

Administrative Public Meeting
January 9, 2025
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PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE PUBLIC MEETING MINUTES
PLANNING DEPARTMENT
<https://us02web.zoom.us/j/88167820277>
January 9, 2025

STAFF:

Elissa Martin, Assistant Planning Director; Virgil Lund, Planner II; Jacob Klopfenstein, Planner I; E. Roman, Planning Administrative Assistant.

PUBLIC:

Jamie Martin (virtual), David Belz.

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The Assistant Planning Director called the meeting to order at 12:00 PM.

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

7520 Royal Street – Administrative Conditional Use Permit – PL-24-06359 –
Proposing a Temporary Structure and Outdoor Dining on the Existing Pedestrian Plaza at the Goldener Hirsch.

Planner Virgil Lund presented the application and provided some background information and noted that if another temporary structure was to be proposed next season, this would require another ACUP to be submitted and approved. He also provided highlights on the terms of the Final Action Letter.

At 12:04 PM, the Assistant Planning Director opened a public hearing. There was no input.

At 12:04 PM, the Assistant Planning Director closed the public hearing.

MOTION: The Assistant Planning Director **APPROVED** the Administrative Conditional Use Permit in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Applicant proposes the one-time installation of a 215-square-foot Temporary Structure for up to 16 people with a height of nine feet from Final Grade on the existing pedestrian bridge plaza at the Goldener Hirsch to be removed by June 1, 2025. Future installations of Temporary Structures will require an ACUP.
2. The Applicant also proposes a 730-square-foot ongoing Outdoor Dining Area for up to 40 people when the Temporary Structure is removed.
3. According to the Applicant, during the time when the Temporary Structure is installed, Outdoor Dining will be limited to the area covered by the Temporary Structure.
4. The Applicant has used the pedestrian bridge plaza at the Goldener Hirsch as Outdoor Dining for 40 people since 2016 without approval from the Planning Department. The proposed ACUP would allow Outdoor Dining (without the Temporary Structure) for up to 40 people to continue year-round at the Goldener Hirsch.
5. LMC § 15-15-1 Defined Terms defines "Temporary Structure":
 - a. Temporary Structure: A standalone Structure, or a Structure that is partially affixed to an existing Building on a temporary basis not to exceed 180 days as set forth by the International Building Code.
6. The Building Code limits installations of Temporary Structures to no more than 180 days. See Condition of Approval 4.
7. 7520 Royal Street (Goldener Hirsch) is part of the Deer Valley Resort 12th Amended and Restated Large Scale Master Planned Development (MPD). On November 30, 2016, the 12th Amended Deer Valley MPD was approved by the Planning Commission.
8. On December 12, 2016, the Planning Commission approved a Conditional Use Permit (CUP) for the Goldener Hirsch. Condition of Approval 23 from the 2016 Final Action Letter states: "Outdoor activities on the Plaza, including Outdoor Dining and outdoor events, require compliance with the Land Management Code, including approval of Administrative Conditional Use permits, if applicable."
9. There are no records of an approved ACUP for Outdoor Dining or Temporary Structures on the pedestrian bridge plaza at the Goldener Hirsch.
10. The Applicant installed the Temporary Structure without a building permit or Planning approval and now seeks an ACUP for continued use of the Temporary Structure through June 1, 2025, and ongoing Outdoor Dining for up to 40 people.

11. The proposed Temporary Structure to be installed through June 1, 2025, and ongoing Outdoor Dining complies with the Residential Development Zoning District Requirements outlined in LMC Chapter 15-2.13.
 - a. Setbacks
 - i. The proposed Temporary Structure is located within the existing pedestrian bridge easement that spans Sterling Court, a private street. The Applicant received approval from the easement owner for the proposed Temporary Structure.
 - ii. The proposed Outdoor Dining area for up to 40 people is also located within the existing pedestrian bridge easement that spans Sterling Court. The Applicant shall obtain permission from the Silver Lake Village Plaza Association prior to Outdoor Dining furniture installation on the pedestrian bridge plaza. See Condition of Approval 13.
 - b. Building Height
 - i. The proposed Temporary Structure is approximately 9 feet in height from Final Grade. Furniture associated with Outdoor Dining must comply with height.
12. The proposed Temporary Structure to be installed through June 1, 2025, and ongoing Outdoor Dining complies with the Sensitive Land Overlay Requirements outlined in LMC Chapter 15-2.21.
 - a. The Goldener Hirsch was approved under the 12th Amended Deer Valley Large Scale MPD which states (regarding the Applicability of the Sensitive Land Overlay): "Site Planning standards can be applied only to the extent they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply." The Outdoor Dining and Temporary Structure are located on the existing pedestrian plaza (within the platted easement) and will not affect any vegetation or Sensitive Land.
13. The proposed Temporary Structure complies with the Temporary Structures, Tents, and Vendors Requirements outlined in LMC Section 15-4-16
 - a. The Applicant shall provide written notice of the Property Owner's permission.
 - i. The submitted application form is signed by C. Hope Eccles and the Applicant provided an approval letter from the owner of the pedestrian bridge easement for the Temporary Structure.

