ROS at 622, 652 and 660 Rossi Hill Drive, and the BLM parcels, as well as additional zone changes from Estate to ROS for the BLM parcels above Rossi Hill, based on the Findings of Fact and Conclusions of Law as found in the draft ordinance. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Zoning Map Amendment

1. The property is identified as Summit County parcels M244-24, PC-750-1-X, M-244-23, PC-537-X, and the un-assessed BLM triangle parcel that is located to the south and east of Rossie Hill Drive and south of Coalition View Court.
2. The property is currently zoned Residential Medium-Density (RM) and the triangle parcel is zoned Estate (E).
3. There are currently three historic houses located at 622, 652, and 660 Rossie Hill Drive. These are located on parcel PC-537-X. These houses are designated as Landmarks on the City's Historic Sites Inventory.
4. This rezone also includes the northwestern half of the Foxglove Cottages PUD Subdivision, which was recorded in 1997. This subdivision included a provision that the common area is master planned open space, and may not be sold separately. The eastern half of the property is designated as open space on the subdivision.

5. This property is not contiguous to the existing HRL Zone District, which is located approximately 750 feet to the west / southwest along Rossie Hill Drive.
6. The size of the proposed rezoning area is approximately 15% of the total size of the entire existing HRL Zone District along McHenry Road.
7. The access to the sites is from Rossie Hill Drive and Coalition Court.
8. The ROS District lists Conservation Activity as the only allowed use.
9. The requested Zoning Map Amendment from RM to HRL and ROS is appropriate in that the zone change will meet City Council's goals of preserving the hillside and promoting redevelopment of the historic houses and is consistent with the General Plan.
10. This zone change proposes rezoning parcel PC-537-X from RM to HRL. The RD zone only allows up to 8 single family units of development; under the RM zone, the density is roughly 24 units of development consisting of a mix of multi-unit dwellings over four units.
11. This zone change proposes rezoning the remainder of PC-537-X and the other parcels to Recreation Open Space (ROS) which encourages preserving and enhancing environmentally sensitive lands, encouraging sustainability, conservation, and renewable energy.
12. The proposed Zoning Map Amendment directs complimentary development into an existing neighborhood and protects the historic properties along Deer Valley Drive through the HRL zoning regulations, meeting the goals of the General Plan.

Conclusions of Law – Zoning Map Amendment

1. There is Good Cause for this Zoning Map Amendment.
2. The Zoning Map Amendment request is consistent with the Park City General Plan and the Park City Land Management Code.
3. The Zoning Map Amendment is consistent with applicable State law.
4. Neither the public nor any person will be materially injured by the proposed Zoning Map Amendment.
5. Approval of the Zoning Map Amendment does not adversely affect the health, safety and welfare of the citizens of Park City.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

The applicant is requesting a Plat Amendment for the purpose of combining Lot 5 and Lot 6 of the Aerie Phase 1 Subdivision to create one (1) legal lot of record by removing the property line which separates them. The applicant owns both lots and requests to combine Lot 5 and Lot 6.

Respectfully:

Makena Hawley, Planner I

City Council Staff Report



Subject: The Aerie Phase One Subdivision,
Second Amendment amending Lots
5 and 6
Location: 1264 and 1276 Aerie Drive
Author: Makena Hawley, City Planner
Project Number: PL-16-03362
Date: February 16, 2017
Type of Item: Legislative – Plat Amendment

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing for The Aerie Phase One Subdivision, Second Amendment amending Lot 5 and 6 and consider approving the requested application based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: Craig Kipp
Location: 1264 and 1276 Aerie Drive
Zoning: Single Family (SF) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and City Council action

Executive Summary/Proposal

The applicant is requesting a Plat Amendment for the purpose of combining Lot 5 and Lot 6 of the Aerie Phase 1 Subdivision to create one (1) lot of record by removing the property line which separates them. The applicant owns both lots and requests to combine Lot 5 and Lot 6.

Background

On November 20, 2016, the City received a complete application to amend the Aerie, Phase 1 Subdivision by combining lots 5 and 6. The applicant wishes to combine Lot 5 and Lot 6 as shown on the Aerie Phase 1 Subdivision plat (Exhibit B) by removing the lot line that currently separates them. Summit County recognizes 1264 Aerie Dr. as Parcel AER-5 and 1276 Aerie Drive as Parcel AER-6 (Tax IDs).

Currently Lot 5 holds a single family dwelling and Lot 6 is vacant. If the plat amendment is approved the applicant would like to demolish the existing house on Lot 5 and construct a single family dwelling. This proposal was devised when the applicant found that Lot 6 was too steep to construct the single family home they desired, therefore removing the lot line and existing house the applicants would be able to build parallel to the slope verse perpendicular.

An easement exists on Lots 5 and 6 which consists of a concrete driveway leading to 1156 Aerie Drive (Lot 13). This easement was recorded in 1983 as Entry No. 211399 in Book 274 Page 168 (Exhibit F). This easement will remain unchanged.

The existing Aerie Phase 1 Subdivision only includes one plat note which referred to a settlement agreement recorded as Entry No. 179581 (Exhibit G). This plat note from the original Aerie Phase 1 Subdivision will continue to apply

The proposed plat amendment would be the second amendment for the Aerie Phase 1 subdivision. In 1997 a Lot Line Adjustment was approved to modify Lots 10 and 11 as the Olch Replat. The common lot line was simply moved in the middle of the lots to accommodate the existing house and a proposed addition. Both lots still exist, they were just modified.

No other applications have been submitted with this permit.

On January 11, 2017, the Planning Commission reviewed the requested application and held a public hearing. The Commission forwarded a positive recommendation to the City Council, the vote was unanimous (5-0). See Exhibit J – January 11, 2017 Draft Planning Commission Meeting Minutes.

Purpose

The purpose of the Single Family SF District is to:

- A. maintain existing predominately Single Family detached residential neighborhoods,
- B. allow for Single Family Development Compatible with existing Developments,
- C. maintain the character of mountain resort neighborhoods with Compatible residential design; and
- D. require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Analysis

The proposed plat amendment combines two (2) existing parcels to create one (1) lot of record consisting of 1.67 acres (72,863 square feet). A single-family dwelling is an allowed use in the SF District. There is no specified minimum lot area for a single family dwelling.

There is no minimum lot width in the SF district. The proposed plat amendment will combine Lots 5 and 6, with current lot widths of 98 feet each, to create one (1) lot of record with a width of 196 feet. The proposed plat amendment meets the lot and site requirements of the Single Family (SF) District as described below:

Land Management Code (LMC) Regulation	Existing	Permitted
Lot Size	1.67 Acres	Not Applicable (Max density is 3

		units per acre
Building Footprint	Approx. 3,840 sq. ft.	N/A – Lots are only required to meet setbacks.
Front/rear yard setbacks	Front yard (North): 20 feet from property line Rear yard (South): 260 feet from property line Due to the lot bordering a street on both the back and front, per 15-4-17 both sides must have a front setback, unless otherwise an exception by this code.	20 feet minimum, 25 feet for front facing garages. 15 feet minimum for Rear yard.
Side yard setbacks	15 feet from property line	12 feet minimum
Height	Approx. 28 feet from existing grade with portions of gabled roof reaching a max of 33 feet	28 ft. from existing grade. An additional 5' are granted for a gabled roof 4:12 or greater.
Maximum House Size	Not applicable currently as there are no house size restrictions within the Aerie Subdivision	As part of a Master Planned Development, or a subdivision, the Planning Commission may designate maximum house sizes to ensure Compatibility.
Parking	2 parking spots exist on this lot	Two (2) parking spaces per dwelling unit. Max width of 27' for driveway, minimum width is 10'

The changes proposed for the lot are to demolish the existing house and build a house across the existing lot line as to meet LMC requirements for height by not building down the steep hill. Potential density would be reduced, the subdivision is currently platted allowing for two (2) single family dwellings, and the combined lot could accommodate one (1) single family dwelling (a reduction in density). Duplexes are not permitted in the

Single Family (SF) District for lots within the Aerie Subdivision. Similarly, off-street parking requirements would be reduced, as each single family dwelling requires the provision of two (2) off-street parking spaces.

