



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 12, 2025**

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, John Frontero, Christin Van Dine, Bill Johnson, Henry Sigg, Rick Shand, Laura Suesser

EX OFFICIO: Rebecca Ward, Planning Director; Alec Barton, Senior Planner; Mark Harrington, City Attorney; Virgil Lund, Planner II; Lillian Zollinger, Planner III, Becky Gutknecht, Public Improvements Engineer

1. ROLL CALL

Chair Sarah Hall called the Planning Commission Meeting to order at 5:32 p.m.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from January 8, 2025.

MOTION: Commissioner Van Dine moved to APPROVE the Planning Commission Meeting Minutes from January 8, 2025. Commissioner Frontero seconded the motion. The motion passed unanimously.

B. Consideration to Approve the Planning Commission Meeting Minutes from January 22, 2025.

MOTION: Commissioner Shand moved to APPROVE the Planning Commission Meeting Minutes from January 22, 2025. Commissioner Sigg seconded the motion. The motion passed unanimously.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward, shared information about public comments made during the Planning Commission Meeting. She asked those sharing comments to state their full name, sign in, limit comments to three minutes or less, and direct comments to the Commission. Additionally, she asked that comments be related to the item that is scheduled for review. She stressed the importance of civility during comment periods.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. WORK SESSION

- A. General Plan – Consultants Design Workshop Will Provide an Overview of Existing Conditions and Trends, Project Updates, and the Upcoming March 4, 2025 Community Meeting. PL-24-06358.**

Director Ward reported that the Work Session item relates to the General Plan. She reminded Commissioners that the General Plan identifies 10 different neighborhoods. A meeting was hosted for each neighborhood so residents had the opportunity to review the recommendations in the 2014 General Plan and provide feedback on this process.

Jessica Garrow from Design Workshop is attending the Planning Commission Meeting virtually and will share an overview of the General Plan update process. Ms. Garrow summarized the items that will be reviewed during the presentation, including a project update, drivers and trends, survey summary, draft vision, and land use and growth scenarios. The last two items will be important for the upcoming community engagement.

A General Plan is a guiding document and high-level policy document that provides a guide for the future of Park City. Five elements have been identified: Community Character, Transportation, Housing, Water and Preservation, and Sustainability. Some of those items relate to State requirements and others are based on comments from the community engagement process. These five elements are the anticipated focus areas and will provide long-term strategic guidance to the City and decision-makers.

The project timeline was reviewed. Ms. Garrow explained that the General Plan process has been divided into five different phases. Currently, the process is between Phase 3 and Phase 4. During the first two phases, the focus was on community engagement and information gathering about existing conditions. Community visioning and goals will continue to be a focus in Phase 3 as part of the community engagement process in early March. From there, it will move to finalization of the plan in Phase 4 and Phase 5. The goal is to have a draft document of the General Plan ready for adoption in the summer.

Ms. Garrow reviewed the different engagement windows. She reported that in Engagement Window 1, the community was engaged through several neighborhood meetings as well as a statistically valid survey. There were several Advisory Board Meetings, Technical Committee Meetings, and a General Plan Advisory Group Meeting. In addition, there were one-on-one interviews with the City Council. Staff has also completed some neighborhood-specific meetings to provide community members the opportunity to share specific insights. Engagement Window 2 is currently underway,

which will include a community open house and some focus groups in early March. She explained that Engagement Window 3 will focus on plan sharing.

Information about the community engagement process was shared. It included:

- Community Interaction:
 - Open House;
 - Project Website;
 - Online Survey.
- Advisory Committees:
 - Technical Advisory Committee;
 - Advisory Committee for Residents and Stakeholders;
 - Neighborhood Advisory Committee.
- Advisory Boards:
 - Historic Preservation Board;
 - Public Art Advisory Board;
 - Recreation Advisory Board.
- City Council and Planning Commission:
 - City Council Interviews.

The drivers and trends were reviewed. Ms. Garrow explained that the intention was to identify how things have changed over time in Park City. She shared a presentation slide that highlights the changes in geography and population. In the next five years, the population growth is anticipated to increase by 1.1% if current trends continue. However, the population increases by approximately 81% during the day, which indicates that a lot of employees are coming into Park City. The percentage of that group commuting into Park City is expected to increase more substantially by 2050. Some information was pulled to compare the 2020 timeframe to now. There have been some significant changes to the age demographic. While the median age overall in Summit County is relatively consistent and decreasing, the largest age group in Park City in 2010 was in the 25-to-29-year-old range. It is now in the 60-to-64-year range. That indicates there are more retirees and empty nesters in Park City, which has resulted in a demographic change.

From a housing perspective, the median home price has continued to increase over time. There has also been a shift in the number of owners versus renters. Ms. Garrow reported that there are more owner-occupied units now compared to 2010. As the employment sector is growing, it is anticipated there will be an increase in workers. Ms. Garrow discussed the survey that was completed. Commuting and traffic were the main issues the community wanted to see addressed. Approximately 70% of survey respondents identified commuting and traffic as the top issue for the community to think through.

During the community engagement process in March, the community will be asked about growth and development. Through community engagement and the survey thus far, it is clear that small-town character is very important. Preservation of open space and natural areas is also important, as is thinking about how to move people around efficiently.

Workforce housing and affordable housing are also important to think about as they relate to future growth. Based on all of the feedback, a draft vision statement has been created:

- Park City is a mountain community that preserves our small-town feel and historic character while fostering thoughtful planning and land uses that allow for balanced redevelopment in commercial neighborhoods, protect the natural environment and open space, and advance efficient transportation and mobility options for residents and visitors.

Ms. Garrow explained that she will ask for Commissioner feedback on the vision statement at the end of the presentation. During the March open house, there will be some scenario planning. Scenario planning identifies different scenarios for how Park City might grow in the future and what those growth patterns might look like. Ms. Garrow shared four of the questions that will be asked during the scenario planning process:

- Which scenario best fits the vision I want for the future of Park City?
- Which scenario responds to the values the community identified for Park City?
- Which scenario would I want our future generations to grow up in?
- Are the trade-offs for each scenario valid for achieving increased housing options and addressing traffic issues?

Land-use and growth scenarios were reviewed, which included the following:

- Commercial Neighborhood Infill Development:
 - Increase density around existing commercial areas: focus on Old Town, Bonanza Park, Resort Center, and Prospector. Infill strategy should focus on small-scale projects with medium-density typologies like missing middle housing, employee housing, seasonal housing, and accessory dwelling units and would also incentivize adaptive reuse.
- Corridor Infill Development:
 - Increase density along key transportation corridors (Highways 224 and 248). This would include small mixed-use nodes to allow for a more walkable system, enhancing pedestrian access, and incentivizing transportation. The focus would be on Quinns Junction Area, Prospector, Bonanza Park, and Resort Center.
- A New Major Mixed-Use Development Node (Quinns Junction Area):
 - Achieve at least 20 du/acre (medium to high density) with commercial/mixed-use core and new Park n Ride. Consider shuttles to employment and recreation areas. Identify areas for smaller mixed-use nodes that would help increase walkability and reduce vehicle dependence.

The next steps in the process were reviewed. Ms. Garrow reported that the focus is on putting all of the pieces together. This includes: values identification, ideas and alternatives development, draft plan, and final plan sharing. She offered to answer any questions about the information that has been shared about the General Plan process.

Commissioner Laura Suesser asked to further review the draft vision statement. She had a question about the language, "...allow for balanced redevelopment in commercial neighborhoods." She wants to know what balanced means in this case and wonders if it is the best term to use in the vision statement, given that it is fairly vague. Ms. Garrow clarified that it is not intended to mean the same amount of development or changes in each commercial neighborhood, but to make sure redevelopment is context sensitive. The wording can continue to be workshopped as it is brought back to the community. Commissioner Suesser suggested that the vision statement language be tweaked slightly to include language such as "...protects the natural environment..." and "...advances efficient transportation." Ms. Garrow thanked Commissioner Suesser for the feedback.

Commissioner Rick Shand wanted to know if an outside survey company was used to formulate the survey questions. Additionally, he wanted to know if one method of surveying tends to lead to stronger results. He pointed out that someone filling out a survey online may be more honest than someone at an open house because someone at an open house could be swayed by other opinions or preferences. Ms. Garrow reported that the Meeting Materials Packet includes the survey results. There was a statistically valid survey conducted through a partnership with Y2 Analytics. Some parameters were discussed in terms of the administration of the survey. For example, the survey was only completed by Park City residents. There was extensive work done with the team of sub-consultants as well as Y2 Analytics and Staff to review the questions. When the community open house occurs, there will be an online survey opened as well. This means that those unable to participate in-person can still complete the survey. However, she explained that it is more of a questionnaire than a survey because it is not statistically valid. On the other hand, the survey from Y2 Analytics is statistically valid.

