



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 10, 2025**

COMMISSIONERS IN ATTENDANCE: Chair Christin Van Dine, Bill Johnson, John Frontero, Grant Tilson, Seth Beal, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Lillian Zollinger, Planner I; Meredith Covey, Planner II; Nan Larsen, Senior Planner; Sara Wineman, Housing and Development Coordinator; Mark Harrington, Senior City Attorney; Logan Jones, Trails and Open Space Coordinator

1. ROLL CALL

Chair Christin Van Dine called the Planning Commission Meeting to order at 5:30 p.m. All Commissioners were present with the exception of Commissioner Henry Sigg.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from August 27, 2025.

MOTION: Commissioner Shand moved to APPROVE the Meeting Minutes from August 27, 2025. The motion was seconded by Commissioner Frontero. The motion passed with the unanimous consent of the Commission.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

There were no communications or disclosures.

Chair Van Dine reviewed the public comment guidelines. She asked those making a comment to state their full name for the record, sign in, and limit comments to three minutes or less. Comments should be directed to the Commission. Chair Van Dine asked those making comments to be civil and address matters related to the application.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. WORK SESSION

- A. Parcel PC-SS-121-X (Clark Ranch) – Zone Change, Subdivision Plat, Master Planned Development, Conditional Use Permit** – The Applicant Proposes a Zone Change from Recreation Open Space to Allow an Affordable Residential Development, to Create a Three-Lot Subdivision, and to Construct 201 Dwelling Units Under a Master Planned Development in the Sensitive Land Overlay. PL-25-06656, PL-25-06655, PL-25-06654, PL-25-06653.

Chair Van Dine reported that the Work Session item is related to Clark Ranch. She reminded those present that during the Work Session, there will not be public comment received. However, there will be opportunities in the future to provide public comment.

Planner I, Lillian Zollinger, presented the Staff Report and explained that Planner II, Meredith Covey, Senior Planner, Nan Larsen, and Housing and Development Coordinator, Sara Wineman, are present at the Planning Commission Meeting. In addition, there are representatives from Stereotomic and The Alexander Company. Planner Zollinger reported that the application is related to Clark Ranch, which is also known as Parcel PC-SS-121-X. This is an introductory Work Session for this proposal.

The applicant is requesting that a Subdivision and Rezone review take place this year. The Master Planned Development (“MPD”) and Conditional Use Permit (“CUP”) will come later on. Planner Zollinger reiterated that this is an introductory Work Session. Anyone who wishes to submit a public comment can do so by emailing planning@parkcity.gov. There will be public hearings held during the next several Planning Commission Meetings, including September 24, 2025, October 8, 2025, and November 12, 2025.

There will be a project introduction from the applicant first. After the applicant has shared some introductory information about the Clark Ranch proposal, Staff will review some information about the Subdivision process and requirements. Colin Cassaday explained that he is with The Alexander Company and is one of the Project Managers. One of the other Project Managers, Chris Day, is attending the Planning Commission Meeting virtually. Nathan Blei from Stereotomic is also present. Mr. Cassaday reviewed the project team: The Alexander Company, Stereotomic Architecture, Talisman Civil Consultants, New Star General Contractors, and Parr Brown Gee & Loveless.

In 2014, Park City purchased 344 acres of land known as Clark Ranch. In 2016, there was a COSAC report that recommended a portion of that site be withheld for other uses, such as affordable housing. There was a Feasibility Study conducted on the site in 2022. There was a request for proposal (“RFP”) from Park City asking for respondents to meet a certain number of goals, such as providing affordable housing, having a portion of rental housing, and having a portion of for-sale housing on the site. The Alexander Company responded to the RFP in 2024 and was chosen by the City to be the developer.

The plan has a mix of rental and ownership housing, with a proposal of 80% rental and 20% ownership. Mr. Cassaday explained that this was requested in the original RFP. Affordability and attainability are targeted, with the three rental buildings all being affordable. For the townhome portion, two options have been presented to the City at this point, but there are multiple options. He reported that all of the townhomes could be market-rate. In that case, the proceeds from those townhomes would help to fund the affordable portion of the project. Alternatively, the townhomes could be attainable, or there could be some mixture of the two. The affordability project is not targeted toward seasonal workers, but at full-time workers in Park City. The City would like to prioritize housing for municipal employees and frontline workers, so work is being done with the City. The intention is to prioritize multi-modal transportation and connections to transit.

Currently, there are 167 units of rental housing, 34 units of for-sale housing, and a number of shared amenities envisioned on the site. Mr. Cassaday reported that the affordability is targeted to be between 50 and 120 percent of the Area Median Income ("AMI"). Two of the buildings are being looked at for Low-Income Housing Tax Credit ("LIHTC") housing, which is a Federal program and would target people between 50 and 70% AMI. The third building could have something unique to Park City, which would be affordable housing for people with higher AMIs. The third building could address the missing middle in Park City. Mr. Cassaday shared an image that illustrates the different AMI percentages as well as the difference between affordable and attainable housing. He reiterated that the target is between 50 and 120% AMI, which is something that is missing in the current housing market. He shared examples of employees who may fall into those income levels.

Mr. Blei introduced himself and explained that he is filling in for Jarrett Moe from Stereotomic. He reported that there are three buildings envisioned, Building A, Building B, and Building C, as well as the townhomes. When the process first started, one of the key considerations was the terrain. An image was shared to illustrate the slopes. Mr. Blei explained that the green indicates slopes between 0% and 15% while yellow indicates slopes between 15% and 30%. In some areas, orange and red portions will need to be crossed, but keeping the development toward the lower half of the site is ideal. He clarified that the lower half of the site is flatter and easier to work with overall.

On the parcel, the average slope is approximately 20%. For comparison, Park City Heights ranges from 10% to 20%. At Kings Crown, the average slope is 40%. Mr. Blei shared another version of the Site Plan, which shows a surface parking lot in front of Building B, where the amenity space will be hosted. Additional images were shared for reference. Mr. Blei explained that when developing the buildings, it is important to think about how to minimize the amount of land disturbance. There is a desire to be efficient with the approach to the buildings. As a result, it makes sense to stack the residential units and amenity spaces on top of the parking. He noted that the design is informed by

the hillside topography. Mr. Blei discussed façade breaks before sharing example images and renderings that illustrate the visual impact of the project from different locations.

Additional renderings were reviewed by the Planning Commission. Mr. Blei reported that the current proposal keeps the building form fairly simple and low profile. When the development is seen from Highway 40, it will not be disruptive or distracting. The materials will be more natural as well, so the appearance is muted. Mr. Blei shared a diagram that depicts what the area will look like with the buildings cut into the site. There is a desire to balance the cut and fill. Across the three buildings, there are 167 units envisioned with a unit split of 60% one bedrooms and 40% two and three bedrooms.

Building A will have a full level of parking on the first level with two residential levels above. The third level will have a shared amenity area for residents as well. Building B will have the lower level as parking, but there will also be an amenity zone and leasing office. Above, there will be two levels of residential. Building C will have parking with two residential levels above. Preliminary plans for the townhomes were shared. These are proposed to be three levels, with one level for parking. The next level would be for living and the level above that would have the bedrooms. 34 townhomes are proposed.

Mr. Cassaday reported that there was a Work Session with the City Council back in January, and a few months ago, there were two-by-two meetings with Council Members to receive feedback on the project. The design continues to be refined to minimize impacts on the site and blend in with the topography. The entitlements and zoning applications were submitted recently and a Traffic Study has been ordered. It is anticipated that the Traffic Study will be completed by the end of the month. Various financial scenarios have been modeled and a tentative framework has been created.

Mr. Cassaday presented a high-level timeline to the Commission, which is as follows:

- November 2025: Entitlement Approvals;
- November 2025: Private Activity Bond Application;
- April 2026: LIHTC Application;
- August 2026: Construction Bids/Permits;
- September 2026: Financial Closing;
- September 2026: Construction Commencement; and
- September 2028: Construction Complete.

