

PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
[ONLINE INFORMATION AND LOCATION INFORMATION]
January 16, 2025

STAFF:

Rebecca Ward, Planning Director; Virgil Lund, Planner II; Meredith Covey, Planner I (Virtual); Jaron Ehlers, Planner I (Virtual); JJ Trussell, Deputy Chief Building Official (Virtual); E.Roman, Administrative Assistant.

PUBLIC:

Meg Smith (Virtual), Dave March (Virtual), Molly Guinan (Virtual), Caspian Agency (Virtual)

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The Planning Director called the meeting to order at 12:00 P.M.

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

2175 Sidewinder Drive – Administrative Conditional Use Permit – PL-24-06380 – Proposing to Install a Temporary Structure and a Temporary Increase in Occupancy at 2175 Sidewinder Drive from January 22 to January 29 in the Residential Development Zoning District.

Planner Meredith Covey presented the application and indicated that the proposal as conditioned complies with RD Zoning District Requirements, Temporary Structure Requirements, Temporary Change in Occupancy Requirements and CUP criteria in Land Management Code. Planner Covey listed some of the Conditions of Approval included in the Final Action Letter.

Applicant Meg Smith added that they have already submitted their Operational Fire Permit and asked if it was possible to install the trailer a couple of days earlier to help having it ready for the final walkthrough.

Assistant Building Official JJ Trussell said mentioned that this would be a plan that they could work with and they are willing to support the Applicant.

At 12:05 P.M., the Planning Director opened a public hearing. There was no Input.

At 12:05, the Planning Director closed the public hearing.

Planning Director Ward asked how details on parking and driving restrictions in the area were being conveyed to attendees.

Applicant informed that those details were being sent out in their pre-event email communications to their guest list.

Director Ward clarified that the Conditions of Approval related to the Temporary Structure and final occupancy will be based on the Design Occupant Load document that is submitted with the Fire Permit. Planning Director requested that Condition of Approval number four be updated to reflect the details in communication just mentioned.

MOTION: The Planning Director APPROVED the Administrative Conditional Use Permit for 2175 Sidewinder Drive in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended.

Findings of Fact

1. 2175 Sidewinder Drive, The Prospector Conference Center, is in the Residential Development (RD) Zoning District, within the Prospector Square Condo Third Supplemental Plat recorded with Summit County Recorder's Office in 1981 (Entry No. 182367).
2. The Applicant proposes installing a 14-foot-wide portable restroom trailer from January 22-29.
3. The Applicant also proposes a Temporary Change of Occupancy not to exceed occupancy established by the Chief Building Official and Fire Marshal for 2175 Sidewinder Drive.

Administrative Conditional Use Permit – Temporary Structure

4. Temporary Structures are conditional uses in the RD Zoning District and require an Administrative Conditional Use Permit (ACUP).
5. With the approval of the ACUP, as conditioned, the proposal to install a Temporary Structure complies with the RD Zoning District requirements in Land Management Code (LMC) Chapter 15-2.13.
 - a. LMC § 15-2.13-3 outlines Setbacks for the RD Zoning District:
 - i. Front Setback: 10 Feet
 1. The proposed Temporary Structure is set back 38 feet from the Front Lot line and is compliant.

- ii. Side Setbacks: 12 Feet
 - 1. The proposed Temporary Structure is set back 148 feet and 150 feet from the Side Lot lines and is compliant.
 - iii. Rear Setback: 15 Feet
 - 1. The proposed Temporary Structure is set back 112 feet from the Rear Lot line and is compliant.
 - b. LMC § 15-2.13-4 outlines Building Height for the RD Zoning District:
 - i. 28 feet from Existing Grade
 - 1. The proposed temporary Structure is 10 feet 8 inches tall and is compliant.
6. The Proposal, as conditioned, meets the standards of LMC § 15-4-16 Temporary Structures.
- a. **The Applicant shall provide written notice of the Property Owner's permission.**
 - i. Complies – On December 31, 2024, Joseph Pagel, the General Manager of The Prospector, provided written verification.
 - b. **The proposed Use shall not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.**
 - i. Complies – the Temporary Structure is proposed to be installed on four Parking Stalls. Per the Applicant, there are 36 Parking Stalls dedicated to the event by The Prospector. Per the Applicant they will have approximately 4-6 cars parking onsite each day for the event. Three staff cars, one to two cars for the catering team, and the possibility of one additional car for a VIP guest or speaker. Per staff's calculations the number of vehicles requiring parking spaces could amount to seven at any given point. Per the Applicant guests will not be permitted to park on site and will be directed to arrive to the event using rideshare, private car service, or public transportation. This will be communicated to guests in pre-event publications. See Condition of Approval 4.
 - c. **The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6-3.**
 - i. See Condition of Approval 3.
 - d. **The Use shall comply with the LMC, the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with LMC Section 15-5-5(J).**
 - i. Complies – The proposal does not include temporary signs or outdoor lighting.
7. The Planning Department shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable

standards.