- b. The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.
 - i. 76 Parking Spaces were required as part of the original CUP approval for the Goldener Hirsch. 95 Parking Spaces were platted and constructed for the Goldener Hirsch. The proposed Temporary Structure will not diminish existing Parking Spaces, and the excess of existing Parking Spaces will mitigate any additional parking demand.
 - c. The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure.
 - i. The Temporary Structure is located on the existing pedestrian plaza and will not encroach into or affect the existing pedestrian walkway. On December 17, 2024, the Development Review Committee reviewed the proposal and confirmed the Temporary Structure conforms with their requirements.
 - d. The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6-3.
 - i. Condition of Approval 5 requires adherence to the Noise Ordinance outlined in municipal Code Chapter 6-3.
 - e. The Use shall comply with the LMC, the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with Illumination Section 12-4-9.
 - i. No Signs or Outdoor Lighting are proposed or approved with this Application. See Condition of Approval 6.
 - f. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.
 - i. See Condition of Approval 7.
 - g. The Use shall not violate the International Building Code.
 - i. Condition of Approval 8 requires the Applicant to submit a Building Permit for review and approval.
 - h. The Applicant shall adhere to all applicable City and State licensing ordinances.
 - i. See Condition of Approval 9.
14. The proposed Outdoor Dining Area complies with the Outdoor Dining Requirements outlined in LMC Section 15-4-21(B)(1) Outdoor Dining.

- a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.
 - i. The proposed Outdoor Dining area for up to 40 people is located within the existing pedestrian bridge easement that spans Sterling Court. The Applicant shall obtain permission from the Silver Lake Village Plaza Association prior to Outdoor Dining furniture installation on the pedestrian bridge plaza. See Condition of Approval 13.
- b. The proposed seating Area does not impede pedestrian circulation.
 - i. The proposed Outdoor Dining Area will be located on the existing pedestrian plaza and will not encroach into or affect the existing pedestrian walkway. See Condition of Approval 12.
- c. The proposed seating Area does not impede emergency Access or circulation
 - i. The Development Review Committee reviewed the proposal on December 12, 2024 and confirmed the proposal conforms with their requirements. The Park City Fire District reviewed the proposal on December 18, 2024 and confirmed emergency access will not be impacted.
- d. The proposed furniture is Compatible with the Streetscape.
 - i. The existing furniture for Outdoor Dining includes outdoor couches with wood and plastic tables and chairs for dining and lounging. The maximum approved capacity is 40 people.
- e. No music or noise is in excess of the City Noise Ordinance, Title 6.
 - i. Condition of Approval 5 requires adherence to the Noise Ordinance outlined in municipal Code Chapter 6-3.
- f. No Use after 10:00 pm.
 - i. See Condition of Approval 10.
- g. Review of the Restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.
 - i. The restaurant at Goldener Hirsch has an indoor seated capacity of 125 people. The proposed Outdoor Dining adds 40 seats, for a total capacity of 165. 76 Parking Spaces were required as part of the original CUP approval for the Goldener Hirsch. 95 Parking Spaces were platted and constructed for the Goldener Hirsch. The proposed Outdoor Dining will not diminish any existing Parking

Spaces, and the excess of Parking Spaces constructed should mitigate any additional parking demand created by the ongoing Outdoor Dining.

15. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).

- a. There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
- b. The Planning Staff shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Staff 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. LMC § 15-1-10.
- c. Size and location of the Site
 - i. The proposed Temporary Structure to be installed through June 1, 2025, and ongoing Outdoor Dining for up to 40 people, will be located on the existing pedestrian bridge plaza and will provide users of the existing restaurant with additional dining opportunities in the winter.
- d. Traffic considerations including capacity of the existing Streets in the Area
 - i. The proposed Temporary Structure and Outdoor Dining will not increase the amount of traffic in the neighborhood. The Engineering Department's Traffic Impact Study (TIS) Guidelines require a TIS if a sit-down restaurant exceeds 2,500 square feet. The proposed Temporary Structure is 215 square feet and the total square footage for the Outdoor Dining Area is approximately 730 square feet and does not trigger a TIS.
- e. Utility capacity, including Storm Water run-off
 - i. The Development Review Committee reviewed the proposal on December 17, 2024 and confirmed the proposal conforms with their requirements.
- f. Emergency vehicle Access