The proposed plat amendment does not create any non-conformities or remnant parcels. This plat amendment is consistent with the LMC and applicable State law regarding plat amendments. Any new structures proposed at the site must comply with applicable LMC. A building permit will be required to demo the existing house and create a new single family dwelling.

During the internal Development Review Committee meeting it was noted that there are no public utility easements along the side yard lot lines. The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Combining the parcels will allow the property owner to develop the proposed design that meets the LMC and will create one (1) legal lot of record out of the existing two (2) parcels. The plat amendment will also utilize best planning and design practices while preserving the character of the neighborhood and of Park City, while furthering the health, safety, and welfare of the Park City community. The plat amendment allows a building pad to be located on the lot compatible with the topography and results in a reduction in the overall number of dwelling units.

Staff finds that the plat will not cause undue harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements of the LMC on December 22, 2016. Legal notice was also published in the Park Record on December 24, 2016, and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has received letter of support for this application (Exhibit I).

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Any new structures will require a Building Permit, which is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve The Kipp Subdivision being a Second Amendment to The Aerie Phase One Subdivision, Amending Lot 5 and 6 as conditioned or amended; or
- The City Council may deny The Kipp Subdivision being a Second Amendment to The Aerie Phase One Subdivision, Amending Lot 5 and 6 direct staff to make findings for this decision; or
- The City Council may continue the discussion on the plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the existing lots would not be adjoined and would remain as is.

Recommendation

Staff recommends the City Council hold a public hearing for The Kipp Subdivision, being the Second Amendment to the Aerie Phase One Subdivision, Amending Lot 5 and 6 and consider approving the requested application based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat
- Exhibit B – Project Scope and Intent from applicant
- Exhibit C – Survey of Existing Conditions
- Exhibit D – The Aerie Phase 1 Subdivision Plat
- Exhibit E – Vicinity Map/Aerial
- Exhibit F – Recorded Grant of Easement
- Exhibit G – Recorded Settlement Agreement from Aerie Phase 1 Subdivision Plat
- Exhibit H – Pictures of the property
- Exhibit I – Letters of support from neighbors
- Exhibit J – Draft Minutes from Planning Commission 1/11/2017

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 2017-06

AN ORDINANCE APPROVING THE AERIE PHASE ONE SUBDIVISION, SECOND AMENDMENT AMENDING LOTS 5 AND 6, LOCATED AT 1264 AND 1276 AERIE DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 1264 and 1276 Aerie Drive have petitioned the City Council for approval of the Aerie Phase One Subdivision, Second Amendment amending Lots 5 and 6; and

WHEREAS, on December 24, 2016 proper legal notice was posted in the Park Record posted according to the requirements of the Land Management Code; and

WHEREAS, on December 22, 2016 proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 11, 2017 to receive input on the proposed subdivision;

WHEREAS, on January 11, 2017 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 16, 2017 the City Council held a public hearing on the proposed The Aerie Phase One Subdivision, Second Amendment amending Lots 5 and 6; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed The Aerie Phase One Subdivision, Second Amendment amending Lots 5 and 6.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Aerie Phase One Subdivision, Second Amendment amending Lots 5 and 6, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Aerie Phase One Subdivision, Second Amendment amending Lots 5 and 6 is located within the Single Family (SF) District.
2. On November 20, 2016, the City received a complete application to amend the Aerie, Phase 1 Subdivision by combining lots 5 and 6.
3. Summit County recognizes 1264 Aerie Dr. as Parcel AER-5 and 1276 Aerie Drive as Parcel AER-6 (Tax IDs).

4. Currently Lot 5 holds a single family dwelling and Lot 6 is vacant.
5. An easement exists on Lots 5 and 6 which consists of a concrete driveway leading to 1156 Aerie Drive. This easement was recorded in 1983 as Entry No. 211399 in Book 274 Page 168. This easement will remain unchanged.
6. The existing Aerie Phase 1 Subdivision only had one note which referred to a settlement agreement recorded as Entry No. 179581
7. In 1997 a Lot Line Adjustment to modify Lots 10 and 11 was approved to create the Olch Replat.
8. The proposed plat amendment combines two (2) existing parcels to create one (1) lot of record consisting of 1.67 acres (72,863 square feet)
9. The proposed plat amendment will combine Lots 5 and 6, with current lot widths of 98 feet each, to create one (1) lot of record with a width of 196 feet.
10. Front yard setbacks in the SF district are 20 feet minimum, 25 feet for front facing garages.
11. Due to the lot bordering a street on both the back and front, per 15-4-17 both sides must have a front setback.
12. Side yard setbacks in the SF district are 12 feet minimum.
13. Height in the SF district is 28 ft. from existing grade. An additional 5' are granted for a gabled roof 4:12 or greater.
14. The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.
15. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations, or any remnant parcels.
16. Any new structures must comply with applicable LMC requirements
17. The proposed plat amendment will not cause undo harm to adjacent property owners.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
4. A 10 foot Public Snow Storage Easement will be required along both roads on the North and South side of the property.
5. Any land disturbances over 1.0 acres will require the applicant to abide by the City's storm water MS4 permit program.
6. All above ground utility infrastructures shall be located on the applicants property.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 16th day of February, 2017

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Packet Pg. 191

My commission expires: _____
Residing in: _____ Notary Public

Date: _____ Time: _____
Entry # _____ Fee: _____
County Recorder

**Exhibit B - Project Scope and Intent from
Applicant**

Kipp Aerie Plat Amendment: Project Scope and Intent

We are requesting permission to combine two adjacent lots in the “Aerie” subdivision. Then we plan to build one house across the two combined lots. Today, there is an existing house on one lot, while the other adjacent property is a virgin lot.

We own the existing 25 year old house, and lot, on 1264 Aerie Dr. For 11 years, it has been our primary residence. In July of 2015, we purchased the adjoining lot, 1276 Aerie Dr. The original intent was to build a ~7,500 Sq. Ft. house on just this new lot (1276), and subsequently sell our current house/lot (1264).

However, because of both the steepness and narrowness of the 1276 lot, while also complying with height restrictions, driveway grade and setbacks, the architectural design of the planned new house on 1276 became very challenging. This was especially true because of the unnatural and man-made steepness of the northwest corner of lot 1276. This appears to be the result of depositing road clearing rubble during the Aerie Dr. road construction, +30 years ago, when the subdivision was created.

Thus, preliminary design of the new house on the single 1276 lot, indicated that the house would require 4 levels, and be positioned “down” the hill in such a fashion that it might impact the views from the adjacent neighbors (1264 and 1288 Aerie).

Therefore, we would like to remove these issues for us, and the neighbors, by combining the two lots (eliminate the single lot line between 1264 and 1276), then physically remove the existing house on 1264, and build one house of ~7500 Sq. Ft. across the now combined 1264/1276 lots.

The demolition submittal for the 1264 house and the new construction submittal for the 1264/1276 house would both follow at a later date.

We would like to start new house construction on lot(s) 1264/1276 in the Spring of 2017.