8. The Planning Department may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards.
9. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
 - a. **Size and Location of the Site** – The Applicant proposes no permanent physical changes to the site.
 - b. **Traffic** – As indicated above the Applicant has confirmed that guests will not be parking on site and will be encouraged to take rideshare, private car service, or public transportation to the site. Per the Applicant during peak times, when events are beginning or ending, they will place a minimum of two volunteers in the parking lot, they will have gold jackets and high visibility vests, and will direct any car service traffic to enter from Gold Dust Lane, drop off at the main entrance, and exit onto Prospector. This will be communicated in the pre-event communications for all event guests. See Condition of Approval 4.
 - c. **Utility Capacity** – On January 6, 2025, the Development Review Committee reviewed the proposal and did not identify impacts to utility capacity.
 - d. **Emergency Vehicle Access** – The Park City Fire District reviewed the proposed temporary Structure and requires a fire permit to be submitted with the Building Department prior to temporary Structure installation and an inspection prior to the event.
 - e. **Off-Street Parking** – As indicated above the Applicant has confirmed that guests will not be parking on site and will be encouraged to take rideshare, private car service, or public transportation to the site. Per the Applicant the 4-6 Parking Stalls used for employees or a guest speakers of the event will be marked with cones and signs designating who can park there.
 - f. **Internal Vehicular and Pedestrian Circulation** – The proposed Structure will not impede internal vehicular or pedestrian circulation. The temporary portable restrooms will occupy existing parking spaces.
 - g. **Fencing, Screening, and Landscaping** – The proposed Structure is temporary in nature and will not require fencing, screening, or landscaping.
 - h. **Building Mass, Bulk, and Orientation** – The proposed Structure will not impact the mass, bulk, or orientation of the permanent Structure.
 - i. **Useable Open Space** – The Temporary Structure will not impact any public Open Space.
 - j. **Signs and Lighting** – The Applicant does not propose temporary or

permanent signs or outdoor lighting.

- k. **Physical Design and Compatibility with Surrounding Structures** – Not Applicable: The portable toilets are Temporary and therefore are not evaluated for long-term compatibility with surrounding Structures. They will be located within the existing private parking area in an appropriate location for participants of the event to access.
- l. **Noise, Vibration, Odors, Steam, or Other Mechanical Factors** – See Condition of Approval 3. The site will not emit vibration, odors, steam, or other mechanical elements installed.
- m. **Control of Delivery and Service Vehicles, Loading and Unloading Zones, and the Screening of Trash and Recycling Pickup Areas** – The Temporary Structure will not block delivery or service vehicle loading zones. The site has established trash and recycling locations. The Temporary Structure does not make any changes to the site's established services.
- n. **Expected Ownership and Management** – The installation of the Temporary Structure is overseen by the Caspian Agency who has provided written verification from The Prospector approving the proposal.
- o. **Within and Adjoining Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, and Steep Slopes** – Not applicable. The Temporary Structure will be located on a hard-scaped parking lot and will not affect any environmentally sensitive lands.
- p. **Reviewed for Consistency with the Goals and Objectives of the Park City General Plan** – The Use is consistent with the Sense of Community Goal 10, to create a world-class, multi-seasonal destination resort community.

Administrative Permit – Temporary Change of Occupancy

- 10. The proposal, as conditioned, complies with the Temporary Change of Occupancy criteria outlined in LMC § 15-4-20(D).
 - a. The Applicant shall provide written notice of the Property Owner's consent to the proposed temporary change of occupancy.
 - i. The General Manager of The Prospector provided written verification.
 - b. The proposed Use shall not preclude Public Use of public Parking Spaces.
 - i. The proposed Structure is in a private parking lot and does not preclude Public Use of public Parking Spaces.
 - c. The Applicant shall provide an entrance plan, including patron waiting line capacity. Any Use of exterior space for wait list or lines must be mitigated through the Use of barricades and/or security. Pedestrian International

Building Code compliant Access along the public Right-of-Way must be maintained, unless otherwise approved by the Chief Building Official.

- i. Per the Applicant all visitors will queue inside The Prospector. The Applicant has submitted a floor plan for review by the Building Department.
 - d. The Use shall not violate Municipal Code Chapter 6-3, the Noise Ordinance.
 - i. See Condition of Approval 3. The site will not emit vibration, odors, steam, or other mechanical elements installed.
 - e. All signage and lighting shall comply with the Sign Code, Title 12, and Illumination, Section 12-4-9.
 - i. The proposal does not include temporary signs or outdoor lighting.
 - f. The Use shall comply with the Summit County Health Code, the Fire Code, and State regulations on mass gathering.
 - i. See Condition of Approval 6. The Applicant is required to submit a Fire Permit prior to Building Permit issuance.
 - g. The Use shall not violate the International Building Code.
 - i. See Condition of Approval 7.
 - h. The Applicant shall submit a delivery plan.
 - i. See Condition of Approval 8.
 - i. The Applicant shall adhere to all applicable City and State licensing requirements.
 - i. See Condition of Approval 9.
 - j. The Applicant must have an approved operational permit according to the requirements of the International Fire Code prior to the issuance of a temporary change of occupancy permit.
 - i. See Condition of Approval 6.
 - k. The Property may not be in violation of the LMC or International Building Code.
 - i. See Condition of Approval 9.
 - l. Notice shall comply with Section 15-1-21.
 - i. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on January 3, 2025. Staff mailed courtesy notice to adjacent property owners on January 6, 2025.
 - m. The Fire Marshal may conduct a Site inspection at any time during the temporary change of occupancy to ensure compliance with the above criteria.
 - i. See Condition of Approval 9.
11. On January 7, 2025, the Development Review Committee reviewed the proposal and confirmed the proposal conforms with their requirements.

