

Administrative Public Meeting
December 19, 2024
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PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE PUBLIC MEETING MINUTES
PLANNING DEPARTMENT
<https://us02web.zoom.us/j/88167820277>

December 19, 2024

STAFF:

Rebecca Ward, Planning Director; Virgil Lund, Planner II; E. Roman, Planning Administrative Assistant.

PUBLIC:

Rick Parkhill (Virtual), Greg Harvey.

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

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

2900 Deer Valley Drive – Administrative Conditional Use Permit – PL-24-06344 – Proposing to construct a 40-foot by 60-foot Snow Load Structure Tent to be used as Temporary Reception Venue During the Annual Brand Storytelling Event Hosted by the Lodges at Deer Valley.

Planner Virgil Lund presented the application and provided some background information and indicated that Planning Department Approvals have been issued for previous tent proposal in the site in 2020, 2022, 2023 and 2024. He also stated that the proposal complies with the RD requirements, Temporary Structures and Tents requirements and with CUP criteria.

At 12:03 PM, the Planning Director opened a public hearing. There was no public input.

At 12:03 PM, the Planning Director closed the public hearing.

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

Findings of Fact

1. The Applicant, The Lodges at Deer Valley (The Lodges), proposes installing a 40-foot by 60-foot (2,400 square feet) temporary tent for a reception venue during the 2025 Brand Storytelling event. The tent will be installed in a private plaza area while the event runs January 22-25, 2025.
2. The Lodges is located at 2900 Deer Valley Drive East in the Residential Development (RD) Zoning District proximate to Deer Valley Resort. According to the Applicant, Since 2016, the Lodges has hosted the Brand Storytelling event.
3. The Applicant received Planning Department approvals in 2020, 2022, 2023, and 2024 to install a temporary tent of the same size and dimensions to be used as a reception area for the main event.
4. Temporary tents/structures/improvements are conditional uses in the RD Zoning District and require an Administrative Conditional Use Permit (ACUP).
5. The temporary tent is 40 feet by 60 feet, or 2,400 square feet.
6. With the approval of the ACUP, the proposal to install a temporary tent complies with the RD Zoning District requirements in Land Management Code (LMC) Chapter 15-2.13.
 - a. Temporary tents require an ACUP in the RD Zone.
 - b. Front Setback: 10 Feet
 - i. The temporary tent is located greater than 150 feet from the front Lot line.
 - c. Side Setbacks: 12 Feet
 - i. The temporary tent is located 40 feet from the south side Lot line and greater than 150 feet from the north side Lot line.
 - d. Rear Setbacks: 15 Feet
 - i. The temporary tent is located greater than 150 feet from the rear Lot line.
 - e. Building Height: 28 feet from Existing Grade
 - i. The temporary tent will be a maximum of 20 feet tall, from the existing concrete patio.
 - f. Outdoor Events and Music requirements found in LMC § 15-2.13-8
 - i. Notification of Adjacent Property Owners
 1. Staff mailed courtesy notice to adjacent property owners on December 9, 2024
 - ii. No violation of the City Noise Ordinance, Title 6

1. See Condition of Approval 3.
- iii. Impacts on adjacent Residential Uses
 1. The temporary tent will be located within the existing plaza at the Lodges at Deer Valley and will not impact adjacent Residential Uses.
- iv. Proposed plans for music, lighting, Structures, electrical, signs, etc.
 1. See Condition of Approval 3. No lighting, signs, or changes to exterior lighting are proposed.
- v. Parking demand and impacts on neighboring Properties
 1. See Condition of Approval 4.
- vi. Duration and hours of operation.
 1. The temporary tent will be installed January 21, 2025 and will be removed by January 26, 2025.
- vii. Impacts on emergency Access and circulation
 1. The Development Review Committee reviewed proposal and confirms it conforms with their requirements.
7. The event is held at the Lodges at Deer Valley which is near Deer Valley Resort.
8. Tents are considered a Temporary Structure under the International Fire Code; the tent will require a Fire Permit to be submitted with the Building Department
9. The Proposal, as conditioned, meets the standards of LMC § 15-4-16 Temporary Structures, Tents, and Vendors.
 - a. **The Applicant shall provide written notice of the Property Owner's permission.**
 - i. Complies – The Lodges at Deer Valley HOA provided written approval.
 - 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 tent will not impede any existing on-site parking due to the location of installation – a private, interior plaza. The event manager plans up to 200 attendees per day. All attendees are invite-only and will stay at the Lodges or nearby properties. Deer Valley will assist with shuttling to The Lodges for any attendees staying off-site.
 - 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.
- 10. 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.
- 11. 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.
- 12. 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 site is developed and used as a Condominium Hotel. The Applicant proposes no permanent physical changes to the site.
 - b. **Traffic** - The tent is located within a private plaza area, internal to the site, and will not impact traffic flow on any public Rights-of-Way. The event manager plans up to 200 attendees per day. All attendees are invite-only and will stay at the Lodges or nearby properties. Deer Valley will assist with shuttling to The Lodges for any attendees staying off-site. Programming starts at 10:00 AM and finishes at 7:00 PM. Attendees will not arrive at the same time.
 - c. **Utility Capacity** – On December 3, 2024, the Development Review Committee reviewed the proposal and did not not identify impacts to utility capacity.
 - d. **Emergency Vehicle Access** – The Park City Fire District reviewed the proposed temporary tent and requires a fire permit to be submitted with the Building Department prior to tent installation and an inspection prior to the event.
 - e. **Off-Street Parking** – Because the majority of event attendees will stay at The Lodges, additional parking demand is not anticipated. Those attendees staying at nearby properties will arrive by shuttles run by Deer Valley. See Condition of Approval 4.