Exhibit C - Survey of Existing Conditions

AERIE, Phase 1 Subdivision
Lots 5 & 6

HIGH MOUNTAIN
SURVEYING, LLC
P.O. Box 445
1325 South Hoytsville Road
Coalville, Utah 84017
(435) 336-4210

SHEET 1 OF 1

COMMENTS:

SURVEYED BY:	PCF	DRAWN BY:	PCF
PCS FILE:	Aerie Phase 1 Lots 5 & 6 2015.pcs	PROJECT NO:	1047-15
DATE:	June 25, 2015		

RECORD OF SURVEY

Prepared For: Craig Kipp
Lots 5 & 6 of the Aerie, Phase 1, Subdivision
Part of Sections 16 & 9 of T2S, R4E, SLB&M
Park City, Summit County, Utah

Narrative

- Craig Kipp requested a survey of Lots 5 & 6 of Aerie Phase 1 Subdivision in Park City for the purpose of marking the property corners, locating the location of the Access Easement serving Lot 13 and preparing topographical contours lines on lot 6.
- The Basis of Bearing for this survey South 00° 28' 20" East between the existing Rebar and Caps shown on the map on the line common to lots 5 and 6.
- In addition to the Access Easement found in Book 439, Page 437 (shown hereon) there are additional Public Utility and Drainage Easements that were created by the creation of the Aerie, Phase 1 Subdivison Plat and a separate Right of Way Easement in favor of Utah Power and Light recorded in Book 331, Page 213.
- These Lots are part of the Single Family Zone. As such, they setbacks are as follows: Front: 20' minimum, 25' for new garages facing the street; Sides: 12'; Rear: 15'. There are exceptions to these requirments that may be reviewed in the Zoning Section of the Park City Municipal Code.
- The contour interval is 12 foot. The datum used is NAVD 88, derived from GPS utilizing Geoid 12A.

Survey Descriptions

- Lot 5: All of Lot 5 of the Aerie, Phase 1 Subdivision as shown on the official plat thereof on file in the office of the Summit County Recorder.
- Lot 6: All of Lot 6 of the Aerie, Phase 1 Subdivision as shown on the official plat thereof on file in the office of the Summit County Recorder.

Surveyor Certificate

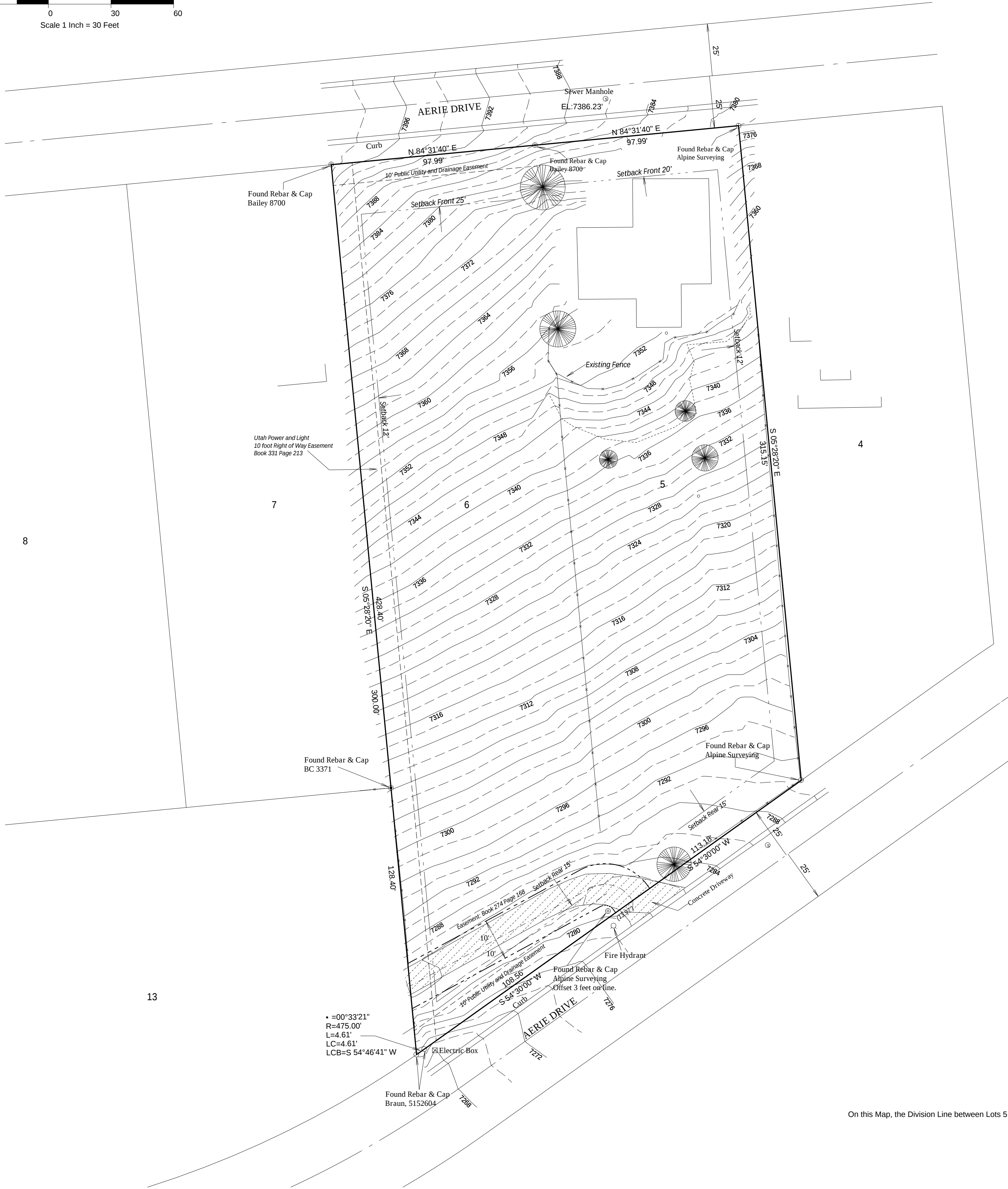
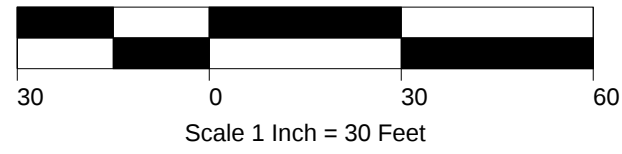
I Paul Ferry, a Licensed Professional Land Surveyor as prescribed by the Laws of the State of Utah and holding License No. 368358, do hereby certify that I have made a survey, or a field survey was made under my direction of the described property and that the plat hereon is a true and correct representation of said survey.



Legend

⊙	Rebar & Cap, Bailey 8700
⊙	Rebar & Cap, Alpine
⊙	Rebar & Cap, BC 3371
⊙	Rebar & Cap, Braun 5152604
⊙	Electric Box
—+—+—	Existing Fence
- - - - -	Setback Line
- - - - -	Public Utility and Drainage Easement
▨	Concrete Driveway

On this Map, the Division Line between Lots 5 and 6 has been removed.



13

THE AERIE

LOCATED IN SECTIONS 9, 10, 15, & 16 T.2S., R.4E., S.L.B. & M.

PHASE

LOCATED IN SECTIONS 9, 10, 15, & 16 T. 2 S., R. 4 E., S. 1 B. & M.

PHASE I

SHEET 1 of 2

LEGEND

- MONUMENT TO BE SET
- ▼ FIRE HYDRANT REQ'D.



SURVEYORS CERTIFICATE

I, Glen R. Larson, do hereby certify that I am a Registered Civil Engineer, and or, land Surveyor, and that I hold Certificate No 5034, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets hereafter to be known as **THE AERIE PHASE I** and that same has been correctly surveyed and staked on the ground as shown on this Plat.