Information about The Alexander Company was shared. Mr. Cassaday reported that The Alexander Company is a Madison-based development firm that is family-owned. The company does work all across the country and specializes in affordable housing, adaptive reuse of historic projects, and urban infill projects. Staff next reviewed the Subdivision requirements. Planner Covey explained that the applicant is proposing three lots for development, not to disturb more than 10 acres. There will be two open space parcels.

All Clark Ranch acreage beyond the 10 acres is proposed to be protected under a conservation easement. The following questions were posed to the Commission:

- Is the Commission supportive of:
 - Combining the Preliminary and Final Subdivision?
 - Waiving the inclusion of all contiguous City-owned property?
 - Platting Development Pods to distinguish areas disturbed for the affordable housing project from those areas preserved as Open Space?
- Is additional information needed to evaluate the 10-acre development area and Open Space preservation?
- Does the Commission find that a park, playground, or recreation area will be required as part of the Subdivision review?

Commissioner Johnson asked to clarify the 10 acres. His understanding from when the City purchased the land was that it was to develop up to 10 acres, but he believes the proposal is to subdivide into three parcels, equaling 14.8 acres. Planning Director, Rebecca Ward, clarified that the Staff Report recommends the creation of limited pods within that, because the area proposed to be disturbed cannot exceed 10 acres. The way the lots are currently platted with the acreage does include some of the open space. That is an area that the Commission can work with the applicant on as far as the Subdivision revisions. Commissioner Johnson explained that he reviewed the Meeting Minutes from previous meetings and the intent was to develop up to 10 acres of the Clark Ranch. That meant if there was a Rezone, it would be the 10 acres, and the site should fit within those 10 acres. He asked that there be additional clarification provided at a future meeting.

Planner Zollinger asked if the Commission is interested in the Development Pods or in reducing it to the 10 acres. Commissioner Johnson stated that he is in favor of the Development Pods, but feels the entire project should be within the 10 acres. The Development Pods would be within the 10 acres. Commissioner John Frontero asked the applicant why the lots would exceed the 10 acres. Mr. Cassaday believed the RFP originally mentioned 10 to 12 acres. The design guidelines given to the architect were within the 10 to 12 acres mentioned. That was included in the Feasibility Study that was prepared. He believes the actual buildings are 9.87 acres, but he offered to look into this further and report back to Commissioners at a future Planning Commission Meeting.

Commissioner Johnson asked what the rationale would be to combine the Preliminary and Final Subdivision process. Planner Zollinger explained that it is more streamlined to combine the Preliminary and Final Subdivision. Some of the requirements of the Preliminary Plat require the applicant to reach out to different departments for coordination, but the applicant has already been in coordination with these departments and will continue to be throughout the process. Chair Van Dine asked if there was a preference. Director Ward reported that some plats have been combined in the past. The code requirements and standards remain the same, but it is a matter of process.

Commissioner Frontero believes that, based on the Staff Report, there is Staff support for combining the Preliminary and Final Subdivision, which was confirmed. Staff felt that the applicant is currently moving through the preliminary tasks. Planner Zollinger explained that all of the requirements of the Subdivision are required regardless of the process. Based on the information shared, there was general support for streamlining the process.

As for whether the Commission is supportive of waiving the inclusion of all contiguous City-owned property, there is some analysis outlined in the Staff Report. Planner Covey explained that the analysis is based on Land Management Code ("LMC") 15-7.1-5(B). It states that Subdivisions should include all contiguous holdings of the owner, unless specifically waived by the Planning Department and Planning Commission.

Commissioner Johnson asked about the estimated timeline for the conservation easement to be completed for the remainder of the acreage. Coordinator Wineman reported that the conservation easement will come before the City Council on October 16, 2025. She shared some information about the 10 acres called out in the easement.

Commissioner Frontero wanted to know if there would be any unintended consequences of waiving the inclusion of all contiguous City-owned property. Planner Zollinger was unable to answer that question. She explained that the intention is to mitigate potential impacts as much as possible. This is something that would streamline the process. All of the requirements of the code will need to be met prior to final action being taken.

Senior City Attorney, Mark Harrington, explained that it is helpful to look at the underlying intent. Usually, there is a desire to capture adjacent property to provide for orderly development. When there is no intent of further development in that additional adjacent area, it does not make sense to subdivide it. He shared some example scenarios with the Commission. From an intended purpose, Staff is comfortable with not including them in the Subdivision. If those are included, then it introduces the possibility of ownership expectation, which can sometimes cloud long-term management if it is not intended to be part of a Homeowners Association ("HOA"). In this case, it is meant to be separately preserved, subject to the open space management of the conservation easement. Based on the information provided, Commissioner Frontero expressed support for waiving the inclusion of all contiguous City-owned property. Other Commissioners agreed.

Planner Covey asked about the next question, which is related to platting Development Pods to distinguish areas disturbed for the affordable housing project from those areas preserved as open space. Director Ward clarified that this is being asked within the 10 acres. Commissioner Johnson expressed support for this within the 10 acres, as did the rest of the Planning Commission. The next question was posed, which asked whether additional information is needed to evaluate the 10-acre development area and open space preservation. Planner Covey believed clarification was desired by the Commission, which was confirmed. Commissioner Johnson stated that he has a list of

items he would like clarification on, but it sounds like Staff is working through some of the items. For example, sensitive lands analysis, grading and filling, retaining walls, and major steep slope disturbance. He also wondered whether there will be a soil investigation or a Geotechnical Report. There is also a desire to better understand the acreage.

Commissioner Frontero referenced the 40-acre open space lot mentioned in the Staff Report. Director Ward clarified that it is not proposed to be a lot, but a 40-acre parcel. That is in addition to the three lots. Planner Zollinger reported that the proposal is for three lots and two open space parcels. The last question from Staff was whether the Commission would find that a park, playground, or recreation area will be required as part of the Subdivision review. Commissioner Frontero would like to see a few different options from the applicant. Chair Van Dine would like to see information about planned connections to the current recreation areas. Some type of recreation area within the development would be beneficial if there is a desire to create a community feel similar to what is seen in Park City Heights. She would like different ideas to be presented to the Commission.

Commissioner Rick Shand agreed with the comments shared and noted that some common space where people can gather and create a sense of community is important. Commissioner Grant Tilson would like to see a recreation area be considered. Commissioner Seth Beal echoed the other comments. If the development is looking to attract full-time workers, there will need to be areas where families can recreate.

Commissioner Tilson asked how the access road would connect with the frontage road. Mr. Blei reported that work is being done with the City Engineer to determine how it will come together, but some different ideas have been considered. Commissioner Beal is interested in understanding how the traffic will work in and out. He is especially interested in minimizing traffic levels. If this is being designed for a local workforce, it is important to make sure the residents do not need to use their personal vehicles for every single trip.

Commissioner Frontero wanted to know if a bus stop is being considered on the site, which was confirmed. Mr. Cassaday would like to see a bus stop on the frontage road. There is currently a bus stop on Richardson Flat and it would make sense to extend that bus route down the frontage road. Commissioner Frontero asked if there is an estimated number of residents who will live in the project based on the unit count. Mr. Cassaday has that information, but does not have it available at the current time. He offered to share that information with the Commission during the next discussion on this project.

Commissioner Shand had a question about parking. He noted that most of the parking for the residents will be under Building A, Building B, and Building C. On the Site Plan, the surface parking is shown, which he assumes will be for guests and visitors. This was confirmed. Building B has the amenity zone and leasing office, so temporary visitors can park out front rather than utilize the building parking that is available for the residents.

Commissioner Johnson reported that the proposed building height is 34 feet with a 5.6-foot maximum for mechanical equipment. That means the total building height will be 39.6 feet. It was clarified that 34 feet is the building height from finished grade and the mechanical equipment will be above that. Commissioner Johnson asked about the roof form. Mr. Blei reported that a pitched roof across a 60-foot-wide building is tall and essentially adds an extra story to the peak. While it softens the edge of the building, it will make the building stand out approximately a story taller in terms of the visual impact. There are some benefits to the proposed roof form. For example, it addresses snow falling off the edges of the building. Keeping everything on top and draining internally is a better system for larger multi-family housing projects like the one that is proposed.