- f. **Internal Vehicular and Pedestrian Circulation** – The temporary tent will not impact vehicle circulation, and pedestrians can access the site's existing Structures surrounding the tent.
- g. **Fencing, Screening, and Landscaping** – The tent is temporary and will be screened by the site's existing Structures. No changes to the landscaping are proposed or approved.
- h. **Building Mass, Bulk, and Orientation** – The temporary tent is 40 feet by 60 feet or 2,400 square feet, and fits within the existing plaza without impacting the pedestrian circulation.
- i. **Useable Open Space** – The temporary tent 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** – The proposed temporary tent will be located within the existing plaza 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 tent will not block delivery or service vehicle loading zones. The site has established trash and recycling locations. The temporary tent does not make any changes to the site's established services.
- n. **Expected Ownership and Management** – The installation of the temporary tent is overseen by Rick Parkhill of Brand Storytelling the Lodges at Deer Valley has provided a letter supporting the event and signed the ACUP Application.
- o. **Within and Adjoining Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, and Steep Slopes** – Not applicable. The temporary tent will be located on a hard-scaped patio 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.

13. On December 3, 2024, the Development Review Committee reviewed the proposal and confirmed the proposal conforms with their requirements.
14. Staff published notice on the City's website, City Hall, and the property on December 9, 2024. Staff mailed courtesy notice to adjacent property owners on December 9, 2024.

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, and LMC § 15-4-16 Temporary Structures, Tents, and Vendors.
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 December 19, 2024, 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. Speakers and general event noise shall comply with the City Noise Ordinance, Municipal Code of Park City Chapter 6-3.
4. The event manager shall ensure that all attendees staying at neighboring properties to The Lodges prioritize utilizing the shuttles provided by Deer Valley or encourage walking to ensure parking is reserved for guests of The Lodges.
5. The tent shall be installed no earlier than January 21, 2025, and shall be removed by January 26, 2025.
6. The Applicant shall submit a Fire Permit with the Building Department prior to installation of the temporary tent.

8909 Moonshadow Court – Administrative Conditional Use Permit – PL-24-06343 – Proposing the Construction of a Single-Family Dwelling, Unit G, of the Moonshadow Condominiums.

Planner Virgil Lund presented the application and noted that the proposal complies with the SLO, RD Zoning requirements, with the Plat notes and CUP criteria. He also provided some highlights of the Final Action Letter.

At 12:08 PM, the Planning Director opened a public hearing. There was no public input.

At 12:08 PM, the Planning Director closed the public hearing.

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

Planning Director Rebecca Ward asked the applicant representative if they had a timeline regarding the supplemental condominium plat process. The applicant representative Greg Harvey replied that the process had been restarted and will be giving updates on this.