10-20-81
DATE

Glen R. Larson
GLEN R. LARSON LIC. NO. 5034

BOUNDARY DESCRIPTION

Beginning at a point 1219.70 ft. East and 1618.3 ft North from the N.E. Corner of section 10, T.2S., R.4E., S.L.B. & M.; thence S. 82° 34' 28" W. 184.51 ft.; Thence 207.33 ft. along a curve to the right (central angle = 81° 55' 32", Radius = 145.00 ft.); thence S. 74° 30' W. 97.22 ft.; thence 105.81 ft. along a curve to the left (central angle = 20° 00', Radius = 475.00 ft.); thence S. 54° 30' W. 316.12 ft.; thence 274.89 ft. along a curve to the right (central angle = 30° 00', Radius 525.00 ft.); thence S 84° 30' W. 108.17 ft.; thence 281.87 ft. along a curve to the left (central angle = 170° 00', Radius = 95.00 ft.); thence S. 85° 30' E. 191.54 ft.; thence S. 0° 06' 31" W. 50.15 ft.; thence N. 85° 30' W. 195.38 ft.; thence 430.22 ft. along a curve to the right (central angle = 170° 00', Radius 145.00 ft.); thence N. 84° 30' E. 153.17 ft.; thence N. 60° 09' W. 404.12 ft.; thence N. 0° 06' 31" S. 334.74 ft.; thence N. 60° 39' 39" E. 177.75 ft.; thence 238.16 ft. along a curve to the right (central angle = 54° 48' 55", Radius = 2800.00 ft.); thence N. 64° 31' 26" W. 120.00 ft.; thence N. 33° 41' 06" E. 154.57 ft.; thence N. 40° 49' 02" W. 135.66 ft.; thence N. 84° 32' 44" E. 518.45 ft.; thence S. 64° 51' 18" E. 271.00 ft.; thence N. 66° 30' E. 496.04 ft.; thence; S. 88° 00" E. 263.22 ft.; thence N. 0° 06' 31" E. 280.99 ft.; thence; N. 82° 20' 31" E. 473.00 ft.; thence S. 16° 08' 29" E. 806.04 ft., thence S. 12° 38' 31" W. 193.50 ft.; thence S. 82° 20' 31" W. 692.73 ft.; thence S. 71 ft. along a curve to the right (central angle = 1° 31' 16", Radius 215.00 ft.); thence S. 8° 30' W. 68.29 ft. to the point of beginning, containing 4765 acres, 86 Lots.

OWNERS DEDICATION

Know all by these presents that we the undersigned owners of the above described tract of land, having caused the same to be subdivided into lots and streets to hereafter be known as:

THE AERIE PHASE I

to hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, and do warrant, defend, and save the City harmless against any easements or other incumbrances on the dedicated streets which will interfere with the City's use, operation, and maintenance of the streets and do further dedicate the easements as shown

CURVE DATA						
N ₂	A	R	L	L ₂	T	T ₂
35	23° 49'	14"	312.34	134.01	133.05	67.99
36	16° 00'	00"	322.54	90.01	89.72	45.30
37	18° 51' 44"		2.15	71.16	70.85	35.91
38	43° 00'	00"	165	123.83	120.95	65.00
39	43° 00'	00"	190	142.59	139.27	74.64
40	24° 02' 16"		1.15	90.20	89.54	45.77
41	6° 15' 13'		165	18.01	18.00	9.25
42	28° 10' 21"		215	106.28	105.20	54.25
43	00° 00'	00"	190	116.06	114.27	57.91
44	70° 00'	00"	190	17.22	17.22	7.22
45	46° 42' 07'		165	134.49	130.80	71.23
46	17° 02' 40'		165	40.08	40.00	24.72
47	35° 00' 00"		190	116.06	114.27	57.91
48	26° 48' 06"		215	100.57	99.66	51.22
49	23° 30' 31"		211.84	88.15	87.52	44.72
50	33° 50' 31"		236.84	98.89	97.84	50.00
51	23° 30' 31"		261.84	108.96	108.17	55.25
52	16° 15' 14"		145	41.15	40.09	20.70
53	27° 10' 12'		145	60.44	60.40	35.70
54	26° 15' 35"		145	60.68	60.29	34.05
55	20° 00' 00"		145	50.01	50.00	25.57
56	90° 00' 00"		120	185.50	169.71	120.00
57	90° 00' 00"		145	149.23	143.45	95.40
58	8° 45' 25"		593.86	00.76	00.68	45.07
59	8° 40' 10"		593.86	58.66	59.77	45.01
60	8° 04' 25"		593.86	66.44	66.49	45.01
61	25° 58' 00"		543.86	253.18	253.01	111.01
62	14° 40' 20"		543.86	139.27	138.89	70.02
63	10° 49' 40"		543.86	102.78	102.63	51.54
64	55° 00' 00"		95	91.01	87.73	40.45
65	55° 00' 00"		120	115.19	110.80	62.47
66	55° 00' 00"		145	139.10	133.01	75.44
67	52° 01' 13'		15	13.62	13.16	7.32
68	47° 05' 30'		50	41.10	39.95	21.70
69	58° 03' 14"		50	50.65	50.65	27.44
70	62° 14' 00"		50	71.76	70.76	34.00
71	06° 40' 42'		50	84.37	74.71	56.20
72	23° 42' 24"		250	103.44	102.70	52.47
73	86° 26' 11"		225	339.97	306.25	211.65
74	91° 30' 09"		225	359.33	322.34	230.90

CORPORATE ACKNOWLEDGEMENT

State of Utah } ss.
County of Summit }

On this 20th day of November a.d., 1981
personally appeared before me, the undersigned
notary public, in and for the State and County, DAVID L.
NIELSON who after being duly sworn, acknowledged
to me that SIERRA WEST REAL ESTATE CO., INC. is a UTAH
Corporation, and that he signed the Owner's Dedication
freely and voluntarily for and in behalf of the corporation
for the purpose therein mentioned and that the
corporation executed the same.

notary public
residing at Orange, Va
my commission expires 7-17-87

THE AERIE SHEET
PARK CITY, UTAH 1 OF 2
RECORDED

State of Utah, County of Summit,
Recorded and Filed at the request
of: _____
date _____ time _____.
Fee _____ Summit Co. Recorder _____

ENGINEERS CERTIFICATE

Approved & Accepted by the
Park City Engineering Dept.
this 17th day of DECEMBER Ad. 1981
Eric W. DeHann, P.E.
Park City Engineer

APPROVAL AS to FORM

Approved as to form
this 29th day of Dec
_____ a.d. 1981
Michael P. McLaughlin
Park City Attorney

CERTIFICATE of ATTEST

Attest this 22 day
of October a.d. 1981

Al Williams
Park City Recorder

COUNCIL APPROVAL & ACCEPT.

Approved & Accepted by the
Park City Council this 28 day
of Dec ad 1981
John C. Reed
Mayor

THE AERIE

PHASE I

SHEET 2 of 2

Pursuant To A Motion & Stipulation, Civil No 4613,
In The Third Judicial District Court of Summit
County, State of Utah, And A Settlement
Agreement Between The Same Parties Dated
April 24, 1981, Notice of Which Was Filed For
Record On May 15, 1981 As Entry No. 179581
Book M187 Page 429 to 431, Records of
Summit County.

APPROVED BY PLANNING AND ZONING COMMISSION ..