Conclusions of Law

1. The Application, as conditioned, is consistent with LMC Chapter 15-2.13 Residential Development (RD) District, LMC § 15-1-10(E) *Conditional Use Review Process*, LMC § 15-4-16 *Temporary Structures, Tents, and Vendors*, and LMC § 15-4-20 *Temporary Change Of Occupancy Permits*.
2. The proposed Use, as conditioned, will be compatible with the surrounding Structures in Use, scale, Mass, and Circulation.
3. The effects of any difference in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final plans shall reflect substantial compliance with the plans reviewed on January 16, 2025, by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning Department may result in denial of a final Fire Permit.
2. The Applicant shall notify the Planning Department, in writing, prior to making any changes to these plans.
3. Outdoor speakers are prohibited, and general event noise shall comply with the City Noise Ordinance, Municipal Code of Park City Chapter 6-3.
4. Parking on site is limited to event employees only. Event attendee parking on site and within the neighborhood is prohibited. The event manager shall ensure that attendees arrive to the site by public transit. This information shall be communicated to guests in pre-event communications, through email and on the event website. Due to heavy traffic during the Sundance Film Festival, car service or rideshare shall be limited. During peak times and when events are beginning or ending, the Applicant is required to place a minimum of two volunteers in the parking lot in gold jackets and high visibility vests to direct car service traffic to enter from Gold Dust Lane, drop off at the main entrance, and exit onto Prospector.
5. The Temporary Structure shall be installed no earlier than 9:00 am January 22, 2025, and shall be removed by 9:00 pm on January 29, 2025.
6. The Applicant shall obtain a Fire Permit from the Building Department prior to installation of the Temporary Structure.
7. The Applicant shall submit a delivery plan to the Planning and Building Departments for review and approval prior to submitting a Fire Permit application to the Building Department.
8. The Applicant shall adhere to all applicable City and State licensing requirements.
9. The Property may not be in violation of the LMC or International Building Code. The Fire Marshal may conduct a Site inspection at any time during the temporary change of occupancy to ensure compliance with the above criteria.

10. The Temporary Change of Occupancy is not to exceed occupancy established by the Chief Building Official and Fire Marshal.

657 Park Avenue – Administrative Conditional Use Permit – PL-24-06366 –
Proposing a Temporary Change of Occupancy for a Private Meeting and Hospitality Space for Apple TV+ from January 24-28, 2025.

Planner Virgil Lund presented the application, provided some background, and indicated that the proposal was compliant with LMC 15-4-20, the Parking Department had approved the applicant's load in/load out plan proposal and no parking spaces were available on site. Planner Lund noted that the Operational Fire Permit had been submitted and approved by the Fire Marshall and will be issued after ACUP approval.

Director Ward asked if the two parking spaces on the plan were to be used for the delivery and queuing area.

Applicant Dave March responded that those were mainly for load/unload purposes but they did have additional red and green on top of that, then that will be utilized also for luxury sedans parking so that they are not parked on the street.

Planning Director inquired how this was being communicated to guests.

Applicant mentioned that this was being communicated internally since this was a private even.

At 12:11 P.M., the Planning Director opened a public hearing. There was no input.

At 12:11 P.M., the Planning Director closed the public hearing.

MOTION: The Planning Director **APPROVED** the Administrative Conditional Use Permit for 657 Park Avenue as amended in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. 657 Park Avenue, the Big Moose Yacht Club, is a Significant Historic Site on the Park City Historic Sites Inventory.
2. The Structure is currently used for Nightly Rentals (Business License B-017664).
3. The Applicant proposes a Temporary Change of Occupancy for a meeting and hospitality space for Apple TV+.
4. The Temporary Change of Occupancy is scheduled from January 24-28, 2025, not to exceed 1:00 AM each day. Events are private and invite-only.