Chair Van Dine thanked the applicant representatives for their presentation. She added that the site visit that took place before the meeting was useful and provided context.

6. REGULAR AGENDA

- A. General Plan –** The Planning Commission Will Review and Provide Input on the Draft 2025 General Plan and May Forward a Recommendation to the City Council for Consideration. PL-24-06358. For Project Information, Please Visit www.engageparkcity.org/generalplan.

Director Ward presented the Staff Report and explained that this item relates to the General Plan. The consultant team is participating in the Planning Commission Meeting virtually. Jessica Garrow from Design Workshop introduced herself to the Commission. She reported that there will be a project overview, a discussion about the Draft General Plan adjustments that have been made, and a review of the updated plan framework. Marianne Stuck from Design Workshop is also attending the meeting virtually.

The General Plan process began in June 2024. There have been a number of different phases. During those phases, the existing conditions were explored, community engagement took place, and future land uses and planning themes were considered. The process is currently in Phase 5, which is the General Plan adoption. Engagement Windows information was shared. Ms. Garrow reported that there were a number of engagement opportunities for the community. The third and final engagement window is currently underway, where the Draft General Plan is being considered by the Planning Commission. There will be a review and potential recommendation to the City Council.

During the last engagement window, there have been several conversations with the Planning Commission. Ms. Garrow thanked the Commissioners for dedicating their time. In addition to meetings with the Planning Commission, there have also been meetings with the Historic Preservation Board. She reported that there have been technical meetings with Staff as well to ensure the language within the General Plan reflects existing policies.

There have been opportunities for community engagement through surveys and participation during the public meetings. The Planning Commission will now review the plan and consider a recommendation to the City Council. If the Commission recommends approval, then the City Council adoption process will take place later in the month.

There were Joint Work Sessions held between the City Council and Planning Commission to discuss the General Plan. A number of adjustments have been made, which include:

- Overall Document Content:
 - Update Implementation Plan timeframes: 1-3 years (near-term), 3-6 years (mid-term), 6-10 years (long-term);
 - Incorporate Health and Safety recommendations - strategy added under Community Character:
 - *"Update review criteria in the Land Management Code to ensure issues of public safety are adequately addressed by development."*
 - Add a note stating strategies are not in any order as per prioritization.
- Neighborhood Plans:
 - Define the difference between similar worded strategies for each neighborhood;
 - Update neighborhood resident and daily visitor stats;
 - Change the term "vacant" to "second home-owners and short-term rentals"; and
 - Bonanza Park Neighborhood updated to include key drivers from Small Area Plan.
- Node Types Map:
 - Update reference images for Quinn's Junction, Bonanza Park, and Resort Center;
 - Remove the parking lot reference in Old Town Node description (re-worded as "underutilized parcels"); and
 - Made Old Town Node smaller on the map.

The Plan Framework and Structure were reviewed. Ms. Garrow reported that the General Plan is a document that includes Vision and Mission Statements, Plan Themes and Focus Areas, Strategies, Neighborhood Plans, and the Future Land Use Node Types Map. There are also a number of appendices that address: Drivers and Trends, Community Engagement and Outreach, Current Initiatives, and the Implementation Plan.

Ms. Garrow shared the document with the Planning Commission and reviewed the layout of each theme. The Vision Statement reflects the long-term aspirations and values. It is interconnected with elements of the Mission Statements. Those translate the Vision Statement into actionable goals that can guide the strategies throughout the plan. Ms. Garrow summarized the Plan Themes included in the General Plan, which are:

- Transportation;
- Community Character;
- Moderate Housing;
- Water and Open Space Preservation;
- Sustainability.

The Land Use Node Types Map was highlighted. Ms. Garrow explained that it includes existing zoning to illustrate the current neighborhood character and anticipated development patterns in each neighborhood. It identifies specific node types, which are opportunities for context-sensitive development. It follows the preferred growth scenario that was identified during the community engagement process and responds to some of the ideas within the plan related to small-scale commercial uses, mixed-use development, increasing walkability, and decreasing vehicle dependency. Throughout the process, the importance of addressing transportation in Park City was emphasized. Ms. Garrow mentioned the identification of neighborhood mobility hubs to support first and last-mile mobility improvements and connections for the different neighborhoods.

Commissioner Shand thanked Design Workshop for condensing the Draft General Plan. Commissioner Frontero appreciated that the previous Planning Commission comments were taken into account and incorporated into the latest version of the plan. Chair Van Dine hopes the General Plan will be a usable document that will guide what is done over the next 10 years. Commissioner Shand referenced Page 35 and noted that at the last Joint Work Session, there was a discussion about some of the stock photographs that were used. He asked about the placeholder images. Ms. Garrow reported that the photographs are being finalized and will be incorporated ahead of Council consideration.

Ms. Stuck reported that there is a revised draft that includes the new images. She offered to share it with the Planning Commission. The updated images were reviewed. Ms. Garrow asked that Commissioners let them know if there are further adjustments desired. Commissioner Johnson liked the majority of the updated images, but was not sure about the Quinn's Junction Community Mixed-Use Node image. He asked that there be another option prepared for City Council consideration. Ms. Stuck confirmed this can be done.

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

Director Ward mentioned the Executive Summary and explained that it consolidates what is in the body of the plan. It is possible to update the Executive Summary so that it is a standalone document and not integrated as part of the General Plan. The Neighborhood Plans can be referenced rather than summarized in that document. She asked for Commissioner feedback on separating out the Executive Summary and making some updates to the document. Commissioners expressed support for the proposal. Commissioner Johnson liked the idea of retitling the document to Citizens' Summary.

Director Ward asked to review the updated format for the Mission Statement. In the line that states: “Increase walkable mixed-use centers identified in the Node Types Map,” she believes the input from the Joint Work Session was to add the word connectivity, so it reads: “Increase connectivity to walkable mixed-use centers identified in the Node Types Map.” To remove the Executive Summary, the Commission would need to forward a recommendation on the Draft Ordinance, removing Attachment 3. The Mission Statement modification would also need to be mentioned in a motion made by the Commission.

Director Ward added that Community Engagement and Current Initiatives have been separated from the Appendix as standalone reports. Those reports capture the process and what was done, but will not become a part of the document referenced by the Planning Commission moving forward. Commissioner Beal asked for clarification. Director Ward explained that the Appendix is part of the General Plan, but the Community Engagement Report and Current Initiatives Report are separated to keep the Appendix at a shorter length. These are summary documents that act as a record of the process.

MOTION: Commissioner Frontero moved to forward a POSITIVE RECOMMENDATION for City Council consideration for the Draft Ordinance to Adopt the General Plan, updating the Mission Statement to add the words “Connectivity To...” and removing Attachment 3, the Executive Summary. The motion was seconded by Commissioner Johnson. The motion passed with the unanimous consent of the Commission.

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

B. Mid-Mountain Trailhead – Modification to a Conditional Use Permit –
The Applicant Proposes to Modify the Mid-Mountain Trailhead Conditional Use Permit to Reduce the Number of Parking Spaces from 29 to 23 Spaces to Accommodate a Pull-In Bus Stop. PL-25-06647.

Planner II, Virgil Lund, presented the Staff Report and explained that this is a Modification to a CUP for the Mid-Mountain Trailhead. He shared some background information. The Sommet Blanc CUP was approved on March 9, 2022. As part of that approval, the applicant was responsible for reconstructing the Mid-Mountain Trailhead improvements. The Planning Commission approved the Mid-Mountain Trailhead CUP, which was required, since it is a parking area with more than five spaces. That approval took place on June 26, 2024. On October 9, 2024, an extension was approved for one year because of some Rocky Mountain Power upgrades in the area. As a result of that extension, the trailhead must be constructed by October 15, 2025. Planner Lund shared a screenshot of the applicant plans that were approved by the Planning Commission.