Chair Hall noted that a lot of the comments she has heard seem to be captured in the survey results. She had a question about the Park City growth rate. The Mountainland Association of Governments projections were cited in the Meeting Materials Packet, but she asked for additional information about the number. 1.1% seems low based on some recent approvals that will result in more full-time residents. Ms. Garrow explained that this is part of the reason for the scenario planning exercises. If additional housing opportunities are introduced or there are different types of developments taking place, then the growth rate might change. She clarified that the number does not account for the seasonal population, as the 1.1% relates to full-time residents. Chair Hall would like to see additional information about the growth numbers during a future presentation.

Commissioner Bill Johnson agreed with the comment that 1.1% might not be accurate given some of the approvals that have been granted in the last three years. He suggested taking some of those approvals into consideration. Commissioner Suesser thought it would be beneficial to take some of those other factors into consideration and then share a breakdown of the expected growth for both seasonal occupants and full-time residents. Ms. Garrow confirmed that the information can be pulled together for the Commission.

Additional discussions were had about the draft vision statement. Chair Hall agreed with the earlier comments shared by Commissioner Suesser. In addition, she believes there could be references to a “world-class recreational community” or “sustainability for future generations.” The vision statement could also mention diversity, inclusion, and arts and culture. She does not believe the goal is redevelopment, but to have world-class recreational opportunities with a vibrant community. Commissioner Johnson feels that would be a better message for the vision statement as a whole. He pointed out that sustainability has always been a priority. Commissioner John Frontero was surprised to see the “balanced redevelopment in commercial neighborhoods” language in the draft vision statement. He can see that being a tool but is not certain that it is right for the vision statement. It is an important element of what the City wants to achieve, but he is not sure that it makes sense in the actual vision statement. Mentions of world-class recreation, outdoor space, environment, and sustainability seem to be more appropriate. He suggested that the vision statement be reworked to be more aspirational in nature.

Commissioner Henry Sigg agreed with comments shared by other Commissioners. He does not feel there should be an emphasis on redevelopment. Though the General Plan is a visioning tool, the code ultimately dictates what is able to be developed. Commissioner Sigg would like the vision statement to include more about the spirit of Park City, the recreational aspects, and what Park City aspires to be. He asked whether a zip code was required in the survey conducted. Ms. Garrow explained that the statistically valid survey was done in a specific way to determine that kind of information. In the questionnaire, there will be a question about the neighborhood and zip code.

Ms. Garrow mentioned the framework and asked Commissioners if this feels like the right direction. She wanted to know if there is anything that might be missing. Commissioner Suesser asked about the land-use and growth scenarios. Ms. Garrow explained that this is a key piece of the overall process. At the open house, participants will be asked to identify what they like and do not like about each of the scenarios. When a draft plan and a draft framework for future land use is brought back to the Planning Commission, there will be one scenario presented. It will likely be an amalgamation of different pieces of the scenarios. It will be based on all of the community feedback that was received.

Commissioner Suesser pointed out that the first two options mention increased density. There is a lot of undeveloped density that has already been approved. Ms. Garrow reported that pipeline development and information from the conservation analysis will be built in as much as possible. Chair Hall mentioned Bonanza Park and noted that the amendment process and the General Plan process are happening simultaneously.

Commissioner Suesser referenced the bullet point on Page 3 of the memo, which is related to housing units and occupation percentages. The language was as follows:

- Of Park City’s 8,585 housing units, just 33% are occupied, compared to 52% for the County, leaving 67% of Park City’s housing units vacant. Of these, 77%, or

4,438 units, are for seasonal, recreational, or occasional use, accounting for more than half of Park City's housing stock overall.

Commissioner Suesser believed the 33% mentioned has to do with seasonal homeowners. However, it is then stated that 77% are for seasonal, recreational, or occasional use. She asked for further clarification about the numbers. Ms. Garrow reported that 33% of the units are occupied full-time. The language can be clarified. Commissioner Suesser noted that these numbers make it clear that Park City does not need more market-rate housing, but more employee housing. The number of people who commute into Park City to work, but cannot afford to live here, needs to be considered.

Commissioner Christin Van Dine agrees it is the affordable and missing middle housing that should be the focus. Commissioner Frontero noted that the high number of commuters coming into Park City is shocking. Workforce housing would accomplish a number of goals. Not only would it ensure that the workforce is part of the community, but it could remove thousands of vehicles from the roads. According to the survey, the main concerns are traffic and congestion. He believes the future of Park City depends on more housing for the workforce, which includes housing for a variety of income levels.

Commissioner Shand reported that out of his 34 years in Park City, he commuted out of town for approximately 20 of them. The traffic coming into town is year-round. While he loves the idea of having the workforce be part of the community, he is not sure that all of them want to live in Park City. For plumbers and electricians, there are more supply houses in Salt Lake and there is better availability in Heber. It is important to provide opportunities to those who want to live in Park City but is also important to note that not everyone may want to live here. He reiterated that the traffic issues take place year-round. Commissioner Sigg noted that there are people who live just outside the City limits that come into town for various reasons. A portion of the traffic comes from the people who live within a 5-mile radius. That ties into the transportation initiatives. In the General Plan, he would like to see more of an emphasis on the idea of the capture parking.

Chair Hall appreciates the work that has been done on the General Plan. The Planning Commission looks forward to having this come back after the additional community outreach. Director Ward reported that the first community open house is scheduled for March 4, 2025. It will run from 5:00 p.m. to 8:00 p.m. There is more information about the project on the website engageparkcity.org/generalplan. The site outlines the process.

6. REGULAR AGENDA

- A. Bonanza Park – Land Management Code Amendments –** Consultants Design Workshop Will Discuss Recommended Land Management Code Amendments to Incorporate the Bonanza Park Small Area Plan through a New Mixed-Use Zoning District. PL-24-06302.

Director Ward reported that Design Workshop will share information about this item. She

reminded Commissioners that there have been two discussions identifying the high-level sections of the code to amend as well as a preliminary review of the site requirements, design guidelines, connectivity, and conventional chain businesses. This is the first of many discussions on the comprehensive proposal. Director Ward explained that Staff is continuing to research certain items ahead of the discussion on March 12, 2025:

- Finalizing street typologies within the neighborhood to shape setbacks and streetscapes and to minimize delivery and service area impacts;
- Exploring the feasibility of development in consideration of the potential fourth story outside of the Frontage Protection Zone (“FPZ”), and reductions in parking, setbacks, and open space;
- Establishing design guidelines for landscaping associated with the FPZ and along multi-use pathways, streetlights, and banners to create continuity and a sense of place;
- Finalizing criteria to support vantage point analysis.

Director Ward explained that there will continue to be coordination with the City Council on the project enhancements component. She explained that work was done with the Council to receive recommendations on what the project enhancements should include and the review process. There will continue to be coordination and alignment there.

Senior Planner, Alec Barton, presented the Staff Report and explained that the first Regular Agenda item relates to Land Management Code (“LMC”) amendments for Bonanza Park. He shared a timeline with the Commission, which was as follows:

- February 12, 2025:
 - High-level overview of code amendments;
- March 12, 2025:
 - Additional discussion, with a possible recommendation to the City Council;
- April 9, 2025:
 - Additional discussion (if needed) with a recommendation to the City Council.

The existing conditions in Bonanza Park are characterized by a lot of the elements that were discussed during the Work Session item on the General Plan. Planner Barton noted that there is a limited supply of affordable and workforce housing. The neighborhood is characterized by surface parking lots, limited street and sidewalk connections, and single-use large-lot commercial development. The Small Area Plan envisions redeveloping this neighborhood as a mixed-use neighborhood with livability in mind. The draft code includes changes to the primary underlying zoning district to help accomplish this vision.

Planner Barton explained that currently in the General Commercial (“GC”) Zone, nightly rentals, major hotels, and timeshares are all allowed uses. These would be prohibited uses under the draft code amendments. Conventional chain businesses would shift from allowed uses to conditionally permitted uses. Multi-unit dwellings would become allowed uses in the draft Bonanza Park Mixed Use (“BPMX”) Zoning District. Gas stations and

drive-up windows, which are currently conditionally permitted, would be prohibited uses. The code also introduces a new definition for a boutique hotel, which would be a conditionally permitted use in the zoning district. Commissioner Frontero pointed out that some of the uses are currently allowed. He wondered what would happen if the code was changed. Planner Barton clarified that the specifics are still being worked through, but it is his understanding that the existing uses would be grandfathered into the zone.

Director Ward stated that in the current code, there is a section that addresses non-conforming uses and non-complying structures. This has to do with things that were legal at the time that they were approved and built. Those can remain as-is and be grandfathered in. While there are allowances for renovations, in order to expand or redevelop, there would need to be compliance with the new code. Commissioner Shand asked if there is a size definition for a boutique hotel. Planner Barton believes the draft code references 75 rooms, but that can continue to be discussed before it is finalized.