5. The Applicant anticipates overall attendance between 25 and 75 guests each day.
6. The Applicant received approval from the Planning Director for a similar activation during the 2023 and 2024 Sundance Film Festivals (PL-22-05495 and PL-23-05991).
7. According to the Applicant's Narrative, the Temporary Change of Occupancy establishes a meeting and hospitality space at the Big Moose Yacht Club.
8. The Applicant does not propose to make any physical alterations to the Significant Historic Structure; all activation will occur indoors.
9. The proposed hours of operation are:
 - a. Friday, January 24:
 - i. Press Open House, 12:30 PM – 2:30 PM, 7:30 PM – 9:00 PM
 - ii. Executive Hospitality, 10:00 AM – 12:00 AM
 - b. Saturday, January 25:
 - i. Press Open House, 12:30 PM – 2:30 PM
 - ii. Awards Group Mixer, 4:00 PM – 6:00 PM
 - iii. Cocktail Mixer, 7:00 PM – 9:00 PM
 - iv. Executive Hospitality, 10:00 AM – 12:00 AM
 - c. Sunday, January 26:
 - i. Press Open House, 10:00 AM – 2:00 PM
 - ii. Cocktail Reception, 4:00 PM – 6:00 PM
 - iii. Executive Hospitality, 10:00 AM – 12:00 AM
 - d. Monday, January 27:
 - i. Cocktail Reception, 4:00 PM – 6:00 PM
 - ii. Executive Hospitality, 10:00 AM – 12:00 AM
 - e. Tuesday, January 28:
 - i. Executive Hospitality, 10:00 AM – 2:00 PM
10. Land Management Code (LMC) Section 15-15-1 defines Private Event Facility as a facility where the primary Use is for staging, conducting, and holding private events.
11. 657 Park Avenue is in the Historic Recreation Commercial (HRC) Zoning District.
12. LMC Section 15-2.5-2 *Uses* prohibits Private Event Facilities in Storefront Property in the HRC Zoning District.
13. LMC Section 15-15-1 defines *Storefront Property* as a separately enclosed space, floor area, tenant space, or unit that includes a storefront window and/or entrance that fronts a Public Street.

14. LMC Section 15-2.5-2 *Uses* footnote five excludes HRC properties that are on the west side of Park Avenue.
15. 657 Park Avenue is on the west side of Park Avenue and is therefore excluded from the Storefront Property prohibition of Private Event Facilities.
16. LMC Section 15-4-20(A) requires an Administrative Permit for the proposed Temporary Change of Occupancy.
17. LMC Section 15-4-20 states the purpose of Temporary Change of Occupancy permits is to allow Administrative Permits only if adverse impacts on the character of the neighboring Property can be mitigated and issues of public safety, traffic and parking are provided for. Such Uses will be permitted where the adjacent Street system is sufficient to accommodate the traffic impacts generated by said temporary change of occupancy; where the Property can accommodate adequate Off-Street parking; where the Structures are designed to safely accommodate said temporary change of occupancy; and where the type of Use and impacts are Compatible with the Uses otherwise permitted in the Zoning District.
18. LMC Section 15-4-20(B) establishes a 15-day maximum for a Temporary Change of Occupancy with no more than 12 Use changes per year. The Temporary Change of Occupancy Administrative Permit is proposed once in 2025 for five days (January 24-28, 2025).
19. LMC Section 15-4-20(C) requires a complete Administrative Permit Application more than 15 days before the proposed Temporary Change of Occupancy. On December 18, 2024, the Planning Department issued a complete application notice to the Applicant.
20. LMC Section 15-4-20(C) requires the applicant to submit a crowd management, security, delivery, and parking plan. On December 16, 2024, the applicant submitted these plans to the Planning Department.
21. The Application, as conditioned, complies with LMC Section 15-4-20(D):
 - a. **The Applicant shall provide written notice of the Property Owner's consent to the proposed Temporary Change of Occupancy.**
 - i. The Applicant submitted a letter dated December 12, 2024, from the Property owner approving the proposed Temporary Change of Occupancy.
 - b. **The proposed Use shall not preclude the Public use of public Parking Spaces.**

- i. Two existing Off-Street Parking Spaces on site will be used for load in and load out. The Use will not prevent the public from using the street or public parking garages.
- c. The Applicant shall provide an entrance plan, including patron waiting line capacity. Any Use of exterior space for wait list or lines must be mitigated through the Use of barricades and/or security. Pedestrian International Building Code compliant Access along the public Right-of-way must be maintained, unless otherwise approved by the Chief Building Official.**
 - i. The Applicant's submittal includes Area/Occupancy breakdowns according to the 2021 International Building Code. Assembly Occupancy uses intended for food and/or drink consumption include, but are not limited to, nightclubs, restaurants, cafeterias, taverns, bars, and similar dining facilities. The governing capacity for a lounge is 80 occupants. Daily events will have 25-75 attendees, and capacity changes per scheduled event/floor layout. The Applicant proposes:
 - 1. Hospitality Layout – First Floor – 65 Occupants
 - 2. Dining Layout – First Floor – 28 Occupants
 - 3. Hospitality Layout – Basement – 15 Occupants
 - ii. Total occupancy at one time shall not be greater than 80. See Condition of Approval 12.
 - iii. The Applicant has submitted a Fire Permit (PLAN24-2832) that has been approved by the Fire Marshall. The Fire Permit will be issued upon approval of this ACUP.
- d. The Use shall not violate Municipal Code Chapter 6-3, the Noise Ordinance.**
 - i. Outdoor music is not proposed as part of the activation of this site. The Applicant proposes indoor music that must comply with the City's Noise Ordinance. See Condition of Approval 6.
- e. All signage and lighting shall comply with the Sign Code, Title 12, and Illumination, Section 12-4-9.**
 - i. On January 3, 2025, the Planning Department issued a temporary Sign Permit (PL-24-06365).
- f. The Use shall comply with the Summit County Health Code, the Fire Code, and State regulations on mass gathering.**

