



PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
July 8, 2020

PUBLIC NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, July 8, 2020.

MEETING CALLED TO ORDER AT 5:30 PM.

Determination of Health and Safety Risk Under OPMA

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[Determination of Health and Safety Risk under OPMA](#)

1.ROLL CALL

2.MINUTES APPROVAL

- 2.A. Consideration to Approve the Planning Commission Meeting Minutes from June 24, 2020.
[PC Minutes 06.24.2020_Pending Approval](#)

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5.WORK SESSION

- 5.A. Work Session – The Commission will Consider a New Section in the Land Management Code to Establish Uniform Design, Installation, Maintenance, and Signage Standards for Electric Vehicle Charging Stations and Electric Vehicle Charging Station Installation Requirements for Development and Redevelopment. GI-20-00429
[EV Charging Station Work Session Staff Report](#)
[Exhibit A: Public Input](#)

6.REGULAR AGENDA

- 6.A. Municipal Code and Land Management Code Amendments – Amendments to the Municipal Code of Park City Sign Code § 12-7-1; § 12-12-1; § 12-12-2; § 12-12-3; § 12-12-4; § 12-12-5; § 12-12-6 to Replace the Term Master Festival with Special Event and Amendments to the Land Management Code § 15-1-11; § 15-2.3-2; § 15-2.5-2; § 15-2.6-2; § 15-2.16-2; § 15-2.23-2; § 15-4-16; § 15-4-20; § 15-15-1; § 15-15-2 to Remove all Special

Event references from the Land Management Code; to Remove Special Events from the Land Management Code Zoning District Use Sections; and to Make Technical Changes to Update the Code. PL-20-24531

(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on July 30, 2020

[Special Event Sign and Land Management Code Amendments Staff Report](#)

[Exhibit A: Sign Code and Land Management Code Redlines](#)

[Exhibit B: Contradicting Special Events Codes](#)

- 6.B. Land Management Code Amendment – Amendment to Land Management Code § 15-2.1-2(B)(1), Conditional Uses, Nightly Rentals, Footnote 2, to Establish Additional Conditional Use Permit Criteria and a Cap for Nightly Rentals in the Western Historic Residential Low – Density Zoning District that Includes Residences Along Sampson Avenue, Ridge Avenue, and King Road. PL-20-04547
(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on July 30, 2020

[Nightly Rentals in the Western Historic Residential - Low Density Zoning District Staff Report](#)

[Exhibit A: Option 1 Ordinance and Redlines](#)

[Exhibit B: Option 2 Ordinance and Redlines](#)

[Exhibit C: Lower Rossi Hill HRL Area Property Owner Letter to Mayor](#)

- 6.C. Land Management Code Amendment and Zoning Map Amendment – The Commission will Consider the Creation of Land Management Code Chapter 15-2.26, Urban Park District, to Further Protect Locations in the Local Parks Preservation Master Plan that are Currently Zoned Recreation Open Space. The Urban Park District will Heighten Protections for Rotary Park, Creekside Park, Prospector Park, City Park, and the Municipal Golf Course. A zoning Map Amendment to rezone these Parks from Recreation Open Space to Urban Park District Zoning is also proposed. New Zone - PL-20-04555, Zoning Map Amendment - PL-20-04556
(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on August 4, 2020

[RAB Parks Preservation Staff Report](#)

[Exhibit A: Urban Park Zone Draft Ordinance](#)

[Exhibit B: Zoning Map Amendment](#)

- 6.D. Land Management Code (LMC) Amendment for LMC § 15-2.13-2 to prohibit Nightly Rentals in the Meadows Estates Subdivisions #1A and #1B

[Meadows Estates LMC Amendemnt Staff Report and Ordinance](#)

[Attachment 1: Redlines](#)

[Exhibit B: Meadows Estates Homeowner's Association Submittal](#)

- 6.E. Park City Mountain Resort Base Parking Lots - Determination of Significant Modification - Determination on whether or not the applicant's submittal meets the definition of a substantive modification as defined under LMC Section 15-6-4(I), MPD Modifications,

which states that “Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and DA by the Planning Commission, unless otherwise specified in the DA.” PL-20-04475.

Public Input will be taken via e-comments

A) Hearing B) Determination

[PCM Base Staff Report](#)

[Exhibit A: Public Comments Received to Date](#)

7.ADJOURN

A majority of PLANNING COMMISSION members may meet socially after the meeting. If so, the location will be announced by the PLANNING COMMISSION Chair Person. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org 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

***Parking validations will be provided for meeting attendees that park in the China Bridge parking structure.**

NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

This meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020, adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4) is attached as Exhibit A. Council members will connect electronically. Public comments will be accepted virtually as described below.

To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Council meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org.

Exhibit A: Determination of Substantial Health and Safety Risk

On July 1st, 2020 the Mayor determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code section 52-4-207(4) requires this determination and the facts upon which it is based, which include:

The percent of positive COVID-19 cases in Utah has been on the rise since May 27, 2020. Positive cases from testing have increased from 4.96% to 9.23% during the month of June, and COVID-19 patients in Utah hospitals have increased during the same time period. As of June 25, 2020 there have been 158 deaths in Utah due to COVID-19. Summit County has the third highest case rate of COVID-19 in the state.

This determination is valid for 30 days, and is set to expire on July 31, 2020.

Dated _____, 2020.

Board Chair

Approved as to form

ATTEST

City Attorney's Office

City Recorder

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

COMMISSIONERS IN ATTENDANCE:

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

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

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

ROLL CALL

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

APPROVAL OF MINUTES

June 10, 2020

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

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

PUBLIC COMMUNICATIONS

No comments were submitted on items not on the agenda.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

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

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

WORK SESSION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Phillips opened the public hearing.

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

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

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

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

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

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

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

Rich Wyman raised his hand in Zoom.

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

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

John Stafsholt raised his hand on zoom.

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

Chair Phillips closed the public hearing.

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

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

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

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

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

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

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

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

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

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

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

5.B. ADUs Work Session

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

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

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

VOTE: The motion passed unanimously.

Findings of Fact – 1162 Woodside Avenue

Background:

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

Zoning District:

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

Lot and Site Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Conclusions of Law – 1162 Woodside Avenue

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

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

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

Conditions of Approval – 1162 Woodside Avenue

1. All Standard Project Conditions shall apply.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Phillips opened the public hearing.

Martina Nelson raised her hand on zoom.

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

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

Chair Phillips closed the public hearing.

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

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

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

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

VOTE: The motion passed unanimously.

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

Approved by Planning Commission: _____

Planning Commission Staff Report



Subject: Electric Vehicle Charging Stations
Author: Rebecca Ward, Land Use Policy Analyst
Date: July 8, 2020
Type of Item: Work Session – Legislative

Executive Summary

This work session continues the discussion from the June 10, 2020 work session and outlines potential Land Management Code amendments to require that certain homes be EV-Ready and that certain developments include Electric Vehicle Charging Station conduit and potential installations. Staff requests input from the Commission.

Acronyms

EV Electric Vehicle
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

This work session is a continuation of the June 10, 2020 discussion to establish an Electric Vehicle Charging Station Section in the Land Management Code ([Staff Report](#); [Exhibit A: EV Charging Station Network Plans](#); [Minutes](#), p. 2).

On June 10, 2020, the Commission requested that staff:

- Move forward with amendments to establish definitions and uniform standards for EV Charging Stations
- Prepare amendments that allow EV Charging Stations as an Accessory Use in all Zoning Districts
- Prepare a July work session to discuss the possibility of requiring EV Charging Station infrastructure and potentially installation for new development and redevelopment
- Consider solar arrays

Staff is working to finalize definitions and uniform standards, including additional requirements regarding snow removal and snow storage. Staff is also working on code to establish EV Charging Stations as an Accessory Use in all Zoning Districts.

This report outlines potential Land Management Code amendments to:

- (1) require that new Single-Family Dwellings, Duplexes, and Triplexes be EV-ready;
- (2) require that a number of all Parking Spaces for non-residential and Multi-Unit

Dwelling developments have infrastructure in place to support future EV Charging Station installation;

- (3) require that a number of all Parking Spaces for non-residential and Multi-Unit Dwelling development have EV Charging Stations installed; and
- (4) consider solar arrays.

Analysis

The [General Plan Community Planning Strategy 5.7](#) suggests requiring dedicated parking and Charging Stations to support Electric Vehicles (EVs) within new development and redevelopment.¹

(1) Require new Single-Family Dwellings, Duplexes, and Triplexes to be EV-ready.

The garages of many Single-Family Dwellings, Duplexes, and Triplexes can accommodate a Level 1 Charging Station, which operates on a standard household outlet. The outlet must operate on a dedicated circuit and may require an electrical permit for minor work, but is generally an inexpensive and easy retrofit.²

Potential LMC amendments could go one step further and require that Single-Family Dwellings, Duplexes, and Triplexes be EV-ready. This could be defined to mean that the garage include a 240 volt/40 amp outlet on a dedicated circuit to accommodate the potential installation of a Level 2 EV Charging Station. This 240 volt/40 amp outlet is like an outlet for a dryer and would be minimal in cost.³

Type of Dwelling	Parking Requirement	Required EV-Ready Outlets
Single-Family	Two Parking Spaces	One
Duplex	Four Parking Spaces	One per Unit (2 total)
Triplex	Six Parking Spaces	One per Unit (3 total)

Requiring that Single Family Dwellings, Duplexes, and Triplexes be EV-ready:

- Adds little cost to initial planning/construction
- Can be reviewed and permitted as part of the building permit process

¹ There are three EV Charging Station levels. Level 1 can generally be accommodated through a typical household outlet, but requires many hours to fully charge an EV battery. Level 2 and Level 3 (DC Fast Charging or DCFC) Charging Stations provide many more miles per charging hour, but require additional infrastructure.

² <https://www.energy.gov/eere/electricvehicles/charging-home>

³ *Id.*

(2) Require that a number of all Parking Spaces for non-residential and Multi-Unit Dwelling development have infrastructure in place to support future EV Charging Station installation.

In 2018, the California Air Resources Board conducted a Technical and Cost Analysis for EV Charging Stations in Multi-Unit Dwellings and found that the cost of retrofitting Parking Spaces to accommodate EV Charging Stations in California can be as high as \$7,000 - \$8,000 per Parking Space, while installing Charging Station conduit at the time of construction costs approximately \$280 per Parking Space in a garage and \$760 per parking space in a parking lot.⁴ Staff has found no comparative cost study specific to Utah, but based on City projects to retrofit parking lots for EV Charging Stations and City projects that include EV Charging Station infrastructure at the time of construction, building to accommodate the future installation of EV Charging Stations saves time, money, and resources.⁵

To avoid costly future retrofits, many communities are establishing a requirement that construction for new Development and redevelopment include EV Charging Station infrastructure to support the future installation of EV Charging Stations. Staff recommends that the Commission consider establishing a requirement that non-residential and Multi-Unit Dwelling Development and redevelopment provide EV Charging Station infrastructure for 10% of all required Off-Street Parking Spaces. Once baseline conduit is established, it can be expanded to accommodate additional EV Charging Stations beyond the initial 10%.

It is uncommon for the Commission to approve a non-residential project with fewer than 10 Parking Spaces (See LMC [§ 15-3-6](#), *Parking Ration Requirements For Specific Land Use Categories, Non-Residential Uses*, which requires a number of parking spaces per 1,000 square feet or per employee). However, there may be a gap between requirements for Triplexes and smaller Multi-Unit Dwellings.⁶ Parking requirements for Multi-Unit Dwellings are based on the size of the Unit, shown in the table below:

Unit Size	Parking Requirement
< 1,000 square feet	1 per Unit
> 1,000 square feet and < 2,000 square feet	1.5 per Unit
> 2,000 square feet	2 per Unit

⁴ *Electric Vehicle (EV) Charging Infrastructure: Multifamily Building Standard: Technical and Cost Analysis*, California Air Resources Board (2018), p. 8.

⁵ The City's affordable housing developments must meet the City's net-zero resolution requirements and EV Charging Station conduit is installed at the time of construction. While some cities exempt affordable housing requirements from EV Charging Station conduit requirements, staff recommends that private affordable housing developments meet the same EV Charging Station standard the City meets.

⁶ The LMC defines a Multi-Unit Dwelling as a "building containing four (4) or more Dwelling Units." LMC [§ 15-15-1](#).

To address the potential gap of Multi-Unit Dwellings with fewer than 10 Parking Spaces, the LMC could be amended to require that Multi-Unit Dwellings with less than 10 Parking Spaces be constructed with one EV-ready Parking Space per Unit. Multi-Unit Dwellings with 10 or more Parking Spaces could be required to install EV Charging Station infrastructure for 10% of all Parking Spaces.

(3) Requiring that a number of all Parking Spaces for non-residential and Multi-Unit Dwelling development have EV Charging Stations installed.

Some communities require that a percentage of Parking Spaces have EV Charging Station infrastructure in place and also require the installation of Level 2 EV Charging Stations for a certain number of Parking Spaces at the time of construction.



The image above shows the City-installed dual port Level 2 Charging Station at City Park. The City could require the installation of a dual port Level 2 Charging Station at the time of construction for a number of total Parking Spaces.

This could include one dual port installation for every:

- 25 Parking Spaces (example – City Hall south parking lot);
- 50 Parking Spaces (example – Brewpub parking lot);
- 75 Parking Spaces (example – City Library parking lot);
- 100 Parking Spaces (example – Boneyard parking lot);
- 125 Parking Spaces (example – City Library + Mawhinney parking lots)

- 150 Parking Spaces (example – Fresh Market parking lot)

The first of all dual EV Charging Stations could be required to be ADA accessible, but would not need to be reserved for exclusive ADA use. The second dual EV Charging Station could be reserved exclusively for EV Charging.⁷

Staff recommends potentially requiring EV Charging Station installation for every 100 Parking Spaces with the possibility of increasing this number in the future. This year, the City is installing 100 public EV Charging Stations throughout town that are free for public use. Additionally, the City is offering grants to incentivize landowners to install EV Charging Stations for public use.

It is difficult to conduct any parking studies at this time to estimate the average use of existing EV Charging Stations due to diminished traffic and parking as a result of the pandemic. Staff recommends starting with a conservative number of EV Charging Station installation requirements and then re-evaluating this requirement once studies can be conducted to determine EV Charging Station use under normal traffic and parking patterns.

Also, staff recommends drafting the code so that private property owners are not prohibited from establishing and charging a fee for EV Charging Station use.

(4) Consider Solar Arrays

In 2018, the City Council adopted [Resolution 32-2018](#) to establish a net-zero carbon goal for City operations in 2022 and citywide in 2030. In 2019, the Utah Legislature passed [H.B. 411](#), *Community Renewable Energy Act*, which allows cities to work with Rocky Mountain Power to develop a renewable energy portfolio by 2030. Park City, in collaboration with Rocky Mountain Power, is on track to operate on 100% renewable energy by 2030 citywide. Much of this renewable energy will be produced outside of City boundaries.

To produce additional on-site renewable energy, some projects include solar canopies over parking lots:

⁷ The Parking Department is proposing amendments to the Municipal Code of Park City Title 9, *Parking Code*, to enact an enforcement mechanism for gas-fueled vehicles parking in EV Charging Stations.



Photo Credit: The University of Utah, *New Solar Canopy at University of Utah* (UNews 2016)

Many City projects and private developments include rooftop solar. However, under the LMC, rooftop solar must meet certain requirements to ensure that the panels are not unsightly. LMC [§ 15-5-5\(G\)](#), *Solar Energy Systems*, requires the solar panels to be incorporated into the roof plan and architectural features, mounted flush to the roof with non-reflective finishes.

Solar canopies in Parking Areas have advantages in that they provide shade to parked vehicles in addition to providing on-site renewable energy. However, standalone solar canopies are visually prominent. If the LMC is amended to accommodate solar canopies in Parking Areas, staff recommends visual mitigation similar to what is in place for rooftop solar with extra considerations in the Historic Districts.

Public Outreach

Staff published notice of the proposed amendments in the Community Development Newsletter, asked the City's Advisory Committee on sustainability for input, and reached out to the Park City Homebuilders Association and developers for feedback. Public input received to date is attached as Exhibit A. Staff will continue to reach out to the public as these Land Management Code amendments develop.

Recommendation

Staff recommends that the Commission review and provide feedback on the proposed Land Management Code EV Charging Station amendments. Depending on feedback, staff will return for an additional work session or proposed LMC amendments in August or September.

From: [Travis Smith](#)
To: [Rebecca Ward](#)
Subject: Fwd: Input Requested on Electric Vehicle Charging Stations
Date: Thursday, July 02, 2020 10:12:39 AM

Hi Rebecca, just saw this come through from the HBA. I'm not a builder that deals in multi family, just single family dwellings. I install either a 50 amp or 100 amp junction box in the garage of every home that I build, it's foolish not to. The 100 amp service is only installed by request from my clients for a Tesla super charger. A 50 amp service is only a few hundred dollars. It seems like a no brainer.

That being said I support this being mandatory and part of the LMC.

Travis Smith
T and T Mountain Builders INC
Tandtmountainbuilders.com

Begin forwarded message:

From: Park City Area Home Builders Association <info@pcahba.com>
Date: July 2, 2020 at 9:59:34 AM MDT
Subject: Input Requested on Electric Vehicle Charging Stations

The Park City Planning Department and Planning Commission are looking into potential Land Management Code amendments to consider requiring conduit in new developments/redevelopments to support the future installation of Level 2 Electric Vehicle Charging Stations, with a possibility of even requiring some EV Charging Station installations for certain commercial/industrial/multi-unit dwelling parking lots.

They are also looking into possibly requiring new Single-Family Dwelling, Duplex, and Triplex garages to be "EV-Ready," meaning that these garages include a 240 volt/40 amp outlet on a dedicated circuit to accommodate the potential installation of a Level 2 EV Charging Station.

The Park City Planning Department has a work session with the Commission coming up in July and will continue to develop the code into the fall and they would appreciate input from developers on these proposals. If you have any ideas, comments, questions or suggestions, please contact Rebecca Ward:

Rebecca Ward

Planning Department

Park City Municipal Corporation

rebecca.ward@parkcity.org

(435)615-5064

Planning Commission Staff Report



Subject: Special Events
Application: PL-20-04531
Author: Rebecca Ward
Date: July 8, 2020
Type of Item: Legislative – Sign and Land Management Code Amendments

Summary Recommendations

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

Description

Applicant: Planning Department
Title 12, Sign Code: § 12-7-1; § 12-12-1; § 12-12-2; § 12-12-3; § 12-12-4; § 12-12-5; § 12-12-6

LMC: § 15-1-11; § 15-2.3-2; § 15-2.5-2; § 15-2.6-2; § 15-2.16-2; § 15-2.23-2; § 15-4-16; § 15-4-20; § 15-15-1; § 15-15-2

Reason for Review: Land Management Code amendments require Planning Commission review and recommendation to the City Council for Final Action

While the Commission does not recommend Title 12 Sign Code amendments to City Council, the Commission has the authority and duty to interpret the Sign Code at the request of the Planning Director.
MCPC [§ 12-1-2](#).

Acronyms

LMC Land Management Code
MCPC Municipal Code of Park City

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Executive Summary

The amendments update the Land Management Code (LMC) to reflect recent amendments to the Municipal Code of Park City (MCPC) Title 4A, *Special Events* and (1) remove all *Special Event* references from the LMC; (2) remove Special Events from the Zoning District Use Sections; and (3) update MCPC Title 12, *Sign Code*, and the LMC to replace the term *Master Festival* with *Special Event* and to make technical corrections. The proposed LMC amendments do not impact current Special Events permitting. Rather, they are amendments to clean up and align Title 4A and the LMC.

The Commission considered these amendments in a June 10, 2020 work session ([Staff Report](#); [Minutes](#), p. 10).

Background

Please refer to the June 10, 2020 [Staff Report](#) for background information.

Analysis

(I) Remove all Special Event references from the LMC.

The Economic Development Department issues Special Event permits. Special Events are defined in MCPC [§ 4A-1-1.7](#) and regulated through MCPC [Title 4A](#). The Planning Department does not issue Special Event Permits. However, the LMC—in its current form—could be interpreted to also require Special Event Applicants to obtain a Special Event Conditional Use Permit or Administrative Conditional Use Permit from the Planning Department.

Yet, the application submittal requirements and deadlines, the criteria evaluated to approve a permit, noise ordinance regulations, notice requirements, and event duration outlined in the MCPC Title 4A and LMC Title 15 are not aligned (Exhibit B). The conflict between Special Events criteria outlined in the LMC and the MCPC is the result of hybrid permits that were issued through the Planning Department in the past, as well as recent amendments to Title 4A to update Special Event permitting that are not yet reflected in the LMC.

Removing the term *Special Event* from the LMC does not remove Special Event permitting from Planning Department review. MCPC Title 4A includes protections to ensure that Special Events do not conflict with the General Plan. The Economic Development Manager, designee, or City Council may deny a Special Event if the event is not consistent with the Park City General Plan or if the proposed event is “to avoid more restrictive general zoning.” MCPC [§ 4A-2-4](#).

The Special Events manager sends an email to all City Departments to review proposed Special Events. The Planning Director reviews all proposed Special Events for General Plan and zoning compliance.

(II) Remove Special Events from the LMC Zoning District Use Sections.

The table below outlines Special Events in the current LMC Use Sections:

Zoning District	Special Event
Historic Residential-Low Density	Not Allowed
Historic Residential	Not Allowed
Historic Residential	Conditional Use – subject to 15-2.3-8; 15-2.3-9
Historic Residential-Medium Density	Not Allowed
Historic Recreation Commercial	Administrative Conditional Use or Conditional Use
Historic Commercial Business	Administrative Conditional Use or Conditional Use
Recreation and Open Space	Not Allowed
Protected Open Space	Not Allowed
Rural Estate	Not Allowed
Estate	Not Allowed

Single Family	Not Allowed
Residential	Not Allowed
Residential Development	Not Allowed
Residential Development –Medium Density	Not Allowed
Recreation Commercial	Administrative Conditional Use or Conditional Use
General Commercial	Not Allowed
Light Industrial	Not Allowed
Public Use Transition	Not Allowed
Community Transition	Administrative Conditional Use

Over the years, Special Events were added to Zoning District Use Sections for specific limited temporary permits issued through the Planning Department. This was done to allow limited properties to get pre-approved to host temporary events without having to go through the Special Event process each time. However, after several amendments to the LMC and Title 4A, the Use Sections no longer reflect Special Event permitting. As a result, staff recommends removing the term *Special Event* from all Zoning District Use Sections.

(III) Make technical changes to the MCPC and LMC to update and correct the code.

In 2016, City Council passed and adopted [Ordinance No. 16-07](#) to remove the definition of *Master Festival* and to replace the term *Master Festival* with *Special Event*. Staff recommends amending the Sign Code and LMC to reflect this change.

Staff also recommends technical revisions to the LMC to comply with LMC § 15-15-1, which requires that terms defined in the LMC appear as capitalized proper nouns, and to correct internal citations to align with Municipal Code [§ 1-1-1](#), which clarifies citation to titles, chapters, and sections.

Lastly, staff recommends amending the definition of *Special Event* in the LMC to refer to the definition in Title 4A.

Department Review

The Economic Development, Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website on June 24, 2020. The *Park Record* published notice on June 24, 2020. LMC [§ 15-1-21](#).

Public Input

No input was received at the time this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation for City Council's consideration on July 30, 2020;

- The Planning Commission may forward a negative recommendation for City Council's consideration on July 30, 2020; or
- The Planning Commission may request additional information and continue the discussion to a later date.

Exhibits

Attachment 1 – Draft Ordinance

Exhibit A: Sign Code and Land Management Code Redlines

Exhibit B: Contradicting Special Events Codes

Attachment 1 – Ordinance No. 2020-X

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE § 15-1-11; § 15-2.3-2; § 15-2.5-2; § 15-2.6-2; § 15-2.16-2; § 15-2.23-2; § 15-4-16; AND § 15-4-20 TO REMOVE ALL *SPECIAL EVENT* REFERENCES FROM THE LAND MANAGEMENT CODE AND TO REMOVE SPECIAL EVENTS FROM THE ZONING DISTRICT USE SECTIONS; AND TO UPDATE THE LAND MANAGEMENT CODE § 15-15-1; § 15-15-2 DEFINITIONS AND THE MUNICIPAL CODE OF PARK CITY TITLE 12, *SIGN CODE*, § 12-7-1; § 12-12-1; § 12-12-2; § 12-12-3; § 12-12-4; § 12-12-5; § 12-12-6 TO REPLACE THE TERM *MASTER FESTIVAL* WITH *SPECIAL EVENT*

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;

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 City residents and visitors;

WHEREAS, in 2016, City Council passed and adopted Ordinance No. 16-07; in 2017, City Council passed and adopted Ordinance No. 2017-51; and in 2018, City Council passed and adopted Ordinance No. 2018-52 to amend the Municipal Code of Park City Title 4A, *Special Events*;

WHEREAS, Special Events in the Land Management Code have not been amended since 2012 and do not reflect the recent amendments to Title 4A;

WHEREAS, to align Title 15, *Land Management Code*, with Title 4A, *Special Events*, the term *Special Event* is removed from the Land Management Code and Special Events are removed from the Zoning District Use Sections;

WHEREAS, to update Municipal Code of Park City Title 12, the *Sign Code*, and Title 15, the *Land Management Code*, with Ordinance No. 16-07, which removed the definition of *Master Festival* and replaced the term *Master Festival* with *Special Event*;

WHEREAS, to make technical revisions to the Land Management Code to comply with § 15-15-1, which requires that terms defined in the Land Management Code appear as capitalized proper nouns, and to correct internal citation to align with the Municipal Code of Park City § 1-1-1, which clarifies citation to titles, chapters, and sections;

WHEREAS, to align the definition of *Special Events* in the Land Management Code with the definition in Title 4A;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on July 8, 2020, and forwarded a X recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing on July 30, 2020.

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

SECTION 1. MUNICIPAL CODE OF PARK CITY TITLE 12, *Sign Code*. The recitals above are incorporated herein as findings of fact. Sections § 12-7-1; §12-12-1; § 12-12-2; § 12-12-3; § 12-12-4; § 12-12-5; § 12-12-6 of the Sign Code of the Municipal Code of Park City are hereby amended as outlined in Exhibit A.

SECTION 2. LAND MANAGEMENT CODE TITLE 15. The recitals above are incorporated herein as findings of fact. Sections § 15-1-11; § 15-2.3-2; § 15-2.5-2; § 15-2.6-2; § 15-2.16-2; § 15-2.23-2; § 15-4-16; § 15-4-20; § 15-15-1; § 15-15-2 of the Land Management Code of Park City are hereby amended as outlined in Exhibit A.

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

PASSED AND ADOPTED this 30th day of July, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

EXHIBIT A

Municipal Code of Park City Sections Affected:

Section 12-7-1 is amended to read:

12-7-1 Prohibited Signs

A. **CATEGORIES OF PROHIBITED SIGNS**. The following signs, defined in Chapter 2 of this Title, are expressly prohibited in Park City except as provided in this section.

1. **Animated signs**, except for historic signs and historic replica signs where the applicant is able to prove through documentation or other evidence that the original historic sign produced the same motion and is proposed in the same location.
2. **Banners**, except as approved in conjunction with a ~~[Master Festival license]~~ Special Event Permit issued pursuant to Title 4A of this Code or approved for display on a City light standard pursuant to Chapter 11 of this Title.
3. **Bench signs**.
4. **Electronic message signs**, except for signs owned or operated by the City for public safety purposes.
5. **Flashing signs**. Any flashing light source of any kind is prohibited.
6. **Home occupation signs**.
7. **Inflatable signs**.
8. **Off-premises signs**.

EXHIBIT A

9. **Portable signs**, except for those allowed in private plazas pursuant to Section 12-10-2, and except for signs owned and operated by the City for public safety purposes.

10. **Projection signs**, except that temporary projection signs that are part of an approved ~~[master festival license]~~ Special Event Permit may be allowed for the duration of the ~~[festival permit]~~ Special Event Permit, provided they are directed so the light source is shielded from any view but that of the intended audience of the sign.

11. **Reproductions.**

12. **Roof signs.**

13. **Wind signs.**

14. **Video signs.**

B. **SIGNS IN PUBLIC PLACES.** No person shall staple, tape, paste, post, or otherwise affix any handbill, sticker, poster, or sign to, or otherwise paint, mark, or write on any public building, structure, or other property, including but not limited to: a work of art, sidewalk, crosswalk, curb, curbstone, parking meter, park-strip, street lamp post, hydrant, tree, shrub, tree stake or guard, electric light or power or telephone wire or pole, or wire appurtenance thereof, or any lighting system, public bridge, drinking fountain, life saving equipment, street sign, street furniture, trash can, or traffic sign.

Section 12-12-1 is amended to read:

12-12-1 Sign Plan Required

EXHIBIT A

All ~~[Master Festival and]~~ Special Event ~~[licensees]~~ permittees desiring permission to display temporary signs as an approved ~~[Master Festival]~~ Special Event shall submit a ~~[Master Festival]~~ Special Event Sign Plan as part of the application for a ~~[Master Festival license]~~ Special Event permit. The Planning, ~~[and]~~ Special Events, and Facilities Departments shall review ~~[Master Festival]~~ Special Event Sign Plans for compliance with the standards below prior to permit issuance.

Section 12-12-2 is removed:

~~12-12-2 Master Festival Banners~~

~~The use of banners is allowed within the boundaries of the approved Master Festival venue, subject to the following criteria:-~~

~~A. **SIZE**. No individual Master Festival banner may exceed thirty-six square feet (36 sq. ft.) in size.~~

~~B. **NUMBER OF SIGNS**. One (1) banner is allowed per venue. Additionally, one (1) banner is allowed on the external façade of any building or structure within a venue, including temporary structures. Staff may approve additional banners within a venue upon finding that the banners contribute to the overall festival atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on banners within a fully enclosed structure.~~

~~C. **SETBACK AND ORIENTATION**. Master Festival banners are allowed only on or within approved venues.~~

EXHIBIT A

~~D. **ZONING RESTRICTIONS**. Master Festival banners are allowed in all zoning districts.~~

~~E. **DESIGN**. Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.~~

~~F. **PERIOD OF DISPLAY**. Master Festival banners may be displayed only during the approved time of the Master Festival.~~

~~G. **ILLUMINATION**. No lighting other than pre-existing light sources may be used to illuminate Master Festival banners.]~~

Section 12-12-3 is amended to read:

12-12-[3]2 Special Event Banners

The use of banners is allowed within the boundaries of the approved Special Event venue, subject to the following criteria:

A. **SIZE**. No individual Special Event banner may exceed thirty-six square feet (36 sq. ft.) in size.

B. **NUMBER OF SIGNS**. One (1) banner is allowed per venue. Additionally, one (1) banner is allowed on the external façade of any building or structure within a venue, including temporary structures. Each banner shall be consistent with Section 12-3-2[3](A) as applied to the Special [e]Event, and any commercial advertising message must be secondary to such ~~[look-and-feel]~~ design elements for the Special [e]Event.

C. **SETBACK AND ORIENTATION**. Special Event banners are allowed only within approved venues.

EXHIBIT A

D. **ZONING RESTRICTIONS**. Special Event banners are allowed in all zoning districts.

E. **DESIGN**. Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

F. **PERIOD OF DISPLAY**. Special Event banners may be displayed only during the approved time of the Special Event.

G. **ILLUMINATION**. No lighting other than pre-existing light sources may be used to illuminate ~~[Master Festival]~~ Special Event banners.

Section 12-12-4 is amended to read:

12-12-~~[4]~~3 ~~[Master Festival]~~ Special Event Directional Signs

Municipal or event-owned directional signs in the form of electronic message signs and portable signs~~[;]~~ are allowed for the purpose of identifying and directing vehicular or pedestrian traffic to parking areas, transportation centers, and venues.

Section 12-12-5 is amended to read:

12-12-~~[5]~~4 ~~[Master Festival]~~ Special Event Projection Signs

Subject to approval by the Planning Department, temporary projection signs that are part of an approved ~~[Master Festival license]~~ Special Event permit may be allowed for the duration of the ~~[Master Festival permit]~~ Special Event, provided the light source is shielded from any view but the intended audience of the sign.

Section 12-12-6 is amended to read:

12-12-~~[6]~~5 Temporary Signs

EXHIBIT A

Staff may approve temporary signs within a ~~[Master Festival or]~~ Special Event venue upon finding that the signs contribute to the overall resort atmosphere or theme of the Special [e]Event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-~~[3]~~2(A) as applied to the Special [e]Event, and that any commercial advertising message is secondary to such ~~[look and feel]~~ design elements for the Special [e]Event. There is no limit on signs within a fully enclosed structure.

Land Management Code Sections Affected

Section 15-1-11 is amended to read:

15-1-11 Special Applications

A. **MASTER PLANNED DEVELOPMENT (MPD) REVIEW PROCESS**. Applications for MPDs shall be reviewed according to LMC Chapter 15-6.

B. **VARIANCES AND NON-CONFORMING USES**. The Board of Adjustment must review Applications for Variances and appeals of Planning Director determinations regarding Non-Conforming Uses and Non-Complying Structures in accordance with the regulations set forth in LMC Chapter 15-9. Such approval must be obtained from the Board of Adjustment prior to the issuance of any Conditional Use permit or Master Planned Development, or other approval by the Planning Commission or Planning Department. All action on an Application shall be stayed upon the determination that a Board of Adjustment approval is required.

C. **PLAT AMENDMENTS/SUBDIVISION**. Plat Amendments and Subdivisions must be reviewed pursuant to LMC Chapter 15-7. No Building Permit may be issued prior to such an approval.

EXHIBIT A

D. **ADMINISTRATIVE CONDITIONAL USE PERMITS**. The Planning Director, or his or her designee, shall review and take Final Action on Administrative Conditional Use permits. Review process shall be consistent with Section 15-1-10(A-H), with the exception that no published notice, as described in Section 15-1-12, shall be required.

E. **ADMINISTRATIVE PERMITS**. The Planning Department shall review and take Final Action on Administrative Permits. Review process shall be consistent with the requirements herein for those Uses requiring an Administrative Permit, such as temporary tents, Structures, and vendors; ~~[temporary Special Event and]~~ temporary change of occupancy permits; regulated Accessory Apartments; specified ~~[e]~~QOutdoor ~~[e]~~Events and Uses; Family Child Care in specified Zoning Districts; and temporary ~~[t]~~Itelecommunication Antennas, where these Uses are designated as requiring Administrative Permits. These Uses may require Administrative Conditional Use permits or Conditional Use permits in some Zoning Districts pursuant to ~~[Section]~~ Chapter 15-2. Section 15-2.3-2 is amended to read:

15-2.3-2 Uses

Uses in the HR-2 District are limited to the following:

A. **ALLOWED USES**.

1. Single Family Dwelling
2. Lockout Unit¹
3. Nightly Rental²
4. Home Occupation
5. Child Care, In-Home Babysitting³
6. Child Care, Family³

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- 157 7. Child Care, Family Group³
- 158 8. Accessory Building and Use
- 159 9. Conservation Activity
- 160 10. Agriculture
- 161 11. Residential Parking Area or Structure with four (4) or fewer spaces
- 162 12. Recreation Facility, Private
- 163 B. **CONDITIONAL USES.**
- 164 1. Duplex Dwelling
- 165 2. Secondary Living Quarters
- 166 3. Accessory Apartment⁴
- 167 4. Group Care Facility
- 168 5. Child Care Center
- 169 6. Public or Quasi-Public ~~[H]~~i[nstitution, church, or ~~[S]~~school
- 170 7. Essential ~~[M]~~municipal ~~[P]~~public ~~[U]~~utility Use, ~~[F]~~facility, ~~[S]~~service, and
- 171 Structure
- 172 8. Telecommunication Antenna⁵
- 173 9. Satellite Dish Antenna greater than thirty-nine inches (39") in diameter⁶
- 174 10. Bed ~~[&]~~ and Breakfast Inn⁷
- 175 11. Boarding House, Hostel⁷
- 176 12. Hotel, Minor, fewer than sixteen (16) rooms⁷
- 177 13. Office, General⁸
- 178 14. Office, Moderate Intensive⁸
- 179 15. Office and Clinic, Medical⁸

EXHIBIT A

- 180 16. Retail and Service Commercial, Minor⁸
- 181 17. Retail and Service Commercial, personal improvement⁸
- 182 18. Cafe or Deli⁸
- 183 19. Restaurant, General⁸
- 184 20. Restaurant, Outdoor Dining⁸
- 185 21. Outdoor Events
- 186 22. Residential Parking Area or Structure with five (5) or more spaces,
- 187 associated with a residential Building on the same Lot
- 188 23. Temporary Improvement
- 189 24. Passenger Tramway Station and Ski Base Facility¹⁰
- 190 25. Ski tow rope, ski lift, ski run, and ski bridge¹⁰
- 191 26. Recreation Facility, Private
- 192 27. Fences greater than six feet (6') in height from Final Grade¹¹
- 193 28. Limited Commercial expansion necessary for compliance with Building/
- 194 Fire Code egress and Accessibility requirements and support Uses
- 195 associated with HCB Commercial Use¹²
- 196 29. Bar⁸
- 197 30. ~~[Special Events⁸]~~
- 198 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
- 199 is a prohibited Use.