Commissioner Suesser asked about an application for Bonanza Park. She wanted to know if that application is still pending and if it would be subject to these amendments. Director Ward explained that when an application is submitted, the application is vested under the code in effect when the application is complete. She noted that if this code is adopted, any application submitted after the adoption would fall under the new code.

Chair Hall wanted to know more about prohibiting nightly rentals in this area and whether that would be enforceable. City Attorney, Mark Harrington, explained that there is always a political sensitivity to nightly rentals. However, nightly rentals are still allowed in certain zones in the City. There can be additional discussions about where nightly rentals are most compatible so there is still sufficient stock preserved for the hospitality goals of the City. The intention is to be consistent with the General Plan distribution of uses.

Commissioner Suesser believed a multi-unit dwelling is a permitted use as proposed in the new code. It would not be subject to a Conditional Use Permit ("CUP"). On the other hand, a conventional chain business and boutique hotel would be subject to a CUP. This was confirmed. Planner Barton reported that a multi-unit dwelling would be an allowed use in the zoning district. Director Ward clarified that if it is 20,000 square feet, it would come to the Planning Commission as a Master Planned Development ("MPD"). Anything under that threshold would be allowed. An MPD would be reviewed by the Commission.

Commissioner Suesser expressed concerns that multi-unit dwellings were not allowed without a CUP in the past, but now the recommendation is to allow them, though the intention is to promote a mixed-use neighborhood. Chair Hall shared similar concerns.

Ms. Garrow explained that Design Workshop is excited to share progress on the code updates for Bonanza Park. She reported that the purpose of the BMPX District is to:

- Create a mixed-use neighborhood with livability in mind;
- Support locally owned businesses and entrepreneurship;

- Create a safe and intuitive network for pedestrians, cyclists, and transit users;
- Expand the availability of affordable and workforce housing units;
- Create a more welcoming and sustainable community;
- Weave arts and culture into the community fabric.

15-2.27-6 - Project Enhancements was discussed. Ms. Garrow explained that throughout the district, structures are limited to three stories or 35 feet in height. Developments providing project enhancements may be eligible for heights up to 45 feet or four stories when located outside the FPZ. However, the development must provide at least three site-specific project enhancements. Some examples were shared, including housing mix meeting community needs, shared parking agreements, and activated public spaces. Three need to be selected in order to qualify for additional height. Four or more site-specific project enhancements may qualify for reductions to setbacks and open space.

Ms. Garrow discussed the FPZ, which relates to 15-2.27-4 - Building Height, 15-2.27-5(H) - Landscaping, and 15-2.27-5(J) - Art Installations. The maximum height within the FPZ is 35 feet from existing grade. Some setbacks have been built into the code in order to protect the view and the entry corridor into the community. Within FPZ, there are certain items that are permitted, such as landscaping and pedestrian-focused infrastructure. The intention is to identify what can and cannot be there. The Commission discussed the proposed project enhancements. Commissioner Frontero likes the idea of providing options. However, he does not feel the various project enhancements are equal. There are nine in total, but a few are much more attainable than others. His concern is that if the list remains as it is currently drafted, the same three items will be selected each time. To avoid that situation, he suggested the project enhancements be ranked on a scale (A, B, C) where at least two of the items selected need to be A-level enhancements.

15-2.27-6(C) - Vantage Points was reviewed. Ms. Garrow explained that in coordination with Staff, twelve key vantage points have been identified within Bonanza Park. Those vantage points were illustrated on a map of the area. There is a requirement that the height, mass, and design of structures must be considered to preserve the mountain views. She reported that developers will be asked to provide some visual information and analysis to outline what will happen to the views once development is placed there.

Ms. Garrow reported that within 15-2.27-5 - Design Guidelines, there are a number of different sections, including activating streetscapes. The intention is for there to be good connections for multi-modal trips and for there to be a good experience for pedestrians. She explained that the idea is to incorporate green spaces, connectivity, and street-level design elements. It should be welcoming for pedestrians experiencing the space. There are also requirements related to building articulation and high-quality building design.

Commissioner Suesser does not believe what is shown is a good streetscape design for the community. She does not see a bus lane or where bicycles will be. She does not like the image included on this particular slide, because it is not an ideal streetscape. Ms. Garrow clarified that all of the images used came from the Small Area Plan.

It was noted that the idea is to have active ground floor uses. This includes the following:

- Retail;
- Restaurants and Bars;
- Daycare;
- Community Meeting Space;
- Educational Uses;
- Medical Uses;
- Civic Spaces;
- Art and Craft Studios; and
- Other uses, as determined by the Planning Commission.

15-2.27-2 - Uses was reviewed. Ms. Garrow reported that the Small Area Plan specifically mentioned creating a limitation in this neighborhood. As a result, nightly rentals and timeshares are prohibited. In addition, boutique hotels require a CUP and those hotels are defined as 75 rooms or less. Ms. Garrow reviewed 15-2.27-13 - Conventional Chain Businesses. A CUP is required for conventional chain businesses. Those businesses must provide diversity and a unique offering to the overall mix and cannot exceed more than 30% of the commercial square footage in the building. Grocery stores, banks, and gyms are exempt. There are specific CUP review criteria for conventional chain businesses. For example, something that supports the overall character of the area and the community diversifies the use mix and takes into account the size limitations.

15-2.27-3(B) - Density information was shared. Ms. Garrow discussed commercial square footage caps. What is included is a single building limit of up to 15,000 square feet and individual tenants are limited to 5,000 square feet. However, grocery stores and post office uses are exempt from that limit. A CUP request is allowed for someone to exceed some of these limitations, but that could be reviewed on a site-specific basis.

Ms. Garrow next shared information about trail connections. She noted that there are a lot of maps within the Small Area Plan. The intention is to integrate those within the code. The draft code pulls in some specific maps to make sure the ideas in the Small Area Plan are fully integrated. For 15-2.27-10 – Trail Connections, there is a map shown that identifies future connections. As development occurs adjacent to these areas, key trail network connections would need to be provided. All trails and sidewalks would need to be built to City standards, so that requirement is incorporated into the draft language.

15-2.27-11 – Street Connections was discussed. Ms. Garrow explained that it integrates recommendations from the Small Area Plan. The intention is to break up superblocks and improve internal circulation so the overall area is more walkable and interconnected.

Commissioner Sigg asked if the streetscapes and right-of-ways are established. He wanted to know what the mechanism is to establish the rights-of-way for major transportation corridors. Ms. Garrow explained that this would be incorporated in the

overall review of a new development. The code does not propose that the City acquire right-of-way. The code identifies that if someone is redeveloping a property there, then a connection needs to be provided. Discussions were had about the proposed language.

15-2.27-7 - Parking was discussed. It includes the implementation of recommendations from the Lisa Wise Report, which creates incentives for reduced parking:

- Shared Parking Agreement;
- Underground Parking;
- Mixed-Use Development;
- Alternative Strategies;
- Proximity to Transit;
- Traffic Demand Management ("TDM") Strategies.

Ms. Garrow noted that is important to provide some amount of parking on the site, so there is a limit to the cumulative reduction that can occur. It is 50% for non-residential uses and 20% for residential uses. That language is incorporated into this section.

As for housing and ways to encourage additional housing opportunities, there can be reduced parking requirements for affordable housing developments. Via the project enhancement process, developments may be eligible for increased building height and density when they provide, among other things, a mix of housing types meeting the community's needs at the time of development. Ms. Garrow explained that the prohibition of nightly rentals is intended to support housing stock for long-term residents.

The Universal Design Principles were discussed, which includes 15-2.27-3(G) - Pedestrian Amenity Guidelines, 15-2.27-3(H) - Snow Release, and 15-2.27-3(I) - Clear View of Intersection. All of the public and private spaces need to be designed so people can access them. There are dimensional requirements within the pedestrian amenity section to ensure those spaces are useable. There are snow-shedding regulations to protect walkways and ensure that there are clear paths. In addition, some sight line distances at intersections have been incorporated so the focus is on best practices.

Ms. Garrow reviewed 15-2.27-10 - Open Space and Trail Connectivity. Within the code, an expanded list of park typologies has been identified. Those typologies are appropriate in different locations and different types of development. In addition, it integrates the key trail connections from the Small Area Plan at Park Avenue, Kearns Boulevard, Shortline Road, Rail Trail, and Deer Valley Drive. As for sustainability, there is 15-2.27-11 - Sustainability Requirements. This is a section that seeks to support the overall net zero goals of the City. It does not require someone to move forward with a net zero energy building, but that is one of the ways there can be additional height granted.

15-2.27-6(K) - Art Installations was reviewed. Ms. Garrow noted that public art is permitted in the FPZ and there is a desire to encourage it throughout the district. Different types of art that could be located have been identified, such as murals, sculptures,

enhanced trails, gateways, crosswalks, wayfinding, and interactive exhibits. There is also a specific requirement that the property owner needs to maintain any of the art that is installed on their property. It will be their responsibility rather than a City responsibility.