- i. See Condition of Approval 7.
- g. The Use shall not violate the International Building Code.**
 - i. See Condition of Approval 8.
- h. The Applicant shall submit a delivery plan.**
 - i. The Applicant proposes to use the Site's existing driveway and Off-Street Parking Spaces for load in and load out. The proposed schedule was reviewed by the Parking Supervisor. On January 8, 2025 the Applicant was issued a "Special Use of Public Parking Facilities" permit. The proposed schedule is the following:
 - 1. Load In:
 - a. January 21, 7:00 AM – 12:00 PM
 - b. January 22, 7:00 AM – 10:00 AM
 - 2. Load Out:
 - a. January 29, 7:00 AM – 10:00 AM
 - b. January 30, 7:00 AM – 10:00 AM
- i. The Applicant shall adhere to all applicable City and State licensing requirements.**
 - i. On January 23, 2025, the Finance Department issued a Convention Sales License (C-001701) and Single Event Liquor License (L-009589), pursuant to Utah Code 32B-9, for the Private Event Facility valid January 24-28, 2025.
- j. The Applicant must have an approved operational permit according to the requirements of the International Fire Code prior to the issuance of a temporary change of occupancy permit.**
 - i. The Applicant applied for an Operational Fire Permit on December 15, 2024 (PLAN24-2832). See Condition of Approval 9.
- k. The Property may not be in violation of the LMC or International Building Code.**
 - i. The Property is not in violation of the LMC or 2021 International Building Code. The Property's Nightly Rental Business License was renewed on October 1, 2024.
- l. Notice shall comply with Section 15-1-21.**
 - i. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on January 6, 2025. Staff mailed courtesy notice to property owners on January 6, 2025.

Conclusions of Law

1. The proposal complies with the LMC requirements pursuant to Chapter 15-2.5 *Historic Recreation Commercial (HRC) District* and Section 15-4-20 *Temporary Change of Occupancy Permits*.

Conditions of Approval

1. Final plans shall reflect substantial compliance with the plans reviewed on January 16, 2025, by the Planning Department. Any changes, modifications, or deviations from the approved plans that the Planning Department has not approved in advance may result in a stop work order.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
3. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial per the applicable standards by the Planning Director or designee before activation of the site.
4. Any exterior queuing shall be mitigated through the Use of barricades and/or security and shall not spill onto the sidewalk or Park Avenue.
5. International Building Code and International Fire Code-compliant pedestrian access along the public Right-of-Way shall be maintained.
6. At no time shall the Use violate Municipal Code of Park City Chapter 6-3 *Noise*. No outdoor noise is permitted past 10:00 PM. Noise shall not exceed 65 dBA between 6:00 AM and 10:00 PM.
7. The Use shall comply with the Summit County Health Code, the Fire Code, and State regulations on mass gatherings.
8. The Use shall comply with the International Building Code.
9. The Applicant shall obtain an approved Operational Fire Permit prior to activation of the site for the Private Event Facility Use on January 24, 2025.
10. The Fire Marshall may conduct a site inspection at any time during the Temporary Change of Occupancy to ensure compliance with this permit and relevant regulations.
11. No parking is available on Site. All guests must arrive at the event by ride share, walking, transit, or private vehicle service.
12. Total occupancy must not exceed 80 at one time.

2424 & 2426 Nansen Court – Administrative Lot Line Adjustment – PL-06320
– Proposing a Lot Line Adjustment Between Nordic Village Lots 15 & 16 by Shifting the Lot Line 9 Feet and 1 ¾ Inches Westward into Lot 15 in the Recreation Development and Sensitive Land Overlay.

Planner Jaron Ehlers presented the application and provided some of the background. Planner Ehlers also detailed some of the Conditions of Approval.

Director Ward asked the applicant if there were plans for any more modifications.

Applicant Molly Guinan indicated that there weren't any more modifications planned.

At 12:14 P.M., the Planning Director opened a public hearing. There was no input.

At 12:15 P.M., the Planning Director closed the public hearing.

MOTION: The Planning Director APPROVED the Administrative Lot Line Adjustment for 2424 & 2426 Nansen Court in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The property is located at 2424 and 2426 Nansen Court.
2. 2424 Nansen Court is Lot 15 of the Nordic Village Planned Unit Development (PUD) approved on May 11, 1987, Parcel No. NOR-15.
3. 2426 Nansen Court is Lot 16 of the Nordic Village PUD, Parcel No. NOR-16.
4. The Lots are in the Residential Development (RD) Zoning District and the Sensitive Land Overlay (SLO).
5. Both Lots are under the same ownership. Lot 15 is vacant and Lot 16 contains a Single-Family Dwelling (SFD) constructed in 1987.
6. The Applicant proposes to shift the side property line between the two Lots nine feet and one and three-quarter inches (9'1¾") westward into vacant Lot 15 to expand Lot 16.
7. The Lot Line Adjustment would allow the Applicant to expand the kitchen in the SFD on Lot 16 seven feet and one and three-quarter inches (7'-1¾") past the current Side Setback of 10 feet; the new Side Setback with the addition would be 12 feet which is consistent with the RD Zoning District requirements.
8. The Applicant wishes to further develop the existing SFD horizontally rather than vertically. The homeowners association (HOA) and surrounding property owners

concur that vertical development should be avoided to preserve existing view corridors.