200 ¹Nightly Rental of Lockout Units requires a Conditional Use Permit

201 ²Nightly Rental does not include the use of dwellings for Commercial Uses

202 ³See LMC ~~[Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care And Child Care Facilities

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203 ~~[Regulations]~~

204 ⁴See LMC ~~[Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory

205 Apartments

206 ⁵See LMC ~~[Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~

207 Telecommunication Facilities

208 ⁶See LMC ~~[Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of

209 Satellite Receiving Antennas

210 ⁷In Historic Structures only

211 ⁸In Historic Structures and within Sub-Zones A and B subject to compliance with all
212 criteria and requirements of Section 15-2.3-8 for Sub-Zone A and Section 15-2.3-9 for
213 Sub-Zone B.

214 ⁹Subject to an Administrative Conditional Use Permit, and permitted in Sub-Zone B
215 only, subject to requirements in Section 15-2.3-9.

216 ¹⁰See LMC ~~[Chapter]~~ Section 15-4-18, Passenger Tramways ~~[a]~~ And Ski-Base Facilities

217 ¹¹See LMC ~~[Chapter]~~ Section 15-4-2, Fences And Retaining Walls ~~[and Walls]~~

218 ¹²Subject to compliance with the criteria set forth in ~~[s]~~ Section 15-2.3-8(B).

219 Section 15-2.5-2 is amended to read:

220 **15-2.5-2 Uses**

221 Uses in the HRC are limited to the following:

222 A. **ALLOWED USES**.¹⁰

223 1. Single Family Dwelling⁵

224 2. Duplex Dwelling⁵

225 3. Secondary Living Quarters⁵

EXHIBIT A

- 226 4. Lockout Unit^{1,5}
- 227 5. Accessory Apartment^{2,5}
- 228 6. Nightly Rental⁵
- 229 7. Home Occupation⁵
- 230 8. Child Care, In-Home Babysitting
- 231 9. Child Care, Family³
- 232 10. Child Care, Family Group³
- 233 11. Child Care Center³
- 234 12. Accessory Building and Use
- 235 13. Conservation Activity
- 236 14. Agriculture
- 237 15. Bed and Breakfast Inn^{4,5}
- 238 16. Boarding House, ~~H~~h~~o~~st~~e~~l⁵
- 239 17. Hotel, Minor, fewer than ~~sixteen~~ (16) rooms⁵
- 240 18. Office, General⁵
- 241 19. Parking Area or Structure, with four (4) or fewer spaces⁵
- 242 20. Food Truck Location¹¹
- 243 B. **CONDITIONAL USES.**^{9,10}
- 244 1. Triplex Dwelling⁵
- 245 2. Multi-Unit Dwelling⁵
- 246 3. Guest House, on Lots one ~~(1)~~ acre⁵
- 247 4. Group Care Facility⁵
- 248 5. Public and Quasi-Public ~~H~~i~~n~~stitution, ~~E~~c~~h~~urch, ~~or~~ ~~S~~s~~c~~hool

EXHIBIT A

- 249 6. Essential Municipal ~~[P]public~~ ~~[U]utility~~ Use, ~~[F]facility~~, ~~[S]service~~, and Structure
- 250 7. Telecommunication Antenna⁶
- 251 8. Satellite ~~[D]dish~~, greater than thirty-nine inches (39") in diameter⁷
- 252 9. Plant and Nursery stock products and sales
- 253 10. Hotel, Major⁵
- 254 11. Timeshare Projects and Conversions⁵
- 255 12. Private Residence Club Project and Conversion^{4,5}
- 256 13. Office, Intensive⁵
- 257 14. Office and ~~[C]clinic~~, Medical⁵
- 258 15. Financial ~~[I]institution~~, without drive-up window⁸
- 259 16. Commercial Retail and Service, Minor⁸
- 260 17. Commercial Retail and Service, ~~[P]Personal~~ ~~[I]Improvement~~⁸
- 261 18. Neighborhood Convenience Commercial, without gasoline sales
- 262 19. Café or Deli⁸
- 263 20. Restaurant, General⁸
- 264 21. Restaurant and ~~[e]Café~~, ~~[O]outdoor~~ ~~[D]dining~~⁴
- 265 22. Outdoor Events and Uses⁴
- 266 23. Bar
- 267 24. Parking Area or Structure, with five (5) or more spaces⁵
- 268 25. Temporary Improvement⁴
- 269 26. Passenger Tramway ~~[S]station~~ and ~~[S]ski~~ ~~[B]base~~ ~~[F]facility~~
- 270 27. Ski ~~[T]tow~~, ~~[S]ski~~ ~~[L]lift~~, ~~[S]ski~~ ~~[R]run~~, and ~~[S]ski~~ ~~[B]bridge~~
- 271 28. Recreation Facility, Commercial, Public, and Private

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29. Entertainment Facility, Indoor

30. Fences greater than six feet (6') in height from Final Grade⁴

31. Private Residence Club, Off-Site⁵

32. Private Event Facility⁵

~~[33. Special Events⁴]~~

C. **PROHIBITED USES**. Unless otherwise allowed herein, any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See LMC ~~[Chapter]~~ Section 15-4-7, ~~[Supplementary Regulations for]~~ Accessory Apartments

³See LMC ~~[Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care ~~[Regulations]~~ And Child Care Facilities

⁴Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4.

⁵Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue, and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within Storefront Property; however, access, circulation, and lobby areas are permitted within Storefront Property.

⁶See LMC ~~[Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations For]~~ Telecommunication Facilities

EXHIBIT A

295 ⁷See LMC ~~[Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations For]~~ Placement Of
296 Satellite Receiving Antennas

297 ⁸If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed
298 Use

299 ⁹No community locations ~~[are]~~ as defined by Utah Code ~~[32-B]~~32B-1-102 (Alcoholic
300 Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is
301 permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

302 ¹⁰Within the HRC Zoning District, no more than seven (7) Conventional Chain
303 Businesses are permitted in Storefront Properties.

304 ¹¹The Planning Director~~[,]~~ or his or her designee shall, upon finding a Food Truck
305 Location in compliance with Municipal Code 4-5-6, issue the property owner a Food
306 Truck Location administrative approval letter.

307 Section 15-2.6-2 is amended to read:

308 **15-2.6-2 Uses**

309 Uses in the Historic Commercial Business (HCB) District are Limited to the following:

310 A. **ALLOWED USES**.¹¹

311 1. Single Family Dwelling¹

312 2. Multi-Unit Dwelling¹

313 3. Secondary Living Quarters¹

314 4. Lockout Unit^{1,2}

315 5. Accessory Apartment^{1,3}

316 6. Nightly Rental⁴

317 7. Home Occupation¹

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- 318 8. Child Care, In-Home Babysitting¹
- 319 9. Child Care, Family^{1,5}
- 320 10. Child Care, Family Group^{1,5}
- 321 11. Child Care Center^{1,5}
- 322 12. Accessory Building and Use¹
- 323 13. Conservation Activity
- 324 14. Agriculture
- 325 15. Bed and Breakfast Inn^{1,6}
- 326 16. Boarding House, ~~[H]~~h~~o~~st~~e~~l¹
- 327 17. Hotel, Minor, fewer than 16 rooms¹
- 328 18. Office, General¹
- 329 19. Office, Moderate Intensive¹
- 330 20. Office and ~~[E]~~c~~l~~in~~i~~c, Medical¹
- 331 21. Financial ~~[F]~~i~~n~~st~~i~~tution, without drive-up window
- 332 22. Commercial Retail and Service, Minor
- 333 23. Commercial Retail and Service, ~~[P]~~e~~r~~sonal ~~[I]~~m~~p~~rovement
- 334 24. Commercial Neighborhood Convenience, without gasoline sales
- 335 25. Restaurant, Café or Deli
- 336 26. Restaurant, General
- 337 27. Bar
- 338 28. Parking Lot, Public or Private with four (4) or fewer spaces
- 339 29. Entertainment Facility, Indoor
- 340 30. Salt Lake City 2002 Winter Olympic Games Legacy Displays⁷

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- 341 31. Temporary ~~W~~winter Balcony ~~E~~enclosures
- 342 32. Food Truck Location¹²
- 343 B. **CONDITIONAL USES.**^{10,11}
- 344 1. Group Care Facility¹
- 345 2. Public and Quasi-Public ~~H~~institution, ~~C~~church, or ~~S~~school
- 346 3. Essential ~~M~~municipal ~~P~~public ~~U~~utility Use, ~~F~~facility, ~~S~~service, and
- 347 Structure
- 348 4. Telecommunication Antenna⁸
- 349 5. Satellite ~~D~~dish, greater than thirty-nine inches (39”) in diameter⁹
- 350 6. Plant and Nursery stock products and sales
- 351 7. Hotel, Major¹
- 352 8. Timeshare Projects and Conversions¹
- 353 9. Timeshare Sales Office, Off-Site within an enclosed Building¹
- 354 10. Private Residence Club Project and Conversion^{1,6}
- 355 11. Commercial Retail and Service, Major
- 356 12. Office, Intensive¹
- 357 13. Restaurant, ~~O~~outdoor ~~D~~dining⁶
- 358 14. Outdoor Events and Uses⁶
- 359 15. Hospital, Limited Care Facility¹
- 360 16. Parking Area or Structure for five (5) or more cars¹
- 361 17. Temporary Improvement⁶
- 362 18. Passenger Tramway ~~S~~station and ~~S~~ski ~~B~~base ~~F~~facility
- 363 19. Ski ~~T~~tow, ~~S~~ski ~~L~~ift, ~~S~~ski ~~R~~un, and ~~S~~ski ~~B~~bridge

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20. Recreation Facility, Public or Private

21. Recreation Facility, Commercial

22. Fences greater than six feet (6') in height from Final Grade⁶

23. Private Residence Club, Off-Site¹

~~[24. Special Events⁶]~~

~~[25.]~~24. Private Event Facility¹

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and Swede Alley. Hotel rooms shall not be located within Storefront Property; however, access, circulation, and lobby areas are permitted within Storefront Property.

²Nightly Rental of Lock Units requires a Conditional Use permit

³See LMC ~~[Chapter]~~ Section 15-4-7, ~~[Supplementary Regulations for]~~ Accessory Apartments

⁴Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses

⁵See LMC ~~[Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care ~~[Regulations]~~ And Child Care Facilities

⁶Requires an Administrative or Administrative Conditional Use permit

⁷Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic

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386 Master Festival License and placed on the original Property set forth in the services
387 Agreement and/or Master Festival License. Requires an Administrative Permit.

388 ⁸See LMC ~~[Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~

389 Telecommunication Facilities

390 ⁹See LMC ~~[Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of

391 Satellite Receiving Antennas

392 ¹⁰No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage
393 Control Act) are permitted within 200 feet of Main Street unless a variance is permitted
394 for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

395 ¹¹Within the HCB Zoning District, no more than seventeen (17) Conventional Chain
396 Businesses are permitted in Storefront Properties.

397 ¹²The Planning Director~~[,]~~ or his or her designee shall, upon finding a Food Truck
398 Location in compliance with Municipal Code 4-5-6, issue the property owner a Food
399 Truck Location administrative approval letter.

400 Section 15-2.16-2 is amended to read:

401 **15-2.16-2 Uses**

402 Uses in the RC District are limited to the following:

403 A. **ALLOWED USES.**

- 404 1. Single Family Dwelling
- 405 2. Duplex Dwelling
- 406 3. Triplex Dwelling
- 407 4. Secondary Living Quarters
- 408 5. Lockout Unit¹

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- 409 6. Accessory Apartment²
- 410 7. Nightly Rental³
- 411 8. Home Occupation
- 412 9. Child Care, In-Home Babysitting⁴
- 413 10. Child Care, Family⁴
- 414 11. Child Care, Family Group⁴
- 415 12. Child Care Center⁴
- 416 13. Accessory Building and Use
- 417 14. Conservation Activity
- 418 15. Agriculture
- 419 16. Bed ~~[&]~~ and Breakfast Inn
- 420 17. Boarding House, Hostel
- 421 18. Hotel, Minor
- 422 19. Parking Area or Structure with four (4) or fewer spaces
- 423 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 424 21. Food Truck Location¹²
- 425 B. **CONDITIONAL USES.**
- 426 1. Multi-Unit Dwelling
- 427 2. Group Care Facility
- 428 3. Public and Quasi-Public ~~[I]~~institution, ~~[C]~~church, and ~~[S]~~school
- 429 4. Essential ~~[M]~~municipal and ~~[P]~~public ~~[U]~~utility Use, ~~[F]~~facility, ~~[S]~~service, and
- 430 Structure
- 431 5. Telecommunications Antenna⁶

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- 432 6. Satellite ~~(D)~~dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 433 7. Raising, grazing of horses
- 434 8. Cemetery
- 435 9. Hotel, Major
- 436 10. Timeshare Project and Conversion
- 437 11. Timeshare Sales Office
- 438 12. Private Residence Club Project and Conversion⁹
- 439 13. Office, General⁸
- 440 14. Office, Moderate⁸
- 441 15. Office and ~~(E)~~clinic, Medical⁸
- 442 16. Financial ~~(H)~~institution without drive-up window⁸
- 443 17. Minor Retail and Service Commercial⁸
- 444 18. Retail and Service Commercial, ~~(P)~~Personal ~~(I)~~Improvement⁸
- 445 19. Transportation Service⁸
- 446 20. Neighborhood Market, without gasoline sales⁸
- 447 21. Café or Deli⁸
- 448 22. Restaurant, General⁸
- 449 23. Restaurant, ~~(O)~~outdoor ~~(D)~~dining^{8,9}
- 450 24. Bar⁸
- 451 25. Hospital, Limited Care Facility⁸
- 452 26. Parking Area or Structure with five (5) or more spaces
- 453 27. Temporary Improvement⁹
- 454 28. Passenger Tramway ~~(S)~~station and ~~(S)~~ski ~~(B)~~base ~~(F)~~facility¹⁰

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455 29. Ski ~~[T]low~~ ~~[R]ope~~, ~~[S]ski~~ ~~[L]ift~~, ~~[S]ski~~ ~~[R]un~~, and ~~[S]ski~~ ~~[B]ridge~~¹⁰

456 30. Outdoor Events and Uses⁹

457 31. Recreation Facility, Public and Private⁸

458 32. Recreation Facility, Commercial⁸

459 33. Entertainment Facility, Indoor⁸

460 34. Commercial Riding Stable[s], ~~[R]riding~~ ~~[A]cademy~~⁸

461 35. Master Planned Developments

462 36. Heliport⁸

463 ~~[37. Special Events⁹]~~

464 ~~[38.]~~ 37. Amenities Club

465 ~~[39.]~~ 38. Club, Private Residence Off-Site¹¹

466 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a
467 prohibited Use.

468 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

469 ²See LMC ~~[Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory
470 Apartments

471 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

472 ⁴See LMC ~~[Chapter]~~ Section 15-4-9, Child Care ~~[Regulations]~~ And Child Care Facilities

473 ⁵Olympic Legacy Displays limited to those specific Structures approved under the
474 SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic
475 Master Festival License and placed on the original Property set forth in the services
476 agreement and/or Master Festival License. Requires an Administrative Permit.

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477 ⁶See LMC ~~[Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~

478 Telecommunication Facilities

479 ⁷See LMC ~~[Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of

480 Satellite Receiving Antennas

481 ⁸As support Use to primary Development or Use, subject to provisions of LMC Chapter
482 15-6, Master Planned Development

483 ⁹Requires an Administrative or Administrative Conditional Use permit, see ~~[Section]~~
484 Chapter 15-4

485 ¹⁰As part of an approved Ski Area Master Plan

486 ¹¹Requires an Administrative Conditional Use permit. Is permitted only in approved
487 existing Commercial spaces or ~~[e)]~~ Developments that have ten (10) or more units with
488 approved Support Commercial space. A Parking Plan shall be submitted to determine
489 site specific parking requirements.

490 ¹²The Planning Director~~[.]~~ or his or her designee shall, upon finding a Food Truck
491 Location in compliance with Municipal Code 4-5-6, issue the property owner a Food
492 Truck Location administrative approval letter.

493 Section 15-2.23-2 is amended to read:

494 **15-2.23-2 Uses**

495 Uses in the Community Transition District are limited to following:

496 A. **ALLOWED USES.**

497 1. Conservation Activities

498 2. Home Occupation

499 3. In-~~[h)]~~ Home Babysitting

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500 4. Family Child Care

501 5. Secondary Living Quarters

502 6. Agriculture

503 7. Food Truck Location²

504 B. ADMINISTRATIVE CONDITIONAL USES.

505 1. Trails and ~~[F]t~~trailhead ~~[I]i~~improvements

506 2. Outdoor Recreation Equipment

507 3. Essential ~~[P]p~~ublic ~~[U]u~~tility Use, ~~[S]s~~ervice, or Structure less than 600 ~~[sf]~~ sq.
508 ft.

509 4. Accessory Buildings less than 600 ~~[sf]~~ sq. ft.

510 5. Parking Areas with four (4) or fewer spaces

511 6. Outdoor Events and Outdoor Music, see ~~[Section]~~ Chapter 15-4

512 7. Temporary Improvement

513 8. Outdoor ~~[D]d~~ining and support retail associated with support Uses with an
514 MPD

515 ~~[9. Special Events]~~

516 ~~[10.]9.~~ Fences and ~~[W]w~~alls, see Section 15-4-2

517 ~~[11.]10.~~ Anemometer and Anemometer Towers

518 C. CONDITIONAL USES.

519 1. Master Planned Developments (MPDs)

520 2. Public, Quasi-Public, ~~[C]c~~ivic, ~~[M]m~~unicipal Uses

521 3. General ~~[A]a~~cute Hospital

522 4. Alternative ~~[P]p~~rofessional ~~[H]h~~health-related ~~[S]s~~ervices

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- 523 5. Athletic ~~[T]~~training and ~~[T]~~testing Offices and ~~[F]~~facilities
- 524 6. Athletic ~~[P]~~program ~~[A]~~administrative Offices
- 525 7. Support ~~[S]~~short-~~[T]~~term ~~[A]~~athlete ~~[H]~~housing or lodging associated with an
- 526 approved ~~[R]~~Recreation ~~[F]~~Facility (within an approved MPD)
- 527 8. Accredited ~~[P]~~physician Office ~~[S]~~space
- 528 9. Accredited Medical ~~[&]and~~ ~~[D]~~dental ~~[C]~~clinics
- 529 10. Medical Heliport
- 530 11. Group Care Facility
- 531 12. Ancillary Support Commercial (within an approved MPD)
- 532 a. Gift ~~[S]~~shop
- 533 b. Dispensing pharmacy
- 534 c. Medical supply
- 535 d. Restaurant
- 536 e. Deli
- 537 f. Outdoor ~~[G]~~grills/~~[B]~~beverage ~~[S]~~service ~~[S]~~stations
- 538 g. Child Care Center
- 539 13. Recreation Facility, Public and Private
- 540 14. Recreation Facility, Commercial
- 541 15. Park and ~~[R]~~ride Lot
- 542 16. Municipal/~~[I]~~institutional Accessory Building and Use
- 543 17. Parking Lot, Public ~~[o]~~
- 544 18. Public ~~[U]~~utility or ~~[E]~~essential ~~[S]~~services
- 545 19. Single Family Dwelling (with an approved MPD¹)

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- 546 20. Duplex Dwelling (with an approved MPD¹)
- 547 21. Multi-Unit Dwelling (with an approved MPD¹)
- 548 22. Telecommunication Antenna
- 549 23. Transit ~~[F]~~facilities
- 550 24. Parking Areas, Lots, and Structures with more than five (5) Parking Spaces
- 551 25. Raising, ~~[and]~~ ~~[G]~~grazing of ~~[H]~~horses
- 552 26. Commercial Riding Stable~~[s]~~
- 553 27. Small Energy Wind Systems

554 D. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a
555 prohibited Use.

556 ¹Residential Uses cannot exceed one (1) unit/acre

557 ²The Planning Director~~[,]~~ or his or her designee shall, upon finding a Food Truck
558 Location in compliance with Municipal Code 4-5-6, issue the property owner a Food
559 Truck Location administrative approval letter.

560 Section 15-4-16 is amended to read:

561 **15-4-16 Temporary Structures, Tents, And Vendors**

562 Prior to the issuance of an Administrative Permit for any temporary Structure, tent, or
563 vendor, the Applicant must meet the following requirements ~~[shall be met]~~:

564 A. **APPLICATION**. An Application must be submitted to the Planning Department
565 including the following information:

566 1. **GENERAL DESCRIPTION**. An overview of the proposed activity shall
567 ~~[H]~~include hours of operation, anticipated attendance, ~~[U]~~use of speakers, any

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beer or liquor license, any sign or lighting plan, and any other applicable information.

2. **SITE PLAN.** The site plan shall be to scale indicating in detail how the proposal will comply with the International Building Code ~~[(IBC)]~~. It should indicate the location of the tent on the Property and distances from Property Lines and other Structures. A separate plan for the interior of any tent is required. This plan will indicate any chairs, tables, exits, sanitation, heating, food service/handling etc. A snow removal plan must be included.

3. **STRUCTURAL INFORMATION AND CALCULATIONS.** For all temporary Structures greater than 200 square feet in Floor Area, the Applicant must submit structural calculations, wind load information, fire rating, etc. ~~[must be submitted.]~~

4. **FEES.** All applicable fees.

5. **BUILDING PERMIT.** A permit issued by the Building Department is required for temporary Structures and tents greater than 200 square feet in Area, or as determined by the Chief Building Official upon review of size, materials, location, weather, and proposed Use.

6. ~~[SPECIAL EVENT PERMITS]~~ TEMPORARY CHANGE OF OCCUPANCY.

See Section 15-4-20 for regulations related to ~~[Special Events and]~~ temporary change of occupancy ~~[P]~~permits.

7. **DURATION.** Unless approved by the City Council as part of a ~~[Master Festival]~~ Special Event, in no case shall a tent be installed for a duration longer than fourteen (14) days and for more than five (5) times per year on the same Property or Site, unless a longer duration or greater frequency is approved by the

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591 Planning Commission consistent with Conditional Use ~~[G]~~criteria in Section 15-1-
592 10.

593 8. **NOTICE.** Notice of Administrative Permits shall be consistent with Section 15-
594 1-21.

595 ~~[B. **REVIEW CRITERIA- PUBLIC PROPERTY (OWNED BY THE CITY).**~~

596 ~~—— 1. Lease agreement with Park City required.~~

597 ~~2. The Use shall not violate the Summit County Health Code, the Fire Code, or~~
598 ~~State Regulations on mass gathering.~~

599 ~~3. The Use must meet all applicable International Building Code (IBC)~~
600 ~~requirements.~~

601 ~~4. The Applicant shall adhere to all applicable City and State licensing~~
602 ~~ordinances.]~~

603 ~~[G]B. **REVIEW CRITERIA[-PRIVATE PROPERTY].**~~

604 1. ~~[The proposed Use must be on private Property.]~~ The Applicant shall provide
605 written notice of the Property Owner's permission.

606 2. The proposed Use should not diminish existing parking. Any net loss of
607 parking shall be mitigated in the Applicant's plan.

608 3. The proposed Use shall not impede pedestrian circulation, emergency Access,
609 or any other public safety measure.

610 4. The Use shall not violate the ~~[City]~~ Noise Ordinance, Municipal Code Chapter
611 6-3.

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5. The Use shall comply with the LMC, ~~[and all]~~ the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with ~~[the]~~ Illumination [Sign] Section 12-4-9.

6. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.

7. The Use shall not violate the International Building Code ~~[(IBC)]~~.

8. The Applicant shall adhere to all applicable City and State licensing ordinances.

Section 15-4-20 is amended to read:

15-4-20 ~~[Special Events And]~~ Temporary Change of Occupancy Permits

A. **PURPOSE.** The intent of these regulations is to allow Administrative Permits for ~~[Special Events and]~~ temporary change of occupancy ~~[activities]~~ only if adverse impacts on the character of neighboring Property can be mitigated and issues of public safety, traffic, and parking are provided for. Such Uses will be permitted where the adjacent Street system is sufficient to accommodate the traffic impacts generated by said ~~[Special Events and]~~ temporary change of occupancy; where the Property can accommodate adequate Off-Street parking; where the Structures are designed to safely accommodate said ~~[Special Event and]~~ temporary change of occupancy; and where the type of Use~~[,]~~ and impacts are Compatible with the Uses otherwise permitted in the zone.

B. **DURATION.** ~~[Special Event and]~~ temporary change of occupancy Administrative Permits may be issued for duration of fifteen (15) days per permit and for no more than twelve (12) times per year per Building. These days are not required to be consecutive.

EXHIBIT A

C. **APPLICATION**. An Application must be submitted no less than fifteen (15) days prior to the ~~[Special Event or]~~ temporary change of occupancy. The Planning Director may reduce this timeframe to ten (10) days upon written request of the Applicant. Applications shall be filed with the Planning Department and shall include the following information:

1. **GENERAL DESCRIPTION**. A narrative of the Use and Site plan of the proposed ~~[Special Event and]~~ temporary change of occupancy shall be submitted with the application, including hours of operation, private or public activity, number of invitations sent, if a private event, or estimate of overall attendance, crowd management plan, security, deliveries, music or sound plan, including use of speakers, any beer or liquor license, any sign or lighting plan, parking plan, and any other applicable information.

2. **FLOOR PLAN**. A floor plan, drawn to scale, indicating in detail how the proposal will comply with applicable sections of the International Building Code shall be submitted with the application. This plan will indicate any chairs, tables, exits, sanitation, heating, food service/handling, etc. This plan shall be prepared and stamped by a licensed Utah Architect or Engineer, who shall indicate the maximum occupancy number for the specific use and floor plan for the ~~[Special Event and/or]~~ temporary change of occupancy ~~[P]~~ permit. Multiple floor plan layouts during the dates applied for will require individual stamped floor plan drawings by the Architect or Engineer. The Chief Building Official, or his or her designee, will also review this information and application for compliance with the International Building Code [IBC].

EXHIBIT A

3. **ALL APPLICABLE FEES.** Refer to Fee Resolution.

4. Any requested additional City or governmental services or equipment.

D. **REVIEW CRITERIA.** In addition to the ~~[criteria and standards of]~~ review criteria in LMC Chapter 15-1-10(E), staff must review the following:

1. The Applicant shall provide written notice of the Property Owner's consent to the proposed ~~[event]~~ temporary change of occupancy.

2. The proposed Use shall not preclude Public Use of public Parking Spaces.

3. The Applicant shall provide [A]an entrance plan, including patron waiting line capacity. Any Use of exterior space for wait list or lines must be mitigated through the Use of barricades and/or security. Pedestrian International Building Code compliant Access along the public Right-of-way must be maintained, unless otherwise approved by the Chief Building Official.

4. The Use shall not violate Municipal Code ~~[Section]~~ Chapter 6-3~~[-9(B)]~~, the ~~[City] n~~Noise ~~e~~Ordinance.

5. ~~[The Application and a]~~All ~~[signing]~~ signage and lighting shall comply with the ~~[municipal]~~ [s]Sign Code, Title 12, and Illumination ~~[lighting code]~~, Section 12-4-9.

6. The Use shall comply with the Summit County Health ~~[e]~~Code, the Fire Code, and State regulations on mass gathering.

7. The Use shall not violate the International Building Code ~~[(IBC)]~~.

8. The Applicant shall submit a delivery plan ~~[in compliance with the delivery ordinance]~~.

9. The Applicant shall adhere to all applicable City and State licensing requirements ~~[ordinances]~~.

EXHIBIT A

10. The Applicant must have an approved operational permit according to the requirements of the International Fire Code prior to the issue of a ~~[n]~~ temporary change of occupancy permit.

11. The Property may not be in violation of the ~~[No existing]~~ LMC or International Building Code ~~[violations are on the property]~~.

12. Notice shall comply with Section 15-1-21.

The Fire Marshal~~[f]~~ may conduct a Site inspection at any time during the ~~[event]~~ temporary change of occupancy to ensure compliance with the above criteria.

E. **TEMPORARY STRUCTURES, TENTS, AND VENDORS**. See Section 15-4-16 for regulations related to Administrative Permits for temporary Structures, tents, and vendors not associated with Special Event permits.

Section 15-15-1 is amended to read:

15-15-1 Definitions

~~**[MASTER FESTIVAL]**. Any event held on public or private Property in which the general public is invited with or without charge and which creates significant public impacts through any of the following:~~

~~The attraction of large crowds;~~

~~Necessity for Street closures on Main Street or any arterial Street necessary for the safe and efficient flow of traffic in Park City;~~

~~Use of public Property;~~

~~Use of City transportation services;~~

~~Use of off-Site parking facility, or;~~

~~Use of amplified music in or adjacent to a residential neighborhood.]~~

EXHIBIT A

SPECIAL EVENT. See Municipal Code Title 4A, Special Events, Chapter 1, Definitions.

~~[Any event, public or private, with either public or private venues, requiring City licensing beyond the scope of normal Business and/or liquor regulations, as defined by this Code, or creates public impacts through any of the following:~~

~~The use of City personnel;~~

~~Impacts via disturbance to adjacent residents;~~

~~Traffic/parking;~~

~~Disruption of the normal routine of the community or affected neighborhood; or~~

~~Necessitates Special Event temporary beer or liquor licensing in conjunction with the~~

~~public impacts, neighborhood block parties or other events requiring Street closure of~~

~~any residential Street that is not necessary for the safe and efficient flow of traffic in~~

~~Park City for a duration of less than one (1) day shall be considered a Special Event.]~~

Section 15-15-2 is amended to read:

15-15-2 List of Defined Terms

-M-

~~[Master Festival]~~

Master Planned Development (MPD)

Material Deconstruction or Dismantling

Maximum Extent Feasible

Maximum House Size

Model Home

CONTRADICTING SPECIAL EVENTS CODES

	Municipal Code of Park City Title 4A Special Events	Land Management Code Title 15 Special Events
Application Submittal Requirements	MCPC § 4A-2-3	LMC § 15-4-20
Application Deadlines	Title 4A requires Level 1 and 2 event applications to be submitted to the Economic Development Department at least 30 days prior to the start of the event. MCPC § 4A-2-3(C)(2) Title 4A establishes three review periods for Level 3, 4, and 5 Special Event applications. Applications received by the first Friday in December are reviewed by City Council by the end of February; applications received by the first Friday in April are reviewed by Council by the end of June; applications received by the first Friday in August are reviewed by Council by the end of October. MCPC § 4A-2-3(C)	The LMC requires that an “[a]pplication must be submitted no less than fifteen (15) days prior to the Special Event. . . The Planning Director may reduce this timeframe to ten (10) days upon written request of the Applicant.” LMC § 15-4-20(C)
Criteria to grant, modify, or deny a Special Event Permit	MCPC § 4A-2-4	LMC § 15-4-20
Noise Ordinance	A Special Event applicant may obtain an exemption from the Noise Ordinance. MCPC § 4A-2-3(G)(2)	The LMC requires those seeking a Special Event permit to comply with the Noise Ordinance. LMC § 15-4-20(D)(4)
Notice Requirements	When the Special Events Department grants a Special Event permit pursuant to Title 4A, the Economic Development Manager or designee determines the notice the permittee must provide, depending on the size and scope of the event. MCPC § 4A-2-11(B)(1)(g)	The LMC requires that applicants provide 10-day notice for the Special Event in compliance with LMC § 15-1-21, which requires a courtesy mailing to adjacent property owners and notice posted on the City website and within three public places. LMC 15-4-20(D)(12)
Event Duration	Title 4A allows the Economic Development Department and City Council discretion when establishing the duration of Special Events. MCPC § 4A-2-4	The LMC places a fifteen-day restriction on the duration of a Special Event, no more than twelve times per year per building, and there may be times when the LMC conflicts with Economic Development Department and City Council discretion. LMC § 15-4-20(B)

Planning Commission Staff Report



Subject: Nightly Rentals in the Western HRL Zone
Application: PL-20-04547
Author: Rebecca Ward
Date: July 8, 2020
Type of Item: Legislative – Land Management Code Amendment

Summary Recommendations

Staff recommends the Planning Commission review the proposed Land Management Code amendment options, hold a public hearing, and consider forwarding a positive recommendation for one of the options for City Council's consideration on July 30, 2020.

Option 1 includes additional criteria the Commission considers for Nightly Rental Conditional Use Permits in the western Historic Residential Low – Density Zoning District (Exhibit A).

Option 2 includes the criteria in option 1 and also establishes a cap of 12 Nightly Rental Conditional Use Permits in the western Historic Residential Low – Density Zoning District (Exhibit B).

Additionally, the Commission may consider forwarding a recommendation that the City Council consider amendments to the Municipal Code of Park City § 4-5-3, *Regulation of Nightly Rentals*.

Description

Applicant: Planning Department
Zoning District: Western Historic Residential – Low Density
Reason for Review: Land Management Code amendments require Planning Commission review and recommendation to City Council for Final Action

Acronyms

CUP Conditional Use Permit
HRL Historic Residential – Low Density Zoning District
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

Nightly Rentals in the western Historic Residential – Low Density (HRL) Zoning District require a Conditional Use Permit (CUP). In 2019, the Commission approved three Nightly Rental CUPs in the western HRL Zoning District (74 King Road – [Staff Report](#), [Minutes](#), p. 29; 81 King Road – [Staff Report](#), [Minutes](#), p. 43; and 158 Ridge Avenue – [Staff Report](#), [Minutes](#), p. 17). During these meetings, several concerns were raised regarding substandard roads, access during inclement weather, snow removal and

storage, noise, and parking limitations unique to the western HRL Zoning District.

On January 8, 2020, the Planning Commission asked staff to prepare a work session to discuss Nightly Rentals in the western HRL Zoning District ([Minutes](#), p. 18-27). On March 11, 2020, the Planning Commission conducted the work session and requested that staff return with additional CUP criteria to mitigate impacts unique to this area and a potential cap on the number of permitted Nightly Rentals ([Staff Report](#); [Minutes](#), p. 6-20).

Since 2000, the Commission has approved seven Nightly Rental CUPs in the western HRL Zoning District. Two of these seven properties have active Nightly Rental Business Licenses; three have pending Nightly Rental Business Licenses. There is one pending application for a Nightly Rental CUP that is scheduled for the Commission's review in August or September.

NIGHTLY RENTAL COMPLAINTS

Staff would like to clarify information on the Nightly Rental complaint process that was discussed on March 11: since June of 2019, the Planning Department staff has received zero complaints about specific Nightly Rentals. Rather, staff receives general inquiries—often weekly—regarding Nightly Rentals and zoning. If Planning Department staff receives a Nightly Rental complaint specific to a property, staff will direct the complainant to the City website so that they may file a formal complaint.

WESTERN HISTORIC RESIDENTIAL – LOW DENSITY ZONING DISTRICT COMPLAINTS

Staff worked with Code Enforcement and the Police Department to determine the number of complaints against residences with Nightly Rental CUPs in the western HRL Zoning District. Code Enforcement tracked the residences back to 2017 and found no complaints. The Police Department tracked the residences back to 2019 and found no disturbing the peace complaints or parking violations for these residences.

Analysis

Nightly Rentals are allowed in most Zoning Districts citywide and are only prohibited in the Single-Family,¹ Recreation and Open Space, Protected Open Space, Public Use Transition, and Community Transition Zoning Districts.² Additionally, some Homeowner Associations located in Zoning Districts that allow Nightly Rentals prohibit them.

The outlier for Nightly Rentals is the HRL Zoning District, which is divided into three sections, shown in light blue in the image on the next page: the western Sampson Avenue/Ridge Avenue/King Road HRL area, the middle McHenry Avenue HRL area, and the eastern Lower Rossi Hill HRL area:

¹ Nightly Rentals are allowed in the Prospector Village Subdivision within the Single-Family Zone.

² Nightly Rentals are prohibited in the April Mountain and Mellow Mountain Subdivision in the Residential Development District.



In 2015, at the request of residents, the City Council passed and adopted [Ordinance No. 15-44](#) to prohibit Nightly Rentals in the McHenry HRL area, in part to protect the McHenry neighborhood as a primary resident neighborhood ([Staff Report](#), p. 248; [Minutes](#), p. 8).

In 2017, the City Council passed and adopted [Ordinance 2017-05](#), amending the zoning map to rezone a portion of the Residential – Medium Density Zoning District to HRL zoning (the Lower Rossi Hill area) to diminish potential density around three historic homes designated Landmark status on the City’s Historic Sites Inventory. As a result of the 2015 amendments limiting Nightly Rentals to the western HRL area, Nightly Rentals were by default prohibited in the Lower Rossi Hill HRL area.