Planner Barton posed some questions to the Planning Commission for discussion:

- Does the Commission find the list of project enhancements reflects the recommendations of the adopted plan?
- Does the Commission support the project enhancements process?

Commissioner Shand referenced Page 22 of the Staff Report which states that 100 cities have done away with the minimum parking requirement. He asked about the unintended consequences and the rate of success. Planner Barton reported that this has been a trend, especially after the COVID-19 pandemic. Communities either at a city-wide scale or a neighborhood scale have started to do away with parking minimums. This is not universal but is a growing trend in several communities. In this case, the intent is to move away from auto-centric development and to create more of the mixed-use walkable development that the code envisions. Commissioner Shand asked if it normally applies to all types of commercial as well as mixed-use residential. Planner Barton explained that there are different levels. Some communities are doing away with parking minimums for all use types while some are doing away with them only for specific use types.

The Commission discussed the project enhancements. Chair Hall agreed with some of the earlier comments shared about the items. There should be some kind of scale because some enhancements will be easier for applicants and will not have as much of a community benefit. She suggested that there be specificity in how “housing mix” is being defined. Commissioner Suesser believes the current list of proposed project enhancements is too vague. For example, pedestrian connectivity improvements and activated public outdoor space are both vague. She is not supportive of the public enhancements list, as proposed. Ms. Garrow shared more specific code language.

Commissioner Van Dine supports different grade levels or a scale for the enhancements because some of the items are expensive and others are not. Commissioner Sigg would like to see more specificity for the proposed enhancements. For instance, the housing mix meets the community needs. He is interested in serving the community and the businesses in the community through housing. Commissioner Johnson noted that there could be different categories with subtasks that could be chosen from. There could be a housing category, community serving category, and transportation category. One subtask could be selected from each category. That way, there would be a balanced approach taken. Commissioner Van Dine believes there needs to be some sort of tiered system. Chair Hall believed the Commission is interested in some sort of weighted option.

Planner Barton asked about the process for project enhancements, where the Commission would review what is proposed and make a recommendation to the City Council. The Council would approve or deny that enhancement and then it would be

returned to the Commission for review. Chair Hall asked if it is possible to solicit feedback from the City Council on this matter. She does not think there should be individual applications going from the Planning Commission to the City Council and then back to the Planning Commission. That would not increase predictability for applicants and would not be efficient. Additional discussions were had about the project enhancements list.

Commissioner Suesser asked about the proposed project enhancement, “reduced rent for local businesses.” She does not remember that from any previous discussion. There is not clarity about what a reduction might look like. She reiterated the need for more specificity. Commissioner Johnson believes that item comes from the community feedback for the area. There is a desire to have local commercial businesses and this item might be a way to incentivize that. It might need to be framed differently than “reduced rent for local businesses,” but he understands the idea conceptually. Planner Barton thanked the Commissioners for the feedback on the proposed project enhancements.

Planner Barton asked the Planning Commission whether the FPZ regulations reflect the recommendations of the plan. Chair Hall liked the slide that compared the current FPZ information to what is proposed. She believes it would be beneficial for the community and City Council to see that as well. Chair Hall suggested that there be a lot of detail shared about the 0-to-30 feet so there is predictability there. Commissioner Johnson made comments about height and explained that he believes 35 feet is a good baseline. Other Commissioners agreed with the Staff’s recommendation to have a setback.

Planner Barton posed another question to the Planning Commission:

- Does the Commission find that vertical and horizontal mixed-use development meets the goals of the plan?

Commissioner Frontero would rather not encourage a residential-only building. He feels it is best to encourage owners and developers to make the first-floor public. There could be a restaurant, outdoor seating, art gallery, or something where foot traffic is activated. There could then be two or three stories of residential. When he thinks about mixed-use, that is what he envisions. It is his preference to see the majority of the developments look that way. Commissioner Suesser and Chair Hall agreed. Chair Hall noted that there could be a CUP for a fully residential building. Commissioner Van Dine would like to see it require a CUP. Director Ward reported that there could be criteria to determine when a CUP could be requested for residential use. There are some large lots in the neighborhood where there might be interior plazas or site-specific considerations. She wanted to know if it would be helpful to have criteria to determine when and where an all-residential building might fit with the neighborhood. Commissioner Van Dine expressed support for this idea, as this would create more predictability for developers.

Commissioner Van Dine noted that there was one part in the code that talked about having all pedestrian areas be front-facing. However, that could eliminate internal green spaces. She found that part of the code confusing. Director Ward made note of that.

Commissioner Sigg believes a lot of this relates to the earlier question about right-of-ways. Logically, certain streets would have commercial aspects on the first floor and potential housing above. Some of the right-of-ways have not yet been established. Where major thoroughfares are going through, he would like to ensure that those are commercial on the ground floor. Director Ward explained that the goal of the vertical and horizontal concept is to know what the envisioned future streetscapes are. Currently, there is not a vision or comprehensive plan that applicants and developers can look to.

Commissioner Suesser stated that there is consensus that the Planning Commission would prefer to see true mixed-use as opposed to a fully residential building. She wants to know whether vertical or horizontal is more likely to be commercial on the bottom with residential on the top. Planner Barton believes the vertical concept is what the Commission envisions, with ground-floor commercial uses and residential uses on the upper floors. Staff is still working through whether there are areas in the neighborhood where it would be appropriate to have horizontal mixed-use, where uses would be in separate buildings on the same site. He reiterated that this is still being considered.

Additional discussions were had about vertical and horizontal mixed-use development. Director Ward believes there is consensus for some flexibility for horizontal through a CUP process with criteria that help direct the commercial to the streetscapes and allow for site-specific flexibility. This was confirmed. Planner Barton read the following:

- Vantage points are a work in progress. What specific criteria should Staff and the Commission consider when reviewing the impacts of development on scenic views?

Planner Barton noted that the vantage points have been identified. He asked if there are additional criteria that should be incorporated into the code. Director Ward believed that based on earlier discussions, there is a majority consensus on the setback within the FPZ. Chair Hall mentioned the Small Area Plan and the example on Page 62. It shows two setbacks and states that each floor would have a 10-foot increment back in the FPZ. Commissioner Suesser does not like the idea that extra project enhancements could result in an elimination of the setback. Building flexibility is not necessarily appropriate in the FPZ. Commissioner Johnson spoke about the vantage points. He wanted the photos to be real photographs with 3D imagery added on to it. It is beneficial to have a more realistic view of what it will look like. Commissioner Shand asked about the rationale for vantage points. Commissioner Van Dine explained that it has to do with predictability.

Commissioner Shand believes the evaluation should be done on a per-project basis from many points around the building. He does not feel there should be a limit of 12 vantage points. Commissioner Van Dine pointed out that these can be the given vantage points

and site-specific ones can be added as well. That will still add a certain level of predictability. Commissioner Shand thought there was a good guideline, but more might be needed. Commissioner Sigg pointed out that many of the vantage points are perimeter vantage points. There seems to be a void in the center of the district. It would not hurt to have more vantage points identified. Commissioner Johnson agrees, but the point of this exercise is to protect the view corridor. The view corridor that could be impacted has been identified. He assumes that is the reason for the arrows on the map. However, he agrees that it could be site-specific instead. Commissioner Suesser pointed out that a lot of the vantage point spots could be two-directional, like the one at Iron Horse Road. Most of the arrows point in one direction, but for the most part, there could be two directions considered for each vantage point. Additionally, it would be beneficial to develop consistent criteria. It could outline the specific heights and angles that are needed.

Commissioner Frontero asked about the current requirements for vantage points. Director Ward reported that one of the areas for vantage points in the code is in the Sensitive Land Overlay. There are identified ridgelines and it is necessary to look from the vantage point to the development to make sure it does not break the ridgeline when viewed from that single point. There is another set of vantage points defined for steep slope development. There is specificity about what is being protected: ridgelines or steep slopes. In this case, it would be the entry corridor and the mountain views protected.

Commissioner Frontero pointed out that a building will at least somewhat impact the view. Director Ward explained that work is being done to craft specific criteria, so as the Commission is reviewing an application, it is possible to see what it will look like from that vantage point. Commissioner Frontero asked about the specificity that is needed. For example, requiring that the image has to be 20-feet or 30-feet back. Director Ward explained that Staff is working to define those vantage points. Discussions were had about ridgelines. Director Ward offered to provide additional information in the future.

Planner Barton shared information about active uses. Staff recommends flexibility in the types of street-facing, ground-floor uses that contribute to vibrancy:

- Retail establishments, restaurants, and bars;
- Daycare facilities;
- Community, educational, and medical spaces;
- Civic spaces, such as theaters and museums; and
- Art and craft studios.

Chair Hall suggested recreational uses, such as a climbing gym or something similar. Commissioner Frontero believes if the list is not more exhaustive, it could potentially leave out new and creative potential uses. Commissioner Shand does not believe everything can be covered by the language, which is the reason the CUP process is critical. The language can be refined as much as possible, but then there will still be room to evaluate an unanticipated application. Chair Hall believes there is general consensus from the Commission, but there needs to be some refinement made to the language. Ms. Garrow

noted that other communities have used language to state that something must be publicly accessible or open to the public in order to address issues like private clubs.

