



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 11, 2025**

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

EX OFFICIO: Rebecca Ward, Planning Director; Meredith Covey, Planner I; Alec Barton, Senior Planner; Elissa Martin, Planning Project Manager; Jaron Ehlers, Planner I; Virgil Lund, Planner II; Mark Harrington, Senior City Attorney; Jacob Klopfenstein, Planner I

1. ROLL CALL

Chair Christin Van Dine called the Planning Commission Meeting to order at 5:30 p.m. and noted that all members of the Commission are attending the meeting in person.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from May 28, 2025.

MOTION: Commissioner Shand moved to APPROVE the Planning Commission Meeting Minutes from May 28, 2025. Commissioner Frontero seconded the motion. The motion passed with the unanimous consent of the Commission.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Commissioner Henry Sigg shared a report on the City Tour that he and Commissioner Grant Tilson recently attended. It was impressive to see that level of collaboration take place between multiple jurisdictions. He noted that the different jurisdictions seem to work proactively together towards common goals and visions. The government there worked collaboratively in areas such as sustainability, transportation, gentrification, growth, and housing. The agencies and jurisdictions are focused on actionable initiatives.

Commissioner Sigg was particularly interested in seeing how housing was handled. He explained that housing had multiple agencies working on it, including municipalities and non-profit organizations. It was interesting to learn that Tahoe has a cap on growth and

only has 10% left of its allocated amount. It was impressive to see how everyone worked together. The same was true in Reno, where the town went from 16 casinos to four casinos. As for parking in some of these places, there are zero requirements. The effort to create gathering areas and bring people into the downtown was progressive.

Commissioner Tilson echoed the comments made by Commission Sigg. He thanked everyone who worked to organize the tour and all of the representatives they were able to meet. Commissioner Laura Suesser asked about the cap on growth that was mentioned. Commissioner Sigg clarified that it was around Lake Tahoe. A large part of the protected land is on the Nevada side, but there is still a growth number that exists.

Senior Planner, Alec Barton, reported that the Planning Team will evaluate two potential updates to the Land Management Code ("LMC"). The first is in conjunction with the Traffic Impact Study ("TIS") Guidelines. The Engineering Team has hired Wall Consulting Group to look at updating the 2023 document to establish consistent criteria for triggers in the review process associated with the TIS and to establish measurable standards for Transportation Demand Management ("TDM") standards. As part of this effort, the Planning Team is preparing amendments to the LMC to codify the TDM standards.

The second item that the Planning Team is looking at has to do with continuations. Staff and Commissioners have noted an increase in requests for the continuation of Planning Commission agenda items. A Work Session has been scheduled in July to explore potential updates to the LMC to clarify when items may be continued by Staff or the Commission and to establish clear deadlines for applicants requesting continuation.

Planning Staff is requesting up to two Commissioners to serve as liaisons for the TIS Guidelines item and one Commissioner to serve as the liaison for work on continuations. Commissioner John Frontero and Commissioner Rick Shand offered to be the liaisons for the TIS Guidelines, and Commissioner Bill Johnson offered to work on continuations.

There were no further communications or disclosures.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. WORK SESSION

- A. 1127 Woodside Avenue – Plat Amendment** – The Applicant Proposes to Amend the Recorded Plat to Remove Plat Note 3 Establishing a Total Maximum Building Footprint of 2,100 Square Feet in the Historic Residential - 1 Zoning District. PL-24-06371.

Planner I, Meredith Covey, presented the Staff Report and explained that this Work

Session item is a Plat Amendment at 1127 Woodside Avenue. She reported that 1127 Woodside Avenue is a lot in the Historic Residential – 1 (“HR-1”) Zoning District and is currently 7,501 square feet. On the lot is a Landmark Historic Structure. Planner Covey shared an image to illustrate the existing conditions, with the Landmark Historic Structure at the front of the lot and the garage located in the middle. The property underwent a Plat Amendment in 2013 to combine four lots. At that time, a Condition of Approval was added to limit the footprint. That condition stated that the maximum total footprint allowed on the lot is 2,100 square feet. The maximum footprint for the house is 1,200 square feet, which may include up to 30 square feet for a connector. The applicant is proposing to remove the Plat Amendment that establishes the 2,100 square foot maximum building footprint.

Staff has analyzed the applicant's proposal and determined the following:

- The proposed Plat Amendment is contrary to the Commission recommendation for the 1127 Woodside Avenue Plat approved by the City Council in 2013;
- The proposed 1127 Woodside Avenue Plat Amendment does not comply with the recent maximum Lot Area updates to LMC Chapter 15-2.2 – HR-1 Zoning District; and
- There has not been a change in circumstances to alter the Planning Commission and City Council’s finding of Good Cause from the 2013 Plat Amendment.

Planner Covey reported that in 2013, this was noted by Staff to be one of the larger Plat Amendments in the neighborhood. Staff specifically outlined that a Condition of Approval would be added to prevent any future property owners from building out to the maximum footprint of 2,460 square feet. This was to avoid engulfing the Landmark Historic Structure with a large addition. As for the recent maximum Lot Area updates to the LMC section, in 2023, the City Council adopted Ordinance 2023-50 to establish a maximum lot size for the Historic Residential Districts. This proposed Plat Amendment would allow for a building footprint of 2,460 square feet, which is 943 square feet larger than is allowable in the HR-1 Zoning District based on the current maximum lot size. When it comes to Good Cause, in 2013, Good Cause was noted as being based on allowing site improvements, resolving existing encroachments, adding a snow storage easement, reducing density, and limiting the size of an addition or new structure on the lot.

Planner Covey posed the following questions to the Planning Commission:

- Does the Planning Commission draw a conclusion that is alternative to the analysis provided by Staff?
- Does the Commission find Good Cause for the proposed Plat Amendment?

The applicant representative, Justin Keys, introduced himself to the Planning Commission. There is a desire to create an accessory dwelling unit (“ADU”) on the back of this property. The neighbors who have been approached about the proposal have expressed support. There is a willingness to agree to a Deed Restriction on the ADU so

it would be limited to a full-time resident, and there would be no nightly rentals. The goal is to create one more living opportunity on the back of the property. He recognizes that this is in contradiction to the prior approval, but the Commission has jurisdiction to revisit it. Mr. Keys noted that his associate, Charles Pearlman, is also attending the meeting.

Mr. Keys shared a map of the surrounding area. The houses shown in green have expressed support for an ADU in this location. Other colors are used to indicate that attempts have been made to contact those residents, but there was no response. He reiterated that the Planning Commission has the authority to grant this request. The reason the Work Session has been scheduled is so that there can be a discussion.

Commissioner Johnson asked Staff whether there was an awareness that the proposal was for an ADU. Planner Covey stated that the applicant is proposing an addition. There has been some back and forth about whether it would be an ADU or an addition that someone related to the property owner would live in. Planning Director, Rebecca Ward, pointed out that Deed Restrictions are required for an accessory apartment or dwelling unit. She asked for clarification about how what is proposed would be different from the existing requirement. Mr. Keys explained that there is a willingness to consider additional restrictions that the Planning Commission feels would be necessary to mitigate the impacts.

Commissioner Suesser stated that she lives in the neighborhood and is familiar with this historic home. She pointed out that the historic home can be seen from the street, but a large garage that is not part of the historic structure has already been added to this property. She believes it has an apartment above and asked what is proposed is an additional ADU. Mr. Keys confirmed that there is a two-car garage behind the Landmark Historic Structure. It pre-existed the prior Plat Amendment and is not recent construction. It is the garage for the primary structure. In order to protect the structure, there is a connecting section, but that is not a separate ADU. What is proposed now is an ADU that is completely separate from the Landmark Historic Structure. It would not be accessed from Woodside Avenue, but from Norfolk Avenue. Mr. Keys explained that this is a very deep lot that would normally be two separate lots.

Commissioner Sigg asked if there would be a connection to the garage from the ADU, which was denied. Sheri Russell from In Studio Design introduced herself and explained that she was responsible for working through the plans based on directives from previous Planning Department members. This was proposed more than two years ago, before the 2023 updates took place. The proposed unit will be separate and accessible from the yard space. It is looked at as a mother-in-law apartment. Planner Covey shared an image of the property when viewed from Norfolk Avenue, with the existing garage on the right.

Commissioner Suesser asked about a connection to the garage. Ms. Russell explained that nothing will connect to the garage. The ADU has its own garage. There is a driveway that goes into the garage and then steps down into the ADU. The ADU will have a small

built-in closet and bathroom. It is not a large space that is contemplated. The garage for the ADU would be accessible off of Norfolk Avenue rather than Woodside Avenue.

Commissioner Shand asked if the floor above the existing garage is currently being used for anything. Ms. Russell clarified that it is a single bedroom. Nothing is being used as a separate rental, but as part of the home. There is a connection to that room from a set of stairs in the main house. Commissioner Sigg wanted to know if there is a setback requirement for other buildings when there is an ADU. Director Ward reported that a detached accessory building that is used as a dwelling unit needs to comply with the same setbacks as the home. Under the Historic District guidelines, there are some limitations on the garage presence, so it would be recommended to limit this to a single-car garage. The Building Code regulates the distance between the buildings within the site. Commissioner Sigg asked how this will be looked at since there is no rear property line. Director Ward explained that because it fronts Norfolk Avenue, it is a front setback. There would be no rear setback on the lot, but there would be two front setbacks and two side setbacks.

Ms. Russell reported that there are approximately 30 feet from the back of the building to the new ADU. Where the garage currently exists, all of the setbacks will be met. Images were shared with the Commission for reference. It was noted that a Steep Slope Analysis will be provided at a future Planning Commission Meeting. There was discussion about the garage that exists on the site, which has been there since the 1950s. Ms. Russell shared information about the breezeway where the ice-damming issue is occurring.

Chair Van Dine asked what the Commission would like to see when this item comes back. Commissioner Johnson stated that he would like to see a better visual representation of what has been proposed. Currently, he agrees with the Staff Report that this proposal contradicts the Planning Commission decision that was made in 2013. It does not comply with the maximum lot area, and there have not been changes in circumstances from the previous Good Cause finding. He requested information about the slope as well as a better visual representation. This is a Landmark Historic Structure, so everything else needs to be subordinate. He would also like to see more on the Deed Restrictions.