- i. The Development Review Committee reviewed the proposal on December 17, 2024 and confirmed the proposal conforms with their requirements. The Park City Fire District reviewed the proposal on December 18, 2024 and confirmed emergency access will not be impacted.
- g. Location and amount of off-Street parking
 - i. The restaurant at Goldener Hirsch has an indoor seated capacity of 125 people. The proposed Outdoor Dining would add 40 additional seats, for a total capacity of 165 people. 76 Parking Spaces were required as part of the original CUP approval for the Goldener Hirsch. 95 Parking Spaces were platted and constructed for the Goldener Hirsch. The proposed Temporary Structure and ongoing Outdoor Dining will not diminish any existing Parking Spaces, and the excess of Parking Spaces constructed should mitigate any additional parking demand created by the Outdoor Dining.
- h. Internal vehicular and pedestrian circulation system
 - i. The proposed Temporary Structure and furniture associated with ongoing Outdoor Dining will be located on the existing pedestrian plaza above Sterling Court and will not encroach into or affect the existing pedestrian walkway or internal vehicular system. See Condition of Approval 12.
- i. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
 - i. Adjacent uses (ski resort and lodging) are compatible with the proposed Temporary Structure and ongoing Outdoor Dining and no additional Fencing, Screening, or Landscaping are proposed.
- j. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
 - i. The proposed Temporary Structure is 215 square feet and will be oriented towards the existing restaurant and pedestrian plaza. The proposed Temporary Structure is appropriate in size and scale for the Site because it will not impede the existing pedestrian circulation system.
 - ii. The furniture associated with ongoing Outdoor Dining includes white plastic tables and chairs and metal furniture.
- k. Useable Open Space

- i. The proposed Temporary Structure and ongoing Outdoor Dining will not decrease the required amount of Open Space from the approved MPD because they are installed on an existing and platted pedestrian bridge.
- l. Signs and Lighting
 - i. No Signs or Lighting are proposed with this Application.
- m. Physical Design and Compatibility with Surrounding Structures
 - i. The proposed Temporary Structure is appropriate in size, scale, and design for the intended Use. The Temporary Structure is constructed with glass and metal and can hold approximately 16 people. The furniture associated with the ongoing Outdoor Dining includes white plastic tables and chairs and metal furniture
- n. Noise, Vibration, Odors, Steam, or Other Mechanical Factors
 - i. No Signs, speakers, or Outdoor Lighting are proposed or approved with this Application.
- o. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas
 - i. The proposed location of the Temporary Structure and ongoing Outdoor Dining Area will not affect any loading or unloading zones. Condition of Approval 11 requires all trash and recycling to be located inside the Goldener Hirsch.
- p. Expected Ownership and Management
 - i. The submitted application form is signed by C. Hope Eccles and the Applicant has provided a letter from the owner of the pedestrian bridge easement.
- q. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site
 - i. The location of the Temporary Structure is not on or near Steep Slopes, Physical Mine Hazards, or Mine Waste, and is outside of the Park City Soils Ordinance. The proposed Temporary Structure and ongoing Outdoor Dining are located on an existing pedestrian plaza.
- r. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan

- i. The proposed Use of the Site is consistent with the objectives of the Upper Deer Valley Neighborhood in the General Plan, as it provides a comfortable visitor experience and supports the resort economy.
16. The Development Review Committee reviewed the proposal on December 17, 2024 and confirmed the proposal conforms with their requirements.
17. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on December 30, 2024.
18. Staff mailed courtesy notice to adjacent property owners on December 30, 2024.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements outlined in LMC Chapter 15-2.13 *Residential Development Zoning District*, Chapter 15-2.21 *Sensitive Land Overlay*, Section 15-4-16 *Temporary Structures, Tents, and Vendors*, Section 15-4-21(B)(1) *Outdoor Dining* and Section 15-1-10(E) *Conditional Use Permits*.
2. The Use will be compatible with 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. Any changes, modifications, or deviations from the approved plans that have not been approved in advance by the Planning Department 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 in accordance with the applicable standards by the Planning Director or designee prior to construction.
4. The Temporary Structure must be removed 180 days from Final Action (January 9, 2025).
5. The Applicant must adhere to the Noise Ordinance outlined in Municipal Code Chapter 6-3.
6. No exterior signs or lighting are approved with this permit.
7. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.