9. The Applicant has received approval from the Nordic Village HOA both for the Lot Line Adjustment and for the planned 1,898 square feet addition on September 22, 2022.
10. On September 29, 2022, a public hearing was held for the Lot Line Adjustment. After a discussion with the Applicant, it was determined the Planning Director needed more details to make an informed decision, and the item was continued to October 6, 2022.
11. On October 6, 2022, the Planning Director opened a public hearing and approved the Lot Line Adjustment.
12. Condition of Approval 2 stated that the Applicant had one year from date of Planning Director approval to record the Lot Line Adjustment and if they failed to do so, the Lot Line Adjustment was void.
13. The Applicant did not record the required Covenants, Conditions & Restrictions (CC&Rs) Amendment nor the Lot Line Adjustment Plat and did not apply for an extension prior to the expiration date. As a result, the approval expired on October 6, 2023.
14. On October 28, 2024, the Applicant refiled the same Lot Line Adjustment that was approved in 2022.
15. The proposal for a Lot Line Adjustment complies with the Residential Development Zoning District Requirements outlined in Land Management Code Chapter 15-2.13.
 - a. The purpose of the Residential Development (RD) District is to:
 - i. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
 - ii. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
 - iii. allow commercial and recreational activities that are in harmony with residential neighborhoods,
 - iv. minimize impacts of the automobile on architectural design,
 - v. promote pedestrian connections within Developments and between adjacent Areas; and

- vi. provide opportunities for variation in architectural design and housing types.
- b. Per Land Management Code (LMC) § 15-2.13-2(A)(1), SFDs are Allowed Uses in the RD Zoning District.
- c. LMC § 15-2.13-3 establishes the following Lot and Site requirements for the RD Zoning District:

Zoning Requirement	Analysis of proposal for Lot 15	Analysis of proposal for Lot 16
Density Maximum of three units per acre.	Complies: The Lot is 7,037 square feet (0.16 acres) and is vacant. If approved, the new Lot size would be 5,987 square feet (0.14 acres), a difference of 1,050 square feet.	Complies: The Lot is 18,282 square feet (0.42 acres) and includes one SFD. If approved, the new Lot size would be 19,332 square feet (0.44 acres), a difference of 1,050 square feet.
Front Setback Minimum Setback of 20 feet and 25 feet for front facing Garages.	Applicable to future development: Lot 15 is vacant. New construction will be required to comply with Setbacks.	Complies: The front façade of the SFD is 39 feet from the Front Lot Line. The front facing Garage is 23 feet from the front Lot Line. While this is non-compliant with the existing Front Setback in the RD Zoning District, it is compliant with the Nordic Village PUD that is analyzed below in Section IV.
Rear Setback Minimum Setback of 15 feet for Main Buildings and 10 feet for Accessory	Applicable to future development: Lot 15 is vacant. New construction will be required to comply with	Complies: The existing SFD meets an 80-foot Setback from the Rear Lot Line.

Buildings and detached Garages.	Setbacks.	
Side Setback The minimum Side Setback is 12 feet.	Applicable to future development: Lot 15 is vacant. New construction will be required to comply with Setbacks.	Complies: The SFD is 12.6 feet from the southeastern Side Lot Line and 10 feet from the northern Side Lot Line. These setbacks comply with the approved Nordic Village PUD Subdivision Declaration of Covenants, see Finding of Fact 18. New construction will be required to comply with Setbacks established on the proposed Lot Line Adjustment Plat, including a new 12-foot Side Setback on the southeastern property boundary.

16. The proposal complies with the Lot Line Requirements outlined in Land Management Code Section 15-7.1-6.

a. LMC § 15-7.1-6(F) establishes the following requirements for Lot Line Adjustments:

The Planning Director may approve a Lot Line Adjustment between two Lots if:

The Owners of both Lots demonstrate, to the Satisfaction of the Planning Director that:

1. no new developable Lot or unit results from the Lot Line Adjustment;

Complies: The proposed Lot Line Adjustment expands the footprint of Lot 16 for the expansion of the existing SFD. No new developable Lot or unit is proposed in this application.

2. all Owners of Property contiguous to the adjusted Lot(s) or to Lots owned by the Applicant(s) which are contiguous to the adjusted Lot(s), including those

separated by a public Right-of-Way, consent to the Lot Line Adjustment;

Complies: The Applicant provided the Planning Department with consent letters from the surrounding properties, dated from April to August, 2022.

3. the Lot Line Adjustment does not result in remnant land;

Complies: The proposed Lot Line Adjustment does not result in an increase of undevelopable or remnant land within or surrounding Lots 15 and 16.