The Planning Commission took a short break before continuing the discussion.

Planner Barton posed the following questions to the Planning Commission:

- Do the criteria for conventional chain businesses reflect the recommendations of the plan?
- Are there additional criteria for conventional chain businesses that would help achieve the goal of supporting local businesses?

Commissioner Frontero pointed out that conventional chain businesses create vibrancy. He understands the feedback from the community for this particular mixed-use district is that there is a desire to keep it local. While he appreciates that, there is some nuance the code needs to address. A franchise could be owned by someone who lives in Park City. He asked whether the City would allow that or if it would be considered a conventional chain business. It might be best to further define what a conventional chain business is. For instance, whether it is the business itself or the ownership that matters.

Commissioner Suesser believes a mix would achieve the goal of supporting local businesses while allowing some percentage of conventional chain businesses. Commissioner Sigg noted that there are certain things associated with a conventional chain business, such as a drive-thru and certain signage. Planner Barton explained that the determination is based on the current definition, which uses a threshold of 10. If there are more than 10 locations, then it is considered to be a conventional chain business.

Ms. Garrow reported that the conventional chain business definition is fairly standard in other communities with chain business regulations. The definition applies to franchisees. If someone local were to franchise a chain business, it would be subject to the regulation despite the fact that the owner was a Park City resident. Commissioner Shand agreed with Commissioner Frontero that there are some nuances. It is good to support local businesses, but it is also important to have a balance. Chair Hall can see both sides. She noted that the new section in Heber has a lot of fast-food restaurants, which is her concern in this area. She would like to be able to prevent that from happening.

Commissioner Johnson supports the existing definition of a conventional chain business. It makes sense to be slightly more restrictive initially because it is always possible to be more flexible in the future and make adjustments if needed. Director Ward explained that in the draft, it would be a CUP review and there would not be a cap. The criteria would be to not exceed 30% of the total commercial, not create an oversaturation of similar uses, it will diversify retail and community services, encourage innovation or creative business ideas, and provide local entrepreneurs with an opportunity to offer distinct services. She asked if there were additional considerations for Staff to look into.

Commissioner Frontero asked for clarification about the cap. Director Ward explained that in the current draft, there is no cap, but a conventional chain business would go through a CUP process with the Planning Commission. There are specific CUP criteria that allow for that evaluation and flexibility. Commissioner Frontero pointed out that there is a cap in place on Main Street. Discussions were had about the difference between the Main Street regulations and what is contemplated for the BPMX. Chair Hall noted that this is the time to explore different options if there is a desire to have a cap in place. Commissioner Van Dine pointed out that it is difficult to place a cap on an unfamiliar area. Having the CUP process in place is reasonable to start with. She supports the CUP process. Commissioner Johnson agrees and believes the drafted criteria are solid. Commissioner Sigg explained that the challenge will be high rents for commercial spaces.

The Commission further discussed the idea of a cap for conventional chain businesses. Attorney Harrington explained that numbers are not arbitrary. The City is trying to isolate a use based on adverse impacts and inconsistency with the General Plan goals. It is possible to reasonably estimate what number would be appropriate. As for the CUP process, he reminded Commissioners that in Utah, a conditional use is a permitted use as long as the impacts can be mitigated. It is not discretionary, so it is not the best tool to use for discretion. Commissioner Van Dine mentioned the criteria that have been outlined. Attorney Harrington believes the proposed criteria can be tightened further.

Chair Hall opened the public hearing.

Peter Tomai noted that there have been a lot of comments about encouraging redevelopment. However, many of the elements of the code, as proposed, will likely have the opposite effect. He encouraged Staff to reach out to the building and development community to hear some of the unintended consequences of the elements that have been discussed. Building setbacks will materially increase the cost of a building, cause complications, and create inefficiencies. As a result, that portion may not be developed. Commissioner Sigg accurately pointed out that affordability for housing will likely rely on some sort of tax credit financing. It is exceedingly difficult to finance a mixed-used building with tax credits. In a highly competitive environment for tax credits, that kind of project would be disadvantaged compared to a purely residential project. As for businesses, the vision of Bonanza Park appears to be a local area for local use, but many will fall into the category of a conventional chain business due to the 10-location limit.

Jamie Peters had a question about the nightly rental restrictions that are being proposed. She is an employer and has a couple of units in The Homestake. Nightly rentals are not being done now, but the units are filled with employees in the winter. The units are not filled in the summer, so she wanted to look into nightly rentals during that time of year. She would appreciate not being blocked out of that through this process. There were discussions earlier about a grandfathered use, but she is not currently utilizing the units in this way. Ms. Peters does not want to be blocked out of being able to do this in the future.

There were no further comments. The public hearing was continued to March 12, 2025.

Chair Hall reminded Commissioners that this item will come back to the Planning Commission for discussion on March 12, 2025. Commissioner Suesser asked the consultants whether there had been outreach conducted with the local developers in Park City. Their feedback on what has been proposed could be meaningful. Ms. Garrow reported that there was community engagement with them in the summer and fall. Some of the comments received were similar to the ones shared during the public hearing.

Chair Hall mentioned an earlier comment from Commissioner Shand related to the definition of a boutique hotel. That is something that needs to be addressed at a future meeting. It would also be useful to envision how many more residences there will be. The Staff Report states that there are currently approximately 700 residents in Snow Creek and along Kearns. It would be useful to see what has been approved, but also what is envisioned. She would like to discuss parking reductions as well.

MOTION: Commissioner Shand moved to CONTINUE the Bonanza Park – Land Management Code Amendments and the public hearing to the March 12, 2025, meeting. Commissioner Suesser seconded the motion. The motion passed unanimously.

B. 3443 Meadows Drive – Conditional Use Permit – The Applicant Proposes to Construct a 12-foot by 50-foot Swimming Pool in the Sensitive Land Overlay and Residential Development Zoning District. PL-24-06326.

Planner II, Virgil Lund, presented the Staff Report and explained that the item is a CUP application for 3443 Meadows Drive. The application is for an outdoor swimming pool. 3343 Meadows Drive is Lot 58 in the Eagle Point Phase IV Subdivision and the Quarry Mountain MPD. The Subdivision Plat created a building envelope and limits of disturbance. Once the home was constructed and designed, the limits of disturbance were established for the building and the lot. The proposed swimming pool is located within the limits of disturbance, is 600 square feet, and will be used for outdoor swimming. The depth will range from six inches to 4-feet. The proposed pool complies with the Residential Development (“RD”) Zoning District requirements, CUP criteria, Sensitive Land Overlay, and Subdivision Plat requirements. Staff recommends the Planning Commission open a public hearing and consider approving the proposed CUP.

Chair Hall opened the public hearing. There were no comments. The hearing was closed.

Commissioner Suesser asked about the Condition of Approval from the Snyderville Basin Water Reclamation District requiring that the pool not be hard piped into the existing sewer system. She was curious whether emptying the pool will impact adjacent properties. Planner Lund does not believe there will be an impact on the adjacent properties. Commissioner Shand explained that his only original concern had to do with the limits of disturbance. However, it appears that the swimming pool will be well within the original limits of disturbance established by the building of the home.

MOTION: Commissioner Van Dine moved to APPROVE the Conditional Use Permit for a Private Recreation Facility at 3443 Meadows Drive, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Applicant proposes constructing a 12-foot x 50-foot (600-square-foot) outdoor pool to the rear of 3443 Meadows Drive, a Single-Family Dwelling, for property owner use.
2. 3443 Meadows Drive is Lot 58 of the Eagle Point Phase IV Subdivision within the Quarry Mountain Master Planned Development (MPD).
3. On April 28, 1994, the City Council approved the Quarry Mountain MPD for 200 parcels for future Single-Family Dwellings.
4. On January 16, 2004, the Eagle Point Phase IV Subdivision Plat was recorded with Summit County (Recorder No. 685992). The Subdivision Plat created a building envelope and Limits of Disturbance (LOD). Plat note 8 states: "The Limits of Disturbance is defined as the area on a lot that construction activity, excavation, or vegetation removal is allowed. The location of the Limits of Disturbance is based upon a measurement from the house foundation, at-grade decks, or patios once designed and located. Maximum LOD measurements will be restricted to 15 feet on side yards, 25 feet on rear yards, and 30 feet on front yards...Driveway disturbance and utility access are permitted outside the Limits of Disturbance."
5. Once the Single-Family Dwelling at 3443 Meadows Drive was designed and constructed, the LOD was established.
6. The Applicant proposes to construct a 12-foot by 50-foot (600-square-foot) outdoor swimming pool ranging in depth from six inches to four feet on a flat surface within the LOD.
7. The Land Management Code (LMC) identifies outdoor swimming pools as Private Recreational Facilities, which are a Conditional Use in the Residential Development (RD) Zoning District.
8. LMC § 15-15-1 defines Private Recreation Facilities:
 - a. Recreation facilities operated on private Property and not open to the general public, including Recreation Facilities such as swimming pools, tennis courts, outdoor Pickleball Courts, and similar facilities for the Use by Owners and guests.

