



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
September 9, 2020**

PUBLIC NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, September 9, 2020.

ATTENTION

ATTENTION - NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

This meeting will be an electronic meeting as permitted by Park City Open and Public Meeting Resolution 18-2020, adopted March 19, 2020. Some Commissioners will connect electronically and some will meet in Council Chambers. Public comments will be accepted in person or virtually. To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Commission meeting days will be read aloud.

For more information on participating virtually and to listen live, please go to www.parkcity.org

MEETING CALLED TO ORDER AT 5:30 PM.

1.ROLL CALL

2.MINUTES APPROVAL

- 2.A. Consideration to Approve the Planning Commission Meeting Minutes from August 26, 2020.

[PC Minutes 08.26.2020_Pending Approval](#)

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

- 4.A. A Note of Appreciation

[Staff Communication](#)

- 4.B. Appointment of Commissioner Laura Suesser to the Technical Advisory Committee for Park City Forward: a Transportation Blueprint Project.

[Appointment of Commissioner Laura Suesser to the Park City Forward Technical Advisory Committee](#)

- 4.C. Richardson Flat Update

[Richardson Flat Update](#)

5.CONTINUATIONS

- 5.A. 1128 Park Avenue – Conditional Use Permit – The Applicant Proposes to Construct a Basement Addition using the Footprint of the Existing Historic Structure Located within the Building Setback. PL-20-04607
(A) Public Hearing (B) Continue to September 23, 2020.
[1128 Park Avenue Continuation Staff Report](#)
- 5.B. Twisted Branch Road - Subdivision – REDUS Park City LLC and Park City Municipal Corporation, are Proposing to Create Two (2) Lots of Record for 1) an Existing City Pump Station; and 2) a Private On-Mountain Restaurant. The Plat Also Creates Four (4) Non-Development Parcels for Deer Valley to be Used for Access, Utilities, Ski Runs and Open Space. The Property is Subject to the Amended Flagstaff Development Agreement and Technical Reports. No Changes to SR 224 are Proposed. PL-17-03664.
(A) Public Hearing and (B) Continued to October 14, 2020
[Twisted Branch Subdivision Continuation Staff Report](#)

6.WORK SESSION

- 6.A. The Commission will Conduct a Work Session Regarding the City's Land Management Code Lighting Regulations to Consider Opportunities to Update the Code to Align with Dark Sky Regulations. PL-20-04545
[Dark Sky Work Session Staff Report](#)
[Exhibit A: Grand County and Moab Outdoor Lighting Retrofit Assistance](#)

7.REGULAR AGENDA

- 7.A. Land Management Code Amendments – Amendments to Chapter 15-6, Master Planned Developments (MPDs), to (1) Clean Up Remnant Pre-MPD Application Language; (2) Outline Review of Substantive and Minor Modifications; (3) Separate the Conditional Use and MPD Review and Approval Process; (4) Require MPD Review under all Relevant LMC Sections; (5) Note More or Less Restrictive Height or Setback Approvals in Development Agreements and on Plats; (6) Require a Public Hearing Prior to Ratification of a Development Agreement; (7) Establish Commission Discretion to Require Applicants to Provide and Fund Additional Studies; (8) Include Traffic Mitigation as a Required Finding and Conclusion; and (9) Non-Substantive Edits to Clean Up the Code.
(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on October 1, 2020
[Master Planned Development Amendment Staff Report](#)
[Exhibit A: Draft Ordinance and Land Management Code Redlines](#)

8.ADJOURN

A majority of PLANNING COMMISSION members may meet socially after the meeting. If so, the location will be announced by the PLANNING COMMISSION Chair Person. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
AUGUST 26, 2020

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director Bruce Erickson; Hannah Tyler, Planner; Alexandra Ananth, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney

The Planning Commission meeting was conducted virtually via Zoom.

The public was able to submit eComments during the meeting.

Determination of Health and Safety Risk under Open Public Meetings Act (OPMA)

Chair Phillips read the Determination of Health and Safety Risk under OPMA. Notice of electronic meeting and how to comment virtually. The meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act Section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020 adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4) attached as Exhibit A.

The Commissioners will connect electronically. Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Planning Commission meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org

Chair Phillips read from Exhibit A, Determination of Substantial Health and Safety Risk. On August 26, 2020, the Planning Commission Chairperson determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code Section 52-4-207(4) requires this determination and the facts upon which it is based, which include the percentage of positive Covid-19 cases in Utah has been on the rise since May 27, 2020. Positive cases from testing have increased from 4.96% to 9.23% during the month of June, and COVID-19 patients in Utah hospitals have increased during the same time period. As of June 25, 2020, there have been 158 deaths in Utah due to COVID-19. Summit County has the third highest case rate of COVID-19 in the state.

This determination is valid for 30 days and is set to expire on September 26, 2020.

Chair Phillips suggested that the Determination of Health and Safety Risk under OPMA should be updated to reflect the current numbers. Director Erickson stated that if the virtual meetings are continued into October, the statement would be updated.

ROLL CALL

Chair Phillips called the meeting to order at 5:40 p.m. and noted that all Commissioners were present.

APPROVAL OF MINUTES

July 22, 2020

Commissioner Sletten referred to page 2, top paragraph, and changed continue to accurately read **continued**.

Director Erickson referred to page 18, second paragraph, Planner Kuhrmeyer's remarks regarding window wells. He changed eliminating window wells to correctly read **limiting window wells**.

MOTION: Commissioner Sletten moved to APPROVE the Minutes of July 22, 2020 as amended. Commissioner Suesser seconded the motion.

VOTE: The motion passed. Commissioner Thimm abstained since he was not present at the July 22nd meeting.

PUBLIC COMMUNICATIONS

No comments were submitted on items not on the agenda.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioner Sletten disclosed that he has occupied commercial space at Park City Mountain Resort for over 20 years. He has no contracts or relationship with PEG Development. It would not affect his ability to discuss or vote on the proposal. He clarified that this was only a disclosure and not a recusal.

Commissioner Sletten referred to public comment the Commissioners received earlier in the day from Trent Davis of Compass Management on behalf of a number of HOAs. Commissioner Sletten disclosed that he had represented one of the HOAs, The Lodge at Mountain Village, on a lease when they leased a portion of that property to

Promontory as a guest services area. He was neutral on the matter this evening and he did not believe it required recusal. It was only a disclosure.

Commissioner Kenworthy asked if Director Erickson could provide an update on the annexation issue with Hideout. Director Erickson stated that the elected officials were in discussions and still working through it. Updating the Planning Commission would be premature at this point.

WORK SESSION

5.A. The Planning Commission Will Consider Potential Amendments to the Land Management Code to Heighten Commission Review of Active Transportation Connectivity when Considering Conditional Use Permits, Subdivision Plats, Master Planned Developments, and Annexation Petitions.

Planner Rebecca Ward reported that this work session was scheduled in response to the Planning Commission's request in February to provide an update on what has been done in the past for connectivity studies, the completed projects, and strategies moving forward. The Planning Commission had also recommended looking to the LMC to see whether it could serve as a tool to improve pedestrian/bicyclist connectivity throughout the community.

Planner Ward stated that for purposes of the discussion this evening, connectivity refers to the active transportation and the network of these paths. She explained that active transportation means human powered modes of transportation and includes walking and biking; however, it also extends to many other modes. For example, some communities in Edmonton Canada have a path where people can cross-country ski to a light rail station. They have put in specialized locks so the commuters can store their skis and hop on a train.

Planner Ward stated that skiing to get from Point A to Point B has happened in the community, but the discussion this evening is limited to pedestrians and bicyclists. She thought future discussions might be extended to include other winter modes.

Planner Ward expressed appreciation to John Robertson and Corey Legge in the Engineering Department, and to Julia Collins and Alexis Verson from the Transportation Department. All four individuals were on the call this evening. Planner Ward stated that Mr. Robertson would be providing background on past, current and future projects.

Ms. Collins will present information on a recently adopted County Plan, as well as City plans currently in development. Ms. Verson would present information on an interim

framework being put into place that prioritizes pedestrians and cyclists as the City moves forward with transportation plans.

John Robertson, the City Engineer, stated that he would be summarizing the presentation that was given to the City Council a month ago on walkability or active transportation. He presented a number of slides showing an outline of the projects that were done with the walkability bond that was passed in 2007. Mr. Robertson reported that seven projects were scheduled for construction this year, and 11 projects are in the planning phases.

Mr. Robertson stated that with funds from the \$15 million walkability bond, they were able to construct many different projects throughout the City to provide connectivity to get from one side of the City to the other. Mr. Robertson noted that much of the bond went to large projects, specifically. Bonanza Tunnel was paid for using a lot of the bond funds. The Bonanza Tunnel is a great way to make a safe connection through the intersection of Bonanza and Ironhorse and connecting to the Rail Trail. Mr. Robertson stated that the Comstock Tunnel is another project that heavily used the walkability bond, as well as other funds. The Comstock Tunnel provides a connection at Comstock which helps increase safety through that intersection and getting students across from one side to the other to get to school. Mr. Robertson noted that the Kearns Tunnel project was recently completed, which replaced the hoc signal at mid-block right across from the High School, to help increase safety and to connect the trail on both sides of Kearns Avenue.

Mr. Robertson stated that these were expensive projects but all very worthwhile and help to complete the system.

Mr. Robertson stated that in addition to the large projects, the bond fund was also used for smaller, minor improvements projects around town. One was improvement of the Sidewinder/Comstock crossing that made a connection to the Rail Trail. It raised the intersection, which highlighted it as a crossing for bikes and pedestrians. Mr. Robertson noted that the SR248 bike lanes were extended out to Highway 40 and connects to Richardson Flat Road. It also connects to the Rail Trails in that location.

Mr. Robertson stated that in addition to infrastructure projects, they also improved the bike share program, which is heavily used and a great option for visitors to move around town. They also did some share roads in Prospector Avenue, using spaces that were typically dedicated for cars and using them for multiple transportation options, such as shared roads, which include bikes.

Mr. Robertson remarked that they also did a lot of pathway findings to make it clear to those using the system where they can connect using the different systems.

Mr. Robertson clarified that this was only a summary of the 34 program projects that were done using the walkability bond fund that have been installed since 2007. He noted that there was still over \$4 million remaining in that bond fund, and he was prepared to talk about additional projects later in his presentation.

Mr. Robertson noted that Exhibit A shows a complete list of all the completed projects with more specific location information. Exhibit B showed the seven projects throughout the City that were currently in construction. He noted that Deer Valley Drive/SR224 would add a bike lane from Bonanza up to the Roundabout. However, that project has gone out to bid twice but no one bid on the project. For that reason, the project was pushed back to next year. Mr. Robertson pointed to the six other projects on Exhibit B. The Sixth Street stairs was currently in-construction and will improve walkability along Sixth Street. Another project is Prospector Square Lot G. Stairs were being constructed to connect Prospector to the Rail Trail and into the Prospector area in general. Mr. Robertson commented on the bike rack program. Park Avenue pathway and sidewalk improvements were currently in design and should be out for construction. Improvements include improving the bus stop section along Park Avenue, improving the sidewalk towards the 224/248 intersection and along Kearns Boulevard.

Mr. Robertson noted that Exhibit C lists the 11 projects in the planning stages. The projects range from making connections that are currently gaps in the system, such as making a connection to the Rail Trail from the Quinn's Park and Ride. Mr. Robertson stated that the projects were still in the planning process. Some of the projects would potentially use funds from the walkability bond, but they were also working on other funding sources.

Commissioner Suesser asked about the PCMR base modifications/improvements that include sidewalk and ATP improvements to be determined. Mr. Robertson stated that knowing the PCMR project is coming forward, they were trying to make sure that any improvements the developer was proposing to install would be consistent with the overall walkability and trails program throughout the City. He could not point to a specific project, but the intent is to make sure they identify projects that will be needed as a result of the PCMR project to avoid gaps in the system. Commissioner Suesser thought that was a good idea because there are a lot of walkability issues with what was being proposed.

Julia Collins, Senior Transportation Planner, reviewed the recently adopted plan and the plan in progress. She commented on the number of plans and community efforts

that achieved where the City is now with walkability, ranging from the Walkability Study, the Trails Master Plan, and the current Transportation Master Plan.

Ms. Collins commented on other plans they have been advancing. The Summit County Active Transportation Plan was adopted in the Fall of 2019. The purpose of this plan was to look regionally at active transportation connections. It involved a range of partners, including UTA, UDOT, Summit County, Snyderville Basin, and the Summit County Health Department. Ms. Collins stated that the public process was robust and multiple communication was done on both the east and western parts of Summit County. Online outreach was done as well. Ms. Collins stated that the Plan developed a host of regional projects. It looked at the projects, the programs, and network across Summit County, and it defined and provided design guidance for all those areas.

Ms. Collins stated that Park City was able to add their regional projects. It was also a way for the City to collaborate with UDOT and Summit County on some of the main active transportation corridors between the jurisdictions. She noted that many of the projects were recently completed, such as the Park Meadows bike lanes, the high school tunnels. They were also working on complete street areas in the Arts and Culture District, and improvement areas in Old Town. Ms. Collins remarked that this resource is available now with design guidance and the regional network. She believed there was a link to the regional plan in the Staff report, and it was also available on the Summit County website.

Ms. Collins stated that Park City had intentions of building on this work and incorporating it into the City's long-range Transportation Master Plan. She noted that the long-range Transportation Plan is to transportation, what the General Plan is to Land Use. It defines the goals and vision, and it defines the blueprint of how to look at transportation in both the short term, but also for the long-range. It establishes projects, policies, programs, and then prioritizes it. It includes all different modes of travel, such as transit, walking, biking, automobile, and parking.

Ms. Collins recognized that many of the Commissioners have been involved with transportation, and she appreciated all the feedback and engagement. She stated that they were on a trajectory to adopt the transportation plan, but Covid-19 stalled the process. They were also working to incorporate the Vision 2020 results. Mr. Collins stated that the intend is to start up the process towards adoption due to its importance to the community and for transportation. In addition, the current plan is outdated.

Ms. Collins stated that it is customary to update the transportation plan every five years. They were already overdue from the previous plan. She remarked that to keep the

momentum from the current efforts, she and Alexis Verson were working on advancing some of the policies and some of the elements.

Commissioner Kenworthy understood that Covid-19 delayed their transportation meetings, however, he wanted to know if there was a schedule as to when the committee meetings would resume. Ms. Collins replied that they were working on resuming those meetings, but she did not have any details. In the short term she and Ms. Verson will review the Vision 2020 results when they come out; and take it back to the City Council with a recommendation and a schedule. Ms. Collins stated that Covid had impacted many things and it was difficult to think long-range when the ski season is the primary goal right now to work through the immediate needs with transportation and Covid responses. Ms. Collins did not have a definitive answer, but she assumed it would be fairly soon. Commissioner Kenworthy was looking forward to resuming his involvement in the meetings. He was hoping they could achieve a plan in the near future. Ms. Collins appreciated Commissioner Kenworthy's support for the plan and the support from all the Commissioners. They understand the value of what a long-range plan brings to Park City, and they also support the goals and the vision established in the plan. She noted that the number one priority is to keep moving this process forward.

Commissioner Suesser asked to participate in the transportation meetings when they resume. Ms. Collins replied that currently Mark Sletten and John Kenworthy were the Planning Commission representatives. She was happy to include Commissioner Suesser, but she was unsure how the representatives were selected. Director Erickson stated that it would be added to the next agenda and the Planning Commissioner could vote to appoint Commissioner Suesser to the transportation committee.

Ms. Collins introduced Alexis Verson, who came to Park City a year ago from Salt Lake City. Ms. Verson was working on long-range planning and visioning and Ms. Collins was focused more on special projects, as well as capital planning and project planning. She noted that she and Ms. Verson were working in tandem on this long-range plan.

Alexis Verson, Senior Transportation Planner, stated that advancing the Transportation Master Plan update is of utmost importance. They want to be able to point to it as the guiding document for transportation, including the priorities and goals. She noted that she and Ms. Collins brainstormed to figure out what they could advance in the interim as a guiding policy that everyone agreed on, as well as identifying the path forward. Ms. Verson stated that as they figure out the new Covid reality and begin to under the future revenue resources, they need to find ways to be resilient and adapt to the changes.

Ms. Verson stated that what was actually going to be a deliverable of Park City forward was pulled out. It is a modal priority and the question is how to prioritize the roadways and for what user group. The high priorities were pedestrians and bicyclists, who are the roadway users. She also reviewed a draft of street typologies. Ms. Verson noted that the 10-year old traffic and transportation master plan does not necessarily reflect the modal priorities they should be planning for now. She pointed to examples ranging from very narrow Old Town neighborhood streets all the way up to the UDOT facilities and the gateway corridors. When those come up for development or there is funding for improvements, they can reference this guide for the agreed upon options and determine which modes they want to elevate and advance when they do some of this planning.

Ms. Verson stated that this was a more methodical approach and more strategic to street design.

Ms. Verson stated that the street typology takes into consideration street width and traffic volumes if there are bus stop and transit facilities, and it dedicates the right-of-way by mode. She noted that John Robertson and Corey Legge in the Engineering Department have been instrumental in making edits and tweaks to make sure they put forward the safest designs possible.

Ms. Verson reported that the goal is to take this to the City Council for adoption on October 1st, however, that date is subject to change. It will go along with other standards that the City Engineering would like to formally adopt. Ms. Verson stated that their message will be that the old master plan does not reflect the priorities, and they want to use this new policy moving forward. She pointed out that they could also share the adopted policy with the developers so they will have guidance to accommodate the new widths and types of facilities being implemented if they develop in those areas. Ms. Verson pointed out that there will be trade-offs, especially in older, more narrow roadways. They will not be able to fit it all in, and they will not be able to fit bike lanes and parking on the street. They hope to have that conversation over time with the elected officials and the community.

Commissioner Thimm asked if electric bikes change the way they look at typical bike lane in terms of width. Ms. Verson stated that if space allows for it, they would like a wider facility for high speed bikes. It was not specifically identified in the policy, but she thought it would be worthwhile to have that conversation if they want to implement any policies about preventing those bikes from using sidewalks. The community has made it clear that electric bikes are too fast to be on sidewalks. If they intend to push them into the road, it is important to make sure they have a safe facility to use instead.

Commissioner Sletten believed the popularity of eBikes would continually increase. He stated that when he was in Bend, Oregon this summer, he noticed that some of the downtown neighborhoods had started putting in speed bumps. He was told that the speed bumps were installed as traffic safety measures for both cyclists and vehicles because there were so many bikes on the road. Having some type of moderate speed control for bikers and motorists was doing a lot to save lives. Commissioner Sletten was unsure whether speed bumps could be implemented in Park City.

Ms. Verson agreed that it is a great strategy that works in a lot of place. She noted that Bend, Oregon also gets a lot of snow, which is typically a deterrent for implementing speed humps or raised crosswalk cables because of snow removal. She thought that would be another beneficial conversation to see whether speed beeps could be installed on certain roadways, and whether a certain design would be better to avoid being ripped out by snowplows. Mr. Sletten remarked that Summit County and Jeremy Ranch had already figured that out.

Chair Phillips asked if there was any effort towards educating tourists on the use of the eBikes and proper etiquette. He was in favor of keeping the bikes off the pedestrian walkways. However, as the bikes become more and more popular, and since the City has implemented the eBikes, he would be curious to know if there is a need for that type of education. Ms. Verson stated that they could set language and alerts on bike share apps. Information is also posted on the kiosk and pamphlets were handed out in the past. She remarked that visitors are a difficult group to capture and communicate with, and there is a steep learning curve for first time visitors. Ms. Verson agreed that more could be done such as posting information on the trails and those types of things.

Ms. Collins stated that the Summit Bike Share Program is a partnership with Summit County, and it is operated by an independent third party, a Canadian company. They have onsite staff in Park City, and on busy days they are out at the kiosk talking and working with people on safety. Ms. Collins reiterated the concern of how to shift some of those bike users onto the roadways. If the users are willing to use the roadways, the electric bike can go up to 15 miles per hour. The question is whether they can make some of those biking facilities safer to relieve the pressure on the pathways. Ms. Collins stated that Park City has done a great job with its pathways and created a safe and comfortable spine system through the walkability bond. However, they need to look further to see what else they can do to accommodate more of those users in different and more flexible formats. Ms. Collins thought the Commissioners would be excited about some of the projects coming down the pipeline.

Commissioner Kenworthy stated that in addition to the popularity of eBikes, he was starting to see a lot of electric skateboards around Old Town, especially the one-wheel boards. He asked if the skateboards are legal. Ms. Verson replied that they are legal. In reading the State Code, they are a different type of vehicle depending on the type of horsepower or motor it has. Most are considered a human powered device, similar to a bicycle, and they fall under that umbrella in terms of how they are regulated. Ms. Verson stated that communities can adopt different policies to restrict wheeled or human powered vehicles on sidewalks in downtown areas or on certain streets and corridors. However, it will need to be codified if they intend to enforce it. Ms. Verson pointed out that currently there are very few restrictions on that type of vehicle unless they have a serious throttle and are gas powered. Commissioner Kenworthy asked if Ms. Verson was aware that the skateboards were getting much more popular. She answered yes.

Chair Phillips remarked that the fact that they were discussing potential issues with these different modes of transportation was a positive step, because modes are on the rise and are being used heavily. Chair Phillips stated that looking back to 2007, all that has been done with the bond funds since then and all the work the Transportation Department has done is a huge improvement in Park City, and it is right in line with who they are as a community. The more people who use these modes the more others are encouraged to do the same. He thanked everyone for the presentation this evening and for including the Planning Commission in the discussion. They are doing a great job and he looked forward to seeing what else is to come. He personally looked forward to seeing the Poison Creek project. Chair Phillips advised the transportation staff to be aggressive and to utilize whatever they can to reduce the impacts on the roadways.

Commissioner Sletten stated that he was fully in favor of all the opportunities outlined on page 32 of the Staff report.

Planner Ward stated that as they move forward with the LMC to align with the Park City Forward Plan updates, she was open to direction from the Planning Commission on the five different Code amendments, which include defining different pathways, making sure the criteria and review standards are consistent for all the different land use types, requiring developers to document how their development proposes walking and public transportation versus single-family occupancy cars, establishing land use criteria that evaluates pedestrian and bicycles pathways, and providing incentives for developments that provide end-of-trip facilities such as showers and bike storage to fulfill the bicycle parking requirements under the Code.

Chair Phillips agreed with the direction in all of the amendments mentioned, especially the one to provide incentives. He understands that it is difficult to get developers to use incentives, but anything they can do to incentivize would be a benefit to the community.

Director Erickson asked if the amendments from the Staff would come to the Planning Commission before changes from the Transportation Department. Planner Ward replied that some of the amendments would be aligned; however, the Planning Staff could bring some of the amendments forward before then. Director Erickson stated that he and Planner Ward would look into about how quickly they could bring some of these amendments forward. Chair Phillips asked if the Staff anticipated coming back with everything at once, or certain parts at different times. Planner Ward assumed it would be at different times if they could move some faster than the Park City Forward Plan. They will make sure the definitions and standards are aligned once that plan is adopted.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

6.A. Aspen Springs Ranch Phase 1 Lot 18 Amended Plat Amendment (Application PL-20-04536)

Planner Hannah Tyler reviewed the application for the Aspen Spring Ranch Phase 1 Lot 18 Plat Amendment. She reported that the Aspen Springs Ranch Phase 1 Subdivision was approved in 1991 and included the subdivision of a 32-acre parcel into 43 single-family lots ranging in size from 17,500 square feet to approximately 30,500 square feet. Planner Tyler noted that the subdivision plat created limits of disturbance, setbacks, and maximum house sizes for the single-family lot. The applicant was proposing to amend their Lot 18 to accommodate a garage addition. Planner Tyler clarified that the applicant was trying to amend the limits of disturbance and the setback on the western edge.

Planner Tyler pointed out that the original subdivision is oriented with north going down, which is very unusual for mapping and can be disorienting.

Planner Tyler stated that the applicant was proposing to go down to the minimum setback for the SF Zones, which is 12'. The applicant was not proposing to amend the maximum house size. She presented the proposed landscaping which showed the proposed garage. Planner Tyler noted that the Staff had not reviewed the plan because there is currently no building permit; however, she thought it would give the Planning Commission the concept of what would be proposed as a result of the plat amendment.

Planner Tyler indicated the existing conditions, as well as what was being proposed to be expanded. She stated that the Planning Commission has the authority to establish setbacks and the limits of disturbance, and also to amend them. She explained that because the applicant was not proposing to increase the house size, this plat amendment only allow the house to be located closer to the street. Planner Tyler noted that there is a decent grade, and she believed that allowing the applicant to expand the garage would help with the access points.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council for consideration on September 17, 2020.

Chair Phillips thought the application was straightforward. He noted that standards were initially put on these plats, however, since the Code for these zoned areas is now less restrictive, the Planning Commission was being asked to adjust the setbacks and LOD under the existing Code to facilitate this addition. Chair Phillips thought this was reasonable request and he could find no reason to deny it.

Chair Phillips asked how granting this plat amendment would affect the other lots and whether it would set a new standard in the area. He believed it would make this house significantly different than the other houses in the neighborhood, even though the addition appeared to be minimal. Chair Phillips asked Planner Tyler to confirm that the Staff had considered this and was comfortable that they would not be creating one distinct looking house.

Planner Tyler thought Chair Phillips raised a good point. She noted that the Planning Commission has the discretion to approve or deny limits of disturbance. When the Staff analyzed this application and compared it to the restrictions and goals of the original 1991 approval, they found that this proposal still complies with those approvals and that it did not necessarily affect any significant vegetation, and vegetation removed would be replaced. Planner Tyler stated that the Staff was to apply the landscape criteria to this particular analysis. In the future, if anyone comes in with a similar request, they will need to go through the same analyses in their submittal to identify any impacts created by building on an area outside the initial LOD.

Chair Phillips stated that his reservation is whether they would grant a similar request from any other neighbor. For example, it may work for this lot but possibly not the lot across the street. He was more concerned about setting a precedent.

Commissioner Sletten thought this lot is unique with respect to the grade. He noted that every lot in Aspen Springs varies from being very steep to very flat. Each lot is different. Commissioner Sletten thought this requested plat amendment would improve access, which makes it unique.

Chair Phillips asked if that could be added as a finding because that would show good cause.

Commissioner Thimm agreed with the Staff's conclusions. He thought making the additional finding would be appropriate if they decide to forward a positive recommendation.

Commissioner Van Dine concurred.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

Chair Phillips was comfortable forward a positive recommendation to the City Council; however, he recommended adding the finding to justify the reasoning for their decision.

Commissioner Suesser asked if the justification was the access issues and the steepness of the grade of the driveway.

City Attorney Harrington recommended that in the motion, the Planning Commission directs the Staff to add Finding of Fact #10, and the existing Finding #10 would become Finding #11. In addition to the analysis in Section 2 of the Staff report, the Planning Commission finds that the grade and unique issues warrant amending the plat amendment.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the proposed Aspen Springs Ranch, Phase 1, Lot 18 amended plat amendment for their consideration on September 17, 2020, based upon the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended this evening to include Finding of Fact #10 indicating that the plat change is a result of the unique

grade conditions and improving the access to the lot. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Aspen Springs Ranch

Background:

1. On July 14, 2020 the Applicant submitted a complete Plat Amendment application.
2. The applicant is proposing to amend the Limits of Disturbance and minimum Setback along a portion of the western property line on Lot 18 of the Aspen Springs Ranch Subdivision Phase I to accommodate a new addition. The following excerpt from the Aspen Springs Ranch Subdivision Phase I identifies the Limits of Disturbance (circled in red) established at time of final plat.
3. The property is located at 2524 Aspen Springs Drive.

Zoning District:

4. The property is located in the Single Family (SF) Zoning District.

Public Notice Requirements:

5. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on July 25, 2020. Staff mailed courtesy notice to property owners within 300 feet on July 28, 2020. The Park Record published notice on July 25, 2020.

Lot and Site Requirements

6. The Aspen Springs Ranch Subdivision Phase I establishes Limits of Disturbance and minimum Setbacks for each lot.
7. The applicant is not proposing a change to the Maximum House Size.
8. The LMC also regulates Lot and Site Requirements per LMC § 15-2.11-3.
9. The proposed Plat Amendment complies with the following Lot and Site Requirements based on the Springs Ranch Subdivision Phase I plat notes and applicable LMC requirements:

- a. The Front Setback for the existing Structure is 26 feet 7 inches as measured. The applicant's proposed addition will be constructed to the 15-foot minimum.

- b. The Rear Setback for the existing Structure is 62 feet 5 inches as measured. No rear addition is proposed. The Minimum Rear Setback is 10 feet. Any development will comply.

- c. The applicant is proposing to reduce the Setback along a portion of the western property line from 20 feet (per the Subdivision Plat) to the SF Zoning District Minimum of 12 feet. The proposed addition would comply with the 12 foot Side Setback is approved by Planning Commission. The applicant does not propose to amend the eastern Side Setback of 25 feet. The existing Structure is 29 feet from the east property line.

d. The Maximum House Size is 5,500 square feet. According to Summit County property tax records, the existing House Size is 2,992 square feet with a 525 square foot garage. Any new addition will have to comply.

Subdivision Requirements:

10. In addition to the analysis in Section II of the Staff Report, the proposed Plat Amendment is warranted as it is the result of unique grading conditions and improves access to the lot.

11. The proposal complies with LMC § 15-7.1.

Conclusions of Law – Aspen Springs Ranch

1. There is Good Cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC § 15-2.11 Single Family (SF) Zoning District and LMC § 15-7.1-3(B) Plat Amendment.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval – Aspen Springs Ranch

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. A non-exclusive ten foot (10') public snow storage easement on Aspen Springs Drive shall be dedicated on the plat.
5. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.

6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
7. All landscaping that is to be removed shall be replaced in kind.

6.B. Park City Mountain Resort Base Parking Lots - MPD Modification - Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. This Hearing Will Focus on the Site Plan, Programming, Architecture, Landscape Design and Open Space, and Consider the Applicant's Requested Exceptions to Perimeter Setback and Building Height Requirements. (Application PL-20-04475)

Planner Alexandra Ananth reviewed the application to amend the Development Agreement from 1998 and to replace Exhibit D, which is the original Master Plan, with a new Master Plan.

Planner Ananth reported that the presentation this evening would focus on the site planning issues; primarily density, site planning and programming, architecture, landscape design, open space, setbacks, and building height. On September 23rd, the discussion will focus on transit and pedestrian connectivity, traffic, parking, and circulation.

Planner Ananth stated that this project is located in the Recreational Commercial District, which allows for some of the highest density in the City. The zone is intended to provide a bed base for the Resort in close proximity to the Resort, and to minimize automobile impacts. Planner Ananth reported that the 1998 Development Agreement allowed for the clustering of density at the base of the mountain, in exchange for protecting some of the open space on the mountain. She clarified that some density was transferred from the open space to the base area. Planner Ananth noted that density in this project is based on the unit equivalent formula. The Development Agreement allowed for 492-unit equivalents, of which 353-unit equivalents remain after the development of Parcel A. Parcel A is the only parcel that has been development, and that is the Marriott Mountainside.

Planner Ananth stated that the project is proposing 203 residential unit equivalent units, as well as 59 commercial unit equivalents, for a total of 262-unit equivalents, as compared to the 353-unit equivalents allowed. Planner Ananth noted that the 262-unit equivalents do not include the employee housing units, which do not count towards unit

equivalents. She clarified that the density, as it relates to unit equivalents, is in compliance with the Development Agreement.

Planner Ananth stated that based on the Recreation Commercial maximum FAR, the site has a maximum FAR of one, which the 400,000 square feet site allows for that amount of development on Parcels B through E. Planner Ananth remarked that because the Development Agreement allows for 800,000 square feet of development, that is where the density is transferred from the mountain area to the base. She believed that approximately 349,000 square feet of development rights was transferred from the alpine terrain to the base parcels in 1998.

Planner Ananth noted that the Development Agreement also allocates maximum square footage by parcel. The applicant was proposing to modify the allowed development on Parcel C; and was proposing more development than is allowed on Parcel C under the Development Agreement. Additionally, due to the amount of parking above grade, the applicant was exceeding the amount of square footage allowed under the Development Agreement. She explained that the Development Agreement allows for 665,000 square feet; however, under this proposal that number is closer to 820,000 square feet when parking above grade is included. Planner Ananth noted that the applicant can request these density exceptions under the substantive modification category. Planner Ananth stated that although the density is consistent with the Development Agreement, the Planning Department had concerns with the height, setbacks, and the amount of above grade parking.