Findings of Fact

1. The Applicant requests approval of an ACUP for construction of a Single-Family Dwelling (SFD) on a 0.24-acre Lot (Unit G) at the Moonshadow Condominiums. An ACUP is required prior to building permit issuance for the SFD, pursuant to Plat Note 3 of the Amended and Restated Moonshadow Condominiums Plat. On May 26, 2022, the Planning Director approved an ACUP for a new SFD for Unit G. Condition of Approval #3 from the Final Action Letter states: "This approval will expire one (1) year from the date of Planning Director approval unless the Applicant has commenced on the project and a Building Permit is issued."
2. During the construction for the other Single-Family Dwelling Units within the Moonshadow Condominium Development, the Applicant used the Lot at Unit G for construction staging, and a Building Permit was never issued. On May 22, 2023, the ACUP approval for a SFD at Unit G expired.
3. The Applicant submitted a complete ACUP application for an ACUP at Unit G on November 20, 2024.
4. The property is zoned Residential Development (RD) and Recreation Open Space (ROS) and is within the Flagstaff Annexation Area, governed by the Flagstaff Development Agreement and the Village at Empire Pass Master Planned Development (VEP MPD).
5. The Moonshadow Condominiums contain eight (8) PUD-style units. The 2007 Amended Flagstaff Development Agreement describes PUD-style units as

“clustered, detached, single-family or duplex units with common open space and coordinated architecture.”

6. On June 15, 2017, the City Council adopted Ordinance No. 2017-30 approving the Village at Empire Pass North Subdivision Plat. The Ordinance created three (3) Lots intended for future development. The subject property is within Lot 1 of the recorded Plat.
7. On October 23, 2018, the City Council adopted Ordinance No. 2018-54, approving the Moonshadow Condominiums Plat on Lot 1 of the Village at Empire Pass North Subdivision. Condition of Approval No. 7 requires each of the eight dwelling units to obtain an ACUP prior to building permit issuance. Plat Note 3 reflects this Condition of Approval and outlines the requirements for obtaining an ACUP.
8. The property is subject to the 2007 Amended Flagstaff Development Agreement (Amended Agreement), Village at Empire Pass MPD, the Village at Empire Pass North Subdivision Plat and the First Amended and Restated Moonshadow Condominium Plat.
9. Unit G has more than four sides. Side Setbacks are identified on either side of the Front Setback. The additional sides may be specified as a Side Setback or Rear Setback by the Planning Director. On May 9, 2022, the Planning Director determined that the Unit has four (4) side Setbacks, one (1) front Setback, and one (1) rear Setback.
10. The proposal, as conditioned, complies with Ordinance No. 2017-30 and the Village at Empire Pass North Subdivision Plat.
 - a. Ordinance No. 2017-30, approving the Village at Empire Pass North Subdivision, stipulates requirements and obligations for development of Lot 1.
 - b. The ROS zoning line shall be indicated on plans submitted with the Conditional Use Permit application. Additionally, all construction of Units on Lot 1 shall be restricted to the RD zoned portion (Ordinance COA No. 23; Plat note No. 8). The First Amended and Restated Moonshadow Condominium Plat indicates the ROS boundary with respect to the platted condominium Units and the Applicant's submitted plans indicate the proposed SFD and all related construction are outside the ROS boundary and within the RD Zoning District.
 - c. Condition of Approval 8: All construction shall be restricted to the RD zoned portion of Lot 1 of the Village at Empire Pass North Subdivision.

Construction disturbances within the ROS portions of the Flagstaff Annexation area are subject to the development Agreement and associated technical reports.

- d. All Conditions of Approval of the Flagstaff Mountain Development Agreement continue to apply.
11. The proposal, as conditioned, complies with Ordinance No. 2018-54 and the First Amended and Restated Moonshadow Condominiums Plat.
12. Ordinance No. 2018-54 outlines specific Conditions of Approval for each SFD in the Moonshadow Condominiums.
- a. A declaration of condominium and a supplemental condominium plat for each unit to be constructed is required and shall be approved by Park City and recorded with Summit County prior to issuance of a certificate of occupancy (Ordinance COA No. 9; Plat note No. 4).
 - b. Construction mitigation plan, including truck routing shall be submitted with each ACUP Application (Ordinance COA No. 10).
 - c. Final grading and utility plan, including storm water and drainage plans shall be submitted with each ACUP application (Ordinance COA No. 11).
 - d. Building designs are subject to review by the Empire Pass Design Review Board (Ordinance COA No. 12).
 - e. A landscape plan, including provisions for water-efficient irrigation systems and drought-tolerant plantings with limited turf is required with an ACUP application (Ordinance COA No. 13; Plat note No. 15).
 - f. A fire protection plan is required for each building permit and shall include fire protection in the form of residential sprinklers and landscaping that complies with the Wildland-Urban Interface requirements of the Park City Building Department.
 - g. At the time of final construction and re-platting with supplemental condominium plats, all Floor Area—including Basement Area and any Garage Area greater than 600 sq. ft.—will be counted towards the Unit Equivalents as allowed by the Flagstaff Development Agreement (Ordinance COA No. 16; Plat note No. 6).
 - h. Each unit shall not exceed 7,750 sq. ft., including all Floor Area and Basement Area, exclusive of 600 sq. ft. of Garage Area (Ordinance COA No. 17).
 - i. Unit G is 7,743 square feet.