8. The Use shall not violate the International Building Code. The Applicant must submit an operational fire permit to the Building Department prior to using the Temporary Structure.
9. The Applicant shall adhere to all applicable City and State licensing ordinances.
10. Outdoor Dining must not be used after 10:00 PM daily.
11. All trash and recycling must be located inside the Goldener Hirsch.
12. Outdoor Dining must not encroach into or affect the existing pedestrian walkway.
13. The Applicant shall obtain permission from the Silver Lake Village Plaza Association prior to Outdoor Dining furniture installation on the pedestrian bridge plaza.

1167 Woodside Avenue – Administrative Conditional Use Permit – PL-24-06372 – Proposing to host two events on January 25 and 26, 2025.

Planner Jacob Klopfenstein presented the application and provided background information. He also noted that the proposal complies as conditioned with LMC standards for Temporary Structures and Temporary Structures in Historic Districts, with Conditional Use Permit criteria. Planner Klopfenstein gave an overview of the Conditions of Approval.

Applicant David Belz indicated that once this process is completed he would like to update some of the bathroom updated details for the next time they submit another ACUP application and to see if the process can be streamlined in the event of a late booking.

At 12:15 PM, the Assistant Planning Director opened a public hearing. There was no input.

At 12:15 PM, the Assistant Planning Director closed the public hearing.

MOTION: The Assistant Planning Director **APPROVED** the Administrative Conditional use Permit in accordance with the amended Findings of Fact, Conclusions of Law, and amended Conditions of Approval.

Findings of Fact

1. 1167 Woodside Avenue is Lot A of the 1167 Woodside Avenue Replat.
2. 1167 Woodside Avenue is designated as a Landmark Historic Structure on Park City's Historic Sites inventory and is located in the Historic Residential – 1 Zoning District.

3. 1167 Woodside Avenue was originally known as the Park City High School Mechanical Arts Building and was constructed in 1935 or 1936, according to the Historic Sites Form. The building was used as a space for shop classes before it transitioned to a bus barn after the school moved to its present location. It is currently the location of The Shop Yoga Studio.
4. On August 1, 1995, the Board of Adjustment approved a change of non-conforming use from a bus barn/storage use to professional office use, excluding high-traffic generating uses such as medical, real estate, and other office uses. The Board also approved a Variance for a Side Setback reduction from 10 feet to zero feet on the north property line, and a Side Setback reduction from five feet to three feet to allow for one parking space in the front driveway area and one rear parking space.
5. On August 19, 1996, the Historic District Commission approved the construction of a five-car garage at the rear of 1167 Woodside Avenue to provide additional parking for the site.
6. In 1999, the City Council approved a Plat Amendment to combine five metes-and-bounds parcels into one Lot of record at 1167 Woodside Avenue.
7. On January 14, 2004, the Planning Commission approved a Conditional Use Permit (CUP) for yoga instruction and related/similar quasi-public, institutional (assembly) uses.
 - a. CUP Condition of Approval 4 limits the occupancy of the structure for the proposed use to 100 if all 20 parking spaces at the site are available and code-compliant.
 - b. The CUP Condition of Approval 5 states that an ACUP is required for any use that will generate additional parking and traffic at the site.
8. Numerous Fire Permits, Temporary Sign Permits, and ACUPs were issued for 1167 Woodside Avenue from 2003 to 2024. These permits have been associated with special events similar to the applicant's current proposal and temporary tents/structures, both affiliated with the Sundance Film Festival Master Festival License (MFL) and not affiliated with the MFL. The applicant's current proposal is for special events taking place during the Sundance Film Festival, but is not affiliated with the MFL. Events affiliated with the MFL do not undergo the standard Planning Department permitting process and are regulated by the Special Events Department; events that are unaffiliated must complete an ACUP.
9. The applicant proposes to host two events during the 2025 Sundance Film Festival at 1167 Woodside Avenue. Each event is proposed to have a maximum

of 300 attendees. The events would take place on January 25 and 26, 2025 between 4 p.m. and 2 a.m., before and after film premiere events taking place at the Park City Library, just north of 1167 Woodside.