Planner Ananth commented on programming and site planning for this site. She stated that the primary program for the site is day skier parking, which currently exists on Parcel B and Parcel E. They are proposing to replace the existing 1200 stalls with the same amount of parking stalls, as well as 141 condominium units and 249 hotel guest rooms. In addition to the 1200 stalls of day skier parking, there will be additional parking for the new residential units proposed and for the retail.

Planner Ananth reported that the applicant was proposing the bulk of the parking on Parcel B. She noted that there are currently 388 parking stalls and the applicant was proposing to double the amount of parking on Parcel B below the building, which equates to 760-day skier parking stalls. She stated that 56 market rate condominium units were proposed on this site, as well as 73 employee and deed restricted residential units. Planner Ananth remarked that 118 residential parking stalls are associated with the residential portion of the site, as well as 6,000 square feet of commercial space on Parcel B.

Planner Ananth stated that Parcel C is a 4-star hotel proposed for this site. This parcel is adjacent to the mountain and the First Time lift. The proposal includes 249 guest rooms, parking associated with the hotel.

Planner Ananth stated that Parcel D is the first parcel that is visible coming in from SR224 and from Park Avenue. The building will have 39 condominiums, 95 residential parking stalls associated with this site, as well as parking for the retail being proposed. Approximately 21,000 square feet of commercial retail is proposed on Parcel D.

Planner Ananth noted that Parcel E is also adjacent to the mountain. She indicated the hotel on Parcel C and the open space in between Parcels C and E. Planner Ananth stated that Parcel E also includes the remainder of the day skier parking at 414 parking stalls. Forty-six condominium units are proposed on this site, as well as a ski club, residential parking, parking associated with the ski club. Approximately 33,000 square feet of Resort uses such as the medical clinic, retail, and other accessory uses are also being proposed.

Chair Phillips asked for clarification on the ski club parking stalls. Planner Ananth stated that 10,000 square feet of ski club space would be a private ski club that people join. There would be additional amenities for members of the ski club, similar to the Talisker Club at Deer Valley. Chair Phillips stated that if the parking spaces dedicated to the ski club portion are lumped together with the residential spaces, he would like to see the two separated to get a better idea of the numbers of spaces. Chair Phillips clarified that the ski club is a private club that is not open to the public. Planner Ananth replied that he was correct.

Planner Ananth commented on the architecture. She noted that only the blocking and the massing have been developed to date, with the exception of Parcel B where the applicant recently submitted updates that included more detail for Parcel B. Planner Ananth stated that Section 2.1.2 of the 1998 Development Agreement states that the volumetrics in the base area master plan are intended to communicate to potential developers that building height and facade variation are critical components of this project and represent maximums for the parcels. The vertical and horizontal articulations that are specified in the volumetrics are the minimums that must be met.

Planner Ananth provided an example of the type of volumetrics that were submitted in the 1998 development plan. She noted that the length of the building in each direction is specified, and each offset is clearly defined, so it is easy to see that the building complies with the architectural facade requirements of the LMC. Planner Ananth stated that she was trying to get the same with this application, but the applicant has been resistant to detail the buildings at this point. She explained that the applicant would like

to get the volume approved first and then detail the architecture if or when they move forward with the CUP process.

Chair Phillips clarified that the language in quotes on the slide was pulled directly from the Development agreement. Planner Ananth answered yes. She noted that the Planning Commission has the ability to approve amendments, but the language reflects what was required in 1998. Planner Ananth stated that the applicant had submitted general guidelines of what they were looking to build; however, she thought more detail was needed. The block renderings provided do not show what the buildings will look like. From the renderings, it appeared they were proposing modern style architecture, cool toned colors, wood, a lot of glazing. Planner Ananth stated that the Staff believes the Planning Commission should require more evidence of compliance with the Development Agreement, as well as the Architectural Design Guidelines, very similar to what was submitted in 1998.

Commissioner Suesser referred to the building on Parcel B and noted that the proposed building on that parcel was broken up for the view shed and access. She asked if this applicant was proposing that same type of articulation. Planner Ananth stated that she and the applicant have had discussion on that issue. She would be showing elevations of Parcel B later in her presentation.

Planner Ananth noted that the applicant was requesting waivers from the perimeter setbacks that are required under the MPD. She stated that for MPDs a 25' perimeter setback is required. The Planning Commission has the authority to waive those setbacks and go down to the zone perimeter setback requirement, which is 20' in the RC District. Planner Ananth pointed out that the 1998 Development Agreement allowed for the waivers currently being requested. She noted that there was more variety in the setbacks under the 1998 plan. She had provided examples in the Staff report showing how the perimeter setbacks compare.

Chair Phillips asked if the applicant had given compelling language for good cause and the reason for requesting the setback waiver. He recalled another project where the Planning Commission granted a setback waiver, and the good cause was that it allowed for more articulation of the building. Chair Phillips wanted to know how a waiver would help this project. Planner Ananth believed the applicant was prepared to talk about it during their presentation.

Planner Ananth thought it was understandable that the applicant might need some waivers; however, she thought it was important to consider the critical setbacks where they would like the applicant to meet the perimeter requirements. She believed the facade along Empire Avenue is critical because it is across the street from very

modestly scaled single-family houses. The Shadow Ridge Road facade is another critical area where she would like the applicant to strive to meet the setback requirements. The area between the Silver King Condominiums and Parcel D, the area between the Resort Center condominiums and the hotel, and the perimeter around Parcel E are the critical areas. Less important setbacks would be Lowell Avenue and Manor Way where they face other Vail properties and the commercial base resort.

Planner Ananth reported that on Empire Avenue, applicant was meeting the setback requirements of 25' for the footprint of the building. However, there are some overhangs that reduce the setbacks to 21' on Empire Avenue, and down to 20' on Shadow Ridge Road. The applicant was requesting waivers for the reduced setbacks and she thought the Planning Commission needed to push hard for a compelling reason as to why the architecture warrants reduction of setbacks on those two facades. Planner Ananth stated that the facade on Lowell Avenue is 22', and they were meeting the setback requirement on Manor Way.

Planner Ananth commented on Parcel C and the setback adjacent to the Resort condominiums where there is an access road. This was an important setback and she was pleased that the applicant was meeting the setback requirement in that area. However, she thought it would be helpful to know the distance between the building and the adjacent property. Planner Ananth reported that the applicant was requesting a waiver for the Lowell Avenue facade where it goes down to the 20' setback. She reiterated that this was an important setback because it is across the street from the Shadow Ridge condominiums.

On Parcel D, Planner Ananth noted that the applicant was meeting the setback requirement adjacent to the Silver King condominiums, but when it reaches Empire Avenue, the corner of the building is right at the 20' setback. Planner Ananth stated that because of the angle of the building, it recedes from Empire Avenue, which is somewhat helpful if the setback is reduced.

Planner Ananth referred to Parcel E and noted that the applicant was meeting the setbacks for Silver King Drive, as well as the setback from the Snowflower condominiums.

In terms of landscape design, Planner Ananth noted that the applicant is required to submit a complete landscape plan with their MPD application; however, the Planning Department felt that a landscape plan was premature at this point in the process. Planner Ananth recommended that the Planning Commission focus on the amount and quality of open space during the MPD process; and consider pushing the final landscape plan review to the CUP process.

Planner Ananth presented an update open space plan that was submitted by the applicant. The requirement is 60% open space. The submitted plan shows over 75% open space. The open space calculation includes an adjacent parcel near the First Time lift, which is allowed to be included per the 1998 Development Agreement. Planner Ananth stated that the primary areas of open space is the area in front of Parcel D, the area between Parcels C and E, and space behind the hotel building on Parcel C. Planner Ananth asked the applicant to relook at the open space calculation because she thought it appeared they had included roadway south of Parcel C, which should not be included. She was expecting to receive an updated calculation. Planner Ananth presented a graphic showing the open space adjacent to Building D and how it provides a nice open space area that frames the resort and the view of the mountain. Planner Ananth noted that the same open space view was protected in the 1998 plan.

Planner Ananth presented another slide showing hardscaped plaza open space that is adjacent to Parcels C and E. It is a more actively programmed hardscape open space. There are steps leading up to the Resort and accessible paths.

Planner Ananth commented on building heights. The zone height allows for buildings of up to 35' from existing grade. The 1998 Development Agreement granted building height exceptions, and the applicant has applied for height exceptions. The buildings are generally proposed at 80' and above, resulting in six and seven story buildings. In some cases, the height is due to above grade parking. Building B is proposed at about 85'. She presented a view from the Shadow Ridge Road elevation where the building is presenting at seven stories, partly because of the parking garage that is framed with residential uses. She presented another view of Parcel B from Empire Avenue. She indicated three levels of parking garage. Planner Ananth pointed to the corner of Empire Avenue and Shadow Ridge where the garage is fronted by residential development. She indicated the employee and affordable condominium building. The market rate condos are entered off of Lowell Avenue.

Planner Ananth responded to Commissioner Suesser's question regarding the view and access through Parcel B. She did not have a picture of the 1998 plan for Parcel B in her presentation, however, one was included in the Staff report. Planner Ananth stated that the real difference between the 1998 plan and the current proposal is that there is a lot more parking above grade. She walked through the 1998 plan. Planner Ananth noted that the last iteration of Parcel B has changed since the project was filed in February. The applicant made a concerted effort to open up a view to the mountain and beyond. However, because of the amount of garage above grade, there is no opportunity for pedestrians to cut through this parcel, which is a change from the 1998

plan. Pedestrians coming up from 14th Street need to walk around the block to access the Resort.

Chair Phillips did not believe the vantage point was realistic. He would like to see a vantage point from eye level across the street on the sidewalk. Commissioner Suesser agreed.

Commissioner Suesser believed the access way through the lot was a critical component of the 1998 plan and she thought they should encourage the developer to look at that further. It is a big block building and varies dramatically from what was approved in 1998. Planner Ananth agreed. She thought the cut-through added to the human scale of the project. The feeling of being able to walk through was important, and that is a problem with the new proposal.

Commissioner Thimm referred to the building height table and asked if there was a comparison of the 1998 approval building heights in feet for Buildings B, C, D, and E. Planner Ananth stated that she tried to compare the building heights in the Staff report.

Chair Phillips thought it would also be helpful to see the actual numbers side by side. Planner Ananth had calculated the numbers and she would try to pull them up for the Commissioners later this evening.

Commissioner Van Dine read from the Staff report, "Under the 1998 plans, building heights were three to six stories above parking. Building heights at this parcel range from 20 to 50 feet above 35', or 55 to 85 feet in height".

Commissioner Thimm agreed with Chair Phillips that a building by building direct comparison would be helpful.

Planner Ananth stated that Parcel C was approximately 80'. She was less concerned with the height adjacent to the mountain versus height viewed from Empire Avenue and Shadow Ridge. When compared to residential structures, the height will be more noticeable. Planner Ananth was more concerned about the height on Parcel B and breaking up the scale of Building B. Planner Ananth presented a view just south of Parcel C looking to the north.

For Parcel D, Planner Ananth presented a view from Empire Avenue where the building recedes from Empire Avenue. The building is four stories on top of parking, which reads as five stories.

Planner Ananth presented a view of Parcel E, showing a perspective from Silver King and the Snowflower condominiums. She noted that the building is setback. She pointed to a loading dock, a garage entrance to parking, and a garage exit. Planner Ananth stated that Parcel E is approximately 80'.

Planner Ananth emphasized that her primary concerns were with Parcel B and trying to find a way to reduce the mass, particularly on Empire Avenue and Shadow Ridge Road. Planner Ananth suggested that having front doors on the Empire Avenue facade would help the massing. She thought townhouse condominiums fronting the garage would bring down the feeling of the height. She understood that parking was driving this site plan and they need a big footprint for the garage. Planner Ananth also suggested the possibility of shifting parking to the other parcels. Another option would be to possibly move the transit station to Parcel B on Shadow Ridge Road, which would then allow all the drop-off on Lowell Avenue close to the existing resort center, so pedestrians will not have to cross Lowell Avenue. They could shift the drop-off area to where the bus stop exists now and potentially move the transit center. Planner Ananth stated that creating any type of pedestrian path through the parcel would also be helpful in the design of Building B.

Planner Ananth summarized the other general concerns, which include the lack of detailed architecture and compliance with the Development Agreement, specifically the volumetric language; the overall height of the project; the requested waiver to some of the critical setbacks; compatibility with the adjacent properties on Empire Avenue and Shadow Ridge; and the amount of parking above grade that contributes to the mass. She thought the lack of improvements to the transit stop was disappointing. Planner Ananth also had concerns with the loading dock adjacent to Parcel E. She understands it is enclosed, but she needs to know if it is fully enclosed and whether trucks will pull in forward or back into that space with beeping noises.

Commissioner Suesser asked Planner Ananth to elaborate on the location of the loading dock on Parcel E. Planner Ananth stated that on Parcel E the loading dock is basically at the point closest to the Snowflower Condominiums. It is in the same location as the 1998 plan; however, there was an agreement specified in a finding or condition that the applicant would look at moving the loading dock farther away from the adjacent residential building. If the location was problematic in 1998, she anticipated that it would be problematic now.

Planner Ananth noted that some of the public comments asked how this plan conforms to the Park City Vision 2020. She pointed out that the results of that community visioning process have been delayed due to Covid-19. However, she read through the report and it speaks to the opportunities for Park City based on community feedback.

These include maintaining tourism destination and enhancing the resort community; promoting affordable housing; environmental initiatives; strategic development; and innovative transportation solutions. Planner Ananth remarked that the visioning report also talks about the challenges facing Park City, such as the loss of Park City charm; affordability, attainable housing, managing growth. Traffic and transportation appeared to be the number one challenge facing Park City. Planner Ananth stated that five strategic pillars will out of the Park City Visioning process, with action items associated with all five pillars. She noted that the pillars are focused around being an environmental leader and building net zero buildings, maintaining the arts and culture and local economy, maintaining sustainable tourism, looking at innovative transportation solutions to drive transit use in the future, and maintaining affordability in Park City.

Planner Ananth stated that the Vision calls for Park City to embrace bold change.

Planner Ananth noted that the meeting in September will focus on transit and pedestrian connectivity, traffic and parking.

Commissioner Sletten referred to the graph on page 75 of the Staff report, which talks about total square footages. His interpretation is that the allowed total square footage is of 805,977 square feet. Including the parking structure, the square footage is 822,025 square feet. He thought he heard different numbers during the presentation. Planner Ananth replied that he was correct. She explained that the chart on page 75 talks about the total square footage, but it also includes exempt square footage. Instead of the 678,000 square feet in her presentation, she should have used the 805,977 square feet and included the exempt.

Robert Schmidt, representing PEG Development, stated that the project architect, Emir Tursic and legal counsel, Robert McConnell, were also on the line and would be contributing to the presentation this evening.

Commissioner Thimm stated that he was unaware that Emir Tursic with HKS Architects was involved with this project. He disclosed that he has worked collaboratively with Mr. Tursic on other projects; however, there were no financial ties or any other reason that would impact his comments or decisions on this project.

Mr. Schmidt provided a brief introduction to PEG Development, which is a full-service real estate development based in Provo. They understand that development is complex; and besides the buildings, development is also about community and people.

Mr. Schmidt reported that PEG Development is in a contract with VAIL resorts to purchase the parcels at the base, and that purchase is subject to final approval of the site plan.

Mr. Schmidt stated that a team has been working on this project for the last couple years. It has been an exhaustive effort for the companies involved. Their efforts and expertise have been invaluable.

Mr. Schmidt stated outlined the process to date. Over the past two years they have been working with the community and the City Staff. They conducted an outreach process. Recently they attended Planning Commission meetings and work sessions and hosted a site visit that was attended by most of the Commissioners.

Mr. Schmidt noted that PEG Development submitted an application in February of this year, and they submitted a pre-application the previous year.

Mr. Schmidt stated that the presentation this evening would focus on architecture, site, and landscape design. They also intended to address the requested exceptions to the height and setback requirements. The objective is to help the Planning Commission understand what they did and why. He emphasized that it has been a very thoughtful process. The site has been an existing parking lot for the past 20+ years. As they approached this project, they recognized a number of challenges and that it would be a task to balance the many different aspects of the site. Mr. Schmidt stated that some of those balancing issues include an existing Development Agreement, multiple stakeholders such as the City, surrounding neighborhoods, and the ski resort. Currently, there are parking needs of an operating resort at the base of the mountain that PEG Development will be building on and redeveloping. They need to balance the project with the LMC, transit needs, traffic needs, and current affordable housing guidelines. In the end, it all needs to be financially feasible. Mr. Schmidt clarified that the project being presented to the Planning Commission is a doable project he can deliver.

Mr. Schmidt stated that in today's world, parking is the driver of every project. He remarked that it was absolutely critical to understand how they approached the parking plan for this project. Mr. Schmidt presented a representation of the schedule for the project. He had layered in a number of parking stalls at each phase or step in the project. He emphasized that it is critical for the Resort, for the town, and for the project to have at least 1200 parking stalls available for skiers in any ski season. Mr. Schmidt stated that they approached the issue by looking at how they could start construction, remove existing stalls from the inventory, and build enough stalls to start the next phase. He noted that it was more than just replacing surface stalls in any given phase. It is replacing the surface stalls that were taken out of commission and building enough stalls to take the next phase out of commission.

Mr. Schmidt stated that in the first phase on Parking B they were proposing a parking structure with 833 stalls. He explained that the construction schedule on Parcel B to is a short timeframe from March 15th to December 15th. When the parking on Parcel B is completed and combined with the surface stalls on Parcels C, D, and E, the total parking will be 1553 parking stalls, which will be the most stalls during the construction process. Mr. Schmidt noted that in the next phase, when they take Parcel C out of commission, they need to have all the parking available in Parcel B, along with the surface parking in Parcels D and E, resulting in 1276 stalls.

Mr. Schmidt stated that in talking about shifting stalls to another phase, they need to consider an alternative. If they cannot put that number of stalls on parking B and they need to be shifted elsewhere, they need to figure a schedule for doing that. Mr. Schmidt provided an example of how that might be done. He noted that it becomes a complicated situation of timing and schedule that is critical to the success of this projects.

Mr. Schmidt stated that once Parcel B and Parcel C are completed with the parking, they would still be constructing a hotel on top of Parcel C, but parking would be used for day skier stalls in the interim while they build Parcel E. He noted that the number of parking stalls available on Parcels B, C and D is 1253 stalls during the ski season. Mr. Schmidt stated that Parcel D is the final phase. At that point the day skier stalls will be built. The hotel on Parcel C will be completed, open and operating and those stalls would only be for the hotel. The Parcel E parking structure will be completed. The building on top would still be under construction but the parking would be available in Parcel E for day skiers. The combined available skier parking would be 1200 stalls. Parcel D would be completed in the last phase.

Mr. Schmidt stated that they talk a lot about the 1998 plan, and he believed it was a great idea for that time. However, history has shown over the last 20 years that the 1998 plan was not feasible. If it could have been carried out, he believed it would have been done. The property is highly valuable, and the intent has always been to build something meaningful. Mr. Schmidt asked the Planning Commission to keep the balancing act question in mind as they go through the proposed plans. He pointed out that the developer cannot make single factor decisions because there is a ripple effect.

Mr. Schmidt walked through comparisons of what PEG Development was proposing versus the 1998 plan. He noted that the original plan called for a realignment of Lowell Avenue. PEG Development was not proposing a realignment. Mr. Schmidt pointed out that by not realigning Lowell Avenue, the square footage perspective of Parcel E went down by 67,000 square feet from what was in the Development Agreement. He stated that PEG Development thinks it is reasonable that some of that square footage should

be able to be used on Parcel C. They added just under 15,000 feet to Parcel C to accommodate for that change. Mr. Schmidt remarked that leaving Lowell Avenue in its current alignment allows for better handling of traffic as it comes in off of SR224.

Mr. Schmidt stated that they looked at why the 1998 plan did not get built and the challenges associated with that plan. He believed a good deal of the challenge related to parking. Mr. Schmidt pointed out that Parcels C and E, which were the main uses and the main parking areas, provided 1642 stalls all below grade. Some of the stalls actually crossed Lowell Avenue. Mr. Schmidt stated that PEG Development estimated that it would take two years to excavate and build the parking structure outlined in the 1998 plan. They believe it became a huge challenge to accomplishing the original project. On Parcel D, the original plan had 66 stalls. In total, there were 2,368 stalls in the original plan. Mr. Schmidt noted that there was not enough detail in the 1998 plan to count all the stalls. However, he did the math and came up with a number of 660 stalls on Parcel B. Mr. Schmidt stated that PEG Development was proposing over 800 stalls on Parcel B. He recognized that the difference between the two plans is not dramatic and the question is how it was done then and what is PEG Development doing differently.

Mr. Schmidt stated that to compare and contrast, the parking PEG Development is proposing was just under 1700 stalls. Parcel B would have over 800 stalls. Parcel C would have 183 stalls to satisfy the hotel demand. Parcel E would have 543 stalls. Mr. Schmidt provided a breakdown of the stalls in response to an earlier question by Chair Phillips. Parking for day skiers would be 440 stalls, the private Ski Club will have 100 stalls, and the balance would be for the condos on that lot. Parcel D will have 95 stalls. In total PEG Development was proposing 1695 parking stalls. Mr. Schmidt noted that parking would be discussed in detail at the next meeting.

Mr. Schmidt referred to questions about reducing the mass on Parcel B, and whether the parking structure could be pushed down to reduce the mass. He stated that if they push the parking down one floor it would result in approximately 35,000 yards of export material. That equates to 12 additional truck trips, it adds time for shoring and dewatering, and it would add 45-60 days to the schedule. Mr. Schmidt remarked that based on the schedule outlined, pushing the parking down one floor would prevent them from building enough stalls on Parcel B in the summer season from March to December to have 1200 stalls available for the following season and to be able to start the hotel the following Spring.

Commissioner Suesser asked if the cars they were seeing on the Resort side of Building B were in the plan and whether they are parking stalls. Mr. Schmidt replied that the slide was only a representation of the parking structure itself. They were

proposing to wrap the structure with building. He clarified that the parking structure would be wrapped on Lowell Avenue, Shadow Ridge, and a portion of Empire with condo units.

Mr. Schmidt commented on the questions and discussions around how the old plan would accomplish building the number of stalls and how many square feet were allocated per parcel. He reviewed a cross-section of Parcel B from the 1998 plan from east to west looking north. On the left side was Lowell Avenue at street grade. On the right side was Empire Avenue at street grade. Mr. Schmidt stated that they drew a line between the building and the street grade to see what amount of parking was above grade and below grade. He noted that the parking structure is above grade as compared to Empire Avenue. It is unclear how much is above grade because the Master Plan never discusses the amount of parking above grade. He pointed out that the garage on the Lowell side also appeared to be exposed. Mr. Schmidt believed the concepts of the 1998 plan and the currently proposed plan are very similar.

Mr. Schmidt presented the PEG Development cross-section. He noted that they were building 200 more stalls than the 1998 Plan. The reason goes back to timing and schedule.

Mr. Schmidt commented on open space and presented an Exhibit from the original Development Agreement. He indicated the open space that was defined with light cross-hatching. Mr. Schmidt stated the open space and preservation of the hill were the considerations for the setback and height exceptions that were granted in 1998. He pointed out that the 1998 plan has 20' setbacks around the perimeter of Parcel B. It has 20' setbacks along Lowell Avenue at Parcel C. He indicated the setbacks in locations on Parcel D, as well as the setback locations on Parcel E along Silver King.

Mr. Schmidt stated that PEG Development was requesting consideration of a 20' setback along Lowell Avenue, along Empire Avenue, and along Shadow Ridge Road. He remarked that the Architect was prepared to talk about the need for requesting the 20' setbacks and what they were doing to provide the architectural variation and attractiveness to justify that request. Ms. Schmidt commented on the setbacks along Lowell Avenue on Parcel C and noted that it was only the corners of the building that needed the setback reduction. They were also requesting a setback reduction along the hill on an interior lot line. On Parcel E, only a small corner touches the 20' setback on one site. Parcel D has two corners that touch the 20' setback and a small section that needs a 20' setback. Mr. Schmidt stated that there was room to move the building slightly if necessary, but their goal was to preserve meaningful open space. Mr. Schmidt pointed to a small retail building that had couple of corner setbacks.

Mr. Schmidt presented the view preservation from the 1998 plan. He pointed to the view corridor and the pedestrian pathway that was created off of Empire Avenue. It measures 30' wide on the plan. It requires stairs to step up and through, and it delivers pedestrians to the middle of the street directly across from the bus drop-off. Mr. Schmidt would speak later about their pedestrian plan and why they believe their circulation routes are similar, if not better, to provide circulation off of 14th Ave. for the pedestrian.

Mr. Schmidt referred to the view corridor off the corner. He stated that while the diagram in the master plan shows it being fairly broad, when they drew lines and touched the buildings in these locations, they believed that view corridor was much narrower. Mr. Schmidt stated that PEG Development attempted to provide a much broader view in their plan.

Commissioner Van Dine pointed out that the buildings heights in the 2020 site plan and the Staff report were not the same. In the Staff report, Planner Ananth had Building B at 85', Building C at 85', Building D at 79', and Building E at 87'. Mr. Schmidt acknowledged that their building height diagrams have been difficult to understand. He believed Mr. Tursic with HKS Architects would talk more about the building heights in his presentation.

Commissioner Suesser commented on the setback comparison. She noted that in 1998, there was not a residential community along these roads. Empire and Lowell only had a few homes, and there were very, very few directly across the street from the PCMR parking lot. Commissioner Suesser stated that just because the setbacks were considered in 1998 does not mean they are appropriate now given the congestion in this neighborhood. She had concerns with what was approved then being appropriate now because the neighborhood is very different now. Mr. Schmidt understood her concern and he anticipated a more robust conversation at a future date. Mr. Schmidt pointed out that while there may not have been residents in 1998, the Master Plan was approved. He believed that if they were trying to build the project exactly as approved in 1998, they would be building to a 20' setback.

Mr. Schmidt stated that as they went through the planning process and following the MPD design standards, one of the priorities was how to make this development an asset to the community by providing amenities, open space, and other things that will benefit not only this project but the community as a whole. They recognized that the Resort is a benefit to the community, and they wanted to build on that and expand the opportunities. Mr. Schmidt stated that it came down to open space and trying to preserve as much open space and as substantial a view corridor as possible. He presented a slide showing the broad, wide expanse of view corridor their plan maintains

with substantive open space. The plaza on Parcel D is intended to be a softer greenscape plaza that can be used for a farmer's market, an arts and crafts fair, and similar gatherings. The upper plaza is a more formal hardscape plaza, but with programmed nooks, firepits, tents and a raised platform where different groups can enjoy different activities at the same time.

Mr. Schmidt stated that there has been a lot of conversation about the transition from 14th Street through Parcel B. The question is where they were trying to get pedestrians to and from. He remarked that they were trying to get pedestrian from 14th Street to the Resort. If they brought them straight through the Resort, they would end up in the middle of the block to the bus stop. However, they want them to end up at the pedestrian crossings at the corners on both sides to safely cross up into the Resort. Mr. Schmidt stated that while they have not provided a connection through the block, they provided spacious sidewalks around the site that come up Empire and Manor Way to the crossing. He pointed out that the distance is the same, but people can arrive at that location without having to climb stairs.

Mr. Schmidt stated that affordable housing is another issue that is substantially different from 1998. In 1998 the agreement was to provide 80 beds. Twenty-three of those were supposed to be built with Parcel A, the Marriott Mountainside, but that never occurred. Mr. Schmidt reported that PEG Development has agreed to assume that obligation in their affordable housing component of this project. He noted that the 1998 Master Plan does not specify where the affordable housing was supposed to occur. He personally concluded that the affordable housing would be provided off-site. Mr. Schmidt clarified that PEG Development was proposing to comply with the 2017 Affordable Housing Resolution, and to provide the affordable and attainable housing on site. He believed that was a substantial effort and commitment. It speaks to the requirements of the RC zone and the master plan to provide a variety of housing types on site.

Emir Tursic with HKS Architects, addressed site planning and architectural issues on site. He acknowledged that some of the presentation may seem like a step back because they visited a lot of details of the previous master plan. However, their focus is the site plan and programming and a big idea for this project and some over-arching goals. Mr. Tursic stated that he would also address architectural design and guidelines. He hoped the last part of his presentation would shed light on building modulation, building heights, and setbacks. He recognized that this is a large and complicated project and can be difficult to understand.

Mr. Tursic stated that they start every project by trying to understand and comply with the over-arching zoning goals and purpose. This project is in the Recreation

Commercial District and its primary purpose is to provide hotel and convention facilities and the associated support; to cluster development; preserve open space as much as possible, limit development on visible hillsides, promote pedestrian connections, and many other things that they used as a guide to develop the master plan. Mr. Tursic believed they had met all the items outlined in the purpose, with the exception of historic preservation, which is not applicable. Along the same guidelines, they also looked at the master planned development purpose and its goals, many of which overlap with the zoning purpose. However, some are different, such as strengthening the resort character, which is one of the primary focus of their design, as well as contribution of community amenities.

Mr. Tursic noted that the Staff report and Mr. Schmidt's presentation covered a lot of programming and planning. He wanted to take a step back and give a high-level picture of some of the rationale for siting of the project. He stated that much of the tone for the master plan was set by the previous 1998 master plan. However, a lot has changed due to the lack of the road realignment that was proposed in 1998, which affected the densities and size of parcels C, D, and E. Mr. Tursic stated that the developer saw this as an opportunity to create a world-class experience and a new base and identity of the Park City Resort.

Mr. Tursic stated that Parcel C is the only non-residential use and it has the highest density. For that reason, they placed it right against the mountain which is in accordance with the original 1998 Master Plan. It also allowed them to create a more direct connection to the Resort itself and the lifts, as well as to activate the adjacent plaza Mr. Schmidt described in his presentation. Mr. Tursic remarked that Parcels B, D, and E provide a variety of housing types, such as employee housing, affordable housing, and condo buildings. Those were placed adjacent to the existing residential neighborhoods. Mr. Tursic stated that they tried to place the uses in the best location possible to keep the non-residential uses on Parcel C away from the residential uses, neighborhoods, and the street.

In terms of parking, Mr. Tursic stated that in addition to distributing the parking between multiple parcels, they tried to provide day skier parking closest to the Resort. During the public outreach they heard a lot of comments about the current conditions at the Resort, and they wanted to mitigate some of those issues to create a better experience for the skiers and to address safety risks.

Mr. Tursic remarked that they saw a great opportunity with the new alignment of Parcels E, C and D to create an arrival experience into the Resort. The current arrival experience does not justify the Park City Resort and its reputation. When people arrive,

they only see surface parking lots, many cars, and snowbanks. He would be presenting imagery that will show how they intend to improve the arrival experience.

Mr. Tursic commented on the view corridor along 14th Street which they were trying to preserve without the pedestrian connection for the reasons Mr. Schmidt mentioned. Mr. Tursic stated that as part of the site planning and master plan, they also looked at pedestrian connections. They were proposing to provide sidewalks along Lowell Avenue, around Parcel D on one side, and around Parcel B to improve the pedestrian experience and connectivity within the Resort and to the adjacent developments.

Mr. Tursic understood the importance of the old master plan; however, but with the current massing and change in elevation they believed that cutting through the garage would not only affect the number of stalls being provided, but it would require very long stairs to climb up and down. The developer thought it was more pragmatic to provide a wide sidewalk that goes around Parcel B to a point where people can use the new pedestrian connection to the Resort down to the First Time Lift. If people prefer to go to the Pay Day or Crescent lifts, he pointed to where they could cross in the pedestrian connection. Mr. Tursic stated that they also looked at ways to connect to the existing base through the use of retail and activities. The retail in Parcel D is meant to be more residential in nature to support not only Building D but also the residential neighborhoods. It is intended to activate the plaza and create a new base and epicenter for Apré skiing that would be greatly improved and connected to the existing resort base.