The applicant proposes to modify the existing CUP to allow an additional bus stop at the trailhead. The Transportation Planning Department and the Trails and Open Space Department are working to provide transit access to trails. There would be an extension

of the 9 Purple Bus Line, which would allow hikers and bicyclists to access the Mid-Mountain Trailhead without having to walk up Marsac Avenue. An image of the applicant proposal was shared. The proposal will change the existing parking configuration and will decrease the number of parking spaces from 29 to 23. However, it would allow for a bus turnaround area and additional egress for the bus. The retaining walls would be extended on the right, and one tree would need to be removed. The Forestry Board approved the tree removal as long as the applicant helps to remove some of the dead and dying vegetation in the area to assist with wildfire mitigation.

The proposed modification complies with the Residential Development ("RD") Zoning District requirements, parking area requirements, and the CUP criteria. The applicant proposes to modify Condition of Approval #4. The modified language would state:

- Condition of Approval #4: REDUS Park City, LLC, shall coordinate the installation and maintenance of a portable restroom facility at the Mid-Mountain Trailhead until such time as a plumbed facility is installed pursuant to the Guardsman Subdivision Conditions of Approval.

Planner Lund reiterated that the applicant is responsible for clearing out dead and dying trees in the surrounding area. Commissioner Johnson recalled that in 2022, there was a serious discussion about maximizing parking. There was also a discussion about the ability to park trailers. He pointed out that the Commission fought for the previous version of the parking configuration, and now it seems the proposal will result in less parking.

Director Ward clarified that there is a Condition of Approval associated with the Guardsman Subdivision that a portable restroom be installed next year. If the trailhead improvements are completed by October 15, 2025, as required, there will be a gap between the portable facility. For the Guardsman Subdivision, the developer is required to install a temporary portable restroom until the infrastructure is completed for the proposed three new single-family homes. Prior to the issuance of any Building Permits for those homes, the plumbed facility would need to be completed. Currently, between the Guardsman Subdivision and this proposal, there will be a bit of a gap. It was noted that the Trails and Open Space Department has committed to maintenance of the portable restroom facility once it is installed. There was discussion about the bus route.

Trails and Open Space Coordinator, Logan Jones, explained that the Guardsman Subdivision would extend the sewer lines and water lines in the area, making it feasible to plumb a restroom. As for the parking in the area, it will still be possible to pull in a trailer and park along the parallel stalls. He stressed the importance of allowing transit to access trails and recreational amenities. The 9 Purple Bus Line can serve the trailhead, which would bring far more people to the recreational space than the original 29 parking stalls could. Commissioner Johnson understands the idea of removing visitors from personal vehicles, especially at trailheads, but this trailhead is unique. It will be highly

used during the winter months. He asked if it would be possible to revert the area back to parking if the transit service does not continue for some reason, which was confirmed.

Commissioner Beal asked about bus use in the winter and summer months. Mr. Jones reported that the latest extension of the Purple Line has been popular. There will be a mid-season report shared with the City Council on September 25, 2025. Designing bus routes to service the recreational needs of the residents encourages ridership. The modification to this trailhead will make it possible to extend the bus to where the recreational need is. He looks forward to increasing the level of service in the area. Information was shared about snow levels and potential service during the winter months.

Commissioner Beal wants to better understand how the bus service would be used during the winter months. Mr. Jones explained that the trailhead terminates right where the road turns into a recreational amenity. The road is closed to public vehicles, so the public uses that road recreationally throughout the winter. There could be a service that is similar to what is available in the summer. On other days, people could be dropped off right where the road closes seasonally for the year. He explained that it is an area where people like to walk, ski, and sled. Chair Van Dine noted that even though some parking is being eliminated through the modification, this approach could encourage more transit use. That could reduce the number of parking spots taken up by visitors to the area.

Chair Van Dine opened the public hearing.

Jade Whirley gave his zip code as 84049 and explained that he lives in Brighton Estates. He did not see anywhere on the updated plan if there would be more 72-hour parking. When there is a lot of snow, there are times when the nearby residents have no other option but to park there. He supports the expansion of the bus, but wanted to know if the community will lose the option to have somewhere to park when the weather is bad.

There were no further comments. The public hearing was closed.

Commissioner Frontero believes that exchanging six parking spaces for a bus to the trailhead makes sense. A lot of what the Planning Commission has been working on in recent years is multi-modal transportation and the introduction of a bus falls in line with that. He expressed support for the modification that is currently before the Commission.

Chair Van Dine asked Staff to respond to the public comment. Director Ward clarified that the Commission is looking at the use. She reported that the number of parking stalls will still increase, because there were approximately 15 noted in the last Staff Report. There will be an increase to 23 parking stalls, but this is less than the previous modification. Mr. Jones did not have information about the signage or the operation of the parking at this time. Commissioner Johnson asked about ADA parking spaces. It was noted that there were two ADA-compliant stalls on the original plan and now there is one.

The applicant representative, Doug Ogilvy, explained that the developer of this parking lot is the developer of Sommet Blanc, whereas the permanent restrooms will be provided by the developer of the Guardsman Subdivision. The modification provides clarification. It was suggested that the Condition of Approval #4 language be amended to state:

- The developer of the Guardsman Subdivision shall coordinate the installation and maintenance of a portable restroom facility at the Mid-Mountain Trailhead until such time as a plumbed facility is installed pursuant to the Guardsman Subdivision Conditions of Approval.

MOTION: Commissioner Johnson moved to APPROVE the Modification to the Mid-Mountain Trailhead CUP, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. The Sommet Blanc CUP was approved by the Planning Commission on March 9, 2022, for the development of 49 residential units and a 3,600 square foot restaurant at 9300 Marsac Avenue near the Mid-Mountain Trailhead. Improvements to the Mid-Mountain Trailhead and Parking Area were required by the Planning Commission as a condition of the 2022 Sommet Blanc CUP approval.
2. On June 26, 2024, the Planning Commission approved the CUP for Parking Area improvements at the Mid-Mountain Trailhead.
3. On October 9, 2024, the Planning Commission approved an extension to allow additional time to construct the Parking Area improvements to accommodate UDOT review of a Conditional Access Permit and Rocky Mountain Power's undergrounding project that impacted the Parking Area.
 - a. The Planning Commission modified Condition of Approval 18:
 - i. *The Mid-Mountain Trailhead parking lot shall be constructed by 10/15/25 and no Certificate of Occupancy shall be issued for a Sommet Blanc unit until the Mid-Mountain Trailhead parking lot improvements are completed as approved by the Planning Commission on June 26, 2024.*
4. Since the extension approval, the City now operates the 9 Purple line to provide transit to trail access. The Trails and Open Space and Transportation Planning teams coordinated with the Applicant to evaluate potential accommodation of a bus turnaround to improve transit services to the Mid-Mountain Trailhead. As a result, the Applicant proposes modifying

the CUP to reduce the number of Parking Spaces from 29 to 23 to accommodate a transit stop and to extend the six-foot-tall retaining wall by 36 feet for a total length of 324 feet.

5. On August 13, 2025, the Planning Commission approved the Guardsman Subdivision to create three Lots for three Single-Family Dwellings, one Lot for the Park City Municipal water tank Site, and Open Space parcels for the common area and the Mid-Mountain Trailhead. The approved plat is undergoing a redline process to finalize for recordation with Summit County. Eventually, the Mid-Mountain Trailhead is proposed to be transferred to the Park City Municipal Corporation.
6. On April 24, 2025, the City Council adopted Ordinance No. 2025-05 approving the First Amendment to the Amended and Restated Development Agreement for the construction of seven residential units, including three Single-Family Dwelling units in the Guardsman Subdivision. As part of this amendment, approximately 310 acres and the Empire Pass, Mid-Mountain, and Daly Trailheads will eventually be transferred to the City.
7. The proposed modification complies with the Residential Development Zoning District requirements found in LMC Chapter 15-2.13.
 - a. Front Setback
 - i. Parking Areas are listed as a Front Setback exception in the RD Zoning District. The Proposed Parking Area is approximately 13 feet from the property line along Marsac Avenue.
 - b. Side Setback
 - i. The proposed Parking Area improvements are greater than 12 feet from any side property line.
 - c. Rear Setback
 - i. The proposed Parking Area improvements are greater than 15 feet from the rear property line.
 - d. Vegetation Protection
 - i. The Applicant proposes to remove seven trees with a diameter of 6 inches or greater.
 - ii. LMC § 15-5-5(N)(4)(i)(2) establishes exceptions where the Forestry Board and Planning Director may approve the removal of Significant Vegetation "if upon their review it is found that equivalent replacement is impossible, would be detrimental to the site's existing and/or proposed vegetation, or violates Chapter 11-21 Utah Wildland-Urban Interface Code."