Please see Exhibit C to view a letter property owners sent to the Mayor for clarification on Nightly Rentals in the Lower Rossi Hill HRL area. The Commission may consider clarifying Nightly Rentals in the Lower Rossi Hill HRL area as part of the proposed western HRL area amendments, or, property owners may petition the Commission and Council to amend the LMC to allow Nightly Rentals in the Lower Rossi Hill HRL area in a separate discussion.

Of the three HRL areas, Nightly Rentals are only permitted in the western HRL area, subject to an approved CUP. Goal 7 of the General Plan, *Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents*, includes objective 7C: “Focus future nightly rental units to resort neighborhoods – near Park City Mountain Resort and Deer Valley” (General Plan, Volume I, [Sense of Community](#), p. 71). The western HRL area provides ski access to Park City Mountain

Resort from Upper Norfolk Avenue.

While the General Plan supports Nightly Rentals with resort access, the General Plan recommends “[r]econsideration of allowing nightly rentals in the HRL Zoning District as an Allowed Use or Conditional Use” (General Plan, Volume II, [Sense of Community](#), p. 86). The HRL Zoning District contains steep slopes and substandard roads and is intended to maintain lower residential density within the Historic District.³

As a result of the unique features of this area, several concerns have been raised about Nightly Rentals. To mitigate the impacts of Nightly Rentals in this area, staff recommends the Commission consider Option I: amending Footnote 2 of LMC § 15-2.1-2(B)(1) to establish additional Conditional Use Permit criteria and Option II: amending Footnote 2 of LMC § 15-2.1-2(B)(1) to establish additional Conditional Use Permit criteria and to cap the number of Nightly Rental Conditional Use Permits in the western HRL Zoning District to 12.

OPTION I: AMEND FOOTNOTE 2 OF LMC § 15-2.1-2(B)(1) TO ESTABLISH ADDITIONAL CONDITIONAL USE PERMIT CRITERIA.

“There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses . . . may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.” The Commission must approve a CUP if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. LMC [§ 15-1-10](#).

The current standards for CUP approval are outlined in LMC [§ 15-1-10\(E\)](#) and include consideration of the size and location of the Site, traffic and capacity of existing Streets, utility and storm water run-off, emergency vehicle Access, location and amount of off-Street parking, internal vehicular and pedestrian circulation systems, fencing and landscaping, building features compared to adjoining properties, Open Space, signs and lighting, architectural design, noise and mechanical factors, delivery and service vehicles, ownership and management, sensitive land considerations, and consistency with the General Plan.

Much of the western HRL Zoning District is located on steep slopes and residences are accessed by narrow, substandard roads. As a result, concerns regarding Nightly Rentals in this area are mostly related to access during inclement weather, snow removal and storage, and parking limitations. In the past, the Commission has recommended additional Conditions of Approval to put potential renters on notice of these conditions to help mitigate the impacts of Nightly Rentals on the neighborhood.

The City Engineer reviewed Nightly Rentals in the western HRL Zoning District and made the following recommendation:

³ LMC [§ 15-2.1.1](#).

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

To mitigate impacts on Nightly Rentals in the western HRL Zoning District, the Option 1 redlines include: (a) limiting parking to on-site Parking Spaces, (b) providing information to renters about potential access issues during inclement weather and recommending all-wheel or four-wheel drive vehicles during the winter season, (c) providing information on nearby ski access, free transit, and Historic Main Street that is within walking distance from the rental, and (d) requiring that property management contact information be displayed in a prominent location within the Nightly Rental.

These four criteria are added to the proposed redlines to provide additional opportunities for the Commission to mitigate Nightly Rental impacts in the western HRL area when considering CUP approval (Exhibit A). The proposed redlines require the Applicant to submit a draft rental agreement with the CUP application so that the Commission can review the agreement language to confirm that these items are addressed.

OPTION 2: AMEND FOOTNOTE 2 OF LMC § 15-2.1-2(B)(1) TO ESTABLISH ADDITIONAL CONDITIONAL USE PERMIT CRITERIA AND TO CAP THE NUMBER OF NIGHTLY RENTALS IN THE WESTERN HRL ZONING DISTRICT TO 12.

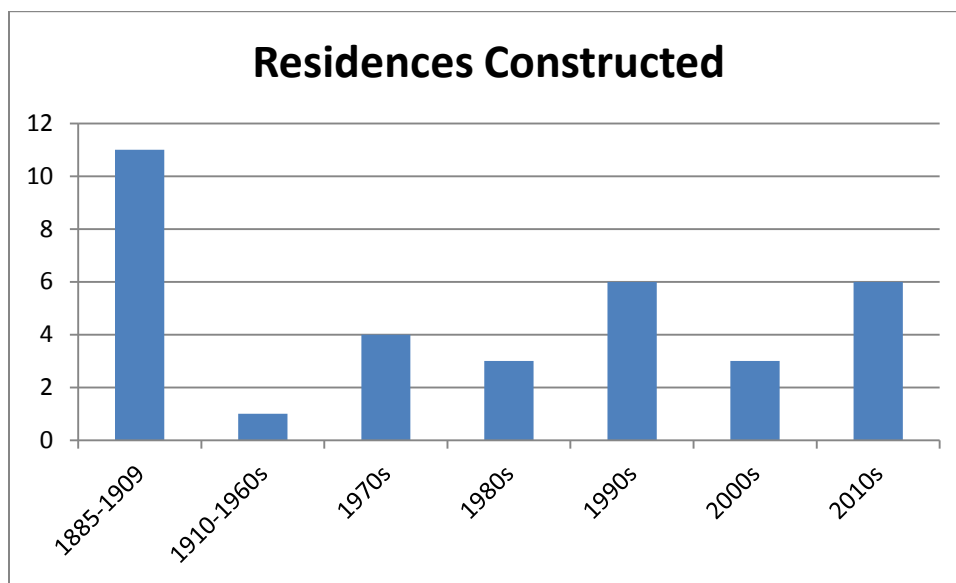
If the Commission determines that the additional CUP criteria do not go far enough to mitigate Nightly Rental impacts in the western HRL area, staff recommends the Commission consider enacting additional CUP criteria in option 1 and capping the number of Nightly Rentals in the western HRL Zoning District to 12 (Exhibit B).

In 1984, the City Council adopted [Ordinance No. 84-9](#), which created the HRL Zoning District. At this time, Nightly Rentals in the HRL Zoning District required a CUP. In the 1980s, there were 19 total residences in the western HRL area.

Three years later, the City Council passed and adopted [Ordinance No. 87-2](#), making Nightly Rentals an allowed rather than conditional use in the HRL Zoning District. Throughout the 1990s, six new residences were constructed in the western HRL area, raising the total number of residences to 25. Any of the property owners of these 25 residences could apply for a Business License to operate a Nightly Rental.

In 2000, the City Council passed and adopted [Ordinance No. 00-15](#), which approved a comprehensive and substantive rewrite of the LMC and designated Nightly Rentals a Conditional Use in the HRL Zoning District. Since that time, nine new residences have

been constructed in the western HRL area. The total number of residences in the western HRL area is 35 (the date of construction for one of the residences is unknown). Of these 35 residences, 16 are primary and 19 are secondary.



There are 61 total parcels/Lots in the western HRL Zoning District that range in size from .06 acres to 0.31 acres. While 35 Lots contain residences, 26 of the total 61 parcels/Lots are vacant. Of these 26 vacant parcels/Lots, 24 are potentially developable because they meet the minimum HRL Lot Area of 3,750 square feet.⁴ LMC [§ 15-2.1-3\(A\)](#). Potential development of these vacant parcels/Lots would most likely be Single Family Dwellings, allowed under the HRL Uses Section, LMC [§ 15-2.1-2](#).

When Nightly Rentals were first designated a Conditional Use Permit in the western HRL Zoning District, there were 25 total residences. With the additional construction of new residences since that time, more driveways/accesses have been added to these substandard roads, reducing what little on-street parking there is in the area. Local residents are familiar with navigating these substandard roads. However, visitors to the City may not be as familiar with the substandard roads, access challenges during the winter season, and parking limitations. A cap on Nightly Rental Conditional Use Permits may help mitigate the impacts to the neighborhood.

Approximately 46% of housing stock within City limits is used for Nightly Rentals. This number has remained fairly consistent since at least 2014. Capping the Nightly Rentals in the western HRL Zoning District to 46% of the total 25 residences that existed when the Land Management Code was amended in 2000 to require a Conditional Use Permit in the western HRL Zoning District, which equals 12, provides a tool to manage the Nightly Rentals in this area, while restricting the number of total Nightly Rentals as the area continues to develop into the next decade.

⁴ This number may be further diminished due to limited access and prohibitive steep slopes.

Review

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

Notice

Staff mailed courtesy notice to property owners within the western HRL Zoning District on June 19, 2020. Staff published notice on the City's website and the Utah Public Notice website on June 24, 2020. The *Park Record* published notice on June 24, 2020. LMC [§ 15-1-21](#).

Public Input

No public input was received at the time this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation for Option 1 or Option 2 for City Council's consideration on July 30, 2020;
- The Planning Commission may forward a negative recommendation for Option 1 or Option 2 for City Council's Consideration on July 30, 2020; or
- The Planning Commission may request additional information and continue the discussion to a later date.

Exhibits

Exhibit A: Option 1 Ordinance and LMC Redlines

Exhibit B: Option 2 Ordinance and LMC Redlines

Exhibit C: Lower Rossi Hill Property Owner Letter to Mayor

**AN ORDINANCE AMENDING FOOTNOTE 2 OF LAND MANAGEMENT CODE
§ 15-2.1-2(B)(1) TO ESTABLISH ADDITIONAL CONDITIONAL USE PERMIT
CRITERIA FOR NIGHTLY RENTALS IN THE WESTERN HISTORIC RESIDENTIAL –
LOW DENSITY ZONING DISTRICT**

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;

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 City residents and visitors;

WHEREAS, Nightly Rentals – rentals for fewer than 30 days – require a Conditional Use Permit in the western Historic Residential – Low Density Zoning District;

WHEREAS, the western Historic Residential – Low Density Zoning District includes residences along King Road, Ridge Avenue, and Sampson Avenue, which roads do not meet current engineering standards related to roadway width and in some cases steepness of the road;

WHEREAS, in inclement weather, access to these residences may require all-wheel or 4-wheel drive during the winter season;

WHEREAS, due to the narrow and steep roads, on-street parking is limited and Nightly Rental parking shall be limited to on-site parking only;

WHEREAS, the General Plan recommends Nightly Rentals in this area due to resort access and property owners shall provide Nightly Renters with information on walkability to tourist destinations and ski access to the resort;

WHEREAS, the property management information shall be prominently displayed inside the Nightly Rental property so that any issues or disturbances may be timely addressed;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on July 8, 2020 and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing on July 30, 2020.

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

SECTION 1. FOOTNOTE 2 OF LAND MANAGEMENT CODE § 15-2.1-2(B)(1), *Historic Residential – Low Density District Uses*. The recitals above are incorporated herein as findings of fact. Section 15-2.1-2(B)(1), Footnote 2, of the Land Management Code of Park City is hereby amended as outlined in Exhibit A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 30th day of July, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

15-2.1-2 Uses

. . .

B. CONDITIONAL USES.

1. Nightly Rentals²
2. Lockout Unit
3. Accessory Apartment³
4. Child Care Center¹
5. Essential Municipal and Public Utility Use, Facility, Service and Structure
6. Telecommunication Antenna⁴
7. Satellite dish greater than thirty-nine inches (39") in diameter⁵
8. Residential Parking Area or Structure five (5) or more spaces
9. Temporary Improvement⁶
10. Passenger Tramway Station and Ski Base Facility⁷
11. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge⁶
12. Recreation Facility, Private
13. Fences greater than six feet (6') in height from Final Grade^{5,8}

² Conditional Use Permit allowed only in the West sub-neighborhood located south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road.

No Nightly Rentals are allowed elsewhere in this Zoning District. In addition to the Conditional Use Permit criteria in LMC § 15-1-10(E), the Planning Commission shall consider whether or not the proposed Nightly Rental mitigates the impacts of and addresses the following items: (a) all rental agreements for Nightly Rental shall include language that limits the vehicles allowed to the number of on-site Parking Spaces; (b)

24 all rental agreements shall include language indicating that all-wheel or four-wheel drive
25 vehicles are recommended during the winter season; (c) all rental agreements shall
26 provide Nightly Renters with information regarding walkable access to skiing, to Park
27 City's Historic Main Street, to Old Town, and to Park City's free transit service; and (d)
28 property management contact information shall be displayed in a prominent location
29 inside the Nightly Rental.

**AN ORDINANCE AMENDING FOOTNOTE 2 OF LAND MANAGEMENT CODE
§ 15-2.1-2(B)(1) TO ESTABLISH ADDITIONAL CONDITIONAL USE PERMIT
CRITERIA AND A CAP OF TWELVE NIGHTLY RENTALS IN THE WESTERN
HISTORIC RESIDENTIAL – LOW DENSITY ZONING DISTRICT**

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;

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 City residents and visitors;

WHEREAS, Nightly Rentals – rentals for fewer than 30 days – require a Conditional Use Permit in the western Historic Residential – Low Density Zoning District;

WHEREAS, the western Historic Residential – Low Density Zoning District includes residences along King Road, Ridge Avenue, and Sampson Avenue, which roads do not meet current engineering standards related to roadway width and in some cases steepness of the road;

WHEREAS, in inclement weather, access to these residences may require all-wheel or 4-wheel drive during the winter season;

WHEREAS, due to the narrow and steep roads, on-street parking is limited and Nightly Rental parking shall be limited to on-site parking only;

WHEREAS, the General Plan recommends Nightly Rentals in this area due to resort access and property owners shall provide Nightly Renters with information on walkability to tourist destinations and ski access to the resort;

WHEREAS, the property management information shall be prominently displayed inside the Nightly Rental property so that any issues or disturbances may be timely addressed;

WHEREAS, due to the unique topography of the western Historic Residential – Low Density Zoning District and current and potential future development in the area, the Commission has determined that no more than twelve Nightly Rental Conditional Use Permits shall be issued;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on July 8, 2020 and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing on July 30, 2020.

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

SECTION 1. FOOTNOTE 2 OF LAND MANAGEMENT CODE § 15-2.1-2(B)(1), *Historic Residential – Low Density District Uses*. The recitals above are incorporated herein as findings of fact. Section 15-2.1-2(B)(1), Footnote 2, of the Land Management Code of Park City is hereby amended as outlined in Exhibit A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 30th day of July, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

15-2.1-2 Uses

. . .

B. CONDITIONAL USES.

1. Nightly Rentals²
2. Lockout Unit
3. Accessory Apartment³
4. Child Care Center¹
5. Essential Municipal and Public Utility Use, Facility, Service and Structure
6. Telecommunication Antenna⁴
7. Satellite dish greater than thirty-nine inches (39") in diameter⁵
8. Residential Parking Area or Structure five (5) or more spaces
9. Temporary Improvement⁶
10. Passenger Tramway Station and Ski Base Facility⁷
11. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge⁶
12. Recreation Facility, Private
13. Fences greater than six feet (6') in height from Final Grade^{5,8}

² No more than twelve (12) Conditional Use Permits shall be allowed only in the West sub-neighborhood located south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road. No Nightly Rentals are allowed elsewhere in this Zoning District. In addition to the Conditional Use Permit criteria in LMC § 15-1-10(E), the Planning Commission shall consider whether or not the proposed Nightly Rental mitigates the impacts of and addresses the following items: (a) all rental agreements for Nightly Rental shall include language that limits the vehicles allowed to the number of

24 on-site Parking Spaces; (b) all rental agreements shall include language indicating that
25 all-wheel or four-wheel drive vehicles are recommended during the winter season; (c) all
26 rental agreements shall provide Nightly Renters with information regarding walkable
27 access to skiing, to Park City's Historic Main Street, to Old Town, and to Park City's free
28 transit service; and (d) property management contact information shall be displayed in a
29 prominent location inside the Nightly Rental.

December 12, 2019

VIA U.S. MAIL AND E-MAIL (andy@parkcity.org)

Park City Municipal Corporation
Attn: Andy Beerman, Mayor
PO Box 1480
Park City, Utah 84060

Re: HRL Zone- Nightly Rental Prohibition Error on Dennis Property

Dear Mayor Beerman,

This firm represents Frank Watanabe, Watanabe Ventures, LLC, and Lilac Hill, LLC. Watanabe Ventures holds a security interest and an executory option to purchase that certain real property located on Deer Valley drive commonly known as 622, 652 and 660 Rossie Hill, Parcel Nos. PC-546-547, currently vested in the Dennis family (the “Dennis Property”). We recently discovered that City records incorrectly reflect the Dennis Property as being zoned in an area in which nightly rentals are prohibited, with or without a conditional use permit.

Under the Park City Land Management Code Section 15-2.1-2, which defines, among other things, the permissible uses of properties located in the Historic Residential-Low Density Zone (the “HR-L Zone”), nightly rentals are listed as potential conditional uses, subject to the following footnote:

Conditional Use Permit allowed only in the West sub-neighborhood located south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road. No Nightly Rentals are allowed elsewhere in this Zoning District.

Thus, as things stood in 2015, some owners in the HR-L Zone are permitted to apply for conditional use permits for nightly rentals and some are not, depending on the “sub-neighborhood” in which their property is located.

Note that this code section – and this detailed sub-neighborhood-specific footnote – was last amended in 2015 by Ordinance No. 15-44, at a point in time before the Dennis Property was included in the zone. A copy of this ordinance is enclosed.

To our knowledge, it was not until 2017 that the Planning Department proposed adding the Dennis Property to the HR-L Zone. According to the February 16, 2017 Staff Report regarding the Dennis Property, nightly rentals were clearly identified as a conditional use:

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

See p. 146 of February 16, 2017 Staff Report, a copy of which is enclosed.

Notably, nowhere in the Staff Report does it state that nightly rentals would be prohibited on the Dennis Property if they agreed to be re-zoned HR-L. The Dennis' attorney, Bryce Panzer was in attendance at this meeting. He has advised Mr. Watanabe that had he and the Dennises been made aware that nightly rentals were not going to be a permissible conditional use in the HRL Zone, the Dennises would have objected to the rezone.

Based on this information, we believe that the prohibition on nightly rentals on the Dennis Property was not properly placed before the City Council, the Dennises or the public who would have had an opportunity to provide input on that aspect of the rezone. Rather, we think this prohibition is a result of an apparent oversight or scrivener's error.

Since the prohibition does not appear to have been actually voted on by the City Council – which voted based on the information in the staff report – it plainly did not intend to prohibit nightly rentals on the Dennis Property when it adopted Ordinance 2017-05.

From our prospective, this can be corrected administratively. Let me know if there is any additional information required to process this correction. The Dennises and our client would appreciate it very much if this matter could be resolved quickly, as it potentially impacts their transaction.

Sincerely,

HOGGAN LEE HUTCHINSON



Matthew B. Hutchinson

Encl.

cc: Frank Watanabe (via e-mail)
Mark Harrington (via e-mail)
Bruce Erickson (via e-mail)
Bryce Panzer, Esq. (via e-mail)

Ordinance 15-44

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING SECTION 15-2.1-2 USES IN THE HISTORIC RESIDENTIAL-LOW DENSITY (HR-L) DISTRICT.

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 and identifies necessary amendments to address planning and zoning issues that have come up in the past, and to address specific Land Management Code issues raised by the public, Staff, and the Commission, and to align the Code with the Council's goals implementing the General Plan; and

WHEREAS, the City's goals include preservation of Park City's character regarding Old Town improvements, historic preservation, sustainability, affordable housing, and protecting Park City's residential neighborhoods and commercial districts; and

WHEREAS, Chapters 2.1, Historic Residential-Low Density District (HR-L) provides a description of requirements, provisions and procedures specific to this zoning district that the City desires to revise; and

WHEREAS, by prohibiting Nightly Rentals within the HR-L District-East, it would further protect the integrity of this Old Town sub-neighborhood to remain predominantly as a primary resident neighborhood; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on May 13, 2005, October 14, 2015, and October 28, 2015; and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on November 5, 2015; 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 Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents,

preserve and protect the residential neighborhoods, and 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 2.1 Section 2. The recitals above are incorporated herein as findings of fact. Section 15-2.1-2 of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1).

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.



PASSED AND ADOPTED this 5th day of November, 2015.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, Mayor

Attest:



Michelle Kellogg, City Recorder

Approved as to form:



Mark Harrington, City Attorney

Attachment 1

15-2.1-2. USES.

(A) ALLOWED USES.

- (1) Single Family Dwelling
- (2) Home Occupation
- (3) Child Care, In-Home Babysitting
- (4) Child Care, Family¹
- (5) Child Care, Family Group¹
- (6) Accessory Building and Use
- (7) Conservation Activity
- (8) Agriculture
- (9) Residential Parking Area or Structure with four (4) or fewer spaces

(B) CONDITIONAL USES.

- (1) Nightly Rentals⁸
- (2) Lockout Unit
- (3) Accessory Apartment²
- (4) Child Care Center¹
- (5) Essential Municipal and Public Utility Use, facility, service, and Building
- (6) Telecommunication Antenna³
- (7) Satellite dish greater than thirty-nine inches (39") in diameter⁴
- (8) Residential Parking Area or Structure five (5) or more spaces
- (9) Temporary Improvement⁵
- (10) Passenger Tramway Station and Ski Base Facility⁶
- (11) Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge⁶
- (12) Recreation Facility, Private
- (12) Fences greater than six feet (6') in height from Final Grade^{5,7}

(C) PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 06-56; 09-10; 15-44)

¹See LMC Chapter 15-4-9 for Child Care Regulations

²See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments

³See LMC Chapter 15-4-14, Telecommunications Facilities

⁴See LMC Chapter 15-4-13, Satellite Receiving Antennas

⁵Subject to Administrative or Administrative Conditional Use permit, see LMC Chapter 15-4.

⁶See LMC Chapter 15-4-18, Passenger Tramways and Ski-Base Facilities

⁷See LMC Chapter 15-4-2, Fences and Walls

⁸Conditional Use Permit allowed only in the West sub-neighborhood located south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road. No Nightly Rentals are allowed elsewhere in this Zoning District.



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.

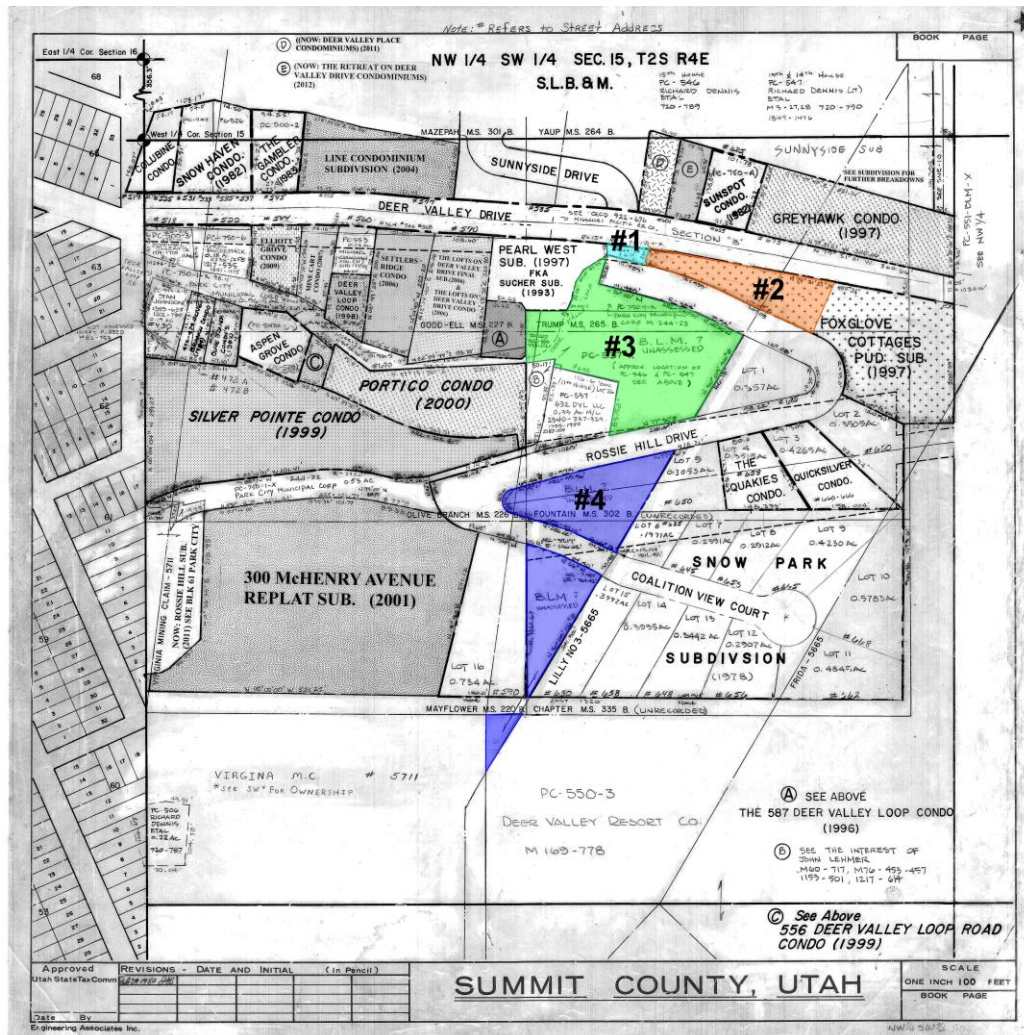
On January 11, 2017, the Park City Planning Commission reviewed this application. [See [Staff Report](#) (starting page 221) and Minutes (Exhibit F)]. Several of the Planning Commissioners expressed concern about zoning such a small parcel and that the HRL zoning proposal was not contiguous to the HRL 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

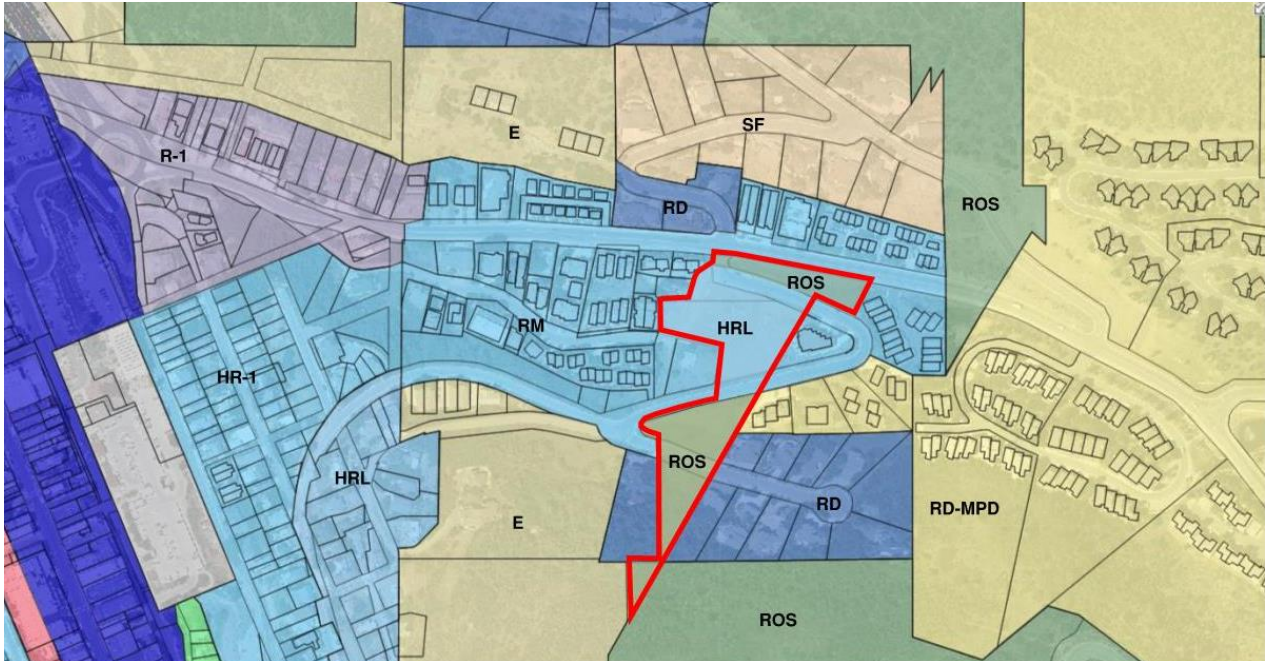
density limited to one (1) unit per three (3) acres. Parcel #4 consists of approximately 0.6 acres north of Coalition View Court and approximately 0.4 acres on the south side of Coalition View Court. These lots are substandard lots and cannot be developed under the current zoning.

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

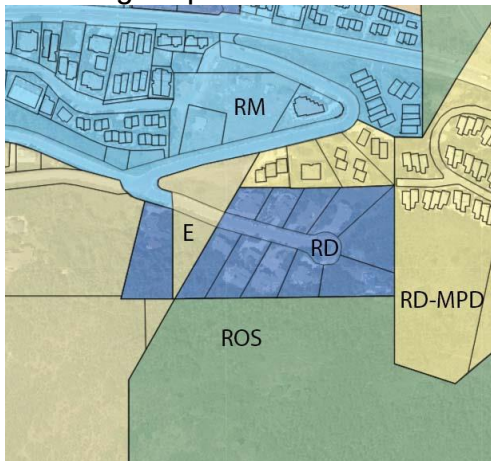
¹ As part of a MPD or subdivision, the Planning Commission may designate maximum house sizes to ensure Compatibility. See equations outlined in LMC 15-2.13-6.

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:

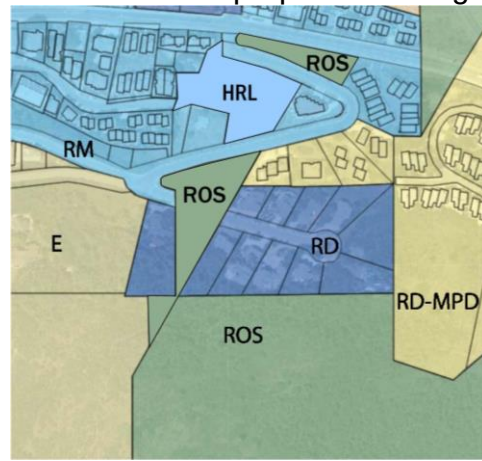
Zone Allowance:	Residential Medium-Density (RM)	Historic Residential Low-Density (HRL) District
<i>Single Family Dwelling</i>	Allowed	Allowed
<i>Duplex Dwelling</i>	Allowed	Not Permitted
<i>Triplex Dwelling</i>	Allowed	Not Permitted
<i>Secondary Living Quarters</i>	Allowed	Not Permitted
<i>Lockout Unit</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:

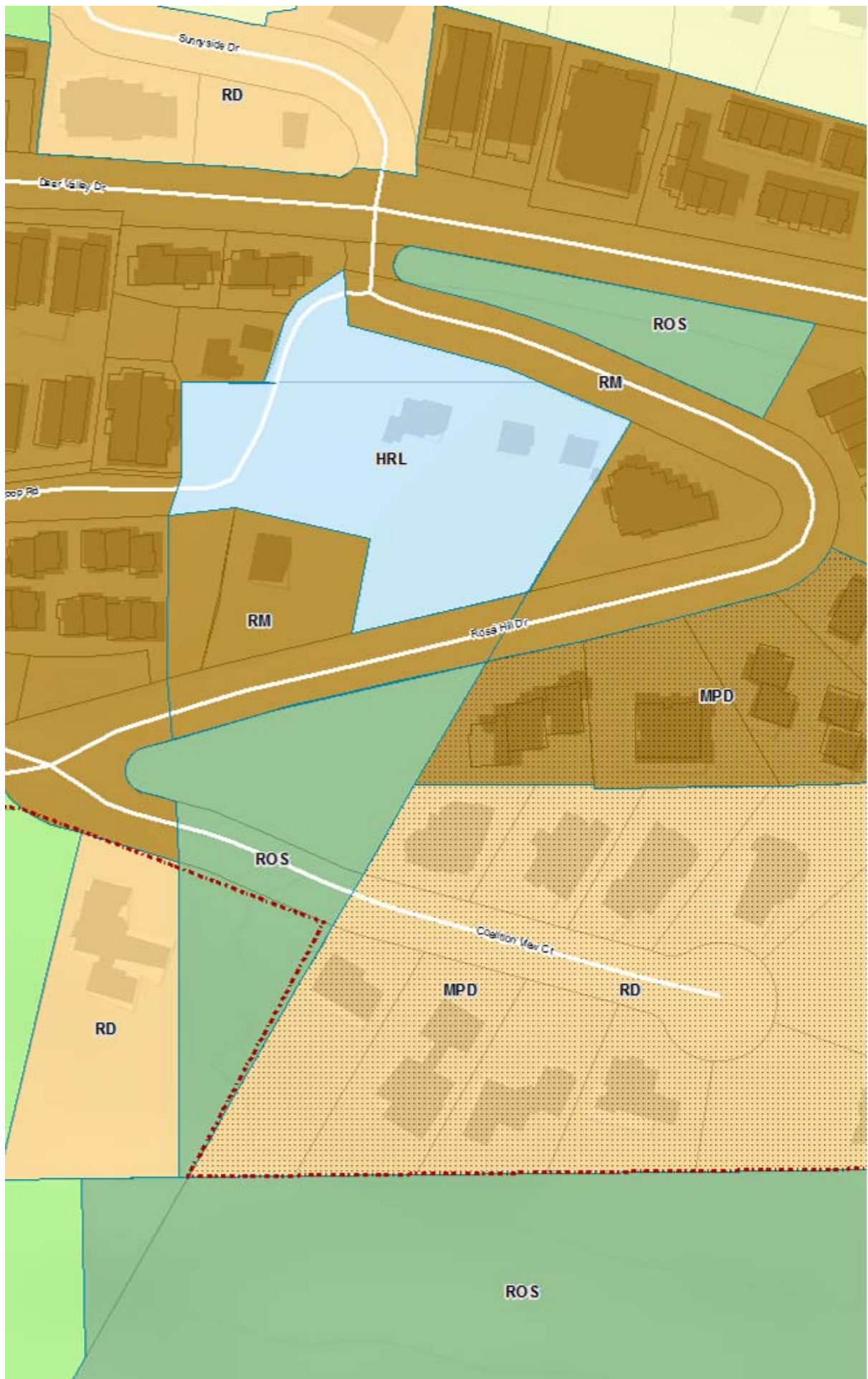
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

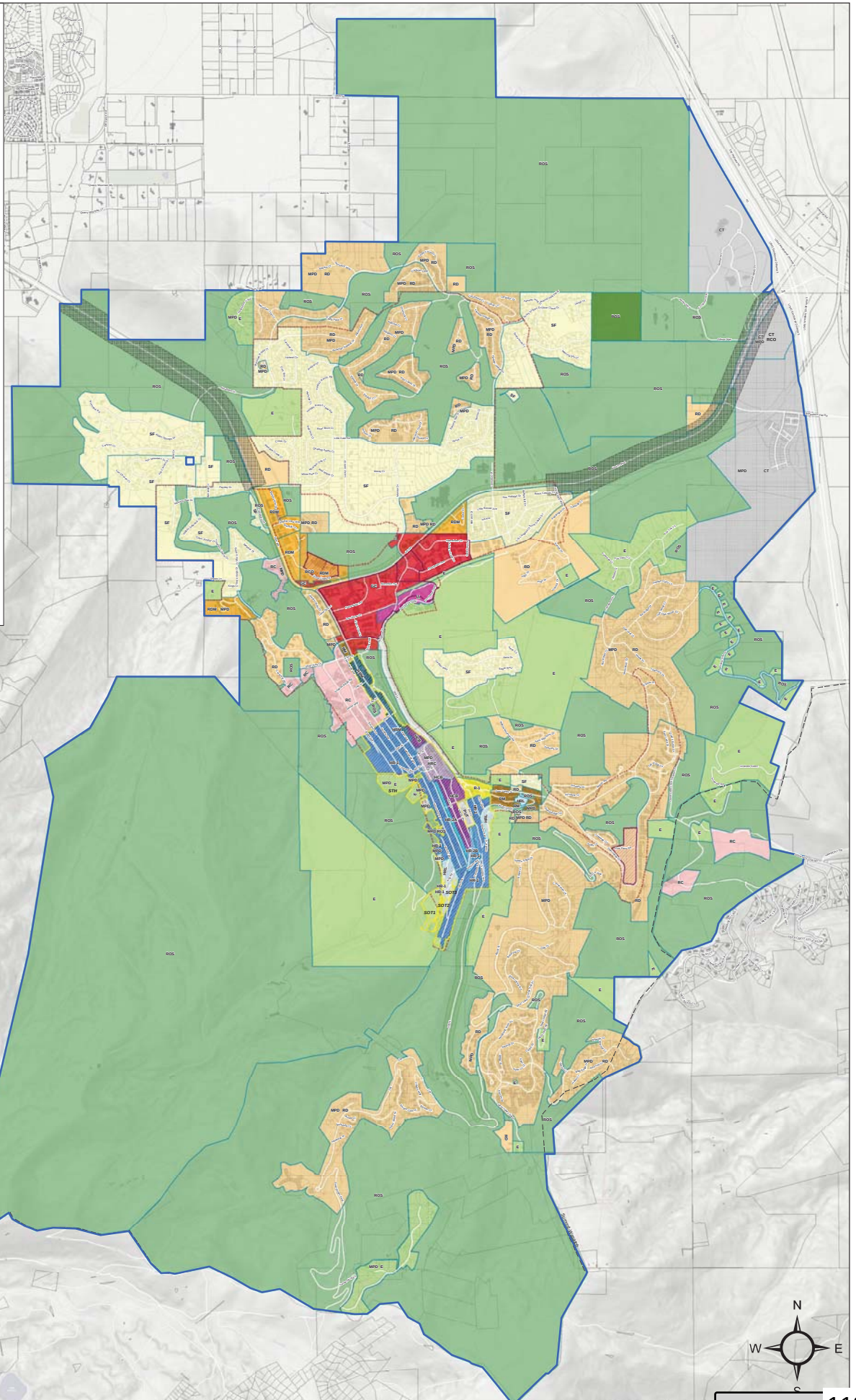
Attachment 1 – Proposed Zoning Map Amendment

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



0 0.5 1 Miles



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 Grah

From: planning
Sent: Wednesday, January 11, 2017 9:56 AM
To: Anya Grah
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 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 ---

This message is for the designated recipient only and may contain confidential, privileged or proprietary information. If you have received it in error, please notify the sender immediately and delete the original and any copy or printout. Unintended recipients are prohibited from making any other use of this e-mail. Although we have taken reasonable precautions to ensure no viruses are present in this e-mail, we accept no liability for any loss or damage arising from the use of this e-mail or attachments, or for any delay or errors or omissions in the contents which result from e-mail transmission.