Commissioner Shand mentioned the Existing Conditions Survey. It shows the footprint of the existing home and garage, but it would be nice to see a line drawing of where the ADU is proposed to be located. Ms. Russell reported that all of that was submitted to the Planning Department. Planner Covey shared the Site Plan with the Commission. Commissioner Shand believed it showed the new driveway that comes in from Norfolk Avenue to the ADU. Mr. Keys stated that there are some visuals showing the proposed structure and massing from Norfolk Avenue to illustrate the minimal impact it will have. He offered to provide all of that information ahead of the next discussion. While he appreciates the comments made by Commissioner Johnson, he believes it is possible to show that there is a way to add an ADU without impacting the Landmark Historic

Structure, as viewed from either Woodside Avenue or Norfolk Avenue. There is documentation prepared, so it is possible to create a presentation with all of those details.

The Commission further discussed the Site Plan. Commissioner Frontero believed the proposed ADU was shown in the top left quadrant, which was confirmed. He asked where the green space is located. Ms. Russell pointed out the south side of the unit and the north side, where planters have been shown. Everything from the garage over would be open space. Additionally, in front of the ADU, there are some planters shown. Commissioner Frontero would prefer to see something color-coded. It would also be helpful to break out the ADU into a separate drawing for additional clarity. He agrees with the earlier points made by Commissioner Johnson. It is up to the applicant to convince him that the ADU would be a benefit to the community. The next presentation would need to be compelling for him to agree to remove the previous Condition of Approval #7.

The homeowner, Monique Sanders, explained that she lives in the home and wants her family to be in the home as well. Commissioner Johnson asked if the intention is for the ADU to be used for family members. Ms. Sanders explained that the ADU was the only way to add 361 square feet, but it is intended to be used for a family member. She shared an image of the existing historic home and outlined what she wants to add. The addition of a bedroom will not impact the existing views, and there will be remaining green space.

Commissioner Johnson noted that feedback has been provided on the proposal. The applicant can come back and present additional information. This is only a Work Session item, so it is not possible to take final action at this time. The Planning Commission takes Landmark Historic Structures extremely seriously, and that is the reason the previous Plat Amendment was done the way it was back in 2013. The conditions were intended to protect and preserve the Historic District. He understands that there is a desire to expand and pointed out that there can be another presentation made at a future meeting. All of the requested materials can be shared at that time.

Chair Van Dine asked whether Planner Covey feels enough direction has been provided from the Planning Commission during the Work Session, which was confirmed. Chair Van Dine asked Ms. Russell to continue working with Planner Covey on this proposal.

6. REGULAR AGENDA

- A. 5 Iron Canyon Court – Plat Amendment** – The Applicant Proposes Amending the Iron Canyon Subdivision Lot 30 to Adjust the Building Pad to Align with the Existing Single-Family Dwelling and to Allow an Expansion of the Non-Complying Structure. PL-25-06524.

Planning Project Manager, Elissa Martin, presented the Staff Report and explained that this is a Plat Amendment application for 5 Iron Canyon Court. She reported that 5 Iron Canyon Court is Lot 30 of the Iron Canyon Subdivision, which was recorded in 1983. The

lot is 0.56 acres, and the platted building pad is 4,000 square feet. The single-family dwelling on Lot 30 was constructed in 1994, and it was constructed outside of the building pad. The zoning is the Single Family Zoning District, and it is also in the Sensitive Land Overlay. The proposal is to adjust the building pad limits to align with the existing single-family dwelling, but also expand it slightly. It would not be an expansion overall of the building pad and would actually slightly reduce the building pad to 3,840 square feet. The expansion would be on the home itself with the proposed deck and roof expansion.

The building pad adjustment would shift it further back onto the lot, and it would be rotated slightly. This would allow for the deck and roof expansion. At least 10 other lots in the subdivision have been approved over the years for building pad adjustments for various reasons. Commissioner Suesser asked for clarification about the statement that there would be a reduction in the building pad. Planner Martin explained that it would be a reduction from what currently exists on the plat. The platted building pad is 4,000 square feet, which is shown on the materials with the dashed line. What is proposed is 3,840 square feet. It is a different shape than the rectangular shape shown in the dashed line.

Staff evaluated the property for sensitive lands, and the applicant submitted an Existing Conditions Report that shows topography on the site as well as vegetation. There are no steep slopes on the site, there are no ridgelines, and there are very few areas with significant vegetation. The area where the deck and roof expansion are proposed does not contain any significant vegetation. The proposed deck expansion is not visible from the northern entry corridor. Staff has found that the Plat Amendment would have Good Cause, because it would resolve an existing non-conformity by aligning the limits of disturbance with the existing single-family dwelling. The Staff recommendation is to:

- Review the Iron Canyon Subdivision Lot 30 – Building Pad Adjustment for 5 Iron Canyon Court to reflect the existing conditions and to allow for roof and deck extensions;
- Conduct a public hearing; and
- Consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter.

The applicant representative, Rick Otto, is attending the meeting virtually. Commissioner Shand mentioned Exhibit D, which shows a number of other plats that have been amended to conform with the building pads that were originally platted with the subdivision. He asked if there is a requirement to check with the neighbors for the building pad modification. Planner Martin does not believe that it is required for an amendment.

Commissioner Frontero asked to review Figure 3 on Page 4 of the Staff Report. That figure includes two red hatched areas. He wants to fully understand what that figure is depicting. Planner Martin explained that those areas represent the expanded deck and roof for the single-family dwelling. Commissioner Frontero asked what the square footage

of the expanded deck would be. Mr. Otto explained that he does not know the exact number, but believes it is a little over 200 square feet. He offered to check that quickly.

Commissioner Johnson noted that the proposal is to shift the building pad to match the existing conditions. The expansion that is proposed is within that building pad and is under the 4,000 square foot amount. The expansion will not impact any significant vegetation and will be on previously disturbed areas. Planner Martin referenced the Existing Conditions Report and stated that the area impacted by the expansion is lawn.

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

Mr. Otto shared additional information about the square footage of the expanded deck. He reported that it is approximately 220 square feet. The upper red portion shown is the deck area, and the lower red portion is a small addition to the upper floor that is above the garage doors. That is around 22 square feet, so the total is around 240 square feet.

Commissioner Suesser agrees with the Staff Report that there is Good Cause for this Plat Amendment, because it resolves an existing non-conformity, complies with the Sensitive Land Overlay, there is no significant vegetation impacted, and there is a natural visual buffer to the neighboring homes. She expressed support for the application.

MOTION: Commissioner Shand moved to APPROVE the Plat Amendment for 5 Iron Canyon Court, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. 5 Iron Canyon Court is within the Iron Canyon Subdivision, recorded in 1983; each Lot has platted Building Pad limits of 4,000 square feet.
2. At least ten other Lots within the Iron Canyon Subdivision have completed Building Pad adjustments, none of which have exceeded the original 4,000 square foot Building Pad.
3. The existing Single-Family Dwelling (SFD) was constructed in 1994 outside of the platted Building Pad.
4. The Applicant submitted a Plat Amendment to adjust the Building Pad to align with the existing SFD and allow for a deck and roof extension.
5. The proposed new Building Pad will be reduced from 4,000 square feet to approximately 3,840 square feet.

6. The property is located within the Sensitive Lands Overlay (SLO).
7. The Applicant submitted SLO analysis materials, and the Planning Department determined there are no Sensitive Lands that will be impacted by the proposed Building Pad Adjustment or deck and roof extension.
 - a. The slopes on Lot 30 are less than 30%.
 - b. The area proposed for expansion consists of 10% to 12.5% slopes.
 - c. There are no ridgelines on the property.
 - d. There is no Significant Vegetation in the area proposed for expansion.
 - e. The SFD and proposed area for expansion are visually buffered from neighboring properties by the vegetation surrounding the home.
8. Pursuant to LMC § 15-7.1-3, a Plat Amendment shall be reviewed according to the requirements of Section 15-7.1-6 Final Subdivision Plat, and approval shall require a finding of Good Cause.

Conclusions of Law:

1. The proposed Plat Amendment to adjust the Building Pad to allow for an expansion of the SFD meets the criteria for Good Cause, Pursuant to LMC § 15-15- 1, by resolving a non-conformity.
2. No Public Street, Right-of-Way, or easement has been vacated or amended as a result of the Plat Amendment.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The Applicant shall record the Plat Amendment within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the Planning Commission.
3. New construction shall not occur outside the platted Building Pad per the approved Plat Amendment for Lot 30.

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

- B. 2685 Meadow Creek Drive – Modification to Plat Amendment** – The Applicant is Proposing to Modify the Smith Subdivision First Amended Plat Amendment Approved by the Planning Commission on March 13, 2024, to Shift the Barn Building Pad and Driveway Easement to Comply with an Updated Wetlands Delineation Located in the Single Family and Estate Zoning Districts and the Sensitive Land Overlay. PL-25-06415.

Planner I, Jaron Ehlers, presented the Staff Report and explained that this is an application for a Modification to a Plat Amendment at 2685 Meadow Creek Drive. He noted that this is a proposed modification to an approved Plat Amendment that has not been recorded. He shared an image and explained that the area stripped of grass is Lot B. Lot B is in the Estate Zone and the Sensitive Land Overlay. The other lot in the Smith Subdivision, Lot A, is split between the Estate and Single-Family Zoning Districts.

Some background information was shared with the Commission. Planner Ehlers reported that the McLeod Creek Subdivision was approved in 1980 and later rezoned. Willow Ranch was approved in 1992. In 1995, the Smith Subdivision was approved and combined one of the lots in the McLeod Creek Subdivision with one of the Willow Ranch lots and shifted the lot line up slightly. That is the reason for the split lot. On March 13, 2024, the Planning Commission approved the proposed Plat Amendment. The current building pads for the house and barn are located within the 50-foot buffer for the wetlands. As part of that approval, there was Condition of Approval #7. At that time, the final delineation had not been approved by the Army Corps of Engineers. If that required the shifting of the building pads, the condition allowed the applicant to come back to the Planning Commission for modified approval. On January 15, 2025, the delineation was approved by the Army Corps of Engineers, and the barn pad needed to be moved.