- i. All construction of units shall be restricted to the RD Zoning District. Construction disturbances within the ROS Zoning District are subject to the Amended Development Agreement and associated Technical Reports (Ordinance COA No. 20).
 - j. Setback exceptions allow a minimum front setback of 15 feet with a minimum Front Setback to a front facing garage of 20 feet. All other RD Setbacks, exceptions, and height requirements apply (Ordinance COA No. 21).
 - k. Trees, structures, and retaining walls shall not be located within the Snyderville Basin Water Reclamation District (SBWRD) easements (Ordinance COA No. 29).
 - i. Complies: The Moonshadow Condominium identifies the SBWRD easements, which coincide with the private roadway Area. The Applicant's landscape plan respects the easement. See Exhibit F, P. 14.
 - l. The Building Pad shall be considered the Limits of Disturbance for each condominium unit (Ordinance COA No. 36; Plat note No. 17)
 - m. All Conditions of Approval of the Moonshadow Condominiums continue to apply
13. The proposal complies with the Lot and Site Requirements of the Residential Development (RD) Zoning District and Amended and Restated Moonshadow Condominiums Plat notes.
- a. The following analysis evaluates the RD Zoning District Lot and Site requirements stipulated in LMC § 15-2.13-3. Certain Lot and Site requirements are superseded by Plat notes in the First Amended and Restated Moonshadow Condominiums Plat
 - b. Single-Family Dwellings are allowed uses in the RD Zoning District.
 - c. RD Zone Height: 28 feet
 - i. The proposed roof is flat and is 28 feet from Existing Grade.
 - ii. Chimneys may extend up to five feet (5') above the highest point of the Structure to comply with International Building Code requirements. The Applicant's proposed chimney is an additional 2 feet above the highest point of the Building.
 - d. Total Floor Area (Plat Note 6): 31 Unit Equivalents of residential density not to exceed 7,750 square feet. including all Floor Area, including all basement Areas, and excluding 600 square feet of garage Area.

- i. The total Unit equivalent square footage is 7,743 square feet which includes the area of the garage in excess, after 600 square feet is excluded. The total Floor Area of the proposed SFD is 7,426 square feet; the Applicant proposes a 917-square-foot garage. 317 square feet of the garage area is counted towards the total Unit Equivalent square footage.
 - e. Front Setback (Plat Note 10): 15 feet (20 feet to front-facing garage). The Property line is the back of the street gutter, consistent with all private streets in Empire Pass
 - i. The proposed garage is front facing and is set back from the property line by 20 feet, which meets the Plat Requirements.
 - f. Rear Setback (Plat Note 10): Zero feet
 - i. Plat note No. 10 stipulates that the Rear Setback is coincident with the RD/ROS Zone line for all units. Staff determined the proposed design meets the Plat requirement by limiting the development of structures from encroaching over the RD/ROS boundary. All construction shall be restricted to the RD portion. Construction disturbances within the ROS portions of the Flagstaff Annexation area are subject to the Development Agreement and associated Technical Reports.
 - g. Side Setbacks (RD Zone): 12 feet between structures within the Subdivision, 12 feet to the side Lot Lines of the subdivision.
 - i. The east and west sides of the proposed SFD at unit G is approximately 20 feet from Unit H and Unit F.
 - h. Parking (RD Zone): Two Parking Spaces provided per unit, per RD Zoning District.
 - i. Two Parking Spaces are provided in the attached garage. The garage measures 21 feet wide by 25 feet long.
14. The proposal, as conditioned, complies with LMC § 15-2.13-10, Vegetation Protection and the vegetation and landscaping requirements of Ordinance 2018-54 and the Plat.
- a. Ordinance 2018-54 and the Moonshadow Condominiums Plat require that development plans show Significant Vegetation within 20 feet of a proposed Single-Family Dwelling. Final landscape plans, including plans to remove trees or significant vegetation outside of the building pad, are subject to review by the Empire Pass Design Review Board. The LMC

defines Significant Vegetation as all large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, all groves of small trees, and all clumps of oak or maple covering an Area 50 sq. ft. or more measured at the drip line.