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 Grahn

From: planning
Sent: Wednesday, January 11, 2017 3:45 PM
To: Anya Grahn
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 Grahn; 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/>

Planning Commission Meeting
January 11, 2017
Page 53

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.

Planning Commission Staff Report

Subject: Recreation Advisory Board Parks Preservation
Application #: New Zone - PL-20-04555, Zoning Map Amendment - PL-20-04556
Authors: Tate Shaw, Assistant Recreation Director
 Alexandra Ananth, Senior Planner
Department: Recreation and Planning
Date: July 8, 2020
Type of Item: Legislative - Proposed New Urban Park Zoning District and Zoning Map Amendment to Rezone Five City Owned Parks from Recreation and Open Space to Urban Park District Zoning

Summary Recommendation

Through the development of a Local Parks Preservation Master Plan, staff and the Recreation Advisory Board (RAB) recommend an amendment to the Land Management Code for the creation of a new Urban Park Zoning District (UPZ) to regulate and replace appropriate locations that currently have Recreation Open Space (ROS) zoning designations.

Staff is also requesting that the Planning Commission recommend an amendment to the Zoning Map to change the zoning from ROS to UPZ for five (5) City owned parks.

Staff recommends the Planning Commission hold a Public Hearing on 1) the Land Management Code Amendment to create the new Urban Park Zone, and 2) the UPZ Zoning Map Amendment for the five (5) City owned parks, consider public input and consider forwarding a positive recommendation for City Council's consideration on August 6, 2020, to approve the request to create a new Urban Park Zone and to amend the Zoning Map to change the zoning to UPZ for five (5) city owned parks currently zoned ROS.

Description

Applicant: Park City Municipal Corporation (Recreation Advisory Board)
Location: Parcels PCA-1001-D-X, PCA-108-C-X, CRKSD-2-X, PCA-3-3107-PC-X, SA-224-G-5-X, SA-254-1-X, SA-235-1-X, SA-224-2-X, SA-265-A-X, SA-400-4-1-X, SA-360-A-X
Existing Zoning: Recreation Open Space (ROS)
Proposed Zoning: Urban Park Zone (UPZ)
Adjacent Land Uses: Single-Family and Multi-Unit Residential, Open Space
Reason for Review: Both Land Management Code Changes and Zoning Map Amendments Require Planning Commission Recommendation and City Council Action

Background

March 2017: During RAB Visioning with City Council, Council asked RAB to form a sub-committee to research protective measures that could be used to protect park spaces short of a third party conservation easement. This was due to the recent protective easement that was placed on the Library Field.

June 2018: During RAB Visioning with City Council, the Park Preservation Sub-Committee recommended additional protections of local park space through the development of a Local Parks Preservation Master Plan. The five locations recommended for rezoning are:

Park	Parcel	Acres
Rotary Park	PCA-108-C-X	2.82
Creekside Park	CRKSD-2-X	6.71
Prospector Park	CRKSD-2-X	4.67
City Park	SA-235-1-X	7.80
	SA-224-G-5-X	1.65
	SA-224-2-X	3.90
	SA-265-A-X	4.18
	SA-400-4-1-X	5.98
	SA-360-A-X	9.08
North Portion of the Municipal Golf Course	PCA-1001-D-X	57.02

All of these parcels are owned by the City, Zoned ROS, and are actively used as municipal parks and recreational open space.

With Council support, the RAB Sub-Committee developed a draft using two of the five spaces as a test.

March 2019: As deemed important and referenced in the City's [General Plan and Municipal Code](#), *local recreation and open spaces are crucial to the vitality, character and sense of community Park City provides*. The RAB Sub-Committee presented to City Council the [Local Parks Preservation Master Plan](#).

The Local Parks Preservation Master Plan includes the following Voter Referendum language:

No sale, change of ownership or change in the 'recreation and open space' zoning of current Recreation Open Space Districts pertaining to the City-owned properties included in this Local Parks Preservation Plan, or changes in the intent of this Plan to protect park spaces shall be undertaken without an affirmative vote of four out of five City Council Members.

This vote must further be affirmed by 60% of the voters in a locally scheduled special election within 180 days of the Council's decision.

Nothing in this provision shall affect bonds currently secured by the property or preclude or hinder the City using this property as security or collateral for future bonding, as long as the basic intent of maintaining recreation and open space is upheld.

This recommendation has historic precedence as it was applied during the preservation efforts of McPolin Farm in the [1995 Entryway Corridor Master Plan](#). This also follows [Goal #9](#) of the City's General Plan by *providing unparalleled parks and recreation opportunities for residents and visitors*.

City Council was supportive of the efforts made to develop the master plan, but recommended to work closer with the Planning Department to 'clean up' the Recreation

Open Space (ROS) zoning as it pertains to the development of the Local Parks Preservation Master Plan.

Since March 2019, Recreation staff and the RAB Sub-Committee worked closely with the Planning Department to review zoning districts and recommend the best solution to protect unwanted development of parks would be to create a new zoning designation. The new “Urban Park Zone” (UPZ) is a blend of ROS and Protected Open Space (POS) zones.

January 2020: City Council was supportive of the effort to draft the “Urban Park Zone” (UPZ) and move it through the approval process with the Planning Commission.

May 2020: Work Session presentation to the Planning Commission about the proposed ‘Urban Park Zone’ (UPZ). Planning Commission was pleased with the efforts and liked the idea to add an additional zone to further protect these spaces. From the discussion, recommended edits to the UPZ draft have been made. Minutes of the Work Session can be found [here](#).

Analysis

The City is proposing to create a new Urban Park Zoning Designation and to rezone five (5) existing City Parks. The new zone will reinforce the importance of the City’s General Plan and Municipal Code, which states “*local recreation and open spaces are crucial to the vitality, character and sense of community Park City provides.*” A new Urban Park Zone provides additional protection of City Parks and encompasses specific requirements, providing more clarity for the development and implementation of the Local Parks Preservation Master Plan. The five (5) recommended parks as these parks represent viable locations with proximity to neighborhoods, play a role in hosting community activities within the City and are each used differently.

The purpose of the Local Parks Preservation Plan is to reinforce the current Land Management Code with additional measures and means to preserve these open spaces.

As stated in the attached Ordinance, the purposes of the UPZ District is to:

- A. promote the preservation of Historic Buildings, Structures, Sites, or Objects;
- B. preserve the vegetation and habitat of natural Areas;
- C. provide for careful review of low-intensity recreational Uses and environmentally-sensitive, non-motorized trails;
- D. establish and preserve districts for land Uses requiring substantial Areas of Open Space covered with vegetation that are substantially free from Accessory Buildings, Streets, and Parking Lots;
- E. permit recreational Uses and preserve recreation land;
- F. encourage parks, golf courses, trails, and other compatible public or private recreational Uses, and preserve and enhance park amenities; and
- G. encourage sustainability, conservation, and renewable energy.

Allowed Uses in the UPZ District include Conservation Activity and Food Truck

Locations. Additional uses are allowed by Conditional Use Permits but are generally restricted to recreational type uses (see Exhibit C).

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, Staff Analysis is underlined.

Small Town

- *Goal 1: Park City will protect undeveloped lands; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. The proposed new Zone and Zoning Map Amendment would help preserve these five (5) City Parks and enable them to remain protected Open Space.*

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 new zone and zoning change will maintain the recreational and open space uses of these existing parks.*

Sense of Community

- *Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors. The purpose statements of the UPZ zoning district encourages parks, trails, and other recreational uses as well as the preservation and enhancement of environmentally sensitive lands.*

As stated above, this recommendation has historic precedence as it was applied during the preservation efforts of McPolin Farm in the [1995 Entryway Corridor Master Plan](#).

Department Review

- Planning Department- Bruce Erickson
- Recreation Department- Ken Fisher

Good Cause

Planning Staff finds there is Good Cause for the proposed LMC Amendment and Zoning Map Amendments as the new zone will reinforce the importance of the City's General Plan and Municipal Code, which states "*local recreation and open spaces are crucial to the vitality, character and sense of community Park City provides.*" A new Urban Park Zone provides additional protection of City Parks and encompasses specific requirements, providing more clarity for the development and implementation of the Local Parks Preservation Master Plan.

Planning Staff finds there is Good Cause for the proposed rezoning of the five (5) recommended parks as these parks represent viable locations with proximity to neighborhoods, play a role in hosting community activities within the City and are each used differently.

Process

The approval of the proposed new zone and zoning map amendment by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-8.

Notice

Legal notice was published in the Park Record on June 24, 2020, according to the requirements of the Land Management Code.

Public Input

No public comment has been received prior to the issuance of this Staff Report. There were no public comments at the May Planning Commission Work Session.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council to approve the new UPZ Zone and Zoning Map Amendment; or
- The Planning Commission may forward a negative recommendation to City Council to deny the new UPZ Zone and Zoning Map Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the new UPZ Zone and Zoning Map Amendment to a date certain and provide input to Staff and the applicant on any additional information they require in order to make a recommendation

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Planning Department's Recommendation

The zoning designations would remain as is. If Planning Commission determines the new zone is not warranted, the current Recreation Open Space (ROS) zoning requirements would be the primary protective measure. The current ROS zoning may not have the clarity and restrictions necessary to regulate uses and or any future changes in the 'recreation and open space' character.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing to consider public input and consider forwarding a positive recommendation to City Council to 1) approve the new UPZ Zoning District; and 2) for a Zoning Map Amendment for five (5) City Parks, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft Ordinance.

Exhibits

Exhibit A - Urban Park Zone Ordinance

Exhibit B - UPZ Map

Ordinance No. 2020-XX

AN ORDINANCE APPROVING A NEW ZONING DISTRICT TO BE KNOWN AS LAND MANAGEMENT CODE CHAPTER 15-2.26, *URBAN PARK DISTRICT*, AND A ZONING MAP AMENDMENT TO REZONE FIVE CITY-OWNED PARKS FROM RECREATION AND OPEN SPACE TO URBAN PARK DISTRICT ZONING

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;

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 City residents and visitors;

WHEREAS, Goal 9 of the Park City General Plan states that Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors;

WHEREAS, Objective 9A of the Park City General Plan is to maintain local recreation opportunities with high quality of service, exceptional facilities, and a variety of options;

WHEREAS, the City Council asked the Recreation Advisory Board to research measures to protect City park spaces short of a conservation easement and the Recreation Advisory Board recommended the creation of a new Zoning District;

WHEREAS, the Recreation Department and Planning Department collaborated to develop a new Urban Park Zoning District to be codified in Land Management Code Chapter 15-2.26 to protect City parks;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at the regularly scheduled meeting on July 8, 2020;

WHEREAS, on the City Council duly noticed and conducted a public hearing at the regularly scheduled meeting on August 4, 2020.

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

SECTION 1. LAND MANAGEMENT CODE CHAPTER 15-2.26, *URBAN PARK DISTRICT*. The recitals above are incorporated herein as findings of fact. Chapter 15-2.26 of the Land Management Code of Park City is hereby adopted as indicated in Exhibit A attached hereto.

SECTION 2. ZONING MAP AMENDMENT. The recitals above are incorporated herein as findings of Fact. The Zoning Map is hereby amended as indicated in Exhibit B attached hereto.

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

PASSED AND ADOPTED this 4th day of August 2020.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A –

15-2.26 Urban Park District

15-2.26-1 Purpose

The purpose of the Urban Park (UPZ) District is to:

- A. promote the preservation of Historic Buildings, Structures, Sites, or Objects;
- B. preserve the vegetation and habitat of natural Areas;
- C. provide for careful review of low-intensity recreational Uses and environmentally-sensitive, non-motorized trails;
- D. establish and preserve districts for land Uses requiring substantial Areas of Open Space covered with vegetation that are substantially free from Accessory Buildings, Streets, and Parking Lots;
- E. permit recreational Uses and preserve recreation land;
- F. encourage parks, golf courses, trails, and other compatible public or private recreational Uses, and preserve and enhance park amenities; and
- G. encourage sustainability, conservation, and renewable energy.

15-2.26-2 Uses

Uses in the UPZ District are limited to the following:

- A. ALLOWED USES.
 - 1. Conservation Activity
 - 2. Food Truck Locations⁴
- B. ADMINISTRATIVE CONDITIONAL USES.¹
 - 1. Trail and Trailhead Improvement
 - 2. Outdoor Recreation Equipment
 - 3. Essential municipal public utility Use, service, or Structure less than 600 sq. ft.
 - 4. Accessory Building, less than 200 sq. ft.
 - 5. Outdoor Event, outdoor music
 - 6. Temporary Improvement
 - 7. Anemometer and Anemometer Towers
- C. CONDITIONAL USES.
 - 1. Essential municipal public utility Use, service, or Structure 600 sq. ft. or greater
 - 2. Accessory Building, 200 sq. ft. or greater, not to exceed 600 sq. ft.
 - 3. Recreational outdoor lighting
 - 4. Community gardens
 - 5. Recreation Facility, Public
 - 6. Recreation Facility, Commercial
 - 7. Golf course
 - 8. Recreational sports field and courts
 - 9. Skateboard park

10. Public and Quasi-Public institution, education, park, plaza, Structure for public assembly greater than 600 sq. ft.
11. Child Care Center
12. Vehicle Control Gates²
13. Surface Parking Area with five (5) or more spaces
14. Telecommunications Antenna³
15. Fences greater than six feet (6') in height from Final Grade
16. Small Wind Energy Systems

D. PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

15-2.26-3 Related Provisions

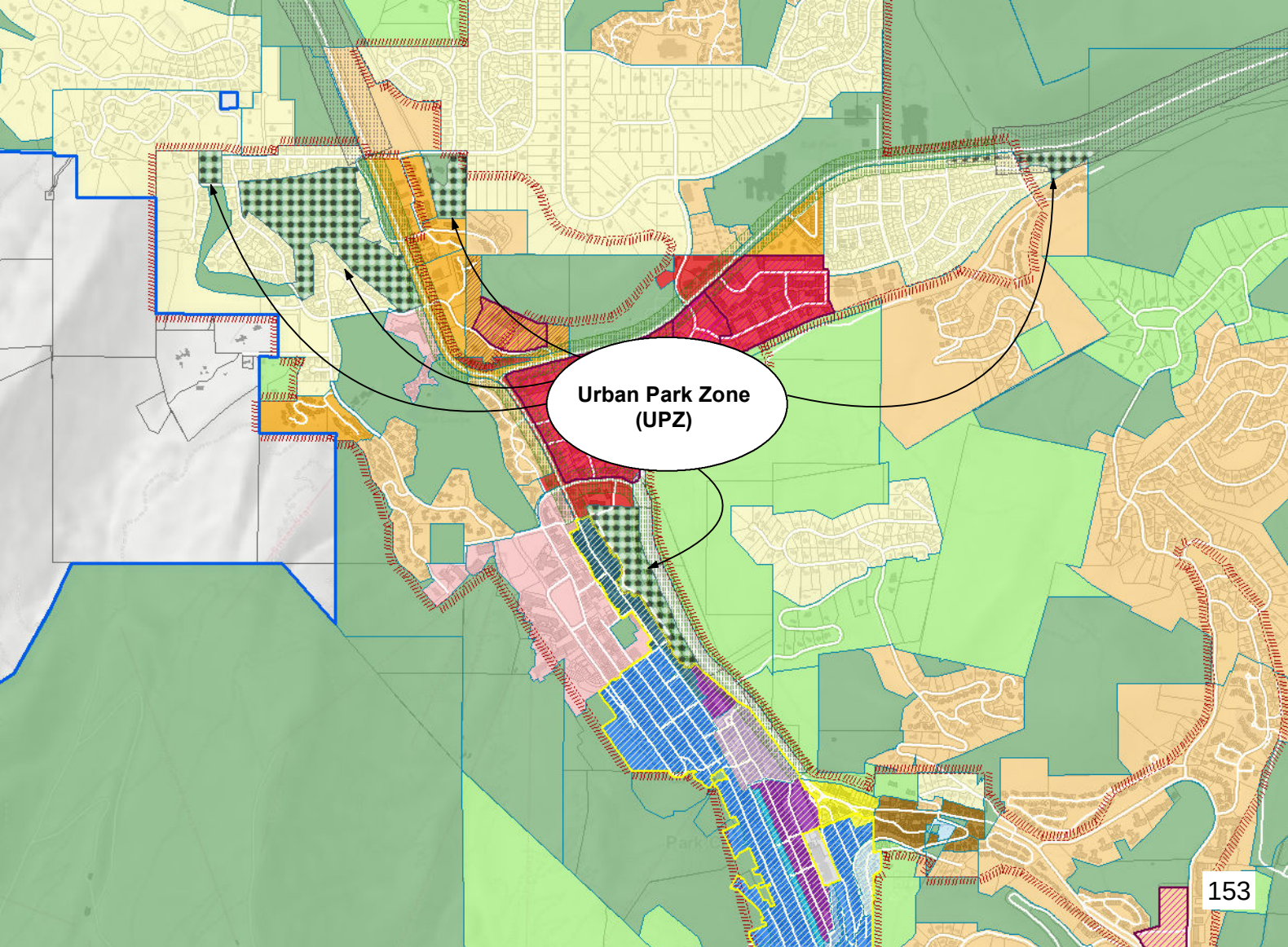
- Fences and Walls. LMC § 15-4-2.
- Satellite Receiving Antenna. LMC § 15-4-13.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC § 15-3-3(D).
- Lighting. LMC § 15-3-3(C) and § 15-5-5(J).
- Historic Preservation. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Design. LMC Chapter 15-5.
- Snow Storage. LMC § 15-3-3(E).

¹ Subject to an Administrative Conditional Use permit

² Subject to LMC § 15-4-19, Review Criteria For Vehicle Control Gates

³ Subject to LMC § 15-4-14, Telecommunication Facilities

⁴ The Planning Director, or his or her designee, shall upon finding a Food Truck Location in compliance with Municipal Code of Park City § 4-5-6, issue the property owner a Food Truck Location administrative approval letter.



Urban Park Zone
(UPZ)

Planning Commission Staff Report



Subject: Nightly Rentals in the Meadows Estates
Subdivision Phases #1A and #1B
Application: PL-20-04533
Author: Hannah M. Tyler, AICP, Senior Planner
Date: July 8, 2020
Type of Item: Legislative –Land Management Code Amendments

Summary Recommendations

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

Description

Applicant: Meadows Estates Homeowner's Association
LMC: § 15-2.13-2
Reason for Review: Land Management Code amendments require Planning Commission review and recommendation to the City Council for Final Action

Acronyms

CC&Rs	Covenants, Conditions, & Restrictions
E	Estate
HOA	Homeowner's Association
LMC	Land Management Code
RD	Residential Development
ROS	Recreation Open Space
SF	Single Family

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Executive Summary and Background

The Meadows Estates Subdivision Phases #1A and #1B are located in the Residential Development (RD) Zoning District. The Meadows Estates Subdivision Phases #1A and #1B consist of 55 lots total and both phases were approved in 1989. All developed lots within the subdivision contain Single-Family Dwellings – no Accessory Apartments have been approved within the subdivision. There are several lots that remain vacant.

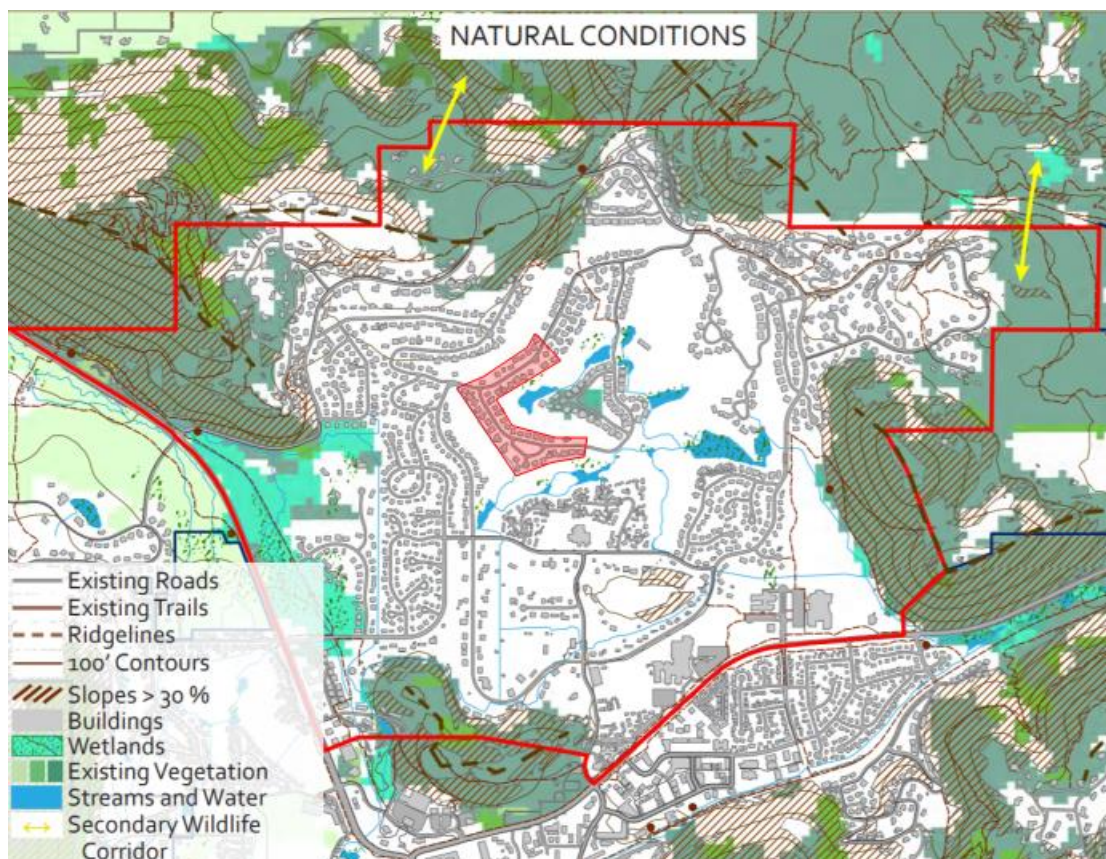
For context, the following map from Summit County identifies Phases #1A (yellow shaded area) and #1B (orange shaded area) of the Meadows Estates Subdivision.



The following map identifies the location of the Meadows Estates Subdivision Phases #1A and #1B (outlined in red) within the RD Zoning District (orange shaded areas) as it relates to neighboring Zoning Districts.



The General Plan characterizes the Meadows Estates Subdivision Phases #1A and #1B as located within the Park Meadows Neighborhood. The following map from the General Plan identifies the Park Meadows Neighborhood – the Meadows Estates Subdivision Phases #1A and #1B is identified by the red shaded area.



Per LMC [§ 15-2.13-2](#), the RD Zoning District allows Nightly Rentals in the Meadows Estates Subdivision. On May 12, 2020, the Meadows Estates Homeowner's Association applied to amend LMC [§ 15-2.13-2](#) to prohibit Nightly Rentals in Phases #1A and #1B of the Meadows Estates Subdivision. The Meadows Estates CC&Rs prohibit Nightly Rentals, but the HOA would like to ensure that the LMC aligns with the CC&Rs. The City does not enforce CC&Rs per LMC [§ 15-1-3](#).

The Meadows Estates HOA's application states that the existing Zoning is "incorrect"; however, staff does not believe that Nightly Rentals were allowed in error in the RD Zoning District. Nightly Rentals were first faced by Park City prior to the Olympics during the proliferation of vacation rental platforms. A holistic review of all Zoning Districts was completed by the Planning Commission and City Council in 1999 and 2000. The RD was contemplated at that time and an LMC Amendment was adopted by City Council in 2000 as an entire rewrite of the LMC including regulation of Nightly Rentals in Commercial and Residential Zones. No public comment was received in opposition of the LMC Amendment allowing Nightly Rentals in the Meadows Estates Subdivision within the RD District. Contrarily, per the July 6, 2000 City Council Meeting

Minutes ([link](#), page 8) the Solamere HOA did request that Nightly Rentals be prohibited in their subdivision. The Planning Commission stated that the Solamere HOA could pursue a Rezone from RD to Single Family (SF) to resolve the issue as Nightly Rentals are prohibited in the SF Zoning District. Solamere is still located within the RD Zoning District so the HOA did not pursue a Rezone.

The CC&Rs for the Meadows Estates Subdivision Phases #1A and #1B were not amended to prohibit Nightly Rentals until 2009 – which was well after the LMC Amendment for the RD Zoning District.

The Meadows Estates HOA has indicated that they sent a letter to their members on April 13, 2020 requesting a vote on the proposed LMC Amendment and the following results were reported in the submitted application:

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

Analysis

(I) Staff recommends the Commission review the proposed LMC Amendment and forward a recommendation to City Council on July 30, 2020.

RD Zoning District:

LMC § [15-2.13-1 Purpose](#)

The purpose of the RD Zoning District is to:

1. allow a variety of Residential Uses that are Compatible with the City’s Development objectives, design standards, and growth capabilities,
2. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
3. allow commercial and recreational activities that are in harmony with residential neighborhoods,
4. minimize impacts of the automobile on architectural design,
5. promote pedestrian connections within Developments and between adjacent Areas; and
6. provide opportunities for variation in architectural design and housing types.

Per LMC § 15-2.13-2, the RD Zoning District allows Nightly Rentals in the Meadows Estates Subdivision. However, Footnote #3 addresses the prohibition of Nightly Rentals in other subdivisions, see **yellow highlight** below.

³Nightly Rentals do not include the Use of dwellings for Commercial Uses and **Nightly**

Rentals are not permitted in the April Mountain and Mellow Mountain Estates Subdivisions.

Upon further research, [Ordinance 14-35](#), amended LMC § 15-2.13-2 to prohibit Nightly Rentals in the April Mountain and Mellow Mountain Estates Subdivisions. According to the June 26, 2014 City Council Staff Report ([link](#), page 184), the LMC Amendment was a Planning Department driven amendment to address the following:

At the time of approval and recordation of the April Mountain and Mellow Mountain Estates Subdivisions, Nightly Rental uses were prohibited from these subdivisions. There are notes on the plats stating that Nightly Rental is prohibited within these subdivisions. Nightly Rentals are an allowed use in the Residential Development (RD) zoning district where these subdivisions are located. To reduce confusion Staff recommends that a footnote be added to the “Nightly Rental” listing under Allowed Uses to codify the prohibition of Nightly Rentals within these two subdivisions. This is an administrative amendment (see Exhibit A- Attachment 2).

When the Meadows Estates Subdivision Phases #1A and #1B were approved in 1989, Nightly Rentals had not been proliferated like they are now. Therefore, there was no plat note added to prohibit this Use because Nightly Rentals were not known at the time nor anticipated.

The Meadows Estates HOA has proposed the following LMC Amendment to align the LMC with their CC&Rs since the City does not enforce CC&Rs. While the proposed LMC Amendment is consistent with the General Plan and other recent discussions with Planning Commission and City Council regarding Nightly Rentals, staff does have some concerns about setting an expectation that HOAs can pursue LMC Amendments to enforce their respective CC&Rs. Each future LMC Amendment will be addressed on a case-by-case basis, but staff does want to bring this concern to light in advance of any future LMC Amendments for CC&R matters that the City may find challenging to enforce (examples include, but are not limited to: paint color, domestic pet requirements, general operational rules, etc.).

The Meadows Estates HOA has reported a majority vote of its members in favor of the proposed LMC Amendment as indicated in the Executive Summary section of this staff report.

Existing Footnote #3:

³*Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain and Mellow Mountain Estates Subdivisions.*

Proposed Footnote #3:

³*Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain, ~~and~~ Mellow Mountain Estates*

Subdivisions, and Meadows Estates Subdivision Phases #1A and #1B.

The City has not processed or approved any Nightly Rental Business License applications in the Meadows Estates Subdivision Phases #1A or #1B. Because of this, staff does not anticipate issues with Legal Non-Conforming Uses due to the proposed LMC Amendment.

General Plan:

The Meadows Estates Subdivision Phases #1A or #1B is located within the Park Meadows Neighborhood according to the General Plan. The General Plan outlines specific strategies to address Nightly Rentals in an effort to strike a delicate balance to maintain our sense of community. The General Plan identifies the following Objectives, Community Planning Strategies, and specific Park Meadows Detailed Strategies that are consistent with the proposed LMC Amendment:

Objective 7C: Focus future nightly rental units to resort neighborhoods - near Park City Mountain Resort and Deer Valley.

Community Planning Strategy 7.4: Focus nightly rental within resort neighborhoods - Deer Valley and Park City Mountain Resort areas.

Community Planning Strategy 11.4: Limit visitor-oriented development and nightly rental to existing resort neighborhoods. Restrict nightly rental from primary residential neighborhoods.

Detailed Strategies for Park Meadows states: To maintain Park Meadows as a local residential neighborhood, nightly rental should be prohibited and a diversity of housing opportunities should continue to be encouraged and protected. The local ambiance of this neighborhood is an essential part of its character.

The Park Meadows area identified in the General Plan encompasses the following Zoning Districts and corresponding regulations of Nightly Rentals:

Zoning District	Nightly Rental Regulation
Estate (E)	Allowed
Residential Development (RD)	Allowed ¹
Recreation Open Space (ROS)	Prohibited
Single Family (SF)	Prohibited in the Park Meadows Neighborhood area of SF ²

Prohibiting Nightly Rentals in the Meadows Estates Subdivision Phases #1A or #1B would be consistent with the General Plan and some of the neighboring Zoning requirements within the Park Meadows Neighborhood area. Nightly Rentals are prohibited in the SF Zoning District portion of the Park Meadows Neighborhood,

¹ Prohibited in April Mountain and Mellow Mountain

² Allowed **only** within Prospector Village Subdivision (this is outside of Park Meadows Neighborhood)

including, but not limited to the following prominent subdivisions: Park Meadows Subdivision Phases No. 1 and No. 2, Holiday Ranchettes, Fairway Hills Subdivision Phases 1 and 2. With that said, this will be one (1) of only three (3) subdivisions within the RD Zoning District that will prohibit Nightly Rentals.

(II) DRC ANALYSIS

The Development Review Committee (DRC) review the proposal on June 9th, 2020. No comments or concerns were raised.

(III) CITY ENGINEER

The Engineering Department did not identify any issues with the proposed LMC Amendment.

Department Review

The Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website on June 24, 2020. Staff also mailed notice to all property owners within the Meadows Estates Subdivisions Phases #1A and #1B and Affected Entities on June 24, 2020. The *Park Record* published notice on June 24, 2020. LMC [§ 15-1-21](#).

Public Input

No input was received at the time this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation for City Council's consideration on July 30, 2020;
- The Planning Commission may forward a negative recommendation for City Council's consideration on July 30, 2020; or
- The Planning Commission may request additional information and continue the discussion to a later date.

Exhibits

Exhibit A – Draft Ordinance

Attachment 1 – Amended LMC § 15-2.13-2

Exhibit B – Meadows Estates HOA Application Submittal

Exhibit A – Draft Ordinance

Ordinance No. 2020-X

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY § 15-2.13-2 TO PROHIBIT NIGHTLY RENTALS IN THE MEADOWS ESTATES SUBDIVISION PHASES #1A AND #1B

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;

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 City residents and visitors;

WHEREAS, the Meadows Estates Homeowner's Association has applied for a Land Management Code amendment after reporting a majority vote of its members in favor of prohibiting Nightly Rentals in the Meadows Estates Subdivision Phases #1A and #1B;

WHEREAS, the General Plan outlines specific strategies to address Nightly Rentals in an effort to strike a delicate balance to maintain our sense of community. Objective 7C states Focus future nightly rental units to resort neighborhoods - near Park City Mountain Resort and Deer Valley. Community Planning Strategy 7.4 states *Focus nightly rental within resort neighborhoods - Deer Valley and Park City Mountain Resort areas*. Community Planning Strategy 11.4 states *Limit visitor-oriented development and nightly rental to existing resort neighborhoods. Restrict nightly rental from primary residential neighborhoods*. Detailed Strategies for Park Meadows states *to maintain Park Meadows as a local residential neighborhood, nightly rental should be prohibited and a diversity of housing opportunities should continue to be encouraged and protected. The local ambiance of this neighborhood is an essential part of its character*.

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on July 8, 2020, and forwarded a X recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing on July 30, 2020.

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

SECTION 1. LAND MANAGEMENT CODE TITLE 15. The recitals above are incorporated herein as findings of fact. Section § 15-2.13-2 of the Land Management Code of Park City is hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 30th day of July, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Attachment 1: Amended LMC § 15-2.13-2

15-2.13-2 Uses

Uses in the RD District are limited to the following:

1. ALLOWED USES.

1. Single-Family Dwelling
2. Duplex Dwelling
3. Secondary Living Quarters
4. Lockout Unit¹
5. Accessory Apartment²
6. Nightly Rental³
7. Home Occupation
8. Child Care, In-Home Babysitting⁴
9. Child Care, Family⁴
10. Child Care, Family Group⁴
11. Accessory Building and Use
12. Conservation Activity Agriculture
13. Parking Area or Structure with four (4) or fewer spaces
14. Recreation Facility, Private
15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
16. Food Truck Location¹⁶

2. CONDITIONAL USES.

1. Triplex Dwelling⁶
2. Multi-Unit Dwelling⁶
3. Guest House
4. Group Care Facility
5. Child Care Center⁴
6. Public and Quasi-Public Institution, Church, and School
7. Essential Municipal Public Utility Use, Facility, Service, and Structure
8. Telecommunication Antenna⁷
9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁸
10. Raising, grazing of horses
11. Cemetery
12. Bed and Breakfast Inn
13. Hotel, Minor⁶
14. Hotel, Major⁶
15. Private Residence Club Project and Conversion¹⁰
16. Office, General^{6,9}
17. Office, Moderate Intensive^{6,9}
18. Office, Medical^{6,9}
19. Financial Institution without drive-up window^{6,9}
20. Commercial Retail and Service, Minor^{6,9}
21. Commercial Retail and Service, personal improvement^{6,9}
22. Commercial, Resort Support^{6,9}

23. Café or Deli^{6,9}
24. Restaurant, Standard^{6,9}
25. Restaurant, Outdoor Dining¹⁰
26. Outdoor Event¹⁰
27. Bar^{6,9}
28. Hospital, Limited Care Facility^{6,9}
29. Parking Area or Structure with five (5) or more spaces
30. Temporary Improvement¹⁰
31. Passenger Tramway Station and Ski Base Facility¹¹
32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge¹¹
33. Recreation Facility, Public
34. Recreation Facility, Commercial⁶
35. Entertainment Facility, Indoor^{6,9}
36. Commercial Stables, Riding Academy¹²
37. Master Planned Development with moderate income housing density bonus¹²
38. Master Planned Development with residential and transient lodging Uses only¹²
39. Master Planned Development with Support Retail and Minor Service Commercial Uses¹²
40. Heliport¹²
41. Vehicle Control Gate¹³
42. Fences and walls greater than six feet (6') in height from Final Grade¹⁰
43. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁴
44. Amenities Club
45. Club, Private Residence Off-Site¹⁵

3. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments

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

⁴See LMC Chapter 15-4-9 for Child Care Regulations

⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to provisions of LMC Chapter 15-6, Master Planned Development

⁷See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

⁸See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments.