On April 9, 2025, at the request of the applicant, the Planning Commission opened a public hearing and continued the item to the June 11, 2025, Planning Commission Meeting. Planner Ehlers reviewed the plat that was approved last year and the information from the Army Corps of Engineers. The proposed modification still complies with the Estate Zoning Code. The new location for the barn pad complies with the setbacks, and the barn would comply with the zone height. Modifications were reviewed, including that the barn building pad is moved out of the wetland setbacks. There will also need to be modifications made to Condition of Approval #7 and Condition of Approval #2. The driveway easement will be modified to comply with Park City Fire District requirements. Good Cause has not changed since the approval last year. As a result, Staff recommends holding a public hearing and considering approval of the application.

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

Commissioner Johnson thanked the applicant because he believes the correct process occurred. He appreciates the steps that took place and still finds Good Cause for this.

MOTION: Commissioner Johnson moved to APPROVE the Modified Plat Amendment for 2647 and 2685 Meadow Creek Drive, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. In 1980, the Park City Municipal Corporation (the City) approved the McLeod Creek Subdivision.
2. On January 22, 1985, the City Council passed Ordinance 86-5, rezoning McLeod Creek Subdivision to being Single Family (SF) Zoning District.
3. On December 17, 1992, the City Council formally annexed what would become the Willow Ranch Subdivision, zoning it Estate and Recreation Open Space.
4. On January 28, 1993, the City Council approved the final Plat for the Willow Ranch Subdivision, which consisted of eight lots.
5. The City was creating the SLO at the same time as the Willow Ranch annexation, and so the SLO didn't initially apply as the Annexation was vested.
6. To provide protection in the absence of the SLO, specific building pads for a Single-Family Dwelling and Barn, driveway easements, and square footage were placed as restrictions on the Plat.
7. Lot 6, which is now Parcel B, was one such Lot.
8. In 1995, the then-owner wished to add an addition to the existing Single-Family Dwelling located on Lot 10 of the McLeod Creek Subdivision, but this proposed addition encroached on setbacks. The owner also owned Lot 6 of Willow Ranch, which was vacant. The property owner applied to create the two-lot Smith Subdivision. To accommodate the addition, the Lot line for Lot 10 would be shifted North to incorporate part of Lot 6. This new Lot was named Parcel A. The remainder of Lot 6 became Parcel B.
9. On August 31, 1995, the City Council approved the Smith Subdivision. The Lot 6 Building Pads for the potential Single-Family Dwelling and Barn remained on the Smith Subdivision Plat, but neither the Square Footages

nor the Driveway Easement are shown. Ordinance 95-44, which approved the Smith Subdivision, included Condition of Approval (COA) 3, which states, "All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect."

10. The addition was not constructed.
11. On September 8, 2022, the Planning Department received a Plat Amendment from the current applicant seeking to adjust the lot line for Parcels A and B to restore it to the original boundary between the McLeod and Willow Ranch Subdivisions. That application was under the address 2647 Meadow Creek Drive (Parcel A) and assigned the number PL-22-05374. As part of Staff's analysis of the application, it was determined that the Applicant would need to complete a Wetlands Delineation as required by LMC § 15-2.21-6.
12. A COA was recommended where the final location of the Building Pads would be determined by the Planning Director and City Engineer following the Delineation. Staff also recommended that the restrictions and Plat Notes that had been included on the Willow Ranch Plat, but weren't included on the Smith Subdivision Plat, would be placed on the amended Smith Subdivision Plat, as they remained in effect due to COA 3 of Ordinance 95-44. The Plat Amendment was scheduled for a public hearing before the Planning Commission on December 14, 2022, but the applicant withdrew the application before the hearing.
13. In preparation for submitting a new Plat Amendment application, the applicant reached out to Staff to determine what would be required under the SLO and expressed their interest in building the Barn first.
14. Staff took the proposal to the Development Review Committee (DRC) on August 15, 2023. Following the meeting, the applicant worked with the Planning Department, City Engineer, Park City Fire District (PCFD), and the public utilities to amend their proposal.
15. On January 4, 2024, the applicant submitted the formal application for a Plat Amendment.
16. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The Park Record published notice on February 28, 2024.

17. On March 13, 2024, the Planning Commission approved the Smith Subdivision First Amended Plat to shift the driveway easement from Parcel A to Parcel B and to modify the two Building Pads on Lot B – one for a home, and one for a barn – based on a 2023 preliminary wetland delineation.
18. The Planning Commission approved the Plat Amendment with Condition of Approval 7 requiring the Applicant to submit an updated Army Corps of Engineers wetland delineation to confirm the Building Pad compliance with the wetland Setback and to return to the Planning Commission for additional review if modifications are required.
19. On January 15, 2025, the Army Corps of Engineers submitted the final delineation, and the Applicant updated the location of the building pad for the barn for Planning Commission review to meet the wetland Setbacks.
20. In conformance with the Planning Commission's March 13, 2024, Condition of Approval 7, the Applicant shifted the Building Pad for the barn to comply with Land Management Code (LMC) § 15-2.21-6(F), which requires a 50-foot Setback from wetlands in the Sensitive Land Overlay.
21. Parcel B is located within the Estate Zoning District.
22. Land Management Code (LMC) § 15-2.10-2 establishes that both Single Family Dwellings and Agriculture are Allowed Uses within the Estate Zone.
23. Per LMC Chapter 15-2.10, all structures within the Estate Zone are subject to the following criteria:

Estate Zone Requirements:	Analysis of Proposal:
Lot Size	<i>LMC § 15-2.10-3(A) requires that all uses (except Duplexes) have a minimum Lot Size of 3 Acres.</i> Complies: Parcel B has a Lot Size of 6.4 Acres
Lot Width	<i>LMC § 15-2.10-3(B) requires a minimum Lot Width of 100 feet.</i> Complies: Parcel B has a Lot Width of 304 feet.
Setbacks	<i>LMC § 15-2.10-3(C) establishes that Setbacks for Front, Rear, and Sides to be 30 feet.</i>

	Complies: The Building Pad for the Single Family Dwelling is located 41 feet from the Northern Lot Line. The Barn Building Pad is located 55 feet from Northern Lot Line.
Building Height	<i>LMC § 15-2.10-4 sets a Building Height of 28 feet from Existing Grade.</i> Complies: Future development must comply with Building Height.

24. Parcel B is located within the SLO, specifically in relation to Wetlands located on the Lot. LMC § 15-2.21-6(D) requires that the Applicant provide a wetlands delineation. The Applicant has completed a provisional delineation which identified two Wetlands on Parcel B, shown on the Site Plan Concept. LMC § 15- 2.21-6(F) requires a 50 foot Setback from all Wetlands. As the Site Plan Concept shows, the existing Building Pads for both the Barn and Single Family Dwelling encroach on the Wetlands Setback.
25. The current Smith Subdivision Plat also established that the area added to Lot 10, forming Parcel A, was to be a non-build Yard Area.
26. Plat Amendments shall be reviewed according to LMC § 15-7.1-6 Final Subdivision Plat and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.
27. Good Cause exists for the Plat Amendment as it resolves existing issues and non-conformities, specifically by moving the Building Pads outside of the Wetlands Setbacks and by moving the Parcel B Driveway Easement exclusively onto Parcel B as well as bringing a potential driveway into compliance with PCFD requirements.
28. No changes to the public street or Right-of-Way are proposed. The utility easements running around the property will not be amended. The Driveway Easement will be amended, but it is not a public easement.
29. As part of the original approval, PCFD required emergency passing lanes and an area for them to turn around. PCFD requires the emergency passing areas and turn area to be added to the driveway easement to reflect the access that was reviewed and approved by PCFD on March 27, 2025.

30. The Applicant worked with Park City Water and Snyderville Basin Water Reclamation District to ensure their utility plan does not encroach on the wetland Setbacks.
31. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 27, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 27, 2025. *The Park Record* published notice on March 27, 2025.
32. On April 9, 2025, the Planning Commission held a public hearing and continued the public hearing to June 11, 2025.

Conclusions of Law:

1. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.10 for the Estate Zoning District.
2. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.21 for the SLO.
3. The proposed Plat Amendment complies with the LMC Requirements pursuant to LMC Chapter 15-7.1 for Subdivision Procedures, as there is Good Cause and no Public Street, Right-of-Way, or easement is vacated or amended.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of Planning Commission approval of this Modification (by June 11, 2026). If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. No Building Permit application may be submitted until after this plat amendment has been recorded with the County.

4. Development on Parcel A must conform with the land use regulations of the Single-Family Zoning District.
5. Development on Parcel B must conform with the land use regulations of the Estate Zoning District and the Sensitive Land Overlay.
6. Easements established as part of the 1995 Smith Subdivision are required to be retained or relocated pursuant to documented easement holder permission, including a 10-foot existing utility and drainage easement common to both Lots.
7. The recorded Plat Amendment shall fully comply with the Army Corps of Engineers wetland Delineation dated January 15, 2025.
8. Plat notes shall require the following:
 - a. A maximum of three horses will be allowed, and grazing of horses in the wildlife corridor is prohibited for Parcel B.
 - b. Home square footage is limited to a maximum of 8,000 square feet for Parcel B.
 - c. Barn square footage is limited to a maximum of 1,800 square feet for Parcel B. Residential use and human occupancy of the barn are prohibited.
 - d. Building height of the home and barn on Parcel B is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
 - e. Parcel B is subject to an Animal Management Plan and Equestrian Lot Open Space Covenant Executed with Park City Municipal Corporation.
 - f. Basements are prohibited for Parcel B.
9. A Plat Note shall indicate that the area added to Lot 10 [Lot A] of the McLeod Creek Subdivision, which is zoned Estate Zoning District, from the Willow Ranch Subdivision shall be a non-build area with such uses allowed as were previously allowed as part of Lot 6 of the Willow Ranch Subdivision.
10. The Driveway Easement shall be modified to reflect the access that was reviewed and approved by the Park City Fire District on March 27, 2025.