- iii. On June 6, 2024, the Forestry Board reviewed the proposal and *determined* that the replacement of Significant Vegetation would be detrimental to the site's existing vegetation and approved the removal of seven trees with a diameter of six inches or greater.
 - iv. The proposed retaining wall expansion requires the removal of one *additional* tree greater than six inches in diameter.
 - v. On September 2, 2025, the Forestry Board reviewed the proposal to *remove* an additional tree and required the Applicant to clear out the dead and dying trees in the surrounding area of the retaining wall expansion.
- 8. The proposal, as conditioned, complies with LMC § 15-3-4 Specific Parking Area Standards for Parking Areas With 5 or More Spaces.
 - a. All Parking Lots shall maintain the required Front and Side Setbacks as would be required for any Structure.
 - i. LMC § 15-15-1 defines Parking Area as "an unenclosed Area or Lot other than a Street used or designed for parking."
 - ii. The *Applicant* proposes a Parking Area at the Mid-Mountain Trailhead. Parking Areas are listed as a Front, Side and Rear Setback exception in the RD Zoning District.
 - b. A geotechnical report must be submitted to the City Engineer, providing recommendations on Parking Lot design and construction parameters. The City Engineer may approve minor spacing and width deviations.
 - i. On June 4, 2024, and September 2, 2025, the City Engineer reviewed the proposed plans. The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining wall expansion and Parking Area improvements at the Building Permit modification submittal.
- 9. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
 - a. Size and Location of Site
 - i. The proposed Parking Area improvements will help pedestrian and vehicle safety at the Mid-Mountain Trailhead because of increased signage, one-way directional traffic, landscaping, trail signage, and pedestrians and users of the Parking Area will be located off Marsac Avenue and will be separated by a landscaped berm.
 - b. Traffic Capacity

- i. The proposed Parking Area improvements will help alleviate vehicular traffic and conflict surrounding the Mid-Mountain Trailhead by *removing* the need for parked cars to back into Marsac Avenue and by providing an additional bus stop for hikers and bikers to use public transit.
- c. Utility Capacity
 - i. The *Development* Review Committee reviewed the proposal on June 4, 2024, and September 2, 2025, and confirmed that the proposal conforms with their requirements.
- d. Emergency Vehicle Access
 - i. The Park City Fire District reviewed the proposal on June 4, 2024, and September 2, 2025, and confirmed the proposal conforms with their *requirements*.
- e. Off-Street Parking
 - i. The proposed Parking Area improvements will reduce the amount of Off-Street parking for recreational users from 29 to 23 Parking Spaces to accommodate a transit bus stop to support the transit to trails program and reduce the need for vehicular parking at trailheads.
- f. Internal Vehicular and Pedestrian Circulation System
 - i. The proposed Parking Area improvements will help pedestrian and vehicle safety at the Mid-Mountain Trailhead because of increased signage, one-way directional traffic, landscaping, trail signage, and *pedestrians* and users of the Parking Area will be located off Marsac Avenue and will be separated by a landscaped berm.
- g. Fencing, Screening, and Landscaping
 - i. The Applicant proposes to extend the six-foot retaining wall on the south *end* of the Site by 36 feet for a total length of 324 feet.
 - ii. Retaining walls greater than six feet in the RD Zoning District require an Administrative Conditional Use Permit (ACUP). On June 27, 2024, the Planning Director approved an ACUP for the retaining walls on the north end of the Site that are greater than six feet at the Mid-Mountain Trailhead.
- h. Structure Mass, Bulk, and Orientation
 - i. The total square footage for the proposed improvements will be approximately 19,000 square feet. Vegetation must be protected during development activity, and disturbed areas must be replaced to existing or improved conditions.
 - ii. The proposed Parking Area improvements will be similar in design to *other* Trailheads in Park City. On August 4, 2025, the Trails and Open Space Department approved the design for the modified Parking Area improvements.

- i. Useable Open Space
 - i. The proposed Parking Area will improve accessibility to the Open Space for the community.
- j. Signs and Lighting
 - i. Municipal Code of Park City § 12-8-1 lists exceptions from the Sign Code requirements: "Signs located inside open-air recreational facilities that are not oriented to public streets, such as signs in ski resorts, skateboard parks, and golf courses, are exempt from the requirements of this Title."
 - ii. The Applicant proposes a trailhead kiosk sign that is four feet wide by four feet tall and approximately eight feet tall and is not oriented to Marsac Avenue, similar to other kiosk signs at Park City trailheads.
 - iii. There will be six signs, approximately seven square feet each, oriented *towards* Marsac Avenue.
 - iv. The Sign Code states the following in § 12-8-1(A): "CITY SIGNS. Signs erected by or at the direction of the Park City Municipal Corporation are exempt from the requirements of this Title."
 - v. The Trails and Open Space and Engineering Departments require the *Applicant* to install entrance and exit signs, trail crossing warning signs, a stop sign at the Parking Area exit, and trail stop signs for trail users.
- k. Physical Design and Compatibility with Surrounding Structures
 - i. The Applicant proposes retaining walls greater than six feet along the hillside to stabilize the slope surrounding the Parking Area. The maximum height that the retaining walls will reach is 12 feet from Final Grade and will span the length of the Parking Area, approximately 324 feet across. The proposed retaining walls will be constructed of rocks.
 - ii. The design of the Parking Area will be graded to match the existing grade of Marsac Avenue and will be screened from Marsac Avenue with a low landscaped berm with small boulders approximately 3-5 feet in diameter to discourage parking within the landscaped area.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Structures
 - i. The Applicant will install a temporary portable toilet at the Mid-Mountain Trailhead.
- m. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas
 - i. The Applicant proposes to install one trash can and a recycling can that will *be* screened with existing vegetation on site.
- n. Expected Ownership

- i. Parcel PCA-S-98-SD-1A is owned by REDUS LLC. Under the terms of an approved exchange agreement between the City and REDUS, the City will eventually own the Mid-Mountain Trailhead Parking Area parcel.
- o. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slopes
 - i. The proposed Parking Area plans were evaluated as part of the Sommet Blanc MPD/CUP Approval. The Planning Commission *reviewed* the proposed location and plans for the Mid-Mountain Trailhead improvements attached as Exhibit X to the March 9, 2022, Planning Commission packet.
 - ii. Staff determined at that time, “The MPD Conclusion of Law #10 notes that the Flagstaff Annexation was not included in the Sensitive Lands *Overlay*. The MPD does not assert why this is, but it may be because at the time of annexation, the City and Applicant strategically chose specific development pods and donated the other acreage to preservation. Fourteen (14) technical reports were required and submitted with the annexation agreement that covered detailed reports of the area, including a mine soil mitigation plan, open space management plan, a trails master plan, historic preservation, and wildlife management plan (amongst others). Again, these plans were utilized to suggest the least sensitive areas for development while preserving 826 acres as Open Space. The 2004 Village at Empire Pass MPD Conclusion of Law #10 noted “The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD annexation; however, the locations of the development pods are based on Sensitive Lands principles.”
 - iii. The Applicant proposes retaining walls to stabilize the slope surrounding the Parking Area. The proposed retaining walls are appropriate for the site and necessary to stabilize the surrounding hillside for the Parking Area improvements. Condition of Approval 3 requires the Applicant to provide engineered plans and a *geotechnical* report to be reviewed by the Engineering Department prior to Building Permit issuance.
 - iv. The proposed Parking Area improvements do not conflict with any Physical Mine Hazards, and the property is outside the Soils *Ordinance* Boundary. No wetlands, ridgelines, stream corridors, or wildlife habitat will be impacted.
 - v. The Flagstaff technical report number 13, “Wildlife Management Plan,” does not mention the Mid-Mountain Trailhead as a Sensitive Wildlife Area. The Open Space Management plan does not specifically mention the Mid-

Mountain Trailhead, but it could be inferred that the “trailhead” mentioned is referring to the Mid-Mountain Trailhead. “Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and UPK will continue to work with UDOT in providing winter access to Wasatch County landowners.”