Mr. Tursic commented on the architectural design and design guidelines in an effort to better explain the information that was provided in the Staff report. They are very familiar with the LMC and Architectural Guidelines, especially the ones applicable to the Master Plan phase. Mr. Tursic stated that the four over-arching goals proposed for the architectural design of the project are 1) conservation of Park City History as a mining town; 2) being respectful of the contextual or native Park City architecture while still being reflective of the current era; 3) relation to the immediate context and its variety of scale and uses; 4) consideration of the resort architecture. He pointed out that in the end they were creating a new resort for Park City Mountain Resort. Mr. Tursic stated that a lot has changed over the last 20 years in terms of the ski industry and traveler expectations. They want to create a resort that truly addresses all the hospitality needs and all the resort needs, as well as expectations of the people who come from all over the world to ski in Park City.

Mr. Tursic stated that some of the influences for the architectural guidelines begin with mining architecture. The historic monuments of Park City history are very pragmatic and utilitarian in nature, but they have a very distinct language. These include the large

gabled roofs that are repetitive; the accentuated framed openings; and complete lack of ornamentation. Mr. Tursic thought lack of ornamentation made sense for the times, but he found it interesting that it was being reintroduced into the LMC as opposed to being overly decorative. Another distinction are the shed roofs that follow the topography of the mountain.

Mr. Tursic noted that they also looked at the historic downtown architecture, which is the opposite in every sense from scale to articulation, and detailing. This was the entertainment and commercial district. They were starting to understand some of the balconies and some of the overhangs and how they were used. Mr. Tursic pointed out that the LMC discourages replicating historic styles. He clarified that they were not trying to replicate. They just want to make sure they understand it, respect it, and pay tribute to it without copying it.

Mr. Tursic stated that they also studied some of the most recent resorts that were completed, such as One Empire Pass and Stein Eriksen residences, as well as the Echo Spur, which is currently under development. Comparing these to some of the earlier development in Park City, it becomes a true reflection of the new LMC Architectural Guidelines. It is still mountain architecture, but a lot simpler in materiality, change of planes, not overly ornate, and select finishes, which speaks a more modern contemporary language.

Mr. Tursic stated that they also analyzed the immediate adjacent property and divided them into two different categories, the upper Park City base and the lower base. The Marriott Mountainside is the most prominent on the upper base, which was the first phase on Parcel A. The Marriott Mountainside heavily drew architectural influences from mining architecture in terms of massing, articulation, use of metal siding and many other elements. Mr. Tursic remarked that the majority of the resort base goes back to the 1970s and 1980s.

Mr. Tursic stated that they also looked at imagery outside of Park City that started inspiring architectural language and concept. He provided examples of traditional mountain architecture but expressed in a more innovative and modern way with large overhangs, large simple gable roofs, a lot of glazing, and large windows. The materiality itself is very simple and tends to use natural and authentic materials.

Mr. Tursic stated that they spent a lot of time talking about the importance of architectural modulation. The developer was proposing three different strategies to reduce the perceived height and scale of the buildings. One starts with the horizontal modulation that clearly defines the building base, the middle of the building, and the building top, which creates horizontal reveals. That common element will be seen

across all the parcels. Mr. Tursic remarked that another important element is stepping with the existing grade to reduce and minimize the building height wherever possible, as well as the vertical modulation clearly outlined in the LMC.

Mr. Tursic presented an example of the view of Parcel B from the corner of Lowell and Shadow Ridge. He pointed out how the building is modulated vertically and horizontally to reduce its perceived scale. A clear base is expressed on the ground level through massing and materiality. The center portion of the building differentiates itself through a different language. The top of the building steps back again to reduce the perceived height. Mr. Tursic indicated the open terraces and the enclosed terraces that references some of the historic Main Street architecture in a more conceptual and innovative way. Mr. Tursic presented another example of Parcel B viewed from the corner of Shadow Ridge and Empire. He noted how the base was recessed and created a floating affect of the center portion of the building. They reduced the corner of this building based on the feedback during the open houses. Mr. Tursic commented on the vertical modulation of the building that breaks its scale and relates more to a human scale walking across the street.

Mr. Tursic presented additional imagery of the other parcels contained in the Staff report. He spoke about facade length and variation, noting that the renderings do not tell the whole story. They understand the importance of modulating the building, reducing the perceived length, and providing variation in design, specifically as it relates to the setbacks and building height. Mr. Tursic noted that some revisions were made to the architectural massing of Parcel B. One was to step the corner by a full story by distributing it across the parcel. They increased the setbacks on top of the base or parking garage. They relocated the amenity from one corner to opposite corner to maintain the mountain view as much as possible without having a physical pedestrian connection. Mr. Tursic offered to create a new vantage point from the sidewalk that shows the real experience of the buildings and the mountains behind, rather than the straight-on elevations he was showing this evening.

Mr. Tursic commented on the actual articulation. He presented an elevation showing the setbacks from the property line. The Lowell Street elevation facing the Resort showed the base at 22-1/2 feet from the property line, and how the building steps back from the base. In an effort to demonstrate the design intent and the intent to comply with the LMC, they provided elevations with dimensions to show how they created vertical reveals, and in some cases less than the 120 feet as required. Mr. Tursic stated that they dealt with the modulation in three different ways. One is differentiation between the base, center of the building, and top of the building, none of which are on the same plane and all step back as they grow in height. The second are the different building heights between the different components. The last one is the vertical reveals

that vary in length and depth as it goes around the building. Mr. Tursic presented the Manor Way elevation. He noted that a lot of emphasis was put on the Empire Avenue elevation due to its proximity to the residential single-family homes. The elevation presented was modified from the one shown in the Staff report. They started to push the massing further back as much as possible. Mr. Tursic pointed out that part of the requested setback of 22' was an effort to create more modulation. If the Planning Commission was not comfortable with that setback, they could push the facade all the way back to the parking structure to maintain the 25' setback and create smaller reveals. Mr. Tursic stated that in looking at the volumes above it, some are 35' and 36' away from the property line. He stated that there was more articulation to the architecture than what was actually reflected in the renderings. Mr. Tursic emphasized that this was still master planning architecture. The design was very conceptual, and it was destined to change and further develop. However, the intent of the elevations and the concept design was to show that there is a way to comply with the Land Management Code in terms of facade length and variations.

Mr. Tursic presented the last Parcel B elevation on Shadow Ridge. For this particular building, the base is 25'. The main portion of the building with the housing steps out to 20'. As it climbs up, the upper levels step back an additional 10-15 feet. Mr. Tursic noted that the same exercise was done for all the other parcel elevations facing residential developments. He briefly reviewed those elevations to show design intent, setbacks, reveals, and articulation.

Chair Phillips requested that the applicant provide the most recent drawings and elevations to the Staff.

Chair Phillips understood that the building interiors were not developed in this conceptual stage; however, he would like to see cross-sections if they have the ability to provide those at this point. Chair Phillips thought the cross-sections would help him better understand how these buildings are positioned in the ground. He specifically wanted to see the cut profile through Buildings C, E and the plaza to understand the layers of the buildings. Chair Phillips clarified that he was looking for the floor lines, the cut, and possibly the roof lines. Mr. Schmidt believed they could provide those sections. He noted that they have grading plans, and a portion of the drawings are in Reddit. Mr. Tursic understood the intent and he thought they could meet Chair Phillips request. Chair Phillips emphasized that he was primarily looking for cross sections to get the full picture.

Commissioner Suesser thought it would be helpful to see the extent of the below grade excavation for the buildings in terms of the excavation plan and the number of feet they anticipate digging down. Mr. Schmidt reported that some of that information was

included in the excavation plan that was part of the thick packet that was previously given to the Planning Commission. If Commissioner Suesser was looking for additional information, they would try to provide it.

Commissioner Kenworthy wanted to know the impetus for maintaining the 1200 stalls throughout the entire construction. He asked why they would not consider having less parking for one ski season and increasing the transit. Mr. Schmidt stated that the intent is to avoid disrupting the operations of the Resort. He thought people's habits would be dramatically disrupted even more than just construction. Commissioner Kenworthy believed the value to flexibility on this project was worth more to the Resort than one season. Mr. Schmidt was not prepared to speak to that value. Commissioner Kenworthy understood that the impetus was Vail. Mr. Schmidt replied that the impetus is that operationally they need to provide 1200 stalls for ski operations. He believed a major disruption would not be good for anyone, including the City.

Chair Phillips asked if maintaining a certain number of stalls throughout construction was part of the Development Agreement. Mr. Schmidt stated that to his knowledge, it was not part of the existing Development Agreement. Chair Phillips had the same question as Commissioner Kenworthy. He thought the parking and phasing were dictating mass and building design because they were planning around the parking. Chair Phillips asked if they could go one season and ramp up another way to transport people, whether it would allow for more flexibility in the design.

Commissioner Sletten stated that the last time this was under development in the early 2000s when Parcel B was going to be a hotel, the punitive damages were significant for not having parking available from the start of the ski season to the end of the season. Commissioner Sletten believed a ski resort without parking is like Disneyland without parking. It is impossible to operate the Resort effectively.

Mr. Schmidt stated that there is a practical and pragmatic nature to providing parking at the base of the Resort. If people cannot find parking they will choose to go elsewhere.

Mr. Schmidt walked through the justifications for the setbacks. He pointed out that they had already talked about the setback locations where they were requesting exceptions. Mr. Schmidt reviewed the floor plans for Parcel B. He agreed that parking was driving a lot of the design considerations; however, in the balancing act they attempted to provide significant offsets in terms of providing view corridors, open space, meaningful open space, and other benefits. Mr. Schmidt pointed out that they were starting with the parking structure on Parcel B and they were trying to screen that parking structure with residential uses. As they articulate the building and provide the variations Mr. Tursic spoke about, the ability to step out to the 10' as needed to provide architectural

articulation is necessary in order to provide meaningful square footage within those residential spaces. Mr. Schmidt explained that if they can only go out to 25', there is a net loss of square footage and those spaces become narrow. The spaces may not be usable or as usable and the square footage needs to go somewhere else, possibly higher in other portions of the building. Mr. Schmidt believed that on balance, the request for 20' is reasonable and enables them to achieve beautiful architecture by providing articulation and variation. Mr. Schmidt thought it was important to understand that a change in one portion of the building would result in a domino affect somewhere else. He cites examples to help the Commissioners understand how the building designs would be affected and why they were requesting to change the setbacks.

Mr. Schmidt believed that the variation on setbacks they were requesting is reasonable and recognizes the dedication of open space from 1998, the density allotted to this property, and helps to fit a good portion of that density at the base and allow it to be clustered.

Regarding justification for the building height exceptions, Mr. Schmidt presented a diagram showing variation in the roof lines. While the buildings are tall, they tried to be thoughtful about it. He reiterated the adjustments that were made to Parcel B that Mr. Tursic mentioned in his presentation. Mr. Schmidt stated that as discussed in the 1998 plan, this is the appropriate location for height. He pointed out that transferring density from the open space up on the hill to this location requires the ability to go up in height. Otherwise, they cannot achieve the densities that are permitted on the site.

Robert McConnell, legal counsel to PEG Development, stated that with respect to the setback issue, the Code states that if it is determined necessary to provide desired architectural interest and variation. He thought that was unfortunate language because the use of the term "necessary" makes it difficult. Mr. McConnell remarked that the language cannot mean simply that if the size of the building is always reduced it is never necessary. He stated that applying that standard to an MPD, which requires a certain amount of acreage, it becomes a non-issue or an impossible standard to meet. Mr. McConnell suggested that a better approach is that the necessity arises out of a variety of factors that are relevant to the current situation. He noted that there is still the existing Development Agreement and entitlements, including prior exceptions for the setback and height requirements; a desire for open space preservation; and a prior determination to focus density from the overall resort into this base area. Mr. McConnell recognized that single-family and other residential components have been built since 1998; however, they came in in the context of an approved Master Plan. He pointed out that it was inevitable to have an abrupt transition from single-family residential to a resort village that has the kind of density that was sought, desired, and entitled with respect to this area. Mr. McConnell stated that they can do their best to try

to mitigate that effect; but making the determination to focus the density in this area will create some level of abruptness moving from single-family to this type of project.

Mr. McConnell stated that there is a need to balance the resort parking requirement and construction timing, the efficiency of construction, operation of the parking facilities, the desire to wrap the exposed parking structures, and the site planning and open space elements that have been discussed. These all go towards a desire to maintain and achieve an overall package that can lead to a determination of necessity with respect to the desire to provide desired architectural interest and variation. Mr. McConnell thought the Planning Commission should also consider the affordable housing element. The Staff report states the desire for on-site affordable housing and this developer has proposed to provide that housing on site. Mr. McConnell noted that affordable housing typically is not included in this type of a real estate area or resort village. When the Planning Commission looks to make a determination of necessity, he encouraged them to look at it from a more wholistic view as opposed to whether it is necessary only because of the size of the lot.

Mr. McConnell stated that height was less clear from his perspective. He thought it should be a site-specific analysis and determination. The Staff report stated that it did not meet the standard, but he has not been able to identify the standard. Mr. McConnell thought Mr. Schmidt and Mr. Tursic did a good job identifying what they were trying to do and the vision, as well as how the articulation works both horizontally and vertically in these buildings.

Mr. Schmidt referenced an image that was recently developed showing the view across the upper hardscaped plaza, the hotel and the view of the mountain across First Time. He thought it conveyed the sense of beauty and elegance, as well as the functionality and excitement they have for the base.

Commissioner Suesser asked if the configuration of the buildings on Lot B that was shown was a potential configuration because it looked very different than what they had previously seen. She thought the building looked broken up along Empire.

Chair Phillips believed they were seeing an elevated plaza in green, and the blue identified the roofs. He clarified that this was an illustration showing just the heights of the particular roof areas. Chair Phillips did not believe the pathway as shown was at ground level.

Mr. Schmidt explained that the colors represent the number of feet above the 35' allowed within the zone. He noted that it follows the same convention that was in the 1998 plan. Commissioner Suesser asked about the two paths that go out to Empire.

She asked if the roof was below the 35' level. Mr. Schmidt answered yes. Commissioner Suesser could see where they had dipped the roof down in an effort to create the view corridor. Mr. Schmidt clarified that it is an elevated plaza. The left side was two stories at approximately 20' on the left side. As the grade falls away it becomes taller on the right side.

Chair Phillips opened the public hearing.

Director Erickson read two emails that were received earlier in the day from Terri Whitney and Trent Davis.

Ms. Whitney from Snowflower Condominiums reiterated her strong opposition to the single entrance to Parcel E, as well as the delivery entrance. She would like the entrance redesigned and the delivery entrance moved to another location.

Director Erickson summarized the comments from Trent Davis with Compass Management due to the length of the email.

Mr. Davis commented on the idea of a bridge over Lowell Avenue to the upper base area. He stated that currently the pedestrian traffic from lot B to the upper plazas of the resort base area have no controls, thus it causes congestion for vehicles and pedestrians alike. Pedestrians cross Lowell Ave towards the existing Transit Center at multiple points, thus stopping traffic. A pedestrian bridge is not the answer. PEG Development has a plan with defined crosswalks that will allow a safe crossing of pedestrians and keep the auto traffic flowing.

PEG has stated that if a bridge can be built, it would have to go in the Fire Lane entry to the upper plaza, essentially in front of Baja Cantina. If the planning commission allows this to occur, it will cause economic damage to the Lodge at The Mountain Village, village Loft and the retail, as the majority of traffic would be re-routed directly to the upper ski hill plaza, majority of which is owned by Vail. We oppose this potential bridge.

Mr. Davis referenced the first paragraph on page 92 of the Planning Commission Package where the Planning Department recommended day skier parking be shifted away from Parcel B. He stated that the parking on Parcel B is of the utmost importance to the entire upper base area. Any significant reduction of day skier parking would redirect traffic away from the existing base area, especially the Lodge at the mountain Village, The Loft and its retail / commercial that depend on the day skier traffic. He did not believe the impact of reducing day skier parking in parcel B has been fully evaluated nor the long-term impacts to the existing base area. Please inform us how many parking spaces will be lost and how this will impact the upper plazas of the resort. The

last paragraph on page 92 states that the Planning Department finds there is ample opportunity to add a transit facility on Parcel D". Mr. Davis stated that The Lodge, Loft and its commercial rely on the bus transit traffic to the property, not only for commercial but also lodging. For years the Lodge and Loft has been proactive in asking all guests to use the Transit Center and not bring a vehicle to Park City. By adding a Transit Center especially to the Shadow Ridge Drive side of Parcel B will have a negative impact on the existing upper plaza areas. We ask that the negative impacts on the existing Transit Center be investigated further. We oppose any new Transit Center that will negatively impact the current traffic to the existing Transit Center and ask that the Planning Commission not approve a new Transit Center until all impacts can be reviewed and input given by The Lodge, Loft and retail.

Mr. Davis commented on the alignment of Shadow Ridge Drive with the entry to the underground parking garage. Although PEG development has committed to the Lodge to realign the intersection of Lowell, Shadow Ridge Drive, the entry roads to the underground parking and The Lodge, this continues to be absent from any plans.

Regarding easements, Mr. Davis believed the new easement to the NAC building needed to have the participation of Vail, The Lodge, NAC and PEG. A rough draft easement that can be reviewed by The Lodge has yet to be produced that incorporates the moving of utilities, the care, maintenance and expansion of sidewalks, and a Lodge drop off area for shuttle vans. Mr. Davis stated that existing Transit Center needs to be upgraded. We would like to understand how the existing easement reads, who is responsible for what (maintenance and Snow removal) and what the city involvement is and will be, going forward.

Mr. Davis stated that The Lodge and the Village Loft have been at the base area for almost 40 years. These properties should be at the top of the list to being protected from any isolation and reduction in access from guests and day skiers.

Jessica Nelson read an email comment that was received.

Debra Hickey, a resident at 1485 Empire Avenue, had concerns with building heights, setback and density. The project dwarfs the entire neighborhood. She is a resident at Silver King Condominiums, and she did not think the new construction should be allowed to soar across the heights built in 1983. Ms. Hickey stated that traffic flow up Lowell will be a nightmare and the proposal must be redesigned. Ms. Hickey noted that the drawings shown do not depict from what vantage point. It is difficult to imagine what is being shown, but everything looks massive and out of character with the charm of town. Ms. Hickey did not agree with providing employee housing and affordable housing on prime mountainside real estate. The City should let the developer purchase

a parcel out of this area to satisfy the requirement. Ms. Hickey remarked that this space should be for public access to enjoy; not for a select few. She stated that the parking stalls do not accommodate the needs. Every weekend the locals are turned away shuttled in by bus or drop-off. She wanted to know why they were not improving this situation. Ms. Hickey requested that they demonstrate how the project aligns with the new 2020 Park City Vision.

Jessica read three comments that came in through eComment.

Nancy Lazenby stated that in the proposed calendar for this project, it looks like traffic will be addressed at a future Planning Commission meeting in September. At that meeting, a third-party analysis of PEG Development's proposed one-way traffic plan will be presented. Ms. Lazenby assumed that this third party would not only review the proposed one-way traffic plan, but also considering alternatives such as two-way traffic or other solutions. She also assumed that during the review they would be considering not only the ski resort traffic, but also the additional local traffic, utility vehicles, work trucks, dump trucks, trash pickup trucks, and emergency vehicles such as fire trucks, police vehicles, and ambulances on local Old Town streets that would be channeled through the Resort with PEG's proposed plan. Ms. Lazenby requested that someone let her know if her assumptions are not correct. She wanted to know if the third-party report would be making recommendations, or if they would simply give an analysis of the proposed plan without recommendations.

Ruska Dezerky stated that in reviewing the packet for Wednesday meeting there was a tremendous amount of information and topics to be discussed. He had many questions and comments that he hoped would be answered during the meeting. However, if at the end of the meeting, if any of the Commissioners or community members still have additional questions or comments, he asked them to confirm that these topics will be rolled over to a future meeting to continue the discussions.

Debra Rentfrow noted that the developer has said they will have over 1500 parking stalls after starting Parcel B ready for the 2021-2022 ski season, yet state that they only need 1200 stalls. She asked if it was possible to build parking on Parcels D and E first to go in 2021-2022 and still meet that number. Ms. Rentfrow wanted to know why the hotel on Parcel C needs to go second. She did not believe the slide shown included those stalls in 2022-2023, but it does in 2023-2024 after the hotel opens. Mr. Rentfrow thought the majority of the slides were deceiving and not actually from the ground level looking at the structure. The view corridor originates inside the home at the corner of 14th and Empire, not from the street. She stated that a farmer's market will not fit on the open space on Parcel B and will tear up the soft landscaping. Ms. Rentfrow asked how Parcel B was being labeled as a village when there is no pedestrian walkway. She

noted that Parcel E shows 543 underground stalls being built March to December, and she wanted to know why that could not be done on Parcel B in the same timeframe. Ms. Rentfrow asked if the proposed sidewalks were still only 6-10' instead of the recommended 15'. Stairs were mentioned as an issue, yet the hardscape plaza is full of them. She wanted to know why stairs are a problem elsewhere. Ms. Rentfrow referenced a comment by the developer that the community has habits and will not use transit or off-site parking, yet they were willing to change habits to walk around Parcel B. She asked if only some habits need to be changed. Ms. Rentfrow noted that the developer referenced that people would jaywalk in their response to a question included in the meeting packet. She asked if there was any open space on Parcel B.

Jessica Nelson noted that those were the submitted written comments. All comments would be included in the file and will become part of the record.

Several people on Zoom had raised their hands to make public comment.

Chair Phillips stated that people could give public comment on any issue related to the project; however, their comments would have more impact if they are relative to the topic being discussed on that particular evening. He noted that some of the comments this evening pertained to topics that will be discussed on other meeting dates throughout the process. Chair Phillips pointed out that the Planning Commission has access to all the public comments, and they can review them at any time.

Nancy Lazenby thanked the Planning Commission for the opportunity to speak. She also thanked Planner Ananth for the work she did preparing for this meeting and the information provided. Ms. Lazenby thanked PEG Development for their efforts so far in adjusting their plans.

Ms. Lazenby believed that 80% of the issues related to Parcel B, with 20% of the issues in the other areas. She stated that if they can address the issues in Parcel B it might take care of the issues on the other Parcels. Ms. Lazenby asked everyone to keep an open mind. Everyone was striving for the same goal, which is for the community, Vail, PEG Development, and the ski industry to benefit from this development and for it to be an asset to the community. Ms. Lazenby thought the developer appeared to have their hills dug in on Parcel B and she encouraged them to listen with an open mind and think outside their box. Ms. Lazenby thought Planner Ananth did a good job on Parcel B identifying some of the major issues and concerns that the community had with what PEG was presenting. The developer had made some changes and she appreciated their effort; however, there are still problems on Parcel B that she hoped could be resolved. Ms. Lazenby thought Planner Ananth brought up a good point that the parking is basically doubling from what currently exists at PCMR if this plan goes

through. She stated that the pedestrian and auto incidents on Lowell and Empire have been a challenge to date. Doubling the parking stalls and forcing people across Lowell will only increase those problems. PEG has proposed crosswalks as the solution, but everyone knows that when pedestrians get to the crosswalk, they start crossing whether cars are there or not. She believed they would have quite the cluster on Lowell as twice the amount of people try to cross Lowell with their skis and kids, and buses going through, as well as additional local commuter traffic trying to get through. Ms. Lazenby believed that putting as much parking as is proposed in Parcel B will create not only pedestrian/auto accident, but also challenges. She noted that Planner Ananth identified another issue with the building along Empire Avenue as being one giant building and not blending in with the community. Ms. Lazenby clarified that she was highlighting these issues because the community and the developers have the opportunity to make this right. Putting all the parking in Parcel B not only creates problems with the look of the building, but also the number of people trying to cross Lowell. It also puts all the visitors in the location of this parking lot that does not benefit the goal of getting everyone to go to this beautiful plaza that PEG designed as the focal point of Park City Mountain Resort. She pointed out that if you park in Parcel B there is no way people will grab all their ski equipment and walk a quarter of a mile up the road to this plaza. They will cross the street at Lowell and go to Pay Day Lift and Crescent Lift. At the end of the day, people will not go through the plaza if their car is in Parcel B. Ms. Lazenby noted that the 1998 plan had the parking underneath Parcels C, D and E, which does two things. If a visitor comes to Park City and drives into the Resort, the first thing they want to do is find parking. Putting the parking at Parcels C, D, and E eliminates all the obstacles and challenges of people driving through Lowell. People can park their car, go up the elevator, and land at the plaza. Ms. Lazenby emphasized that it makes sense to have parking by the plaza. It does not make sense to have people driving through the entire resort to park at the far end of the resort and deal with all the issues. Ms. Lazenby stated that if timing is the only obstacle for not putting all the parking under Parcels C, D and E, they should address that issue and find a short-term solution so they are not faced with decades of a bad resort. Ms. Lazenby stated that in 1998 there was a plan and a timeline to create that parking structure under Parcels C, D, and E within the 1200 parking stall limitation within one year. Mr. Schmidt with PEG Development said in his presentation that doing that would take two years. She stated that even if it is two years, she believed they could find a short-term solution. Ms. Lazenby believed the developer could figure out alternative parking for a few hundred stalls during one ski season if the Resort can figure out what to do through Covid-19. She asked the developer to think outside the box and beyond digging in their heels on the only solution of Parcel B having 800 parking spots. She urged the developer to look at alternatives to find the right solution. Ms. Lazenby stated that this was not her area of expertise. She is a local citizen who was looking at this from a

commonsense point of view. They all have the same long-term goal of creating the right solution for PCMR.

Steve Hancock understood that in addition to the location of the parking and the chess game of what gets built when in order to preserve the 1200 parking spaces, he thought it appeared that a trade-off was being made on the height of the buildings. From the presentations, it sounded like the buildings need to be built higher because there is not enough time to excavate to make the parking garages deeper. Mr. Hancock pointed out that the inconvenience of less parking for one year is temporary, but increased height on buildings that are heavily out-of-scale is forever. Mr. Hancock noted that sometimes 1200 spaces are not enough spaces on weekend and powder days. He assumed that once it becomes parking garages instead of surface lots it will be paid parking, which will do a lot to help regulate the demand. When more than 1200 cars approach the resort area, the whole town turns into gridlock. Mr. Hancock stated that he is one who gave up on parking and is now willing to use transit more often. However, in his observation, the current PCMR transit stop is really not convenient. Mr. Hancock remarked that with the surface lots, people who arrive early can park at the edge of the snow. Often times there is a traffic jam at the bus drop-off area because cars are trying to drop off at the same time. After being dropped off, it is a long walk across the plaza in ski boots and up a flight of stairs to another long walk. Mr. Hancock was disappointed that a new transit stop for PCMR was not reimagined. If they want to help promote the use of transit, making it more convenient would go a long way in achieving that goal.

Doug Lee stated that he is one of the owners of 1356 Empire Avenue, which is the home immediately south of the project. They have owned this home since the 1980s and they have seen the City and the traffic grow exponentially since those days. Mr. Lee echoed the comments made by Ms. Lazenby and Mr. Hancock. In terms of the parking shell game and the calculus to make it work, Mr. Lee did not think that meant needing a four-story parking garage fronting on a street like Empire Avenue that is exclusively single-family homes. Mr. Lee stated that what he heard from the development team in one of the town halls was to have retail and townhouses fronting all the way around the complex, including Empire. At that time, he was also told there would only be two stories of parking, one below grade and one above grade. Mr. Lee stated that he was seeing this project in its current incarnation for the first time this evening and he was a little bit of shock. Mr. Lee remarked that in addition to what Ms. Lazenby and Mr. Hancock said about trying to be good neighbors and trying to do what is best for all the stakeholders, Mr. Hancock added that there were a lot of comments and reactions from the development team regarding the setback exceptions and height exceptions. He stated that in terms of the setbacks, the standard is that the exception must be absolutely necessary for architecture and variation. The standard is not to achieve a wider driving lane, a wider corridor or an extra row of parking spaces. Mr.

Hancock noted that the attorney for PEG Development said that the justification for height exceptions were arbitrary and vague. However, in reading the ordinance, he did not believe they were arbitrary and vague at all. Section F, paragraphs 2, 3, and 4 are quite clear that in return for permitting additional height, the developer should minimize visual impact on adjacent structures, provide adequate landscaping and buffering from adjacent properties and uses, and the additional building height needs to result from more than the minimum open space required and results in the open space being more usable. Mr. Lee thanked the Staff, the Commissioners and the Developer for sharing so much information. As the project develops, he hoped their concerns would be addressed.

Angel Moschetta stated that she has tremendous appreciation for this process. The Planning Commission and the Planning Department are once again putting in unbelievable time and effort on a major project. Ms. Moschetta also recognized the work of the developers who invited her to an engagement and learning session early on in this process. Ms. Moschetta understood that this project would only go through if PEG Development can make the project pencil out. While she believes they have been responsive to some community concerns and issues, they were already embarking on a path where the developers are seeking to avoid a new MPD and seeking a number of exceptions. She anticipated there would be many more to come. Ms. Moschetta stated that in recent discussions of county planning and development matters, there has been talk about making exceptions where there is undeniable and significant benefit for the community. She sees plenty of upside for Vail Resorts, the potential seller of these parcels, if PEG develops according to their plans. However, she did not see a tremendous upside for the community. Ms. Moschetta believed Vail was ignoring the only right thing to do with these parcels, which is the one option with the most community benefit. As a result, the Planning Commission and Parkites are facing another Treasure-like planning process that drags on unnecessarily. Ms. Moschetta clarified that she referenced Treasure because in her first comments at a Treasure planning commission meeting, she suggested that the solution was in the City and the Sweeney's coming together on a deal. With the same inspiration and optimism in mind, Ms. Moschetta proposed the following and hoped that Vail and PEG could save the community and lessen undo headaches pursuing a project that should not occur. Ms. Moschetta suggested that instead of selling all of the parcels to PEG, that Vail retain one parcel and commit exclusively to developing work force and affordable housing on that parcel. She realized it would upend the current plans and economics of the project and force everyone back to the drawing talk. To that, she would say so what and good luck to all parties involved. Ms. Moschetta hated to see everyone spend months trying to condition and reason a bunch of exceptions when there is not tremendous to the community in development of parcels that have just been sitting there for years.

Bob Bernstein, an owner at Three Kings Condominium, had not heard much discussion about those who live north of this project. They talked about building E being the highest building on the site and an exposed loading dock. Mr. Bernstein noted that Three Kings has had several conversations with the developers, and they were great and listened to what they had to say. Mr. Bernstein stated that their biggest concerns are traffic flow and not wanting to end up being the new main bus terminal for Park City Mountain Resort. Another issue is control of their parking. Mr. Bernstein stated that he was giving a tepid support to PEG Development because thus far they have been happy to have the dialogue, but they were looking forward to seeing the needs of Three Kings, Pay Day, Crescent Ridge, Silver Ridge, and others addressed in the future.

Ed Parigian noted that if the parking charge is \$20 per day and someone skis 50 days per year, they would end up paying \$1,000 to park during the season. He suggested that PEG make 200 parking spaces available for locals up to 10:00 a.m. versus trying to catch the bus. Mr. Parigian remarked that locals typically only ski for a couple of hours and if the local parking is still available after 10:00 a.m. they could open it up to the public. He believed his suggestion would alleviate some of the parking issues. Mr. Parigian commented on the building height on Parcel B. It is very high and quite a bit above the allowed height. He thought it would create a cavern on Empire if the exception is allowed. He stated that making Empire one-way between Manor Way and 15th, and all the parking is loaded towards Parcel B, all the traffic will come down Empire and then to 14th to the east and 15th to east and through the neighborhood on Woodside and on to Park Avenue, and create a parking jam in that location. Mr. Parigian stated that besides the inconvenience if Empire is one-way, it will also ruin the neighborhood. He understood that traffic was an issue for the next meeting, but he wanted everyone to think about it before the next meeting and the consequences if they allow it. Mr. Parigian thanked the Commissioners for their diligence, and he looked forward to the next meeting.

No other hands were raised on zoom and no eComments were submitted during the public hearing.

Chair Phillips closed the public hearing.

Commissioner Thimm believed that keeping the affordable housing being on site was the right decision. It places workforce housing where it is needed. From a sustainability standpoint, the workforce being able to walk to work is important. Commissioner Thimm noted that the Staff report outlines the fact that there is more density and more intensity of use planned for Parcel C. In term of uses and massing for the project, he agreed that if they were staying within the overall allowed UEs and

square footages, increasing the intensity of use on Parcel C and decreasing it in the other areas is the right answer.