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

- C. 7 & 11 Red Cloud Trail – Plat Amendment** – The Applicant Proposes the Second Amended Red Cloud Subdivision Plat to Combine Lots 1 and 2 and Establish an 18,000 Square-Foot Building Envelope and a Maximum House Size of 16,000 Square Feet for the Combined Lot in the Estate Zoning District and Sensitive Land Overlay. PL-24-06354.

Planner II, Virgil Lund, presented the Staff Report and explained that this is a Plat Amendment for 7 and 11 Red Cloud Trail. He explained that the lots are part of the Red Cloud Master Planned Development (“MPD”). That MPD approved 30 single-family dwellings. Planner Lund shared an image of Lot 1 and Lot 2 and their building envelopes. The applicant purchased Lot 1, Lot 2, and the 0.92-acre open space parcel that is shown as Parcel 2 on the proposed plat. It is zoned Recreation and Open Space (“ROS”) and will maintain that zoning with the Plat Amendment. The proposal complies with the Estate and ROS Zoning District requirements, the Ordinance that approved the Red Cloud Subdivision, the Sensitive Land Overlay, and the Red Cloud MPD.

Staff finds Good Cause for the Plat Amendment because the proposed building envelope of 18,000 square feet and the gross residential floor area of 16,000 square feet for the combined lots is less than the two separate lots. Additionally, a unit of density is eliminated with this Plat Amendment, so the MPD would have 29 single-family dwellings.

The Draft Final Action Letter includes several Conditions of Approval. Planner Lund highlighted Condition of Approval #4 and Condition of Approval #7 regarding the unit of density that is eliminated. It cannot be transferred and is retired. The condition language also clarified that Parcel 2, which is currently zoned ROS, will maintain that zoning. The Staff recommendation is to review the proposed Plat Amendment, open a public hearing, and consider approving the proposal based on the Draft Final Action Letter.

Commissioner Shand asked if Lot 1 and Lot 2 were originally intended to be for sale lots with a residence. This was confirmed. Planner Lund noted that there is a parcel to the north of Lot 1 that is also owned by the applicant and is included in this amendment. He clarified that there is Lot 1, Lot 2, and the open space parcel, which is Parcel 2.

Commissioner Sigg asked if the open space parcel was part of the Subdivision Plat. Planner Lund clarified that it was not part of the subdivision plat and has never been platted. It was a leftover parcel acquired by the applicant. Commissioner Sigg wanted to know about the house size limit and the Covenants, Conditions, and Restrictions (“CC&Rs”). Planner Lund reported that based on the CC&Rs, the house size limit for the lots in the Red Cloud Subdivision is 10,000 square feet. When these lots are combined, there will be a 16,000 square foot maximum, which is less than if two houses were built.

Commissioner Sigg wanted to know if there is a provision in the CC&Rs that permits an increase in house size through a combination of lots. Planner Lund is not aware of that kind of provision in the CC&Rs. The Empire Pass Design Review Board has approved

the proposal. The applicant representative, John Shirley, explained that he also sits on the Empire Pass Design Review Board. In the CC&Rs, it allows for a lot combination and allows the Board to determine the size. As for the open space parcel, that was a piece owned by Wells Fargo when they acquired some land there. The intention is not to use that parcel, as it is hillside. Commissioner Sigg thanked him for the clarification.

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

Commissioner Frontero finds the Conditions of Approval well done, but asked to further discuss Condition of Approval #4. The current MPD allows for 30 units. By combining these two lots, which will permanently retire one lot, the maximum number of lots that can be in the MPD becomes 29. He would like that clearly written in Condition of Approval #4, so there is no ambiguity in the future. Commissioner Frontero expressed support for the application with that amendment made. Commissioner Suesser agreed with Commissioner Frontero. She asked whether the ROS parcel is between another Estate Zone residential lot. It was clarified that it abuts the Deer Valley Resort parcels. The Parcel Map was shared, and it was reiterated that the ROS parcel will maintain the ROS Zoning. However, the rest of the combined lot will be in the Estate Zone. There will be one parcel with two zones. ROS is conditioned to be shown on the plat when recorded.

Planner Lund noted that there were two single-family dwellings under construction before the applicant purchased both of the lots. Mr. Shirley reported that both foundations have been removed and the site is being remediated back to its natural state. There was discussion about amendments to the Draft Final Action Letter. Commissioner Johnson asked the City Attorney about enforcement. Senior City Attorney, Mark Harrington explained that the condition language that references 29 lots can be referred to moving forward. There are sometimes situations where someone asks about a transfer, which is the reason there is transfer language included. Condition of Approval #4 was amended.

MOTION: Commissioner Suesser moved to APPROVE the Second Amended Red Cloud Subdivision, 7 and 11 Red Cloud Trail Plat Amendment, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. Lots 1 and 2 of the Red Cloud Subdivision are 1.45 acres and 1.22 acres, respectively. Lot 1 has a Building Envelope of 9,660 square feet, and Lot 2 has a Building Envelope of 9,749 square feet. Lots 1 and 2 each have a maximum Gross Residential Floor Area of 10,000 square feet. Parcel 2 is 0.92 acres and is owned by the Applicant.
2. The Applicant proposes combining Lots 1 and 2 and establishing a maximum Gross Residential Floor Area of 16,000 square feet and a

maximum Building Envelope of 18,000 square feet for the combined Lot. The Applicant also proposes incorporating parcel number PCA-S-98-SD-9-A (shown as Parcel 2 on the proposed Plat), zoned ROS, into the proposed Lot. The ROS parcel was originally included in the Red Cloud Development but was never platted. The previous owner of Lot 1 also owned the ROS parcel. When the Applicant purchased Lots 1 and 2 from the previous owners, the Applicant also obtained the ROS Zoned parcel. The proposed 156,057-square-foot (3.58-acre) Lot is within the Estate and ROS Zoning Districts and the Sensitive Land Overlay (SLO).

3. On June 24, 1999, the City Council adopted Ordinance 99-30 approving the Annexation and Development Agreement for the 1,655-acre Flagstaff Mountain area. The Development Agreement defined the Red Cloud Subdivision as Pod D, approved for a maximum of 38 detached Single-Family Dwellings (SFDs).
4. The Development Agreement stipulated that if all property owners did not sign the Development Agreement, the maximum number of SFDs for Pod D would be 30.
5. All property owners did not sign the Development Agreement and on August 11, 2004, the Planning Commission approved the Master Planned Development (MPD) for 30 SFDs for Pod D (Red Cloud).
6. On November 11, 2004, the City Council adopted Ordinance 04-56 approving the Red Cloud Subdivision for 30 SFDs.
7. On May 4, 2006, the City Council adopted Ordinance 06-23 approving an amendment to Lots 1, 2, 3, and 4 of the Red Cloud Subdivision. The amendment adjusted the location of the private road, Red Cloud Trail, and the layouts and locations of Lots 1 through 4.
8. On August 18, 2021, the Building Department issued permit #21-974 for the construction of an SFD on Lot 1 (11 Red Cloud Trail) of the Red Cloud Subdivision.
9. On April 12, 2022, the Building Department issued permit #22-255 for the construction of an SFD on Lot 2 (7 Red Cloud Trail) of the Red Cloud Subdivision.
10. While both SFDs were under construction, the Applicant purchased Lots 1 and 2. On October 31, 2024, the building department issued Building Permits for the demolition of the existing foundations on Lots 1 and 2 (permits 24-2607 and 24- 2606).

11. On December 12, 2024, the Applicant applied to combine the Lots. The item was publicly noticed for Planning Commission review on April 9, 2025. However, the Applicant requested that the Planning Commission continue the proposed Plat Amendment to a date uncertain.
12. The proposed Plat Amendment complies with the Recreation and Open Space Zoning District Requirements in LMC Chapter 15-2.7.
 - a. The purpose of the ROS District is to:
 - i. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets, and Parking Lots,
 - ii. Permit recreational Uses and preserve recreational Open Space land,
 - iii. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
 - iv. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
 - v. Encourage sustainability, conservation, and renewable energy.
 1. The proposed Plat Amendment preserves the ROS-zoned parcel on the combined Lot and requires that all future Uses of the parcel comply with the ROS requirements.
 - b. The proposed Plat Amendment preserves the 40,075-square-foot (0.92-acre) ROS-zoned parcel on the combined Lot. Future Uses within this parcel must comply with the ROS requirements.
13. The proposed Plat Amendment complies with the Estate Zoning District requirements outlined in LMC Chapter 15-2.10.
 - a. The purpose of the Estate District is to:
 - i. Allow very low-density, environmentally sensitive residential Development which:
 1. Preserves ridge tops, meadows, and visible hillsides;
 2. Preserves large, cohesive, unbroken Areas of Open Space and undeveloped land;
 3. Preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development;
 4. Mitigates geologic and flood hazards;
 5. Protects views along the City's entry corridors; and

- 6. Decreases fire risk by keeping Development out of sensitive wildland interface Areas.
 - ii. Incorporate pedestrian trail linkages between and through neighborhoods; and
 - iii. Encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.
 - b. Setbacks
 - i. LMC § 15-4-17 outlines the Setback requirements for unusual Lot configurations. The proposed Lot will have the Front, Rear, and Side Setbacks determined by the Planning Director during Building Permit plan review for the Single-Family Dwelling.
 - ii. LMC § 15-2.10-3(C) outlines the following Setbacks for the Estate Zoning District:
 - 1. The minimum Front, Side, and Rear Setbacks for all Structures is 30 feet.
 - 2. The proposed Building Envelope is set back 99 feet eight inches from the Front, 266 feet from the west Side, 169 feet one inch from the east Side, and 56 feet four inches from the Rear property lines.
 - c. Lot Size and Density
 - i. LMC § 15-2.10-3(A) states that the minimum Lot size for all Uses in the Estate Zoning District is three acres. The Applicant proposes a Lot that is 3.58 acres.
 - d. Lot Width
 - i. LMC § 15-2.10-3(B) states the minimum Lot width in the Estate Zoning District is 100 feet. The Applicant proposes a Lot that is approximately 500 feet wide, measured from the front Lot Line.
 - e. Vegetation Protection
 - i. LMC § 15-2.7-6 and § 15-2.10-10 require the protection of Significant Vegetation during any development activity. The proposed Plat Amendment will not impact any Significant Vegetation on the Lot. The proposed Building Envelope does not contain any Significant Vegetation.
14. The proposed Plat Amendment complies with Ordinance No. 04-56 and the Red Cloud MPD.
- a. The Red Cloud MPD approved 30 detached SFDs. The Applicant's proposed Plat Amendment reduces the number of SFDs in the Red Cloud Subdivision to 29.