¹⁰Requires an administrative Conditional Use permit.

¹¹As part of an approved Ski Area Master Plan. See LMC Chapter 15-4-18.

¹²Subject to provisions of LMC Chapter 15-6, Master Planned Development.

¹³See Section 15-4-19 for specific review criteria for gates.

¹⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

¹⁵Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more units with approved Support Commercial space. A Parking Plan shall be submitted to determine site specific parking requirements.

¹⁶The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

PARK CITY MUNICIPAL CORPORATION
PLANNING DEPARTMENT
445 MARSAC AVE ° PO BOX 1480
PARK CITY, UT 84060
(435) 615-5060



LAND MANAGEMENT CODE AMENDMENT

☐ MODIFY ☐ CHANGE ☐ CREATE

For Office Use Only

PLANNING COMMISSION	CITY COUNCIL	APPLICATION #
APPROVED _____	APPROVED _____	DATE RECEIVED _____
DENIED _____	DENIED _____	ORDINANCE _____
PROJECT PLANNER _____		EXPIRATION _____

PROJECT INFORMATION

CHAPTER(S) 15-2. 13-2 Uses
AFFECTED C. Prohibited Uses
ADDRESS / LOCATION: 2915-3015 American Saddle; 2845-3005 Estates Dr;
2877-2941 Estates Cir; 2901-2909 Estates PL
ME 1A through ME 1A-37 ME 1B -18 Park Meadows

APPLICANT INFORMATION

NAME: Meadows Estates HOA
MAILING ADDRESS: PO Box 680412
Park City, UT 84068-0412
PHONE #: (435) 640-5577 FAX #: () -
EMAIL: jane.campbell45@comcast.net

APPLICANT REPRESENTATIVE INFORMATION

NAME: Jane Campbell
PHONE #: (435) 640-5577
EMAIL: jane.campbell45@comcast.net

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

PLEASE NOTE:

- A. Qualified petitioners may, without an application fee, submit an initiative pursuant to Utah Code Section 20A-7-501 et seq. Please see this section of the State Code for the specific requirements for submitting local initiatives. Such an initiative shall be submitted to the City Council pursuant to the Utah Code.
- B. Citizens can always request that the City (Planning Department, Planning Commission, City Council, or Historic Preservation Board) initiate proposed changes to the Land Management Code. There is no fee for this request. However, the City is not obligated to act on such requests. Such requests may be made verbally at the Public Input section at the beginning of each meeting or submitted in writing to the Planning Department.
- C. An applicant may submit proposed changes to the Land Management Code pursuant to the submittal requirements below.

SUBMITTAL REQUIREMENTS – All of the following items must be included in order for the Planning Department to take the application.

- 1. Completed and signed application form.
 - 2. Review fees - \$2,000.00 per application.
 - 3. Provided a detailed copy of proposed Land Management Code changes for specific sections
 - Showing existing and proposed changes side-by-side
-

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

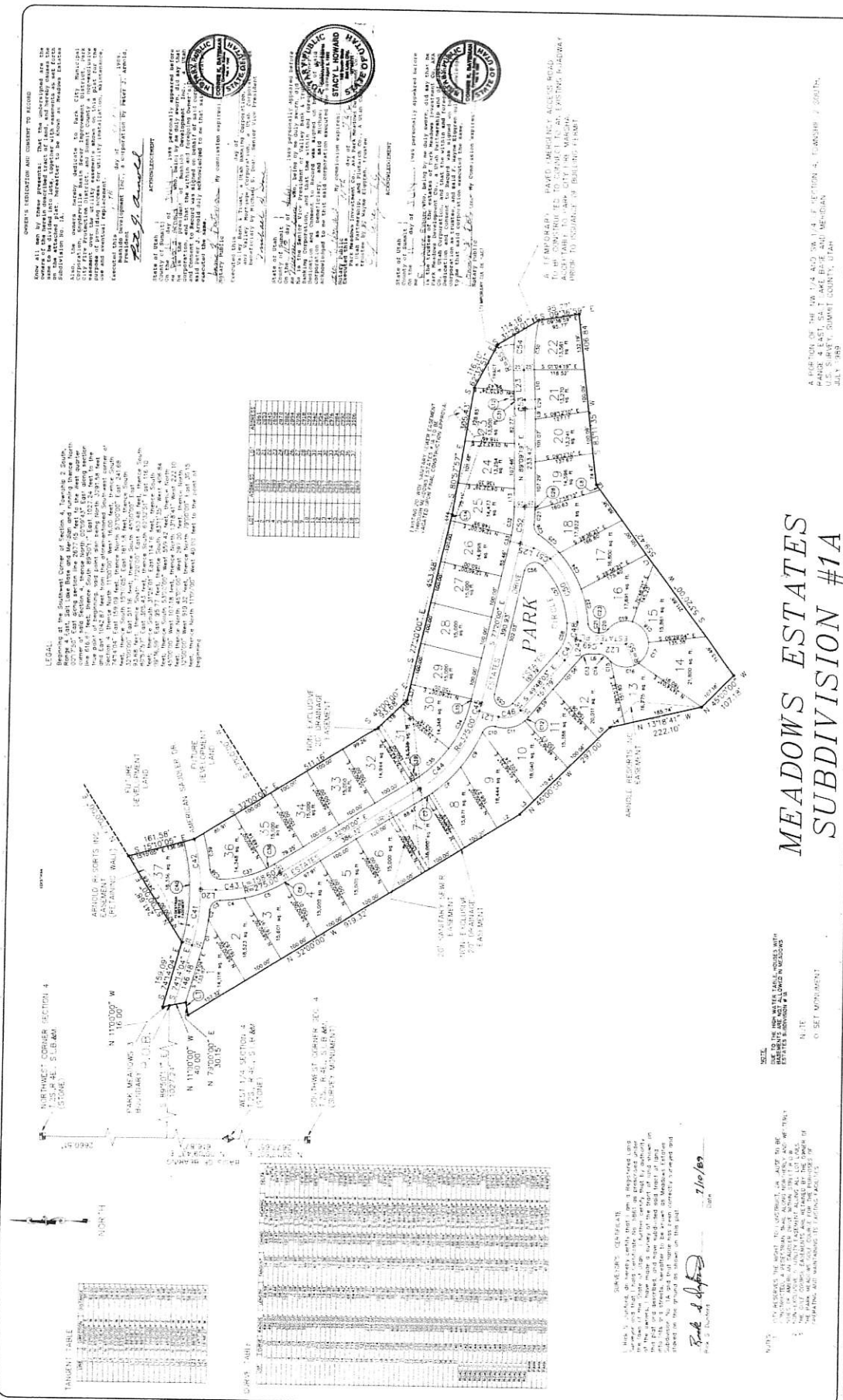
I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: Jane B Campbell
Name of Applicant: Jane B Campbell
Mailing Address: 2973 Estates Dr PRINTED
Park City, UT 84060
Phone: 435-640-5577 Fax: _____
Email: jane.campbell45@comcast.net
Type of Application: Amend Use Table

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

MEADOWS ESTATES
SUBDIVISION #1A

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARKS AND RECREATION
CITY COUNCIL THIS 25th DAY OF MAY A.D. 1983 AT WHICH TIME THIS
RECORD OF SURVEY WAS APPROVED.

John G. H. [Signature]
MAYOR RHO-TENPREE

[Signature]
CITY CLERK

CITY ENGINEER

APPROVED AND ACCEPTED BY THE
PACK _____ CITY ENGINEERING DEPART-
MENT ON THIS 3rd DAY OF August
A.D. 1961.

Eric W. Decker

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARL.
CITY PLANNING COMMISSION ON THIS 12th
DAY OF July A.D. 1947

Paul D. Leach

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 1ST

DAY OF August A.D. 1984

RECORDED

No. 312410
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
BANK OF AMERICA

**JACK JOHNSON
COMPANY**
Land Planning • Architecture • Civil Engineering
1910 Prospect Ave., Suite 200 • Park City, Utah 84040
801-645-9000 • FAX 801-645-8300

CURVE TABLE

STATION	CHORD	ANGLE	TANGENT	CHORD	ANGLE	STATION
1+00	100.00	90.00	100.00	100.00	90.00	2+00
2+00	200.00	180.00	200.00	200.00	180.00	3+00
3+00	300.00	270.00	300.00	300.00	270.00	4+00
4+00	400.00	360.00	400.00	400.00	360.00	5+00
5+00	500.00	450.00	500.00	500.00	450.00	6+00
6+00	600.00	540.00	600.00	600.00	540.00	7+00
7+00	700.00	630.00	700.00	700.00	630.00	8+00
8+00	800.00	720.00	800.00	800.00	720.00	9+00
9+00	900.00	810.00	900.00	900.00	810.00	10+00
10+00	1000.00	900.00	1000.00	1000.00	900.00	11+00
11+00	1100.00	990.00	1100.00	1100.00	990.00	12+00
12+00	1200.00	1080.00	1200.00	1200.00	1080.00	13+00
13+00	1300.00	1170.00	1300.00	1300.00	1170.00	14+00
14+00	1400.00	1260.00	1400.00	1400.00	1260.00	15+00
15+00	1500.00	1350.00	1500.00	1500.00	1350.00	16+00
16+00	1600.00	1440.00	1600.00	1600.00	1440.00	17+00
17+00	1700.00	1530.00	1700.00	1700.00	1530.00	18+00
18+00	1800.00	1620.00	1800.00	1800.00	1620.00	19+00
19+00	1900.00	1710.00	1900.00	1900.00	1710.00	20+00
20+00	2000.00	1800.00	2000.00	2000.00	1800.00	21+00
21+00	2100.00	1890.00	2100.00	2100.00	1890.00	22+00
22+00	2200.00	1980.00	2200.00	2200.00	1980.00	23+00
23+00	2300.00	2070.00	2300.00	2300.00	2070.00	24+00
24+00	2400.00	2160.00	2400.00	2400.00	2160.00	25+00
25+00	2500.00	2250.00	2500.00	2500.00	2250.00	26+00
26+00	2600.00	2340.00	2600.00	2600.00	2340.00	27+00
27+00	2700.00	2430.00	2700.00	2700.00	2430.00	28+00
28+00	2800.00	2520.00	2800.00	2800.00	2520.00	29+00
29+00	2900.00	2610.00	2900.00	2900.00	2610.00	30+00
30+00	3000.00	2700.00	3000.00	3000.00	2700.00	31+00
31+00	3100.00	2790.00	3100.00	3100.00	2790.00	32+00
32+00	3200.00	2880.00	3200.00	3200.00	2880.00	33+00
33+00	3300.00	2970.00	3300.00	3300.00	2970.00	34+00
34+00	3400.00	3060.00	3400.00	3400.00	3060.00	35+00
35+00	3500.00	3150.00	3500.00	3500.00	3150.00	36+00
36+00	3600.00	3240.00	3600.00	3600.00	3240.00	37+00
37+00	3700.00	3330.00	3700.00	3700.00	3330.00	38+00
38+00	3800.00	3420.00	3800.00	3800.00	3420.00	39+00
39+00	3900.00	3510.00	3900.00	3900.00	3510.00	40+00
40+00	4000.00	3600.00	4000.00	4000.00	3600.00	41+00
41+00	4100.00	3690.00	4100.00	4100.00	3690.00	42+00
42+00	4200.00	3780.00	4200.00	4200.00	3780.00	43+00
43+00	4300.00	3870.00	4300.00	4300.00	3870.00	44+00
44+00	4400.00	3960.00	4400.00	4400.00	3960.00	45+00
45+00	4500.00	4050.00	4500.00	4500.00	4050.00	46+00
46+00	4600.00	4140.00	4600.00	4600.00	4140.00	47+00
47+00	4700.00	4230.00	4700.00	4700.00	4230.00	48+00
48+00	4800.00	4320.00	4800.00	4800.00	4320.00	49+00
49+00	4900.00	4410.00	4900.00	4900.00	4410.00	50+00
50+00	5000.00	4500.00	5000.00	5000.00	4500.00	51+00
51+00	5100.00	4590.00	5100.00	5100.00	4590.00	52+00
52+00	5200.00	4680.00	5200.00	5200.00	4680.00	53+00
53+00	5300.00	4770.00	5300.00	5300.00	4770.00	54+00
54+00	5400.00	4860.00	5400.00	5400.00	4860.00	55+00
55+00	5500.00	4950.00	5500.00	5500.00	4950.00	56+00
56+00	5600.00	5040.00	5600.00	5600.00	5040.00	57+00
57+00	5700.00	5130.00	5700.00	5700.00	5130.00	58+00
58+00	5800.00	5220.00	5800.00	5800.00	5220.00	59+00
59+00	5900.00	5310.00	5900.00	5900.00	5310.00	60+00
60+00	6000.00	5400.00	6000.00	6000.00	5400.00	61+00
61+00	6100.00	5490.00	6100.00	6100.00	5490.00	62+00
62+00	6200.00	5580.00	6200.00	6200.00	5580.00	63+00
63+00	6300.00	5670.00	6300.00	6300.00	5670.00	64+00
64+00	6400.00	5760.00	6400.00	6400.00	5760.00	65+00
65+00	6500.00	5850.00	6500.00	6500.00	5850.00	66+00
66+00	6600.00	5940.00	6600.00	6600.00	5940.00	67+00
67+00	6700.00	6030.00	6700.00	6700.00	6030.00	68+00
68+00	6800.00	6120.00	6800.00	6800.00	6120.00	69+00
69+00	6900.00	6210.00	6900.00	6900.00	6210.00	70+00
70+00	7000.00	6300.00	7000.00	7000.00	6300.00	71+00
71+00	7100.00	6390.00	7100.00	7100.00	6390.00	72+00
72+00	7200.00	6480.00	7200.00	7200.00	6480.00	73+00
73+00	7300.00	6570.00	7300.00	7300.00	6570.00	74+00
74+00	7400.00	6660.00	7400.00	7400.00	6660.00	75+00
75+00	7500.00	6750.00	7500.00	7500.00	6750.00	76+00
76+00	7600.00	6840.00	7600.00	7600.00	6840.00	77+00
77+00	7700.00	6930.00	7700.00	7700.00	6930.00	78+00
78+00	7800.00	7020.00	7800.00	7800.00	7020.00	79+00
79+00	7900.00	7110.00	7900.00	7900.00	7110.00	80+00
80+00	8000.00	7200.00	8000.00	8000.00	7200.00	81+00
81+00	8100.00	7290.00	8100.00	8100.00	7290.00	82+00
82+00	8200.00	7380.00	8200.00	8200.00	7380.00	83+00
83+00	8300.00	7470.00	8300.00	8300.00	7470.00	84+00
84+00	8400.00	7560.00	8400.00	8400.00	7560.00	85+00
85+00	8500.00	7650.00	8500.00	8500.00	7650.00	86+00
86+00	8600.00	7740.00	8600.00	8600.00	7740.00	87+00
87+00	8700.00	7830.00	8700.00	8700.00	7830.00	88+00
88+00	8800.00	7920.00	8800.00	8800.00	7920.00	89+00
89+00	8900.00	8010.00	8900.00	8900.00	8010.00	90+00
90+00	9000.00	8100.00	9000.00	9000.00	8100.00	91+00
91+00	9100.00	8190.00	9100.00	9100.00	8190.00	92+00
92+00	9200.00	8280.00	9200.00	9200.00	8280.00	93+00
93+00	9300.00	8370.00	9300.00	9300.00	8370.00	94+00
94+00	9400.00	8460.00	9400.00	9400.00	8460.00	95+00
95+00	9500.00	8550.00	9500.00	9500.00	8550.00	96+00
96+00	9600.00	8640.00	9600.00	9600.00	8640.00	97+00
97+00	9700.00	8730.00	9700.00	9700.00	8730.00	98+00
98+00	9800.00	8820.00	9800.00	9800.00	8820.00	99+00
99+00	9900.00	8910.00	9900.00	9900.00	8910.00	100+00

TANGENT TABLE

ANGLE	TANGENT	CHORD	STATION
1	0.0175	1.0000	1
2	0.0350	1.0038	2
3	0.0525	1.0075	3
4	0.0700	1.0112	4
5	0.0875	1.0149	5
6	0.1050	1.0186	6
7	0.1225	1.0223	7
8	0.1400	1.0260	8
9	0.1575	1.0297	9
10	0.1750	1.0334	10
11	0.1925	1.0371	11
12	0.2100	1.0408	12
13	0.2275	1.0445	13
14	0.2450	1.0482	14
15	0.2625	1.0519	15
16	0.2800	1.0556	16
17	0.2975	1.0593	17
18	0.3150	1.0630	18
19	0.3325	1.0667	19
20	0.3500	1.0704	20
21	0.3675	1.0741	21
22	0.3850	1.0778	22
23	0.4025	1.0815	23
24	0.4200	1.0852	24
25	0.4375	1.0889	25
26	0.4550	1.0926	26
27	0.4725	1.0963	27
28	0.4900	1.1000	28
29	0.5075	1.1037	29
30	0.5250	1.1074	30
31	0.5425	1.1111	31
32	0.5600	1.1148	32
33	0.5775	1.1185	33
34	0.5950	1.1222	34
35	0.6125	1.1259	35
36	0.6300	1.1296	36
37	0.6475	1.1333	37
38	0.6650	1.1370	38
39	0.6825	1.1407	39
40	0.7000	1.1444	40
41	0.7175	1.1481	41
42	0.7350	1.1518	42
43	0.7525	1.1555	43
44	0.7700	1.1592	44
45	0.7875	1.1629	45
46	0.8050	1.1666	46
47	0.8225	1.1703	47
48	0.8400	1.1740	48
49	0.8575	1.1777	49
50	0.8750	1.1814	50
51	0.8925	1.1851	51
52	0.9100	1.1888	52
53	0.9275	1.1925	53
54	0.9450	1.1962	54
55	0.9625	1.2000	55
56	0.9800	1.2037	56
57	0.9975	1.2074	57
58	1.0150	1.2111	58
59	1.0325	1.2148	59
60	1.0500	1.2185	60
61	1.0675	1.2222	61
62	1.0850	1.2259	62
63	1.1025	1.2296	63
64	1.1200	1.2333	64
65	1.1375	1.2370	65
66	1.1550	1.2407	66
67	1.1725	1.2444	67
68	1.1900	1.2481	68
69	1.2075	1.2518	69
70	1.2250	1.2555	70
71	1.2425	1.2592	71
72	1.2600	1.2629	72
73	1.2775	1.2666	73
74	1.2950	1.2703	74
75	1.3125	1.2740	75
76	1.3300	1.2777	76
77	1.3475	1.2814	77
78	1.3650	1.2851	78
79	1.3825	1.2888	79
80	1.4000	1.2925	80
81	1.4175	1.2962	81
82	1.4350	1.3000	82
83	1.4525	1.3037	83
84	1.4700	1.3074	84
85	1.4875	1.3111	85
86	1.5050	1.3148	86
87	1.5225	1.3185	87
88	1.5400	1.3222	88
89	1.5575	1.	

Land Management Code Rezone Request Illustrated Side by Side

Current

15-2.13-2

C. PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use is a prohibited use

1. Nightly rental of Lockout Units requires a Conditional Use Permit.
2. See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments
3. Nightly Rentals do not include the use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain and Mellow Mountain Estates Subdivisions.

Proposed Zoning Update

15-2.13-2

C. PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use is a prohibited use

1. Nightly rental of Lockout Units requires a Conditional Use Permit.
2. See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments
3. Nightly Rentals do not include the use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain, Mellow Mountain Estates **and Meadows Estates Subdivisions.**

24. Restaurant, Standard^{6,9}
25. Restaurant, Outdoor Dining¹⁰
26. Outdoor Event¹⁰
27. Bar^{6,9}
28. Hospital, Limited Care Facility^{6,9}
29. Parking Area or Structure with five (5) or more spaces
30. Temporary Improvement¹⁰
31. Passenger Tramway Station and Ski Base Facility¹¹
32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge¹¹
33. Recreation Facility, Public
34. Recreation Facility, Commercial⁶
35. Entertainment Facility, Indoor^{6,9}
36. Commercial Stables, Riding Academy¹²
37. Master Planned Development with moderate income housing density bonus¹²
38. Master Planned Development with residential and transient lodging Uses only¹²
39. Master Planned Development with Support Retail and Minor Service Commercial Uses¹²
40. Heliport¹²
41. Vehicle Control Gate¹³
42. Fences and walls greater than six feet (6') in height from Final Grade¹⁰
43. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁴
44. Amenities Club
45. Club, Private Residence Off-Site¹⁵

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments

³Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain and Mellow Mountain Estates Subdivisions and Meadows Estates.

⁴See LMC Chapter 15-4-9 for Child Care Regulations

⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

24. Restaurant, Standard^{6,9}
25. Restaurant, Outdoor Dining¹⁰
26. Outdoor Event¹⁰
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⁴See LMC Chapter 15-4-9 for Child Care Regulations

⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to provisions of LMC Chapter 15-6, Master Planned Development

⁷See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

⁸See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments.

¹⁰Requires an administrative Conditional Use permit.

¹¹As part of an approved Ski Area Master Plan. See LMC Chapter 15-4-18.

¹²Subject to provisions of LMC Chapter 15-6, Master Planned Development.

¹³See Section 15-4-19 for specific review criteria for gates.

¹⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

¹⁵Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more units with approved Support Commercial space. A Parking Plan shall be submitted to determine site specific parking requirements.

¹⁶The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-08](#) on 3/4/2004

Amended by Ord. [05-39](#) on 6/30/2005

Amended by Ord. [06-76](#) on 11/9/2006

Amended by Ord. [11-05](#) on 1/27/2011

Amended by Ord. [14-35](#) on 6/26/2014

Amended by Ord. [2018-23](#) on 5/17/2018

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2018-55](#) on 10/23/2018

15-2.13-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development must comply with the following:

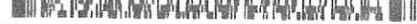
ENTRY NO. 00880422

08/17/2009 11:11:55 AM B: 1998 P: 0359

Amendment PAGE 1/7

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 76.00 BY MEADOWS ESTATES HOMEOWNERS ASSOC



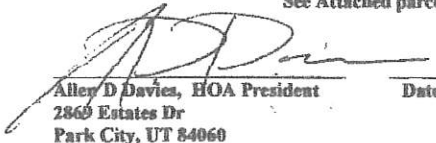
Amendment to Meadows Estates 1A & 1B HOA
Effective 7/17/2009

5.3 No Business uses:

No rentals of any kind, including, but not limited to accessory apartments and
lockout units, with the exception of the long term lease of the entire house (greater
than 1 month) will be allowed.

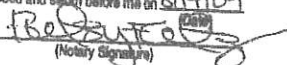
Meadows Estates 1A Lots 1-37
Meadows Estates 1B Lots 1-18

See Attached parcel numbers


Allen D Davies, HOA President
2869 Estates Dr
Park City, UT 84060
435-649-0201

Date

8/14/2009

State of Utah County of Summit
Subscribed and sworn before me on 8/14/09

(Notary Signature)



Current Owners

Aldous, Tyler & Jennifer	2954 Estates Drive
American Saddler LLC, C/O James Lockey	2952 American Saddler
Aniello, Pamela and Richard	2869 Estates Drive
Bastian, Thomas & Ann	2997 Estates Drive
Bennett, David	2940 American Saddler
Bieber, Justin Daniel	3015 American Saddler
Bronstein, Gregory & Kathryn	2953 Estates Drive
Campbell, Jack & Jane	2973 Estates Drive
Caulder, Julia & Michael	2981 American Saddler
Clements, Steve & Carolyn	2966 Estates Drive
Crouthamel, Jeff & DeAnn	2928 American Saddler
Cunningham, William and Penny	2945 American Saddler
Cutler, Paul I. and Judith A.	2965 Estates Drive
Ehrlich, Mark and Stacy	2927 American Saddler
Ezon Inc. c/o Gomez, Richard	2969 American Saddler
Fergus Park City LLC	2845 Estates Drive
Gardner, David	2989 American Saddler
Gnemi, David and Stringer, Megan	2930 Estates Drive
Gonzales, Dennis & Joanne	2976 American Saddler
Greenfield, Robert and Roberta	2916 American Saddler
Harding, Helene	2984 Estates Drive
Hechtman, Ilene	2882 Estates Drive
Hogan, Jeffery No	2853 Estates Drive
Holman, Larry No	2918 Estates Drive
Lamb, Charles & Rebecca	2917 Estates Place
Lampitt, Jonathan	3001 American Saddler
LaPay/Reichartinger, Michael & Kathryn	2957 American Saddler
Lockwood, Kathleen & Dan	2858 Estates Drive
Maw, Barbara & Wayne	2989 Estates Drive
McNeil, Matt No	2942 Estates Drive
Messina, John & Margaret	2997 American Saddler
Miceli, Todd & Marianne	2964 American Saddler
Mintz, Allan & Nancy Yes	2861 Estates Drive
Moore, David & Suzanne	2906 Estates Drive
Morse, Tim & Sherry No	2925 Estates Circle
Otto, Richard & Melanie	3006 American Saddler
Pantazelos, George	2976 Estates Drive
Parker, Andrew	2998 American Saddler
Pinchuk, Leonard & Diane	2894 Estates Drive
Ploof, Mark/Kate Moynihan	2981 Estates Drive
Redeker, William E.	2935 American Saddler
Roberts, Walter and Linda	3005 Estates Drive
Shand, Rick	2893 Estates Circle
Shaw, Gale & Kristin	2921 American Saddler
Stephenson, Katherine	2988 American Saddler
Stevens, Ritchie and Julie	2992 Estates Drive
Tinker, Clint B., trustee of the Clint B. Tinker Trust	2885 Estates Circle
Van der Werf, Quinten	2901 Estates Place
Wangsgard, Wynstonn & Charlene	2933 Estates Cir
Watson, Karen & Gershen, Richard	2877 Estates Circle
Whang, Bryan & Danielle	2915 American Saddler
Wilson, Kendall & Sally	2909 Estates Place
Ziesler, Sebastian & Alexandra	2941 Estates Circle
Zuroski, Barry & Linda	2870 Estates Drive

MEADOWS ESTATES HOA

April 13, 2020

Dear Homeowners,

Hope you are well and taking care in these strange times. This letter is to clear up a HOA housekeeping detail. Although our CC&R's clearly state nightly rentals are not allowed, our HOA is currently zoned incorrectly with the city. To correct this, the city is asking we notify our members and collect a vote supporting a rezone. The outcome is based on a simple majority. There are 55 lots in our HOA.

The CC&R's, amended on 7/17/2009 state:

No rentals of any kind, including, but not limited to accessory apartments and lockout units, with the exception of the long term lease of the entire house (greater than 1 month) will be allowed.

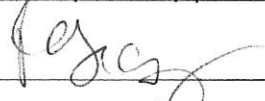
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Richard Gomez

Signature 

Address 2969 American Saddle Dr

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

2 Lots

MEADOWS ESTATES HOA

April 13, 2020

Dear Homeowners,

Hope you are well and taking care in these strange times. This letter is to clear up a HOA housekeeping detail. Although our CC&R's clearly state nightly rentals are not allowed, our HOA is currently zoned incorrectly with the city. To correct this, the city is asking we notify our members and collect a vote supporting a rezone. The outcome is based on a simple majority. There are 55 lots in our HOA.

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Kathryn Bronstein

Signature [Signature]

Address 2953 Estates Drive

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

Jack & Jane Campbell
2973 Estates Drive
Park City, UT 84060

MEADOWS ESTATES HOA

April 13, 2020

Dear Homeowners,

Hope you are well and taking care in these strange times. This letter is to clear up a HOA housekeeping detail. Although our CC&R's clearly state nightly rentals are not allowed, our HOA is currently zoned incorrectly with the city. To correct this, the city is asking we notify our members and collect a vote supporting a rezone. The outcome is based on a simple majority. There are 55 lots in our HOA.

The CC&R's, amended on 7/17/2009 state:

No rentals of any kind, including, but not limited to accessory apartments and lockout units, with the exception of the long term lease of the entire house (greater than 1 month) will be allowed.

A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Jane B Campbell

Signature Jane B Campbell

Address 2973 Estates Dr

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Charlene Wangsgard

Signature Charlene Wangsgard

Address 2933 Estates Cir

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name KATE STEPHENSON

Signature K. Stephenson

Address 2988 AMERICAN SADDLES DR

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name

RICK JHARD

Signature



Address

2893 ESTATES CIR

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Ritchie Stevens

Signature Ritchie Stevens

Address 2992 Estates Dr.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Carolyn & Steve Clements

Signature Carolyn Clements

Address 2966 Estatus Drive, Park City, UT 84060

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

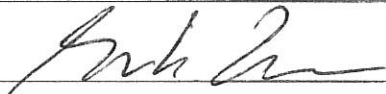
☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name

Sebastian Fiesler

Signature



Address

2941 Estates Cir

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name

Dan Lockwood / Kathleen Lockwood

Signature

[Handwritten signatures of Dan Lockwood and Kathleen Lockwood]

Address

2858 Estates Dr.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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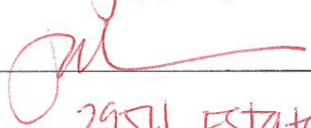
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Tyler & Jennifer Andrews

Signature 

Address 2954 Estates Dr. 84060

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

X I support rezoning the Meadows Estates HOA to reflect the CC&R's.

_____ I do not support rezoning.

Printed Name Megan Stringer

Signature Megan Stringer

Address 2930 Estates Dr

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name

Signature

Address

Please return your response in the envelope provided before May 5, 2020.

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Meadows Estates HOA

MEADOWS ESTATES HOA

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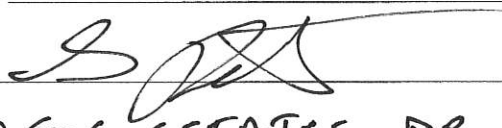
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name GEORGE PANTAZELOS

Signature 

Address 2976 ESTATES DR.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Allan + Nancy Mintz

Signature Nancy Mintz

Address 2861 Estates Drive

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Rich Bershan, Karen Watson

Signature [Signature], [Signature]

Address 2877 ESTATES CIR

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Debra Bieber

Signature Debra Bieber

Address 3015 American Saddle Dr
Park City UT 84066

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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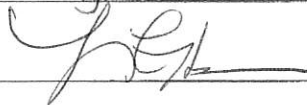
☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name

Larry C Holman

Signature



Address

2918 Estates Dr., Park City 84060

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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A copy of the CC&R amendment is attached.

Please vote on the following:

X I support rezoning the Meadows Estates HOA to reflect the CC&R's.

 I do not support rezoning.

Printed Name CHARLES + BECKY LAMB

Signature Charles G. Lamb

Address 2917 ESTATES PLACE

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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Please vote on the following:

 X I support rezoning the Meadows Estates HOA to reflect the CC&R's.

 I do not support rezoning.

Printed Name

David and Sheila Gardner

Signature

David P. Gardner Sheila Gardner

Address

2989 American Saddle Ln Dr., Park City, Utah
84060

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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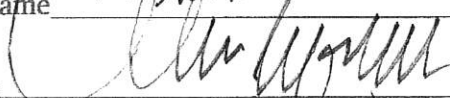
☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name

ROBERT A. GREENFIELD

Signature



Address

2916 AMERICAN SADDLER DRIVE
PARK CITY, UT 84060

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name BARBARA & Wayne Maw

Signature Barbara Maw

Address 2989 Estates DR Park City, UT
84060

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Pamla - Richard Anzillo

Signature [Handwritten Signature]

Address 2869 Estats Drive

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Paul and Judy Cutler

Signature Judy Cutler

Address 2965 Estates Drive

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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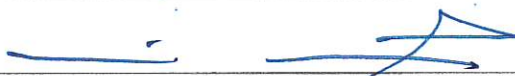
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name MATT MCNEIL

Signature 

Address 2942 Estates Dr.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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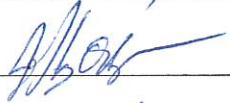
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name JEFFERY HOSAN

Signature 

Address 2853 Estate DR.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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No rentals of any kind, including, but not limited to accessory apartments and lockout units, with the exception of the long term lease of the entire house (greater than 1 month) will be allowed.

A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name David Moore

Signature Nancy L Moore

Address 2906 Estates Dr.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

Dear Homeowners,

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Kate Moynihan & Mark Ploof

Signature KBM

Address 2981 Estates Dr

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Ilene Hechtman

Signature Ilene Hechtman

Address 2882 Estates Dr

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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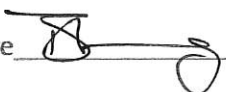
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name BRYAN WHANG

Signature 

Address 2915 AMERICAN SADDLER

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

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☐ I do not support rezoning.

Printed Name

JONATHAN CAMPBELL

Signature



Address

3001 AMERICAN SANDLER, PARK CITY, UT

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Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

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☐ I do not support rezoning.

Printed Name DIANE + LEONARD PINKLUK

Signature *Diane Pinkluk*

Address 2894 ESTATES DRIVE PARK CITY, UTAH
84060

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

X I support rezoning the Meadows Estates HOA to reflect the CC&R's.

_____ I do not support rezoning.

Printed Name

Tom Bastian Ann Bastian

Signature

Tom Bastian Ann Bastian

Address

2997 Estates Drive

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

April 13, 2020

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name WALTER & LINDA ROBERTS

Signature [Handwritten Signature]

Address _____ Rob and Linda Roberts
3005 Estates Drive
Park City, UT 84060

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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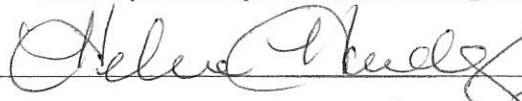
A copy of the CC&R amendment is attached.

Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name HELLENE HARDING

Signature 

Address 2904 ESTATES DR. PARK CITY, UT 84080

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

From: Jane Campbell janecampbell45@comcast.net
Subject: Tim's Ballot
Date: May 4, 2020 at 10:05 AM
To: Jane Campbell janecampbell45@icloud.com



MEADOWS ESTATES HOA

April 13, 2020

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Tim R. Morse

Signature [Handwritten Signature]

Address 2425 Estancia Circle PC

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

☒ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☐ I do not support rezoning.

Printed Name Rick & Melanie Otto

Signature [Signature]

Address 3000 American Saddles.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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Please vote on the following:

 X I support rezoning the Meadows Estates HOA to reflect the CC&R's.

 I do not support rezoning.

Printed Name Jeff + DeAnn Crauthamel

Signature Jeff + DeAnn Crauthamel

Address 2928 American Saddle Dr.

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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☒ I do not support rezoning.

Printed Name

Clint Tinker

Signature

Clint Tinker

Address

2885 Estate Circle

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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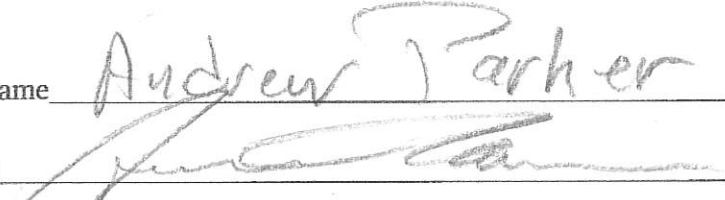
☐ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☒ I do not support rezoning.

Printed Name

Andrew Parker

Signature



Address

2998 American Saddle

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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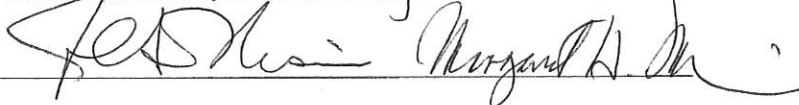
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Please vote on the following:

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☒ I do not support rezoning.

Printed Name John and Margaret Messina

Signature 

Address 2997 American Saddler

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Thank you.

Meadows Estates HOA

MEADOWS ESTATES HOA

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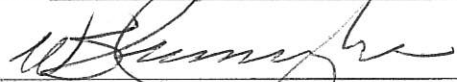
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Please vote on the following:

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☒ I do not support rezoning.

Printed Name WILLIAM S. CUNNINGHAM

Signature 

Address 2945 AMERICAN SADDLER DR.

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Meadows Estates HOA

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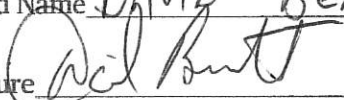
A copy of the CC&R amendment is attached.

Please vote on the following:

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☒ I do not support rezoning.

Printed Name DAVID BENNETT

Signature 

Address 2940 AMERICAN SADDLER

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MEADOWS ESTATES HOA

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Please vote on the following:

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☒ I do not support rezoning.

Printed Name

BILL REDDICK

Signature

Bill Reddick

Address

2935 AMERICAN SADDLER DR

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Please vote on the following:

_____ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

X I do not support rezoning.

Printed Name Kathryn Reichardt

Signature [Handwritten Signature]

Address 2957 American Saddle Dr

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

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Please vote on the following:

_____ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

X I do not support rezoning.

Printed Name James E. Locky

Signature James E. Locky

Address 2952 Am. Saddle Drive

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

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Please vote on the following:

_____ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

X I do not support rezoning.