<u>Arlene Loble</u>	<u>12-24-81</u>
Arlene Loble, City Manager and Acting Planning and Zoning Commissioner	date
<u>Ron Ivie</u>	<u>12-23-81</u>
Ron Ivie, City Building Official and Acting Planning and Zoning Commissioner	date
<u>Robert Wells</u>	<u>12-24-81</u>
Robert Wells, City Councilman and Acting Planning and Zoning Commissioner	date

CORPORATE ACKNOWLEDGEMENT

State of Utah } ss
County of Summit }

On this 15th day of DECEMBER ad, 1981
personally appeared before me, the undersigned
notary public, in and for said State and County, DAN W.
FIRMAGE who after being duly sworn, acknowledged
to me that AERIE DEVELOPMENT CORP. is a UTAH
corporation, and that HE signed the Owner's Dedication
freely and voluntarily for and in behalf of the corporation
for the purpose therein mentioned and that the
corporation executed the same.

Notary Public John C. Gordon
residing in Ogden, Utah my commission expires 7-17-84

CORPORATE ACKNOWLEDGEMENT

State of Utah } ss
County of Summit }

On this 3rd day of December ad, 1981
personally appeared before me, the undersigned
notary public in and for said State and County, M. M.
Bennett who, after being duly sworn, acknowledged
to me that M. M. Bennett is a Utah
corporation, and that he signed the Owner's Dedication
freely and voluntarily for and in behalf of the corporation
for the purpose therein mentioned and that the
corporation executed the same.

Notary Public Marion Bennett
residing in Park City, Utah my commission expires 2-11-82

INDIVIDUAL ACKNOWLEDGEMENT

State of Utah } ss
County of Summit }

On this 15th day of December ad, 1981
personally appeared before me, the undersigned
notary public, in and for said State and County,
Firmage the signer(s) of the Owner's
Dedication, Book M187 Page 429 to 431 number, who duly acknowledged
to me that he signed it freely and voluntarily
and for the same purposes therein mentioned.