10. Condition of Approval 5 of the January 14, 2004 CUP for yoga instruction and related/similar quasi-public, institutional (assembly) Uses at 1167 Woodside Avenue requires an ACUP for any Use that will generate additional parking and traffic.
 - a. Finding of Fact #8 of the CUP states that the Building Department determined the maximum occupancy of the structure at 1167 Woodside Avenue is 252, but the restrooms at the site are only sufficient for 100 people.
 - b. Condition of Approval 4 of the 2004 CUP states that the occupancy of the structure for the proposed use is limited by the amount of on-site, code-compliant parking spaces available. The CUP states that if all 20 parking spaces are available and compliant with codes, the occupancy is 100, and a parking ratio of 5 people per parking space shall be used to calculate the allowed occupancy for the assembly Use.
 - c. There are no active encroachment agreements regarding 1167 Woodside Avenue that allow parking within City right-of-way. The Applicant indicates there are 16 on-site parking spaces available at the site, and the amount of parking can increase to 25 spaces if Tandem Parking is available. LMC § 15-2.2-8(A) allows Tandem Parking in this Zoning District.
 - d. . Using the parking ratio outlined in Condition of Approval 4 of the 2004 CUP as discussed above, the maximum occupancy for the 'assembly use' is 80 with 16 available parking spaces or 125 with 25 tandem parking spaces provided.
 - e. The Applicant proposes no on-site parking dedicated for attendees of the events; the on-site parking is reserved for "the principals, caterers and critical service providers". Attendees will be instructed to walk, shuttle or use public transportation to attend events at the venue.
 - f. Condition of Approval 2 of this ACUP requires event attendees to park off-Site and use alternative methods of transportation to access the site, so none of the on-Site parking at 1167 Woodside will be used except to accommodate essential event personnel.

- g. Condition of Approval 1 sets the maximum occupancy of any single event at any given time to 252 and requires temporary restroom facilities on Site for events exceeding 100 attendees.
11. The proposed temporary restrooms comply, as conditioned, with Land Management Code Section 15-4-16, Temporary Structures, Tents, and Vendors.
- a. LMC Section 15-15-1 defines a Temporary Structure as “a standalone Structure, or a Structure that is partially affixed to an existing Building on a temporary basis not to exceed 180 days as set forth by the International Building Code.” The proposed temporary portable restroom structures fit this definition.
 - b. The proposed temporary portable restroom structures comply, as conditioned, with the requirements of LMC Section 15-4-16, Temporary Structures, Tents, and Vendors, outlined below:
 - i. The Applicant shall provide written notice of the Property Owner’s permission. The Applicant, David Belz, is the property owner for 1167 Woodside and has authorized the proposed Use.
 - ii. The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant’s plan. The temporary restrooms are not proposed to be located in parking spaces or decrease any parking on the site.
 - iii. The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure. Condition of Approval 3 requires the applicant to comply with this requirement.
 - iv. The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6-3. Condition of Approval 5 requires the Applicant to ensure event attendees comply with the requirements of MCPC Chapter 6-3, Noise.
 - v. The Use shall comply with the LMC, the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with Illumination Section 12-4-9. The Temporary Structures Use complies, as conditioned, with the LMC. The Applicant does not propose any signs or lighting associated with the Temporary Structures.
 - vi. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering. Condition of

Approval 8 requires the Applicant to obtain a Building Permit for the proposed Temporary Structures and a Fire Permit for the proposed events. Fire codes and other regulations shall be evaluated during the Building and Fire permit stages.

- vii. The Use shall not violate the International Building Code. Condition of Approval 8 requires the Applicant to obtain a Building Permit for the proposed Temporary Structures and a Fire Permit for the proposed events.
- viii. The Applicant shall adhere to all applicable City and State licensing ordinances. Condition of Approval 8 requires the Applicant to obtain a Building Permit for the proposed Temporary Structures and a Fire Permit for the proposed events.

12. The proposal complies, as conditioned, with Land Management Code Section 15-13-10 Standards for Temporary Structures in Historic Districts.

- a. 1167 Woodside Avenue is in the HR-1 Zoning District. Pursuant to LMC § 15-2.2-2, Temporary Structures in Historic Districts must comply with the requirements of LMC § 15-13-10 Standards for Temporary Structures in Historic Districts, outlined below:
 - i. Temporary Structures include: Globe Shelters, Tents with sidewalls, Canopies (tents without sidewalls), Temporary Winter Balcony Enclosures. Temporary Structures are defined by LMC Section 15-15-1 as "a standalone Structure, or a Structure that is partially affixed to an existing Building on a temporary basis not to exceed 180 days as set forth by the International Building Code." The proposed temporary bathrooms fit this definition.
 - ii. Location: Applicants shall obtain an Administrative Permit approval for all Temporary Structures according to Section 15-4-16 before installation. The Applicant is pursuing this ACUP approval, which will cover the proposed Temporary Structures.
 - iii. Location: Temporary Structures shall not impede or obstruct pedestrian circulation. Condition of Approval 3 requires the temporary portable restroom structures to be placed in a location that does not impede pedestrian circulation. The Temporary Structures are proposed at the southeast corner of the primary Structure at the Site. The location will not impede pedestrian circulation on the sidewalk along Woodside Avenue or along the

adjacent driveway to the south of the proposed Temporary Structures location, which is proposed to be used as an entrance plaza for the events.