15. The proposal, as conditioned, complies with the Sensitive Land Overlay (SLO) Requirements.
- a. The proposed development is located within the Sensitive Lands Overlay (SLO). LMC §15-2.21-2(A) requires states the following:
 - i. Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, Wildland interface, and Wildlife Habitat Areas and provide a time at time of Application, a Sensitive Lands Analysis.
 - b. The purpose of the Sensitive Land Overlay 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 on Ridge Line Areas, Steep Slopes, and wetlands; and
 - iv. Protect and preserve environmentally sensitive land
 - c. Slope/Topographic Map: A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight Areas of high geological hazard, Areas subject to land sliding, and all significant Steep Slopes in categories of greater than 15%, 30-40%, and greater than 40%.
 - i. The SLO Technical reports from 2018 were reviewed and approved by the Planning Commission and City Council as part of the original Subdivision and Plat approval.
 - ii. Road and Building development will not occur on slopes greater than 40%.
 - iii. Majority of Slopes greater than 30% will remain as Open Space. Minor development to occur on Slopes between 30% and 40%.
 - d. Ridge Line Areas

- i. Development for Unit G is proposed in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points.
 - e. Vegetative Cover
 - i. Technical reports from 2018 include a vegetative cover map for the Moonshadow Condominiums.
 - f. Designated Entry Corridors and Vantage Points
 - i. The property is not visible from designated Entry Corridors or Vantage Points.
 - g. Wetlands
 - i. There are no wetlands on the Site
 - h. Stream Corridors, Canals, and Irrigation Ditches
 - i. There are no streams, canals, or irrigation ditches which run on or through the Site.
 - i. Wildlife Habitat Areas
 - i. Development at the Moonshadow Condominiums is consistent with other projects at Empire Pass, and a complete SLO Analysis was provided as part of the original Subdivision application.
 - j. Additional Information and Study Requirements
 - i. The Applicant provided a Fire Protection Plan, which is required by Ordinance No. 2018-54 and Plat note No. 14.
 - ii. The Applicant shall provide a geotechnical report prior to issuance of a building permit.
16. 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
 - i. The existing Site meets all size and location requirements of the Plat notes, of the Empire Pass North Subdivision, the VEP MPD, and the LMC.
 - b. Traffic considerations including capacity of the existing Streets in the Area
 - i. The Applicant shall follow the approved trucking route. No trucks or heavy machinery shall use Marsac Avenue below Royal Street.
 - c. Utility capacity, including Storm Water run-off
 - i. The Site's run-off is mitigated as outlined in the stormwater management plan.
 - d. Emergency vehicle Access

- i. Access will remain the same, with one access point to Marsac Avenue. Park City Fire District has reviewed the plans with no concerns.
- e. Location and amount of off-Street parking
 - i. The Applicant is required to provide two (2) off street parking spaces. The plans propose two Parking Spaces in the attached garage.
- f. Internal vehicular and pedestrian circulation system
 - i. The Use does not impede vehicular or pedestrian circulation.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
 - i. Condition of Approval No. 13 of Ordinance No. 2018-54 approving the Moonshadow Condominiums requires a water-efficient irrigation system, drought tolerant plants, limited turf, and an arborist report identifying any trees outside the building pad proposed for removal and their general condition.
 - ii. LMC § 15-2.13-3 allows retaining walls less than four feet in the Front Setback and retaining walls less than six feet in the Side Setback
 - iii. The Applicant proposes a two-foot-tall retaining wall in the Front Setback and two retaining walls not to exceed 5.5 feet in height from final Grade in the Side Setbacks.
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
 - i. The proposed massing is consistent with the requirements of the Plat Notes, the VEP MPD, and the LMC.
- i. Useable Open Space
 - i. The Proposed development maintains the ROS area behind the Lot, including a 15-foot-wide public recreational trail easement.
- j. Signs and Lighting
 - i. No signs are proposed with this application. All exterior lighting must be down-directed, fully shielded, with bulbs 3000 degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light emitting part. The top and sides of a Fully

Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.