Notary Public Park City
residing in Park City my commission expires 9-28-82

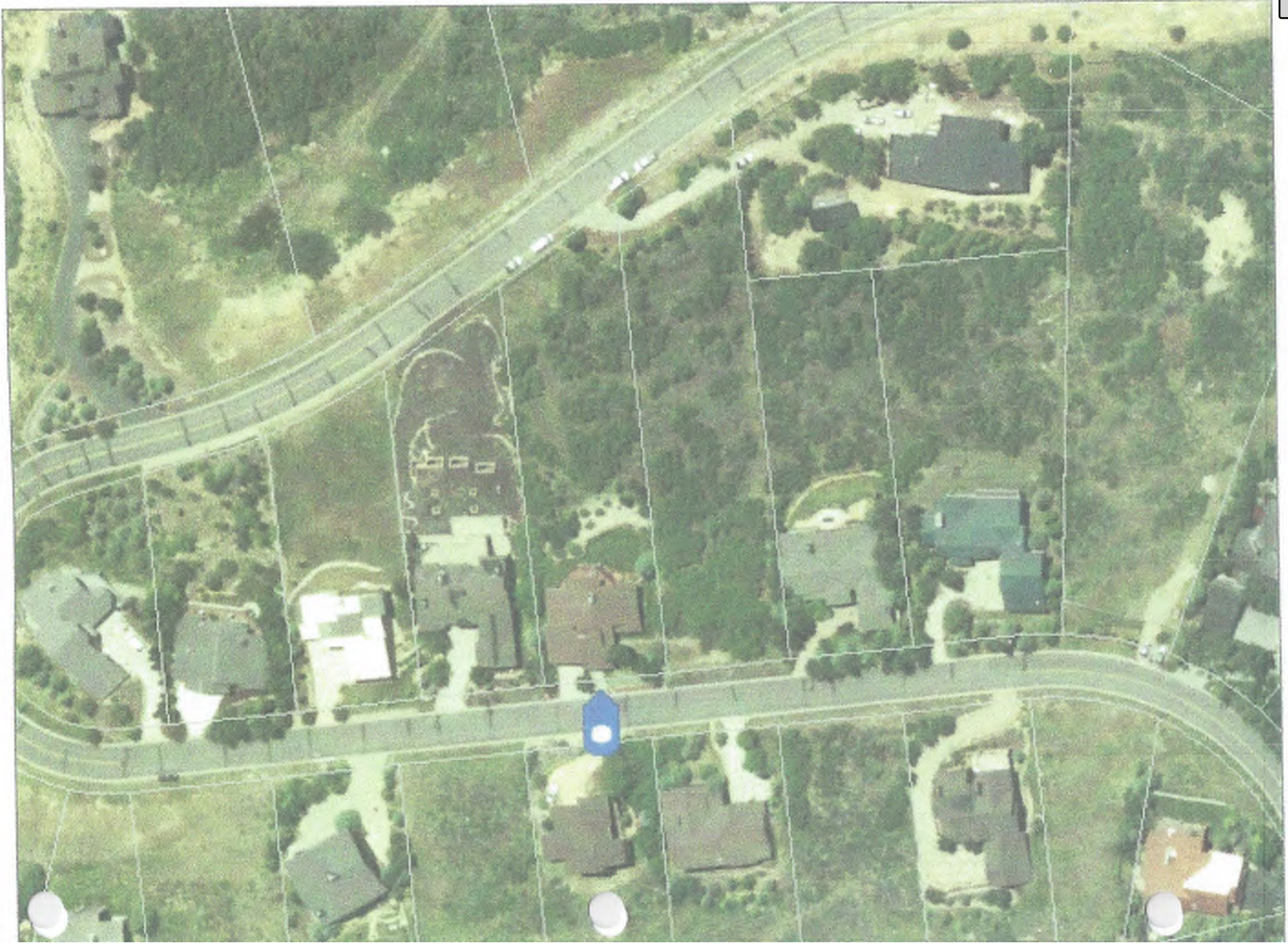
THE AERIE
PARK CITY, UTAH

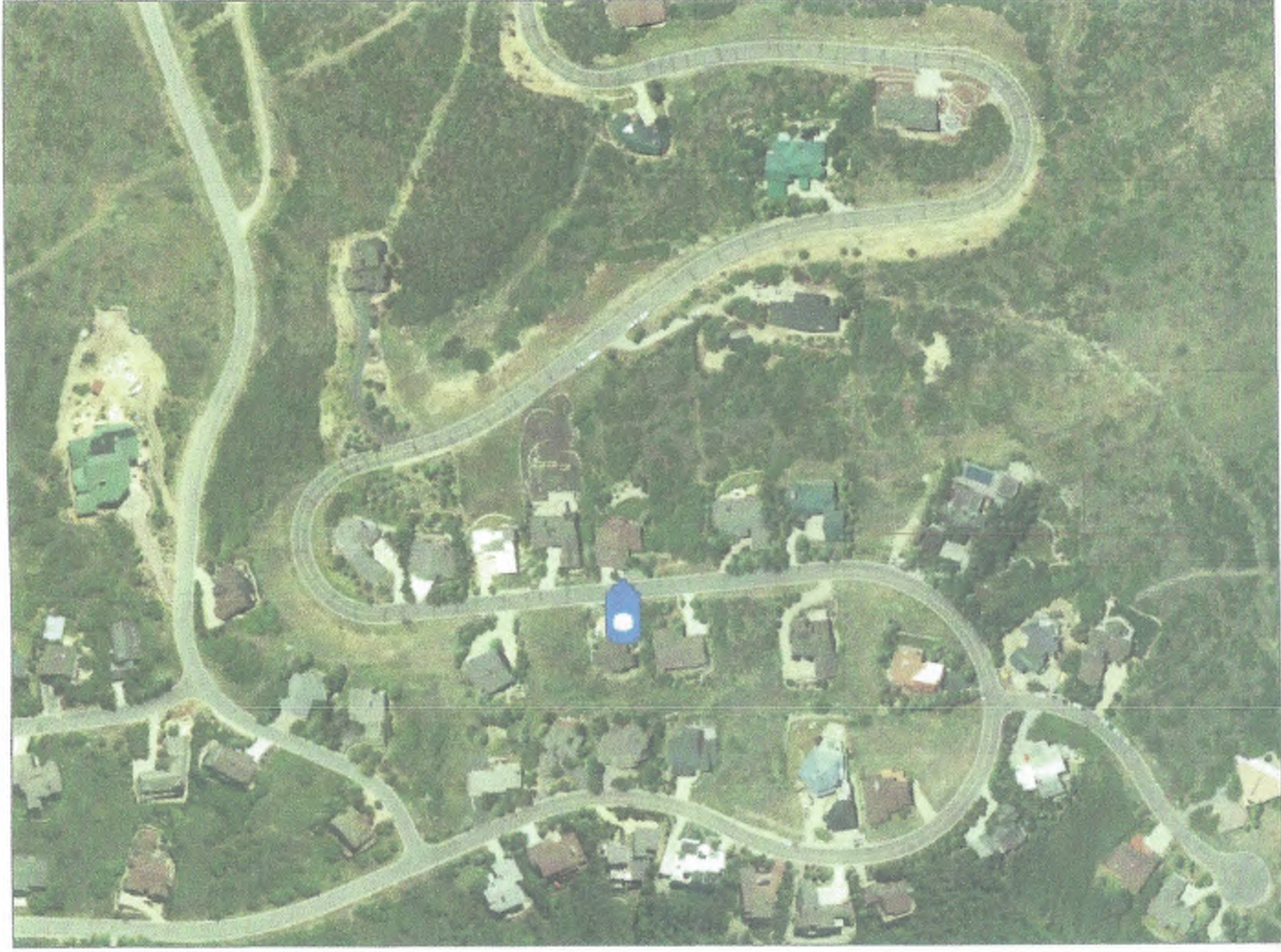
SHEET
2 of 2

Entry No. _____ Book _____
RECORDED _____ of _____ Page _____
REQUEST OF _____
BY _____
WAYNE T. SPENCER, SUMMIT CO. RECORDER
BY _____
ABSTRACT _____

Exhibit E - Vicinity Map/Aerial

PCMC





Wayne H. Brunberger
1811 West 2300 So.
SLC 84119

Exhibit F - Recorded Grant of Easment

Entry No.	211399
REQUEST OF	Wayne H. Brunberger
FEE	ALAN SPRIGGS, SUMMIT C.
\$ 7.00	By Susan Gibson
RECORDED	SEP 29 1983 at 11:50

GRANT OF EASEMENT

FMA Financial Corporation, dba Firmage Financial Corporation, Grantor, does hereby convey to Valley Bank and Trust Company, as Trustee for FMA Financial Corporation, dba Firmage Financial Corporation, (successor to Park City Hylands), under an Exchange Agreement dated September 11, 1981, Grantee, its successors and assigns, for the sum of One and no/100 Dollars (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, a nonexclusive easement for right-of-way, 20 feet wide, as illustrated on Exhibit "A" attached hereto and incorporated herein by reference, for access to and from Lot 13, the Aerie, Phase I, Summit County, Utah, through and across the following described land and premises situated in Summit County, State of Utah, and being a part of Lots 5 and 6, The Aerie, Phase I, to-wit:

10.00 feet on each side of the following described centerline:

Beginning at a point on the North Right-of-way line of Aerie Drive said point being 366.014 feet South and 638.935 feet West from the Northeast Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence running North 35°30' West 1.73 feet; thence 21.73 feet along the arc of a curve to the left having a central angle of 83°.00' and a radius of 15.00 feet (Chord bears; N 77°.00' W 19.88 feet); thence South 61°30' West 98.19 feet to the East property line of Lot 13, the Aerie Subdivision as recorded in the office of the Summit County Recorder.

This Grant of Easement shall run with the land described above and shall be binding on and iner to the benefit of the parties hereto, their heirs, successors or assigns. This Easement shall include the reasonable right to enter upon the above described land for the purpose of excavating, grating, filling, revegetating, draining,

repairing, building or rebuilding a 15 foot driveway or
access road to and from said Lot 13.

IN WITNESS WHEREOF, the Grantor has executed this
document on the 29 day of September, 1983.

FMA FINANCIAL CORPORATION, dba
FIRMAGE FINANCIAL CORPORATION

Dan D. Firmage
Dan D. Firmage, Sr. Vice-President

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 29th day of September, 1983, personally
appeared before me, Dan D. Firmage, who duly acknowledged to
me that he is Sr. Vice-President of FMA Financial Corporation,
FMA Firmage Financial Corporation, a Utah corporation,
and that he signed the foregoing instrument on behalf of
said corporation.

Wayne H. Braunhager
Notary Public
Residing in Salt Lake County,
State of Utah

My Commission expires:

6-12-86

Sept #1 83
ICF B21-22

BOOK 274 PAGE 169

Exhibit G - Recorded Settlement Agreement from Aerie
Phase 1 Subdivision Plat

NOTICE

The development of the real property described on the attached exhibits A-1, B-1 and C-1 is subject to a Settlement Agreement between Elwood L. Nielsen, Great Eastern Mining Company, Park West Village, Inc. and Park City. Copies of the Settlement Agreement are available at the City Offices of Park City.

DATED this 24th day of April, 1981.

Entry No. <u>175581</u>	Book <u>11187</u>
RECORDED <u>5-15-81</u> at <u>4:30</u> M Page <u>422-3</u>	
REQUEST of <u>SUMMIT CO. TITLE</u>	
FEE	WANDA Y. SPRIGGS, SUMMIT CO. RECORDER
\$ <u>7.00</u>	By <u>Wanda Y. Spriggs</u>
INDEXED	ABSTRACT

Elwood L. Nielsen
Elwood L. Nielsen

GREAT EASTERN MINING COMPANY

By Elwood L. Nielsen
President

By Wanda Y. Spriggs
Secretary

PARK WEST VILLAGE, INC.

By Elwood L. Nielsen
President

By Wanda Y. Spriggs
Secretary

PARK CITY

By John C. Green
Mayor

ATTEST:

Arlene Loble
City Recorder

The signature of Elwood L. Nielsen was subscribed and sworn to before me this 24th day of April, 1981.

My Commission Expires:

4-1-85

STATE OF UTAH,

County of Summit

)
: ss.
)

Wanda Y. Spriggs
Notary Public

Residing at: Park City, Utah

On the 24th day of APRIL 1981, A.D. personally appeared before me John C. Green and Arlene Loble who being by me duly sworn did say, each for himself, that the, the said John C. Green is the mayor, and she, the said Arlene Loble is the recorder of the city of Park City, and that the within and foregoing instrument was signed in behalf of the municipality by authority of its city council and said John C. Green and Arlene Loble each duly acknowledged to me that the municipality ex

the same and that the seal affixed is the seal of the corporation.

Don Dutcher
Notary Public

My Commission expires:

4-1-85

Residing at: Park City, Utah

STATE OF UTAH,)

County of Summit) ss.

On the 24th day of April, 1981, A.O.
personally appeared before me Elwood L. Nielsen and Lowell
V. Summerhays who being by me duly sworn did say, each for
himself, that he, the said Elwood L. Nielsen is the president,
and he, the said Lowell V. Summerhays is the secretary of
Great Eastern Mining Company, and that the within and foregoing
instrument was signed in behalf of said corporation and said
Elwood L. Nielsen and Lowell V. Summerhays each duly acknowledged
to me that said corporation executed the same and that the seal
affixed is the seal of said corporation.