9. The proposed outdoor pool complies with the Residential Development Zoning District requirements outlined in LMC Chapter 15-2.13.
 - a. Front Setback: 20 Feet
 - i. The proposed outdoor pool is greater than 100 feet from the front Lot Line.
 - b. Rear Setback: 15 Feet
 - i. The proposed outdoor pool is greater than 100 feet from the rear Lot Line.
 - c. Side Setback: 12 Feet
 - i. The proposed outdoor pool is 50 feet from the east side Lot Line and 102 feet from the west side Lot Line.
 - d. Vegetation Protection: LMC § 15-2.13-10 states: "The Property Owner must protect Significant Vegetation during any Development activity."
 - i. The Applicant's proposal does not remove any Significant Vegetation.
10. The proposed outdoor pool complies with the Phase IV Eagle Point Subdivision Plat requirements and the Quarry Mountain MPD.
 - a. The Subdivision Plat created a Building Envelope and Limits of Disturbance. Plat note 8 states: "The Limits of Disturbance is defined as the area on a lot that construction activity, excavation, or vegetation removal is allowed. The location of the Limits of Disturbance is based upon a measurement from the house foundation, at-grade decks, or patios once designed and located. Maximum LOD measurements will be restricted to 15 feet on side yards, 25 feet on rear yards, and 30 feet on front yards...Driveway disturbance and utility access is permitted outside the Limits of Disturbance."
 - b. The proposed outdoor pool is 20 feet from the Single-Family Dwelling's foundation in the rear yard and is therefore within the platted building envelope and LOD.
11. The proposed outdoor pool complies with the Sensitive Land Overlay.
 - a. The Quarry Mountain MPD approved on April 28, 1994, created density for 200 parcels for Single-Family Dwellings.
 - b. The Phase IV Eagle Point Subdivision Plat created 16 Lots and building envelopes. The Quarry Mountain MPD and Phase IV Eagle Point Subdivision Plat addressed the visual impacts from Vantage Points, avoided Very Steep Slopes and Ridgelines, and reduced the Significant Vegetation to be removed. On December 4, 2003, the

City Council approved Ordinance No. 03-48. The proposed outdoor pool complies with Conditions of Approval from Ordinance No. 03-48 and the Quarry Mountain MPD will be constructed within the platted building envelope and LOD for Lot 58, will not affect any Significant Vegetation, Steep Slopes, Ridgelines, Wetlands, or Streams, and will not be visible from Designated Vantage points.

12. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
 - a. There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
 - b. The Planning Commission shall approve a Conditional Use 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. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards.
 - c. Size and location of the Site:
 - i. 3443 Meadows Drive is Lot 58 of the Eagle Point Subdivision. The Lot contains 4.2 acres. The LOD is 14,382 square feet. The proposed outdoor pool will be located within the LOD.
 - d. Traffic considerations including capacity of the existing Streets in the Area:
 - i. The proposed outdoor pool will not generate traffic beyond the property's primary Use of the Single-Family Dwelling.
 - e. Utility capacity, including Storm Water run-off:
 - i. The Development Review Committee reviewed the proposal on December 17, 2024, and confirmed the proposal conforms with their requirements. The Snyderville Basin Water Reclamation District requires that the Applicant not hard pipe into the existing sewer system.
 - f. Emergency vehicle Access:
 - i. The Development Review Committee reviewed the proposal on December 17, 2024, and confirmed the proposal conforms with their requirements.
 - g. Location and amount of off-Street parking:
 - i. LMC § 15-3-6(A) requires two off-street parking spaces per Dwelling Unit for a Single-Family Dwelling.

- ii. LMC § 15-3-6(B) requires one off-street parking space per four persons maximum rated capacity for a Private Recreation Facility.
- iii. LMC § 15-3-4(A)(1) requires double car garages to be at least 20 feet wide by 20 feet deep.
- iv. The Applicant stated that the pool is a lap pool for swimming and has a maximum rated capacity of two swimmers, which requires one additional off-street Parking Space.
- v. The Applicant can park approximately three vehicles in the Single-Family Dwelling's attached garage. The interior dimensions of the garage are 36 feet wide by 22 feet deep.
- h. Internal vehicular and pedestrian circulation system:
 - i. The proposed outdoor pool will be used primarily by the property owner which will not change the Lot's vehicle and pedestrian circulation.
- i. Fencing, Screening, and landscaping to separate the Use from adjoining Uses:
 - i. The proposed outdoor pool will be screened by the existing Structure and Significant Vegetation surrounding the backyard. The neighboring Single-Family Dwellings are approximately 130 feet away.
- j. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots:
 - i. The proposed outdoor pool will be constructed below finished Grade, located in the backyard of the Single-Family Dwelling. The depth of the pool will range from six inches to four feet.
- k. Useable Open Space:
 - i. The proposed outdoor pool will not decrease the required amount of Open Space for the Eagle Point Subdivision or Quarry Mountain MPD. The proposed pool is in the platted building envelope and LOD.
- l. Signs and Lighting:
 - i. No signs or exterior lighting are proposed with this application.
- m. Physical Design and Compatibility with Surrounding Structures:
 - i. The proposed outdoor pool will be constructed below finished Grade and will not be visible from surrounding Structures.
- n. Noise, Vibration, Odors, Steam, or Other Mechanical Factors:
 - i. Condition of Approval 3 requires adherence to Municipal Code of Park City Chapter 6-3 Noise.
- o. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas:
 - i. Vehicles for service and outdoor pool maintenance will access the property from the private driveway and Meadows Drive. No additional trash or recycling areas are proposed. All trash

and recycling will be located inside the Single-Family Dwelling garage.

- p. Expected Ownership and Management:
 - i. 3443 Meadows Drive is owned and managed by the Applicant.
 - q. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site:
 - i. The Quarry Mountain MPD approved on April 28, 1994, created density for 200 parcels for Single-Family Dwellings.
 - ii. The Phase IV Eagle Point Subdivision Plat created 16 Lots and building envelopes. The Quarry Mountain MPD and Phase IV Eagle Point Subdivision Plat addressed the visual impacts from Vantage Points, avoided Very Steep Slopes and Ridgelines, and reduced the amount of Significant Vegetation to be removed. On December 4, 2003, the City Council approved Ordinance 03-48. The proposed pool complies with conditions of approval from Ordinance 03-48 and the Quarry Mountain MPD and will be constructed within the platted building envelope and LOD for Lot 58 and will not affect any Significant Vegetation, Steep Slopes, Ridgelines, Wetlands or Streams and will not be visible from any Designated Vantage points.
 - r. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan:
 - i. Goal 7 of the General Plan states that the city strives to create a diversity` of primary housing opportunities, allowing full-time residents to have local options for work and recreation.
13. The Development Review Committee reviewed the proposal on December 17, 2024.
14. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on January 29, 2025.
15. Staff mailed courtesy notice to property owners within 300 feet on January 29, 2025.
16. The Park Record published courtesy notice on January 29, 2025.

Conclusions of Law

- 1. The proposed pool complies with the LMC requirements pursuant to Chapter 15-2.13 *Residential Development Zoning District*, Chapter 15-2.21

Sensitive Land Overlay, and Section 15-1-10 Conditional Use Review Process.

2. The use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the final plans dated November 20, 2024, submitted to the Planning Department and reviewed February 12, 2025, by the Planning Commission.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director prior to construction.
3. The Applicant shall adhere to Municipal Code of Park City Chapter 6-3, Noise.
4. The Applicant shall not hard pipe into the existing sewer system.
5. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC Section 15-5-5(J)) and Planning Department review and approval.

The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

- C. Parcel PCA-S-79-C – Extension of Approval –** The Applicant Proposes to Extend the Sunset Clause and Amend Conditions of Approval 3,4,7, and 8 for Ordinance 2023-03 to Rezone a Six-Acre Pod from Recreation and Open Space to Estate within Parcel PCA-S-79-C (Bransford Parcel). PL-24-06306.

Planner Lund presented the Staff Report and explained that the presentation will cover both Parcel PCA-S-79-B and PCA-S-79-C. This is for an amendment to Ordinance 2023-03, approving a rezone and tipping site request on the subject property. In 2021, the Bransford's requested a rezone for 6 acres within Parcel PCA-S-79-C from Recreation Open Space ("ROS") to Estate to allow for a two-lot subdivision and two single-family

dwellings. The Staff Report outlines the detailed history of the rezone application and includes a summary of each Planning Commission and City Council Meeting. The City Council approved the rezone request (Ordinance 2023-03) on April 27, 2023.