- k. Physical Design and Compatibility with Surrounding Structures
 - i. The Applicant has approval from the Empire Pass Design Review Board approving the proposed plans.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors
 - i. The Applicant shall comply with Park City Municipal Code, Chapter 6-3, Noise
- m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas
 - i. All trash and recycling areas will be located inside the Single-Family Dwelling.
- n. Expected Ownership and Management
 - i. The owner of record for Unit G, Snow Country Lodging, LLC has signed off on the submitted ACUP Application.
- 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. An SLO analysis was submitted and approved with the Moonshadow Condominiums Plat. The proposed development is consistent with the analysis.
 - ii. The site does not contain Physical Mine Hazards, Historic Mine Waste and is not identified in the City Soils Ordinance.
- p. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan
 - i. Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods (Page 26). Development at this location is consistent with General Plan Goal 1 in that the site is within an existing neighborhood.
 - ii. Additionally, the Moonshadow Condominium Plat utilizes "Conservative Subdivision Design" which is a method of open space preservation in which land developers cluster house together

on the least sensitive lands, preserving the remainder of land as open space (Page 12).

17. The Development Review Committee reviewed the proposal on December 3, 2024 and confirmed the proposal conforms with their requirements.
18. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on December 9, 2024.
19. Staff mailed courtesy notice to adjacent property owners on December 9, 2024.

Conclusions of Law

1. The proposed Single-Family Structure, as conditioned, is consistent with the Empire Pass North Subdivision Plat, the Moonshadow Condominiums Subdivision Plat, the Empire Village MPD and the Land Management Code.
2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences 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. This approval will expire one (1) year from the date of Planning Director approval unless the Applicant has commenced on the project and a Building Permit is issued.
5. A Building Permit shall be secured for new construction as authorized by this approval.
6. All construction shall be completed according to the approved plans on which Building Permits are issued. Approved plans include all Site improvements shown on the approved Site Plan.
7. The Applicant shall ensure all obligations to the Flagstaff Mountain Development Agreement are met. This includes gondola payments, number of shuttles in

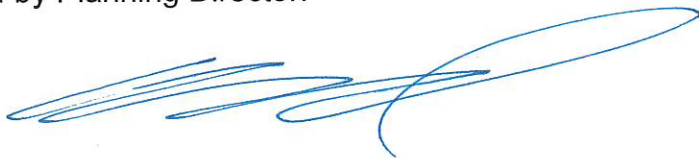
operation, provision of affordable housing units, collection mechanism for real estate transfer fees, and all other such obligations as are outlined in the March 2007 Agreement.

8. All construction shall be restricted to the RD zoned portion. Construction disturbances within the Flagstaff Annexation area are subject to the Development Agreement and associated technical reports.
9. The Applicant shall record a declaration of condominium and a supplemental condominium plat with Summit County prior to issuance of a certificate of occupancy. Supplemental condominium plats may be combined. The property owner shall record the supplemental condominium plat at such time as the Owner's dwelling is designed to memorialize and document the conditions of the constructed Single-Family Dwelling and to identify Common Area and Limited Common Area for each unit.
10. The Applicant shall ensure final landscape plans, including plans to remove trees outside of the building pad not identified on the existing plans, are approved by the Empire Pass Design Review Board prior to building permit issuance.
11. The Site shall comply with the Wildland-Urban Interface Code.
12. The Applicant shall indicate on the supplemental condominium plat the Gross Floor Area for Unit G.
13. The Applicant shall ensure wastewater ejectors are properly installed in Unit G.
14. Forest health restoration and landscaping shall be consistent with the Arborist reports and visual analysis allowing an additional disturbance area within 20 feet of the building foundation. Driveways and utility installation are exempt. Construction of units, patios, retaining walls, and other permanent structures (e.g., gazebos, hot tubs, fire pits, etc.) are not allowed in the ROS zoned portion of the property.
15. The Applicant shall replace lost significant vegetation with equivalent landscaping in type and size.
16. The Applicant shall provide a Geotechnical Report prior to issuance of a Building Permit.
17. The Applicant shall follow the approved trucking route as found in the application submittal. No trucks or heavy machinery over 10,000 GVW shall use Marsac Avenue north of Royal Street.
18. The subsequent Condominium Plat Amendments shall retain trail easements.
19. No Signs, permanent or temporary, may be constructed on a Site or building without a Sign Permit, approved by the Planning and Building Departments.

20. All exterior lights shall conform with the Land Management Code and the Dark Skies Ordinance. Lighting shall be down directed, fully shielded, and 3,000 degrees Kelvin or less.
21. The Site shall comply with Municipal Code Chapter 6-3, *Noise*. Control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup Areas for this Site.

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

Approved by Planning Director:

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned below the text "Approved by Planning Director:".