- iv. Location: Proposed locations shall be reviewed and approved by the Chief Building Official, Fire Marshal, and Park City Fire District. Condition of Approval 8 requires the Applicant to obtain a Fire Permit for the proposed events and a Building Permit for the proposed Temporary Structures. The proposed locations of the Temporary Structures will be reviewed by the Chief Building Official, Fire Marshal, and Fire District during the Fire and Building Permit stages.
- v. Setbacks: Temporary Structures shall comply with Setback requirements. Pursuant to the Board of Adjustment's August 1, 1995 determination as discussed above, the required Side Setbacks are a minimum of 3 feet. Condition of Approval 9 requires the Temporary Structures to be located at least 3 feet from the side Lot line.
- vi. Materials: Temporary Structures shall be of durable, weatherproof materials; have wall and roofing materials that are non-reflective with a Solar Reflectivity Index (SRI) of 35 or less; consist of materials that are neutral and earth-toned or white in color; be limited to no more than three (3) different materials; use materials that are compatible with the Primary Structure; and be uniform when more than one Temporary Structure is approved for a Site. Condition of Approval 10 requires the applicant to comply with these standards.
- vii. Glazing shall be clear. The proposed Temporary Structures do not include any glazing.
- viii. Glazing: Metallic, frosted, tinted, stained, textured, and/or reflective finishes are prohibited. The proposed Temporary Structures do not include any glazing.
- ix. Lighting: Exterior and interior lighting shall be Fully Shielded, down-directed, with light bulbs 3,000 degrees Kelvin or less. Condition of Approval 11 prohibits lighting associated with the Temporary Structures.

- x. Signage: Signage on Temporary Structures is prohibited. Condition of Approval 4 prohibits Temporary Portable Signs associated with the proposed events.
- xi. Ornamentation: Banners, bunting, scrollwork, finials, and other ornamentation are prohibited. No ornamentation is proposed for the Temporary Structures.
- xii. Installation on Historic Sites: Temporary Structures, or portions thereof, shall not be directly connected to historic materials. The Applicant does not propose connecting the Temporary Structures to any Historic Materials.
- xiii. Energy Efficiency: Temporary Structures shall incorporate best practices in energy-efficient materials and sustainable operating and mechanical systems. Condition of Approval 12 requires the Applicant to comply with this standard.
- xiv. Maximum Size: Temporary Structures shall be subordinate in Scale to the Primary Structure. The Temporary Structures are approximately 7 feet tall. The primary structure is 16 feet tall. The Temporary Structures are proposed to be set back from the primary façade of the primary Structure.
- xv. Maximum Size: Temporary Structures shall be no taller than eighteen feet (18') or two feet (2') below the ridgeline of the Primary Structure, whichever is less, measured from Existing Grade to the topmost roof ridge. The Temporary Structures are approximately 7 feet tall.
- xvi. Ongoing Maintenance: Damaged materials shall be replaced or repaired as necessary to maintain the health and safety of the occupants and a clean appearance. Condition of Approval 13 requires that the temporary portable restrooms are maintained throughout the duration of the events.
- xvii. Dates of Installation: Winter Temporary Structures are only permitted from November 15th through April 30th. Summer Temporary Structures are only permitted from April 30th through October 30th. Condition of Approval 13 requires the temporary portable restroom structures to be installed only for the events on January 25 and 26, 2025.

- xviii. Review: Approved Administrative Permits for Temporary Structures are valid for five (5) years. The proposal requires an ACUP, not an Administrative Permit. Condition of Approval 7 outlines specific dates for which the ACUP approval applies.
 - xix. A Historic District Review Pre-Application is required for Temporary Structures. The temporary portable restroom structures are analyzed herein for compliance with the Historic District guidelines outlined in LMC § 15-13-10.
13. 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 Applicant proposes two events with up to 300 people at each event. The 2004 CUP indicates that the maximum occupancy of the Structure at 1167 Woodside Avenue is 252 people, and the restroom capacity is 100 people. Staff recommends Condition of Approval 1 to limit the number of attendees for the events to 252 at any given time and to require the Applicant to provide temporary restroom facilities at the site to accommodate the additional occupants. Condition of Approval 3 requires the Applicant to screen the temporary restroom facilities from adjacent properties. The applicant does not propose any other temporary structures or changes to the Structure that would affect the size and location of the Site.
 - b. Traffic considerations including capacity of the existing Streets in the Area
 - i. The applicant indicates that there are 16 parking spaces available at the Site. The applicant also indicates that the parking spaces will be reserved for principals, caterers, and other critical service providers and that event organizers will require participants to walk, shuttle, or use public transportation to attend the events.
 - ii. Condition of Approval 2 requires the applicant to reserve on-Site parking for essential event personnel only and requires event participants to park off-Site or use another method of transportation.
 - c. Utility capacity, including Storm Water run-off
 - i. Condition of Approval 1 requires the applicant to provide extra temporary restroom facilities sufficient to handle the additional