4. the Lot Line Adjustment, and resulting Lots comply with LMC Section 15-7.3 and are compatible with existing lot sizes in the immediate neighborhood;

Proposed Condition of Approval: The proposed Lot Line Adjustment would decrease the size of Lot 15 from 0.16 acres to 0.14 acres.

The proposal would increase the size of Lot 16 from 0.42 acres to 0.44 acres.

In the Nordic Village PUD, existing Lot areas range from 0.14 acre to 0.42 acre, allowing both Lot 15 and Lot 16 to remain compatible within the neighborhood.

Lot 16 is 0.07 acres larger than the second largest Lot in the subdivision. If the Lot Line Adjustment is approved, Lot 16 will be .09 acres larger than the next largest Lot. Lot 16 is a corner Lot with Steep Slopes and a large Setback in the rear of the Lot. The proposed addition is situated behind the existing SFD, with the portion visible from the front property line set back 64 feet from the front property line and 13 feet from the front façade. Proposed Condition of Approval 5 states "Any proposed addition on Lot 16 shall be set back from the existing home's front façade to minimize the bulk of the structure from view of the Public Right-of-Way."

5. the Lot Line Adjustment does not result in violation of applicable zoning requirements;

Complies: See Findings of Fact 14 and 16.

6. neither of the original Lots were previously adjusted under this section;

Complies: Lots 15 and 16 have not been previously adjusted.

- 7. written notice was mailed to all Owners of Property within three hundred feet (300') and neither any Person nor the public will be materially harmed by the adjustment; and**

Complies: See Finding of Fact 19.

- 8. the City Engineer and Planning Director authorizes the execution and recording of an appropriate deed and Plat, to reflect that the City has approved the Lot Line Adjustment.**

Proposed Condition of Approval: Condition of Approval 1 outlines the process required prior to Plat recordation.

- 9. Extension of Approval:**

Proposed Condition of Approval: Condition of Approval 2 outlines the process required to request an extension to the one-year recordation timeframe.

17. The proposal complies with the Sensitive Land Overlay Requirements outlined in LMC Chapter 15-2.21.

- a. The purpose of the Sensitive Land Overlay (SLO) is to:
 - i. require dedicated Open Space in aesthetically and environmentally sensitive Areas;
 - ii. encourage preservation of large expanses of Open Space and wildlife habitat;
 - iii. cluster Development while allowing a reasonable use of Property;
 - iv. prohibit Development on Ridge Line Areas, Steep Slopes, and wetlands; and
 - v. protect and preserve environmentally sensitive land.
- b. Portions of both Lot 15 and Lot 16 of the Nordic Village Subdivision reside within the SLO. Nordic Village Subdivision was platted in 1987. On September 24, 1992, the City Council adopted Ordinance 92-17, enacting the Sensitive Land Overlay. While the SLO was not adopted at the time of the Nordic Village PUD approval, the request to change the Lot Line requires analysis of the new location in the context of the SLO regulations.
- c. Analysis of relevant Sections of LMC Chapter 15-2.21 are:
- d. LMC § 15-2.21-4

- i. Steep Slopes and Very Steep Slopes
 - ii. Slope, Steep. Slope greater than fifteen percent (15%).
 - iii. Slope, Very Steep. Slope greater than forty percent (40%).
 - iv. Not Applicable:
 - v. There are no Steep Slopes where the Lot Line Adjustment is proposed to take place. Steep Slopes exist on Lot 16, which is the Lot developed with a SFD. No development has occurred within the Steep Slopes area on this Lot. No development on Steep Slopes is approved or proposed with this application. Lot 15 is relatively flat, with the steepest grade change 8% over a distance of 100 feet.
 - e. LMC § 15-2.21-5
 - i. Significant Ridge Line Areas, Vantage Points and Entry Corridors
 - ii. Complies as Conditioned:
 - iii. Lots 15 and 16 are not visible from Vantage Points or Entry Corridors. Lots 15 and 16 are located near a Significant Ridgeline but are not located within the Setback and Condition of Approval 6 prevents the SFD on Lot 16 from expanding beyond the existing roof plane. Any structure built on Lot 15 will have to comply with the RD Zoning District Building Height requirements in LMC § 15-2.13-4.
 - f. LMC § 15-2.21-6
 - i. Wetlands, Streams, and Lakes
 - ii. Not Applicable:
 - iii. There are no Stream, Stream Corridors, lakes, or Wetlands located on the property.
 - g. LMC § 15-2.21-8
 - i. Wildlife habitat and Wildlife Interface Zones.
 - ii. Not Applicable:
 - iii. Lot 15 and 16 are not located within a Wildlife Habitat or the Wildlife Interface Zone.
18. The proposal complies with the Nordic Village Subdivision Plat.
- a. The Nordic Village Subdivision Plat was recorded with Summit County on June 9, 1987 (Summit County Recorder Entry No. 272637).
 - b. Plat Note 3 states the following:

NORDIC VILLAGE P.U.D. IS A MASTER PLANNED DEVELOPMENT. BUILDING SETBACKS HAVE BEEN ESTABLISHED AND ARE SHOWN ON EXHIBIT B OF THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED CONCURRENTLY HEREWITH.