- vi. The proposal includes parallel parking stalls for vehicles with trailers. There are no additional technical reports that mention the Mid-Mountain Trailhead.
- p. General Plan
 - i. Goal 4 of the General Plan states: “Conserve a connected, healthy network of open space for continued access to and respect for the *Natural Setting*.” The proposed Parking Area improvements will increase access and connectivity in Open Space areas.
 - ii. Goal 9 of the General Plan states: “Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.” *The* proposed Parking Area improvements will provide residents and visitors with improved access to recreational opportunities.
- 10. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on August 27, 2025.
- 11. Staff mailed courtesy notice to property owners within 300 feet on August 27, 2024. The Park Record published courtesy notice on August 27, 2025.

Conclusions of Law:

- 1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.13 *Residential Development Zoning District*, Chapter 15-3 *Off-Street Parking*, and Section 15-1-10, *Conditional Use Review Process*.
- 2. The Use will be compatible with surrounding Structures in use, scale, mass, and circulation.

3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All conditions of approval from June 24, 2024, Planning Commission Final Action Letter shall apply.
2. The Applicant shall clear out the dead and dying trees in the surrounding area of the retaining wall expansion.
3. The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining wall expansion and Parking Area improvements at Building Permit modification submittal.
4. The developer of the Guardsman Subdivision shall coordinate the installation and maintenance of a portable restroom facility at the Mid-Mountain Trailhead until such time as a plumbed facility is installed pursuant to the Guardsman Subdivision Conditions of Approval.

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

- C. 2291 Lucky John Drive – Conditional Use Permit** – The Applicant Requests a Conditional Use Permit for the Raising and Grazing of One Mini Horse and One Mini Donkey in the Single-Family Zoning District. PL-25-06585.

Planner Lund presented the Staff Report and explained that this is a CUP request for 2291 Lucky John Drive. He reported that 2291 Lucky John Drive is Lot 13 in the Holiday Ranchettes Subdivision. A code violation complaint was filed on November 4, 2024, for keeping animals without a CUP. That complaint was filed with the Building Department. An aerial image of the property was shared. The blue line shows the fence, and the red line shows an approximate location of the existing barn where the animals are kept.

The Holiday Ranchettes Covenants, Conditions, and Restrictions (“CC&Rs”) restrict to two horses per lot. Staff would recommend approval of one mini horse and one mini donkey to comply with the CC&Rs. The Single-Family Zoning District states that raising and grazing of horses requires a CUP. The LMC does not define horse or donkey, so as outlined in the Staff Report, the definitions are based on the Webster’s New Collegiate Dictionary. The proposal, as conditioned in the Draft Final Action Letter, complies with the CUP criteria and criteria for raising and grazing of horses. An image of the existing property was shared. Planner Lund reviewed some Conditions of Approval. He explained

that there are some related to the collection and storage of manure, compliance with the Noise Ordinance, and the submission of a Drainage and Runoff Management Plan.

The applicants, Jeffrey Phillips and Olga Phillips, reported that they have been in Park Meadows for the last six years. The home was purchased because it was approved for horses. There have been horses on this property dating back to the 80s and 90s, according to the former owner who sold the lot to them. Mr. Phillips was not aware that there was a separate CUP needed to have horses on the property. He has spoken to several others in the neighborhood and those neighbors had not heard of this requirement either. However, once he became aware, an application was submitted for the CUP.

Mr. Phillips reported that there was originally only a female horse and a female donkey on the property. It was a surprise when a year later, the female donkey gave birth to a baby. There are now two donkeys on the property. Ms. Phillips explained that she has a non-profit foundation and her goal has always been to take the animals to visit children. The baby donkey was not part of that plan and was completely unexpected.

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

Director Ward reported that written comments were received prior to the publication of the Meeting Materials Packet. Those are included as an exhibit. In addition, emails have been received since the publication of the Meeting Materials Packet. Those will be included as part of the Meeting Minutes and have been forwarded to the Commission.

The public hearing was closed.

Commissioner Johnson asked whether a donkey falls under the horse classification in the CC&Rs. Planner Lund reported that he did not find anything in the CC&Rs that defined a horse or donkey, which is similar to the LMC. Commissioner Johnson believed that a donkey was essentially being classified as a horse in this case, which was confirmed.

Commissioner Johnson explained that he reviewed the public comments that were submitted and has visited the property three times. He understands some of the concerns that have been expressed about the smell. Some visual buffering may need to be provided. He asked if additional landscaping along the eastern fence line has been considered. It looks like willows were planted along the fence line between the new house next to the property. Mr. Phillips confirmed that those willows were planted last year. He has thought about adding additional landscaping, but the HOA has a restriction about the percentage that can be on the lot and there are already a lot of trees on the site.

Commissioner Frontero noted that the Staff Report outlines the CC&Rs. He asked if the CC&Rs supersede the code with regard to animals. Planner Lund explained that the City does not enforce CC&Rs. Commissioner Frontero pointed out that the CC&Rs currently state two horses per lot. If that is followed, then there is an issue, because there are

currently three animals. Even if the Commission is comfortable qualifying a donkey as a horse in this case, there is still the issue of the number of animals currently on the property. Mr. Phillips reiterated that the baby donkey was completely unexpected. As far as he is aware, no one has complained to the HOA about the number of animals on the site. There is also a debate about whether the CC&Rs apply, because when they were originally signed into effect in 1974, they were to expire 50 years later, which is 2024.

Commissioner Johnson suggested that the Commission discuss waste removal. He asked if the applicants had reviewed the proposed Conditions of Approval, which was confirmed. Mr. Phillips reported that he has a licensed contractor who cleans the stalls, shovels the manure, and hauls it off on a trailer. He is working there every day. There were some inaccuracies in the public comment letters that were submitted.

Commissioner Johnson read the Condition of Approval language before he visited the site. When he visited, there were nine trash cans on the property. Those were out before 6:00 p.m. and remained out after 11:59 p.m. once emptied. Ms. Phillips explained that it is possible to comply with the Condition of Approval language that has been proposed. Mr. Phillips reported that he has hired individuals to take the cans to the street. Those are emptied on Wednesday mornings and are then brought back. As for the manure, that is taken away separately on a trailer that the landscaping company has.

Commissioner Johnson recognized that the neighborhood has historically had horses. However, that does not seem to be the case as much now. Mr. Phillips reported that there is another mini horse seven houses down on Lucky John Drive. Four or five houses of the 60 or 70 have horses on their properties. Commissioner Shand has lived in Park Meadows for over 30 years and Holiday Ranchettes is a special place. All of the lots there are at least an acre. He mentioned the CC&Rs that mention two horses.

Commissioner Frontero referenced Exhibit B: Applicant's Management Plan. The five points made in the exhibit are reasonable. He pointed out that donkeys can be loud, but the Management Plan does not mention noise. He asked if donkeys are louder than horses and whether there is a way to come into compliance with the Noise Ordinance. Mr. Phillips does not feel that donkeys are louder than horses. Both donkeys and horses become excited when new people are in the area, when they are getting fed, or when someone walks into the barn. There is minimal noise and it is normally due to excitement.