- b. Ordinance No. 04-56 outlines the general process and requirements for combining Lots in the Red Cloud Subdivision:
 - i. “Lot combinations are subject to Design Review Board approval. Adjoining Lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If Lots are combined, the Design Review Board will designate a new approximate Building location.”
 - ii. On October 28, 2024, the Empire Pass Design Review Board approved the proposed Plat Amendment and location of the Building Envelope on proposed Lot 1. Neither the current LMC nor the version in effect at the time of the Red Cloud MPD approval includes a process for establishing a maximum house size for combined lots in the Estate Zoning District.
 - c. Each Lot in the Red Cloud Subdivision has a maximum Gross Residential Floor Area of 10,000 square feet.
 - d. The average Lot size in the Red Cloud Subdivision is 1.43 acres. The average Building Envelope percentage of each Lot in the Red Cloud Subdivision is 17%. The Applicant proposes a Building Envelope that occupies 12% of the proposed Lot size. Without the Open Space parcel included in the proposed Lot size, the proposed Building Envelope would occupy 15.5% of the Lot. The adjacent Lot, Lot 5, has a Building Envelope that covers 22% of the Lot, and Lot 8 (across the street) has a Building Envelope that covers 14% of the Lot.
 - e. Ordinance No. 04-56 outlines requirements for adjustments to the Building Envelope: “Any adjustment of the approximate Building location must avoid Very Steep Slopes and Ridge Line Areas.” LMC § 15-15-1 defines Very Steep Slopes as Slopes greater than 40 percent. The proposed Building Envelope for Lot 1 is on a Slope between 15 and 30 percent.
 - f. LMC § 15-15-1 defines “Ridge Line Area” as the top, ridge, or Crest of Hill, or Slope, plus the land located within 150 feet on both sides of the top, crest, or ridge. The proposed Building Envelope is greater than 150 feet from the designated ridgeline.
 - g. A maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet is appropriate for the proposed 3.58-acre Lot.
15. The proposed Plat Amendment complies with the Sensitive Land Overlay Requirements in LMC Chapter 15-2.21.
- a. The Lots proposed to be combined have been approved under the Red Cloud MPD and Ordinance No. 04-56, which considered

Sensitive Land Overlay principles. The proposed Building Envelope complies with the Steep Slope and Ridgeline requirements outlined in Ordinance No. 04-56.

16. The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.
 - a. Changes to platted elements, including Lot combinations, require a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7.1-3(B), and approval shall require a finding of Good Cause.
 - b. LMC § 15-15-1 defines Good Cause as “Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”
 - c. There is Good Cause for this Plat Amendment because the Building Envelope and maximum Gross Residential Floor Area for the combined Lot are smaller than the Building Envelope and maximum Gross Residential Floor Area for the two separate Lots created in the First Amended Red Cloud Subdivision Plat, a Unit of density is eliminated, and no Public Street or Right-of-Way is vacated or amended.
17. The Development Review Committee reviewed the proposal on January 21, 2025, and confirmed that the proposal conforms to their requirements.
18. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on May 28, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 28, 2025.
19. *The Park Record* published courtesy notice on May 28, 2025.

Conclusions of Law:

1. There is Good Cause for this Plat Amendment.
2. The Plat Amendment is consistent with LMC Chapters 15-2.10 Recreation and Open Space Zoning District, 15-2.7 Estate Zoning District, and 15-2.21 Sensitive Land Overlay, and Sections 15-7.1-3(B) Classification of Subdivision and § 15- 7.1-6 Final Subdivision Plat.

3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, the Conditions of Approval, and the amended CC&Rs prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. All Conditions of Approval from Ordinance 04-56 and the Red Cloud Master Planned Development shall continue to apply.
4. The Red Cloud Master Planned Development limits Single-Family Dwellings to 30. The Dwelling Unit eliminated as part of this Plat Amendment to combine two Single-Family Lots may not be transferred and is retired. The total units in the Red Cloud Subdivision shall not exceed 29.
5. Gross Residential Floor Area for the combined Lot shall not exceed 16,000 square feet.
6. The Building Envelope, as indicated on the Plat, shall not exceed 18,000 square feet.
7. Parcel 2 indicated on Lot 1 is zoned Recreation and Open Space. All construction activity on Parcel 2 must comply with the Recreation and Open Space Zoning District requirements. A plat note must indicate the ROS designation for this parcel.
8. The Applicant is responsible for re-vegetating all areas previously disturbed by the demolition of the Single-Family Dwelling foundations on Lots 1 and 2. All new vegetation must comply with LMC § 15-5-5(N).

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

The Commission took a short break before hearing the next agenda item.

- D. 6453 Silver Lake Drive – Plat Amendment** – The Applicant Proposes a Plat Amendment to Revise the Platted Area of Disturbance to Reflect Existing Conditions and Accommodate a Future Addition to a Single-Family Dwelling in the Residential Development Zoning District. PL-24-06225.

Planner I, Jacob Klopfenstein, presented the Staff Report and explained that this is a Plat Amendment for 6453 Silver Lake Drive. He reported that this address is Lot 28 of the Evergreen Subdivision and is located in the Residential Development (“RD”) Zone. The applicant is proposing a Plat Amendment to expand the Area of Disturbance (“AOD”) on the lot from 2,919 square feet to 6,486 square feet. This proposed expansion to the AOD would reflect existing conditions of the single-family dwelling at the site as well as accommodate a future addition to the dwelling. The Planning Commission initially reviewed this item in November 2024 and requested that the applicant provide some additional overlay exhibits to compare the currently platted AOD with the proposed AOD, the current footprint of the single-family dwelling and the proposed footprint of the expanded single-family dwelling, and the existing vegetation at the site. That was provided by the applicant and is included in the Meeting Materials Packet as Exhibit I.

The existing dwelling at the site was constructed in 1991 and exceeds the platted AOD that was originally platted on the lot. Building Permits in 1990 and 1991 approved the construction of the dwelling outside of that platted AOD, but did require retention of some of the trees on the site. Planner Klopfenstein explained that the AOD for the Evergreen Subdivision is defined as “the boundary in which all building and associated construction disturbance shall occur.” He shared a comparison image and reminded the Commission that the platted AOD is 2,919 square feet. The existing single-family dwelling is 3,003 square feet and exceeds the platted AOD. With the applicant proposal, it would take the AOD to 6,486 square feet, which is an increase of 3,500 square feet. The proposed addition to the dwelling would amount to a building footprint of 5,241 square feet.

Planner Klopfenstein shared an image provided by the applicant that shows the existing house footprint in gray and the proposed expansion to the dwelling in green. He pointed out the platted AOD in the upper left corner of the lot, the proposed expanded AOD, the proposed expanded dwelling, and the existing vegetation on the site.

Information about building height was shared. Planner Klopfenstein explained that in the RD Zone, the maximum building height is 28 feet from existing grade, with an exception to allow a height that is up to 33 feet from existing grade if the structure contains a roof pitch of 4:12 or greater. The height of the existing dwelling on the site is 39.8 feet above existing grade, and the roof pitch is 5:12. This exceeds the maximum building height.

As for vegetation, the original Building Permit from 1990 required the retention of several different areas of trees on the site. In the applicant proposal, the AOD expansion would impact some of the trees that are marked for retention by that Building Permit. The applicant submitted an Arborist Report that was completed in September 2024. That report indicated that all trees on the site were in good condition, in good health, and had no signs of disease or pests. Planner Klopfenstein shared an image that illustrates the areas of trees that were marked for retention in the 1990 Building Permit. The trees in green would be impacted by the expanded AOD, which are on the east side of the lot. The area in blue along Silver Lake Drive would not be impacted by the expansion. The areas in yellow on the west side of the structure were not listed in the existing conditions submittal from the applicant, so those were removed at some point prior to 2024.

Planner Klopfenstein explained that the Planning Commission needs to make a finding of Good Cause in order to approve the Plat Amendment. Staff finds Good Cause to approve this Plat Amendment to reflect the existing conditions of the lot, because that promotes best planning practices by establishing an accurate record of the existing conditions and uses on the site. However, Staff does not find Good Cause to approve the Plat Amendment to expand the AOD to allow for a future addition to the single-family dwelling because of impacts to vegetation and the existing non-compliant building height.

The Staff recommendation is to review the Plat Amendment for 6453 Silver Lake Drive, conduct a public hearing, and consider approving the Plat Amendment, but limited to reflect the existing conditions only, based on the Draft Final Action Letter. Planner Klopfenstein noted that there are several members of the applicant team at the meeting.

Martina Nelson from Park City Surveying introduced herself to the Commission and explained that she was the initial applicant representative. There have since been other additions to the team, including Justin Keys, who is now the main applicant representative. She is still available to answer survey-related questions. Charles Pearlman is available from HLH, as well as Mike Stoker from Stoker Architecture.

The Commission reviewed one of the images submitted by the applicant team. Chair Van Dine noted that the proposed building is not within the front setback. Planner Klopfenstein believed the proposed expanded AOD would go over the front setback line slightly. Director Ward pointed out that a roof overhang is an exception. Ms. Nelson provided clarity and explained that she had surveyed the house. The thick blue dashed line that is shown over the front setback on the image is a built second-level deck that is existing. The intention is to have the AOD include that existing condition on the property.

Commissioner Suesser referenced the vegetation slide that was shown earlier. It suggests that two trees would be impacted by the AOD, but that is not the extent of the vegetation that is proposed to be removed. In the Arborist Report, there is a reference to 28 trees and 25 trees, which is inconsistent. Planner Klopfenstein reviewed the Existing

Conditions submittal. The teal star shapes indicate the trees on the site currently. The proposal to expand the dwelling and allow for a possible expanded driveway in the front would impact three to five of the trees on that side. Director Ward asked whether there was a tree adjacent to the structure. Planner Klopfenstein clarified that the green shaded area reflects the expanded dwelling, so there is removal anticipated.