Commissioner Thimm understood that transportation is a topic for the next meeting; however, he wanted to mention a few things. Currently, the plan depends on acquisition of property from the City, but they have been told that there is no plan in place to do that. Commissioner Thimm stated that if they are going to be talking about transportation and if the roundabout situation is going to be the solution, there either needs to be a plan for acquisition or to adequately discuss transportation. Commissioner Thimm stressed the importance of discussing a Plan B transportation plan at the next meeting that honors the current property ownership. Commissioner Thimm noted that the Staff report and the public indicated concerns about the potential congestion of the transit station. He wanted to make sure that the third-party traffic consultant addresses those concerns between now and the next meeting.

Commissioner Thimm thought the CUP approval level was the appropriate time to address architectural character because they were currently in the master planning/conceptual level. In terms of looking at architectural character, Commissioner Thimm believed the direction they were seeing now with more detail is a good direction that should continue. With respect to reduction in setback, Commissioner Thimm referenced a comment by the applicant that it was unfortunate that the LMC is written the way it is written. He pointed out that the language in the LMC is the lens the Planning Commission needs to look through for justification of the findings that need to be made. Commissioner Thimm believed the applicant was moving towards making the findings, but the Commissioners have no choice but to look through that lens. Commissioner Thimm remarked that the Staff report indicates that the Planning Department recommends that the applicant consider creating more variation in massing, and he generally agreed with that recommendation. Commissioner Thimm stated that he would talk more about that with respect to the volumetrics. In response to a question in the Staff report about pushing review of the landscape plan to the CUP level. Commissioner Thimm thought the CUP level was appropriate for that review.

Commissioner Thimm referred to the question at the July 8th meeting as to whether this should be a new application or a review of the existing approval. He recalled that the Planning Commission determined that they could handle it as either a review of the existing approval or as a new application. The Planning Commission left that decision to the applicant and the decision was made for it be a review of the existing approval. Commissioner Thimm thought the Planning Commission made it clear that the Development Agreement and approval of 1998 is the lens they would be looking through for review. However, from the applicant's presentation, he got the impression that the volumetrics would not be looked at closely. Commissioner Thimm referred to

the 1998 Development Agreement and noted that Section 2.1.2 states that the volumetrics outlined in the PCMR Base Areas Master Plan Study are intended to communicate to potential developers that building height and facade variation are critical components of this project. The volumetrics represent maximums that can be given on any parcel. The vertical and horizontal articulations that are specified in the volumetrics are the minimums that must be met. Commissioner Thimm emphasized that the Development Agreement that is in place and that the Planning Commission indicated on July 8th would be the lens they needed to look through cannot be ignored. He stated that when they think about trying to achieve the architecture and massing that is part of the intent for this area, it is important to look at breaking down the overall mass and distributing the volume into smaller pieces. Commissioner Thimm noted that pages 255-282 of the May 27th Staff report contain the volumetrics that show the massing that was intended. He pointed out that with the alternative configuration of the roadway system, the buildings will have a different configuration. Commissioner Thimm stated that the Planning Commission needs to see volumetrics that are analyzed in the same way they were analyzed in the 1998 approval in order to correctly review the changes to the original approval and to reach a point where they are comfortable with an approval or recommendation of this application.

Commissioner Thimm noted that the number of UEs was being reduced from 353 to 262 with this application, and he thought that should be taken into consideration as they move through the process.

Commissioner Kenworthy stated that having the affordable housing on-site is important and the right thing to do. Putting it outside of town or in another part of town is not just. Commissioner Kenworthy agreed with the developer that the wholistic view is the only way this project should be judged. He agreed with Commissioner Thimm about the UEs. They are some elements to the proposed development that have negative impacts. To be able to balance those, they need to look at everything in detail.

Commissioner Kenworthy noted that the transit center was mentioned several times this evening. He asked Planner Ananth to confirm they would be diving deeper into the transit center at a later meeting to see if it will suffice for the traffic. Planner Ananth verified that the transit center would definitely be discussed at the September meeting.

Commissioner Kenworthy referred to the 1200 parking stalls that are “required” during construction. He believed the value of having 18 months, the time needed to go underground, and the time needed to do a lot of different things, is really important. He hoped that Vail would at least discuss pulling the cap of the vision so the developer can at least consider offsite parking for one winter. Commissioner Kenworthy agreed that it

is not the ideal situation, but it is how Park City and Vail have operated before PEG Development came in with a proposal to develop that property.

Commissioner Kenworthy thought transferring the density to Parcel seemed viable based on this first view. He stated that Parcel B is the puzzle. He hoped that at least one 18-month term could provide the developer with the options needed to be profitable, and that Vail is supportive of the developer and the City with this project and understands there may need to be flexibility on that issue.

Commissioner Kenworthy noted that the one-way entrance and exit off of Parcel E was mentioned several times. He believed that 500-600 spaces were proposed for that building. He was unsure how that would function, and he looked forward to the transit and parking studies on that particular issue.

Commissioner Sletten echoed Commissioners Thimm and Kenworthy. Commissioner Sletten stated that he previously sat on the Blue-Ribbon Housing Commission and he emphasized the importance of having affordable housing on-site. For traffic and other issues, it would be unconscionable to move it off-site.

Commissioner Sletten noted that the typical ski season ends the first or second week in April. He heard the applicant say it was from March 15 until Thanksgiving. Commissioner Sletten pointed out that they were cutting out two to three critical weeks of the ski season in order to meet their needs. Commissioner Sletten thought there might be other alternatives for moving parking off-site, but to the extent that Vail prevails on that issue, they will need to be flexible. He believed the winter season this year and next year will be critical for the overall economic health of Park City.

Commissioner Sletten referenced his disclosure that he has had an office at the Resort Center for over 20 years. During the winter he would never think about walking through parking lot B to get down to Empire from his office on Lowell, or to get down to Park Avenue. While the view corridors are important, the actual issue of pedestrian traffic through that area, at least during the winter months, should be taken off the table because it is not walkable right now. Commissioner Sletten agreed with the comments about taking a hard look at the transit portion of their review to see if there are other alternatives. Splitting up the drop-offs would be a benefit in terms of pedestrian safety.

Commissioner Van Dine agreed with Commissioner Kenworthy about the 45-60 extra days of work to put the parking an extra level deeper. She stated that excavating Parcel B deeper for a long-term benefit of decreased height was something that should definitely be explored. Commissioner Van Dine struggled with the heights and the exceptions on Parcel B. She did not believe the massing on the building lends itself to

the resort base area. She agreed with the public comment about putting the majority of parking on Parcel B, and at the same time pushing people down towards Parcel C and D. Commissioner Van Dine stated that she had a hard time with Building B and how it fits into the greater look and appeal of the base area in general. Commissioner Van Dine agreed with most of the comments expressed by the other Commissioners. She looked forward to future traffic and parking discussions.

Commissioner Suesser concurred with all of Commissioner Thimm's comments. She disagreed with Commissioner Sletten that it is not being important to be able to walk from the Resort down to 14th Street and down to Park Avenue. They are trying to create a more walkable community and the idea of creating more pedestrian friendly streets in Old Town is critical. It is vital for people to be able to walk from the Resort to town and to Park Avenue to reach Main Street. Commissioner Sletten believed that was envisioned in the 1998 proposal. She stated that the town put so much energy into walkability and alternate transportation, and this is a great opportunity to get people out of their cars and have the ability to access the Resort easily. Commissioner Suesser thought it was very important for this project to keep that in mind.

Commissioner Suesser thought transferring the density to Parcel C is an acceptable place for density. She suggested that the developer should look at putting more public parking under Parcel C because they want to get people out of their cars at that location to avoid driving up Lowell and creating more congestion. It would also allow the public to enjoy the beautiful plaza that is envisioned. She agreed that people parking in Lot B will not utilize the plaza because it is too far away.

Commissioner Suesser stated that with respect to the setbacks and the language in the LMC, she agreed with Commissioner Thimm that they need to use that language as the lens to analyze and determine if the setback exceptions being requested meet the LMC criteria. Commissioner Suesser agreed that the Commissioners need to see more architectural articulation from the developer in order to do that analysis. Commissioner Suesser would like to see more transit center improvements. She did not think there was much creative thought given to the transit center, nor were significant improvements proposed. She thought they should explore moving the transit center the end of Lowell because it makes sense to get people on the hill sooner and to avoid the bigger problems that will be created if they bring people up through the Resort.

Commissioner Suesser recognized that 1200 parking stalls during construction is a tricky calculation. She had sympathy for the developer, but the community needs to live with this development for a long time. It is important to make sure they make the right decisions for the long term and not just to meet a construction timeline. She believed PEG Development heard that message with all the comments this evening.

Commissioner Hall agreed that there needs to be substantial good cause for the setback reduction. She did not think what was currently proposed meets the standard of desired architectural interest and variation.

Commissioner Hall referred to the site plan and stated that her biggest issue was inadequate pedestrian and bicycle circulation, as well as access to the community plaza and getting skiers to the chair lifts. Commissioner Hall echoed the comments of the other Commissioners regarding access. She reiterated that she would like to see a modification for improved pedestrian and bicycle circulation. Commissioner Hall empathized with a lot of the public comment. She appreciated all the people who logged on and waited to speak and those who submitted written comments.

Commissioner Hall reiterated that in looking at the Staff report and what they were being asked to do, she would like to see better good cause for the exceptions to the setbacks and the building height.

Commissioner Thimm commented on Empire Avenue where the parking structure is actually the face of the building along the side. In terms of what is across the street and respecting that part of the neighborhood, if there was a way to bring some residential units that might have brownstone style stoops at the entry, it would tend to soften the Empire Avenue face. If they deal with the massing on the Empire Avenue side, it will go a long way in answering some of the questions that have been raised with regard to Parcel B. Chair Phillips agreed.

Chair Phillips thought the Planning Commission heard good public input this evening and it was all fairly consistent. He recognized a fantastic Staff report and the hard work by Planner Ananth. Chair Phillips thought the applicant put forth a good description of how and why they came to where they are and how they see this project. He noted that it is a balloon analogy where they push and pull, and everything eventually gets shuffled around. He thought the applicant had done a good job of looking at how to put this project together. In general, he thought the applicant had done a good job and they appeared to be receptive to the input. He encouraged the applicants to continue with how they have conducted themselves.

Chair Phillips generally agreed with the Staff's comments. Pushing the landscape plan to the CUP level is appropriate, as well as some portions of the architectural review. Chair Phillips was comfortable with shifting the density to Parcel C. In looking at the plan with the setback requests, he thought the logic used to place the buildings was well-done overall. He also thought they had improved the view corridor drastically as people enter the Resort. Chair Phillips was in favor of most of the requested setback

reductions on all of the buildings. However, he agreed with the Staff on Building B, and with the comments by the public and Commissioner Thimm regarding Building B. Chair Phillips thought it was important to maintain the connection up through 14th Street, especially since the City is making an effort down lower to create connectivity. It is also seemed to be an important component in the original Development Agreement. He felt strongly about finding a way to make that happen.

Chair Phillips stated that another reason the exceptions should be given is because without those exceptions they will need to move the building into the view corridor. He pointed out that the exceptions are primarily corners or short facades of buildings. It is not a large exception and it is not creating an issue with the facade like it does on Building B. He stated that if there is a way to continue the connection to 14th Street, that will help break up that facade.

Chair Phillips liked Ms. Lazenby's comment about the 80/20 on Parcel B. He believed that is where most of the work needs to be done. Chair Phillips noted that many of the comments were geared towards transportation and parking, which highlights the importance of those issues. Chair Phillips understood from the presentation this evening that parking was dictating how this project was playing out. Chair Phillips believed the City would like to have more involvement with the transit portion. Chair Phillips stated that he would personally like to see the City, Vail, and this applicant partner and work together on the transit hub portion of this project. He outlined opportunities for the transit hub that might be possible if all the parties can work together. He suggested that if they could build the transportation component first, they might be able to get through one season without full parking and move that balloon in a direction that would benefit everyone and help address concerns with height, setbacks and the other issues they were trying to balance.

Jessica Nelson reported that she received two additional eComments after the public hearing was closed. She wanted Sherry Harding and Justin Keyes to know that their comments were received, and they would be included in the Staff report that goes to the Planning Commission before the next meeting. Jessica clarified that their comments would not be read aloud this evening because they came in after the public hearing was closed.

Planner Ananth stated that the City Attorney asked her to inform the Planning Commission that there is a proposal in front of the City Council to rezone the Municipal Golf Course adjacent to this project to further protect it from encroaching development. Planner Ananth reported that her recommendation to the City Council was to allow time to continue evaluating this roundabout. That evaluation was not fully completed to see if those roundabouts and the potential taking is imperative to help drive transit to the

Resort. Planner Ananth stated that the City Council is very set on potentially protecting this land from the development. She remarked that if the Planning Commission wanted to weigh in on either holding off or moving forward, now would be the time to express their thoughts and she will take their comments to the City Council on September 17th.

Commissioner Suesser asked for further clarification. She understood where the roundabout was being proposed by the developer and she knew it would require City land from the Municipal golf course. She asked if the City Council was so concerned that they wanted the Commissioner's thoughts on whether or not to protect the golf course.

Planner Ananth explained that the Parks and Recs Commission, as part of the Parks and Rec master planning process has proposed the creation of a new zone that would be called the Urban Park Zone. The zone is intended to protect five iconic City owned parks: Rotary, Creekside, Prospector, City Park, and the Golf Course from development. The idea is to prevent the public or private from proposing development opportunities on these City-owned parks. This new zone was spurred by a housing project that was proposed on the park in front of the Library. Planner Ananth noted that the Planning Commission discussed the Urban Park Zone in a work session on May 13th and again on July 8th when they recommended that the City Council consider the new zone. However, when the Planning Commission reviewed the proposed zone, it only included the northern portion of the Municipal Golf Course, but not the southern portion because this project was being proposed and the Staff had not finished their evaluation. Planner Ananth stated that when the City Council reviewed the new zone in a work session, they wanted to look at preserving the entire golf course from development.

Chair Phillips understood from previous discussions that the purpose of the new zone was to protect the land. At that time, he was conflicted because they were proposing to create a new zone and in the middle of that discussion, they were talking about using some of the golf course for construction. Chair Phillips did not believe they could have it both ways. He was still conflicted, and a part of him was still saying no. Chair Phillips believed the zone has a strong purpose and they should follow through with it. In his opinion, the new road configuration will need to be moved.

Commissioner Thimm asked if the new zone precludes rights-of-way occurring within that zone. He pointed out that it would essentially be moving the right-of-way. It would not be a building. Planner Ananth was not prepared to answer that question and offered to look into it further. Commissioner Thimm asked if there is a Plan B if the property is not acquired. Planner Ananth answered yes.

Mr. Schmidt commented on the roundabout issue and the right-of-way. He noted that PEG Development became aware of this a couple of weeks ago when the zone was expanded from the north half to south half, and it became an issue. He stated that PEG is committed to looking at alternatives and looking at the Plan B. They were still in that process and did not have answers as to what they can or cannot do. Mr. Schmidt stated that the option of moving roundabouts changes the geometry and when that happens, they do not function as well or function at all. He reported that the options being evaluated are to move the roundabouts, change the geometry, and see if there are impacts. If they cannot evaluate a roundabout, the only other option is to evaluate a signal at those intersections.

Commissioner Kenworthy thought the City Council should be made aware that the Planning Commission did not have a chance to analyze the transit plan for this critical use, which he considers good cause and a City benefit. He hoped the Council would understand and delay action until the Planning Commission has the opportunity to analyze it and provide input.

Director Erickson thought the Planning Commission should leave it to the City Council. He noted that they talked about two-phased zoning for the golf course and the Staff would provide a recommendation as soon as the transit options are reviewed on Silver King Drive.

MOTION: Commissioner Thimm moved to CONTINUE the public hearing process for the Park City Mountain Resort Base MPD modification to September 23, 2020. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 10:25 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Communication



Subject: A Note of Appreciation
Date: September 9, 2020

Planner Hannah Tyler started working as an intern for the Park City Planning Department in 2012. Over an eight-year period, Hannah was promoted from intern, to junior planner, to senior planner.

Planner Tyler has accomplished many things, ranging from the McPolin Barn Preservation Plan, to permitting for the Sundance Film Festival, to updating the Historic District Design Guidelines and Historic District Land Management Code, to the Conventional Chain Business Ordinance on Main Street, to the regulation of Food Trucks, to Affordable Master Planned Development amendments, to the affordable Woodside Phase I & II developments, to the preservation of Historic Mine Sites, to mentoring staff.

This note is an expression of appreciation for Planner Tyler's dedicated work ethic—and humor—that strengthened the Planning Department over the past several years. We wish Planner Tyler the very best.

Planning Commission Staff Communication



Subject: Technical Advisory Committee for *Park City Forward: A Transportation Blueprint Project*
Date: September 9, 2020
Type of Item: Appointment of Commissioner to the Technical Advisory Committee

Summary Recommendation

Staff recommends the Planning Commission consider appointing Commissioner Laura Suesser to serve on the Technical Advisory Committee for *Park City Forward: A Transportation Blueprint Project*.

Planning Commission Staff Communication

Subject: Richardson Flat Area
Date: September 9, 2020
Type of Item: Informational



Summary

Staff will provide the Commission with an update regarding the Richardson Flat area.

Planning Commission Staff Report



Subject: 1128 Park Avenue Conditional Use Permit
Application: PL-20-04607
Author: Caitlyn Barhorst
Date: September 9, 2020
Type of Item: Administrative

Summary Recommendations

Staff recommends the Planning Commission continue the Conditional Use Permit for 1128 Park Avenue to September 23, 2020.

Description

Applicant: Mark Alter, represented by Kevin Horn, Architect
Location: 1128 Park Avenue
Zoning District: Historic Residential- Medium Density (HRM) District
Historic Designation: Landmark
Reason for Review: Conditional Use Permits are reviewed by the Planning Commission

Executive Summary

On July 27, 2020, the Planning Department received a complete Conditional Use Permit application for 1128 Park Avenue. The applicant is proposing to construct a basement addition using the footprint of the existing Historic Structure located within the Building Setback.



PLANNING DEPARTMENT

Planning Commission Staff Report

Subject: Twisted Branch Subdivision
Application: PL-17-03664
Author: Alexandra Ananth, Senior Planner
Date: September 9, 2020
Type of Item: Administrative – Plat Amendment

Recommendation

Planning Department Staff recommends that the Planning Commission open a Public Hearing and **Continue** the item to October 14, 2020.

Description

Proposal: Twisted Branch Subdivision, an existing private road owned by REDUS Park City LLC, to create two (2) platted lots of record

Applicant: REDUS Park City, LLC

Zoning: RD-MPD and ROS-MPD, subject to the 2007 Flagstaff Development Agreement (Amended Agreement)

Adjacent Land Uses: Deer Valley Resort, Marsac Avenue/ SR 224 (aka Guardsman Road), B2 East Subdivision (undeveloped multi-family residential), Red Cloud Subdivision (single family houses and vacant lots), open space areas and trails and conservation easement properties

Reason for Review: Subdivision plats require Planning Commission review and City Council approval

Planning Commission Staff Report



Subject: Dark Sky Amendments
Application: PL-20-04545
Authors: Rebecca Ward; Elizabeth Jackson
Date: September 9, 2020
Type of Item: Work Session – Legislative

Summary Recommendations

Staff requests that the Commission consider potential Land Management Code amendments to align the Lighting Code with Summit County and the International Dark-Sky Association standards.

Acronyms

IDA	International Dark-Sky Association
LMC	Land Management Code
MCPC	Municipal Code of Park City
SBDC	Snyderville Basin Development Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

The Dark Sky Movement and the International Dark-Sky Association

The dark sky movement began as a method of reducing light pollution and preserving the visibility of the night sky. The first Dark Sky Ordinance was enacted in 1958 in Flagstaff, Arizona. In 2001, Flagstaff became the first International Dark Sky Community, a designation given by the [International Dark-Sky Association](#) (IDA) to recognize exceptional preservation of the night sky through effective lighting regulations, public outreach and education, and citizen support. Although Flagstaff's population is more than 70,000, the Milky Way is still visible at night.

IDA is a non-profit organization that provides resources and education on the benefits of dark skies to protect the night skies for present and future generations. IDA sets light pollution-limiting standards for outdoor lighting that communities can implement. According to IDA, the concept of preserving the night sky is not only beneficial for a community's tourism and economy, but also its environmental and public health.

The International Dark-Sky Association recognizes many locations within Utah for exceptional night skies

Some communities and state and national parks in Utah protect the night sky. Many are linked to the state's tourism industry. In the initial Park City Vision 2020 process, the community prioritized Sustainable Tourism. As the City continues the visioning process

and defines Sustainable Tourism, protecting the night sky may be considered an enhancement to the City's resort and tourism experience and economy.

IDA designated two Utah communities International Dark Sky Communities – [Helper](#) and [Torrey](#). IDA designated 12 Dark Sky Parks in Utah, including [Antelope Island State Park](#), [Arches National Park](#), [Bryce Canyon National Park](#), [Canyonlands National Park](#), [Capital Reef National Park](#), [Cedar Breaks National Monument](#), [Dead Horse Point State Park](#), [Dinosaur National Monument](#), [Goblin Valley State Park](#), [Natural Bridges National Monument](#), [Weber County North Fork Park](#), and [East Canyon State Park](#). Dark Sky Parks offer exceptional night sky quality and a nocturnal environment that is protected for scientific, natural, educational, and cultural heritage.



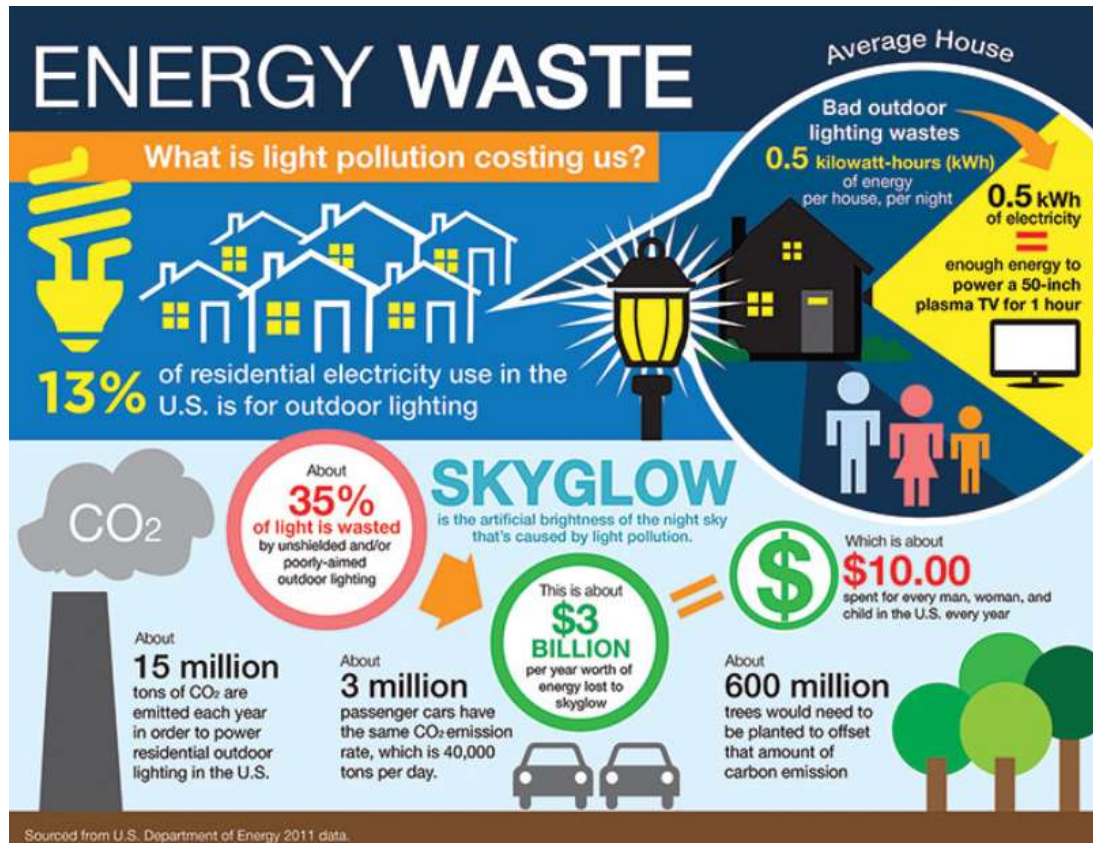
Source: IDA. Lights from cities along the Wasatch Front and the Milky Way arching overhead as seen from Ben Lomond Mountain above North Fork Park, Utah. The area draws many for cross-country skiing. Photo by Casey Grimley.

Additionally, IDA designated [Rainbow Bridge Monument](#) a Dark Sky Sanctuary. A Dark Sky Sanctuary has exceptional or distinguished visibility of the night sky and is protected for its scientific, natural, educational, or cultural heritage. A Sanctuary designation raises awareness of the need for long-term preservation of Sanctuary night skies.

Dark Sky regulations achieve more than visibility of the night sky:

(a) Light pollution wastes energy

IDA estimates that nearly 35% of light is wasted because it is unshielded or poorly aimed.¹



Source: IDA <https://www.darksky.org/light-pollution/energy-waste/>

(b) Light pollution disrupts the ecosystem and wildlife

Artificial light disrupts plant and animal behaviors, impacting reproduction, nourishment, sleep, and protection.²

(c) Light pollution impacts human health

Artificial light at night disrupts circadian rhythms and melatonin, which can impact the immune system. Light pollution is believed to increase the risk of obesity, depression, sleep disorders, and diabetes.³

¹ <https://www.darksky.org/light-pollution/energy-waste/>

² <https://www.darksky.org/light-pollution/wildlife/>

³ <https://www.darksky.org/light-pollution/human-health/>

(d) Light pollution may reduce public safety

More studies are needed, but some preliminary studies indicate that lights do not prevent crime. Some studies even conclude that glare from excessive lights can impact visibility and create hazards.⁴ However, Dark Sky regulations do not prohibit lighting for safety. Rather, the regulations recommend using timer and motion-sensor devices to ensure that light is available when it is needed.

Dark Sky Regulations are based on the following principles:



Park City has considered protection of the night sky a priority for many years

The dark sky concept of limiting a community's outdoor lighting in order to preserve and enhance the night sky's visibility has been a topic of discussion in Park City for years. [Ordinance No. 98-7](#) (p. 237), *Amending Chapters 9 and 13 of the Land Management Code of Park City Regarding the Regulation of Lighting Standards for Commercial, Recreational, and Residential Uses in all Zoning Districts*, established the current lighting regulations. This Ordinance, enacted in 1998, was developed to minimize light trespass, glare, and light pollution.

Despite the lighting regulations implemented in the 1990s, the City recognized an opportunity to improve night sky protections. The City Council passed [Resolution No. 22-10](#), *Declaring Park City's Vision, Goals, Policies and Action Plan in Promotion of Environmental Initiatives for the City and the Community*, which outlined a goal to incorporate environmental considerations as an integral part in assessing growth

⁴ <https://www.darksky.org/light-pollution/lighting-crime-and-safety/>

management options, land use plans, transportation plans, and development proposals. Objective 4.3 was to “[i]mprove visibility of night sky.”

The policy of mitigating impacts of lighting on the night sky is woven throughout the General Plan and Land Management Code. The General Plan establishes a strategy to “improve visibility of night sky through enforcement of the existing light ordinance and potential enactment of a new night sky ordinance.” ([City Implementation Strategy 5.14](#), p. 11.) The LMC is “designed, enacted, restated and reorganized to implement the goals and policies of the Park City General Plan . . . [for the] preservation of night skies.” LMC [§ 15-1-2\(F\)](#).

The City is working to update lighting to Dark Sky standards

In a [March 3, 2016 report](#) to the City Council (p. 98), the City Engineering provided an update on efforts to meet Dark Sky standards with lighting in the Rights-of-Way (ROW). The standard lights are now LED lights, 2700 degrees Kelvin.

As lighting is updated for City buildings, LED lamps 2700 to 3000 degrees Kelvin are installed, with higher degrees Kelvin installed as needed for public safety or for luminaires that are not compatible with 3000 degrees Kelvin lamps.

The Trails Master Plan outlines Trails lighting standards and requires that trails lighting comply with the LMC lighting regulations. Currently, many of the trails lights are down-directed.

Recreational Lighting is exempt from certain LMC lighting requirements but must be turned off within 30 minutes of the last game, practice, or event, or turned off by 11:00 PM.⁵ Lighting for the Park City Sports Complex may eventually be replaced with LED lights to reduce glare.

The current Land Management Code lighting standards are outdated

Applicants are required to comply with LMC [§ 15-5-5\(J\)](#), *Lighting*, at the building permit review stage. This Section of the LMC establishes wattage, fixture, and light source standards and regulations for certain types of lighting, including gas station canopies, building canopy and soffits, construction sites, landscapes, recreational, residential, and outdoor display lots. However, due to evolving lighting technology, some of the provisions within the LMC are outdated.

Additionally, in [March of 2019](#), the Summit County Council adopted amendments to the Snyderville Basin Development Code (SBDC) Lighting Regulations outlined in SBDC [§ 10-4-21](#). These amendments encompass many dark sky principles. The proposed LMC amendments will better align Park City lighting regulations with those of Summit County. Staff recommends implementing 14 amendments to the LMC lighting code, outlined below.

⁵ LMC [§ 15-5-5\(J\)\(11\)](#).

Analysis⁶

(1) Amend the *Purpose* subsection of the lighting code to reflect night sky protections outlined elsewhere in the LMC.

PURPOSE. The functional objectives in providing exterior Area lighting are to illuminate Areas necessary for safe, comfortable and energy efficient Use. The number of fixtures shall be limited to provide for safe entry and egress and for sign and Business identification. Illumination of new Building features for architectural enhancement is prohibited. Historic Structures may be illuminated under the terms prescribed in this Code.

LMC [§ 15-5-5\(J\)\(1\)](#)

The current *Purpose* subsection of the lighting code outlines the objective of the lighting code to provide “exterior Area lighting . . . to illuminate Areas necessary for safe, comfortable and energy efficient Use,” but the *Purpose* Section also includes information on lighting prohibitions and Historic Structure lighting. Staff recommends creating a subsection to address lighting prohibitions (discussed in detail below), as well as a subsection to address lighting in the Historic Zoning Districts (also discussed below).

Staff proposes amending the *Purpose* subsection of the lighting code to include the night sky protections outlined in LMC [§ 15-5-1](#), *Policy And Purpose*, the general statement for the Architectural Review LMC Chapter:

It is the intent of this section to encourage lighting practices and systems which will minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining night time safety, utility, and security; and curtail the degradation of the night time visual environment.

It is recognized that the topography, atmospheric conditions and resort nature of Park City are unique and valuable to the community. The enjoyment of a starry night is an experience the community desires to preserve. The City of Park City, through the provisions herein contained, promotes the reduction of light pollution that interferes with the enjoyment of the night sky.

⁶ For this report, staff looked to the International Dark-Sky Association and The Consortium for Dark Sky Studies at the University of Utah and to the following lighting codes: Flagstaff, Arizona; Page, Arizona; Sedona, Arizona; Calimesa, California; Goleta, California; Aspen, Colorado; Boulder, Colorado; Ketchum, Idaho; Kanab, Utah; Moab, Utah; Ogden Valley, Utah; Springdale, Utah; Summit County, Utah; Torrey, Utah; and Jackson, Wyoming.

(2) Enact a subsection to establish a light trespass standard.