Printed Name STACY & MARK EHRICH

Signature 

Address 2927 AMERICAN SADDLER

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

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_____ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☒ I do not support rezoning.

Printed Name Gale Shaw

Signature Gale Shaw

Address 2921 American Saddle Dr.

Please return your response in the envelope provided before May 5, 2020.

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Thank you.

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MEADOWS ESTATES HOA

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Please vote on the following:

_____ I support rezoning the Meadows Estates HOA to reflect the CC&R's.

☒ I do not support rezoning.

Printed Name

Willem Van der Werf

Signature

Willem Van der Werf

Address

2901 Estates Place, Park City, UT 84098

Please return your response in the envelope provided before May 5, 2020.

If you have any questions feel free to call. Jane Campbell 435-640-5577.

Thank you.

Meadows Estates HOA

On May 5, 2020, at 8:16 AM, Sally Wilson <srwilson22@verizon.net> wrote:

Jane,

We are going to abstain from voting. In principle we agree with the no rental policy. However, we don't agree that a part of the house, such as a "mother-in-law" suite could not be rented on a long-term basis. As written the ordinance precludes this from happening.

Stay well,

Sally Wilson, LEED Fellow
202-309-4861
Sent from my iPhone

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Park City Mountain Resort Base Area Development
Project #: PL-20-04475
Author: Bruce Erickson – Planning Director
Alexandra Ananth – Senior Planner
Date: July 8, 2020
Type of Item: Administrative – Determination of Significant MPD Modification

Summary Recommendations

PEG Development has submitted an application requesting to amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA), and specifically, to replace expired Exhibit D of the DA, the 1998 *PCMR Base Area Master Plan Study Concept Master Plan*, with a new Master Plan, known as the *Park City Base Area Lot Redevelopment Master Plan Study*.

Staff recommends the Planning Commission make a formal determination on whether or not the applicant's submittal meets the definition of a substantive modification as defined under LMC § [15-6-4\(l\)](#), MPD Modifications, which states that "Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and DA by the Planning Commission, unless otherwise specified in the DA."

Description

Applicant: PEG Development c/o Robert Schmidt
Location: PCMR Base Parking Lots including Parcels SA-402E, SA-402-A-1-A, SA-402-A-2, SA-253-B, SA-253-B-2-A, and SA-253-C
Zoning District: Recreation Commercial (RC)
Adjacent Land Uses: Park City Mountain Ski Resort, Resort Support, Hotel, Single Family and Multi-Unit Residential, Open Space
Reason for Review: DA amendments require Planning Commission review and approval and a finding of compliance with the Park City General Plan and the Land Management Code

Acronyms

Park City Mountain Resort (PCMR)	Recreation Commercial (RC)
Park City Mountain (PCM)	Conditional Use Permits (CUP)
Development Agreement (DA)	Comfortable Carrying Capacity (CCC)
Master Planned Development (MPD)	Return on Community (ROC)
Land Management Code (LMC)	VR CPC Holdings, Inc. (VRCPHC)

Terms that are capitalized as proper nouns throughout this staff report are defined in [LMC § 15-15-1](#).

Proposal

On February 13, 2020, PEG Development submitted an application to the City Planning Department to amend the 1998 PCMR Development Agreement (1998 DA) by replacing expired Exhibit D, *the PCMR Base Area Master Plan Study or Concept Master Plan*, with a new Master Plan. Additional information was submitted on April 20, 2020, including a “Request for Exceptions to the Zoning Requirements for Height and Setbacks.” The Planning Department has requested further information including the amount of above grade parking for all parcels, and volumetric information for compliance with LMC § [15-5-8 Façade Length and Variations](#). Only when this information is submitted will the application be deemed complete and the public hearing process begin.

Approval of the proposed amendment to the DA or a new MPD will result in either a new or amended DA replacing the 1998 DA. The 1998 DA requires Subdivision and Conditional Use Permits (CUP) for the individual Parcels A-E prior to development.

Background

The Planning Commission held Work Sessions on the application on May 27, 2020, June 10, 2020, and June 24, 2020. Minutes from those meeting can be found [here](#).

Previous Staff Reports and Presentations, additional project information and a proposed project schedule can also be found on the City’s project webpage:

<https://www.parkcity.org/departments/planning/park-city-mountain-base-area-development-project>

Analysis

LMC §15-6-4(I), MPD Modifications

LMC § [15-6-4\(I\)](#), **MPD MODIFICATIONS**, states that “Changes in a Master Planned Development, which constitute a *change in concept, Density, unit type or configuration* of any portion or phase of the MPD *will justify review of the entire master plan and DA by the Planning Commission*, unless otherwise specified in the DA.”

As stated earlier, the applicant is proposing to amend the 1998 PCMR DA to replace expired Exhibit D of the DA, the 1998 *PCMR Base Area Master Plan Study Concept Master Plan*, with a new Master Plan, known as the *Park City Base Area Lot Redevelopment Master Plan Study*. As the 1998 DA is entirely based on the *PCMR Base Area Master Plan Study*, the Planning Department’s evaluation is that the proposed amendment and substance of the new Master Plan Study constitutes a substantive MPD Modification, and necessitates a new MPD and DA. ***It is the Planning Department’s determination that a new Master Plan constitutes a change in concept, Density, and configuration, and is a Substantive Amendment to the 1998 DA, and justifies review of the entire master plan and DA by the Planning Commission.***

Without limiting the Planning Commission's review of the full MPD, staff understands current expectations of the Commission are to focus primarily on the following:

Scope of Review Table

Topic	How Reviewed	Relevant Code
Perimeter Setback Reductions	Newly applied for	15-6-5(C) 15-2.16-3(C), (E), and (G)
Height Exceptions	Newly applied for	15-6-5(F) 15-2.16-4
New Site Plan	Substantive Amendment to Exhibit D of the 1998 DA	15-6-5(G)
Parking	Substantive Amendment to Exhibit K of the 1998 DA	15-6-5(E) and comparison to mitigation in existing MPD
Traffic and Transportation Mitigation	Substantive Amendment to Exhibit J of the 1998 DA	Traffic and Transportation Master Plan and comparison to mitigation in existing MPD
Density	1998 DA including allocation between parcels; net reduction proposed	1998 DA
Affordable Housing	Blended proposal per 2015 COA	current LMC/ Housing Resolution for parcels B-E based on employee generation; propose incorporating 23 bed deficiency but not apply new housing resolution; pending review of Housing Authority
Phasing Plan	Substantive Amendment to Exhibit H of the 1998 DA	15-6-4(G)(7) requires a Phasing Plan

Differences between 1998 DA and Current Application

As laid out in the May 27, 2020, Staff Report, there are a significant number of differences between the 1998 PCMR Concept Master Plan and the current application, **which constitute a change in concept, Density, and configuration**, including but not limited to:

1. The shifting of density and total square footage to Parcel C which is explicitly prohibited per Section 2.1.1 of the 1998 DA;
2. Changes to building setbacks and height variations;
3. The amount of above grade garage space;

4. Changes to pedestrian connectivity, plaza/open space and view corridors;
5. Changes to the number of provided parking stalls;
6. Changes to the Phasing and Traffic Mitigation Plans;
7. Proposed use of City property; and
8. The proposed bifurcation of resort operations and base development.

1) As proposed, Parcel C exceeds the allowed square footage approved in the 1998 Concept Master Plan Study, which is explicitly prohibited in the 1998 DA. Section 2.1.1., of the 1998 DA, states that the square footages, volumetrics and unit equivalents in the PCMR Base Area Concept Master Plan Study are maximums permitted for each development Parcel, and that if the Planning Commission approves less than the maximum square footages outlined for any given Parcel, square footage cannot be transferred from one Parcel to another Parcel. The following table compares the allowed and proposed gross square footage for Parcel C.

Parcel Gross Square Footage Allowance and Proposed Table Summary						
	Gross Residential SF	Res Support & Accessory Use @ 10%	Accessory Use to Resort Operations	Retail Commercial	Exempt - Parking, MEP, Convention	Total
Parcel C						
Allowed	159,000	15,900	18,000	(1)	(2, 3)	192,963
Proposed	129,370	53,967	18,000	6,520	113,285	207,857

The 1998 Concept Master Plan Study and DA allows for a maximum of 192,963 square feet of development on Parcel C. The current application calls for 206,857 square feet of development, which exceed the maximum permitted for Parcel C. ***This change constitutes a change in concept, Density, and configuration, and is a Substantive Amendment to the 1998 DA.***

2) The current application calls for changes to the location, setbacks and heights of the proposed buildings versus the 1998 Concept Master Plan.

The height and setback variations granted in the 1997 MPD and 1998 DA were site specific and tied to the expired Concept Master Plan Study and do not run with the land. Again, the DA notes that the volumetrics in the 1998 Concept Master Plan represent maximums that can be achieved on any given Parcel. The heights of buildings in the 1998 Plan are 78', 75', 60' and 83' respectively. The heights of the buildings in the current application are 86.5', 82', 74', and 85'.

The Planning Department notes that the applicant submitted a letter on April 20, 2020, that requests exceptions to the underlying zoning standards and current MPD standards for setback and building height. ***Specifically, the applicant is requesting that building heights of up to 7 stories be permitted as depicted***

in the proposed MPD. Under the current LMC, the RC District allows for Building Height up to thirty-five feet (35') from Existing Grade.

Additionally, the applicant is requesting that a 20-foot perimeter setback be permitted where 25 feet is required. The Planning Commission may reduce perimeter setbacks to the underlying zone required setback if it is necessary to provide desired architectural interest and variation. The underlying RC zoning district allows for a 20-foot perimeter setback, as does the 1997 MPD and 1998 DA. However, because these variations were approved for a specific site plan that the applicant is proposing to change, ***these changes constitute a change in concept, Density, and configuration, and are a Substantive Amendment to the 1998 DA.***

- 3) ***The current application calls for a significant amount of above grade garage space not included in the total square footage calculations in comparison to the 1997 MPD and 1998 DA, increasing the apparent Development Floor Area Ratio or mass of the proposal beyond the total square footage allowance.*** Parcel B includes 314,457 square feet of exempt square footage, Parcel C calls for 113,285 square feet of exempt square footage, Parcel D calls for 35,590 square feet of exempt square footage, and Parcel E calls for 215,445 square feet of exempt square footage totaling 678,777 square feet of exempt square footage, a significant portion of which appears to be above grade garage structures. While the DA and the LMC do exclude below grade parking from the Total Building Square Footage, above grade parking should be counted. The LMC § [15-2.16-3, Lot and Site Requirements](#), and [15-2.16-8, Parking Regulations](#), notes that above grade parking structures count towards the Development Floor Area Ratio, and that Common Parking Structures require a CUP.

A good example of this is Building B. The 1998 Concept Master Plan allows for a building of up to six stories and the allowed building area is 323,519 square feet. Elevations of this parcel show three buildings with a pedestrian staircase between Building 2 and Building 3 and three levels of parking *m below grade*.

The proposed plan for Building B shows two levels of parking below grade and between one and three stories at least partially above grade making a 226,659 square foot building actually much larger. *The Planning Department has requested additional information and calculations from the applicant showing the actual amount of building above grade. These changes constitute a change in concept, Density, and configuration, and are a Substantive Amendment to the 1998 DA.*

00513070 Bx01166 P1



Parcel B: ELEVATION STUDY

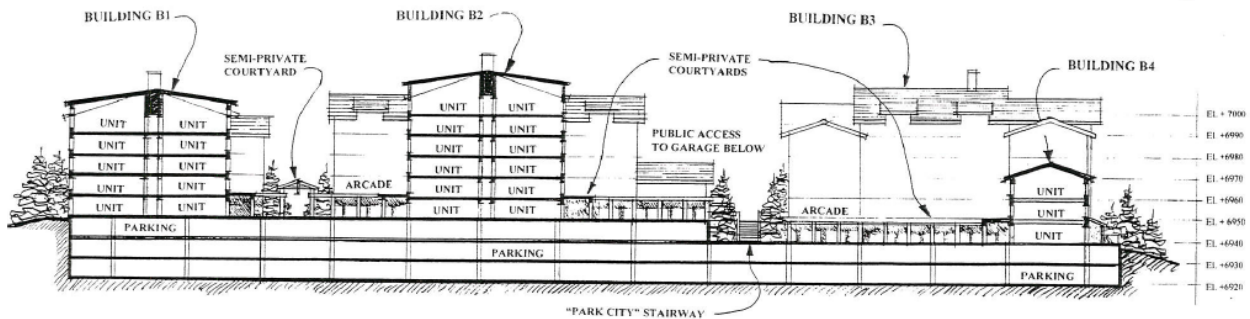
*These images are approximate and are based on conceptual diagrams that fit within the prescribed volumes; actual building design, elevations and shadows will vary.



Architects

Figure 1. Elevation of Building B from Lowell Avenue from the 1998 Master Plan Study.

00513070 Bx01166



PARCEL B: SECTION AA



Architects

Figure 2. Section View of Parcel B from the 1998 Master Plan Study. Note that the vast majority of parking appears to be below grade.



Figure 3. View of proposed Parcel B from the northwest corner (Shadow Ridge and Lowell Ave)

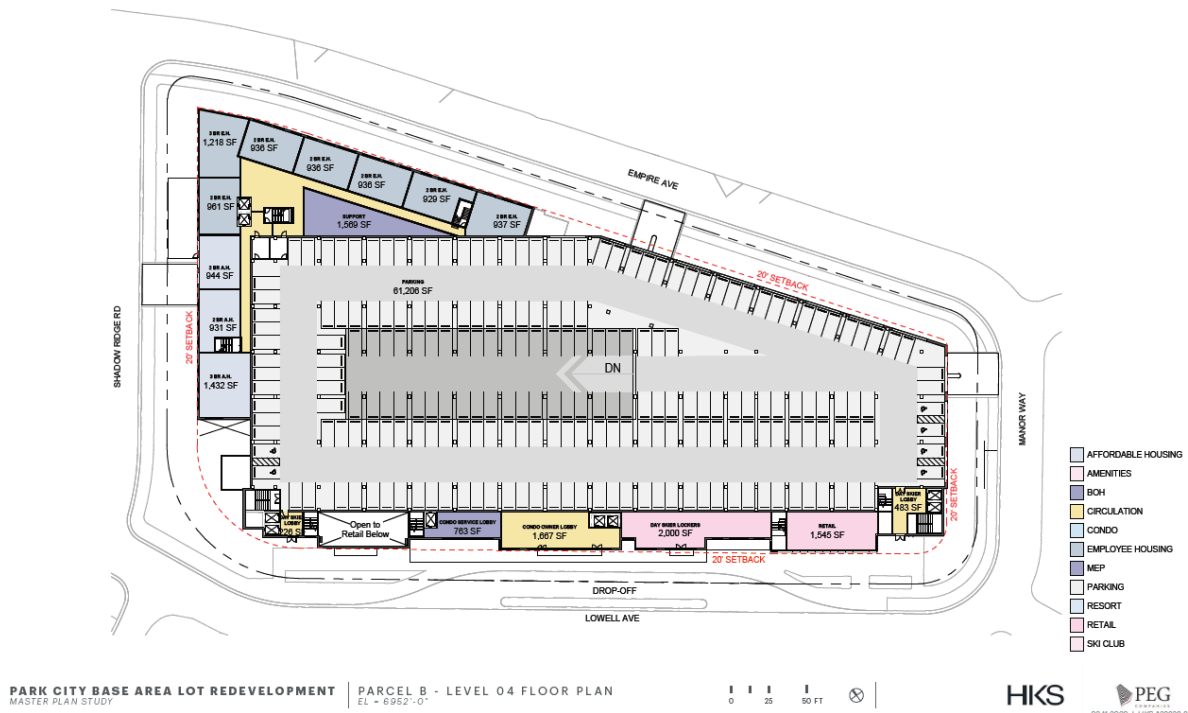


Figure 4. Proposed Level 4 of Parcel B. Note that this floor of the garage is above grade but is not counted in the square footage of the applicant's current submittal. The applicant recently submitted additional information showing that 137,500 square feet of the 311,000 square feet of parking is above grade and thus contributes to the mass of the proposed structure.

- 4) **The 1998 Concept Master Plan took care to preserve an important view corridor and pedestrian connection from 14th Street.** This view corridor and pedestrian connection did two important things: it broke up the mass of this large block and structure, and it allowed for pedestrian connections to the Resort serving residents who walk to the resort from having to walk around this large block. ***This change constitutes a change in concept, Density, and configuration, and is a Substantive Amendment to the 1998 DA.***

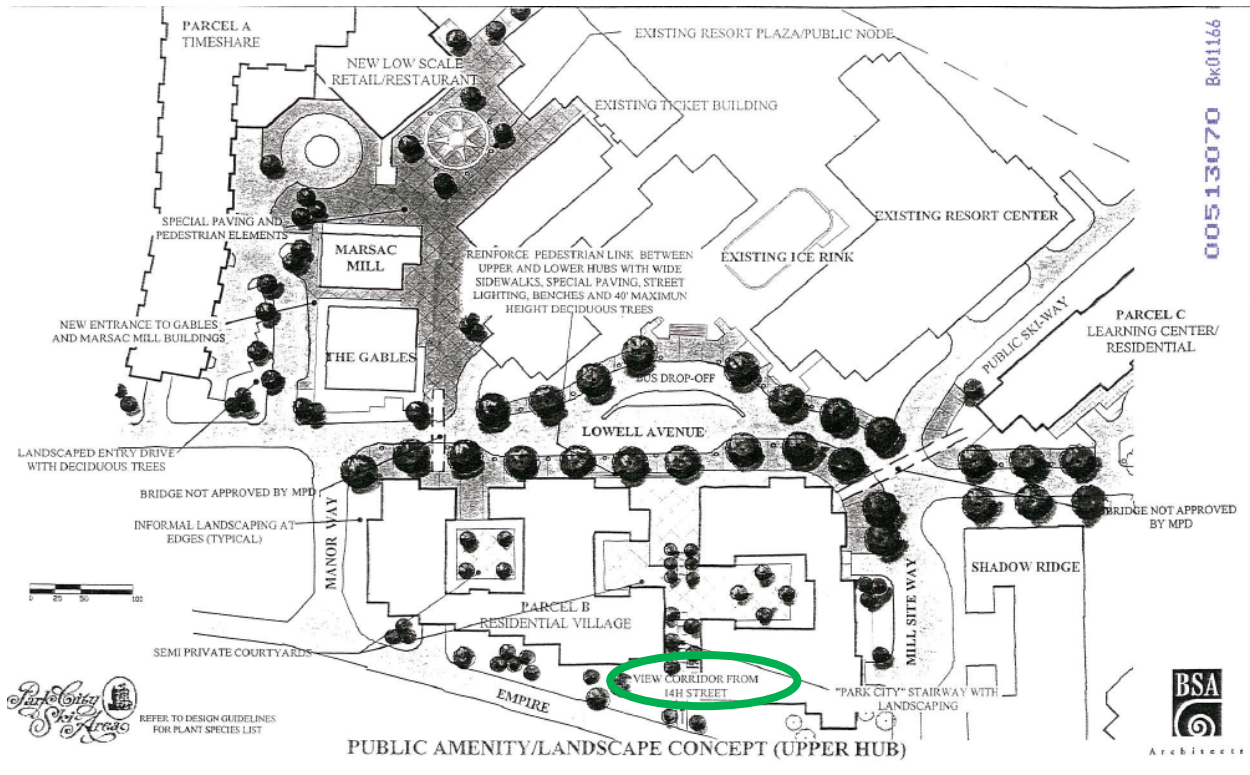


Figure 5. Note the View Corridor and Pedestrian Connection from 14th Street

- 5) **The proposed number of parking stalls is substantially different than the 1998 Concept Plan.** When the MPD was approved in 1997 it contained extensive parking analysis based on the relationships between lodging, parking, and mountain capacity, including the Comfortable Carrying Capacity (CCC, which is a measure of the number of visitors that can be effectively served by the mountain facilities while maintaining a comfortable skiing atmosphere). Finding 13 of the 1997 MPD approval details the parking requirements for the project and notes that “Total skier parking for the ski area is 1700 stalls, of which 1200 exist in the surface parking lots. These 1200 surface stalls will be replaced by 1800 underground stalls for the exclusive use of the Resort....”

“Parking for the Resort’s Accessory Uses and or Support Commercial to the Resort are included in the 600 additional parking stalls that will be built for the Resort uses.... Resort employees are generally parked off site and will be

transported by: local busing to proposed employee housing, the continuation of the Employee parking program on the Munchkin Lane site, and the Resort's Employee busing program which services Provo, SLC, and the Heber areas."

The current application notes that there are presently 1,186 parking stalls on the surface parking lots and the plan amendment proposes to replace those stalls with 1200 structured stalls on Parcels B and E. Although there is parking on Parcels B-E for the condo and hotel uses (488 stalls, some of which may be shared with the Resort as Managed Parking) *the current application does not discuss the additional 600 parking stalls included under the 1998 Concept Plan or employee shuttles/parking.* It is the Planning Departments opinion that ***the number of parking stalls in 1998 were negotiated based on that application which included a Traffic Mitigation Plan, a Parking Mitigation Plan, a Mountain Upgrade Plan, Resort Employee Housing, and a Resort Employee busing program, some of which were never implemented or do not exist today.***

The Planning Department notes that the Resort utilizes a significant amount of parking at the High School on weekends and this is not mentioned in the applicant's Parking and Traffic Study. ***These changes constitute a change in concept, Density, and configuration, and are a Substantive Amendment to the 1998 DA and should be reviewed under the current LMC and compared with mitigation proposed in the 1998 DA.***

- 6) ***The applicant will need to replace a number of Exhibits to the 1998 DA.*** In addition to Exhibit D, a number of other Exhibits will need to be replaced, notably the Exhibit H the Master Phasing and Construction Management Plan, and Exhibits J and K, the Traffic and Parking Mitigation Plans, consistent with the current project as part of the proposed amendment. ***These changes constitute a change in concept, and are a Substantive Amendment to the 1998 DA and should be reviewed under the current LMC.***
- 7) ***Use of City Property.*** A new traffic circulation pattern is being proposed through the resort which includes two new roundabouts at the Empire Avenue/Silver King Drive intersection and the Lowell Avenue/Silver King Drive intersection. In order to construct roundabouts as proposed the applicant is proposing to take approximately 4,000 square feet of land from the Park City Golf Course (which will also necessitate the removal of some mature trees) ***instead of building a smaller development on their own land. This change constitutes a change in concept and configuration and is a Substantive Amendment to the 1998 DA.***

The submitted application does not discuss how the applicant intends to acquire this property. Transit and Connectivity, Traffic, Parking and Circulation will be discussed further at a later public hearing and are critical to the success of the private development and the community at large.

8) The 1998 DA analyzed the base area project and ski operations as a whole, in addition to individual elements. The current applicant is effectively proposing a bifurcation of obligations of the DA and is proposing mitigation *for the base area development only*, which is challenging because the resort operations and base development are inextricably linked and some combined impacts formed the basis for the mitigation strategy embodied in the original conditions of approval and site plan. ***This change constitutes a change in concept, and is a Substantive Amendment to the 1998 DA.***

For all of the reasons stated above, the submitted application is substantively different than the 1997 Large Scale Master Plan and 1998 DA, and meets the requirements described in LMC § [15-6-4\(I\)](#), **MPD MODIFICATIONS**, including a change in concept, Density, unit type or configuration of any portion or phase of the MPD and therefore justifies review of the entire master plan and DA by the Planning Commission under the relevant code laid out in the Table on page 3 of this Staff Report.

Process

Once it has been determined 1) if the application is a substantive modification to the 1998 DA; and 2) the applicant submits a complete application, the City will proceed with the public hearing process and a substantive review of the application, organized around topics, and further analysis for compliance with [LMC § 15-6](#), Master Planned Developments, and other relevant Code, will be completed.

The regulatory process and requirements for Master Planned Developments are outlined in [LMC § 15-6](#), Master Planned Developments.

To approve an MPD, the Planning Commission is required to make the Findings outlined in [LMC § 15-6-6\(A-O\)](#).

Appeals of Planning Commission action shall be conducted in accordance with [LMC § 15-1-18](#).

Once the Planning Commission has approved an MPD, the approval is put in the form of a Development Agreement. The DA must be ratified by the Planning Commission, signed by the City Council and the Applicant, and recorded with County. Minor administrative modifications are allowed. Construction is required to commence within two (2) years.

After an MPD is approved the developer must subdivide each individual parcel and seek Conditional Use Permits for each respective parcel.

Project Review Schedule

The Planning Department is still proposing the following public hearing schedule, grouped by topics, *subject to modification as necessary*:

Date	Anticipated Agenda
July 8, 2020	Planning Commission Site Walk - 3:00-5:00 PM Meet at PCM Transit Center Face Masks are Required Public Hearing @ City Hall/Zoom Webinar - 5:30 PM Planning Commission determination on issue of LMC § 15-6-4(l), MPD MODIFICATIONS, which states that “Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and DA by the Planning Commission, unless otherwise specified in the DA.”
July 22, 2020 - <i>Tentative</i>	Planning Commission Public Hearing Architecture, Site and Landscape Design Exceptions to Height and Setback Requirements Opportunity for public input
July 30, 2020 - <i>Tentative</i>	Housing Authority Public Hearing Affordable Housing Mitigation Plan Opportunity for public input
August 26, 2020	Planning Commission Public Hearing Transit and Pedestrian Connectivity, Traffic, Parking and Circulation Recap of July 30 City Council Public Hearing on the Housing Mitigation Plan Opportunity for public input
September 23, 2020	Planning Commission Public Hearing Utilities and Project Phasing Plan Sustainability Other topics that come up or remain open Opportunity for public input
October 22, 2020	Public Hearing Final topics/review of any plan revisions Review of Draft Findings of Fact and Conditions of Approval Opportunity for public input Planning Commission Vote
November – Date to Be Determined	Hold as needed

Notice

On May 13, 2020, notice of the May 27, 2020, Work Session was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 13, 2020. At the May 27, 2020, Work Session it was announced that the Planning Commission would discuss the project again in a Work Session or possible public hearing on June 10, 2020, and again on June 24, 2020. After the scheduled site walk on July 8, 2020, the Planning Commission will hold a public

hearing limited to the issue of scope of review, and is expected to make a determination on the issue of LMC § [15-6-4\(I\)](#), MPD MODIFICATIONS, which states that “Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and DA by the Planning Commission, unless otherwise specified in the DA.”

Public Input

Public comments received to date are attached to this Staff Report (Exhibits A). Public input received after the publication of this Staff Report will be forwarded to the Planning Commission and attached to subsequent Staff Reports. ***The Planning Department is compiling all public comments and will be putting together a document that addresses these questions as the project is reviewed beginning with the July 22, 2020, Staff Report.***

Summary Recommendations

Staff recommends the Planning Commission make a formal determination on whether or not the applicant’s submittal meets the definition of a substantive modification as defined under LMC § [15-6-4\(I\)](#), MPD Modifications, which states that “Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and DA by the Planning Commission, unless otherwise specified in the DA.”

Exhibits

Exhibit A - Public Comments Received to Date

Alexandra Ananth

From: Trent Davis <tdavis@compass-management.com>
Sent: Wednesday, July 1, 2020 12:29 PM
To: Alexandra Ananth
Cc: Trent Davis
Subject: PEG Development

Hello Alexandra:

We believe PEG should not be required to go through a new MPD process but be able to amend the existing MPD.

It appears discussions now include mountain upgrades and Vail employee housing. PEG has no ownership of the ski hill and should not be required to address on- mountain issues and other issues related to Vail. We believe PEG should be required to address base area development issues such as density, height restrictions, view corridors, architectural guidelines, parking, vehicle and pedestrian traffic patterns, signage, access etc.....

Let's not veer off into mountain upgrades that PEG does not control, assuring they focus on what will make the entire base area the best it can be. Naturally there is going to be some overlap of the parties, forcing them to work together. The City should help "direct traffic" on these "overlap" areas. In addition, a year's delay in starting construction is a detriment to the entire base area, especially in traffic and parking.

I encourage the City to approve an amendment. Please pass this on to the Planning Commission and all other appropriate parties .

Sincerely
Trent Davis
Village Venture / Resort Center Ltd
O- 435-649-1842
C-435-731-0115
Tdavis@compass-management.com

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Alexandra Ananth

From: planning
Sent: Friday, June 26, 2020 10:20 AM
To: Alexandra Ananth
Subject: FW: Park City Planning Commission.

For PCMR.

From: Arnie Rusten [<mailto:arnie.rusten@gmail.com>]
Sent: Tuesday, June 23, 2020 7:10 PM
To: planning
Subject: Park City Planning Commission.

Park City Planning Commission.

Subject: PEG Development Park City Mountain Base
Date: 23 June 2020

Dear Commissioners:

My name is Arnie Rusten, and my wife and I reside full time at 1058 Lowell Avenue in Old Town Park City. I am writing to voice my concerns regarding the proposed development at the Park City Mountain Base. By way of background I am a retired civil and structural engineer having practiced for over 40 years and I have significant experience with development and traffic.

The project as proposed will impact the neighborhood significantly in many ways. There will be disruptions to traffic and severe congestion during construction, and the project as completed will cause extensive interaction between pedestrians and vehicle traffic and in my opinion create unacceptable dangerous situations.

I will focus my comments at this time on the traffic as I consider that to be very critical.

As proposed, the new traffic pattern will do nothing but create traffic problems for the Ski Area Workers, residents, renters, visitors and guests who need access to either Empire Avenue or Lowell Avenue. To now funnel all southbound traffic to these streets onto Lowell Avenue in front of Park City Mountain base area to interact with the thousands of daily visitors, many of them crossing Lowell Avenue at grade level is totally unacceptable. There is a reason why I never use that access path going south now, especially in the winter as it is a constant stop and go and a dangerous interaction with skiers and boarders crossing or walking along the street with their ski gear and often with young children. It is a dangerous situation now, but it will be a much more dangerous as proposed with the increased traffic forced onto Lowell Avenue. In my opinion, without a grade separation via either a bridge (or bridges) or a tunnel is an absolute non starter. This is a serious risk and liability issue that I don't believe Park City can allow to happen. I heard a response in one of the planning commission meetings to a question about a tunnel that it could not be done due to the vast number of utilities in the street. In a project of a scale such as this, there will be multiple interactions with existing utilities requiring relocation. So dealing with street utilities is no different and can obviously be done. Increased cost is an issue,

but it is a cost that the developer will have to bear to do their share to make the community safe and to provide improvements to the traffic flow for those impacted by this project.

I urge that the planning commission request the developer revisit their plans for traffic and develop different options that will improve the traffic flow and reduce the risk to pedestrians.

Thank you for your time.

Regards,

Arnie Rusten
1058 Lowell Avenue
Park City, UT 84060

206/419-4361

Arnie Rusten
+12064194361

Alexandra Ananth

From: Teri Whitney <teri@snowflowerparkcity.com>
Sent: Thursday, June 25, 2020 11:26 AM
To: Alexandra Ananth
Subject: RE: PEG property walk

I listened in yesterday so no need to have a reminder on the walk about. I'll be there on the 8th with the council. I know SF HOA owners are VERY concerned about the access to Parcel E; the fact it only has one point of access as well as a delivery bay right off Silver King where Silver King and Three Kings intersect. There could be a CRAZY congestion there especially due to the fact that some of the deliveries will be with a HUGE 18 wheeler truck. 🤖

Boy, listening to some of the concerns and questions – you really do herd cats! READ YOUR PACKETS folks. You are a very patient person, I'm not so sure I could do your job or if I did, I might not be so cordial.



Teri Whitney
General Manager



Snow Flower Property Management Co., LLC
PO Box 957 | 401 Silver King Drive
Park City | UT 84060

Toll Free: 800-852-3101
Local: 435-649-6400
Email: teri@snowflowerparkcity.com
Web: <http://www.snowflowerparkcity.com/>

Some people FEEL the rain, others just get wet. Bob Marley

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From: Alexandra Ananth <alexandra.ananth@parkcity.org>
Sent: Wednesday, June 17, 2020 10:19 AM
To: Teri Whitney <teri@snowflowerparkcity.com>
Subject: RE: PEG property walk

I won't know for sure until 6/24 but I expect it to be from 3-5pm. Not sure about a meeting place yet. If you email me 6/25 I will be able to confirm all details.

From: Teri Whitney [<mailto:teri@snowflowerparkcity.com>]
Sent: Wednesday, June 17, 2020 9:42 AM
To: Alexandra Ananth
Subject: RE: PEG property walk

Excellent – is there a set time and meeting place scheduled yet?

Teri

Teri Whitney
General Manager



Snow Flower Property Management Co., LLC
PO Box 957 | 401 Silver King Drive
Park City | UT 84060

Toll Free: 800-852-3101
Local: 435-649-6400
Email: teri@snowflowerparkcity.com
Web: <http://www.snowflowerparkcity.com/>

Some people FEEL the rain, others just get wet. Bob Marley

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From: Alexandra Ananth <alexandra.ananth@parkcity.org>
Sent: Wednesday, June 17, 2020 9:41 AM
To: Teri Whitney <teri@snowflowerparkcity.com>
Subject: RE: PEG property walk

Yes!

From: Teri Whitney [<mailto:teri@snowflowerparkcity.com>]
Sent: Tuesday, June 16, 2020 1:54 PM
To: Alexandra Ananth
Subject: PEG property walk

Will public be able to walk with you guys on July 8th for the PCMR parking lot development walk about?

Teri

Teri Whitney
General Manager



Snow Flower Property Management Co., LLC
PO Box 957 | 401 Silver King Drive
Park City | UT 84060

Toll Free: 800-852-3101
Local: 435-649-6400
Email: teri@snowflowerparkcity.com

Alexandra Ananth

From: jennifer <jengunnell@sbcglobal.net>
Sent: Wednesday, June 24, 2020 9:41 PM
To: Alexandra Ananth
Subject: PCR development

Park City

City Council

Dear Alex:

I have recently reviewed the plans for the development of the base of Park City. This project has many shortcomings, in particular the marked increased size of buildings in the space allotted, and significant increase in motorized vehicles and pedestrians that is not adequately planned.

Ideally we prevent the travesty we have witnessed with the development of other resorts of over-powering structures that gouge the mountain landscape and detract from the mountain community. I understand that after buying Park City at a bargain price, thevail corporation now want to capitalize on their investment, but it ideally would carry the same characteristics of Park City that provide the small town, community feel.

Park City has become a place where money is the primary objective. The mountain tops and beautiful mountain slopes are now littered with enormous homes. It seems we will sell our most precious commodity, the reason for which we all live here, to the highest bidder.

The Park City resort currently has 1200 parking places, for not only skiers but guests of the multiple condominiums and hotels, shops and employees. The current parking does not accommodate what currently exists. With the planned additional commercial and hotel space with additional tourists, employees and guests, the parking plan is woefully inadequate..

From review of the current plan, access and readily affordable parking is not going to be an option for residents. To date, the resort has been easily accessible making getting to the mountain after work or school in both the summer and winter. The building planned for construction not only obtrusive with the oversized scale of the buildings, they will bring far more people than the plan has allowed for with traffic and parking plans.

The idea of creating a small city as planned with employee housing in the new development within a community of employee housing is a big mistake and makes for more development and high density housing in an already congested area.

When the contractors, financiers and corporate interests leave and the project is complete, it must be something that enhances our community. We need to have something we can live with, including easy access to the mountain, traffic control and a non-obstructed mountain view that carries the community architecture and small town feel..

There are some developments that have come as a natural progression of the community, but each development needs to be carefully considered within the context of the community. The major reason we all live here is the majestic mountain valley and the mountains that surround us. There has been over the last several years, a slow gouging of the once pristine mountain sides, and development of imposing structures, enormous houses all to go to the highest bidder. I do not want to see PCR become another casualty expense of our natural landscape and community that has been sold out from under the local community

The proposed needs to be amended to make this a plan that the community can live with, not another over-developed, project that sacrifices what we value most, our mountains for the economic benefit of a few.

The planned development essentially walls off the mountain from the community with a significant increase development, housing density, pedestrian traffic and motorized traffic. The current 1200 parking spaces for the more than 10,000 skiers is already severely inadequate. I anticipate there will be more paid parking for residents to ski at park city. The current proposal is woefully inadequate for the current standards and access to park city.

Whatever final plan is passed by the city council will be the legacy of this city council. It is important that it is not swayed by the influence of power and economics at the expense of the people that will have to live with the plan indefinitely.

Jen G

Alexandra Ananth

From: Elizabeth Jackson
Sent: Wednesday, June 24, 2020 2:54 PM
To: Alexandra Ananth
Subject: FW: New eComment for Planning Commission

Another one came in. Not sure if Jess forwards these to the Planners, since they are on the e-comments part of the PC Listen Live website, but here you go!

Liz Jackson
Planner

Park City Planning Department
435-615-5065
PO Box 1480
Park City, UT 84060

Please note I will be primarily working from home due to COVID-19 protocols and am likely to not be answering or responding to calls except for the days I am in the office. Please email me instead in order to ensure a timely response.