Don Dutcher
Notary Public

My Commission expires:

4-1-85

Residing at: Park City, Utah

STATE OF UTAH,)

County of Summit) ss.

On the 24th day of April, 1981, A.O.
personally appeared before me Elwood L. Nielsen and Lowell
V. Summerhays who being by me duly sworn did say, each for
himself, that he, the said Elwood L. Nielsen is the president,
and he, the said Lowell V. Summerhays is the secretary of
Park West Village, Inc., and that the within and foregoing
instrument was signed in behalf of said corporation and said
Elwood L. Nielsen and Lowell V. Summerhays each duly acknowledged
to me that said corporation executed the same and that the
seal affixed is the seal of said corporation.

Don Dutcher
Notary Public

My Commission expires:

4-1-85

Residing at: Park City, Utah

BOOKM187 PAGE430

EXHIBIT A-1

Beginning on the West line of the Southeast quarter of the Northeast quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, at a point 176.25 feet North from the Southwest corner of said Southeast quarter of the Northeast quarter; thence North $81^{\circ}06'00''$ West 40.34 feet; thence North $24^{\circ}11'00''$ West 28.29 feet; thence North $65^{\circ}49'00''$ East 56.38 feet to a point on said West line of the Southeast quarter of the Northeast quarter; thence North 184.7 feet; thence South $37^{\circ}08'11''$ East 123.39 feet; thence South $52^{\circ}51'49''$ West 16.00 feet; thence South $37^{\circ}08'11''$ East 351.76 feet; thence North $66^{\circ}11'00''$ West 242.70 feet; thence North 42.45 feet; thence North $81^{\circ}06'00''$ West 52.71 feet to the point of beginning.

EXHIBIT B-1

Beginning at a point 888.57 feet South and 1321.72 feet West from the Northeast corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence North $82^{\circ}20'31''$ East 400.00 feet; thence North $0^{\circ}06'31''$ East 175.00 feet; thence North $54^{\circ}17'32''$ East, 740.79 feet; thence South $17^{\circ}0'0''$ East 830.00 feet; thence South $82^{\circ}20'31''$ West, 654.60 feet; thence South $0^{\circ}42'31''$ West 150.00 feet; thence South $82^{\circ}21'13''$ West 598.92 feet thence North $1^{\circ}01'36''$ East, 150.00 feet to corner No. 3 of Patented Claim Surprise No. 4 (M.S. 5553); thence North $0^{\circ}06'31''$ East 300.00 feet to the point of beginning.

EXHIBIT C-1

Beginning at a point 888.57 feet South and 1321.72 feet West from the Northeast corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence North $0^{\circ}06'31''$ East 1193.30 feet; thence North $82^{\circ}20'31''$ East 30.90 feet; thence North $16^{\circ}08'29''$ West 240.00 feet; thence North $80^{\circ}49'31''$ East 37.00 feet; thence North $0^{\circ}06'31''$ East 555.10 feet; thence North $80^{\circ}49'31''$ East 1500.00 feet; thence South $0^{\circ}06'30''$ West 256.80 feet; thence North $82^{\circ}20'31''$ East 473.00 feet; thence South $16^{\circ}08'29''$ East 806.40 feet; thence South $12^{\circ}38'31''$ West 193.50 feet; thence South $82^{\circ}20'31''$ West 447.32 feet; thence South $12^{\circ}36'38''$ West 698.02 feet; thence South $19^{\circ}30'0''$ East 428.48 feet; thence South $82^{\circ}20'31''$ West 445.00 feet; thence North $17^{\circ}0'0''$ West 830.00 feet; thence South $54^{\circ}17'32''$ West 740.79 feet; thence South $0^{\circ}06'31''$ West 175.00 feet; thence South $82^{\circ}20'31''$ West 400.00 feet, to the point of beginning.

BOOK 187 PAGE 431

Exhibit H - Pictures of the Property



From: PaulZane@Pilzer.org
Sent: Tuesday, January 03, 2017 11:22 AM
To: Makena Hawley
Cc: "Lisa Dang Pilzer"; 'PaulZane@Pilzer.org'
Subject: 1264 Aerie Drive (attached)
Attachments: 2017_01_02_15_25_15.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Makena

My name is Paul Zane Pilzer—I have lived in Park City since 1981 and owned the lot (and house) at 1371 Aerie Drive up the street from this property since 1985.

My wife and I wholeheartedly support the application of Craig Kipp to combine the two lots at 1264 Aerie Drive without any reservations. This will be a great addition to our community and reduce traffic and density.

Please let us know anything we can to further support this application.

Sincerely,

Paul and Lisa Pilzer
1371 Aerie Drive



PAUL@PAULZANEPILZER.COM
WWW.PAULZANEPILZER.COM
WWW.ZANECHINA.COM

From: Mark Atkinson <malatkinson1952@gmail.com>
Sent: Friday, December 30, 2016 11:49 AM
To: Makena Hawley
Subject: Planning Application PL-16-033632

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for providing us with the opportunity to comment on the plat change requested by Craig Kipp to combine his two lots. My wife and I live at 1395 Aerie Drive with is due North and up the hill from the Kipp's lots. Please make the Planning Commission aware of our strong support for the proposed combination of their two lots.

Mark A L Atkinson, M.A., D.Phil. & Lynn D Morrow, M.D.
1395 Aerie Drive, Park City, Utah 84060.

Planning Commission Meeting
January 11, 2017
Page 70

5. All signs associated with the use of the property must comply with the City's Sign Code and require a separate sign permit issued by the Planning Department prior to installation.
6. No outdoor storage of goods or mechanical equipment is allowed on-site.
7. A final utility plan shall be approved by the City Engineer and SBWRD prior to issuance of building permits for the new construction.
8. Any soil disturbance or proposed landscaping shall adhere to Park City Municipal Code 11-15-1.
4. **1264 Aerie Drive plat combination – The purpose of this plat is to combine two adjacent lots in the Aerie Subdivision to build one house across the two combined lots.** (Application PL-16-03362)

Due to a conflict, Commissioner Campbell recused himself from this item and left the room.

Planner Makena Hawley reviewed the application for a plat amendment for the Kipp Subdivision, which would be the Second Amendment to the Aerie Phase I Subdivision. The applicant owns Lots 5 and 6 and he was proposing to combine both lots.

Planner Hawley stated that the owner intended to build his house on Lot 6, but the hill was too steep for the planned design. The applicant decided to combine the two lots in order to build the house on the flatter portion and closer to the existing houses.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council on the plat amendment for 154 and 1276 Aerie Drive, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously. Commissioner Campbell was recused.

Planning Commission Meeting
January 11, 2017
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Findings of Fact – 1265 Aerie Drive

1. The Kipp Subdivision being a Second Amendment to The Aerie Phase One Subdivision, Amending Lot 5 and 6 is located within the Single Family (SF) District.
2. On November 20, 2016, the City received a complete application to amend the Aerie, Phase 1 Subdivision by combining lots 5 and 6.
3. Summit County recognizes 1264 Aerie Dr. as Parcel AER-5 and 1276 Aerie Drive as Parcel AER-6 (Tax IDs).
4. Currently Lot 5 holds a single family dwelling and Lot 6 is vacant.
5. An easement exists on Lots 5 and 6 which consists of a concrete driveway leading to 1156 Aerie Drive. This easement was recorded in 1983 as Entry No. 211399 in Book 274 Page 168. This easement will remain unchanged.
6. The existing Aerie Phase 1 Subdivision only had one note which referred to a settlement agreement recorded as Entry No. 179581
7. In 1997 a Lot Line Adjustment to modify Lots 10 and 11 was approved to create the Olch Replat.
8. The proposed plat amendment combines two (2) existing parcels to create one (1) lot of record consisting of 1.67 acres (72,863 square feet)
9. The proposed plat amendment will combine Lots 5 and 6, with current lot widths of 98 feet each, to create one (1) lot of record with a width of 196 feet.
10. Front yard setbacks in the SF district are 20 feet minimum, 25 feet for front facing garages.
11. Due to the lot bordering a street on both the back and front, per 15-4-17 both sides must have a front setback.
12. Side yard setbacks in the SF district are 12 feet minimum.
13. Height in the SF district is 28 ft. from existing grade. An additional 5' are granted for a gabled roof 4:12 or greater.