capacity beyond 100 people. The applicant does not propose any additional changes to the Site that would affect Utility capacity or Storm Water run-off.

- d. Emergency vehicle Access
 - i. The Applicant proposes temporary portable restrooms adjacent to the southeast corner of the structure. Condition of Approval 3 requires the Applicant to place the portable restrooms in a location that does not impede emergency vehicle Access.
 - ii. The applicant does not propose any changes to the Site that would affect emergency vehicle Access.
- e. Location and amount of off-Street parking
 - i. The applicant indicates there are 16 parking spaces available at the site.
 - ii. Condition of Approval 2 requires the applicant to reserve on-Site parking for essential event personnel only and requires event participants to park off-Site or use another method of transportation.
- f. Internal vehicular and pedestrian circulation system
 - i. Vehicle and pedestrian access to the Site is available from Woodside Avenue, Norfolk Avenue, and 12th Street.
 - ii. The applicant also proposes using the driveway area on the south side of the Structure as a pedestrian entry plaza during the events.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
 - i. Condition of Approval 3 requires the applicant to screen the temporary restrooms from adjacent properties.
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
 - i. The applicant does not propose any changes to building mass, bulk, or orientation on the site. The applicant does not propose any temporary tents or structures beyond the temporary portable restrooms.
- i. Usable Open Space
 - i. The Applicant proposes temporary portable restrooms adjacent to the southeast corner of the structure. The applicant does not propose any other changes to Open Space at the site.

- j. Signs and lighting
 - i. The applicant proposes a sandwich board sign at the southeast corner of the building to direct event attendees to the driveway area, which will be used as an entrance plaza. Pursuant to Municipal Code of Park City (MCPC) § 12-10-2(G)(4), Temporary Portable Signs are not allowed in the HR-1 zone.
 - ii. Condition of Approval 4 prohibits Temporary Portable Signs associated with the proposed events.
 - iii. Condition of Approval 11 prohibits lighting associated with the temporary portable restroom structures.
 - iv. The applicant does not propose any other signs or lighting at the site.
- k. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing
 - i. The applicant indicates that the portable temporary restroom facilities are approximately 7 feet tall and will be subordinate to the primary Structure, which is approximately 16 feet tall.
 - ii. Condition of Approval 3 requires the applicant to screen the restroom facilities from adjacent properties.
 - iii. The applicant does not propose any other changes affecting physical design and compatibility with surrounding Structures.
- l. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site
 - i. **1167 Woodside Avenue is in a residential area. Compliance with the Noise Ordinance is required at all times.**
 - ii. The applicant does not propose any amplified outdoor sound.
 - iii. Staff recommends Condition of Approval 5 requiring the applicant to comply with MCPC Chapter 6-3 Noise including compliance with the standards outlined in MCPC Section 6-3-9, which identify a maximum permissible sound level for residential areas of 50 decibels between the hours of 10 p.m. and 6 a.m., and 55 decibels between the hours of 6 a.m. and 10 p.m.
 - iv. Condition of Approval 14 requires the Applicant to post notice at the location exits and near the outdoor temporary toilets calling attention to attendees that 1167 Woodside Avenue is located in a

- residential neighborhood and compliance with the noise ordinance is required.
- v. The applicant does not propose any other changes that would affect vibration, odors, steam, or other mechanical factors that might affect people and property Off-Site.
 - m. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas
 - i. The applicant indicates that deliveries for past events typically occurred the day before the event or earlier on the day of the event and involved food and beverage trucks dropping off supplies at the large entrance doors at the northeast corner of the building.
 - ii. Condition of Approval 6 requires that for any deliveries, delivery vehicles must park on the off-Street private property located south of the Structure on the Site.
 - iii. The applicant does not propose loading and unloading zones or outdoor trash and recycling pickup areas.
 - n. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities
 - i. The property at 1167 Woodside Avenue is privately owned and operated.
 - ii. The applicant indicates that the proposed events will be administered through a lease agreement between the event organizers and the property owner.
 - iii. The property owner is responsible for ensuring compliance with the ACUP Conditions of Approval.
 - 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 applicant does not propose any substantial physical changes to the Structures or the Site. The Site is outside the Park City Soils Ordinance boundary and is not located on a Steep Slope. There are no Physical Mine Hazards or Historic Mine Waste on the Site.