IDA defines light trespass as “light falling where it is not intended or needed.”⁷

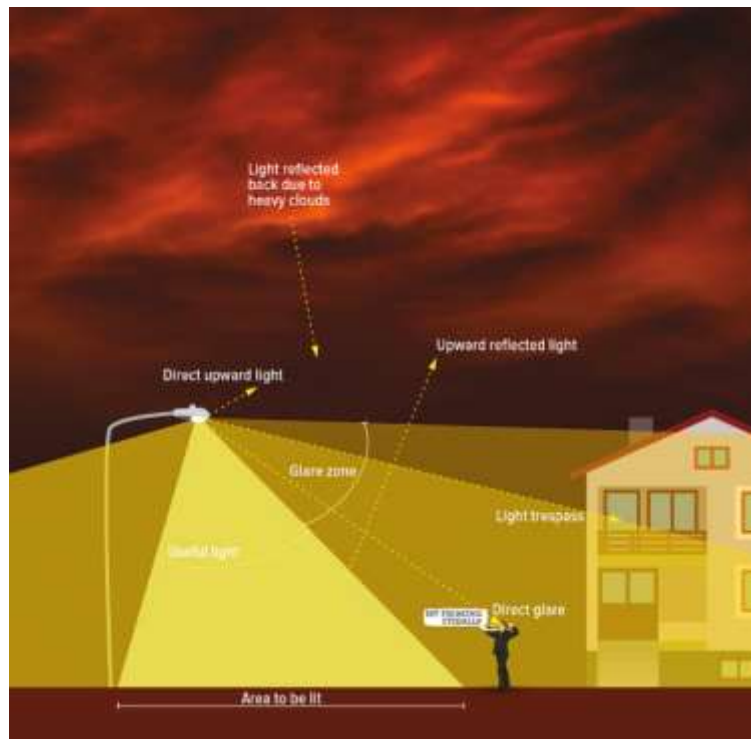


Image by Anezka Gocova, in *The Night Issue*, *Alternatives Journal* 39:5 (2013), obtained from <https://www.darksky.org/light-pollution/>

Some municipal lighting codes clearly prohibit outdoor lighting from illuminating beyond property lines. For example, the SBDC includes a provision that establishes a light trespass standard: “[a]ll light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source.” SBDC [§ 10-4-21\(F\)](#).

The LMC does not contain a light trespass standard and staff recommends amending the LMC to include this standard.

(3) Remove the Foot Candle measurements from the LMC.

LMC [§ 15-15-1](#) defines *Foot Candle* as follows:

FOOT CANDLE. A unit for measuring the amount of illumination on a surface. The measurement is a candle power divided by distance.

⁷ <https://www.darksky.org/our-work/grassroots-advocacy/resources/glossary/>

Foot Candle, Average (afc). The level of light measured at an average point of illumination between the brightest and darkest Areas, at the ground surface or four to five feet (4' to 5') above the ground surface.

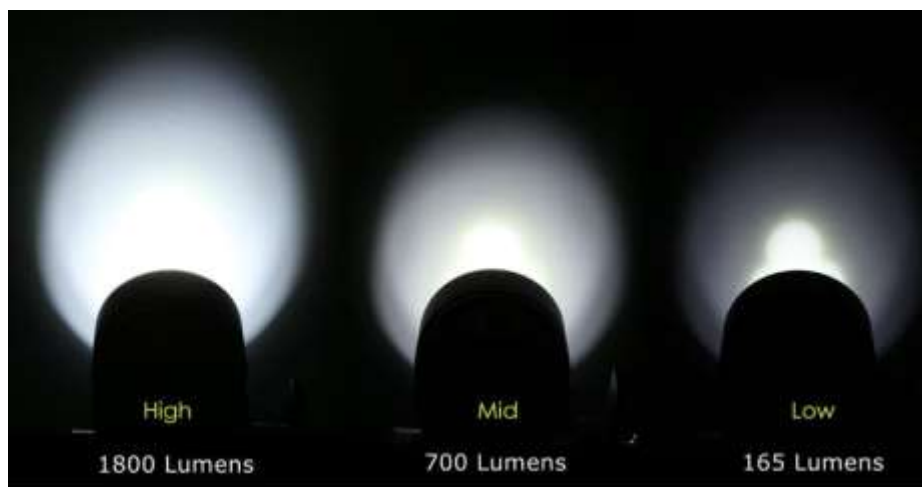
Foot Candle, Horizontal (hfc). A unit of illumination produced on a horizontal surface, all points of which are one foot (1') from a uniform point source of one (1) candle.

Foot Candle, Vertical (vfc). A unit of illumination produced on a vertical surface, all points of which are one foot (1') from a uniform point source of one (1) candle.

Foot Candles measure the amount of visible light falling on a surface. However, implementing an updated metric for lighting may better help protect the night sky. Summit County removed the term “Foot Candles” from the County lighting regulations in 2019 and bases lighting regulations on Lumens. Basing regulations on Lumens clearly establishes the standard for applicants and simplifies the review process for staff.

(4) Establish lumens as the metric for lighting regulations and set a maximum lumen per fixture and property.

LMC [§ 15-15-1](#) defines *Lumen* as “[a] measurement of light output or the amount of light emitting from a Luminaire.” (A Luminaire is a light fixture.) The higher the number, the brighter the light.



Source: SBDC § 10-4-21

The SBDC establishes maximum Lumens for individual fixtures, as well as for properties. Single-Family Dwellings may have 2,000 Lumens per fixture and 20,000 Lumens per residence. All other developments may have up to 2,500 Lumens per fixture and 100,000 Lumens per acre. SBDC [§ 10-4-21\(K\)](#).

Amending the LMC to transition from Foot Candles to Lumens as a metric provides a more straight-forward analysis for staff when reviewing lighting plans, and also provides

opportunities to regulate other elements of lighting like the color temperature.

(5) Establish a maximum of 3,000 degrees Kelvin for outdoor lighting with a few exceptions.

Color temperature is expressed in degrees Kelvin on a scale from 0 – 10,000. Over 5,000 degrees Kelvin is considered to be cool (bluish) and 2,700-3,000 degrees Kelvin is considered to be warm (yellowish).

IDA recommends establishing a maximum of 3,000 degrees Kelvin for outdoor lighting to provide warmer light on the yellow spectrum:

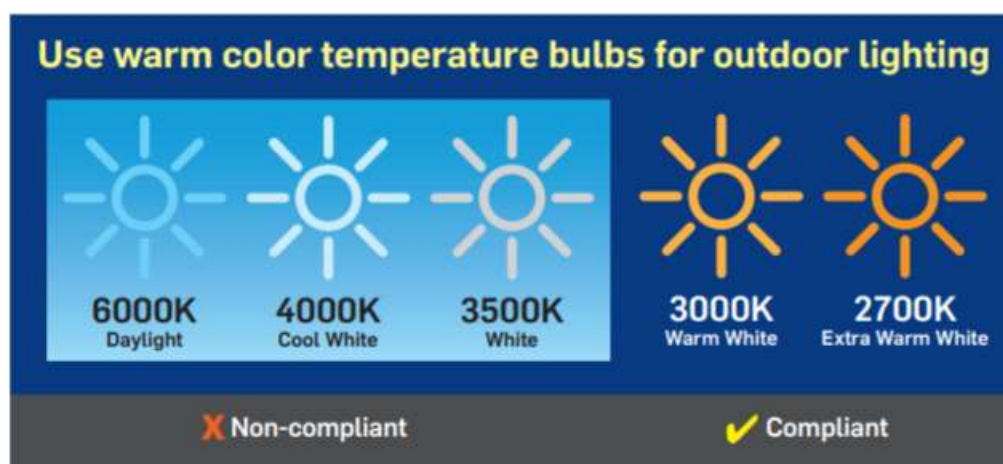


Image Courtesy of Grand County, Utah and Moab, Utah

However, there are certain lights like street lights and lights used for law enforcement activities that may not comply with this restriction. Staff recommends amending the LMC to allow Planning Director discretion to exempt certain lights from the 3,000 degrees Kelvin cap if the Planning Director determines such exemption is in the interest of public safety.

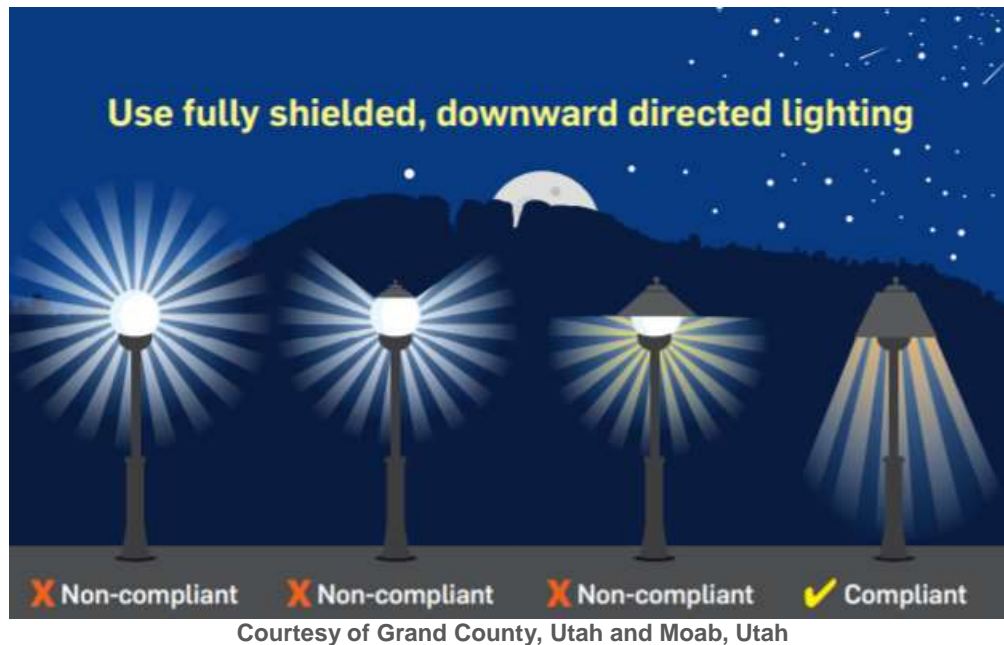
(6) Require all outdoor lighting to be Fully Shielded.

LMC [§15-5-5\(J\)\(6\)](#) regulates the shielding of outdoor lighting. Under the current code, Metal Halide lights (lights used for recreational fields or ski areas) are the only type of lighting that is required to be fully shielded. All other lighting types may be partially shielded.

LMC [§ 15-15-1](#) defines *Fully Shielded* as “[l]uminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.”

IDA recommends that all outdoor lighting be Fully Shielded to best protect the night sky.

As a result, staff recommends amending LMC [§15-5-5\(J\)\(6\)](#) to require that all outdoor lighting be Fully Shielded.



Additionally, landscape lighting and moonlighting – decorative low voltage lighting placed in trees or on a Building to give the effect of moonlight – are not required to be fully shielded. Landscape lighting can quickly culminate into a large number of fixtures, especially considering that Park City has numerous subdivisions with large outdoor Areas. As such, staff recommends that at the least, landscape lighting fixtures be required to be Fully Shielded. However, other communities, including Summit County, prohibit lights used to enhance landscaping.

(7) Amend the LMC to address LEDs.

The LMC lighting code was adopted in 1998 just as Light-Emitting Diode (LED) technology was becoming widespread. As a result, the lighting code is silent on LEDs. When the lighting code was adopted, high pressure sodium lighting was considered to be the preferred lighting due to its warm color and energy efficiency. IDA clarifies that while high pressure sodium lighting has a warm color—which aligns with the color temperature guidelines of dark sky lighting—LEDs have a longer lifespan, are dimmable, and are more energy efficient. LEDs are also available in warm temperatures and the proposed adoption of a cap of 3,000 degrees Kelvin will help ensure that LED lights installed on properties within the City cast a warmer light.

LMC [§ 15-5-5\(J\)\(12\)](#), *Residential Lighting*, states that compact fluorescent lights (CFLs) are the recommended lights for residential lighting. While CFLs are more energy efficient than incandescent bulbs, CFLs contain mercury, produce light in 360 degrees,

and can produce a greenish hue. While the hue of CFLs has improved over time, CFLs still contain toxic mercury. As a result, staff recommends amending this provision to recommend LEDs for residential lighting rather than CFLs.

(8) Amend LMC § 15-3-3(C), *Parking Area Lighting*, to align with the lighting code and establish additional setback and sensor requirements for lighting in large parking lots.

Parking Area Lighting is regulated outside of the lighting code, under LMC [§ 15-3-3\(C\)](#), *General Parking Area And Driveway Standards – Parking Area Lighting*. Staff recommends updating this Section of the LMC to include the proposed dark sky regulations with additional setback and sensor requirements to protect neighboring properties from Parking Area Lighting, which is allowed to be installed with fixtures as high as 20 feet.

For example, Summit County requires additional setback requirements for lighting in parking lots: “[a]ll pole top mounted parking lot lights shall be set back from property lines a distance equal to two and one-half (2 ½) times the height of the pole.” SBDC [§ 10-4-21\(L\)\(2\)](#). Additionally, the County requires that parking lots greater than one acre in size install fixtures that are dimmable and have motion sensors. *Id.*

(9) Establish heightened outdoor lighting standards for Ridgeline Development lighting within the Sensitive Lands Ordinance.

Summit County’s Code heightens the shielding of lights to mitigate glare or trespass for development in the County’s Ridgeline Overlay Zone, established in SBDC [§ 10-4-3\(C\)](#). SBDC [§ 10-4-21\(G\)](#), *Ridgeline Development*, states that in certain cases, additional shielding of lights may be required for development located within the Ridgeline Overlay Zone and that lighting considerations must be taken into account as part of the review process outlined in the County’s Ridgeline Overlay Zone regulations.

Staff recommends that the Commission consider including additional criteria within the lighting code to address developments on ridge lines and steep slopes, reviewed pursuant to LMC [Chapter 15-2.21](#), *Sensitive Land Overlay Zone Regulations*. Additional considerations for developments in highly visible areas of the City may help to reduce light pollution in sensitive viewshed Areas.

(10) Consolidate lighting regulations for Historic Structures and the Historic Districts into one subsection and clarify the definition of Historic Lighting.

Lighting regulations for Historic Structures and Historic Districts are sprinkled throughout the lighting code. Staff recommends consolidating these lighting regulations in one subsection titled “LIGHTING FOR HISTORIC STRUCTURES AND THE HISTORIC ZONING DISTRICTS.”

Additionally, staff recommends clarifying the definition of historic fixtures. Currently, the lighting code states that historic fixtures are fixtures that are fifty years or older and contribute to the architectural and cultural character of the Historic District. However, Applicants could argue that any lighting installed prior to 1970 meets this definition. Staff recommends citing LMC [§ 15-11-10](#) in regards to lighting fixtures to outline the criteria considered to evaluate the historical significance of a lighting fixture.

(11) Consolidate all prohibited lighting in one subsection.

LMC [§ 15-5-5\(J\)\(15\)](#), *Prohibitions*, state that mercury vapor lamps, laser Light Sources, unshielded floodlights or spotlights, metal halide (except for recreational uses), and searchlights are prohibited. However, the lighting code contains prohibitions throughout, including the following:

- Illumination of Building features for architectural enhancement is prohibited.
LMC [§ 15-5-5\(J\)\(1\)](#)
- Uplighting for landscaping and moonlighting is prohibited.
LMC [§ 15-5-5\(J\)\(10\)](#)
- Lighting exterior Building features for architectural interest is prohibited.
LMC [§ 15-5-5\(J\)\(12\)](#)
- Spelling out the name of a Business with seasonal lights is prohibited.
LMC [§ 15-5-5\(J\)\(13\)](#)

Staff recommends consolidating these prohibitions into one subsection.

(12) Replace the term “Fossil Fuel Light” with “Gas Lamp.”

LMC [§ 15-5-5\(J\)\(16\)](#) states that all outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of the code. Staff recommends updating this subsection to refer to a gas lamp rather than to lights produced by fossil fuels.

(13) Update and add definitions to the LMC to establish consistent use and application of the terms *Floodlight*, *Fully Shielded Fixture*, *Light Trespass*, and *Spotlight*. Remove outdated terms like *up-light*, *spill light*, and *Master Festival License*.

The following definitions are based on the IDA [Glossary](#):

Floodlight – a fixture designed to flood an Area with light.

Fully Shielded Fixture – an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal and all light is directed downward.

Light Trespass – artificial light that falls beyond the legal boundaries of the property it is intended to illuminate.

Spotlight – a fixture designed to light only a small, well-defined Area.

(14) Existing lawful, nonconforming lights may continue consistent with LMC § 15-5-5(J)(16)(a) and LMC Title 15, Chapter 9 unless otherwise specified in the adopting ordinance. Consistent with state law, the City may establish a timeline or create incentives for property owners to bring lighting into compliance with the LMC.

LMC [§ 15-5-5\(J\)\(16\)](#) exempts outdoor lighting installed prior to heightened regulations enacted in 1998. Some communities with similar exemptions for older installations establish a timeline of two to five years to allow residents and business owners to bring their lighting into compliance with heightened standards. Other communities have established a grant program wherein the City covers a percentage of the cost for a property owner to update their outdoor lighting to come into compliance with night sky lighting.

For example, Grand County and Moab require all property owners to come into compliance with their Dark Skies Ordinance within 5 years of its enactment. To help property owners meet the heightened lighting standards, Grand County and Moab created an Outdoor Lighting Retrofit Assistance Program to provide financial help and resources to full-time residents (Exhibit A).

Summit County enacted the SBDC lighting regulation updates in 2019 and established the following requirements for compliance:

- All new applications for projects including more than 1,500 square feet must comply
- All lighting that replaces damaged or inoperative lighting must comply
- All other non-complying lighting must comply within five years

SBDC [§ 10-4-21\(C\)](#)

Public Outreach

Staff recommends the initiation of an outreach process to educate the public on the importance of protecting the night sky prior to requiring the retrofitting of non-compliant lighting.

When IDA designates a Dark Sky Community, IDA considers not only the effectiveness of the lighting regulations, but also the effort to educate the public on the importance of protecting the night sky and the overall community support for dark skies.

Staff recommends that prior to enacting any LMC amendments:

- Staff begins the process of reaching out to the community. Staff is compiling a list of organizations to contact, including the resorts, homeowner associations, the Historic Park City Alliance, the Park City Homebuilders Association, and the Park City Lodging Association.
- Staff creates a webpage on the Planning Department site that provides information on dark sky regulations, the community benefits of these regulations, and links to resources.
- Staff works with the Communications Department to reach the public through social media.
- Staff creates a [mailer](#), similar to what Grand County and Moab, Utah developed.

Additional Considerations

Based on the Commission's recommendation to the City Council, the Council will conduct a work session on Nightly Rental regulations outlined in MCPC [§ 4-5-3](#), *Regulation Of Nightly Rentals*. There may be an opportunity to amend the code to require that outdoor lighting be turned off when Nightly Rentals are vacant.

Additionally, staff will work with the Engineering and Transportation Departments to establish land use lighting limitations for street lights proposed for new roads as part of a subdivision approval, as well as lighting standards for bus stops that are constructed as part of a Master Planned Development.

Department Review

Staff reached out to the Public Works, Recreation, and Sustainability Departments to develop this report. The Planning, Engineering, and Legal Departments reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on August 26, 2020. The *Park Record* published notice on August 26, 2020. LMC [§ 15-1-21](#).

Exhibit

Exhibit A Grand County and Moab Outdoor Lighting Retrofit Assistance



Grand County and City of Moab Outdoor Lighting Retrofit Assistance

Moab Dark Skies is pleased to announce the Outdoor Lighting Retrofit Assistance Program. This program provides financial help and resources to full-time Moab City and Grand County residents so that they may acquire code-compliant exterior lighting fixtures and bulbs for their homes.

If you meet ALL of the following criteria for receiving assistance, please fill out this application and **mail it to the address below**. *No applications will be taken by any other means.*

- **Must own the home where fixtures will be installed**
- **Must be able to install fixtures on your own**
- **Must be a permanent, full-time resident to qualify**

Name(s):

Mailing Address:

Street Address:

Phone:

Annual Household Income:

Email:

Signature:

Date: / /

Mail to:



Friends of **Arches** and
Canyonlands Parks

P.O. Box 1680, Moab, UT 84532

For more information, send an email to: **crystal@foacp.org**

Planning Commission Staff Report



Subject: Master Planned Developments
Application: PL-20-04498
Author: Rebecca Ward, Land Use Policy Analyst
Date: September 9, 2020
Type of Item: Legislative – Land Management Code Amendment

Summary Recommendation

Staff recommends the Planning Commission review the Master Planned Development Land Management Code amendments, hold a public hearing, and consider forwarding a positive recommendation for City Council's consideration on October 1, 2020.

Description

Applicant: Planning Department

LMC Amendment: Chapter 15-6, *Master Planned Developments*

Sections Amended: § 15-2.10-2; § 15-2.11-2; § 15-2.12-2; § 15-2.13-2; § 15-2.14-2; § 15-2.15-2; § 15-2.16-2; § 15-2.17-2; § 15-2.18-2; § 15-2.19-2; § 15-2.22-2; § 15-2.23-2; § 15-6-1; § 15-6-2; § 15-6-3; § 15-6-4; § 15-6-5; § 15-6-6; and § 15-6-7

Reason for Review: Land Management Code amendments require Planning Commission review and recommendation to the City Council for Final Action

Acronyms

CUP Conditional Use Permit
LMC Land Management Code
MPD Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Executive Summary

The purpose of the Master Planned Development (MPD) amendments is to update and clean-up Land Management Code (LMC) Chapter 15-6 in order to simplify and clarify the application process and staff and Commission review. The amendments in this report encompass Phase I of many phases:

- Phase II will refine Accessory Use definitions that are exempt from Unit Equivalents, reinstate some limitations for Accessory Uses, and clarify the conversion of Units to Unit Equivalents in volume-based zones.
- Phase III will amend *Master Planned Affordable Housing Development* to incentivize public-private partnership development of affordable housing through

reduced parking and increased height, based on a report that is being produced by a third-party consultant, Cascadia.

- Staff is collaborating with other City departments on additional MPD amendments. Staff is working with the Sustainability Department to update the standards within the MPD Chapter and to align with the Community Advisory Committee work to incentivize net-zero developments. Staff is also working with the Engineering and Transportation Departments to update the MPD Chapter to align with *Park City Forward*, the City's Transportation Master Plan that is under development, to implement active transportation connectivity review standards.

Background

The Commission reviewed the Phase I amendments in a May 13, 2020 ([Staff Report; Minutes](#), p. 7 - 19) and July 22, 2020 work session ([Staff Report; Audio](#)).

In the July 22 work session, the Commission requested that the proposed amendments regarding substantive and minor modifications be clarified. This is addressed in the Analysis Section (2) below.

The Commission also requested that the following be addressed in future MPD amendments:

- Review the Treasure Hill review process and:
 - Clarify whether retaining walls fall under the definition of Structures;
 - Limit the allowed deviation from Existing Grade;
 - Evaluate the back-of-house issue (this will be addressed in Phase II);
 - Identify lessons learned and amend the MPD Chapter accordingly;
 - Require a 3D model to be submitted with MPD applications.
 - This requirement will be addressed through an amendment to the MPD application and will not require a code amendment.

The Commission also asked about financial assurances or bonding requirements required for MPD approvals. The Planning Director stated that the MPD approvals are capped with a time limit for construction to begin. If this time limit is not met, the MPD approval expires and a new review and approval is required.

Analysis

The Commission has the primary responsibility of reviewing LMC amendments and forwarding a recommendation for City Council's consideration.¹

(1) CLEAN UP REMNANT CODE FROM WHEN PRE-MPD APPLICATIONS WERE REQUIRED.

¹ LMC [§ 15-12-15\(B\)\(3\)](#).

In 2017, City Council amended LMC Chapter 15-6 to remove the Pre-MPD Application requirement ([Ordinance 2017-15](#)). However, some Pre-MPD Application processes and requirements remain in the LMC, resulting in conflicting provisions. Staff recommends amending LMC § 15-6-4, *Process*, to clean up remnant language from the Pre-MPD requirement, to clarify that a pre-application conference with staff is optional, and to outline the Application requirements that must be met prior to scheduling a work session with the Commission.

(2) OUTLINE SUBSTANTIVE MODIFICATIONS THAT TRIGGER ADDITIONAL COMMISSION REVIEW AND APPROVAL AND ALLOW THE PLANNING DIRECTOR TO APPROVE MINOR MODIFICATIONS.

In the July 22 work session, the Commission recommended clarifying (a) the intention behind distinguishing between minor and substantive modifications; (b) Planning Director discretion; (c) the trigger for substantive modifications based on the degree of impacts; and (d) that minor and substantive are the only possible modification categories.

The proposed amendment to § 15-6-4(I) is below:

MPD MODIFICATIONS.

The Planning Director shall determine whether a proposed modification to a Master Planned Development is minor or substantive.

1. Minor Modification. A minor modification to a Master Planned Development is a modification that complies with the Land Management Code and Master Planned Development approval and does not trigger additional Off-Street Parking requirements, does not reduce Open Space, and does not increase traffic by 5% or more as demonstrated by a traffic generation study. The Planning Director shall review and take Final Action on a minor modification to a Master Planned Development and shall issue an Administrative Permit for an approval. The Administrative Permit approval of minor modifications may be appealed to the Planning Commission.

2. Substantive Modifications. Substantive ~~[Changes in]~~ modifications to an

approved Master Planned Development create additional impacts and ~~[, which constitute a change in concept, Density, unit type, or configuration of any portion or phase of the MPD will justify]~~ require review of the entire ~~[master plan]~~ Master Planned Development and Development Agreement by the Planning Commission, unless otherwise specified in the Development Agreement. ~~If the modifications are determined to be substantive, the project will be required to go through the pre-Application public hearing and determination of compliance as outlined in Section 15-6-4(B) herein.~~ Substantive modifications include but are not limited to a change in Use or an increase in Floor Area that triggers additional Off-Street Parking requirements, a change in Use or an increase in Floor Area that generates more than a 5% increase in traffic demonstrated by a traffic generation study, or a reduction in Open Space.

(3) SEPARATE THE MPD REVIEW PROCESS FROM THE CONDITIONAL USE PERMIT PROCESS

MPDs required a Conditional Use Permit (CUP) when they were first established in the LMC in the early 1980s. Over the years, LMC Chapter 15-6 was amended to specify the Zoning Districts where MPDs are required, allowed, and prohibited. The LMC *Uses* Sections for each Zoning District were not updated to reflect these changes. As a result, LMC [§ 15-6-2](#), which outlines the Zoning Districts where MPDs are allowed—and the individual Zoning District *Uses* Sections—are not aligned.

Also, as the legislature amended state land use law over the years, the legislature limited the Commission's discretion regarding CUPs. The Commission "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."² To better enable the Commission to approve MPDs that meet the goals outlined in LMC [§ 15-6-1](#), including flexibility for well-planned development, staff recommends separating the MPD approval process from the CUP process.

² Utah Code [§ 10-9a-507\(2\)](#).

Amending the *Uses* Sections will further clarify what Uses may be approved for an MPD. LMC [§ 15-6-3](#), *Uses*, states that an MPD “can only contain Uses, which are Permitted or Conditional in the zone(s) in which it is located.” There are some Zoning Districts that call out specific Uses that are only allowed as a Conditional Use if they are part of an MPD. For example, in the Estate Zoning District, Support Retail and Minor Service Commercial are Conditional Uses when approved as part of an MPD. The redlines retain these Uses that are tied to MPD approval.

The Commission will retain the ability to require CUP approval for specific Buildings within an approved Master Planned Development, as well as for different phases of an approved Master Planned Development.³

(4) OUTLINE REQUIRED COMPLIANCE WITH ALL RELEVANT LMC SECTIONS SO THAT THE STANDARDS ARE CONSIDERED AS PART OF THE OVERALL MPD REVIEW

The first required finding and conclusion of law the Commission must make when approving an MPD is that the MPD “complies with all the requirements of the Land Management Code.” LMC [§ 15-6-6\(A\)](#).

To ensure that detailed staff analysis is presented to the Commission for MPD consideration in an approval process separate from the CUP process, staff recommends the following amendment:

15-6-5 MPD Requirements

All Master Planned Developments shall contain the following minimum requirements. Many of the requirements and standards will have to be increased in order for the Planning Commission to make the necessary findings to approve the Master Planned Development.

...

P. LAND MANAGEMENT CODE REVIEW. All Master Planned Development Applications shall be reviewed in accordance with the Land Management Code, including:

1. the underlying Zoning District requirements in Chapter 15-2;
2. relevant Overlay Zoning requirements in Chapter 15-2;
3. Chapter 15-3, *Off-Street Parking*;
4. Chapter 15-4, *Supplementary Regulations*;
5. Chapter 15-5, *Architectural Review*;
6. Chapters 15-7, 15-7.1, 15-7.2, 15-7.3 *Subdivision Provisions*;
7. Chapters 15-11 and 15-13 for Master Planned Developments located in a Historic Zoning District;
8. any other relevant provisions of the Land Management Code.

³ These CUPs will require Commission review and cannot be staff-level administrative review.

(5) NOTE WHEN MORE OR LESS RESTRICTIVE HEIGHT OR SETBACKS ARE APPROVED PURSUANT TO CHAPTER 15-6 IN THE FINDINGS OF FACT, DEVELOPMENT AGREEMENT, AND PLAT

The MPD Chapter provides the Commission with discretion regarding Height and Setbacks. To ensure that Building Permits issued for Structures within the MPD are analyzed under the MPD approval in addition to the LMC standards, staff recommends that any exception for Height or Setbacks pursuant to Chapter 15-6 be included as a Finding of Fact, outlined in the Development Agreement, and notated on the plat.

Staff recommends amending LMC [§ 15-6-4\(G\)](#), *Process*, as follows:

DEVELOPMENT AGREEMENT. Once the Planning Commission has approved the Master Planned Development, the approval shall be put in the form of a Development Agreement. The Development Agreement shall be in a form approved by the City Attorney, and shall contain, at a minimum, the following:

...

2. All relevant zoning [and Land Management Code](#) parameters, including all findings, conclusions, and conditions of approval, [specifying any exceptions pursuant to Chapter 15-6 for more or less restrictive Height or Setbacks](#);

LMC § 15-6-5(C) as follows:

SETBACKS.

...

[6. Final Setback approvals shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development.](#)

LMC § 15-6-5(F) as follows:

BUILDING HEIGHT.

...

[Additional Building Height shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development that includes a Building with an additional Height allowance.](#)

(6) REQUIRE A PUBLIC HEARING PRIOR TO RATIFYING A DEVELOPMENT AGREEMENT AND CLARIFY THAT THE MAYOR SIGNS THE AGREEMENT

Regardless of whether an MPD is approved through Chapter 15-6, an annexation, or any other process, staff recommends a public hearing for the ratification of a Development Agreement. Several recent Development Agreement approvals for MPDs were delayed as a result of external factors and the public is not always aware of the final Development Agreement terms. As a result, staff recommends amending LMC [§ 15-6-4\(G\)\(9\)](#) as follows:

The Planning Commission shall hold a public hearing prior to ratifying a Development Agreement ~~[shall be ratified by the Planning Commission,].~~ A Development Agreement ratified by the Commission shall be signed by the ~~[City Council]~~ Mayor and the Applicant~~;~~ and recorded with the Summit County Recorder. The Development Agreement shall contain language~~[, which allows]~~ to allow for minor, administrative modifications ~~[to occur to the approval]~~ without revision of the agreement. The Applicant shall submit a draft Development Agreement ~~[must be submitted]~~ to the ~~[City]~~ Planning Department within six (6) months of the date the ~~[project was approved by the]~~ approved the Master Planned Development or the Planning Commission approval shall expire.

(7) OUTLINE COMMISSION DISCRETION TO REQUIRE APPLICANTS TO PROVIDE ADDITIONAL STUDIES AND TO FUND THOSE STUDIES

Some MPDs will increase Density and intensity of Uses, resulting in increased traffic or other impacts. For MPDs that significantly increase the Density or intensity of Use, the Commission may request studies that are in addition to what an Applicant is required to submit. Staff recommends amending LMC [§ 15-6-4, Process](#), to clarify that when the Commission requests an additional study, the Applicant fund the study. Staff also suggests that the Transportation Department and City Engineer recommend the methods of modeling and scope for Traffic Studies:

ADDITIONAL STUDIES. The Commission may require Applicants to submit and fund additional studies for Master Planned Development proposals that significantly increase the Density and intensity of Use of a Site. If the Commission requires an Applicant to submit a traffic study, the Transportation Department and City Engineer shall recommend a method of modeling and scope of the study area.