Planning Commission Meeting
January 11, 2017
Page 72

14. As stated in the LMC Single Family District, as part of a Master Planned Development, or a subdivision, the Planning Commission may designate maximum house sizes to ensure Compatibility.

15. The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.

16. As conditioned, the proposed plat amendment does not create any new noncomplying or non-conforming situations, or any remnant parcels.

17. Any new structures must comply with applicable LMC requirements

18. The proposed plat amendment will not cause undo harm to adjacent property owners.

Conclusions of Law – 1264 Aerie Drive

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 1264 Aerie Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers will be required for new construction by the Chief Building

Planning Commission Meeting
January 11, 2017
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Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

4. A 10 foot Public Snow Storage Easement will be required along both roads on the North and South side of the property.

5. Any land disturbances over 1.0 acres will require the applicant to abide by the City's storm water MS4 permit program.

6. All above ground utility infrastructures shall be located on the applicant's property.

Commissioner Campbell returned to the meeting.

5. **1061/1063 Lowell Avenue (Application #PL-16-03328) - The purpose of this plat is to vacate Lot 1 from the Northstar subdivision, which current holds a duplex and has a deed line running through it. This plat amendment is synonymous with application #PL-16-03221; removing Lot 1 from the Northstar subdivision will possibly allow the following application to subdivide the current lot into 4 lots (becoming its own subdivision) for 4 single family homes. (Application PL-16-03328)**

6. **1061/1063 Lowell Avenue (Application #PL-16-03321) - The purpose of this plat is to subdivide one lot with a current duplex on it, separating it into 4 lots for 4 single family homes. This plat amendment is contingent on the approval of the 1061/1063 Lowell Avenue PL-16-03328 plat amendment, which proposes to vacate Lot 1 from the Northstar Subdivision. (Application PL-16-03321)**

The Planning Commission discussed these items together.

Planner Hawley reported that these items were originally noticed for action. However, after receiving considerable feedback on the Staff report, the Staff decided that it was best to handle these items as a work session this evening. Planner Hawley recommended that the Planning Commission take public input and continue these items to February 8, 2017.

Planner Hawley reported that the two plat amendments; one to vacate the Northstar Subdivision and the second to subdivide the lot into four different lots are dependent on each other and should be viewed together.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends the City Council conduct a public hearing and continue the hearing of the 1061 Lowell Avenue Subdivision, to a date uncertain. The applicant wishes to amend the proposal.

Respectfully:

Makena Hawley, Planner I

City Council Staff Report



Subject: 1061 Lowell Avenue Subdivision
Address: 1061 and 1063 Lowell Avenue
Author: Makena Hawley, Planner
Project Number: PL-16-03221
Date: February 16, 2017
Type of Item: Legislative – Plat proposal to subdivide 1 lot into 4 lots which is concurrent and dependent on the plat vacation of Lot 1 from the Northstar Subdivision (PL-16-03328).

Summary Recommendations

Staff recommends the City Council conduct a public hearing and continue the hearing of the 1061 Lowell Avenue Subdivision, to a date uncertain. The applicant wishes to amend the proposal.

Description

Applicant: Illuminus Property Holdings represented by Jon Turkula,
Jaffa Group Architecture
Location: 1061 & 1063 Lowell Avenue
Lot 1, Northstar Subdivision
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: A subdivision plat requires Planning Commission review and City Council review and action

Summary of Proposal

The property owner is requesting to vacate Lot 1 of the Northstar Subdivision in order to create a new subdivision (1061 Lowell Avenue Subdivision), subdividing the existing lot into four (4) lots of record. The new proposed subdivision is concurrent and dependent on the plat vacation of Northstar under application PL-16-03328.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends the City Council conduct a public hearing and continue the hearing of the Northstar Subdivision First Amended - Vacating Lot 1, to a date uncertain. This will give Staff and the applicant time to amend the proposal.

Respectfully:

Makena Hawley, Planner I

City Council Staff Report



Subject: Northstar Subdivision First Amended
– Vacating Lot 1
Address: 1061 and 1063 Lowell Avenue
Author: Makena Hawley, Planner
Project Number: PL-16-03328
Date: February 16, 2017
Type of Item: Legislative – A vacation plat from the Northstar
Subdivision and a plat to subdivide 1 lot into 4 lots which is
contingent on this vacation plat.

Summary Recommendations

Staff recommends the City Council conduct a public hearing and continue the hearing of the Northstar Subdivision First Amended – Vacating Lot 1, to a date uncertain. The applicant wishes to amend the proposal.

Description

Applicant: Illuminus Property Holdings represented by Jon Turkula,
Jaffa Group Architecture
Location: 1061 & 1063 Lowell Avenue
Lot 1, Northstar Subdivision
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and
City Council review and action.

Summary of Proposal

The property owner is requesting to vacate Lot 1 of the Northstar Subdivision in order to create a new subdivision, subdividing the existing lot into four (4) lots of record. The new proposed subdivision is concurrent and dependent with this application under application PL-16-03221.



DATE: February 16, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends the City Council hold a public hearing for the Main Street Plaza Subdivision, located at 220 & 250 Main Street, and consider continuing the requested application to March 9, 2017 in order for additional research on easements and encroachments to be recorded on the plat.

Respectfully:

Makena Hawley, Planner I

City Council Staff Report

Subject: Main Street Plaza Subdivision
Author: Makena Hawley, City Planner
Project Number: PL-16-03217
Date: February 16, 2017
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Main Street Plaza Subdivision, located at 220 & 250 Main Street, and consider continuing the requested application to March 9, 2017 in order for additional research on easements and encroachments to be reflected on the plat.

Description

Applicant: Park City Redevelopment Agency and Schirf Brewing Company
Location: 220 & 250 Main Street
Zoning: Historic Commercial Business (HCB) District and Historic Residential (HR-2) District
Adjacent Land Uses: Commercial, Treasure Mountain Inn, Wasatch Brew Pub, Single-family residential, vacation rentals 205 Main St. Town Homes
Reason for Review: Planning Commission review and recommendation to City Council

Summary of Proposal

The applicant is requesting a Subdivision for the purpose of combining all property including: PC-261-BX, PC-263-X, PC-264-X, PC-264-IX, PC-564-X, PC-564-X, PC-563-X, PC-563-AX, PC-566-X, PC-571-X, PC-572-B of Blocks 21 and 70 of the Park City Survey into Lot 1 and Parcel PC-272-B of Blocks 21 and 70 into Lot 2.

There is an existing non-historic commercial restaurant (the Wasatch Brew Pub) on the property and a parking lot that holds 52 parking spaces. The applicant wishes to combine the parcels and lots in order to create two platted lots of record, namely Lot 1 for a City owned Public Plaza and Lot 2 for the Wasatch Brew Pub. This subdivision plat also solidifies access easements for Lot 2 (The Wasatch Brew Pub). The subdivision will effectively clean up parcels, partial lots, City Right of Ways and provide appropriate access easements that will memorialize the area.

On December 14, 2016, the Planning Commission forwarded a positive recommendation to the City Council; the vote was unanimous (6-0).