- p. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding
 - i. Old Town Neighborhood Goal 6.8 of the Park City General Plan states that the Main Street area is the heart of Park City and notes that keeping the Main Street and surrounding areas activated requires participation from multiple entities, and the area serves as a backdrop for events.
 - ii. Staff also recommends Condition of Approval 7 stating that the ACUP approval is for special events taking place during the 2025 Sundance Film Festival from January 25-27 only, and requires the property owner to apply for a Modification to the CUP for future events with over 100 attendees.
- 14. The Development Review Committee reviewed the proposal on January 7, 2025 and required Condition of Approval 15.
- 15. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on December 26, 2024. Staff mailed courtesy notice to property owners within 300 feet on December 26, 2024. The Park Record published courtesy notice on December 28, 2024.

Conclusions of Law

- 1. The proposal complies, as conditioned, with the requirements of the Land Management Code.
- 2. The proposal, as conditioned, will be compatible with surrounding Structures in use, scale, mass, and circulation.
- 3. The effects of any difference in Use or scale for the proposal have been mitigated through careful planning.

Conditions of Approval

- 1. The occupancy of any single event shall not exceed 252 attendees at any given time. The applicant shall provide temporary restroom facilities on Site for events exceeding 100 attendees.
- 2. On-Site parking shall be reserved for essential event personnel, including principals, caterers, and critical service personnel only. Event participants shall be required to park off-Site or use another method of transportation.
- 3. The temporary portable restroom structures shall be screened from adjacent properties and shall be placed in a location that does not impede pedestrian

circulation, emergency Access, or any other public safety measure. No other Temporary Structures or Temporary Improvements associated with the proposed events are permitted.

4. Temporary Portable Signs associated with the proposed events are prohibited.
5. The proposed events shall comply with Municipal Code of Park City Chapter 6-3, Noise, including compliance with the standards outlined in MCPC Section 6-3-9, which identify a maximum permissible sound level for residential areas of 50 decibels between the hours of 10 p.m. and 6 a.m., and 55 decibels between the hours of 6 a.m. and 10 p.m. The Applicant shall ensure event attendees comply with these requirements
6. Delivery vehicles must park on the off-Street private property located south of the Structure on the Site.
7. This ACUP approval is for special events taking place at 1167 Woodside Avenue during the 2025 Sundance Film Festival on January 25 and 26, 2025 only. The applicant shall apply for a Modification to the January 14, 2004 CUP for any future events with over 100 attendees.
8. The applicant shall obtain a Building Permit for the proposed Temporary Structures, and a Fire Permit for each proposed event.
9. The temporary portable restroom structures shall be set back at least 3 feet from the Lot lines.
10. The temporary portable restroom structures shall be made of durable, weatherproof materials, have wall and roofing materials that are non-reflective with a Solar Reflectivity Index (SRI) of 35 or less, consist of materials that are neutral and earth-toned or white in color, be limited to no more than 3 different materials, use materials that are compatible with the primary structure, and be uniform.
11. Lighting associated with the temporary portable restroom structures is prohibited.
12. The temporary portable restroom structures shall incorporate best practices in energy-efficient materials and sustainable operating and mechanical systems.
13. The temporary portable restroom structures shall be installed only for the events on January 25 and 26, 2025, and shall be maintained throughout the duration of the events in accordance with product-recommended maintenance.
14. 1167 Woodside Avenue is located in a residential neighborhood and all event activity must be within 1167 Woodside Avenue. The applicant shall post notice at the location exits and near the outdoor temporary toilets calling attention to

attendees that 1167 Woodside Avenue is located in a residential neighborhood and compliance with the noise ordinance is required.

15. Parking in city right-of-way along Norfolk Avenue adjacent to the garage on the west side of 1167 Woodside Avenue is prohibited.

The Park City Administrative Public meeting adjourned at 12:16 PM.

Approved by Assistant Planning Director:

A handwritten signature in blue ink, appearing to read "Elvira Martin". The signature is fluid and cursive, with the first name "Elvira" written in a larger, more prominent script than the last name "Martin".