Commissioner Suesser reiterated that the Arborist Report refers to 28 marked trees impacted by the application. She visited the site and saw trees wrapped with ribbons. It is her understanding that those trees are to be removed. Ms. Nelson explained that the survey flagging marks on the trees are identification numbers. Those numbers correspond with the number on the tree map for the topographic survey. Those are not flagged for removal, but are survey identification marks to compare the tree in the field to the map.

Commissioner Sigg referenced the expanded footprint of the house and the new AOD. He does not see circulation around the expanded house and the disturbance area. Commissioner Sigg expressed concerns about the existing non-conformity and the scale of the expansion. Ms. Nelson believed there was language that mentions a 15-foot buffer for construction purposes outside the AOD. She offered to verify that during the meeting.

Mr. Keys commented that this application highlights a recurring theme in Park City: past construction that occurred outside of the AOD. He agrees with Staff that the correct course of action in this context is to create an AOD through the Plat Amendment process that is in line with what actually occurred. Mr. Keys acknowledged that this is a larger home, but it is a large home community. Some of the expansion is driven by the desire to make this more multi-modal friendly, with more parking out of the snow and an elevator shaft that will provide elevator access to each floor of the home.

Another recurring theme in Park City relates to building height. Mr. Keys has seen a lot of non-compliant structures discussed in the City more recently. This includes homes and buildings that are too tall. There has been an argument made that Good Cause does not exist because of the height. Mr. Keys pointed out that the way height is measured has changed over time. In this case, Staff has stated there is no Good Cause for the Plat Amendment because the home is 39.8 feet. That being said, the measurement is from existing grade. When measuring height on a structure that has been there since 1991, it is necessary to go back through the record to determine how height was measured then. Mr. Keys read language that outlines the 1991 code requirements:

- **HEIGHT PROVISIONS:** The total height of the building shall be measured as the vertical distance from the natural grade, as defined in this Code, to the highest point of a flat roof or the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and the ridge of a hip or gable roof.

This is very different from the way height is measured today, partly because it was measured from natural grade rather than existing grade. Mr. Keys explained that it is not possible to state that this is an over-height structure until there is an application of the 1991 methodology. In the context of this project, grading occurred on both sides. It is unknown how much the natural grade has been modified. The existing grade is not natural grade and is likely much lower than the natural grade would have been on this lot.

Mr. Keys shared an image of the north elevation of the home. If it were measured consistent with 1991 standards, it would be measured where the red line is. There would then need to be a determination made on where the natural grade falls within the home. There is uncertainty about what the natural grade is, so there can only be speculation about whether or not this house is over the maximum building height. It is inappropriate to state that a Plat Amendment should not occur based on speculation about the height. He acknowledged that the Commission ultimately determines whether there is Good Cause for a Plat Amendment, but he does not believe there is adequate evidence in the record to state that Good Cause cannot be met because of the height of the house.

Mr. Keys believes the house likely met height at the time that it was constructed. He does not think the Planning Staff at the time would have approved the construction if it was too high. From his perspective, it makes sense to put the height issue to the side and talk about the other Good Cause issues, such as the preservation of vegetation and bringing the plat in line with what is seen in the community. He reiterated that he does not believe the house is over height and stated that there is not adequate information to make that kind of determination. Mr. Keys offered to answer any Commissioner questions.

Attorney Harrington noted that the building is over the height based on the current LMC, so the distinction made by Mr. Keys has to do with whether it is legally non-conforming or not. Mr. Keys confirmed that it would not be possible to build the same home today based on the current standards for existing grade. Commissioner Frontero asked Staff to provide a definition of AOD, because the build is going right out to the AOD, and there is no room to maneuver any construction equipment in and around the AOD to build. Planner Klopfenstein reported that for the Evergreen Subdivision, the AOD is defined as "the boundary in which all building and associated construction disturbance shall occur."

Commissioner Frontero does not see how the proposal can be accomplished within the definition of AOD. Ms. Nelson shared the Amendment to the Amended Plat of Evergreen document. The next sentence after the one read by Planner Klopfenstein states: "When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall." Commissioner Frontero pointed out that the foundation wall is not the same as the AOD. He referenced Figure 3 and asked how the applicant plans to build without going outside of the AOD. Ms. Nelson explained that she interprets the plat note as going outside of the AOD for construction purposes.

There was discussion about AOD and the Amendment to the Amended Plat of Evergreen note language. Commissioner Frontero read the following: "The area of disturbance represents the boundary in which all building and associated construction disturbance shall occur." Figure 3 shows that this is being built right out to the AOD and cannot be accomplished based on that language. It is not possible to finish this property without disturbing the green area that goes outside of the AOD. He would struggle with the approval of the application based on what has been presented. Ms. Nelson noted that she is not at the meeting to convince the Commission, but to provide survey information. What this plat may be saying is that there is a theoretical AOD box and the building can be anywhere within that box, but the limit of disturbance must be 15 feet outside the foundation wall. She is open to changing her mind and hearing different interpretations.

Ms. Nelson noted that a lot of the homes in this neighborhood are like the subject property. It seems equitable to take a broader look at what has been proposed. Her firm did extensive research into the neighborhood, and half of the houses are over the AOD square foot limit. Commissioner Frontero does not challenge what has happened around the applicant's home or what the existing conditions are. That being said, the Commission has to review the code and apply the application to the code. His suggestion would be to rework the design and create 15 feet of space between the outside deck and the AOD.

Mr. Keys does not read the language as stating there needs to be a 15-foot buffer. He believes that the language is meant to capture that if the foundation wall is much less than the AOD, then the AOD needs to be brought within 15 feet, so there is not excavation of large areas. There is a buffer area that is needed for construction activities to occur, but he does not think 15 feet is necessary and pointed out the work done in Old Town.

Commissioner Johnson mentioned the Slopes Analysis Map that was provided. With the exception of the southeast corner of Lot 28, the steep slopes on the property are manmade. He asked if the southeast corner has natural, Very Steep Slopes. Ms. Nelson explained that the red area near the ski runs are natural steep parts of the lot. Commissioner Johnson asked if the newly proposed footprint is maintaining the 50-foot buffer to comply with 15-2.21-4A. Ms. Nelson offered to do measurements to confirm that. She reported that the red areas closer to the house are manmade steep areas.

Commissioner Johnson asked if there is a proposal to maintain a 50-foot setback per the Sensitive Land Overlay code. Ms. Nelson asked when the code was updated to require that 50-foot buffer. She believes the area of the steepness needs to be more than a certain square footage in order to require that buffer area. Commissioner Johnson read some of the code language and mentioned the criteria that need to be met. He wondered whether the application was submitted prior to the code updates. Planner Klopfenstein believed the discrepancy is that the subdivision is under the Deer Valley MPD. He understands that things under the Deer Valley MPD are considered vested in terms of density from the Sensitive Land Overlay requirements. There is one single-family dwelling on this lot, and that is proposed to stay the same, so the density will remain.

Commissioner Suesser believes it would be helpful to see the proposed home superimposed on the map so the impact on the slopes is clear. Ms. Nelson made note of the request. She asked Staff for clarification about the code requirements. The date the complete application was submitted was August 5, 2024. Director Ward reported that the code was amended on April 27, 2023, so it was in effect at the time of application submittal. Ms. Nelson offered to look into the numbers to see if the wedge of steep slope in the southeast portion of Lot 28 is less than the minimum steep slope required for the 50-foot buffer. She believes the code is attempting to address slivers of steep slopes.

Ms. Nelson noted that Commissioner Sigg previously asked for an AOD chart with two additional slides. She created those for the meeting, but did not see them in the Staff Report. Those charts were shared with the Commission. The first was Evergreen Subdivision: Ratio of AOD to Building Footprint – Existing Values. The bar in yellow is Lot 28 and is the existing footprint. She next shared a chart for the Ratio of Lot 28 - Proposed Footprint with Existing AOD. The last slide shows the proposed footprint with the revised AOD. Based on Commissioner feedback, there needs to be some amendments made.

Commissioner Suesser shared comments about significant vegetation on the site that might be disturbed with the proposed expansion. She referenced the Arborist Report that states 28 marked trees are within the limits of disturbance. That indicates that 28 trees will be removed. Planner Klopfenstein believed that is referring to the currently platted AOD and not what is proposed. Those 28 trees would be within the original AOD. Ms. Nelson offered to reach out to the arborist because at the time of the survey, the AOD was not staked on the ground. However, there was a lot boundary staked on the ground and the trees flagged so the arborist could take notes. She will communicate with the arborist about the percentage breakdown. Attorney Harrington noted that the Commission wants clarity about how much existing significant vegetation will be removed.

Chair Van Dine opened the public hearing. There were no comments. The public hearing was continued to a date uncertain.

Commissioner Suesser stated that she is leaning towards denial of the application unless the applicant chooses to continue. Commissioner Johnson asked the representatives if there was a desire to come back with the additional information requested. Ms. Nelson confirmed this. Chair Van Dine suggested that Commissioners make requests for additional information at this time. Commissioner Frontero would like to see a natural grade analysis, because if this were to come back to the Commission, he would likely focus more on the height. The height determination will likely revolve around natural grade, so he would like information about that. Director Ward noted that in the Staff Report, it states that even with an assumed natural grade, it would still exceed height. If the applicant disagrees with that, the applicant team can submit other documents.

There was discussion about natural grade and how to determine that. Mr. Keys explained that there is a process where the Planning Director can determine what natural grade would have been. That includes looking at historic maps to recreate what the grade lines may have been based on those maps. That process has not occurred at this time. What he saw in the Staff Report was a determination that it did not comply with existing grade.

Director Ward reported that Planner Klopfenstein made a determination based on the information provided from the existing conditions. What is known from prior conditions is that even if it was from natural grade, the height does not comply. It is not a Planning Director determination, but a Planning Department determination. That information is in the Staff Report. Even with a generous natural grade, it still likely exceeds the allowable height. If the Commission were to allow an expansion, there would be an interpolated grade at the Building Permit phase. The addition would need to comply with the height.