Disclaimer: The Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk. Zoning and Land Management Code sections are subject to change.

From: noreply@granicusideas.com [<mailto:noreply@granicusideas.com>]
Sent: Wednesday, June 24, 2020 2:53 PM
To: Jessica Nelson; Elizabeth Jackson; Laura Kuhrmeyer
Subject: New eComment for Planning Commission

New eComment for Planning Commission

Deborah Rentfrow submitted a new eComment.

Meeting: Planning Commission

Item: 5.A) Park City Mountain Resort Base
Parking Lots - Work Session - Project Update

and Confirmation of Site Walk on July 8, 2020.
Public Input will be taken via e-comments PL-20-04475.

eComment: On the July 8th site walk, will PEG have visual designations for parking garage entry points, pedestrian crossings, commercial unloading and public transit parking and drop off? In addition, it appears the plazas are multi-level. Will they be able to indicate access points to the mountain without the use of stairs near or around such plazas? Think bikes in the summer. Thank you.

[View and Analyze eComments](#)

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Alexandra Ananth

From: Elizabeth Jackson
Sent: Wednesday, June 24, 2020 8:39 AM
To: Alexandra Ananth
Subject: FW: New eComment for Planning Commission

FYI, Alex. Comment for you below.

Liz Jackson
Planner

Park City Planning Department
435-615-5065
PO Box 1480
Park City, UT 84060

Please note I will be primarily working from home due to COVID-19 protocols and am likely to not be answering or responding to calls except for the days I am in the office. Please email me instead in order to ensure a timely response.



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From: noreply@granicusideas.com [<mailto:noreply@granicusideas.com>]

Sent: Tuesday, June 23, 2020 9:45 PM

To: Jessica Nelson; Elizabeth Jackson; Laura Kuhrmeyer

Subject: New eComment for Planning Commission



New eComment for Planning Commission

Nancy Lazenby submitted a new eComment.

Meeting: Planning Commission

Item: 5.A) Park City Mountain Resort Base
Parking Lots - Work Session - Project Update
and Confirmation of Site Walk on July 8, 2020.

Public Input will be taken via e-comments PL-20-04475.

eComment: On the July 8th Site Walk will the developer have markers and balloons installed to show the Commissioners and the Public both the dimensions and heights of their proposed new buildings and parking garage?

[View and Analyze eComments](#)

This email was sent from <https://granicusideas.com>.

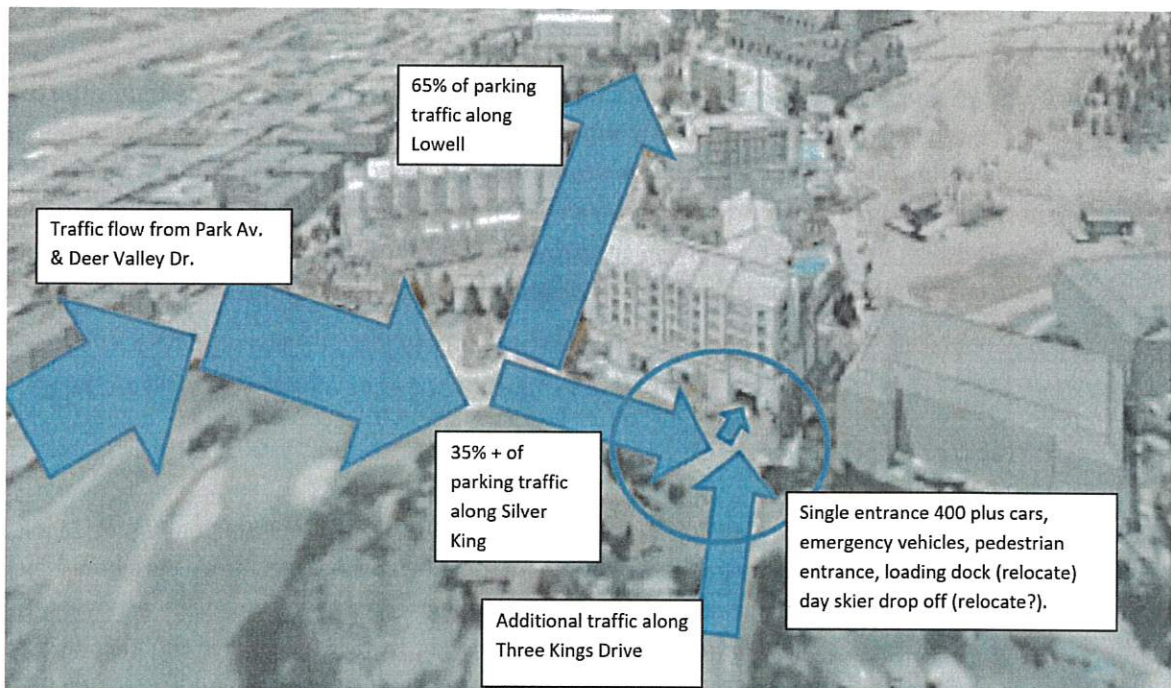
[Unsubscribe](#) from future mailings



June 23, 2020

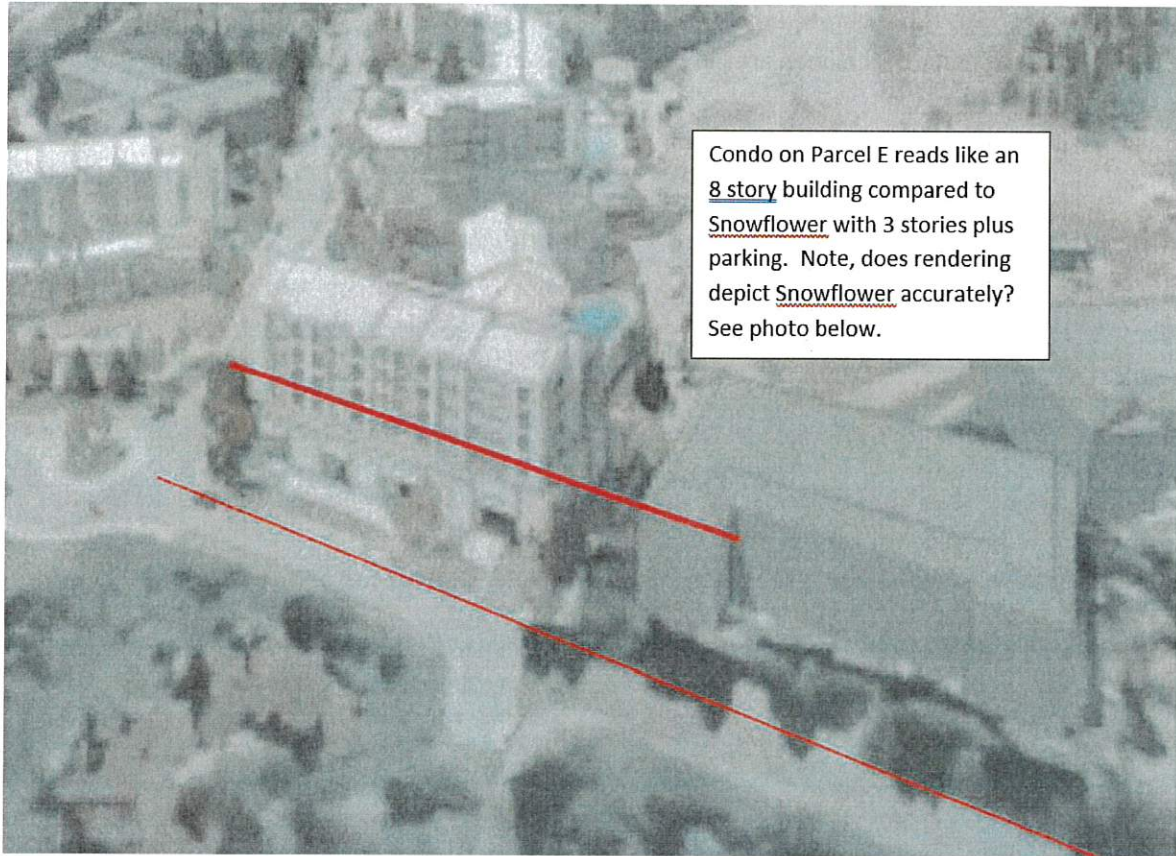
We are Pam and Jim Laukkanen, owners at Three Kings Condominiums since 2005. The following are our comments on the proposed development of the Park City Mountain Base Area Development.

1. Forcing ski traffic into the residential neighborhood along Silver King to its intersection with Three Kings Drive, we believe is a significant flaw in the proposed plan. A single, presumably gated, entrance/exit for more than 400 cars (or 35% plus of the day skier parking) will create unacceptable congestion at this point together with emergency vehicle access, pedestrian access, possibly a loading dock and possibly a day skier drop off. Hopefully the latter two uses along with parking access will be modified.
2. The presenter from PEG referred to the original plan's intersection of Silver King, Empire and a relocated Lowell as "dysfunction junction." It is submitted that by bringing more than 35% of the day skier vehicles to a single entrance at Silver King and Three Kings, along with the other proposed uses, PEG will create a "dysfunction junction" or "chaos corner" of its own.



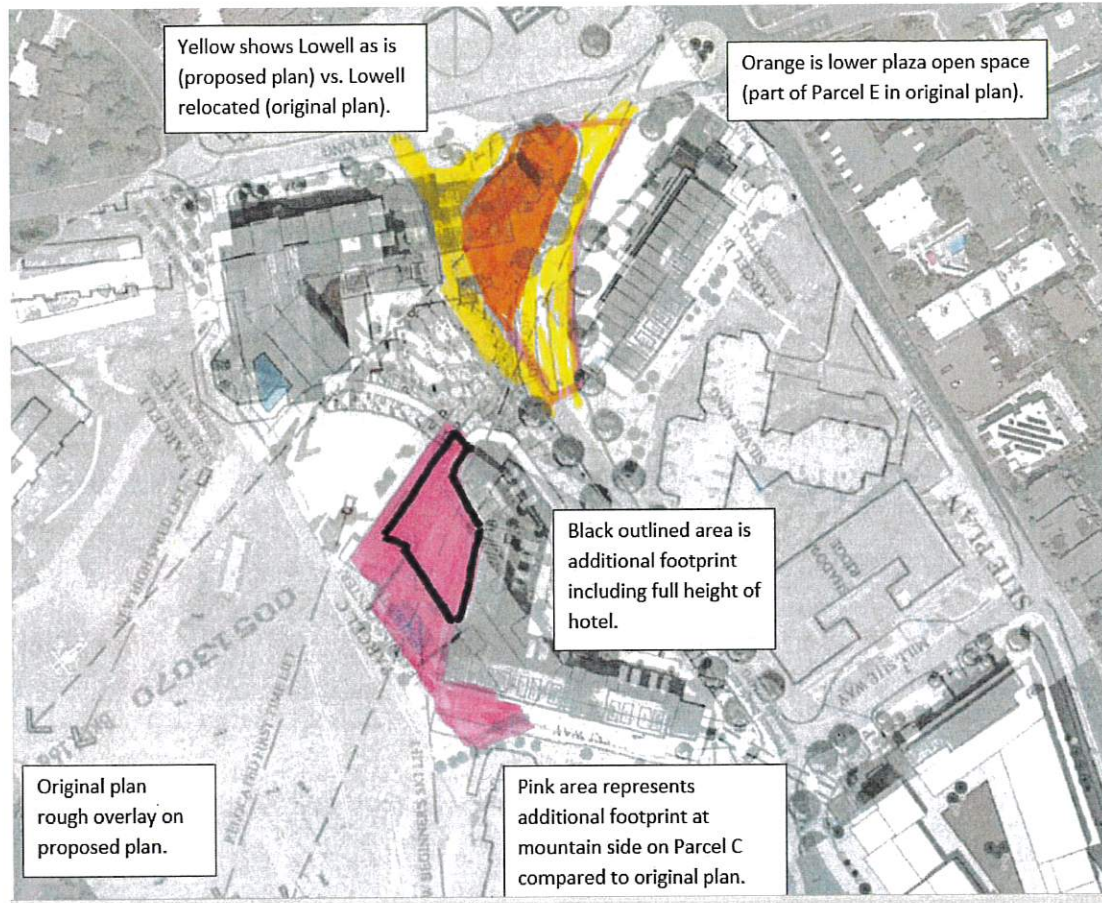
3. The location of the parking entrance will likely increase traffic on Three Kings Drive (passing Silver Star, Payday, and Three Kings) with many drivers seeking to avoid or minimize what will undoubtedly be long waits in line to get into the garage(s).

4. While garage entrances will not be popular among anyone living nearby, it seems that some version of traffic incrementally (multiple entrances) flowing off Lowell, as it has for decades, may be the best approach.
5. Either (or both) the traffic study and/or the PEG presenter noted a day skier drop off on Silver King in front of the condo/ski club on Parcel E. This does not appear to be in the documentation. It would only add to the projected chaos at this intersection.
6. That same intersection will likely be the focal point for emergency vehicles just as it has been for many years. It is difficult to discern how traffic to/from the ski patrol/medical clinic will be handled. This should be made clear.
7. The original plan contained a note that the loading dock on Parcel E would be moved from the intersection of Silver King and Three Kings. This plan has not relocated the loading dock.
8. The presenter from PEG noted that pedestrian access at Silver King and Three Kings was not in the documentation but would be included. This should be added to the plan and made a requirement.
9. Beware of perspective renderings; they can be very misleading (not saying that is the case here). The original plan contained a very informative series of elevation and cross section studies. Elevations/cross sections can show relationships to adjacent properties more accurately. It would be of particular interest to see an elevation of the parking/condo/ski club/etc. along Silver King in relation to the adjacent Snowflower property. It would also probably be revealing to see a section across Silver King showing the 75 foot (plus) building in relation to the Three Kings 2 story townhouses.
10. The original plan also contained shadow studies. Note the setbacks between Snowflower and the condo on Parcel E.
11. The elevations (6887 feet to 6992 feet) of the facade along Silver King on Parcel E indicate a building height 75 feet plus the height of any roof structure. With the ski club floor being 18 feet high, with a roof structure the Parcel E building seems to effectively be an 8 story building. At a setback of slightly more than 20 feet, this height is stark contrast to the height of structures on adjacent properties. The original plan appears to have had the building stepping up more gradually from the setback. It seems that the "edges" of the large scale development ought be more compatible with its surroundings. It is suggested that the height of the adjacent Snowflower structure would be more in keeping with the area.



12. While the PEG presenter noted the expansive view corridor created by the lower plaza and the mountain side plaza, it appears that the view corridor was significantly more expansive in the

original plan. It is suggested that overlaying the proposed and the original plan (seen below) will show that much of the open area in the original plan is now covered by the footprint of the hotel on Parcel C.



13. That same overlay of the two plans will show that some of the mountain side open space has been, in effect, relocated to the lower plaza on Parcel D. It seems that having the open space adjacent to the mountain may be preferable to creating lower plaza, the uses of which are not very clear.
14. Another point of note is that structure footprints at the plaza in the proposed plan include a significant area of “elevated private plazas” (for lack of a better term) for various hotel functions and for the Parcel E condo pool area, etc. These in effect remove square footage from public use while maintaining a large footprint at mountain side. **Significantly, this may ultimately be related to the need to build other parts of the development higher with smaller setbacks.**
15. The traffic study does not seem to be very user friendly for the non-engineer reader. It is full of charts, acronyms, and jargon which may not be easily understood.

16. It is assumed that the one way traffic flow will only be in place for the ski rush hours (if that's a term). Is that correct?
17. Bear in mind that this proposal is also the result of terms negotiated between a \$7.5 billion public corporation and the developer. Such terms are certainly subject to adjustment.

Alexandra Ananth

From: Nancy Lazenby <nhlazenby@hotmail.com>
Sent: Friday, June 5, 2020 9:37 AM
To: planning; Jessica Nelson
Cc: Alexandra Ananth
Subject: Comment for June 10th Planning Commission Meeting

Good Morning;

I'd like to add to the comments for the next Planning Commission Meeting on June 10th.

During the last Planning Commission meeting on May 27th, Alexandra Ananth did a great job of outlining and listing the reasons the Planning Department felt PEG should do a new MPD rather than amend the existing 1998 Development Plan's MPD.

Alex listed several significant changes that PEG was proposing and felt those changes were so significant that they warranted a new plan rather than amending the existing one. I would like to add an additional change to the comprehensive list that Alex put together.

If I missed it I apologize, but I did not see on Alex's list PEG's new proposed one-way traffic on Silver King Dr., Manor Way, Lowell Ave, or Empire Ave.

Having one-way traffic around the resort and through the streets of Old Town is a significant change to the plan that will have a tremendous effect of the community and the local citizens. I'm asking that the Commission consider this also when deciding on whether an amended or new MPD is required.

Thank you.

Meeting	Agenda Item	Name	Comment	Submitted At
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05-20-2020 08:35 am

Planning Commission	3) PUBLIC COMMUNICATIONS	Michael Kaplan		
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How will the project interact with the existing or future ski lifts?

05-27-2020 07:21 pm

Planning Commission	5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475.	Sid Embree
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Will comments submitted to the developer via 'baseareaproject@gmail.com' at the request of PEG during the open house in March at the Hyatt be shared with the public or should community members submit their comments directly to the Planning Department?

05-27-2020 06:27 pm

Planning Commission	5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475.	Sid Embree
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05-27-2020 06:27 pm

Planning Commission	5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master	
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Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. William Titler

The pedestrian flow is critical for this project, right now people can walk anywhere with buildings in place the sidewalks and pedestrian walkways should be wider than normal because of the number of people and equipment that needs to flow through the area. The setbacks in place originally would allow for this but it does not seem the tighter setbacks proposed will in the current proposal.

05-27-2020 05:46 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Steven Nielson

5.b. Parking lots - how will lower mountain access be protected for people walking from Three Kings Drive and Silver King Drive?

05-27-2020 05:45 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Ried Schott

The Planning Commission Staff Report mentions the PEG Development Proposal has several major modifications compared to the 1998 PCMR Concept Master Plan. The PEG proposal has narrower setbacks, taller and more dense buildings (up to 7 stories), less pedestrian and trail connectivity, 600 fewer underground parking stalls, fewer view corridors and traffic / transportation issues. Therefore, in my view, PEG should not amend the Development Agreement, but submit a new MPD, as recommended by staff.

05-27-2020 05:15 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Randall Kirsch

We own several condos in The Lodge at Mountain Village. We just spent over \$1million (collectively) on the plaza by the Ice Rink. It appears that PEG would like all of the parking foot traffic on "B" to access the ski mountain by going over the Ice Rink Plaza. There needs to be a cost sharing agreement for future improvements and maintenance on the Plaza – I do not see that in the plan. I oppose the plan without some type of Agreement in place.

05-27-2020 05:13 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Randall Kirsch

We own several condos in The Lodge - none of the drawings show how our views will be affected from the additional height and reduced setbacks requested. Until we can see the impact on our views, we oppose such variance request. If the effect is minimal, we will not oppose it.

05-27-2020 04:40 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475.

Deborah Rentfrow

The plans do not reflect the personality of Old Town; tall metropolitan structures built for a city do not belong. Just as residents are held to standards to keep the history of the area alive, so should PEG. Locals and tourists alike love this town because of its small town feel/charm and views from most anywhere in the community. The existing plans will take away from both. In addition, the traffic suggestions without any dedicated pedestrian crossings (bridges or otherwise) is unreasonable.

05-27-2020 04:26 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Sherie Harding

Three Kings Condominiums (#11, 12, 13, 14) on Silver King Drive face the tallest buildings of the PEG proposed development. We oppose this. Building heights should follow the slope of the parking lot, down to the north. The current plan shows taller (tallest) buildings to the north. A giant wall along Silver King Drive is undesirable, it blocks views, and blocks sun.

05-27-2020 02:18 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Ruska Djerki

I sent my comments/ questions via email to Alexandra Ananth

05-27-2020 12:46 pm

Planning Commission 5.B) Park City Mountain Resort Base Parking Lots - Work Session - Project Orientation and Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475. Nancy Lazenby

Is the original 1998 Plan still valid? There were several requirements spelled out in that plan that needed to be completed prior to 2003. Were they done?

05-23-2020 12:05 pm

Planning Commission 6.C) 5000 Royal Street - Subdivision - Consideration of a 15-Lot Subdivision
Located in the Deer Valley Master Planned Development. PL-19-04374. (A) Public Hearing (B) Possible
Recommendation for City Council's Consideration on June 25, 2020 Sean Kelleher

Given the cost of moving these trails and keeping them available to all users, the trails reconfiguration should be done now. The trails in question are the only direct access from Rossie Hill to various uphill locations, and as a Rossie Hill, full-time resident, we use these trails all the time. \$25k is inconsequential to the developer, do the trails now!

05-27-2020 09:13 pm

Planning Commission 6.C) 5000 Royal Street - Subdivision - Consideration of a 15-Lot Subdivision
Located in the Deer Valley Master Planned Development. PL-19-04374. (A) Public Hearing (B) Possible
Recommendation for City Council's Consideration on June 25, 2020 Lisa Paul

I am the HOA President for Powder Pointe. This is too dense for the area. Less units and less retail. Need to fix traffic problem before development. Need to have a height restriction. Not higher than silver king. Developer to pay for pedestrian crossing light, like on park avenue. They should help pay for police to monitor the streets like was done during Sundance, because of the parking issues this will create. There needs to be more open space .

Alexandra Ananth

From: LSchmida <lschmida@gmail.com>
Sent: Sunday, May 31, 2020 11:43 AM
To: Alexandra Ananth
Cc: lschmida@gmail.com
Subject: PEG Project Concerns

We were able to attend the one project presentation back in March.

My Major concerns are:

The Proposed Buildings are way to tall for the site, limit them to 3 or 4 stories
The Building density is too great, Please require more green space
The Architecture of the Buildings does not blend with Park Cities or our mountain heritage
Traffic and Parking will of course be a problem but hopefully P C can regulate it

Thank you,

Patti & Larry Schmida

Sent from Mail for Windows 10

Alexandra Ananth

From: Nancy Lazenby <nhlazenby@hotmail.com>
Sent: Thursday, May 28, 2020 1:55 PM
To: Alexandra Ananth; Jessica Nelson
Cc: ruzica djerki; Deborah Hickey; der0813@aol.com; Bruce Erickson
Subject: Questions/comments from last nights Planning Commission Meeting

Hello Alex;

Thank you for leading the agenda for the PCMR Parking Lot last night. You did a great job of highlighting many important points hopefully the Planning Commission and PEG Developers heard you.

I had some difficulties during the meeting last night with a few things and wanted to bring them to your attention. If I should be forwarding some or all of this questions on to someone else for their response please let me know.

My hope is to have clarity on them soon so they don't happen again at the next meeting.

During the meeting last night I tried to post comments/questions on the eComments site. It does not allow a person to make more than one comment for the meeting and since I had already asked a question earlier in the week I could not post any other comments. This could clearly be a problem going forward. In an effort to get around this and post a comment I logged in under my husbands name and his email address during the meeting but unfortunately I still could not make a comment during the meeting. Are you hearing this from anyone else?

In an effort to get my questions into the meeting, I copied my questions/comments and emailed them directly to you during the meeting but unfortunately at the end of the meeting they weren't read during the community comments section of the meeting. Only a handful of comments were read during this time. I know one of my neighbors had emailed you several comments/questions for the meeting and they weren't read either. It was my understanding if we emailed you our questions and comments they would be included in the meeting. What do you suggest going forward so communication can happen during the meeting?

Please help me understand the process so going forward we can get our comments heard.

In the email below are the questions I sent you during the meeting but here they are again in a more legible format:

1. PEG has said they have been having Zoom meetings with the community over the past few weeks. Who was invited or how was it advertised for those who would have liked to attend?
2. The visual for Building B is an aerial view so it appears that the open space in the middle of the building looks like its ground level. That is not the case, it is actually on top of the four story parking structure. It is not ground level. These pictures are very deceiving.
3. Creating one-way traffic solves some of the resort traffic problems but it creates other issues and problems for the locals and community. That's not a solution if it solves their problem but creates problems for others.
4. How many total parking stalls will be available in this plan?
5. FYI, it was very difficult/impossible to read any of the copy on the slides presented.

6. PEG has not addressed the height issues of these buildings. In the 1998 Plan all the parking was underground so the height of the buildings were significantly lower than the current proposed plan.
7. In the 1998 Plan there were overhead walkways for pedestrians and underground parking. PEG is saying it's difficult to do or impossible to do both of those items now yet it was doable in 1998. How is it not possible now?

Thank you for addressing these comments and questions.

Finally, the comments were read at the end of the meeting but no one on the Planning Commission or the Planning Dept. addressed or commented on them. What is the procedure for this? When will they be addressed? Will we have an opportunity to have a discussion about them?

Thank you again for all you are doing for the community to make sure this project is a success for everyone including Vail, the Developer, and the community.

Sincerely,
Nancy Lazenby

From: Nancy Lazenby
Sent: Wednesday, May 27, 2020 6:27 PM
To: Alexandra Ananth <alexandra.ananth@parkcity.org>
Subject: questions for today meeting.

I have several comments/questions. 1. PEG has said they have been having Zoom meetings with the community over the past few weeks. Who was invited or how was it advertised for those who would have liked to attend? 2. The visual for Building B is an aerial view so it appears that the open space in the middle of the building looks like its ground level. That is not the case, it is actually on top of the four story parking structure. It is not ground level. These pictures are very deceiving. 3. Creating one-way traffic solves some of the resort traffic problems but it creates other issues and problems for the locals and community. That's not a solution if it solves their problem but creates problems for others. 4. How many total parking stalls will be available in this plan? 6. FYI, it was very difficult/impossible to read any of the copy on the slides presented. 7. PEG has not addressed the height issues of these buildings. In the 1998 Plan all the parking was underground so the height of the buildings were significantly lower than the current proposed plan. 8. In the 1998 Plan there were overhead walkways for pedestrians and underground parking. PEG is saying it's difficult to do or impossible to do both of those items now yet it was doable in 1998. How is it not possible now? Thank you for addressing these comments and questions.

Alexandra Ananth

From: Matt Dias
Sent: Thursday, May 28, 2020 9:17 AM
To: Bruce Erickson; Alexandra Ananth
Cc: David Everitt; Mark Harrington; Michelle Kellogg
Subject: FW: Park City Mountain Resort Base Parking Lots

BE/AA - FYI

From: Michelle Kellogg
Sent: Thursday, May 28, 2020 8:29 AM
To: Matt Dias
Subject: FW: Park City Mountain Resort Base Parking Lots

Please see below

Michelle Kellogg, MMC
Park City Recorder
445 Marsac Avenue
Park City, UT 84060
(435)615-5007

From: Bill Titler [<mailto:minnetonka@gmail.com>]
Sent: Wednesday, May 27, 2020 7:26 PM
To: Michelle Kellogg
Subject: Park City Mountain Resort Base Parking Lots

There does not seem to be any accounting for the very large number of shuttles that use a section of the parking today for a very busy drop off zone. The plan seems to have less drop off than is currently in play today but they say people will need to shuttle or uber more.

Bill Titler

- What type of "way finding", lodging, parking and commercial signage, starting intersection of Silver King and Empire is being required? It is important that the upper plaza lodging and commercial be included.
- Is there a separate area being designed for delivery trucks to short term park and not obstruct traffic flow. As you are aware, they typically park at the Transit Center Island and unload.
- A bridge or underground tunnel be constructed to allow pedestrian access from the parking structure in Lot B, across Lowell Avenue to the Transit Center area. This will help prevent traffic build up on Lowell and provide a higher level of safety for the skier and guests. Peg showed me the sidewalks they plan to install coming out of the new Lot B garage. I feel this will accomplish the goal of free flow of pedestrian traffic to all plazas. Any type of bridge would have to be located where my commercial would be negatively impacted.
- Need to ensure that sidewalks exists throughout the project, allowing pedestrians to walk from Silver King Drive, to the upper plazas. This will allow for more of a village atmosphere and cut down on pedestrian / vehicle interaction.
- There needs to be a sidewalk from the intersection of Lowell Ave and Shadow Ride Drive, to The Lodge, North side, metal stairs and to and from the Vail parking structure. This easement road will now be in the shadows 24-7. Where is snow removal going to be stacked, especially if a road is expanded to accommodate the NAC. Is PEG going to be providing snow removal off this road?
- All sidewalks should be heated to reduce salting and maintenance in addition to adding a higher level of safety. This will also reduce the need for snow storage.
- Need to retain the oversized vehicle parking on the right side of the access road, on the North side of The Lodge, as this where vehicles that cannot fit in the underground Lodge parking, oversized transportation vans and any construction dumpsters park.
- The area lacks restaurants more than any other need. I would hope that a larger portion of the commercial is being designed for food services. Food and beverage services will help keep the day skier, at the base area and off the roads during peak times. The area already has to many skier related commercial tenants.

I am concerned about the one-way being considered on Lowell. This will cause multiple issues with the commercial, lodging and transportation companies, who come and go throughout the day. We all need to be able to make a left turn onto Lowell from the Shadow Ridge Drive intersection, even if it is only during certain designated times such as after 4 p.m. and during the Spring, Summer and Fall. PEG is proposing aligning Shadow Ridge Drive with the current entrance to the underground parking and The Lodge parking. In addition they will make Shadow Ridge Drive a two way street to allow for Lodge and skiers to exit in more efficient manner.

- How is access to the potential new NAC building going to impact the Lodge? The Lodge has concerns about the access road, view corridors being blocked and access to our ski locker room and other access points. The building will block the sun light to the Lodge West side and creates more issues with ice and snow. We would expect that the NAC be responsible for the care and maintenance of these Lodge areas.

FYI, I had a call with Reid Schott of Marsac Mill Manor and I would like the Commission to know that I am opposed to any reduction in skier parking in the new Lot B garage. Maybe there is a offsite location that employees of the base area can park. I think we both agreed that a village sidewalk system that connects from the North end to the South end is very important.

Please confirm that you are in receipt of this email and feel free to contact me with any questions.

Sincerely
Trent Davis
Cell: 435-731-0115

Alexandra Ananth

From: Trent Davis <tdavis@compass-management.com>
Sent: Tuesday, May 26, 2020 2:53 PM
To: Trent Davis; Alexandra Ananth
Subject: RE: PEG Development

Hi Alexandra;

Sorry for the late revisions. After my meeting on Friday with PEG, they have satisfied some of the concerns I had. For areas that are no longer of concern if they end up as explained to me, I highlighted in yellow. My additional comments are in blue.

Thank you
Trent Davis

From: Trent Davis <tdavis@compass-management.com>
Sent: Wednesday, May 20, 2020 2:16 PM
To: Alexandra.ananth@parkcity.org
Cc: Trent Davis <tdavis@compass-management.com>
Subject: PEG Development

Hi Alexandra;

I am the President of the two partnership that own about 46K square feet of commercial at the base area. I am also the HOA manager of the Lodge and Loft. We appreciate your help in addressing the following at the meeting on the 27th with PEG Development and the Planning Commission.

A couple of topics I would like addressed with the Planning Commission:

- A handicapped ramp should be built to the ice rink plaza. Currently handicapped access is minimal to the entire base area. The Lodge *may* be willing to donate the land at the Transit Center for this to happen.
- The Transit Center Island needs to be reconfigured to allow for parallel parking, like the airport, and eliminate the stair if possible. PEG already has plans on making parallel parking for about three to four vehicles. Who maintains this in the future as I would assume the City will maintain in the future? This should have snow melt put in.

I was told the city is opposed to snow melt systems. Certainly snow melt products, snow removal damage and noise pollution, create more damage to the environment than snow melt systems.

- The Transit Center sidewalk should have snow melt put in. Additional waiting areas with enclosures need to be installed. Who maintains in the future? Will the city help maintain and provide snow removal?

O- 435-649-1842

tdavis@compass-management.com

Admin@compass-management.com

Compass-Management.Com

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Alexandra Ananth

From: ruzica djerki <ruskadjerki@gmail.com>
Sent: Monday, May 25, 2020 1:34 PM
To: Jessica Nelson; mishelle.kellogg@parkcity.org; Alexandra Ananth; baseareaproject@gmail.com
Cc: Glidefar; Nancy Lazenby; ruzica djerki
Subject: Fwd: Input / Comments

Dear all,

I apologize for sending this email to all of you but I wanted to be sure my comments end up in the right hands. You can see that I sent my comments/questions to the baseareaproject email but unfortunately never received confirmation that it was received. I hope between the Planning Commission and the City Council this ends up in the right place.

I couldn't register for Meeting on 27th - parkcity.granicusideas link was giving me an option to submit my ideas but not to register for this meeting. I hope you can help me with this and send me a Zoom meeting invitation.

Concerning my comments below: I am not expecting to hear many answers on this coming meeting but I certainly hope they will be considered somewhere in the process.

Thank you very much!
Warm regards
Ruska Djerki
1382 Empire Ave.
650-303-7741

----- Forwarded message -----

From: ruzica djerki <ruskadjerki@gmail.com>
Date: Wed, Mar 11, 2020 at 1:49 PM
Subject: Re: Input / Comments
To: <baseareaproject@gmail.com>
Cc: Nancy Lazenby <nhlazenby@hotmail.com>, Glidefar <glidefar16@yahoo.com>

I forgot in my previous email to mention two very important points:

- Pedestrian crossing and traffic: Your proposal is to stay with the crossing on the same level as it is now. This seems to be a problem more than a solution. I just watched a young family with two small kids crossing the road and I can not imagine how will this work with the expected increased traffic.

- Long term vision: Your project is huge and will have a significant impact not only on our close-by community but on the Park City Old Town and Park City area in general. Is your vision in the alignment with the long-term town planning?

Thank you again for the opportunity to discuss this important project for all of us.

Warm regards

Ruska

On Tue, Mar 10, 2020 at 6:51 PM ruzica djerki <ruskadjerki@gmail.com> wrote:

Dear Baseareaproject team,

It was great meeting some of you yesterday. Having the opportunity to discuss this project with you in more details is highly appreciated.

Before I continue to my questions and suggestions, I would like to let you know where I am coming from. I have visited and lived in number of different ski resorts throughout US and Europe. Uniqueness of Park City with its history and inviting old town is the most charming and I am hoping it will keep that feel in the future. My hope is that further development of our resort continues to have that feeling of inviting village and not of densely packed condo units with primary goal to have the maximum number of overnights.

Below are some questions and suggestions that I have.

The general appeal of your proposal

- Area B is the big and high block structure in the middle of the resort with no "interaction" to the rest of the resort or the old town. Also, it doesn't look right to have 7 stories high building in the middle of the resort with lower buildings around it - It just sticks out.
- The old section of the resort with ticket boots and access to the main lifts will have no extended village or open space (plaza) that is interesting and inviting

General questions:

- Are the rules about building heights and allowed unit "density" the newest ones? Which are these?
- Is the green area between area D and golf course still open for discussion? Open view corridor is really nice but is this view that will be admired for a few seconds from the car really higher value for this project and our community than some other assets?
- What is officially required for affordable housing? How is that calculated?

- Is employee housing required to be on a walking distance from the workplace?
- Was an option to have employees housing further away considered? Having it further built will allow easy expansions and significantly lower traffic as these people can be provided with direct and frequent busses. As far as I have seen some other resorts do have such solutions.

Further questions / suggestions:

- Could a small section of lot B area be connected to the old resort making more open village-like space that nicely transitions to the old town?
- The lowest area of the resort, area D and the green one next to it, is a great spot for the parking garage because 1) higher number of levels will not stick out like in the middle of the resort and 2) traffic will automatically be less congested in the rest of the resort
- Which area is considered a better location: B (closer to the ticket offices and the main lifts, being in the "heart" of the resort) or C (better view but access to only baby lifts)? My choice is certainly area B, but I wonder how decisions are made when it comes to the location of hotels, condos, affordable housing, and employee housing. Any clarification for that?
- Could areas be rearranged? For example Most of condos and retail services around the plaza in area B; Affordable housing and free parking in area D (and maybe green area); employee housing further away
- Traffic: In the one-way- circular "solution" entering houses on Empire Ave will be possible with extreme hardship.

Is traffic analysis for number of vehicles and flow of traffic available for different options like:

- 1) existing traffic
- 2) your proposal (circular one way)
- 3) Two-way Empire Avenue and the rest of the circle one way
- 4) case if free parking lot spaces are located on the lower corner of the resort (area D and/or green area)
- 5) seasonal and year-round traffic

I would like to know how you plan to answer and address the things I mentioned here. Unfortunately, I will not be able to join you for the next F2F discussion, but I know that my neighbor Nancy will be there and hopefully, she can get the answers for us all, the closest community to the resort.

Please do not hesitate to contact me if any of my questions/suggestions are not clear.

Thank you very much for giving me the opportunity to ask these questions.

Looking forward to the productive discussion in the future.