The applicant proposes to amend Condition of Approval #13 to extend the rezone approval for two additional years to allow more time for subdivision submittal and recordation with the County. If the extension is not granted, the zoning will revert back to ROS on April 27, 2025. The applicant also proposes to amend Condition of Approval #3, Condition of Approval #4, Condition of Approval #7, and Condition of Approval #8 to allow for approximately 46,000 cubic yards of excavated materials on Bransford's parcels.

Planner Lund reviewed the tipping site request. It will be an amendment to the Construction Mitigation Flagstaff Technical Report to allow an additional tipping site within the Flagstaff Annexation Area. The existing tipping sites that have been approved as sites for excavated materials were shown on a map. The proposed tipping site is shown in red. Section 2.10.4.2 of the Flagstaff Development Agreement requires the applicant to keep all excavated materials within the Annexation Area during construction. The applicant proposes to remove 2.04 acres of significant vegetation. The applicant must remove all dead and dying significant vegetation in an equivalent acreage to what is being removed. The tipping site is located in the Developed Recreation Open Space ("DROS"). The tipping site complies with steep slopes, landscaping and revegetation, and ridgeline protection of the Sensitive Land Overlay. Planner Lund asked the following:

- Does the Commission want to add Conditions of Approval or request additional information for the stream channel and/or wildlife habitat?

Planner Lund reviewed what Staff is recommending the Commission discuss:

- Rezone Extension Request:
 - Consider forwarding a positive recommendation for City Council review on February 27, 2025, to amend Conditions of Approval to extend the sunset clause for two years and to allow an additional tipping site on the parcels.
- Subdivision Final Action:
 - Consider forwarding a positive recommendation for City Council review on February 27, 2025, to shift subdivision final review for the Bransford's parcels from the City Council to the Planning Commission.

If the City Council approves the amendments to Ordinance 2023-03, Staff will return to the Planning Commission at a later date to review the amendment to Technical Report #15 to allow an additional tipping site. The applicant, Anne Bransford, reported that this process started in 2021. Commissioner Johnson asked about the reason for the extension request. Ms. Bransford reported that there was litigation with a neighbor related to access and some other items. The case is settled, but it limited their ability to do the work. She also noted that in the winter of 2023, there was a record 606 inches of snow. In addition, there were long turnaround times where some of the submitted requests took

two or three months. She explained that more time is needed as a result. Commissioner Johnson asked if there is confidence that this can be resolved in another two years. Ms. Bransford hopes so. The property will have been in the family for 100 years in a few months. She is a fourth-generation owner and hopes the extension will be granted.

Commissioner Johnson pointed out that this property is not part of the Flagstaff Agreement, but is contemplated elsewhere. Attorney Harrington explained that there will be a conservation easement as a condition on this that would govern the terms of the open space areas. Commissioner Johnson asked if there are other conservation easements that allow for tipping sites like this. Attorney Harrington confirmed this.

Empire Pass Master Owners Association representative, Doug Ogilvy, explained that they are doing their best to comply with the requirement to keep the export within the annexation area. This site is well suited to that. It is being called a tipping site, but really it is a grading exercise that is not dissimilar from Deer Valley's ski trail construction. The goal is to fill the gully and grade it in a manner that it may be suitable for use as a ski trail in the future. Commissioner Suesser asked if there are plans to relocate the stream that is on site. Mr. Ogilvy reported that the State of Utah has determined that the drainage going through the site is not a stream. The stream starts north of the bottom of Lift 7, but it does have an intermittent flow. In terms of habitat maintenance, it is necessary to ensure that when the spring melt happens, there will be some water flow. It will be put in a channel that has some wildlife habitat benefits. Commissioner Suesser asked what is being developed or constructed that is creating the 46,000 cubic yards of excavated materials. Mr. Ogilvy stated that there are still 10 vacant lots in Red Cloud and two vacant lots in Bannerwood. There will be exports from construction sites within Empire Pass.

Commissioner Suesser asked if the 2 acres have been identified that the Forestry Board requires. Mr. Ogilvy reported that those have not been identified, but the assumption is that work will be done with the Forestry Board to find 2 acres within the Bransford property. That would be a reasonable Condition of Approval. Planner Lund explained that the Forestry Board requires it to be within the same property boundary lines.

Commissioner Johnson wanted to know if wildlife surveys were being conducted. Mr. Ogilvy reported that there has been engagement with the same environmental consultant who did the Lift 7 work for Deer Valley. Work will be done with them moving forward. Commissioner Johnson asked if that is drafted as a Condition of Approval. Planner Lund clarified that no Conditions of Approval have been formalized at this time. It was recommended that this be added as a Condition of Approval in the future. Attorney Harrington explained that this prevents a conflict within the existing ordinance from occurring, but the applicant will still need to come back to the Planning Commission for the actual amendment to the Technical Report. Once the City Council approves the Ordinance, the Planning Commission will approve the specificity there. He asked that Staff be directed to put that in the Technical Report instead. Planner Lund clarified that within the Construction Mitigation Plan, there are specific conditions for each tipping site.

Commissioner Suesser mentioned the wording of the extension. She asked if the subdivision could be approved before a conservation easement was recorded or a Tree Preservation and Replacement Plan was submitted. She wanted to understand if those are the conditions of the subdivision approval. Planner Lund explained that the easement would have to be recorded on the plat. The Tree Preservation and Replacement Plan would come before the subdivision. Commissioner Shand referenced Page 5 of the Staff Report. He asked about the location of the proposed tipping site. Mr. Ogilvy reported that the tipping site is immediately west of the ski trail that Deer Valley constructed last summer. There will be a tree buffer between the existing ski trail and the tipping site.

Commissioner Suesser asked for clarity about where the 2-acre site that is being cleared is located. Planner Lund reviewed the image on Page 5 with the Commission. On the west side of the tipping site, there will be some trees removed. There is a green dashed outline that shows this. On the east side of the tipping site, there is some more vegetation that will be removed. Commissioner Suesser asked where the excavation material was tipped for the other homes in Red Cloud. Mr. Ogilvy reported that some were hauled to the Bonanza Flat property. That tipping site was then closed, but there are other tipping sites as well. There is a grading permit for tipping between the Trump Ski Trail and the Ontario Ski Trail. Commissioner Suesser expressed concerns about clearing 2 acres of significant vegetation. Mr. Ogilvy explained that Deer Valley is very careful about where they are willing to accept material. The Bransford land was willing to accept the material.

Commissioner Frontero mentioned the 46,000 cubic yards. He wanted to know if that is what is anticipated to fill the gully or if that is what is believed the supplier can bring to the site. Mr. Ogilvy clarified that 46,000 cubic yards is what is anticipated will fill the gully to a level that blends appropriately with the adjacent property while leaving a tree buffer between the site and the closest ski trail. Commissioner Frontero asked about the expected timeline. Mr. Ogilvy explained that it would depend on the Building Permits for the vacant lots. The goal is to do the tree removal this spring and construct the haul road. It will likely take at least two summer seasons due to the volume of material the site would accommodate. Commissioner Frontero believes it is a one-to-two-year project. Mr. Ogilvy reiterated that it is dependent on the number of Building Permits there are.

Commissioner Frontero noted that this seems to be a good use of a gully. He believes the purpose is to make it a more attractive and level site. He expressed support for the tipping site proposal. As for the deadline extension, he noted that deadlines are there for a reason. That being said, he understands that there are extenuating circumstances. He appreciates the explanation that was shared by the applicant. Commissioner Frontero explained that he is not in favor of endless extensions, but believes one makes sense. Ms. Bransford reported that there have been discussions with conservation experts. Through this process, she has learned to be patient, but she is a solution-oriented person.

Commissioner Johnson asked about the redline version of Condition of Approval #13:

- The approval of this Zone Change is subject to a two-year Sunset Clause. If the Applicant has not received an extension of the Sunset Clause and/or approval for a Subdivision Plat by the Planning Commission by April 27, 2027, the Zoning will revert back to Recreation and Open Space (ROS).

Chair Hall pointed out that the wording can be clarified further. Commissioner Shand and Commissioner Johnson feel the current version of the wording is appropriate. Commissioner Johnson wants to understand the point of an extension of the sunset clause. Attorney Harrington noted that this clarifies that they remain eligible to ask again. He is not concerned with the current language, but the Commission can discuss it further.

Chair Hall opened the public hearing for Item 6 (C) and Item 6 (D). There were no comments. Chair Hall closed the public hearing for both items.

Commissioner Suesser asked where Lift 7 and the clearing for Lift 7 are in relation to the 2-acre cleared for the hauling road. Planner Lund pointed out the area on a map. He pointed out the corridor of trees between the Bransford property and the ski run. Commissioner Suesser noted that there is a lot of disturbance in the area. Chair Hall asked about Condition of Approval #13. It was determined that the majority of Commissioners felt the language should remain as drafted. As for the subdivision review, there was a consensus to align with the current LMC. Planner Lund explained that when the LMC was amended, it shifted subdivision and plat amendments for Final Action to the Planning Commission. The intention is to align the future subdivision to that.