Director Ward reviewed some of the items the Commission has expressed an interest in seeing in a future presentation. This includes clarity on the types of vegetation and the number of trees impacted, the steep slope and what is natural and manmade, the distance of the proposed addition from the steep slopes, and the AOD. Based on comments from Director Ward, Commissioner Frontero believed there is enough information on height requirements.

The Commission discussed a potential motion. Commissioner Suesser believes there is Good Cause to reflect the current conditions, but she is leaning towards denial on the addition since it would potentially impact the significant vegetation, steep slope, and AOD. Commissioner Shand agreed. Mr. Keys suggested that the item be continued so there can be additional discussion with the applicant about the Commissioner comments.

MOTION: Commissioner Suesser moved to CONTINUE the Plat Amendment for 6453 Silver Lake Drive and public hearing to a date uncertain. The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

E. Bonanza Park – Land Management Code Amendments – Proposed Land Management Code Amendments Implement the Bonanza Park Small Area Plan through a New Mixed-Use Zoning District to Create a Vibrant and Pedestrian-Oriented Mixed-Use Neighborhood. PL-24-06302.

Director Ward presented the Staff Report and explained that the item relates to LMC amendments. The Bonanza Park Small Area Plan recommends the creation of a new Bonanza Park Mixed-Use (“BPMX”) District to build on neighborhood vibrancy and become a more walkable, connected, livable, and inclusive community. The BPMX District was last reviewed by the Planning Commission on April 9, 2025. The City Council has since reviewed the feasibility component of the draft plan. The draft plan increases density when project enhancements are provided as an incentive to redevelop this area.

The recommendation is a phased approach. This would be for the 70 internal acres of Bonanza Park, which is the acreage between Park Avenue, Deer Valley Drive, Bonanza Drive, and Kearns Boulevard. The draft code is feasible for existing property owners, but presents challenges for new or future property owners. The direction received from the City Council was to evaluate specific components in the code to make this more feasible.

The City Council supported keeping the affordable housing requirements and project enhancements, as currently drafted. Director Ward added that the Council supports the Planning Commission recommendation on the Frontage Protection Zone ("FPZ"), which is to protect the entry corridors and the mountain town feel. As drafted, this is more restrictive than the current code and would limit the buildings within the 30-foot area from the right-of-way to two stories. With a 10-foot setback, there could be three stories. Projects that are located within that 100-foot FPZ buffer would be limited to three stories.

The City Council provided direction to implement two components of the code that increase feasibility: reduce open space and further reduce parking. During the current Planning Commission Meeting, there will be a discussion about open space and parking.

Planner Barton reported that in order to implement the direction of the Council, the draft BPMX District will be updated to reduce the open space requirement to 20%. The Planning Commission will designate the type and mix of open space for MPDs based on the General Plan recommendations for the area. For Bonanza Park, the Small Area Plan recommends transforming surface parking into a "green" pedestrian-oriented neighborhood that includes publicly accessible green spaces or outdoor community spaces to ensure that those added as part of a project enhancement are of high quality. The draft BPMX District defines Green Community Spaces and establishes that these are allowed uses. It provides defined terms for Commission review of open space proposals.

Planner Barton highlighted the different park types included and defined in the draft code:

- Amenity Terrace - rooftop that includes communal recreation or aesthetic uses such as patios, balconies, lounges;
- Community Garden - publicly accessible garden space;
- Flexible Space - multi-use open space utilized by the public. Can be used for individual enjoyment or for events;
- Plaza Area - open space for public use defined by surrounding buildings or streets;
- Pocket Park - small park accessible to the public; and
- Public Courtyard - publicly accessible open area between buildings and walls.

All of these park types are defined in the code and would be allowed uses. The Planning Commission would review these parks and open spaces as part of an MPD application. Planner Barton reported that there are opportunities for increased open space through the project enhancements process. With the baseline for open space now reduced to 20%, Staff would recommend adjusting this project enhancement number so a project

would need to provide at least 30% open space to be eligible. The suggestion is to add additional clarification that the open space needs to be activated in all seasons.

There are a variety of park types listed as allowed uses, and there is an incentive for developers to provide additional open space as a project enhancement. Planner Barton added that there is also a Conditional Use Permit ("CUP") process for replacing the extensive surface parking areas in the neighborhood with green spaces. This process would help to replace these spaces with pedestrian and bicycle connections, transit improvements, active spaces, and publicly accessible green spaces. Planner Barton asked if there are additional considerations the Commission would like to evaluate.

Commissioner Frontero noted that one of the earlier slides mentioned terraces and balconies. He assumed those would need to be publicly accessible. Planner Barton reported that it is defined as publicly accessible. It would be required to have some sort of access to the public. Commissioner Frontero pointed out that a rooftop bar could not necessarily count as the 20% open space, because there are age restrictions associated with that kind of use. Director Ward explained that the way it is defined, the use must be publicly accessible, but it is possible to make a clarification about ages. This is intended for recreation patios, balconies, and lounges, rather than for commercial-type uses.

Commissioner Johnson asked whether the 30% open space enhancement is significant enough. It might make sense to raise that slightly so it is aligned with the Small Area Plan. Commissioner Johnson noted that the Commission is being asked to evaluate the open space component and the parking reduction component at the current meeting. He wanted to know if there would be other components discussed in the future. Director Ward clarified that the Council direction was to focus on open space, parking reductions, and grandfathering in existing transient uses. The latter will be discussed at the Planning Commission Meeting on June 25, 2025. The other components are recommended to remain as drafted. There was discussion about the open space percentage of 30%.

Commissioner Suesser pointed out that one of the main goals is to create a pedestrian-friendly area with open green space. She expressed concerns about reducing open space to 20% and then having 30% as an enhancement. It might make sense to increase that amount. Commissioner Johnson thought even 35% might make more sense than 30%. Planner Barton clarified that this is one of the Tier B enhancements. The structure of the project enhancements has not changed, so there would still need to be a mixture of the higher value Tier A enhancements and the lower value Tier B enhancements.

Commissioner Suesser believed a little bit more should be given as part of the enhancement, since there is already a reduced open space percentage. Commissioner Johnson believes 35% is a reasonable amount. Most of the MPD applications that the Planning Commission has seen in recent years have been above 35% already. Other Commissioners agreed that it makes sense to request 35% for the enhancement.

The Commission further reviewed the slide that mentions Significant Activated Outdoor Public Space as a Tier B Project Enhancement. Commissioner Suesser noted that this is not just any open space that is being discussed, but significant activated outdoor public space. Director Ward reads this to include a plan for a portion of it, so there would be some flexibility. Commissioner Suesser is not certain it should be narrowed. It might be preferable to require 35% open space in the project overall for the project enhancements. Commissioner Frontero thought it made sense to keep publicly accessible outdoor space. Commissioner Shand does not object to the way that this has been worded. There was Planning Commission consensus to leave the wording, but change the amount to 35%.

Director Ward next discussed parking. Based on the statistically valid survey that was conducted as part of the General Plan process, it is clear that traffic is a major concern. It was identified by 71% of survey respondents as the biggest challenge facing Park City. The Bonanza Park neighborhood has four intersections that are congested during peak periods. For future developments, one of the traffic mitigation strategies can be parking reductions in order to reduce the number of vehicles coming to the site. However, that needs to be balanced with a TDM Plan. The developer would need to present that plan to the Commission to show that the site will be developed in a way that brings people by transit or in other ways that reduce the impacts. The way the code is drafted, there is flexibility built in for change over time and additional Commission review, so transportation plans can be updated on a regular basis to ensure they remain effective long-term.

Director Ward shared examples of developments that have implemented strategies to reduce vehicles and have been granted parking reductions. One example is the Flagstaff Empire Pass area, where there was a requirement to have a transit plan and shuttle service for owners, employees, and guests. Another example is Founders Place, where the developer proposed coordination to bring guests to the site from the airport without a vehicle. The Homeowners Association ("HOA") is required to provide a shuttle service for the guests. Director Ward noted that the HOPA project incorporated parking spaces for a future car share, so residents would have access without needing to own a vehicle.

There are several ways the draft code reduces parking. The first is with baseline reductions. Director Ward referenced the parking ratio table in the code. Every use that fits within that table has to provide a certain number of parking spaces. There are a few minor updates for banks, cafes, and groceries to reflect those uses in a mixed-use zone. For banks and cafes, it would reduce it from three to two spaces per 1,000 square feet. For a grocery, it would reduce from three-and-a-half to three spaces per 1,000 square feet. The draft code clarifies the shared parking, which can be based on peak parking demands for different uses. Off-site parking would be an equivalent replacement.

The code prohibits developers from building an increase in parking beyond what the code requires unless it is possible to demonstrate to the Planning Commission that there is a reason for it, and it will not contribute to traffic. Director Ward highlighted the alternative strategies, such as parking for multiple uses and proximity to transit. Parking for multiple

uses would qualify for an automatic parking reduction depending on the mix. As for proximity to transit, if it is within 1,000 feet walking distance, it is an automatic 15% reduction. There are additional strategies, such as a car share (reduction up to five spaces), EV charging stations (reduction up to five spaces), and underground parking. If 90% of the parking is provided underground, then there is an automatic 5% reduction with a potential setback reduction. With all of these combined options, there is a maximum.

Director Ward read the following to the Planning Commission:

- **CUMULATIVE PARKING REDUCTION:** No development may be granted a cumulative parking reduction greater than 50% for non-residential uses or greater than 20% for residential uses as provided in Sections 15-2.27-8(H)(1), (2), and (3), unless approved by the Planning Commission.

Commissioner Shand believes the numbers should be flipped. There should be enough parking provided for commerce to operate in the Bonanza Park area. The full-time residents there have a desire to see in Bonanza Park are ones who live there and work in Park City, and there is public transportation within 1,000 feet. There might not need to be as much parking for the people who will be living in Bonanza Park. Commissioner Johnson pointed out that people who own a vehicle will need somewhere to park it. The commercial development will likely have more of a traffic impact than the residents. He does not like the idea of developing affordable housing and then taking away parking. Commissioner Suesser agrees with the 20% reduction that is proposed for residential.