(8) INCLUDE TRAFFIC MITIGATION AS A REQUIRED FINDING AND CONCLUSION FOR AN MPD APPROVAL

LMC § 15-6-6, *Required Findings and Conclusions of Law*, does not address traffic considerations. Staff proposes amending the Section to include Subsection (P) so that the Commission may consider traffic mitigation as part of an MPD approval. This Subsection will be expanded when the active transportation connectivity amendments are completed.

(9) CLEAN UP THE CODE WITH NON-SUBSTANTIVE EDITS

- Comply with Municipal Code of Park City [§ 1-1-1](#) for Code citations
- Comply with MCPC [§ 1-1-6](#) when referencing Titles, Chapters, and Sections
- Comply with LMC [§ 15-15-1](#) and capitalize defined terms as proper nouns
- Edit passive voice to active voice
- Consistently use the serial comma
- Reword sentence structures for clarity
- Replace gender-specific language with gender-neutral language
- Remove duplicated language (highlighted in blue in Exhibit A)
 - LMC 15-6-3(A), *Density*, which duplicates LMC 15-6-5(A)
 - LMC 15-6-7(F), *Off Street Parking*, which duplicates LMC 15-6-5(E)

Department Review

The Planning, Engineering, and Legal Departments reviewed these Land Management Code amendments.

Notice

Staff published notice on the City's website and the Utah Public Notice website on August 20, 2020. The *Park Record* published notice on August 22, 2020. LMC [§ 15-1-21](#).

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: Draft Ordinance and LMC Redlines

Ordinance No. 2020-XX

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTIONS 15-2.10-2; 15-2.11-2; 15-2.12-2. 15-2.13-2; 15-2.14-2; 15-2.15-2; 15-2.16-2; 15-2.17-2; 15-2.18-2; 15-2.19-2; 15-2.22-2; AND 15-2.23-2 TO SEPARATE THE MASTER PLANNED DEVELOPMENT AND CONDITIONAL USE PERMIT REVIEW PROCESS AND LAND MANAGEMENT CODE SECTIONS 15-6-1, 15-6-2, 15-6-3, 15-6-4, 15-6-5, 15-6-6, AND 15-6-7 TO CLEAN UP REMNANT PRE-MPD CODE, TO CLARIFY SUBSTANTIVE AND MINOR MODIFICATIONS; TO NOTE WHEN MORE OR LESS RESTRICTIVE HEIGHT OR SETBACKS ARE APPROVED; TO REQUIRE A PUBLIC HEARING PRIOR TO COMMISSION RATIFICATION OF A DEVELOPMENT AGREEMENT; TO ESTABLISH COMMISSION DISCRETION TO REQUIRE APPLICANTS TO PRODUCE AND FUND ADDITIONAL STUDIES; AND NON-SUBSTANTIVE EDITS FOR CONSISTENCY

WHEREAS, the City Council of Park City, Utah, adopted the Land Management Code to promote the health, safety, and welfare of the residents, visitors, and property owners of Park City;

WHEREAS, the Land Management Code implements the goals, objectives, and policies of the Park City General Plan to maintain the quality of life and experiences for City residents and visitors;

WHEREAS, the purpose of Chapter 15-6 of the Land Management Code is to establish a review process with design flexibility for large and complex Master Planned Developments to set forth use, density, height, parking, design theme, and general site planning criteria that complement natural features of a site; ensures neighborhood compatibility; strengthens the resort character of Park City; results in a net positive contribution of amenities to the community; provides a variety of housing types and configurations; provides the highest value of open space; efficiently and cost-effectively extends and provides infrastructure; provides opportunities for redevelopment; protects residential neighborhoods from impacts of non-residential uses; encourages mixed-use, walkable, and sustainable development; and encourages opportunities for economic diversification and development;

WHEREAS, the City Council enacted Ordinance 2017-15 to remove the Pre-MPD Application requirement, but remnant Pre-MPD Application language remains in Chapter 15-6 and is hereby removed;

WHEREAS, amendments regarding substantive and minor modifications to Master Planned Developments will clarify standards for staff, the Planning Director, and the Planning Commission for future modifications;

WHEREAS, the Master Planned Development Process is hereby separated from the Conditional Use Process and Master Planned Development Approvals no longer require review as a Conditional Use Permit;

WHEREAS, Master Planned Development approvals shall be reviewed through the lens of relevant and applicable Land Management Code provisions;

WHEREAS, exceptions granted by the Commission pursuant to Chapter 15-6 regarding Master Planned Development Height and Setbacks shall be outlined in the Master Planned Development approval Findings of Fact, the Development Agreement, and on each plat within the Master Planned Development;

WHEREAS, a public hearing shall be required prior to Commission ratification of a Development Agreement for a Master Planned Development;

WHEREAS, the Commission shall have discretion to require applicants to provide and fund additional studies for Master Planned Development proposals that significantly increase the Density and intensity of Use of a Site;

WHEREAS, traffic mitigation shall be considered as part of a Master Planned Development approval;

WHEREAS, non-substantive edits of the Master Planned Development Chapter improve consistency;

WHEREAS, the Commission duly noticed and conducted a work session on Master Planned Development amendments on May 13, 2020;

WHEREAS, the Commission duly noticed and conducted a work session on Master Planned Development amendments on July 22, 2020;

WHEREAS, the Commission duly noticed and conducted a public hearing on these Land Management Code amendments on September 9, 2020 and forwarded a X recommendation for City Council's consideration on October 1, 2020;

WHEREAS, the City Council duly noticed and conducted a public hearing on October 1, 2020;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. LAND MANAGEMENT CODE TITLE 15. The recitals above are incorporated herein as findings of fact. Sections 15-2.10-2; 15-2.11-2; 15-2.12-2; 15-2.13-2; 15-2.14-2; 15-2.15-2; 15-2.16-2; 15-2.17-2; 15-2.18-2; 15-2.19-2; 15-2.22-2; 15-

2.23-2; 15-6-1; 15-6-2; 15-6-3; 15-6-4; 15-6-5; 15-6-6; and 15-6-7 are hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 1st day of October, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

1 **15-2.10-2 Uses**

2 Uses in the Estate (E) District are limited to the following:

3 A. **ALLOWED USES.**

- 4 1. Single Family Dwelling
- 5 2. Duplex Dwelling
- 6 3. Secondary Living Quarters
- 7 4. Lockout Unit¹
- 8 5. Accessory Apartment²
- 9 6. Nightly Rental^{1,3}
- 10 7. Home Occupation
- 11 8. Child Care, In-Home Babysitting⁴
- 12 9. Child Care, Family⁴
- 13 10. Child Care, Family Group⁴
- 14 11. Accessory Buildings and Uses
- 15 12. Conservation Activity
- 16 13. Agriculture
- 17 14. Raising, grazing of horses
- 18 15. Parking Area or Structure with four (4) or fewer spaces

19 B. **CONDITIONAL USES.**

- 20 1. Guest House
- 21 2. Group Care Facility
- 22 3. Child Care Center⁴
- 23 4. Public and Quasi-Public Institution, Church, and School
- 24 5. Essential Municipal Public Utility Use, Facility, Services, and Structure
- 25 6. Telecommunication Antenna⁵
- 26 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁶

- 27 8. Plant and Nursery stock products and sales
- 28 9. Raising, grazing of livestock
- 29 10. Cemetery
- 30 11. Bed ~~[&]~~ and Breakfast Inn
- 31 12. Hotel, Minor⁷
- 32 13. Hotel, Major⁷
- 33 14. Parking Area or Structure with five (5) or more spaces
- 34 15. Temporary Improvement⁸
- 35 16. Passenger Tramway Station and Base Facility⁹
- 36 17. Ski Tow Rope, Ski Run, Ski Lift, and Ski Bridge
- 37 18. Outdoor Event⁷
- 38 19. Recreation Facility, Public and Private
- 39 20. Recreation Facility, Commercial
- 40 21. Commercial Stables, Riding Academy
- 41 ~~[22. Master Planned Development with moderate income housing density bonus⁷~~
- 42 ~~23. Master Planned Development with residential and transient lodging Uses only⁷~~
- 43 ~~24. Master Planned Development with Support Retail and Minor Service~~
- 44 ~~Commercial⁷]~~
- 45 ~~[25.]~~ 22. Mines and Mine Exploration
- 46 ~~[26.]~~ 23. Vehicle Control Gates¹⁰
- 47 ~~[27.]~~ 24. Fences greater than six feet (6') in height from Final Grade⁸
- 48 25. Support Retail and Minor Service Commercial¹¹

49 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a

50 prohibited Use.

51 ¹Nightly rental of Lockout Units requires a Conditional Use permit

52 ²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments.

³Nightly Rentals do not include the Use of dwellings for Commercial Uses.

⁴See [LMC Chapter] Section 15-4-9, [for] Child Care [Regulations] And Child Care Facilities

⁵See [LMC Chapter] Section 15-4-14, [Supplemental Regulations for] Telecommunication Facilities

⁶See [LMC Chapter] Section 15-4-13, [Supplemental Regulations for] Placement Of Satellite Receiving Antennas

⁷Subject to regulations of LMC Chapter 15-6, Master Planned Developments

⁸ Requires an Administrative Conditional Use permit

⁹ See Section 15-4-18, Passenger Tramways [a] And Ski Base Facilities

¹⁰ See Section 15-4-19, [for specific] [r] Review [e] Criteria [f] For Vehicle Control [g] Gates

¹¹Subject to a Master Planned Development approval. See Chapter 15-6.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 04-08 on 3/4/2004

Amended by Ord. 06-69 on 10/19/2006

15-2.11-2 Uses

Uses in the SF District are limited to the following:

A. **ALLOWED USES.**

1. Single Family Dwelling
2. Duplex Dwelling¹
3. Secondary Living Quarters²
4. Accessory Apartment³
5. Nightly Rental⁴
6. Home Occupation
7. Child Care, In-Home Babysitting⁵
8. Child Care, Family⁵
9. Child Care, Family Group⁵
10. Accessory Building and Use

- 80 11. Conservation Activity
- 81 12. Agriculture
- 82 13. Parking Area or Structure with four (4) or fewer spaces

83 B. **CONDITIONAL USES.**

- 84 1. Guest House⁶
- 85 2. Group Care Facility
- 86 3. Child Care Center⁵
- 87 4. Public and Quasi-Public Institution, Church, and School
- 88 5. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 89 6. Telecommunication Antenna⁷
- 90 7. Satellite Dish, greater than thirty-nine inches (39") diameter⁸
- 91 8. Raising, grazing of horses
- 92 9. Bed and Breakfast Inn
- 93 10. Parking Area or Structure with five (5) or more spaces⁹
- 94 11. Temporary Improvements⁹
- 95 12. Outdoor Event⁹
- 96 13. Recreation Facility, Public or Private
- 97 ~~[14. Master Planned Development with moderate income housing Density bonus]~~
- 98 ~~[15.]~~ 14. Fences greater than six feet (6') in height from Final Grade⁹

99 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a

100 prohibited Use.

101 ¹Permitted only on Lots designated for Duplexes on the official Subdivision Plat.

102 ²Detached Guest Houses and detached Secondary Living Quarters are not allowed as a Conditional or

103 Allowed Use within Holiday Ranchettes Subdivision.

104 ³See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments. Accessory

105 Apartments in detached Structures are not allowed within Holiday Ranchettes Subdivision.

⁴Allowed only within Prospector Village Subdivision. Commercial Uses are not allowed within Nightly Rental units.

⁵See [LMC Chapter] Section 15-4-9, [for] Child Care [Regulations] And Child Care Facilities.

⁶Detached Guest Houses and detached Secondary Living Quarters are not allowed as a Conditional or Allowed Use within Holiday Ranchettes Subdivision.

⁷See [LMC Chapter] Section 15-4-14, [Supplemental Regulations for] Telecommunication Facilities

⁸See [LMC Chapter] Section 15-4-13, [Supplemental Regulations for] Placement Of Satellite Receiving Antennas

⁹Requires an Administrative Conditional Use permit.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-76 on 11/9/2006

15-2.12-2 Uses

Uses in the R-1 District are limited to the following:

A. **ALLOWED USES.**

1. Single Family Dwelling
2. Duplex Dwelling
3. Secondary Living Quarters
4. Lockout Unit¹
5. Accessory Apartment²
6. Nightly Rental³
7. Home Occupation
8. Child Care, In-Home Babysitting⁴
9. Child Care, Family⁴
10. Child Care, Family Group⁴
11. Accessory Building and Use

12. Conservation Activity
13. Agriculture
14. Parking Area or Structure with four (4) or fewer spaces
- B. CONDITIONAL USES.**
1. Triplex Dwelling⁵
2. Guest House, on Lots one (1) acre or larger
3. Group Care Facility
4. Child Care Center⁴
5. Public or Quasi-Public Institution, Church, and School
6. Essential Municipal Public Utility Use, Facility, Service, and Structure
7. Telecommunication Antenna⁶
8. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁷
9. Bed ~~[&]~~and Breakfast Inn
10. Temporary Improvement⁸
11. Ski tow rope, ski lift, ski run, and ski bridge⁹
12. Outdoor Event⁸
- ~~[13. Master Planned Development with moderate income housing Density bonus¹⁰~~
- ~~14. Master Planned Development with residential and transient lodging Uses only¹⁰~~
- ~~[15.]~~13. Recreation Facility, Private
- ~~[16.]~~14. Fences and walls greater than six feet (6') in height from Final Grade⁸
15. Residential and transient lodging Uses¹⁰
- C. PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

³Commercial Uses are not allowed within Nightly Rental Units

158 ⁴See ~~[LMC Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care Regulations And Child Care Facilities
159 ⁵Must comply with special parking requirements, see ~~[Section]~~ Chapter 15-3.
160 ⁶See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunications Facilities
161 ⁷See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving
162 Antennas
163 ⁸Subject to an ~~[a]~~AAdministrative Conditional Use permit.
164 ⁹As part of an approved Ski Area Master Plan. See ~~[LMC Chapter]~~ Section 15-4-18, Passenger
165 Tramways ~~[a]~~AAnd Ski Base Facilities
166 ¹⁰Subject to ~~[provisions of LMC]~~ Master Planned Development approval. See Chapter 15-6, ~~[Master~~
167 Planned Development]

168 HISTORY

169 *Adopted by Ord. 00-51 on 9/21/2000*

170 *Amended by Ord. 06-76 on 11/9/2006*

171 **15-2.13-2 Uses**

172 Uses in the RD District are limited to the following:

173 A. **ALLOWED USES.**

- 174 1. Single-Family Dwelling
- 175 2. Duplex Dwelling
- 176 3. Secondary Living Quarters
- 177 4. Lockout Unit¹
- 178 5. Accessory Apartment²
- 179 6. Nightly Rental³
- 180 7. Home Occupation
- 181 8. Child Care, In-Home Babysitting⁴
- 182 9. Child Care, Family⁴
- 183 10. Child Care, Family Group⁴
- 184 11. Accessory Building and Use

- 185 12. Conservation Activity Agriculture
- 186 13. Parking Area or Structure with four (4) or fewer spaces
- 187 14. Recreation Facility, Private
- 188 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 189 16. Food Truck Location¹⁶

190 **B. CONDITIONAL USES.**

- 191 1. Triplex Dwelling⁶
- 192 2. Multi-Unit Dwelling⁶
- 193 3. Guest House
- 194 4. Group Care Facility
- 195 5. Child Care Center⁴
- 196 6. Public and Quasi-Public Institution, Church, and School
- 197 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 198 8. Telecommunication Antenna⁷
- 199 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁸
- 200 10. Raising, grazing of horses
- 201 11. Cemetery
- 202 12. Bed and Breakfast Inn
- 203 13. Hotel, Minor⁶
- 204 14. Hotel, Major⁶
- 205 15. Private Residence Club Project and Conversion¹⁰
- 206 16. Office, General^{6,9}
- 207 17. Office, Moderate Intensive^{6,9}
- 208 18. Office, Medical^{6,9}
- 209 19. Financial Institution without drive-up window^{6,9}
- 210 20. Commercial Retail and Service, Minor^{6,9}

211	21. Commercial Retail and Service, personal improvement ^{6,9}
212	22. Commercial, Resort Support ^{6,9}
213	23. Café or Deli ^{6,9}
214	24. Restaurant, Standard ^{6,9}
215	25. Restaurant, Outdoor Dining ¹⁰
216	26. Outdoor Event ¹⁰
217	27. Bar ^{6,9}
218	28. Hospital, Limited Care Facility ^{6,9}
219	29. Parking Area or Structure with five (5) or more spaces
220	30. Temporary Improvement ¹⁰
221	31. Passenger Tramway Station and Ski Base Facility ¹¹
222	32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge ¹¹
223	33. Recreation Facility, Public
224	34. Recreation Facility, Commercial ⁶
225	35. Entertainment Facility, Indoor ^{6,9}
226	36. Commercial Stables, Riding Academy ¹²
227	[37. Master Planned Development with moderate income housing density bonus¹²
228	38. Master Planned Development with residential and transient lodging Uses only¹²
229	39. Master Planned Development with Support Retail and Minor Service Commercial
230	Uses¹²
231	[40.] <u>37.</u> Heliport ¹²
232	[41.] <u>38.</u> Vehicle Control Gate ¹³
233	[42.] <u>39.</u> Fences and walls greater than six feet (6') in height from Final Grade ¹⁰
234	[43.] <u>40.</u> Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays ¹⁴
235	[44.] <u>41.</u> Amenities Club
236	[45.] <u>42.</u> Club, Private Residence Off-Site ¹⁵

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

³Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, and Meadows Estates Subdivision Phases #1A and #1B.

⁴See ~~[LMC Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care ~~[Regulations]~~ And Child Care Facilities

⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to provisions of ~~[LMC]~~ Chapter 15-6, Master Planned Developments

⁷See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunications Facilities

⁸See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving Antennas

⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments.

¹⁰Requires an ~~[a]~~Administrative Conditional Use permit.

¹¹As part of an approved Ski Area Master Plan. See ~~[LMC Chapter]~~, Section 15-4-18, Passenger Tramways And Ski Base Facilities.

¹²Omitted. ~~[Subject to provisions of LMC Chapter 15-6, Master Planned Development.]~~

¹³See Section 15-4-19, Review Criteria For Control Vehicle Gates ~~[for specific review criteria for gates].~~

¹⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

¹⁵Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit.

Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more

units with approved Support Commercial space. A Parking Plan shall be submitted to determine site specific parking requirements.

¹⁶The Planning Director[,] or [his] their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 02-38 on 9/12/2002

Amended by Ord. 04-08 on 3/4/2004

Amended by Ord. 05-39 on 6/30/2005

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 11-05 on 1/27/2011

Amended by Ord. 14-35 on 6/26/2014

Amended by Ord. 2018-23 on 5/17/2018

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2018-55 on 10/23/2018

15-2.14-2 Uses

Uses in the RDM District are limited to the following:

A. **ALLOWED USES.**

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Secondary Living Quarters
5. Lockout Unit¹
6. Accessory Apartment²
7. Nightly Rental³

- 291 8. Home Occupation
- 292 9. Child Care, In Home Babysitting⁴
- 293 10. Child Care, Family⁴
- 294 11. Child Care, Family Group⁴
- 295 12. Accessory Building and Use
- 296 13. Conservation Activity
- 297 14. Agriculture
- 298 15. Parking Area or Structure with four (4) or fewer spaces
- 299 16. Recreation Facility, Private
- 300 17. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 301 18. Food Truck Location¹⁴

302 B. **CONDITIONAL USES.**

- 303 1. Multi-Unit Dwelling⁶
- 304 2. Guest House
- 305 3. Group Care Facility
- 306 4. Child Care Center
- 307 5. Public and Quasi Public Institution, Church, and School
- 308 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 309 7. Telecommunication Antenna⁷
- 310 8. Satellite Dish, greater than thirty nine inches (39") in diameter⁸
- 311 9. Raising grazing of horses
- 312 10. Cemetery
- 313 11. Bed and Breakfast Inn
- 314 12. Boarding House, Hotel
- 315 13. Hotel, Minor⁶
- 316 14. Hotel, Major⁶

317	15. Private Residence Club Project and Conversion ¹¹
318	16. Office, General ^{[6]⁶[-]}
319	17. Office, Moderate Intensive ^{6,9}
320	18. Office and Clinic, Medical ^{6,10}
321	19. Financial Institution, without drive up window ^{6,10}
322	20. Commercial Retail and Service, Minor ^{6,10}
323	21. Commercial Retail and Service, personal improvement ^{6,10}
324	22. Commercial, Resort Support ^{6,10}
325	23. Cafe or Deli ^{6,10}
326	24. Restaurant, Standard ^{6,10}
327	25. Restaurant, Outdoor Dining ¹¹
328	26. Outdoor Event ¹¹
329	27. Bar ^{6,10}
330	28. Hospital, Limited Care Facility ^{6,9}
331	29. Parking Area or Structure with five (5) or fewer spaces
332	30. Temporary Improvement ¹¹
333	31. Passenger Tramway Station and Ski Base Facility ¹²
334	32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge ¹²
335	33. Recreation Facility, Public
336	34. Recreation Facility, Commercial ⁶
337	35. Entertainment Facility, Indoor ^{6,9}
338	36. Commercial Stables, Riding Academy ^{6,10}
339	37. Master Planned Development with moderate income housing Density bonus⁶
340	38. Master Planned Development with residential and transient lodging Uses only⁶
341	39. Master Planned Development with Support Retail and Minor Service
342	Commercial⁶]

~~[40.]~~[37.] Fences greater than six feet (6') in height from Final Grade

~~[41.]~~[38.] Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹³

C. **PROHOBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly Rental of Lockout Units requires a Conditional Use permit.

²See ~~[LMC Chapter]~~ Section 15-4-7, Accessory Apartments.

³Nightly Rentals do not include the Use of Dwellings for Commercial Use.

⁴See ~~[LMC Chapter]~~ Section 15-4-9, Child Care ~~[Regulations]~~ And Child Care Facilities

⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to ~~[provisions of LMC]~~ Master Planned Development approval. See Chapter 15-6~~;~~ Master Planned Development]

⁷See ~~[LMC Chapter]~~ Section 15-4-14, Telecommunication Facilities.

⁸See ~~[LMC Chapter]~~ Section 15-4-13, Placement Of Satellite Receiving Antennas.

⁹General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in the LMC Chapter 15-6, Master Planned Developments [MPD's], the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office use will substantially advance the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

¹⁰Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Development.

¹¹Requires an administrative Conditional Use permit.

¹²As part of an approved Ski Area Master Plan. See ~~[LMC Chapter]~~ [Section](#) 15-4-18, Passenger

Tramways ~~[a]~~ And Ski Base Facilities

¹³Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

in an Area other than the original location set forth in the services agreement and/or Master Festival

License.

¹⁴The Planning Director~~[,]~~ or ~~[his]~~ [their](#) designee shall, upon finding a Food Truck Location in compliance

with Municipal Code [Section](#) 4-5-6, issue the property owner a Food Truck Location administrative

approval letter.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-24](#) on 6/27/2002

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-76](#) on 11/9/2006

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2018-55](#) on 10/23/2018

15-2.15-2 Uses

Uses in the RM District are limited to the following:

A. **ALLOWED USES.**

1. Single Family Dwelling

2. Duplex Dwelling

3. Triplex Dwelling

4. Secondary Living Quarters

5. Lockout Unit¹

6. Accessory Apartment²

- 397 7. Nightly Rental³
- 398 8. Home Occupation
- 399 9. Child Care, In-Home Babysitting⁴
- 400 10. Child Care, Family⁴
- 401 11. Child Care, Family Group⁴
- 402 12. Accessory Building and Use
- 403 13. Conservation Activity
- 404 14. Agriculture
- 405 15. Bed [&] and Breakfast Inn
- 406 16. Parking Area or Structure with four (4) or fewer spaces

407 B. **CONDITIONAL USES.**

- 408 1. Multi-Unit Dwelling
- 409 2. Guest House, on Lot greater than one (1) acre
- 410 3. Group Care Facility
- 411 4. Child Care Center⁴
- 412 5. Public and Quasi-Public Institution, Church, and School
- 413 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 414 7. Telecommunication Antenna⁵
- 415 8. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁶
- 416 9. Boarding House, Hostel
- 417 10. Hotel, Minor⁷
- 418 11. Outdoor Event⁸
- 419 12. Parking Area or Structure with five (5) or more spaces
- 420 13. Temporary Improvement⁸
- 421 14. Recreation Facility, Public and Private
- 422 ~~15. Master Planned Development with moderate income housing Density bonus⁷~~

~~16. Master Planned Development with residential and transient lodging Uses only⁷~~

~~17. Master Planned Development with Support Retail and Minor Service Commercial
Uses⁷~~

~~18.] 15. Fences greater than six feet in Height from Final Grade⁸~~

~~16. Residential and transient lodging Uses⁷~~

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See [LMC Chapter] Section 15-4-7, [Supplemental Regulations for] Accessory Apartments

³Nightly Rentals do not include the Use of dwellings for Commercial Uses

⁴See [LMC Chapter] Section 15-4-9, Child Care [Regulations] And Child Care Facilities

⁵See [LMC Chapter] Section 15-4-14, [Supplemental Regulations for] Telecommunications Facilities

⁶See [LMC Chapter] Section 15-4-13, [Supplemental Regulations for] Placement Of Satellite Receiving
Antennas

⁷Subject to [provisions of LMC] Master Planned Development approval. See Chapter 15-6[, Master
Planned Development]

⁸Requires an [a]Administrative Conditional Use permit

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

15-2.16-2 Uses

Uses in the RC District are limited to the following:

A. **ALLOWED USES.**

1. Single Family Dwelling

2. Duplex Dwelling

3. Triplex Dwelling

4. Secondary Living Quarters

5. Lockout Unit¹

- 450 6. Accessory Apartment²
- 451 7. Nightly Rental³
- 452 8. Home Occupation
- 453 9. Child Care, In-Home Babysitting⁴
- 454 10. Child Care, Family⁴
- 455 11. Child Care, Family Group⁴
- 456 12. Child Care Center⁴
- 457 13. Accessory Building and Use
- 458 14. Conservation Activity
- 459 15. Agriculture
- 460 16. Bed and Breakfast Inn
- 461 17. Boarding House, Hostel
- 462 18. Hotel, Minor
- 463 19. Parking Area or Structure with four (4) or fewer spaces
- 464 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 465 21. Food Truck Location¹²

466 B. **CONDITIONAL USES.**

- 467 1. Multi-Unit Dwelling
- 468 2. Group Care Facility
- 469 3. Public and Quasi-Public institution, church, and school
- 470 4. Essential municipal and public utility Use, facility, service, and Structure
- 471 5. Telecommunications Antenna⁶
- 472 6. Satellite dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 473 7. Raising, grazing of horses
- 474 8. Cemetery
- 475 9. Hotel, Major

476	10. Timeshare Project and Conversion
477	11. Timeshare Sales Office
478	12. Private Residence Club Project and Conversion ⁹
479	13. Office, General ⁸
480	14. Office, Moderate ⁸
481	15. Office and Clinic, Medical ⁸
482	16. Financial Institution without drive-up window ⁸
483	17. Minor Retail and Service Commercial ⁸
484	18. Retail and Service Commercial, personal improvement ⁸
485	19. Transportation Service ⁸
486	20. Neighborhood Market, without gasoline sales ⁸
487	21. Café or Deli ⁸
488	22. Restaurant, General ⁸
489	23. Restaurant, Outdoor Dining ^{8,9}
490	24. Bar ⁸
491	25. Hospital, Limited Care Facility ⁸
492	26. Parking Area or Structure with five (5) or more spaces
493	27. Temporary Improvement ⁹
494	28. Passenger Tramway station and ski base facility ¹⁰
495	29. Ski tow rope, ski lift, ski run, and ski bridge ¹⁰
496	30. Outdoor Events and Uses ⁹
497	31. Recreation Facility, Public and Private ⁸
498	32. Recreation Facility, Commercial ⁸
499	33. Entertainment Facility, Indoor ⁸
500	34. Commercial Stable(s), riding academy ⁸
501	[35. Master Planned Developments]

502 ~~[36-]~~35. Heliport⁸

503 ~~[37-]~~36. Amenities Club

504 ~~[38-]~~37. Club, Private Residence Off-Site¹¹

505 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a
506 prohibited Use.

507 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

508 ²See ~~[LMC]~~ Section 15-4-7, Accessory Apartments

509 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

510 ⁴See ~~[LMC]~~ Section 15-4-9, Child Care Regulations And Child Care Facilities

511 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

512 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
513 on the original Property set forth in the services agreement and/or Master Festival License. Requires an
514 Administrative Permit.

515 ⁶See ~~[LMC]~~ Section 15-4-14, Telecommunication Facilities

516 ⁷See ~~[LMC]~~ Section 15-4-13, Placement Of Satellite Receiving Antennas

517 ⁸As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master
518 Planned Development~~s~~

519 ⁹Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4

520 ¹⁰As part of an approved Ski Area Master Plan

521 ¹¹Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial
522 spaces or developments that have ten (10) or more units with approved Support Commercial space. A
523 Parking Plan shall be submitted to determine site specific parking requirements.

524 ¹²The Planning Director~~[,]~~ or ~~[his]~~ their designee shall, upon finding a Food Truck Location in compliance
525 with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative
526 approval letter.

527 HISTORY

528 *Adopted by Ord. 00-51 on 9/21/2000*

529 Amended by Ord. [02-38](#) on 9/12/2002
530 Amended by Ord. [04-39](#) on 3/18/2004
531 Amended by Ord. [06-76](#) on 11/9/2006
532 Amended by Ord. [09-10](#) on 3/5/2009
533 Amended by Ord. [11-05](#) on 1/27/2011
534 Amended by Ord. [15-35](#) on 10/12/2015
535 Amended by Ord. [2018-23](#) on 5/17/2018
536 Amended by Ord. [2018-55](#) on 10/23/2018
537 Amended by Ord. [2018-55](#) on 10/23/2018

538 **15-2.17-2 Uses**

539 Uses in the RCO District are limited to the following:

540 A. **ALLOWED USES.**

- 541 1. Secondary Living Quarters
- 542 2. Lockout Unit¹
- 543 3. Accessory Apartment²
- 544 4. Nightly Rental
- 545 5. Home Occupation
- 546 6. Child Care, In-Home Babysitting³
- 547 7. Child Care, Family³
- 548 8. Child Care, Family Group³
- 549 9. Accessory Building and Use
- 550 10. Conservation Activity
- 551 11. Agriculture
- 552 12. Parking Area or Structure with four (4) or fewer spaces
- 553 13. Recreation Facility, Private
- 554 14. Allowed Uses in the Underlying Zoning District

555 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁴

556 16. Food Truck Location¹¹

557 B. **CONDITIONAL USES.**

558 1. Multi-Unit Dwelling⁵

559 2. Group Care Facility⁵

560 3. Child Care Center^{3,5}

561 4. Public and Quasi-Public Institution, Church and School⁵

562 5. Essential Municipal Public Utility Use, Facility, Service, and Structure⁵

563 6. Telecommunication Antenna⁶

564 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁷

565 8. Plant and Nursery stock products and sales⁵

566 9. Bed and Breakfast Inn⁵

567 10. Boarding House, Hostel⁵

568 11. Hotel, Minor⁵

569 12. Hotel, Major⁵

570 13. Private Residence Club Project and Conversion⁹

571 14. Timeshare Sales Office, off-site⁵

572 15. Office, General⁵

573 16. Office, Moderate Intensive⁵

574 17. Office, Intensive⁵

575 18. Office and Clinic, Medical⁵

576 19. Financial Institution, with and without drive-up window^{5,8}

577 20. Retail and Service Commercial, Minor⁵

578 21. Retail and Service Commercial, personal improvement⁵

579 22. Retail and Service Commercial, Major⁵

580 23. Transportation Service⁵

- 581 24. Retail Drive-Up Window⁸
- 582 25. Neighborhood Convenience Commercial⁵
- 583 26. Commercial, Resort Support⁵
- 584 27. Gasoline Service Station⁵
- 585 28. Cafe, Deli⁵
- 586 29. Restaurant, General⁵
- 587 30. Restaurant, Outdoor Dining⁹
- 588 31. Outdoor Event⁹
- 589 32. Restaurant, Drive-up window⁸
- 590 33. Bar⁵
- 591 34. Hospital, Limited Care Facility⁵
- 592 35. Hospital, General⁵
- 593 36. Parking Area or Garage with five (5) or more spaces⁸
- 594 37. Temporary Improvement⁹
- 595 38. Passenger Tramway Station and Ski Base Facility⁵
- 596 39. Ski tow rope, ski lift, ski run, and ski bridge⁵
- 597 40. Recreation Facility, Public⁵
- 598 41. Recreation Facility, Commercial⁵
- 599 42. Entertainment, Indoor⁵
- 600 ~~[43. Master Planned Developments⁵]~~
- 601 ~~[44.]~~43. Heliport⁵
- 602 ~~[45.]~~44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁰
- 603 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a
- 604 prohibited Use.