- c. On June 9, 1987, the Declaration of Covenants, Conditions, and Restrictions of Nordic Village Planned Unit Development was recorded with Summit County (Summit County Recorder Entry No. 272638).
- d. Exhibit B to the Declaration establishes permissible building area and building footprint for Lot 15 and Lot 16 as follows:

Lot 15	Lot 16
<u>Front Setback: 5 feet</u> Complies Lot 15 is vacant. New construction will be required to comply with setbacks.	<u>Front Setback: 5 feet</u> Complies The front façade of the SFD is 39 feet from the Front Lot Line The front facing garage is 23 feet from the Front Lot Line.
<u>Side Setbacks: 5 feet</u> Complies Lot 15 is vacant. New construction will be required to comply with setbacks.	<u>Side Setbacks: 10 feet</u> Complies The SFD is 12.6 feet from the southern Side Lot Line and 10 feet from the northern Side Lot Line.
<u>Rear Setback: 15 feet</u> Complies Lot 15 is vacant. New construction will be required to comply with setbacks.	<u>Rear Setback: 15 feet</u> Complies The SFD is 80 feet from the Rear Lot Line. There are no Accessory Buildings/detached garages located on the Lot.
<u>Maximum Buildable Footprint: 2,600 square feet</u>	<u>Maximum Buildable Footprint: 3,000 square feet</u>

Complies The maximum buildable area for Lot 15 is not proposed to change. <u>The restrictions for Maximum Buildable Footprint and Maximum Driveway and Patio area were set by the HOA in 1987 (Exhibit G).</u> The HOA approval letter (Exhibit F) ensures that the proposed Lot Line Adjustment will be performed without altering or requiring an exception to the Maximum Buildable Footprint of 2,600 square feet or the Maximum Driveway and Patio area of 500 square feet.	Condition of Approval 4, 6 & 7 <u>The restrictions for Maximum Buildable Footprint and Maximum Driveway and Patio area were set by the HOA in 1987 (Exhibit G).</u> The maximum buildable area is proposed to increase from 3,000 square feet to 4,898 square feet, an addition of 1,898 square feet. The HOA has provided preliminary approval for an exception to the existing Maximum Buildable Footprint, permitting the expansion of Lot 16 from 3,000 square feet to 4,898 square feet (Exhibit F). Due to the proposed horizontal expansion of the SFD, conditions of approval are required to contain the bulk of the SFD including a Side Yard Setback expansion to 12 feet on the western Side Lot Line (Condition of Approval 5) and requiring a maximum vertical expansion on the existing and expanded SFD, which shall stay under the existing roof plane (Condition of Approval 6).
<u>Maximum Driveway and Patio: 500 square feet</u> Complies Lot 15 is vacant. No development is proposed. The maximum Driveway and Patio area	<u>Maximum Driveway and Patio: 400 square feet</u> Complies The driveway and patio area for Lot 16 is 370 square feet of the allowed 400 square feet. Designated driveway and patio areas are not proposed to be

will not change.	altered.
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19. The Development Review Committee reviewed the proposal on November 19, 2024, and confirmed the proposal complies with required standards.
20. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on January 2, 2025. Staff mailed courtesy notice to property owners within 300 feet on January 2, 2025.

Conclusions of Law

1. There is Good Cause for this Lot Line Adjustment as it does not create any nonconformity with respect to Lot Size, Lot Width, or Setbacks.
2. The Lot Line Adjustment is consistent with the Park City Land Management Code and the applicable State law regarding Lot Line Adjustments.
3. Neither any person nor the public will be materially injured by the proposed Lot Line Adjustment.
4. Approval of the Lot Line Adjustment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the Lot Line Adjustment plat for compliance with State Law, the Land Management Code, and the conditions of approval as a condition's precedent to the plat recordation.
2. The applicants will record the Lot Line Adjustment plat at the County within one year from the date of Planning Director approval. If the recordation has not occurred within one year's time, the approval for the Lot Line Adjustment will be void.
3. Extension of Approval: Applicants may request time extensions of the Lot Line Adjustment approval by submitting a request in writing to the Planning Department prior to expiration of the approval. The Planning Director shall review all request for time extensions of Lot Line Adjustments and may grant a one-year extension.
4. Prior to plat recordation the applicant shall provide an updated and HOA approved Exhibit B from the Nordic Village Subdivision CC&Rs confirming building footprint requirements and the Lot Line Adjustment for Lot 15 and Lot 16.

5. Any proposed addition on Lot 16 shall be set back from the existing home's front façade to minimize the bulk of the structure from view of the Public Right-of-Way.
6. The structure on Lot 16 cannot expand in height past the existing roof plane to comply with LMC Section 15-7.3 and to remain compatible with existing lot sizes in the immediate neighborhood.
7. Conditions of Approval for the Nordic Village Subdivision, approved May 28, 1987, and subsequent plat notes shall continue to apply.

The Park City Administrative Action meeting adjourned at 12:15 P.M.

Approved by Planning Director:

A handwritten signature in blue ink, consisting of several overlapping, fluid strokes that form a cursive-like shape, positioned below the text "Approved by Planning Director:".