Commissioner Sigg is in favor of a remote parking strategy. Something centralized that is adjacent to a transit facility might be beneficial. Director Ward asked if he wanted to see centralized parking for the uses within the neighborhood. Commissioner Sigg confirmed that he envisions something that is specific to the neighborhood's needs. Commissioner Tilson mentioned the baseline parking requirements and noted that the boutique hotel seems high. It does not necessarily make sense to have one space per room or suite when there is an intention for this to be a mixed-use neighborhood. This would incentivize hotel guests to leave the neighborhood, which is in contradiction to the goals of the area. He wondered whether that could be a further parking reduction area to consider. Director Ward confirmed that it is possible to reduce the amount for a boutique hotel in the baseline table. Commissioner Suesser expressed support for a reduction to boutique hotel uses. She pointed out that a boutique hotel operator could provide a shuttle to guests.

Commissioner Frontero asked about the Cumulative Parking Reduction language. Director Ward explained that the way the code is drafted, there is a lot of flexibility. The parking ratio table was shared with the Commission. It establishes the initial demand per use. In this case, it is the minimum and maximum, because it is not possible to go beyond that table unless it is possible to show the Commission that there is alignment with the goals. Table 15-2.27-8(B)(1) – Residential Parking Ratio Requirements was reviewed.

The Commission discussed Table 15-2.27-8(B)(2) – Non-Residential Parking Ratio Requirements. Director Ward explained that the table is the starting point. From this number, it is then possible to enter into the percentage reductions. Commissioner Sigg pointed out that residential is tied to square footage rather than bedrooms. He believes it makes sense to focus on square feet for commercial uses, but for residential, it should be determined based on the types of units available rather than overall square footage. Commissioner Shand felt there should be parking spaces available based on bedrooms.

Director Ward reported that the Park City residential parking requirements are lower than many other places already. This is the way residential units have been evaluated for parking since at least 2000, where it has been based on the size of the unit. Compared to the standard parking ratio tables, this is lower than what is generally required. Chair Van Dine asked if there would be a significant change between bedrooms or square footage. Commissioner Suesser and Commissioner Johnson think what is proposed makes sense. Director Ward offered to bring additional information back. Staff will look into reducing the boutique hotel number and will come back with some options for residential parking.

The next component of the code allows for an automatic percentage reduction when there are certain types of uses. Director Ward presented Table 15-2.27-8(H)(2) – Parking Reductions For Sites With Multiple Uses. If there is a multi-unit dwelling and a public institution or civic use, there is a 10% parking reduction. If there is a multi-unit dwelling with food, beverage, boutique, hotel, recreation, or entertainment, there is a 15% parking reduction. This establishes a baseline reduction that is based on the peak demand of the different uses. Staff recommends leaving this table as drafted. There was discussion about the table. Chair Van Dine clarified that the reduction is not a requirement.

Commissioner Frontero wondered whether employee parking should be further restricted. Director Ward reported that the TDM section can be brought back at the next Planning Commission Meeting. The uses take both guests and employees into consideration. Director Ward reviewed the language for Proximity to Transit, which is as follows:

- **PROXIMITY TO TRANSIT:** A 15% reduction in the total number of required parking spaces for any development may be approved when the site is within 1,000 feet unobstructed year-round walking distance of a major transit stop.

A major transit stop is defined in code as a stop that has a fixed route with intervals that are at 20 minutes or less during peak periods and has a bus shelter. This would not apply to all of the transit stops in the neighborhood, but to some of them. Commissioner Frontero asked about the percentage proposed. He wondered if there was data that suggested 15% was an appropriate amount. Director Ward explained that it is a standard reduction in a TIS. Commissioners expressed support for the current language.

Director Ward next reviewed language for Designated Car Sharing Parking:

- **DESIGNATED CAR SHARING PARKING:** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 parking spaces, for up to a maximum of three designated car sharing spaces (i.e., one designated car sharing space = two parking spaces; two designated car sharing spaces = three parking spaces; and three designated car sharing spaces = five parking spaces).

Information about car-sharing parking spaces was shared. Director Ward reported that in Austin, Texas, there are some developments with a car share project enhancement. The developer is required to ensure that the vehicles are maintained, a certain percentage are electric, and that they are made available on an ongoing basis for the residents. There are strict requirements, and those have been incorporated in the project enhancement component. Chair Van Dine asked if there are examples of designated car-sharing parking in Utah. Director Ward reported that in Salt Lake City on the west side, there were a few housing developments that incorporated car shares before the COVID-19 pandemic. Due to the COVID-19 pandemic, those were not implemented as planned. Commissioner Suesser asked whether the vehicle maintenance costs fall on management. Director Ward believed it was the responsibility of the manager of the car share. However, the residents would be required to pay into it to use the program.

Commissioner Tilson noted that in the car share program section, it notes that only 50% of the car share vehicles would be required to be electric. He would propose increasing that number based on the sustainability goals of the area and the City. Commissioner Frontero would need to see more data to support that suggestion, but it is something that he is willing to explore. Commissioner Tilson clarified that his suggestion is to have more than 50% be electric vehicles within the car share fleet. Commissioner Frontero wondered whether electric and/or hybrid might make sense for flexibility. It was noted that there is consensus to allow for deeper reductions in parking when a car share is implemented. Commissioner Suesser also liked the idea of this for a boutique hotel.

Director Ward read the proposed language for Underground Parking:

- **UNDERGROUND PARKING:** When underground parking is provided, each two underground parking spaces shall count as three parking spaces toward satisfying the minimum required parking. This may allow for a reduction of up to 5% in the number of required parking spaces.

Director Ward reported that the way the code is currently drafted, to allow flexibility for where underground parking structures are located, it is possible to reduce the setbacks as long as it is underground. That being said, there is a prohibition on extending the setback into the FPZ underground. This only allows for setback reductions up to 50%.

- **UNDERGROUND PARKING:** All development within the BPMX District is encouraged to provide underground parking to promote a vibrant pedestrian pedestrian-friendly environment that reduces car-pedestrian conflict. If 90% of the required parking is provided on-site and underground, setbacks for the underground parking structure may be reduced by the Planning Commission up to 50% outside of the Frontage Protection Zone if utilities can be accommodated.

There could be a possibility of shared or connected underground parking structures between properties with shared parking agreements. This is an area of the code where it is possible to be more flexible if the Commission is interested. Commissioner Johnson expressed support. There was discussion about the underground parking language.

Director Ward shared information about unbundled parking and explained that this is when parking spaces are sold or leased separately from a residential unit or non-residential space. The finding of unbundled parking is that it incentivizes a reduction in vehicles. The draft code does require unbundled parking for all residential projects, with an exception for affordable projects that rely on grants or other funding if the funding is contingent on parking. Commissioner Shand expressed support for unbundled parking. Other Commissioners agreed. Commissioner Johnson wanted to hear more about unbundled parking as it relates to affordable housing projects. Commissioner Sigg noted that it is important not to establish something that will be detrimental to the point system that the Low-Income Housing Tax Credit ("LIHTC") uses. The City should not put something in the code that would disadvantage someone submitting an LIHTC application.

Some additional considerations were shared with the Commission:

- Allow for parking reductions when boutique hotels offer shuttle services for guests, especially from the Salt Lake City Airport;
- Allow for parking reductions when commercial uses provide shuttle services for employees;
- Centralized delivery area with delivery limitations during peak periods; and
- Establish a provision that allows for creative solutions that prioritize multi-modal transportation.

Commissioner Suesser asked about the centralized delivery area as a qualifier for a parking reduction. Director Ward explained that this could include food deliveries and those kinds of vehicles that come to the site and might need to park. Having a consolidated area for those sorts of uses might be beneficial. Commissioner Suesser believed a development or boutique hotel would have that kind of delivery area already. Commissioner Frontero would be comfortable removing that item from the list.

Commissioner Frontero asked for information about the process moving forward. Director Ward explained that this item is scheduled to come back to the Planning Commission on

June 25, 2025. The input received from the Commission about the open space and parking reductions will be taken into account, and some options will be brought back. During that meeting, there will also be a discussion about the grandfathering in of the transient uses. Staff will finalize the updates to incorporate the previous Commission input on regulating conventional chain businesses through square footage. The code will be further clarified and refined as well. A comprehensive draft will be ready for Commissioner review at the next meeting. If the Planning Commission is ready to forward a recommendation at that point, it can then move forward to the City Council.

Chair Van Dine opened the public hearing.

Sarah Hall noted that there were some Commissioner comments that she agreed with. She asked that open space remain at what it was originally set as. To the point made by Commissioner Frontero, she suggested that open space in this specific zone be defined as public and not simply commercially available green space. Ms. Hall also asked that the parking reductions be allocated to the hotel and residential uses so the businesses can be viable. She stressed the importance of a work-life balance. Ms. Hall encouraged the Planning Commission to cap the boutique hotels or make them a conditional use. She pointed out that boutique hotels are the most lucrative, and if there is not some sort of limit put in place, then that will become the most prevalent type of redevelopment.

Greg Friedman explained that he is an owner of a condominium on Homestake Road. The idea of not having any nightly rentals in the area is intriguing, but some people live there who already have nightly rentals. The new code allows nightly rentals to be grandfathered in, but he is in favor of extending this right when the same owner redevelops. He feels the right should be maintained by the owner rather than the unit. As for parking, he does not want the condominium he lives in to be forced into putting in more parking or reduce the parking that currently exists. Chair Van Dine encouraged Mr. Friedman to listen in on the Planning Commission Meeting on June 25, 2025, as that is when grandfathering in of uses will be discussed by the Planning Commission.

There were no further comments. The public hearing was continued to June 25, 2025.

MOTION: Commissioner Shand moved to CONTINUE the Bonanza Park – Land Management Code Amendments and the public hearing to June 25, 2025. The motion was seconded by Commissioner Frontero. The motion passed with the unanimous consent of the Commission.

7. ADJOURNMENT

MOTION: Commissioner Shand moved to ADJOURN. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 9:27 p.m.