Commissioner Frontero asked if the animals are in the barn at 10:00 p.m. Ms. Phillips reported that the barn is open and the animals can go in and out as desired, but most of the time, the animals are sleeping in the barn together at that time. Mr. Phillips added that in the summer months, the animals are not in the barn as much, but in the winter months, the animals are in the barn more often. Commissioner Beal noted that one of the proposed Conditions of Approval relates to the Noise Ordinance. He pointed out that the Noise Ordinance is relatively strict in Park City and the sound of a donkey braying could be above the Noise Ordinance if it occurred frequently enough. That is something

that will need to be addressed in some manner. As for the various challenges of raising horses in a neighborhood setting, the plan submitted by the applicant seems reasonable.

When it comes to the CC&Rs, Commissioner Beal noted that it is not for the Planning Commission to determine whether that is in effect. He believes the Commission should make decisions based on the LMC and the LMC allows two horses per acre. As for the conditions that have been outlined, those need to be followed so that there are appropriate mitigation measures taken to address noise, waste, and so on. As far as the number of animals, the LMC states that the property could have four. Whatever the HOA has determined, which may or may not be in effect, is not for the Commission to consider. He does not have a problem with the number of animals, but feels it is important that there be clear Conditions of Approval so the property complies with other ordinances.

Commissioner Johnson asked if additional screening or landscaping had been considered. He wanted to know if there was anything that could be done to mitigate the impacts. Planner Lund explained that this can be added as a condition if the applicant is open to that. Mr. Phillips stated that they are in the middle of a remodel and are working with a local architectural firm in Park City. That seems like something that would come at the end of the project. He is willing to add trees to the front to mitigate the impacts. As for one of the public comments made about the pasture being in the front, that is the way the HOA approved it in 1985 and that is the way the property was when it was purchased.

Commissioner Shand wondered whether the trees are more of an HOA issue than a Planning Commission issue. The topic being discussed by the Commission is the number of animals, not the location of the pasture. Commissioner Johnson pointed out that this is a CUP application and the Commission needs to take into account the health, safety, and welfare of the general public. The additional landscaping could reduce visual impacts and noise. Commissioner Shand pointed out that additional landscaping would be subject to HOA approval. He asked what would happen if there is a Condition of Approval written, but the HOA does not allow the additional landscaping to be added to the property.

Attorney Harrington recommended that the Commission be clear about the adverse impact that is intended to be mitigated if there is a desire to add a condition related to additional vegetation. The Condition of Approval should clearly state what the Commission is attempting to mitigate with the requirement. If there is a condition imposed for additional landscaping, but the HOA does not allow additional landscaping to be added, the applicant can return to the Planning Commission to request a modification.

Commissioner Johnson believes an appropriate mitigation method would be requiring vegetative screening along the fence line. This would dampen noise, reduce visual impacts, and address potential odor impacts associated with the use. Chair Van Dine and Commissioner Tilson expressed support for the suggestion. Council Member Tilson noted that based on the LMC, the three animals would be allowed. The CC&Rs might supersede that, but from his perspective, those animals would be allowed based on the

language in the LMC. While Commissioner Tilson can understand the comments made by some of the residents, he pointed out that this use is allowed, based on the LMC.

Commissioner Frontero noted that the Planning Commission does not answer to HOAs but to the LMC. The LMC would allow four animals on the property. He asked the City Attorney if that is what the Commission should uphold. Attorney Harrington reported that the Commission can decide whether limiting it to two is necessary for mitigation, pursuant to the CUP criteria. Director Ward reported that the application was processed for two animals, which was based on the application that was initially received.

Commissioner Shand expressed support for the Conditions of Approval in the Draft Final Action Letter, but suggested that there be an additional condition related to screening. Planner Lund shared a Condition of Approval that he drafted based on Commissioner feedback. The Site Plan was shared and there was discussion about a new condition.

- Condition of Approval #4: To dampen noise, odor, and visual impacts, the Applicant shall install waterwise and Wildland Urban Interface compliant landscaping to screen the property along the fence line facing Lucky John Drive.

Commissioner Frontero pointed out that the applicant requested two animals in the application. He asked Staff if that is the question currently before the Commission. Director Ward confirmed that the applicant filed an application for two animals. The analysis that Staff conducted was based on the understanding that there were two animals on the property. Commissioner Frontero asked if it is possible to modify that to three animals. Mr. Phillips reported that it was modified for three animals, but this was after the analysis was completed by Staff. Commissioner Johnson asked if the item needs to be continued to address this matter. Planner Lund explained that it is possible to add a condition that the Animal Management Plan be updated to show three animals.

Commissioner Frontero believes the LMC is the document the Planning Commission should be following. As a result, it is appropriate for the applicant to request approval for three animals as part of the CUP. The HOA can be addressed by the applicant separately from this process. Commissioner Shand agreed with that position and asked if Condition of Approval 3(A) could be modified. Director Ward explained that the Draft Final Action Letter would need to be modified so the references to one mini donkey are updated to reflect two mini donkeys. The Planning Commission could direct Staff to update the Draft Final Action Letter to approve one horse and two mini donkeys. In addition, the Condition of Approval discussed earlier could be added. If the Commission finds that more information is needed to mitigate three animals, continuance would be recommended.

Commissioner Tilson asked if it is possible to make the language more general. Instead of approving specific animals and types, there could be language that mentions “up to the maximum limit of the LMC.” Commissioner Frontero pointed out that the code specifies a horse, so to approve this application, the animal types would need to be mentioned.

Commissioner Beal is comfortable with three animals, subject to the various mitigation measures that have been suggested, such as the additional landscaping.

There was discussion about Condition of Approval #4. It was amended to state:

- To dampen noise, odor, and visual impacts, the Applicant shall install waterwise and Wildland Urban Interface compliant landscaping to screen the property along the fence line parallel to Lucky John Drive along the stable. The existing perimeter landscaping buffer shall be maintained.

Commissioner Beal suggested removing references to the CC&Rs from the document, since those are not relevant to the Planning Commission decision on the application.

MOTION: Commissioner Shand moved to APPROVE the CUP at 2291 Lucky John Drive according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. The Applicant requests a CUP for the raising and grazing of one mini horse and two mini donkeys on Lot 13 of the Holiday Ranchettes Subdivision (2291 Lucky John Drive). The Applicant has had the animals at this address for approximately three years.
2. The Holiday Ranchettes Subdivision was recorded on May 31, 1974 (Recorder Entry No. 123347).
3. On November 3, 2024, a code violation complaint form was filed with Code Enforcement for the keeping of animals at 2291 Lucky John Drive without a CUP or Animal Management Plan.
4. On June 17, 2025, the Applicant filed a CUP application for raising and grazing of one mini horse and one mini donkey and submitted an Animal Management Plan.
5. The Applicant applied for one mini horse and one mini donkey. On September 2, 2025, the Applicant indicated he has two mini donkeys. Staff recommends approval for the Applicant's request: one mini horse and two mini donkeys. Per the LMC, two horses are permitted per acre.
6. The Land Management Code establishes a CUP for raising and grazing of horses in the Single Family (SF) Zoning District Requirements. The Applicant proposes that this also include one mini-donkey.

- a. LMC § 15-2.11-3 outlines the Setback requirements for Structures in the SF Zoning District.
 - i. Front Setback: 20 feet.
 - ii. Rear Setback: 15 feet.
 - iii. Side Setback: 12 feet.
 - 1. The barn is greater than 30 feet from all property lines.
- b. Land Management Code (LMC) § 15-2.11-2(B)(8) "Uses", states raising and grazing of horses requires a CUP in the SF Zoning District.
 - i. The Applicant is requesting a CUP for one mini horse and one mini donkey. LMC § 15-15-1 does not define "horse" or "donkey" but states that words not defined in the LMC shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.
 - ii. Horse: "a large solid-hoofed, herbivorous ungulate mammal (*Equus caballus*, family *Equidae*) domesticated since prehistoric times and used as a beast of burden, a draft animal, or for riding."
 - iii. Donkey: "The domestic ass (*Equus asinus*)."
 - iv. Similarities between horses and donkeys include:
 - 1. Both belong to the *Equidae* family.
 - 2. Both are herbivores and solid-hoofed ungulates.
 - v. Differences include:
 - 1. Donkeys are generally smaller in size.
 - 2. Donkeys have a distinct vocalization (a bray).
 - 3. They are separate species.
 - 4. Horses prefer fresh, lush grass, while donkeys more readily eat coarse plants and shrubs.
- c. LMC § 15-2.11-9 outlines criteria for raising and grazing of horses.
 - i. Any barn must be located a minimum of 75 feet from the nearest neighboring Dwelling Unit.
 - 1. The nearest neighboring Dwelling Unit is 94.56 feet north of the barn.
 - ii. There shall be a maximum of two horses per acre.
 - 1. Lot 13 is 2.32 acres. Per the LMC, two horses are permitted per acre.
 - iii. Terrain and Slope of the Property must be suitable for horses.
 - 1. The barn and fenced area for the animals are a flat area.
 - iv. The Applicant submitted an Animal Management Plan outlining waste removal/odors, drainage and runoff, bedding materials, flies, and feed/hay.

7. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).
 - a. Size and location of the Site
 - i. The SF Zoning District allows two horses per acre. Lot 13 is 2.32 acres.
 - b. Traffic considerations, including the capacity of the existing Streets in the Area
 - i. No additional traffic is generated from the proposed raising and grazing of the mini horse and mini donkey.
 - c. Utility capacity, including Storm Water run-off
 - i. The Development Review Committee (DRC) reviewed the proposal on August 5, 2025, and confirmed the proposal conforms with their requirements.
 - d. Emergency Vehicle Access
 - i. The Park City Fire District reviewed the proposal on August 5, 2025, and confirmed the proposal conforms to all emergency vehicle access requirements.
 - e. Location and amount of off-street parking
 - i. LMC § 15-3-6 does not require additional off-street Parking Spaces for the raising and grazing of horses. The existing parking for the Single-Family Dwelling (SFD) will not be impacted.
 - f. Internal vehicular and pedestrian circulation system
 - i. The internal vehicular and pedestrian circulation system will not be impacted by the proposed Use. There is a fenced area for the animals to graze outside the barn.
 - g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
 - i. The east, south, and west sides of the barn are screened by mature aspen and pine trees. The north side of the barn is not screened but there are wooden rail fences between the barn and the neighboring property to the north. The fenced area outside the barn for the animals to graze is approximately 730 square feet.
 - h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.
 - i. The barn is approximately 790 square feet and in the Front Yard.
 - i. Useable Open Space
 - i. The proposed Use does not impact any Open Space areas in the Holiday Ranchettes Subdivision.
 - j. Signs and Lighting

- i. No signs or exterior lighting are proposed with this application. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC § 15-5-5(J)) and Planning Department review and approval.
 - k. Physical Design and Compatibility with Surrounding Structures
 - i. The barn is approximately 790 square feet and 17 feet tall. The east, south, and west sides of the barn are screened by mature aspen and pine trees.
 - l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors
 - i. There are no mechanical factors associated with the proposed Use. Condition of Approval 1 requires adherence to Municipal Code of Park City Chapter 6-3 Noise.
 - m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas
 - i. No loading or unloading zones will be impacted by the proposed Use. All trash and recycling areas are located inside the barn.
 - n. Expected Ownership and Management
 - i. 2291 Lucky John Drive is under private ownership and the maintenance and care for the animals is the responsibility of the property owner.
 - o. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site
 - i. The barn is on a flat area, not within the Sensitive Land Overlay, and not in the Soils Ordinance Boundary. The property does not include physical mine hazards or historic mine waste.
 - p. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan
 - i. Goal 2.3 of the General Plan identifies Park Meadows as a “primary resident neighborhood.” The proposed Use is ancillary to the property’s primary Use as an SFD.
 - q. Radon mitigation; residential Conditional Uses shall include the installation of a basic radon remediation system that allows for the installation of a radon remediation air handler if or when radon mitigation is required for the space in accordance with residential building codes.
 - i. The barn is not a residential Structure and does not require a radon mitigation system.
8. The Development Review Committee reviewed the proposal on August 5, 2025, and confirmed the proposal conforms to their requirements.

9. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on August 27, 2025.
10. Staff mailed courtesy notice to property owners within 300 feet on August 27, 2025. The Park Record published courtesy notice on August 27, 2025.

Conclusions of Law:

1. The proposed CUP complies with the LMC requirements pursuant to Chapter 15-2.11 Single Family Zoning District and Section 15-1-10 Conditional Use Review Process.
2. The use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. The Applicant shall adhere to Municipal Code of Park City Chapter 6-3, Noise.
2. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC Section 15-5-5(J)) and Planning Department review and approval.
3. The Animal Management Plan shall include the following:
 - a. Grazing is limited to one mini horse and two mini donkeys for the property.
 - b. Compliance with the Noise Ordinance outlined in Municipal Code of Park City Chapter 6-3 is required at all times. Pursuant to Section 6-3-8(E) Animals, owning, keeping, possessing, or harboring any animal or animals that, by frequent or habitual noise making, violates Section 6-3-9 is prohibited. Section 6-3-9 establishes 50 dBA in residential areas from 10:00 PM – 6:00 AM and 55 dBA from 6:00 AM – 10:00 PM.
 - c. **Waste Removal and Odor Control:** Manure is required to be regularly collected and stored in enclosed containers within the barn and shall be removed from the property several times each week.

- i. Pursuant to Municipal Code of Park City Section 6-1-11, waste shall be collected and emptied curbside by the County or a licensed collector. Such receptacles must not be set out for collection prior to 6:00 PM of the day before collection. Empty receptacles shall be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:59 PM the day they are emptied.
 - d. **Drainage and Runoff:** The Applicant is responsible for submitting a drainage and runoff management plan for Engineering review within one week of this Conditional Use Permit issuance and shall make any required modifications to drainage and runoff within 30 days.
 - e. **Fly Control Measures:** Manure is required to be regularly collected and stored in enclosed containers within the barn and shall be removed from the property several times each week.
 - f. **Feed & Hay Storage:** Hay and grain shall be stored in sealed containers inside the barn to prevent spoilage and pest infestation.
4. To dampen noise, odor, and visual impacts, the Applicant shall install waterwise and Wildland Urban Interface compliant landscaping to screen the property along the fence line parallel to Lucky John Drive along the stable. The existing perimeter landscaping buffer shall be maintained.

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

7. ADJOURNMENT

It was noted that a majority of Commissioners will go to Palomino following the meeting.

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

The meeting adjourned at approximately 8:03 p.m.

Warning: Replies to this message will go to
contact the helpdesk.

If you are unsure this is correct please

[CAUTION] This is an external email.

Virgil,

Thank you for taking my call. We are out of town and typing this email on my iPhone, so excuse any errors or typos.

My wife is the Trustee and I manage the property. In regards to the applicant asking for an animal permit, we are against this being approved by the City. The animals are neglected and the donkeys scream for hours on end with horrible decile levels at all hours of day and night. I don't think this is a place for these types of animals. If you want a farm, buy property out in the country and not in the center of town. The neighborhood and all the neighbors in the area have complained several times. When approved he will take the donkey out, walk onto our property and the droppings are left for us to tend to. This isn't the size of dogs pooping in the yards by any means. We all try to keep our lots up, but this lot next to us has become an eyesore. Donkeys, miniature horse, chickens and guessing an unauthorized chicken coop along with feeding ducks and other birds which then attracts bobcats, coyotes, among just a few predators that affect the Deer and Moose that use to bed in our backyard to give birth to their young. Now they are afraid to come down do to threats and noise.

I am Highly against this permit even being considered and the possibility of it being approved will cost the surrounding home owners quite a bit of value depreciation due to the smell and noise. But what we think of living in and around in the Park City area

If you have any questions, please do not hesitate to reach out.

Please keep my name out of this if possible. I don't trust him, his workers that are again parking in our driveway, that he allows to live in the Shed and also his motor home. Lots of suspicious activity going on over there as well. I have reported this to the drug enforcement with Park City Police, but never hear anything back.