Chair Hall noted that there is a Commission consensus on the two-year extension and the recommendation for the subdivision. She asked if there were any other suggestions for conditions related to the tipping site. There were no additional suggestions. Chair Hall explained that there need to be two motions made by the Planning Commission.

MOTION: Commissioner Van Dine moved to forward a POSITIVE RECOMMENDATION for City Council review on February 27, 2025, to amend Conditions of Approval to extend the sunset clause for two years and to allow an additional tipping site on Parcel PCA-S-79-B and PCA-S-79-C. In addition, to forward a POSITIVE RECOMMENDATION for City Council review on February 27, 2025, to shift subdivision final review for the Bransford's parcels from the City Council to the Planning Commission. Commissioner Shand seconded the motion. The motion passed unanimously.

- D. Parcels PCA-S-79-C, PCA-S-79-B – Amendment to Flagstaff Technical Report #15** – The Applicant Proposes an Amendment to the Flagstaff Development Agreement Technical Report 15 Construction Mitigation Plan to allow an additional 4-acre Tipping Site on Parcels PCA-S-79-C and PCA-S-79-B in the Recreation and Open Space Zoning District. PL-25-06403.

MOTION: Commissioner Johnson moved to CONTINUE the Amendment to Flagstaff Technical Report #15 and the public hearing to a date uncertain. Commissioner Frontero

seconded the motion. The motion passed unanimously.

E. 1120 Park Avenue – Conditional Use Permit – The Applicant Requests Driveway Access off Sullivan Road for a Single-Family Dwelling in the Historic Residential - Medium Density Zoning District. PL-24-06309.

Planner III, Lillian Zollinger, presented the Staff Report and explained that this is a CUP application for 1120 Park Avenue. This item was last discussed by the Commission in January. 1120 Park Avenue is in the Historic Residential – Medium Density Zoning District and it is an existing vacant lot. The applicant is requesting driveway access off of Sullivan Road, which is City property and not a dedicated right-of-way. In the image shown, there is a large tree that was discussed previously. As outlined in the Staff Report, an arborist has examined the tree and found that it will need to be removed. She shared some existing conditions photographs as well as a map of the surrounding area.

For the CUP, the proposal must comply with the following:

- HRM Zoning District:
 - Site Regulations;
 - CUP Criteria;
 - Sullivan Road Access Criteria.
- CUP Criteria;
- Parking.

The Engineering Department still recommends that the driveway access be off of Park Avenue and not off of Sullivan Road. Since the subject property is not directly adjacent to Sullivan Road, which is an unimproved gravel drive, the applicant would need to obtain an additional easement approved by the City Council. This easement would also confirm the property owner's responsibility and maintenance of necessary improvements unless otherwise directed by the City Council. Staff is looking for input from the Commission regarding this proposal so the applicant can move forward with what they would like to do.

For Sullivan Road, limited access is only allowed when an applicant proves the project has positive elements furthering reasonable planning objectives. Planner Zollinger explained that enhanced Site Plan considerations or possible conditions include:

- Variation in front yard and building setbacks to orient porches and windows onto street fronts;
- Increased front setbacks;
- Decreased density;
- Incorporation of pedestrian and landscape improvements.

The applicant, Terrence McGrath, shared a video that he filmed recently walking down Sullivan Road from southeast to northwest. He has a team with him at the Planning

Commission Meeting, including Martina Nelson, Polly McLean, Michael Stoker, and Skyler Sanders. Mr. McGrath explained that since the last meeting, there was a survey conducted. He owns 1120 Park Avenue and 1124 Park Avenue and there is a historic house on 1124 Park Avenue. Utah Power has an easement and that easement is shown with red dots on the survey. Those are the power lines that run along the back. All of the homes are energized off of those power lines from the back and are not energized from Park Avenue. There is also the sewer easement that parallels the power easement.

Ms. Nelson introduced herself to the Commission. She shared additional information about the survey map that has been shared. She was able to draft the sanitary sewer easement per the legal description. As for the utility easement, while she was able to show the power poles, she did not have enough time to draft the physical location of the actual easement per the legal description. However, the power poles are shown.

Mr. McGrath reported that an Encroachment Permit was issued in August 2023. The permit was for 1150 Park Avenue, which is an adjacent property. Less than 18 months ago, a permit was issued for an existing garage, which accesses off of Sullivan Road.

Mr. Stoker reported that he has been working with Mr. McGrath on this. Stoker Architecture, Inc. has worked on over 50 projects in the historic district and 18 of those have been along Park Avenue. On this particular block, Stoker Architecture has worked on five of the houses so far. Four out of the five do not have parking in a driveway on Park Avenue, as the access is on the sides. With infill projects, like 1120 Park Avenue, there is an opportunity to design and respect the streetscape of the entire block. Work has been done to design both 1120 and 1124 Park Avenue to be compatible with one another, but also to be compatible with the rest of the street and the neighbors.

For 1120 Park Avenue, the CUP is for a 10-foot driveway off Sullivan Road. 90% of the houses along Sullivan Road use it for access to the houses. The house was designed with a one-car garage inside the structure and another half-spot on the property. The hope is to receive an exception for the other half through LMC 15-3-4. Mr. Stoker mentioned the Staff comments on Pages 17 and 18 about the General Plan goals. It is nice to have a client who wants the garage on the backside of a house that is between two historic houses. Garage doors and driveways always seem to influence the design.

Mr. McGrath explained that he intends to do the right thing for the area. All of the property owners over the last several decades have been using Sullivan Road. There are historical photos that date back to 1960 that clearly show Sullivan Road was the main access point for most of the owners. Mr. Sanders mentioned the criteria review for a CUP as well as the criteria specific to the Sullivan Road access. Utah considers conditional uses as a permitted use unless there are detrimental impacts that cannot be mitigated. Section 15-1-10 of the Park City Municipal Code states that when looking at a CUP, it is up to the party making the decision to inspect the potential impacts on the surrounding neighbors and adjacent land uses. There are no detrimental impacts because all of the other neighbors and various utility providers are using Sullivan Road and have been doing so

since the 1960s. As for the actual criteria for the Sullivan Road access, the intent is to shift loading and parking from Park Avenue to the Sullivan side. There is a desire to have the porch and windows on the Park Avenue side as opposed to a garage. If the CUP is granted, there is a commitment to bring the utilities off of Park Avenue. Though the tree in front needs to be removed, there is still a plan for landscaping elements.

Chair Hall opened the public hearing. There were no comments. The public hearing was continued to March 26, 2025.

Planner Zollinger reported that no action is needed from the Planning Commission during this meeting. The Commission is looking at the criteria, as outlined. There is a desire to receive feedback from the Commission. Staff has not had a chance to look at the plans that were shared by the applicant, so those still need to be reviewed. Chair Hall believed the request is for the Commission to review the Conditions of Approval listed in the Staff Report and comment on potential modifications to those conditions, which was confirmed.

Commissioner Suesser agrees with the recommended Conditions of Approval from Staff and has two additional conditions that she would like to see included. Her proposed conditions are that there be no parking on the Park Avenue side and there be a requirement for enhanced vegetation to account for the removal of the significant vegetation. Discussions were had about potential conditions. Director Ward reiterated that since Staff was not provided with the plans beforehand, time is needed before there can be a more detailed discussion on compatibility with the historic structures there.

Commissioner Johnson would like to see more information from Staff on B, C, and D. Planner Zollinger shared information about snow storage. The Engineering Department was not interested in additional snow storage space beyond the 10 feet that is typically required. The Engineering Department recommendation is still accessible off of Park Avenue. Mr. McGrath would like to know the rationale for that position. Commissioner Frontero asked whether the opinion has changed at all based on the current approach from the applicant. Public Improvements Engineer, Becky Gutknecht, stated that she has spoken to John Robertson about this application. It is still not recommended to have access from unimproved Sullivan Road. Access is still recommended on Park Avenue.

Commissioner Sigg asked if there is permission to encroach across the utility easements. Mr. McGrath clarified that he has not had those conversations at this point. Commissioner Sigg asked about the Encroachment Permit that was granted. Attorney Harrington noted that new information has been shared by the applicant. That can be looked into ahead of the next discussion. Commissioner Sigg would like to understand the circumstances surrounding that permit. Attorney Harrington confirmed that the information could be obtained. He clarified that there is a difference between the CUP standard as it applies to the use tables and using the CUP process as an instrument to do something. It was noted that Commissioner Suesser left the meeting and would not participate in the vote.

MOTION: Commissioner Johnson moved to CONTINUE the Conditional Use Permit for 1120 Park Avenue and the public hearing to March 26, 2025. Commissioner Van Dine seconded the motion. The motion passed unanimously.

7. ADJOURNMENT

MOTION: Commissioner Frontero moved to ADJOURN.

The meeting adjourned at approximately 9:41 p.m.

Approved 02.26.2025