605 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

606 ²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

607 ³See ~~[LMC Chapter]~~ Section 15-4-9, Child Care Regulations And Child Care Facilities

608 ⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

609 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

610 on the original Property set forth in the services agreement and/or Master Festival License.

611 ⁵Subject to ~~[provisions of]~~ Master Planned Development approval. See Chapter 15-6 ~~[-, Master Planned~~

612 ~~Developments]~~

613 ⁶See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

614 ⁷See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving

615 Antennas

616 ⁸See Section 15-2.18-5 criteria for drive-up windows

617 ⁹Requires an administrative Conditional Use permit

618 ¹⁰Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

619 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

620 in an Area other than the original location set forth in the services agreement and/or Master Festival

621 License.

622 ¹¹The Planning Director~~[-]~~ or ~~[his]~~ their designee shall, upon finding a Food Truck Location in compliance

623 with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative

624 approval letter.

625 HISTORY

626 *Adopted by Ord. 00-51 on 9/21/2000*

627 *Amended by Ord. 02-38 on 9/12/2002*

628 *Amended by Ord. 04-39 on 9/23/2004*

629 *Amended by Ord. 06-76 on 11/9/2006*

630 *Amended by Ord. 2018-55 on 10/23/2018*

631 *Amended by Ord. 2018-55 on 10/23/2018*

632 **15-2.18-2 Uses**

633 Uses in the GC District are limited to the following:

- 634 A. **ALLOWED USES.**
- 635 1. Secondary Living Quarters
- 636 2. Lockout Unit¹
- 637 3. Accessory Apartment²
- 638 4. Nightly Rental
- 639 5. Home Occupation
- 640 6. Child Care, In-Home Babysitting³
- 641 7. Child Care, Family³
- 642 8. Child Care, Family Group³
- 643 9. Child Care Center³
- 644 10. Accessory Building and Use
- 645 11. Conservation Activity
- 646 12. Agriculture
- 647 13. Plant and Nursery Stock production and sales
- 648 14. Bed **&and** Breakfast Inn
- 649 15. Boarding House, Hostel
- 650 16. Hotel, Minor
- 651 17. Hotel, Major
- 652 18. Office, General
- 653 19. Office, Moderate Intensive
- 654 20. Office, Intensive
- 655 21. Office and Clinic, Medical and Veterinary Clinic
- 656 22. Financial Institution without a drive-up window
- 657 23. Commercial, Resort Support
- 658 24. Retail and Service Commercial, Minor
- 659 25. Retail and Service Commercial, Personal Improvement

- 660 26. Retail and Service Commercial, Major
- 661 27. Cafe or Deli
- 662 28. Restaurant, General
- 663 29. Hospital, Limited Care Facility
- 664 30. Parking Area or Structure with four (4) or fewer spaces
- 665 31. Parking Area or Structure with five (5) or more spaces
- 666 32. Recreation Facility, Private
- 667 33. Food Truck Location¹⁰
- 668 B. **CONDITIONAL USES.**
- 669 1. Single Family Dwelling
- 670 2. Duplex Dwelling
- 671 3. Triplex Dwelling
- 672 4. Multi-Unit Dwelling
- 673 5. Group Care Facility
- 674 6. Public and Quasi-Public Institution, Church, and School
- 675 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 676 8. Telecommunication Antenna⁴
- 677 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- 678 10. Timeshare Project and Conversion
- 679 11. Timeshare Sales Office, off-site within an enclosed Building
- 680 12. Private Residence Club Project and Conversion⁸
- 681 13. Financial Institution with a Drive-up Window⁶
- 682 14. Retail and Service Commercial with Outdoor Storage
- 683 15. Retail and Service Commercial, Auto Related
- 684 16. Transportation Service
- 685 17. Retail Drive-Up Window⁶

686	18. Gasoline Service Station
687	19. Restaurant and Cafe, Outdoor Dining ⁷
688	20. Restaurant, Drive-up Window ⁶
689	21. Outdoor Event ⁷
690	22. Bar
691	23. Sexually Oriented Businesses ⁸
692	24. Hospital, General
693	25. Light Industrial Manufacturing and Assembly
694	26. Temporary Improvement ⁷
695	27. Passenger Tramway and Ski Base Facility
696	28. Ski tow rope, ski lift, ski run, and ski bridge
697	29. Commercial Parking Lot or Structure
698	30. Recreation Facility, Public
699	31. Recreation Facility, Commercial
700	32. Indoor Entertainment Facility
701	[33. Master Planned Development with moderate housing density bonus⁹
702	34. Master Planned Developments⁹]
703	[35.] 33. Heliport
704	[36.] 34. Temporary Sales Trailer in conjunction with an active Building permit for the
705	Site. ⁸
706	[37.] 35. Fences greater than six feet (6') in height from Final Grade ⁷
707	[38.] 36. Household Pet, Boarding ⁷
708	[39.] 37. Household Pet, Daycare ⁷
709	[40.] 38. Household Pet, Grooming ⁷
710	C. <u>PROHIBITED USES.</u> Any Use not listed above as an Allowed or Conditional Use is a
711	prohibited Use.

712 ¹Nightly rental of Lockout Units requires Conditional Use permit
713 ²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments
714 ³See ~~[LMC Chapter]~~ Section 15-4-9, Child Care Regulations And Child Care Facilities
715 ⁴See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities
716 ⁵See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving
717 Antennas
718 ⁶See Section ~~[2-18-6]~~ 15-2.18-6 for Drive-Up Window review
719 ⁷Requires an ~~[a]~~Administrative Conditional Use permit
720 ⁸See Section ~~[2-17-8]~~ 15-4-16 for additional criteria.
721 ⁹~~[Subject to provisions of LMC Chapter 15-6, Master Planned Development]~~
722 ¹⁰The Planning Director~~[,]~~ or ~~[his]~~ their designee shall, upon finding a Food Truck Location in compliance
723 with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative
724 approval letter.

725 HISTORY

726 *Adopted by Ord. 00-51 on 9/21/2000*
727 *Amended by Ord. 04-39 on 9/23/2004*
728 *Amended by Ord. 06-76 on 11/9/2006*
729 *Amended by Ord. 14-57 on 11/20/2014*
730 *Amended by Ord. 2018-55 on 10/23/2018*
731 *Amended by Ord. 2018-55 on 10/23/2018*

732 **15-2.19-2 Uses**

733 Uses in the LI District are limited to the following:

734 A. **ALLOWED USES.**

- 735 1. Secondary Living Quarters
- 736 2. Accessory Apartment¹
- 737 3. Nightly Rental
- 738 4. Home Occupation

739	5. Child Care, In-Home Babysitting ²
740	6. Child Care, Family ²
741	7. Child Care, Family Group ²
742	8. Child Care Center ²
743	9. Agriculture
744	10. Plant and Nursery Stock
745	11. Office, General
746	12. Office, Moderate Intensive
747	13. Office, Intensive
748	14. Financial Institution without drive-up window
749	15. Retail and Service Commercial, Minor
750	16. Retail and Service Commercial, Personal Improvement
751	17. Retail and Service Commercial, Major
752	18. Commercial, Resort Support
753	19. Hospital, Limited Care
754	20. Parking Area or Structure with four (4) or fewer spaces
755	21. Recreation Facility, Private
756	22. Food Truck Location ⁸
757	B. <u>CONDITIONAL USES.</u>
758	1. Multi-Unit Dwelling
759	2. Group Care Facility
760	3. Child Care Center ²
761	4. Public and Quasi-Public Institution, Church, and School
762	5. Essential Municipal Public Utility Use, Facility, Service, and Structure
763	6. Telecommunication Antenna ³
764	7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁴

765	8. Accessory Building and Use
766	9. Raising, grazing of horses
767	10. Bed and Breakfast Inn
768	11. Boarding House, Hostel
769	12. Hotel, Minor
770	13. Private Residence Club Project and Conversion ⁶
771	14. Office and Clinic, Medical and Veterinary Clinic
772	15. Financial Institutions with Drive-Up Window ⁵
773	16. Retail and Service Commercial with Outdoor Storage
774	17. Retail and Service Commercial, Auto-Related
775	18. Transportation Services
776	19. Retail Drive-Up Window ⁵
777	20. Gasoline Service Station
778	21. Café or Deli
779	22. Restaurant, General
780	23. Restaurant, Outdoor Dining
781	24. Restaurant, Drive-Up Window ⁵
782	25. Outdoor Event ⁶
783	26. Bar
784	27. Hospital, General
785	28. Light Industrial Manufacturing and Assembly Facility
786	29. Parking Area or Structure with five (5) or more spaces
787	30. Temporary Improvement ⁶
788	31. Passenger Tramway Station and Ski Base Facility
789	32. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
790	33. Recreation Facility, Public

791 34. Recreation Facility, Commercial

792 35. Entertainment Facility, Indoor

793 36. Commercial Stables, Riding Academy

794 ~~[37. Master Planned Developments⁷]~~

795 ~~[38.]~~37. Heliports

796 ~~[39.]~~38. Commercial Parking Lot or Structure

797 ~~[40.]~~39. Temporary Sales Office, in conjunction with an active Building permit.

798 ~~[41.]~~40. Fences and Walls greater than six feet (6') in height from Final Grade⁶

799 ~~[42.]~~41. Household Pet, Boarding⁶

800 ~~[43.]~~42. Household Pet, Daycare⁶

801 ~~[44.]~~43. Household Pet, Grooming⁶

802 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a

803 prohibited Use.

804 ¹See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

805 ²See ~~[LMC Chapter]~~ Section 15-4-9, Child Care ~~[Regulations]~~ And Child Care Facilities

806 ³See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

807 ⁴See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving

808 Antennas

809 ⁵See Section 15-2.19-8, Criteria For Drive-Up Windows ~~[for Drive-Up Window review criteria]~~

810 ⁶Subject to an ~~[a]~~AAdministrative Conditional Use permit.

811 ~~[⁷Subject to provisions of LMC Chapter 15-6, Master Planned Development.]~~

812 ⁸The Planning Director~~[,]~~ or ~~[his]~~ their designee shall, upon finding a Food Truck Location in compliance

813 with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative

814 approval letter.

815 HISTORY

816 *Adopted by Ord. 00-51 on 9/21/2000*

817 *Amended by Ord. 04-39 on 9/23/2004*

818 Amended by Ord. [06-76](#) on 11/9/2006

819 Amended by Ord. [14-57](#) on 11/20/2014

820 Amended by Ord. [2018-55](#) on 10/23/2018

821 Amended by Ord. [2018-55](#) on 10/23/2018

822 **15-2.22-2 Uses**

823 Uses in the Public Use Transition District are limited to the following:

824 A. **ALLOWED USES.**

825 1. Municipal/Institutional Accessory Building and Use 600 sf or less

826 2. Conservation Activity

827 3. Parking Lot, Public or Private with four (4) or fewer spaces

828 4. Public Utility or Essential Services

829 5. Public Assembly Uses

830 6. Outdoor Events

831 7. Food Truck Location⁵

832 B. **CONDITIONAL USES.**

833 1. Public and Quasi-Public Institution, Church, School, Post Office

834 2. Entertainment Facility, Outdoor

835 3. Essential Municipal Public Utility Use, Facility, or Service Structure

836 4. Parking Area or Structure for five (5) or more cars

837 5. Liquor Store

838 6. Commercial Retail and Service, Minor

839 7. Outdoor Recreation Equipment

840 8. Outdoor Grills/Beverage Service Stations

841 9. Restaurant, Outdoor Dining¹

842 10. Restaurant, Café or Deli

843 11. Accessory Building or Use greater than 600 sf

12. Telecommunication Antenna²

13. Satellite Dish, greater than thirty-nine inches (39”) in diameter³

14. Temporary Improvement/Outdoor Use

15. Salt Lake City 2002 Winter Olympic Legacy Displays⁴

~~[16. Master Planned Developments]~~

~~[47.]~~16. Passenger Tramways, ski towers, and ski lift facilities.

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Required Administrative Conditional Use permit

²See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

³See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving Antennas

⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

⁵The Planning Director~~[,]~~ or ~~[his]~~ their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

HISTORY

Adopted by Ord. 05-12 on 3/3/2005

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2018-55 on 10/23/2018

15-2.23-2 Uses

Uses in the Community Transition District are limited to the following:

A. **ALLOWED USES.**

1. Conservation Activities

- 871 2. Home Occupation
- 872 3. In-home Babysitting
- 873 4. Family Child Care
- 874 5. Secondary Living Quarters
- 875 6. Agriculture
- 876 7. Food Truck Location²

877 B. **ADMINISTRATIVE CONDITIONAL USES.**

- 878 1. Trails and Trailhead Improvements
- 879 2. Outdoor Recreation Equipment
- 880 3. Essential Public Utility Use, Service or Structure less than 600 sq. ft.
- 881 4. Accessory Buildings less than 600 sq. ft.
- 882 5. Parking Areas with four (4) or fewer spaces
- 883 6. Outdoor Events and Outdoor Music, see Section 15-4
- 884 7. Temporary Improvement
- 885 8. Outdoor dining and support retail associated with support Uses with an MPD
- 886 9. Fences and Walls, see Section 15-4
- 887 10. Anemometer and Anemometer Towers

888 C. **CONDITIONAL USES.**

- 889 ~~[1. Master Planned Developments (MPDs)]~~
- 890 ~~[2.]~~1. Public, Quasi-Public, civic, municipal Uses
- 891 ~~[3.]~~2. General acute Hospital
- 892 ~~[4.]~~3. Alternative professional health-related services
- 893 ~~[5.]~~4. Athletic training and testing Offices and facilities
- 894 ~~[6.]~~5. Athletic program administrative Offices
- 895 ~~[7.]~~6. Support short-term athlete housing or lodging associated with an approved
- 896 Recreation Facility (within an approved MPD)

897	[8-] <u>7.</u> Accredited physician Office space
898	[9-] <u>8.</u> Accredited Medical & dental clinics
899	[40-] <u>9.</u> Medical Heliport
900	[44-] <u>10.</u> Group Care Facility
901	[42-] <u>11.</u> Ancillary Support Commercial (within an approved MPD)
902	a. Gift shop
903	b. Dispensing pharmacy
904	c. Medical supply
905	d. Restaurant
906	e. Deli
907	f. Outdoor grills/ beverage service stations
908	g. Child Care Center
909	[43-] <u>12.</u> Recreation Facility, Public and Private
910	[44-] <u>13.</u> Recreation Facility, Commercial
911	[45-] <u>14.</u> Park and Ride Lot
912	[46-] <u>15.</u> Municipal/institutional Accessory Building and Use
913	[47-] <u>16.</u> Parking Lot, Public
914	[48-] <u>17.</u> Public utility or essential services
915	[49-] <u>18.</u> Single Family Dwelling (with an approved MPD ¹)
916	[20-] <u>19.</u> Duplex Dwelling (with an approved MPD ¹)
917	[24-] <u>20.</u> Multi-Unit Dwelling (with an approved MPD ¹)
918	[22-] <u>21.</u> Telecommunication Antenna
919	[23-] <u>22.</u> Transit facilities
920	[24-] <u>23.</u> Parking Areas, Lots, and Structures with more than five (5) Parking Spaces
921	[25-] <u>24.</u> Raising, grazing of horses
922	[26-] <u>25.</u> Commercial Riding Stable(s)

923 ~~[27.]~~26. Small Energy Wind Systems

924 D. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a
925 prohibited Use.

926 ¹Residential Uses cannot exceed 1 unit/acre

927 ²The Planning Director~~[,]~~ or ~~[his]~~their designee shall, upon finding a Food Truck Location in compliance
928 with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative
929 approval letter.

930 HISTORY

931 *Adopted by Ord. 06-48 on 6/29/2006*

932 *Amended by Ord. 07-25 on 4/19/2007*

933 *Amended by Ord. 09-10 on 3/5/2009*

934 *Amended by Ord. 2018-55 on 10/23/2018*

935 **15-6 Master Planned Developments**

936 15-6-1 Purpose

937 15-6-2 Applicability

938 15-6-3 Uses

939 15-6-4 Process

940 15-6-5 MPD Requirements

941 15-6-6 Required Findings And Conclusions Of Law

942 15-6-7 Master Planned Affordable Housing Development

943 15-6-8 Unit Equivalents

944 **15-6-1 Purpose**

945 The purpose of this Chapter is to describe the process and set forth criteria for review of Master
946 Planned Developments ~~[(MPDs)]~~ in Park City. The Master Planned Development provisions set
947 forth Use, Density, ~~[H]~~Height, ~~[P]~~Parking, design theme, and general Site planning criteria for
948 larger and/or ~~[more]~~ complex projects having a variety of constraints and challenges, such as

environmental issues, multiple ~~[z]~~Zoning ~~[d]~~Districts, location within or adjacent to transitional areas between different land Uses, and infill redevelopment where the ~~[MPD]~~ Master Planned Development process can provide design flexibility necessary for well-planned, mixed-use developments that are Compatible with the surrounding neighborhood. The goal of this Chapter ~~[section]~~ is to result in projects which:

- A. complement the natural features of the Site;
- B. ensure neighborhood Compatibility;
- C. strengthen the resort character of Park City;
- D. result in a net positive contribution of amenities to the community;
- E. provide a variety of housing types and configurations;
- F. provide the highest value of ~~[e]~~Open ~~[s]~~Space for any given Site;
- G. efficiently and cost effectively extend and provide infrastructure;
- H. provide opportunities for the appropriate redevelopment and reuse of existing ~~[s]~~Structures/~~[s]~~Sites and maintain Compatibility with the surrounding neighborhood;
- I. protect ~~[r]~~Residential ~~[u]~~Uses and residential neighborhoods from the impacts of non-
~~[r]~~Residential Uses using best practice methods and diligent code enforcement; ~~[and]~~
- J. encourage mixed-~~[U]~~Use, walkable, and sustainable development and redevelopment that provides innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the community~~[-]; and~~
- K. ~~[E]~~Encourage opportunities for economic diversification and economic development within the community.

HISTORY

Adopted by Ord. [02-07](#) on 5/23/2002

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [13-23](#) on 7/11/2013

15-6-2 Applicability

A. **Required.** The Master Planned Development process shall be required in all Zoning Districts except in the Historic Residential-Low Density (HRL), Historic Residential (HR-1), Historic Residential 2 (HR-2), Historic Recreation Commercial (HRC), and Historic Commercial Business (HCB) for the following:

1. Any Residential project with ten (10) or more Lots.
2. Any Residential project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
3. Any Hotel or lodging project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
4. Any new Commercial, Retail, Office, Public, Quasi-public, ~~[M]mixed-[U]use~~, or ~~[I]~~industrial project with 10,000 square feet or more of Gross Floor Area.
5. All projects utilizing Transfer of Development Rights Development Credits.
6. All Affordable Housing ~~[MPDs]~~ Master Planned Developments consistent with Section 15-6-7 ~~[herein]~~.

B. **Allowed but not required.**

1. The Master Planned Development process is allowed, but is not required, in the General Commercial (GC) and Light Industrial (LI) Zoning Districts for:
 - a. Residential Development projects with fewer than ten (10) Lots, or fewer than ten (10) Residential Unit Equivalents (not more than 20,000 square feet); or
 - b. Hotel or lodging projects with fewer than ten (10) Residential Unit Equivalents (not more than 20,000 square feet); or
 - c. New Commercial, Retail, Office, Public, Quasi-public, ~~[M]mixed-[U]use~~, or ~~[I]~~industrial projects with less than 10,000 square feet of Gross Floor Area.

2. The Master Planned Development process is allowed~~[7]~~ but is not required in the Historic Residential (HR-1) and Historic Residential 2 (HR-2) Zoning Districts only when the HR-1 or HR-2 zoned Properties are combined with adjacent HRC or HCB zoned Properties. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC~~1~~ and HCB Zoning Districts. See Section 15-6-5(F)~~1~~ Building Height.
3. The Master Planned Development process is allowed~~[7]~~ but is not required in the Historic Residential-Medium (HRM) Density Zoning District for:
- a. Residential Development projects with fewer than ten (10) Lots, or fewer than ten (10) Residential Unit Equivalents (not more than 20,000 square feet), or
 - b. Hotel or lodging projects with fewer than ten (10) Residential Unit Equivalents (not more than 20,000 square feet).
- Height exceptions will not be granted for Master Planned Developments within the HRM Zoning Districts. See Section 15-6-5(F)~~1~~ Building Height.
4. The Master Planned Development process is allowed~~[7]~~ but is not required~~[7]~~ when the Property is located in the HR-1 Zoning District and is not a part of the original Park City Survey or Snyder's Addition to the Park City Survey and the proposed ~~[MPD]~~ Master Planned Development is for an Affordable Housing ~~[MPD]~~ Master Planned Development consistent with Section 15-6-7 ~~[herein]~~.
- C. **Not Allowed**. The Master Planned Development process is not allowed or permitted, except as provided in Sections A and B above or as specifically required by the City Council as part of an Annexation or Development Agreement.

HISTORY

Adopted by Ord. 02-07 on 5/23/2002

Amended by Ord. 04-08 on 3/4/2004

1026 Amended by Ord. [06-22](#) on 4/27/2006

1027 Amended by Ord. [10-14](#) on 4/15/2010

1028 Amended by Ord. [11-12](#) on 3/31/2011

1029 Amended by Ord. [13-23](#) on 7/11/2013

1030 Amended by Ord. [15-36](#) on 6/25/2015

1031 Amended by Ord. [2017-46](#) on 8/17/2017

1032 **15-6-3 Uses**

1033 **A. USES.** A Master Planned Development [(MPD)] can only contain Uses, which are
1034 [~~Permitted~~] **Allowed** or Conditional in the [zone(s)] **Zoning District** in which it is located.

1035 ~~The maximum Density and type of Development permitted on a given Site will be~~
1036 ~~determined as a result of a Site Suitability Analysis and shall not exceed the maximum~~
1037 ~~Density in the zone, except as otherwise provided in this section. The Site shall be~~
1038 ~~looked at in its entirety, including all adjacent property under the same ownership, and~~
1039 ~~the Density located in the most appropriate locations. When Properties are in more than~~
1040 ~~one (1) Zoning District, there may be a shift of Density between Zoning Districts if that~~
1041 ~~Transfer results in a project which better meets the goals set forth in Section 15-6-1~~
1042 ~~herein. Density for MPDs will be based on the Unit Equivalent Formula, as defined in~~
1043 ~~LMC Chapter 15-15, and as stated in Section 15-6-8 herein.~~

1044 **Exception.** Residential Density Transfer between the HCB and HR-2 Zoning Districts
1045 are not permitted. A portion of the Gross Floor Area generated by the Floor Area Ratio of
1046 the HCB Zoning District and applied only to Lot Area in the HCB Zoning District, may be
1047 located in the HR-2 Zoning District as allowed by Section 15-2.3-8. **[SEE LMC § 15-6-**
1048 **5(A), line 1224 as amended]**

1049 HISTORY

1050 Adopted by Ord. [02-07](#) on 5/23/2002

1051 Amended by Ord. [06-22](#) on 4/27/2006

1052 Amended by Ord. [10-14](#) on 4/15/2010

1053 Amended by Ord. [15-36](#) on 6/25/2015

1054 **15-6-4 Process**

1055 **A. PRE-APPLICATION CONFERENCE.** ~~A pre-Application conference shall be held with~~
1056 ~~the Planning Department staff in order for the Applicant to become acquainted with the~~
1057 ~~Master Planned Development procedures and related City requirements and schedules.~~

1058 An Applicant may request a pre-Application conference with Planning Department staff
1059 to become acquainted with the Master Planned Development procedures and
1060 requirements. ~~[The Planning Department staff will give preliminary feedback to the~~
1061 ~~potential Applicant based on information available at the pre-Application conference and~~
1062 ~~will inform the Applicant of issues or special requirements which may result from the~~
1063 ~~proposal.]~~

1064 **B. APPLICATION.** An Applicant shall submit a Master Planned Development Application
1065 to the Planning Department. The Application shall include written consent by all Owners
1066 of the Property to be included in the Master Planned Development. The Planning
1067 Director shall assign the Application to a staff planner who will review the Application for
1068 completeness. The staff planner will inform the Applicant if additional information is
1069 required to constitute a complete Application.

1070 **C. PUBLIC OUTREACH.** It is recommended that the Applicant conduct public outreach
1071 and that the Applicant host neighborhood meetings prior to submitting an Application for
1072 a Master Planned Development.

1073 ~~[B]D. **[PRE-APPLICATION] WORK SESSION [PUBLIC MEETING].** [In order to provide~~
1074 ~~an opportunity for the public and the Planning Commission to give preliminary input on a~~
1075 ~~concept for a Master Planned Development,]~~ After the staff planner determines a Master
1076 Planned Development Application is complete, the Applicant may request a work

session ~~[discussion]~~ with the Planning Commission in order to provide an opportunity for the public and the Planning Commission to give preliminary input.

E. ADDITIONAL STUDIES. The Commission may require Applicants to submit and fund additional studies for Master Planned Development proposals that significantly increase the Density and intensity of Use of a Site. If the Commission requires an Applicant to submit a traffic study, the Transportation Department and City Engineer shall recommend a method of modeling and scope of the study area. ~~[, after meeting with the~~

~~Planning Department. If a work session is held, public input shall be permitted. The Applicant is encouraged to conduct independent public outreach.~~

~~At the pre-Application work session public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.~~

~~For larger MPDs, it is recommended that the Applicant host additional neighborhood meetings in preparation of filing of a formal Application for an MPD.]~~

[C] APPLICATION. ~~The Master Planned Development Application must be submitted with a completed Application form supplied by the City. A list of minimum requirements will accompany the Application form. The Application must include written consent by all Owners of the Property to be included in the Master Planned Development. Once an Application is received, it shall be assigned to a staff Planner who will review the Application for completeness. The Applicant will be informed if additional information is necessary to constitute a Complete Application.~~

[D.]E. PLANNING COMMISSION REVIEW. ~~The Planning Commission is the primary review body for Master Planned Developments [and is required to hold a public hearing and take action].~~

~~[E.]~~**G. PUBLIC HEARING.** ~~[In addition to the possible work session, a formal]~~ The Planning Commission is required to hold a public hearing prior to taking action on a Master Planned Development. ~~[is required to be held by the Planning Commission. The Public Hearing will be noticed in accordance with LMC Chapters 15-1-12 and 15-1-21, Notice Matrix.]~~ Multiple ~~[P]u~~**blic** ~~[H]e~~**arings**, ~~[including additional notice,]~~ may be necessary for larger, ~~[or more]~~ complex~~[,]~~ projects. Staff shall notice each public hearing in accordance with Sections 15-1-12 and 15-1-21.

~~[F.]~~**H. PLANNING COMMISSION ACTION.** The Planning Commission shall approve, approve with modifications, or deny a requested Master Planned Development. To approve a Master Planned Development, the Planning Commission shall make the findings outlined in Section 15-6-6. The Planning Commission action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval. ~~[Action shall occur only after the required public hearing is held. To approve an MPD, the Planning Commission will be required to make the findings outlined in Section 15-6-6 herein.]~~

Appeals of Planning Commission action shall be conducted in accordance with ~~[LMC Chapter]~~ Section 15-1-18.

~~[G.]~~**I. DEVELOPMENT AGREEMENT.** Once the Planning Commission ~~[has]~~ approved~~s[d]~~ ~~[the]~~ a Master Planned Development, the approval shall be put in the form of a Development Agreement ~~[. The Development Agreement shall be in a form]~~ approved by the City Attorney~~[,]~~ and shall contain, at a minimum, the following:

1. A legal description of the land;
2. All relevant zoning and Land Management Code parameters, including all findings, conclusions, and conditions of approval, specifying any exceptions pursuant to Chapter 15-6 outlining more or less restrictive Height or Setbacks;

3. An express reservation of the future legislative power and zoning authority of the City;
4. A copy of the approved Site plan, architectural plans, ~~Landscap~~ing plans, Grading plan, trails and ~~Open~~ sSpace plans, and other plans, which are a part of the Planning Commission approval;
5. A description of all Developer exactions or agreed upon public dedications;
6. The Developers agreement to pay all specified impact fees; ~~and~~
7. The form of ownership anticipated for the project;
8. ~~and a~~ A specific project phasing plan~~[-]~~;
9. A list and map of all known Physical Mine Hazards on the ~~p~~Property, as determined through the exercise of reasonable due diligence by the Owner, as well as a description and GPS coordinates of those Physical Mine Hazards~~[-]~~;
10. A map and inventory of all Historic Structures on the Property and a Historic Structures Report prepared by a qualified Historic Preservation Professional.

The Planning Commission shall hold a public hearing prior to ratifying a Development Agreement ~~[shall be ratified by the Planning Commission,].~~ A Development Agreement ratified by the Commission shall be signed by the ~~[City Council]~~ Mayor and the Applicant~~[-]~~ and recorded with the Summit County Recorder. The Development Agreement shall contain language~~[-, which allows]~~ to allow for minor, administrative modifications ~~[to occur to the approval]~~ without revision of the agreement. The Applicant shall submit a draft Development Agreement ~~[must be submitted]~~ to the ~~[City]~~ Planning Department within six (6) months of the date the Planning Commission approved the [project] Master Planned Development ~~[was approved by the Planning Commission,]~~ or the Planning Commission approval shall expire.

[H.]J. LENGTH OF APPROVAL. Construction, as defined by the ~~[Uniform]~~ International Building Code, ~~[will be]~~ is required to commence within two (2) years of the date of the execution of the Development Agreement. After construction commences, the ~~[MPD]~~ Master Planned Development shall remain valid as long as it is consistent with the approved ~~[specific]~~ project phasing plan ~~[as]~~ set forth in the Development Agreement. ~~[It is anticipated that t]~~ The [specific] project phasing plan may require Planning Commission review and reevaluation of the project at specified points in the Development of the [project] Master Planned Development.

The Planning Commission may grant an extension of a Master Planned Development for up to two (2) additional years~~[,]~~ when the Applicant ~~[is able to]~~ demonstrates s no change in circumstance that would result in unmitigated impacts or that would result in a finding of non-compliance with the ~~[MPD]~~ Master Planned Development requirements in the ~~[Chapter and the]~~ Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surrounding~~[s]~~ Properties.

Applicants must submit written [E]extension requests [must be submitted] to the Planning Department prior to the expiration of the Master Planned Development. ~~[and]~~ Staff shall ~~[be]~~ notice~~[d]~~ extension request [and processed with a] public hearings s according to Sections s 15-1-12 and 15-1-21.

[I.]K. MPD MODIFICATIONS.

The Planning Director shall determine whether a proposed modification to a Master Planned Development is minor or substantive.

1. Minor Modification. A minor modification to a Master Planned Development is a modification that complies with the Land Management Code and Master Planned Development approval and does not trigger additional Off-Street Parking requirements, does not reduce Open Space, and does not increase traffic by 5% or more as demonstrated by a traffic generation study. The Planning Director shall review and take

Final Action on a minor modification to a Master Planned Development and shall issue an Administrative Permit for an approval. The Administrative Permit approval of minor modifications may be appealed to the Planning Commission.

2. Substantive Modifications. Substantive ~~[Changes in]~~ modifications to an approved Master Planned Development create additional impacts and ~~[, which constitute a change in concept, Density, unit type, or configuration of any portion or phase of the MPD will justify]~~ require review of the entire ~~[master plan]~~ Master Planned Development and Development Agreement by the Planning Commission, unless otherwise specified in the Development Agreement. ~~If the modifications are determined to be substantive, the project will be required to go through the pre-Application public hearing and determination of compliance as outlined in Section 15-6-4(B) herein.~~ Substantive modifications include but are not limited to a change in Use or an increase in Floor Area that triggers additional Off-Street Parking requirements, a change in Use or an increase in Floor Area that generates more than a 5% increase in traffic demonstrated by a traffic generation study, or a reduction in Open Space.