Warm regards

Ruska

Alexandra Ananth

From: Teri Whitney <teri@snowflowerparkcity.com>
Sent: Tuesday, May 19, 2020 11:37 AM
To: Alexandra Ananth
Subject: PEG application for May 27th Council meeting

Alexandra,

I realize there may be many meetings with public hearing regarding this development in the future. Just to get some of the concerns on the table as the Council reviews it:

1. PEG – the development group has been extremely open and has communicated with adjacent homeowner's/associations over the past year or so. We've given quite a bit of input to them directly and so far it's been a very good relationship.
2. TRAFFIC flow seems to be the biggest concern. We are not 100% convinced the proposal as planned will work. More studies will be necessary to ensure there are little to no bottle neck areas. The Uber/Lyft drop off is a great idea however, we feel it's MUCH to small for the amount of cars it could potentially encounter. If you look at Deer Valley's drop off, there are nearly 4 long lanes and on a given holiday, they are ALL packed.
3. We have some significant concerns about the egress into Parcel E. Most feel that this parcel will need at least 2 entrance/exits as the current area will not be adequate for the amount of traffic it will have.
4. PEG has also proposed a "delivery" entrance in the same location. The owner's of Snow Flower are extremely concerned about noise, hours of traffic as well as the location. All feel it should be moved to the South or East side of the Parcel if possible.
5. As of this writing, the location of the much needed Helipad was not designated yet. All are interested to know where that will go.

Thank you in advance Alexandra, I am sure we'll be attending as many of the public hearings as possible.

Teri

Teri Whitney
General Manager

Snow Flower Homeowner's Association
PO Box 448|401 Silver King Dr
Park City, UT 84060

Phone: 435-649-6400
Email: teri@snowflowerparkcity.com

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Planning Commission

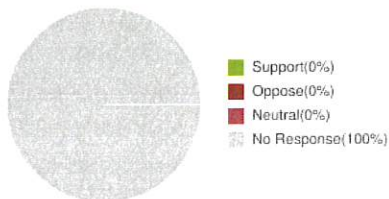
06-10-20 17:30

Agenda Name	Comments	Support	Oppose	Neutral
5.C) Park City Mountain Resort Base Parking Lots - Work Session - Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-04475.	5	0	0	0
6.G) 802 Empire Ave – Subdivision– The Applicant is Requesting to Combine Multiple Parcels into a New Two (2) Lot Subdivision. PL-18-03949. (A) Public Hearing (B) Possible Recommendation for City Council's Consideration on July 9, 2020.	1	0	0	0

Sentiments for All Agenda Items

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

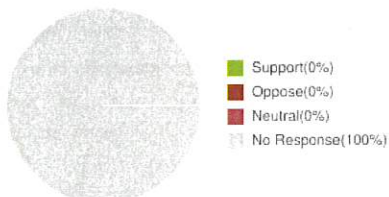
Overall Sentiment



Agenda Item: eComments for 5.C) Park City Mountain Resort Base Parking Lots - Work Session - Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study.

Public Input will be taken via e-comments
PL-20-04475.

Overall Sentiment



Sherie Harding

Location:

Submitted At: 7:30pm 06-10-20

I submitted two important comments via email. Please read my concise comments during the meeting.
Sherie Harding

Deborah Hickey

Location:

Submitted At: 5:49pm 06-10-20

Please read my email submitted to Planner Alex yesterday and comment.

Thank you

Deborah Hickey

Deborah Rentfrow

Location:

Submitted At: 5:37pm 06-10-20

I own a home on Empire Avenue and the pedestrian and traffic patterns put forth by PEG are not an improvement for the immediate community nor those driving in. Safety for pedestrians is already compromised and the plan does nothing to improve the safety. In addition, the one way traffic pattern will be very difficult for those living on Lowell or Empire and will require every vehicle to pass the resort regardless of whether they are going to the resort.

Belinda Simile

Location:

Submitted At: 1:32pm 06-10-20

I own condos In the Silver Mill House building at Resort Plaza and am the President of the Marsac Mill Manor and Silver Mill House Condominium Association.

I sent an email to Ms. Ananth this afternoon with comments related to the PEG development at the PCMR base as am having trouble getting the submit button to work on this website. Hoping the email can be read at the meeting and copy provided to the Commissions and applicant in the event I am still not able to get my comments through on the system.

Thank you.

Clayton Stuard

Location:

Submitted At: 10:03pm 06-09-20

I concur with the Planning Department's recommendation that "the Planning Commission determine that the submitted application is substantively different than the 1997 Large Scale Master Plan (MPD) and requires a new MPD, not an amendment to the existing MPD" for all of the reasons stated in Exhibit A - Zoning Review Memorandum dated May 27, 2020 and as re-stated and attached to the Final Staff Report dated June 10, 2020.

Specifically:

- the requested building heights are absurd at 75-85 feet above grade in a RC zone that allows 35 feet.
- a reduction in setbacks is not justified since the proposed building forms are far less articulated than the building forms specified in the DA.
- the DA does not permit the transfer of density from one parcel to another.
- significant variation from the DA approved volumetrics are being requested (not a single cubic foot of additional mass/volume should be permitted on any building on any parcel of the revised plan, for any reason whatsoever including above grade parking).
- I can't understand WHY a tentative public hearing schedule has been outlined for an INCOMPLETE APPLICATION.

Alexandra Ananth

From: ruzica djerki <ruskadjkerki@gmail.com>
Sent: Wednesday, June 17, 2020 8:02 PM
To: Bruce Erickson; Alexandra Ananth; Hannah Tyler; Caitlyn Barhorst; Rebecca Ward; Elizabeth Jackson; Laura Kuhrmeyer; Heather Wasden; Jessica Nelson
Subject: Base Area Development Planning

To the Park City Planning Commissioners:

For your records, I wanted to share my comment in the Park Record that I just posted:

I can not agree more with all comments till now, especially detailed and to the point comments from Deborah Hickey and Nancy Lazenby. There are so many open issues that were not thoroughly discussed with the community and resolved with the Park City 2020 Vision in mind. We all have the same goal / result in mind- wonderfully unique Park City with the old charm and innovative solutions for the future.

Thank you for giving us, the community, this opportunity to voice our concerns.

Warm regards

Ruska Djerki

I am also concerned with the last point that Deborah made about project viability. It would be really bad if projects gets initiated and can't be completed without appropriate funds.

Thank you for listening to our concerns.

Warm regards

Ruska Djerki

Alexandra Ananth

From: Deb <glidefar16@yahoo.com>
Sent: Tuesday, June 16, 2020 12:02 PM
To: Bruce Erickson; Alexandra Ananth; Hannah Tyler; Caitlyn Barhorst; Rebecca Ward; Elizabeth Jackson; Laura Kuhrmeyer; Heather Wasden; Jessica Nelson
Subject: Base Area Development Planning

To the Park City Planning Commissioners:

As a reply to the recent article in the Park Record regarding your key procedural decision regarding the development rights of the Base Area, I firmly agree that a new Master Plan is required to suit the project to today's Park City 2020 Vision. I added these comments to the Park Record conversation panel:

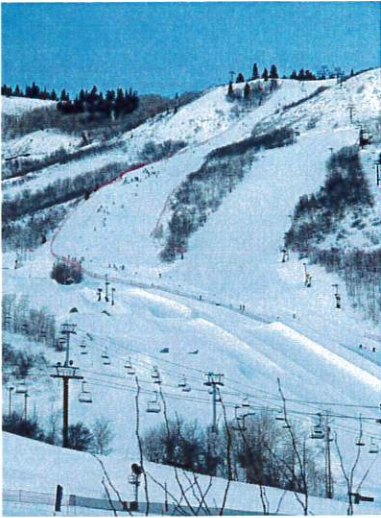
The development of the Base Area should be planned with today's Park City standards and follow the Park City 2020 Vision Plan which is the recent survey completed asking what the locals would like to see for the development of the entire town and issues to be resolved. i.e.. traffic, development density, parking access, excessive pollution, buildings character, transportation improvements, location of affordable and employee housing, etc. PEG's plan mostly follows the 1997 plan but does not address the needs of the town and has omitted some very important mountain access issues, i.e. number of parking spots for locals, safe crossings for the existing neighborhood and the impact of 7 stories of obstruction for the mountainside, redesigning Lowell and Empire Ave as one way streets and pricing locals out of access with year round parking fees. Locals should have free access.

In consideration of the recent pandemic and global economic challenges, the Park City Planning Commission should verify each construction site is economically viable by PEG. If the projects start and PEG can not complete, our town is left with a Base Area disaster. Perhaps the approval of any plans should have an economic viability review and secured funding. Lets enhance our community with a thoughtful well designed new plan.

Thank you for including my comments in your review of this important project that will effect the entire town.

Regards,

Deborah Hickey



REPLY 0

000 1000000 1000000

Alexandra Ananth

From: Sherie C Harding <sherieharding@gmail.com>
Sent: Wednesday, June 10, 2020 1:55 PM
To: Alexandra Ananth
Subject: Re: FW: ecomment

Dear Alexandra,

I have a comment on the proposed timeline for PCMR base lot discussions as follows:

The PCMR base redevelopment tentative timeline: Transit, traffic, and parking (August 26 on the timeline) should be addressed much earlier in the process. Once design is locked in, it will be hard to revisit a traffic pattern that is implicit in the design. The number of parking stalls dictates the number of vehicles and influences transit, which in turn influences traffic. The number of parking stalls and levels of underground parking influences building height and design. The routing of traffic, position of loading docks, and garage entrance/exits influences the overall development layout. Careful routing of traffic maintains the quality of life in surrounding neighborhoods. Currently, minimal truck traffic and skier traffic come through our neighborhoods. Fewer cars and strategic mass transit contribute to Park City's sustainability goals. Thus, the July 22 meeting (architectural detail, overall design, and building heights) hinges upon transit, traffic and parking which is scheduled a month later. May we discuss traffic first or traffic and overall design as one?

Thank you,
Sincerely,
Sherie Harding

On Tue, Jun 9, 2020 at 9:26 AM Alexandra Ananth <alexandra.ananth@parkcity.org> wrote:

Thank you for your thoughtful comments. They will be considered by both the Planning Commission and Planning Department during the review process.

Best,

Alexandra Ananth

From: planning
Sent: Tuesday, June 9, 2020 8:58 AM
To: Alexandra Ananth
Subject: FW: ecomment

Jessica R. Nelson

Planning Analyst

(435) 615-5061

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From: Sherie C Harding [mailto:sherieharding@gmail.com]

Sent: Monday, June 8, 2020 10:15 PM

To: planning

Subject: ecomment

Dear Sir/Madame,

My comment is regarding Park City Mountain Resort Base Area Parking Lot Redevelopment, Work Session June 10th.

Parcel E parking entry and exit should be from Lowell Avenue as it is currently and has been historically. The only resort use of Silver King Drive is for emergency vehicles to and from the medical facility. The plan to move all Parcel E vehicle access to Silver King Drive is a dramatic shift from historical precedent and a huge encroachment on the residential neighborhoods.

- 1) Use of Lowell Ave will deter resort traffic from the residential neighborhoods along Three Kings and Silver King Drive.
- 2) The pedestrian crosswalks on Silver King Drive will be safer.
- 3) The medical facility access will be less congested.
- 4) The 543 parking stalls proposed for Parcel E are too many!

Thank you,

Sherie C. Harding

--

Sherie C. Harding

PhD, Paleontology-Ichnology

Department of Geology and Geophysics

University of Utah

Salt Lake City, UT 84112-0102

--

Sherie C. Harding

PhD, Paleontology-Ichnology

Department of Geology and Geophysics

University of Utah

Salt Lake City, UT 84112-0102

Alexandra Ananth

From: Jessica Nelson
Sent: Wednesday, June 10, 2020 1:53 PM
To: Alexandra Ananth
Subject: FW: New eComment for Planning Commission

Jessica R. Nelson
Planning Analyst
(435) 615-5061

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From: noreply@granicusideas.com [<mailto:noreply@granicusideas.com>]
Sent: Wednesday, June 10, 2020 1:33 PM
To: Jessica Nelson
Subject: New eComment for Planning Commission

New eComment for Planning Commission

Belinda Simile submitted a new eComment.

Meeting: Planning Commission

Item: 5.C) Park City Mountain Resort Base Parking Lots - Work Session - Discussion of Request to Amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA) to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. *Public Input will be taken via e-comments* PL-20-

04475.

eComment: I own condos In the Silver Mill House building at Resort Plaza and am the President of the Marsac Mill Manor and Silver Mill House Condominium Association. I sent an email to Ms. Ananth this afternoon with comments related to the PEG development at the PCMR base as am having trouble getting the submit button to work on this website. Hoping the email can be read at the meeting and copy provided to the Commissions and applicant in the event I am still not able to get my comments through on the system. Thank you.

[View and Analyze eComments](#)

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Alexandra Ananth

From: Belinda Simile <bhsatty@gmail.com>
Sent: Wednesday, June 10, 2020 1:17 PM
To: Michelle Kellogg; Alexandra Ananth
Subject: Comments for tonight's Planning Commission Meeting

(Note: I tried to submit this on the website comments but the 'submit' button would not work so I am emailing it to you both in hopes it will be read at the meeting tonight.)

I own condos in the Silver Mill House building at Resort Plaza and am the President of the Marsac Mill Manor and Silver Mill House Condominium Association.

After reviewing the proposed development plan, listening to a pre-application developer-led presentation to some members of our HOA (thank you for that), and listening to last month's Planning Commission meeting, our concerns are as follows:

-Pedestrian Crossing at Lowell: Given the increase in number of pedestrians and vehicles brought by the project, pedestrian interface with traffic on Lowell will only get more problematic. An elevated pedestrian bridge from the parking garage which was provided for in the original plan should again be included in this plan. Besides functionally offering relief from potential traffic/pedestrian conflict, it could be should be designed to be an attractive, signature/iconic piece of the development and gateway to the existing base areas. Think brochure worthy photo, even.

-Selling Prices: What are the anticipated selling price points for each type and size of condo in the various buildings? Anticipated price points are one indicator of the quality of the planned product.

-Views: Our owners (and I imagine others) would like to see representations of how buildings will appear from various locations and elevations outside of and from within various floors of our buildings.

-Vail Relationship: More information/transparency is needed about how the relationship and commitments between Vail and PEG will be structured and memorialized (easements, deeds, etc.) with regard to the parking garage, sidewalks and accesses, including any ski lift or surface lift configurations or re-configurations.

-Walkability between two bases: Much care needs to be taken so as not to end up with two somewhat disconnected and independent bases. We see some connectivity of sidewalks on the east (Lowell Ave) side of the project in the plan but more needs to be done to incorporate a paved walkway (not just snow access) along the west (mountain) side between the two bases so pedestrians not on skis can easily access the upper (existing) and lower (new) base development areas. This will also spread out the pedestrian traffic and will provide easier access for all visitors and guests staying on the mountain to access all retail and restaurant venues.

-Parking: Parking for oversized vehicles that will not fit in the existing parking garages at The Lowell and The Lodge is currently provided by the surface lots and this loss of parking needs to be addressed in the plan as well as sufficient parking for the employees of the various retail and restaurants, particularly because additional retail/restaurant uses are planned. Replacement of the existing 1200 parking spaces does nothing to address the additional uses' needs.

-Architecture: Exterior designs approved in the 1998 plan illustrated very attractive 'ski mountain' elevations with clusters of smaller buildings broken up with various architectural features. There is a striking change in the

appearance and mass of the structures proposed. They are big blocky, non-descript designs which appear more like the 'architecture of no-where' - meaning they look like they could be found anywhere from an urban center to a freeway interchange. PEG says it is 'our intent to provide a pleasing architecture that is harmonious with the surrounding mountain environment' (from their Feb 13th, 2020 application letter to the City) but these current designs miss the mark. When first shown the project, I was under the impression that the buildings shown were just place-markers drawn by a computer to show the height, size, scale, location, etc. I did not understand that these were the actual designs proposed. I am now very concerned. Park City deserves better. This is a highly visible project and it is paramount that the City holds developers to a high standard. These plans do not appear to be at all consistent with Park City's historic mining past and ski town heritage. They also do not fit the character of the surrounding developments.

-New MPD vs. Amended DA: This plan has many significant substantive changes from the 1998 plan. I also agree with the Planning Dept. that this application is most appropriate as a new MPD and should not be handled as an amendment to the DA. With changes this substantial on a project this complex, a thorough MPD evaluation process for what is essentially a completely new development would best serve the interests of the community.

Park City only has one chance to get this right.

We appreciate the City and Commissions' diligence and the developer's willingness to work with the community. With good faith effort on all parts to include and incorporate valuable input from the community, many of us believe a quality development that meets the needs of the community can be developed on this site.

Thank you.

Belinda Simile
740-972-7063

Alexandra Ananth

From: planning
Sent: Wednesday, June 10, 2020 1:10 PM
To: Alexandra Ananth
Subject: FW: Park City Base Development

Jessica R. Nelson
Planning Analyst
(435) 615-5061

Disclaimer: The Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk. Zoning and Land Management Code sections are subject to change.

From: Tom Jacobson [<mailto:tom@tomjacobsonlaw.com>]
Sent: Wednesday, June 10, 2020 12:47 PM
To: planning
Cc: Andy Beerman
Subject: Park City Base Development

Thank you for reviewing this matter and getting back to me if I can be of any assistance.

By way of background, I have been a lawyer for over 45 years and concentrate on real estate matters, including entitlements to develop. I have lived in Park City for many years and have skied and participated in summer activities at PCMR since its year two (yes I rode the mine train). I have been witness to the many good decisions mad and many of the short sighted decisions.

First and foremost, many of us have forgotten the traffic of early March and earlier this year in Summit County. In the short term the automobile must be part of any equation or the project will be doomed from the beginning. Ecker Hill Parking Lot is unknown to out of towners and not accessible from the freeway. There is no major parking area at Kimball Junction and no coordinated transit. It is a fact we must work with in the initial planning for this development. Parking and access features can be converted at a later date but initially it is imperative to allow for parking for as many, if not more, vehicles than used the facilities last year This does not preclude us from continuing to concentrate on better ways to access the site from the airport and Salt Lake.

The developer must be compelled to pay for the parking and access improvements. A prior approved project of \$50 million did not address any access or parking issues. In fact, Park City has lessened the number of available spaces at both its base facilities since its last big project was approved. There isn't a single jurisdiction I have worked in that has not had the developer pay for access improvements. As for converting to public transportation, this is relevant part of this development and when the City has a practical and viable plan funds collected from the developer can go to this plan.

The suggestion of employee housing is admirable, but maybe this can be funded by the developer for a complex in a designated area of town that is transit accessible and can serve other employers.

Revenue is the essential ingredient for this project. Maximization of revenue producing opportunities will make available more funds to address the local access issues. To that extent it is best to listen to the developer and not substitute the second guessing of the citizens and City. Keep in mind that for every dollar you ask the developer to contribute is space or money it needs to be made up by the developer in income.

If you would like me to address other issues I am always pleased to help our City.

Thomas N. Jacobson
Attorney at Law
3079 Fairway Hills Court
Park City, Utah 84060
(435) 615-9911
Cell—(951) 314-4258
Fax—(951) 682-7884
tom@tomjacobsonlaw.com



Alexandra Ananth

From: Sid Embree <sid@atmosclear.org>
Sent: Wednesday, June 10, 2020 11:11 AM
To: Alexandra Ananth
Cc: queenofthejordanelle@gmail.com
Subject: FW: Park City base area - comments (Embree)
Attachments: Park City PEG project south parking lot.docx

Hi Alex, thanks for your voice message (Monday), and also for confirming your email address a few minutes ago...

My main comments focus primarily on the south parking lot development, and there are also a few more general comments. After thinking about PEG's proposal from the open house in early March, my main concerns were traffic, parking and "fit" with Park City.

The attached rudimentary diagram suggests an alternative for the south lot that could relieve traffic flow/pressure and avoid cluster(messes). I'm not an artist so please let me know if you have questions. It occurred to me that the parking lot and pick-up/drop off arrangement at Terminal B at Boston Logan, which I used frequently for many years, could solve a lot of problems. The model works superbly for traffic flow and keeping parking issues away from the terminals >> in this case, base area and old town. Of course, the application would be at a smaller scale if applied at the PCMR base area.

I've updated the comments below slightly to clarify what I sent to PEG or take into account PEG's presentation on May 27.

Thank you,
Sid Embree
(435) 631-9089

From: Sid Embree <sid@atmosclear.org>
Sent: April 2, 2020 9:23 PM
To: 'baseareaproject@gmail.com' <baseareaproject@gmail.com>
Cc: 'queenofthejordanelle@gmail.com' <queenofthejordanelle@gmail.com>
Subject: Park City base area - comments (Embree)

Hi... thanks for hosting the open house about 1 month ago. It was very informative! It's crazy how much has happened (and not happened) since then!

It became clear soon after the open house that there's no need to rush with comments. My comments are based on having lived on Woodside Ave (around the corner, between 14 and 15) and visiting often a friend's home on the 1300 block of Empire. I have a degree (Honours Bachelor) in Urban and Regional Planning and have given some thought to the renderings presented during the open house. The following are my comments and suggestions for your consideration:

- This is an exciting development, and can make the PCMR base area more attractive to locals and visitors alike!
- It would be useful to see a [current] sunrise/sun-travel/sun-set simulation to understand the impacts of the proposed development on sunlight and shade in the neighborhood, especially homes on Empire.
- I think you can keep the current bus routes, at least around the current "upper lot" on Lowell, Manor Way and Empire...
- I would suggest turning Empire into a 2-way road from 14th (or 15th?) going south into Old Town. This will allow LOCAL traffic only to drive south on Empire. It's possible for the local southward traffic be limited to the

EASTERN (townside) LANE, while buses and north direction traffic are kept in the western (mountain) side lane. This only makes sense if you read on!!! Why? Because....

- I would suggest creating a south to north one-way road for your development's through-traffic THROUGH the current upper parking lot BETWEEN the building that will front/face Empire and the other building that front/face Lowell. This will take most of the resort's and your development's traffic THROUGH the current upper parking lot (under the green space triangle in the middle of the current lot). Before you think that this idea would "waste" a bunch of your property to accommodate this (middle of the lot) road, consider a partial subterranean through-street that provides ingress and egress to the parking lots under the proposed buildings in the upper lot. This will ease "parking lot traffic" on Lowell as well as on Empire (where there should only be egress from the underground parking lots). The entrance could be around/near/under the proposed parking garage entrance on Manor Way and the exit would be into Shadow Ridge Rd. An exit could also allow egress onto Empire. No buses would pass through this internal road, so the traffic would be oriented to the resort and residences only.
- A partially subterranean through-street will allow for walkways across this road at ground level, and for underground parking to be almost completely submerged throughout this upper lot. This would also allow for an under-road pedestrian travel from the parking areas to the base easing pedestrian travel across Lowell. With this configuration, lockers can be located underground closer to the base rather than as proposed close to Empire (the latter just doesn't make sense).
- The soviet style building blocks portrayed in the open house should not be such big solid blocks (foreign to the style of Old Town proper). Yes, Shadow Ridge is large, but this is not representative of Old Town, so the soviet style building block should not be replicated throughout PEG's proposed development, ESPECIALLY ALONG EMPIRE!!! .
- The buildings that are currently on Empire (in your plan) should be built to "look like" the homes on Empire and throughout Old Town. There are a few examples of recent affordable and other developments throughout Old Town that could be replicated or mimicked. This would provide a nice transition to PEG's development, not only for neighbors but also for visitors.
- As I understand, with this development, parking must be paid for. Is that the case at any time of year? If so, Park City Mountain will lose mountain biking business. I would suggest keeping some parking for mountain biking and dog walking/hiking in the summer (for people who are not using the resort's alpine slide, and other base activities. If this parking cannot be provided, then the park city buses that travel to the resort base area will need to accommodate more bicycles as well as dogs.

Please let me know if you have any questions or need clarification. I look forward to participating in future open houses and Park City consultations...

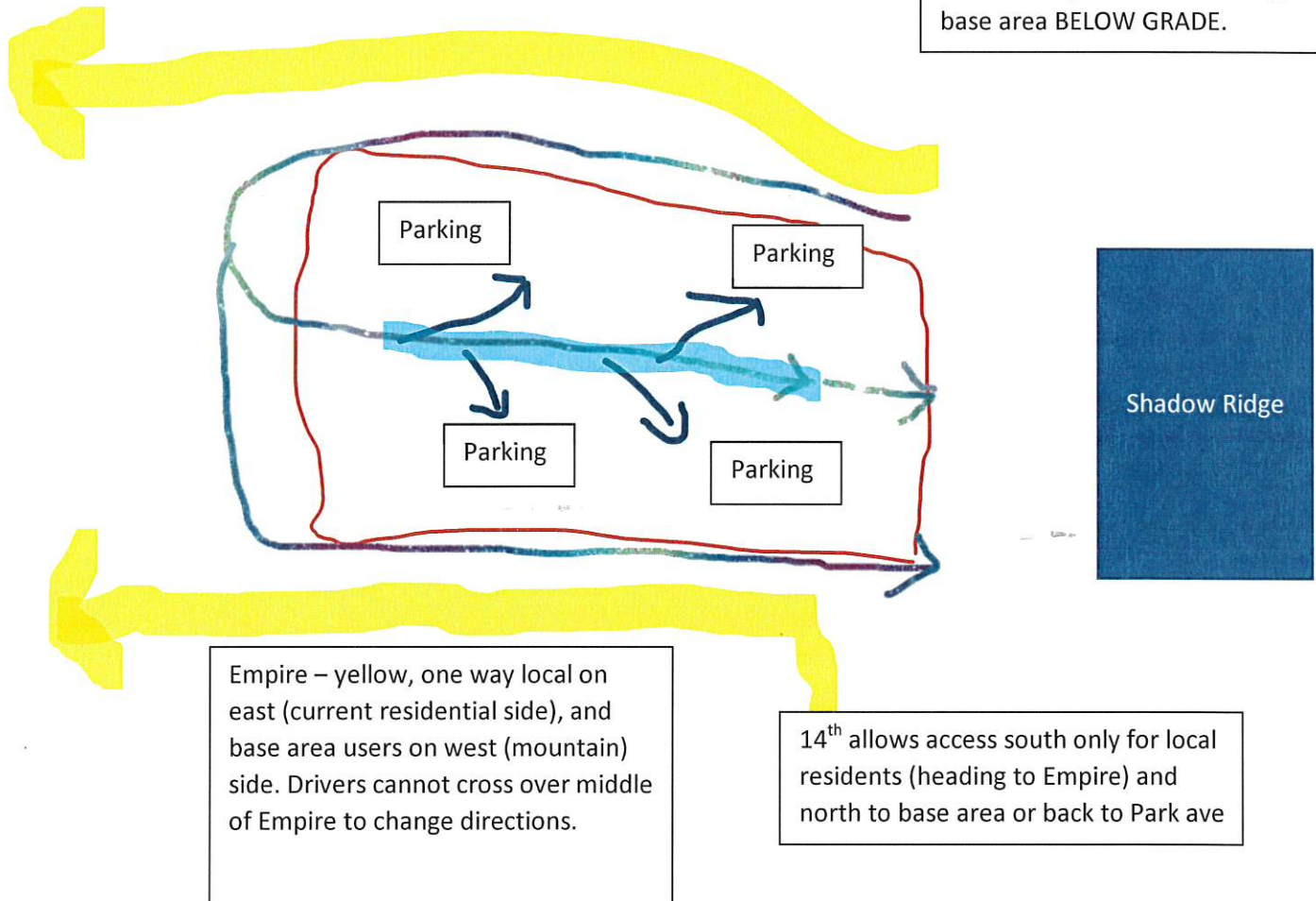
Best wishes and regards,
Sid Embree, BES, MES, MBA
(435) 631-9089



Virus-free. www.avast.com

Lowell Residents head to homes via
base area road on Lowell

The light blue highlighted THRU-ROAD goes
BELOW GRADE for road way and also allows
creation of pedestrian crossing to access
base area BELOW GRADE.



Alexandra Ananth

From: Deborah <glidefar16@yahoo.com>
Sent: Tuesday, June 9, 2020 5:28 PM
To: Alexandra Ananth
Cc: Nancy Lazenby; ruzica djerki
Subject: PC Base Development Project

Hi Alex:

Please include my comments in tomorrow's meeting of the Planning Commission in regard to the development of the PC Base Area.

Our family have been owners of a condo at the Silver King for 28 years and have watched our town grow and change. I recently participated in the PC 2020 Vision Survey and look forward to hearing the results.

There are many issues that concern me in the development of the Base Area with the old 1997 Master Plan for Development.

- 1) I would like to understand exactly what areas of the old plan do not meet the standards of the current 2020 Park City's Planning Guides.

e e e e e
- 2) I would like to see the new PC Vision plan and how the desires of the residents impacts this large development project. Clearly, traffic issues have not been resolved yet and should be before a new large resort is built.
Density and it's effects to the resort area should be addressed in regard to pollution, noise, fumes, light, night sky, etc.
- 3) The addition of more traffic to the area is undesirable. The width of Empire Ave and Lowell is not ready to accommodate the masses, even with one way directional. Sadly, we had a fatal pedestrian accident on Empire Ave this past winter. The sidewalks can not accommodate families carrying ski equipment to the slopes.
- 4) The Locals have had a problem finding parking to ski with their season passes on weekends and holidays. I dont think anyone has addressed making more access with this project, there will be less.
- 5) Many families enjoy the off season access to the trails and base area. Parking should be free for our PC residents. Pass out bumper stickers for local access.
- 6) 1997 Master Development Plan mentioned 1800 underground parking spots for exclusive resort usage and a limit on issuing ski passes based on available parking. Does this still pertain to the future development?
- 7) PEG is requesting an exception of building heights up to 7 stories. This will dwarf the surrounding residents. The original plan on page 113, 1.3 General Image and Character states : These guidelines wish to encourage architecture that is compatible in character with the existing PCMR facilities and the PC community. The architecture should look like it belongs to Park City , UT and no place else.
If you allow 7 stories of height, you will certainly change the feel of Old Town and the Base Area neighborhood. Please do not exceed the surrounding condos and homes.
- 8) The original plan on page 114, 2.4 discusses sidewalks should be no less than 15 feet wide to accommodate pedestrian traffic for safety and comfort.
- 9) I disagree with placing employee housing at the base area. Although this has been written into many land planning development agreements, this land and its value that all residents have paid premium dollars to access should not be

given to employees. PEG can purchase another parcel in a less expensive area code to build employee housing and they can take public transit to work.

10) The 'Bus Drop off' area is not written into PEG's plans as it was discussed in the 1997 plan. How will you have more public transit available to deal with new resort residents and daily visitors? Please make all buses

ELECTRIC. The fumes will kill us on Empire and Lowell. Can another route be shared in Old Town?

11) The 1997 Plan called for a condition of approval based on a "pedestrian bridge over Lowell" If foot traffic is going to stop uphill vehicle traffic at every crossing, there will be cars and buses backed up to Hwy 80!

The new parking structure must provide a safe access for families to cross to the ski plaza. And Shadow Ridge and Silver King need safe access too. Please consider all of the local neighbors when a structure is built.

12) With the new pandemic challenges and the present USA and World economies uncertain of a rebound, I suggest that our Park City Planning Commission delays such a massive new undertaking for fear that the project

can not be fully funded to completion in the 5 year timeline and it leaves our neighborhood in a shambles. There must be economic certainty for PEG to build any structures.

Thank you for responding to all of my concerns.

Best regards,

Deborah Hickey

Alexandra Ananth

From: Angelica R Palank <palanka@bellsouth.net>
Sent: Tuesday, June 9, 2020 11:36 AM
To: Alexandra Ananth
Subject: PEG development plans

Dear Alexandra Ananth,

I am a unit owner in the Snowflower subdivision, 401 Silver King Drive, unit #30, and want to better understand the proposed new development by PEG. Living in Florida, it is more difficult for me to understand what the likely impacts are to my property. Our unit is on the corner of building #1 closest to the existing clinic, with our guest bedroom windows facing the parking lot beyond the trees.

Although our management company is doing their best to keep us informed, I must confess that I cannot understand the information I am getting on line. The developer's page is quite lovely, but I cannot understand from their three pictures, what this will be like—if approved—for our property. I am not the most competent person with web sites, but I have tried to go through the city and the planning department's sites to see better visuals of the plan as it relates to our interests.

In these complicated, work remote situations, I was not sure that the voice mail message I left was adequate. After reading several of the documents, I realized that I need some help steering me to what I need. If you are able to do that, I would greatly appreciate it. I can be reached at this email address, or by phone at (954) 849-2628.

Thank you, in advance, for your attention to this matter.

Angelica Palank-Sharlet for Las Olas Property Managers, LLC

Alexandra Ananth

From: planning
Sent: Tuesday, June 9, 2020 8:58 AM
To: Alexandra Ananth
Subject: FW: ecomment

Jessica R. Nelson
Planning Analyst
(435) 615-5061

Disclaimer: The Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk. Zoning and Land Management Code sections are subject to change.

From: Sherie C Harding [<mailto:sherieharding@gmail.com>]
Sent: Monday, June 8, 2020 10:15 PM
To: planning
Subject: ecomment

Dear Sir/Madame,

My comment is regarding Park City Mountain Resort Base Area Parking Lot Redevelopment, Work Session June 10th.

Parcel E parking entry and exit should be from Lowell Avenue as it is currently and has been historically. The only resort use of Silver King Drive is for emergency vehicles to and from the medical facility. The plan to move all Parcel E vehicle access to Silver King Drive is a dramatic shift from historical precedent and a huge encroachment on the residential neighborhoods.

- 1) Use of Lowell Ave will deter resort traffic from the residential neighborhoods along Three Kings and Silver King Drive.
- 2) The pedestrian crosswalks on Silver King Drive will be safer.
- 3) The medical facility access will be less congested.
- 4) The 543 parking stalls proposed for Parcel E are too many!

Thank you,
Sherie C. Harding

--
Sherie C. Harding
PhD, Paleontology-Ichnology
Department of Geology and Geophysics
University of Utah
Salt Lake City, UT 84112-0102

Alexandra Ananth

From: planning
Sent: Tuesday, June 9, 2020 8:57 AM
To: Alexandra Ananth
Subject: FW: Comment - Park City Mountain Resort Base Area Redevelopment

Jessica R. Nelson
Planning Analyst
(435) 615-5061

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From: Jamie W [<mailto:jamieswaters@gmail.com>]
Sent: Monday, June 8, 2020 4:51 PM
To: planning
Subject: Comment - Park City Mountain Resort Base Area Redevelopment

Dear Planning Commissioners,

In regards to the redevelopment of Park City Mountain Resort's Base Area, please take into consideration local youth. Currently there is a drop off area for the youngest kids lessons in the parking lot adjacent to First Time chair lift. This makes it easy to meet instructors and carry gear for the little kids, but more importantly it's much safer for the small kids to avoid walking across the parking lot. If possible, please have an entrance near First Time chair lift where parents can temporarily park for lesson drop off/pick up of our youngest skiers.

I realize this is a small population, but would appreciate any efforts that allow for continued easy access.

Thank you for your efforts to keep Park City a wonderful place to live.

Best regards,
Jamie Waters

From: Rich Wyman [richwyman@live.com]

Sent: Monday, June 08, 2020 6:53 PM

To: Council_Mail; Andy Beerman; Becca Gerber; Tim Henney; Steve Joyce; Nann Worel; Max Doilney; Sarah Hall; John Kenworthy; John Phillips; Mark Sletten; Laura Suesser; Douglas Thimm; Christin VanDine; planning

Subject: PEG Companies PCMR Base area project

Dear Mayor, City Council and Planning Commission,

These are tough times and we are all navigating our way through them with strength and hope. Thank you for serving our community.

I am writing regarding PEG Companies plan to develop the base of the Park City Mountain Resort. I have looked at the PEG website and it is immediately apparent that the designs are seriously flawed. This project does not fit anywhere within Park City, especially not in old town or at the base of the resort. The buildings are massive, bulky, unattractive, and these designs are very uncreative.

Community Plazas: PEG's website offers a few paragraphs vaguely describing "large group events" "and "retail and restaurant space". Any community plazas should be expansive and welcoming with natural features such as trees and provide free public access to truly wide open community spaces that are not just places created to funnel people into money making corrals.

Traffic Improvements: PEG says they are coming up with "traffic Improvements". I think it's ironic when developers of projects of this size say *they* are coming up with traffic improvements while they are going to create large traffic problems. They try to create the illusion that they are coming in to save the day. PEG's project will create many traffic impacts.

Affordable and Employee Housing: I am encouraged to see that this is proposed in phase one of construction. The PEG website does not include many details. Affordable housing is not easy, as the city well knows. Just because PEG says they will build it does not mean that it will be attainable or affordable or satisfy the needs of the community. The location of parking is not mentioned on PEG's website.

In conclusion, the drawings on PEG's website are just plain unattractive, massive, and do not fit in with Park City especially at the base of the ski resort and especially in old town. This project is far from compatible or beneficial to Park City in its' current proposal.

That's my opinion.

Thank you very much,

Rich Wyman

Rich Wyman

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