~~[J.]~~ **L. SITE SPECIFIC APPROVALS.** Any portion of an approved Master Planned Development may require additional review by the ~~[Planning Department and/or]~~ Planning Commission as a Conditional Use permit, if so required by the Planning Commission at the time of the ~~[MPD]~~ Master Planned Development approval.

~~[The Planning Commission and/or Planning Department, specified at the time of MPD approval, will review Site specific plans including Site layout, architecture and landscaping, prior to issuance of a Building Permit.]~~

~~[The Application requirements and]~~ Site specific approvals must comply with the review criteria of the Master Planned Development approval and the Conditional Use permit criteria ~~[process must be followed].~~ ~~[A pre-Application public meeting may be required by the Planning Director, at which time the Planning Commission will review the Application for~~

1205 ~~compliance with the large-scale MPD approval.]~~ The Planning Department will review Site
1206 specific plans, including Site layout, architecture, and Landscaping plans for compliance
1207 with the Master Planned Development and Land Management Code prior to issuance of a
1208 Building Permit.

1209 ~~[K.]~~M. PRIOR APPROVALS. Prior to final approval of a ~~[n-MPD]~~ Master Planned
1210 Development that is subject to an Annexation Agreement ~~[or a Large Scale MPD]~~, the
1211 Commission shall make findings that the project is consistent with the Annexation
1212 Agreement ~~[or Large Scale MPD]~~.

1213 HISTORY

1214 *Adopted by Ord. 02-07 on 5/23/2002*

1215 *Amended by Ord. 06-22 on 4/27/2006*

1216 *Amended by Ord. 09-10 on 3/5/2009*

1217 *Amended by Ord. 11-05 on 1/27/2011*

1218 *Amended by Ord. 2016-44 on 9/15/2016*

1219 *Amended by Ord. 2017-15 on 3/30/2017*

1220 **15-6-5 [MPD] Master Planned Development Requirements**

1221 All Master Planned Developments shall contain the following minimum requirements. Many of
1222 the requirements and standards will have to be increased in order for the Planning Commission
1223 to make the necessary findings to approve the Master Planned Development.

1224 A. DENSITY. The Planning Commission shall approve the type of Development, number of
1225 units, and Density permitted on a given Master Planned Development Site ~~[will be~~
1226 ~~determined as a result of]~~ based on a Site Suitability Analysis, ~~[and]~~ The Master Planned
1227 Development shall not exceed the maximum Density in the ~~[zone]~~ Zoning District, except
1228 as otherwise provided in this ~~[s]~~Section. The Site shall be looked at in its entirety,
1229 including all adjacent Property under the same ownership, and the Density shall be

located in the ~~[most appropriate]~~ locations that support the goals set forth in Section 15-6-1.

1. Additional Density may be granted within a Transfer of Development Rights Receiving Overlay Zone (TDR-R) within an approved ~~[MPD]~~ Master Planned Development.
2. When Properties are in more than one (1) Zoning District, there may be a shift of Density between Zoning Districts if that ~~[Transfer]~~ shift results in a project that better meets the goals set forth in Section 15-6-1.
 - a. **Exception.** Residential Density ~~[Transfers]~~ shifts between the HCB and HR-2 Zoning Districts are not permitted. A portion of the gross Floor Area generated by the Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in the HCB Zoning District, may be located in the HR-2 Zoning District as allowed by Section 15-2.3-8.
3. Density for ~~[MPDs]~~ Master Planned Developments ~~[will be]~~ is based on the Unit Equivalent ~~[F]~~ formula, ~~[as]~~ defined in Section 15-6-8 ~~[herein]~~.
 - a. ~~[EXCEPTIONS]~~ Exceptions. The Planning Department may recommend that the Planning Commission grant up to a maximum of ten percent (10%) increase in total Density if the Applicant:
 1. Donates ~~[e]~~ Open ~~[s]~~ Space in excess of the sixty percent (60%) requirement, either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such Density bonus shall only be granted upon a finding by the Planning Director that such donation will ensure the long-term protection of a significant environmentally or visually sensitive Area; or

- 1255 2. Proposes a Master Planned Development ~~[(MPD)]~~ in which more
1256 than thirty percent (30%) of the Unit Equivalents are employee/
1257 Affordable Housing consistent with the City's adopted employee/
1258 Affordable Housing guidelines and requirements; or
1259 3. Proposes a ~~[n-MPD]~~ Master Planned Development in which more
1260 than eighty percent (80%) of the project is ~~[e]Open~~ ~~[s]Space~~ as
1261 defined in this ~~[e]Code~~ and prioritized by the Planning
1262 Commission.

1263 B. MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED
1264 DEVELOPMENTS WITHIN THE HR-1 AND HR-2 ~~ZONING~~ DISTRICTS.

- 1265 1. The Land Management Code sets forth ~~[HR-1 and HR-2 Districts set forth]~~ a
1266 ~~[M]m~~ maximum Building Footprint for all Structures in the HR-1 and HR-2 Zoning
1267 Districts based on Lot Area. For purposes of establishing the maximum Building
1268 Footprint for Master Planned Developments~~[, which]~~ that include Development in
1269 the HR-1 and HR-2 Zoning Districts, the maximum Building Footprint for the HR-
1270 1 and HR-2 portions shall be calculated based on the conditions of the
1271 Subdivision Plat or the Lots of record prior to a ~~[P]p~~lat ~~[A]a~~ amendment combining
1272 the ~~[H]L~~ots as stated in Section 15-2.3-4.
- 1273 a. The Area of below Grade ~~[p]P~~arking in the HR-1 and HR-2 Zoning
1274 Districts shall not count against the maximum Building Footprint of the
1275 HR-1 or HR-2 ~~[Zoned]~~ Lots.
- 1276 b. The Area of below Grade Commercial Use~~[s]~~ extending from a Main
1277 Street business into the HR-2 Subzone A shall not count against the
1278 maximum Building Footprint of the HR-2 Lots.

- 1279 c. The Floor Area Ratio (FAR) of the HCB Zoning District applies only to the
1280 HCB Lot Area and may be reduced as part of a Master Planned
1281 Development. The FAR may not be applied to the HR-1 or HR-2 Lot Area.
1282 d. The Floor Area for a detached, single car Garage, not to exceed two-
1283 hundred and twenty square feet (220 ~~[sf]~~ square feet) of Floor Area, shall
1284 not count against the maximum Building Footprint of the HR-2 Lot.

1285 C. **SETBACKS.**

- 1286 1. The minimum Setback around the exterior boundary of a ~~[an MPD]~~ Master Planned
1287 Development shall be twenty-five feet (25') for Parcels greater than two (2) acres
1288 ~~[in size]~~. The Planning Commission may decrease the required perimeter
1289 Setback from twenty-five feet (25') for ~~[an MPD]~~ Master Planned Development
1290 ~~[a]~~ Applications greater than two (2) acres to the zone-required Setback if it is
1291 necessary to provide desired architectural interest and variation.
- 1292 2. For parcels greater than two (2) acres ~~[in size]~~ and located inside the HRM, HR-
1293 1, HR-2, ~~[HR-L]~~ HRC, and HCB Zoning Districts, the minimum Setback around
1294 the exterior boundary of a ~~[an MPD]~~ Master Planned Development shall be
1295 determined by the Planning Commission in order to remain consistent with the
1296 contextual streetscape of adjacent Structures.
- 1297 3. For parcels two (2) acres or less ~~[in size]~~, the minimum exterior boundary
1298 Setbacks shall be the [Z]zone-[R]r required Setbacks.
- 1299 4. In all ~~[MPDs]~~ Master Planned Developments, for either the perimeter
1300 ~~[s]~~ Setback[s] or the ~~[s]~~ Setbacks within the project, the Planning Commission may
1301 increase Setbacks to retain existing Significant Vegetation or natural features.
1302 ~~[or]~~ to create an adequate buffer to adjacent Uses, or to meet ~~[a]~~ Historic
1303 Compatibility requirements.

- 1304 5. The Planning Commission may reduce Setbacks within the project boundary, but
1305 not perimeter Setbacks, from those otherwise required in the ~~[zone]~~ Zoning
1306 District to match an abutting ~~[zone]~~ zone-required Setback, provided the project
1307 meets minimum ~~[Uniform]~~ International Building Code and Fire Code
1308 requirements, does not increase project Density, maintains the general character
1309 of the surrounding neighborhood in terms of mass, scale, and spacing between
1310 ~~[houses]~~ Structures, and meets ~~[e]Open [s]Space~~ criteria set forth in Section 15-
1311 6-5(D).
- 1312 6. Final Setback approvals shall be specified as a Finding of Fact in the Master
1313 Planned Development Approval, in the Development Agreement, and on each
1314 plat within the Master Planned Development.

1315 D. OPEN SPACE.

- 1316 1. **MINIMUM REQUIRED.** All Master Planned Developments shall contain a
1317 minimum of sixty percent (60%) ~~[e]Open [s]Space~~ as defined in ~~[LMC]~~ Chapter
1318 15-15, with the exception of the General Commercial (GC) ~~[District]~~, Historic
1319 Residential Commercial (HRC), Historic Commercial Business (HCB), and the
1320 Historic Residential (HR-1 and HR-2) Zoning Districts~~[,], [and wherein cases of]~~
- 1321 2. The minimum Open Space requirement for redevelopment of existing
1322 Developments ~~[the minimum open space requirement]~~ shall be thirty percent
1323 (30%).
- 1324 a. For Applications proposing the redevelopment of existing Developments,
1325 the Planning Commission may reduce the required ~~[e]Open [s]Space~~ to
1326 thirty percent (30%) in exchange for project enhancements in excess of
1327 those otherwise required by the Land Management Code that may
1328 directly advance policies reflected in the applicable General Plan sections
1329 or more specific Area plans. Such project enhancements may include, but

are not limited to, Affordable Housing, greater ~~[L]~~Landscaping buffers along public ways and public/private pedestrian Areas that provide a public benefit, increased landscape material sizes, public transit improvement, public pedestrian plazas, pedestrian way/trail linkages, Public Art, and rehabilitation of Historic Structures.

3. **TYPE OF OPEN SPACE.** The Planning Commission shall designate the preferable type and mix of ~~[e]O~~pen ~~[s]S~~pace for each Master Planned Development. ~~[This]~~ The Commission's determination ~~[will]~~ shall be based on the guidance given in the ~~[Park City]~~ General Plan. Landscaped ~~[e]O~~pen ~~[s]S~~pace may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open ~~[s]S~~pace may not be utilized for Streets, roads, driveways, Parking Areas, ~~[e]C~~ommercial Uses, or Buildings requiring a Building Permit.

E. OFF-STREET PARKING.

1. The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of ~~[this code]~~ the Land Management Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a ~~[p]P~~arking analysis submitted by the Applicant at the time of ~~[MPD]~~ Master Planned Development Application submittal. The ~~[p]P~~arking analysis shall contain, at a minimum, the following information:

- a. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.
- b. A ~~[p]P~~arking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy ~~[p]P~~arking.

- 1355 c. Parking needs for non-dwelling Uses, including traffic attracted to
1356 Commercial Uses from Off-Site.
- 1357 d. An analysis of time periods of Use for each of the Uses in the project and
1358 opportunities for ~~[S]~~shared ~~[P]~~parking by different Uses. This shall be
1359 considered only when there is Guarantee by Use covenant and deed
1360 restriction.
- 1361 e. A plan to discourage the Use of motorized vehicles and encourage other
1362 forms of transportation.
- 1363 f. Provisions for overflow ~~[p]~~Parking during peak periods.
- 1364 g. An evaluation of potential adverse impacts of the proposed ~~[p]~~Parking
1365 reduction and ~~[d]~~Density increase, if any, upon the surrounding
1366 neighborhood and conditions of approval to mitigate such impacts.

1367 The Planning Department shall review the ~~[p]~~Parking analysis and provide a
1368 recommendation to the Commission. The Commission shall make a finding
1369 during review of the ~~[MPD]~~ Master Planned Development as to whether or not
1370 the ~~[p]~~Parking analysis supports a determination to increase or decrease the
1371 required number of Parking Spaces.

- 1372 2. The Planning Commission may permit an Applicant to pay an in-lieu ~~[p]~~Parking
1373 fee in consideration for required on-~~[s]~~Site ~~[p]~~Parking provided that the Planning
1374 Commission determines that:

- 1375 a. Payment in-lieu of the on-Site ~~[p]~~Parking requirement will prevent a loss
1376 of significant ~~[e]~~Open ~~[s]~~Space, ~~[y]~~Yard Area, and/or public amenities and
1377 gathering Areas;
- 1378 b. Payment in-lieu of the on-Site ~~[p]~~Parking requirement will result in
1379 ~~[p]~~Preservation and ~~[r]~~Rehabilitation of significant Historic Structures or
1380 redevelopment of Structures and Sites;

c. Payment in-lieu of the on-Site ~~[p]~~Parking requirement will not result in an increase project Density or intensity of Use; and

d. The project is located on a public transit route or is within three (3) blocks of a municipal bus stop.

The payment in-lieu fee for the required ~~[p]~~Parking shall be subject to the provisions in the ~~[Park City]~~ Municipal Code of Park City Section 11-12-16 and the fee set forth in the current Fee Resolution, as amended.

F. **BUILDING HEIGHT**. The Building Height requirements of the Zoning District~~[s]~~ in which a~~[n MPD]~~ Master Planned Development is located shall apply, except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis ~~[and determination]~~. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts. The Applicant ~~[will be required to]~~ must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made, according to Subsections (1) through (5) below. In order to grant Building Height in addition to that which is allowed in the underlying ~~[zone]~~ Zoning District, the Planning Commission ~~[is required to make the following findings]~~ must find that:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for ~~[f]~~Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss ~~[or]~~ of air circulation have been mitigated as

- 1407 determined by the Site ~~[S]~~specific analysis ~~[and approved by the Planning~~
1408 ~~Commission]~~;
- 1409 3. There is adequate ~~[!]~~Landscaping and buffering from adjacent Properties and
1410 Uses~~[-]~~;
- 1411 4. Increased Setbacks and separations from adjacent projects are ~~[being]~~
1412 proposed;
- 1413 5. The additional Building Height results in more than the minimum Open Space
1414 required and results in ~~[the Open Space being more usable and included]~~ Open
1415 Space that is [P]ublicly [A]ccessible [Open Space];
- 1416 6. The additional Building Height ~~[shall be]~~ is designed in a manner that provides a
1417 transition in roof elements in compliance with Chapter 15-5, Architectural
1418 ~~[Guidelines]~~ Review, or the Design Guidelines for Park City's Historic Districts
1419 and Historic Sites if the Building is located within the Historic District~~[-]~~.

1420 If and when the Planning Commission grants additional Building Height ~~[due to]~~ based
1421 on a Site ~~[S]~~specific analysis ~~[and determination]~~, ~~[that]~~ the approved additional Building
1422 Height shall only apply to the specific plans ~~[being]~~ reviewed and approved ~~[at the time]~~
1423 by the Planning Commission. ~~[Additional Building Height for a specific project will not~~
1424 ~~necessarily be considered for a different, or modified, project on the same Site.]~~
1425 Additional Building Height shall be specified as a Finding of Fact in the Master Planned
1426 Development Approval, in the Development Agreement, and on each plat within the
1427 Master Planned Development that includes a Building with an additional Height
1428 allowance.

1429 G. **SITE PLANNING**. A~~[n-MPD]~~ Master Planned Development shall be designed to take into
1430 consideration the characteristics of the Site upon which it is proposed to be placed. The
1431 project should be designed to fit the Site, not the Site modified to fit the project. The

Applicant shall address the following ~~[shall be addressed]~~ in the Site planning for a ~~[n~~
~~MPD]~~ Master Planned Development:

1. Units ~~[should]~~ shall be clustered on the most developable and least visually sensitive portions of the Site ~~[with common]. [e]Open [s]Space shall [separating]~~ separate the clusters. The ~~[e]Open [s]Space [corridors]~~ should be designed so that existing Significant Vegetation ~~[can be]~~ is maintained on the Site.
2. Projects shall be designed to minimize Grading and the need for large retaining Structures.
3. Roads, utility lines, and ~~[Buildings]~~ Structures ~~[should]~~ shall be designed to work with the Existing Grade. Cuts and fills ~~[should]~~ shall be minimized.
4. Existing trails ~~[should]~~ shall be incorporated into the ~~[e]Open [s]Space~~ elements of the project and ~~[should]~~ shall be maintained in their existing location whenever possible. Applicants may be required to grant the City a [T]rail easement[s] [for]
to connect proposed trails with existing trails ~~[may be required]~~. Construction of new trails ~~[will]~~ shall be ~~[required]~~ consistent with the Park City Trails Master Plan.
5. Adequate internal vehicular, ~~[and]~~ pedestrian, ~~[/]~~ and bicycle circulation ~~[should]~~ shall be provided. Pedestrian ~~[/]~~ and bicycle circulations shall be separated from vehicular circulation and ~~[may]~~ shall ~~[serve to]~~ provide ~~[residents the opportunity to travel safely]~~ safe travel ~~[from an individual unit to another unit and to]~~ within the boundaries of the ~~[Property or public trail system]~~ Master Planned Development and safe travel to adjoining public sidewalks, trails, and Rights-of-Way. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.
6. The Site plan shall include adequate Areas for snow removal and snow storage. The ~~[/]~~ Landscape~~[e]ing~~ plan shall allow for snow storage Areas. Structures shall

be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. ~~[The assumption is that s]~~ Snow ~~[should]~~ shall be ~~[able to be]~~ stored on-Site, ~~[and not removed to an Off-Site location]~~ unless otherwise approved by the Planning Commission.

7. ~~[It is important to plan for trash storage and collection and recycling facilities.]~~

The Site plan shall include adequate Areas for trash ~~[dumpsters]~~ and recycling containers~~[, including an]~~ and shall include adequate circulation area for pick-up vehicles. ~~[These facilities shall be enclosed and shall be included on the site and landscape plans for the Project].~~ Convenient ~~[P]~~ pedestrian Access shall be provided within the Master Planned Development to the ~~[refuse/]~~ trash and recycling ~~[facilities from]~~ containers ~~[within the MPD for the convenience of residents and guests].~~

No ~~[final]~~ ~~[s]~~ Site plan ~~[for]~~ with a ~~[c]~~ Commercial ~~[d]~~ Development or ~~[multi-family residential]~~ Multi-Unit Dwelling ~~[development]~~ shall be approved unless there is a mandatory recycling program ~~[put into effect]~~, which may include Recycling Facilities for the ~~[project]~~ Site. Single ~~[f]~~ Family Dwellings ~~[residential development]~~ shall include a mandatory recycling program ~~[put into effect including]~~ with curb side recycling, ~~[but]~~ and may also ~~[provide]~~ include Recycling Facilities. The ~~[r]~~ Recycling ~~[f]~~ Facilities shall be identified on the ~~[final]~~ ~~[s]~~ Site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such ~~[project]~~ Master Planned Development. Such ~~[r]~~ Recycling ~~[f]~~ Facilities shall include, but are not ~~[necessarily]~~ limited to, glass, paper, plastic, cans, cardboard, or other household or commercially generated recyclable and scrap materials. ~~[Locations for proposed centralized trash and recycling collection facilities shall be shown on the site plan drawings. Written approval of the proposed locations shall be obtained by the City Building and~~

~~Planning Department.] Centralized [garbage] trash and recycling [collection]~~
containers shall be located in a completely enclosed ~~[s]~~Structure with a
pedestrian door and a truck door or gate. The enclosed Structure shall be
designed with materials that are compatible with the principal ~~[building(s)]~~
Structures in the Master Planned [d]Development~~[-including a pedestrian door~~
~~on the structure and a truck door/gate. The structure's design, construction, and~~
~~materials] and~~ shall be ~~[substantial e.g.]~~ constructed of masonry, steel, or other
substantial materials ~~[approved by the Planning Department capable of~~
~~sustaining active use by residents and trash/recycle haulers]. The [s]Structure[s]~~
shall be large enough to accommodate a ~~[garbage] trash~~ container and at least
two recycling containers to provide for the option of dual-stream recycling. ~~[A~~
~~conceptual design of the structure shall be submitted with the site plan~~
~~drawings.]~~

8. The Site plan~~[ning]~~ for a~~[n MPD should]~~ Master Planned Development shall
include transportation amenities including drop-off Areas for van and shuttle
service, and a bus stop, if applicable.

9. Service and delivery Access and loading/unloading Areas must be included in
the Site plan. The service and delivery should be kept separate from pedestrian
Areas.

H. LANDSCAPE AND [STREET SCAPE] LIGHTING. A complete ~~[l]~~Landscap[e]ing plan
must be submitted with the ~~[MPD]~~ Master Planned Development ~~[a]~~Application. The
~~[l]~~Landscap[e]ing plan shall comply with all criteria and requirements of ~~[LMC]~~ Section
15-5-5~~[(M)](N)~~. LANDSCAPING. All noxious weeds, as identified by Summit County,
shall be removed from the Property in accordance with the Summit County Weed
Ordinance prior to issuance of Certificates of Occupancy. Lighting must meet the
requirements of ~~[LMC Chapter]~~ Section 15-5-5(J)~~[-Architectural Review]~~.

- I. **SENSITIVE LANDS COMPLIANCE.** Applicants for a [All MPD] Master Planned Development [Applications containing] that contains any Area within the Sensitive [Areas] Land Overlay Zone [will be required to] shall conduct a Sensitive Lands Analysis and shall conform to the Sensitive Lands [, as described in LMC Section] Chapter 15-2.21.
- J. **EMPLOYEE/AFFORDABLE HOUSING.** [MPD Applications] Master Planned Development Applicants shall [include] submit a housing mitigation plan [which must] that addresses es employee Affordable Housing [as] required by the adopted housing resolution in effect at the time of a complete Application.
- K. **CHILD CARE.** A Site designated and planned for a Child Care Center may be required for all new [s]Single Family Dwellings and [m]Multi-[f] Family [housing projects] Dwellings within a Master Planned Development if the Planning Commission determines that the project will create additional demands for Child Care.
- L. **MINE HAZARDS.** All [MPD] Master Planned Development [a] Applications shall include a map and list of all known Physical Mine Hazards on the [p]Property and a Physical [m]Mine [h]Hazard mitigation plan.
- M. **HISTORIC MINE WASTE MITIGATION.** [For known historic mine waste located on the property, a]An Applicant for a Master Planned Development with Property that is located within the Park City Soils Ordinance Boundary shall submit a soil remediation mitigation plan and shall [must be prepared indicating] indicate areas of hazardous soils and proposed methods of remediation and/or removal subject to the [Park City Soils Boundary Ordinance] requirements and regulations of [See Title Eleven Chapter Fifteen of the Park City] the Municipal Code of Park City Chapter 11-15 [for additional requirements].
- N. **GENERAL PLAN REVIEW.** [All MPD applications]The Planning Commission shall review Master Planned Developments [shall be reviewed] for consistency with the goals

and objectives of the ~~[Park City]~~ General Plan; however such review for consistency shall not alone be binding.

O. **HISTORIC SITES.** All ~~[MPD]~~ Master Planned Development ~~[Applications]~~ Applicants shall ~~[include]~~ submit a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report~~[, as further described on the MPD application.~~
~~The Historic Structures Report shall be]~~ prepared by a Qualified Historic Preservation Professional.

P. **LAND MANAGEMENT CODE REVIEW.** All Master Planned Development Applications shall be reviewed in accordance with the Land Management Code, including:

1. the underlying Zoning District requirements in Chapter 15-2;
2. relevant Overlay Zoning requirements in Chapter 15-2;
3. Chapter 15-3, Off-Street Parking;
4. Chapter 15-4, Supplementary Regulations;
5. Chapter 15-5, Architectural Review;
6. Chapters 15-7.1, 15-7.1, 15-7.2, 15-7.3, and 15-7.4, Subdivision Provisions;
7. Chapters 15-11 and 15-13 for Master Planned Developments located in a Historic Zoning District;
8. any other relevant provisions of the Land Management Code.

HISTORY

Adopted by Ord. 02-07 on 5/23/2002

Amended by Ord. 04-08 on 3/4/2004

Amended by Ord. 06-22 on 4/27/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 10-14 on 4/15/2010

1562 Amended by Ord. [11-05](#) on 1/27/2011

1563 Amended by Ord. [11-12](#) on 3/31/2011

1564 Amended by Ord. [13-23](#) on 7/11/2013

1565 Amended by Ord. [15-36](#) on 6/25/2015

1566 Amended by Ord. [2016-44](#) on 9/15/2016

1567 Amended by Ord. [2017-46](#) on 8/17/2017

1568 Amended by Ord. [2020-09](#) on 1/30/2020

1569 **15-6-6 Required Findings And Conclusions Of Law**

1570 The Planning Commission must make the following findings in order to approve a Master
1571 Planned Development. In some cases, conditions of approval will be attached to the approval to
1572 ensure compliance with these findings. The Master Planned Development, as conditioned:

1573 A. ~~[The MPD, as conditioned,]~~ complies with all ~~[the]~~ requirements of the Land

1574 Management Code;

1575 B. ~~[The MPD, as conditioned,]~~ meets the minimum requirements of Section 15-6-5 ~~[herein]~~;

1576 C. ~~[The MPD, as conditioned,]~~ provides the highest value of Open Space, as determined by
1577 the Planning Commission;

1578 D. ~~[The MPD, as conditioned,]~~ strengthens and enhances the resort character of Park City;

1579 E. ~~[The MPD, as conditioned,]~~ compliments the natural features on the Site and preserves
1580 significant features or vegetation to the extent possible;

1581 F. ~~[The MPD, as conditioned,]~~ is Compatible in Use, scale, and mass with adjacent
1582 Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where
1583 appropriate, and protects residential neighborhoods and Uses;

1584 G. ~~[The MPD, as conditioned,]~~ provides amenities to the community so that there is no net
1585 loss of community amenities;

- H. ~~[The MPD, as conditioned,]~~ is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time ~~[the]~~ staff determined the Application ~~[was filed.]~~ to be complete;
- I. ~~[The MPD, as conditioned,]~~ meets the Sensitive Lands requirements of the Land Management Code~~[-The project]~~ and [has been] is designed to place Development on the most developable land and least visually obtrusive portions of the Site;
- J. ~~[The MPD, as conditioned,]~~ promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; ~~[and]~~
- K. ~~[The MPD has been noticed and]~~ was noticed and the Planning Commission held a public hearing ~~[held]~~ in accordance with this ~~[Code]~~ Chapter[-];
- L. ~~[The MPD, as conditioned,]~~ incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application~~[-];~~
- M. ~~[The MPD, as conditioned,]~~ addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies~~[-];~~
- N. ~~[The MPD, as conditioned,]~~ addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance~~[-];~~
- O. ~~[The MPD, as conditioned,]~~ addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan~~[-];~~
- P. addresses and mitigates traffic.

HISTORY

Adopted by Ord. [02-07](#) on 5/23/2002

Amended by Ord. [06-22](#) on 4/27/2006

1612 Amended by Ord. [10-14](#) on 4/15/2010

1613 Amended by Ord. [13-23](#) on 7/11/2013

1614 Amended by Ord. [2016-44](#) on 9/15/2016

1615 **15-6-7 Master Planned Affordable Housing Development**

1616 **A. PURPOSE.** The purpose of the ~~[M]Master~~ ~~[P]Planned~~ Affordable Housing Development is
1617 to promote housing for a diversity of income groups by providing Dwelling Units for rent or
1618 for sale in a price range affordable by families in the low-to-moderate income range. This
1619 may be achieved by encouraging the private sector to develop Affordable Housing.
1620 Master Planned Developments, which are one hundred percent (100%) Affordable Housing,
1621 as defined by the housing resolution in effect at the time of Application, ~~[would]~~ may be
1622 considered for a Density incentive greater than that normally allowed under the applicable
1623 Zoning District and Master Planned Development regulations with the intent of encouraging
1624 quality Development of permanent rental and permanent Owner-occupied housing stock for
1625 low and moderate income families within the Park City Area.

1626 **B. RENTAL OR SALES PROGRAM.** If a Developer seeks to exercise the increased Density
1627 allowance incentive by providing an Affordable Housing project, the Developer must agree
1628 to follow the guidelines and restrictions set forth by the Housing Authority in the adopted
1629 Affordable Housing resolution in effect at the time of Application.

1630 **C. MIXED RENTAL AND OWNER/ OCCUPANT PROJECTS.** When projects are approved
1631 that comprise both rental and Owner/occupant Dwelling Units, the combination and phasing
1632 of the Development shall be specifically approved by the ~~[reviewing agency]~~ Planning
1633 Commission and become a condition of project approval. A permanent rental housing unit is
1634 one which is subject to a binding agreement with the ~~[Park]~~ City ~~[Housing Authority]~~.

1635 **D. MPD REQUIREMENTS.** All of the ~~[MPD]~~ Master Planned Development requirements and
1636 findings of this ~~[section]~~ Chapter shall apply to Affordable Housing ~~[MPD]~~ Master Planned
1637 Development projects.

E. DENSITY BONUS. The ~~[reviewing agency]~~ Planning Commission may increase the allowable Density to a maximum of twenty (20) Unit Equivalents per acre. The Unit Equivalent formula applies.

F. OFF-STREET PARKING:

- ~~1. The number of Off-Street Parking Spaces in each Master Planned Affordable Housing Development shall not be less than the requirements of this Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal. The parking analysis shall contain, at a minimum, the following information:~~
 - ~~a. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.~~
 - ~~b. A parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy parking.~~
 - ~~c. Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.~~
 - ~~d. An analysis of time periods of Use for each of the Uses in the project and opportunities for Shared Parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.~~
 - ~~e. A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.~~
 - ~~f. Provisions for overflow parking during peak periods.~~
 - ~~g. An evaluation of potential adverse impacts of the proposed parking reduction and density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.~~

~~The Planning Department shall review the parking analysis and provide a recommendation to the Commission. The Commission shall make a finding during review of the affordable MPD as to whether or not the parking analysis supports a determination to increase or decrease the required number of Parking Spaces.~~

~~2. The Planning Commission may permit an Applicant to pay an in-lieu parking fee in consideration for required on-site parking provided that the Planning Commission determines that:~~

~~a. Payment in-lieu of the on-Site parking requirement will prevent a loss of significant open space, yard Area, and/or public amenities and gathering Areas;~~

~~b. Payment in-lieu of the on-Site parking requirement will result in preservation and rehabilitation of significant Historic Structures or redevelopment of Structures and Sites;~~

~~c. Payment in-lieu of the on-Site parking requirement will not result in an increase project Density or intensity of Use; and~~

~~d. The project is located on a public transit route or is within three (3) blocks of a municipal bus stop.~~

~~e. The payment in-lieu fee for the required parking shall be subject to the provisions in the Park City Municipal Code Section 11-12-16 and the fee set forth in the current Fee Resolution, as amended. [SEE LMC § 15-6-5(E), line 1343 as amended]~~

F. OPEN SPACE. All Master Planned Affordable Housing Developments shall contain a minimum of twenty percent (20%) Open Space as defined in [LMC] Chapter 15-15. On-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, significant landscaping, or other amenities are encouraged. Open Spaces may not be utilized for

1690 Streets, roads, or Parking Areas.

1691 The Planning Commission may decrease the required Open Space for projects located
1692 within 300 feet (300') of a Public Use, including, but not limited to a public park, Recreation
1693 Open Space, public trail, public school, or Public Recreation Facilities.

1694 **G. RENTAL RESTRICTIONS.** The provisions of the moderate income housing exception
1695 shall not prohibit the monthly rental of an individually owned unit. However, Nightly Rentals
1696 or timesharing shall not be permitted within Developments using this exception. Monthly
1697 rental of individually owned units shall comply with the guidelines and restrictions set forth
1698 by the Housing Authority as stated in the adopted Affordable Housing resolution in effect at
1699 the time of Application.

1700 HISTORY

1701 *Adopted by Ord. [02-07](#) on 5/23/2002*

1702 *Amended by Ord. [06-22](#) on 4/27/2006*

1703 *Amended by Ord. [09-10](#) on 3/5/2009*

1704 *Amended by Ord. [2020-09](#) on 1/30/2020*