PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
June 11, 2025

The Planning Commission of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.
Zoom Link: https://us02web.zoom.us/j/86137534714

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 May 28, 2025

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. WORK SESSION

5.A. **1127 Woodside Avenue – Plat Amendment** – The Applicant Proposes to Amend the Recorded Plat to Remove Plat Note 3 Establishing a Total Maximum Building Footprint of 2,100 Square Feet in the Historic Residential - 1 Zoning District. PL-24-06371 (25 mins.)

6. REGULAR AGENDA

6.A. **5 Iron Canyon Court – Plat Amendment** – The Applicant Proposes Amending the Iron Canyon Subdivision Lot 30 to Adjust the Building Pad to Align with the Existing Single-Family Dwelling and to Allow an Expansion of the Non-Complying Structure. PL-25-06524 (15 mins.)
(A) Public Hearing; (B) Action

6.B. **2685 Meadow Creek Drive – Modification to Plat Amendment** – The Applicant is Proposing to Modify the Smith Subdivision First Amended Plat Amendment Approved by the Planning Commission on March 13, 2024, to Shift the Barn Building Pad and Driveway Easement to Comply with an Updated Wetlands Delineation Located in the Single Family and Estate Zoning Districts and the Sensitive Land Overlay. PL-25-06415 (15 mins.)
(A) Public Hearing; (B) Action

6.C. **7 & 11 Red Cloud Trail – Plat Amendment** – The Applicant Proposes the Second Amended Red Cloud Subdivision Plat to Combine Lots 1 and 2 and Establish an 18,000-Square-Foot Building Envelope and a Maximum House Size of 16,000 Square Feet for the Combined Lot in the Estate Zoning District and Sensitive Land Overlay. PL-24-06354 (15 mins.)
(A) Public Hearing; (B) Action

6.D. **6453 Silver Lake Drive – Plat Amendment** – The Applicant Proposes a Plat Amendment to Revise the Platted Area of Disturbance to Reflect Existing Conditions and Accommodate a Future Addition to a Single-Family Dwelling in the Residential

Development Zoning District. PL-24-06225 (30 mins.)
(A) Public Hearing; (B) Action

6.E. **Bonanza Park – Land Management Code Amendments** – Proposed Land Management Code Amendments Implement the Bonanza Park Small Area Plan through a New Mixed-Use Zoning District to Create a Vibrant and Pedestrian-Oriented Mixed-Use Neighborhood. PL-24-06302 (60 mins.)
(A) Public Hearing; (B) Continuation to June 25, 2025

7. ADJOURNMENT

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.

***Parking is available at no charge for meeting attendees who park in the China Bridge parking structure.**

A majority of Planning Commissioners may meet socially after the meeting. If so, the location will be announced by the Planning Commission Chair. City business will not be conducted.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MAY 28, 2025

COMMISSIONERS IN ATTENDANCE: Chair Christin Van Dine, Laura Suesser, John Frontero, Rick Shand, Bill Johnson
EX OFFICIO: Rebecca Ward, Planning Director; Virgil Lund, Planner II; Mark Harrington, City Attorney; Meredith Covey, Planner I; Elissa Martin, Planning Project Manager; Lillian Zollinger, Planner I

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1. ROLL CALL

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

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from May 14, 2025.

MOTION: Commissioner Shand moved to APPROVE the Planning Commission Meeting Minutes from May 14, 2025. Commissioner Frontero seconded the motion. The motion passed with the unanimous consent of the Commission.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward, reminded those present that anyone interested in sharing public comment must state their full name and sign in. Comments should be limited to three minutes and matters should be directed to the Planning Commission. All comments should be civil and address relevant matters.

4. PUBLIC COMMUNICATIONS

There were no public communications.

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5. CONTINUATION

A. 1300 Park Avenue – Condominium Plat Amendment – The Applicant Proposes a Condominium Plat Amendment to Accommodate a Remodel and Roof Extension in the Historic Residential - Medium Density Zone. PL-24-06180.

Director Ward reported that the applicant requested additional time to work through details of the proposed Condominium Plat Amendment. Staff recommended the Planning Commission open a public hearing and continue this to a date uncertain.

Chair Van Dine opened the public hearing. There were no comments. The public hearing was continued to a date uncertain.

MOTION: Commissioner Johnson moved to CONTINUE the Condominium Plat Amendment for 1300 Park Avenue and the public hearing to a date uncertain. Commissioner Frontero seconded the motion. The motion passed with the unanimous consent of the Commission.

6. WORK SESSION

A. General Plan Update – Consultants Design Workshop will Provide a Project Update.

Director Ward reported that Design Workshop consultants were participating in the meeting virtually. Jessica Garrow and Marianne Stuck introduced themselves and shared information about the General Plan Update process. Ms. Garrow reviewed the project timeline and stated that the work is currently between Phases 4 and 5. During the current Work Session, an update will be provided ahead of the draft plan release. The intention was to hear Commissioner feedback and share some of the sentiments from the community. In the summer, the adoption process will start.

There have been three different engagement windows. The first was Project Awareness Building and Values Identification, the second was Ideas and Alternatives Development, and the third was the Draft and Final Plan Sharing. The third engagement window was underway and an open house was held a few weeks prior. There had been a lot of engagement. Ms. Garrow reviewed the engagement process so far as follows:

- Community Interaction:
  - Open House (3);
  - Project Website;
  - Statistically Valid Survey;
  - Online Questionnaire;
  - Focus Groups; and

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    - Youth Council Work Session.
- Advisory Committees:
    - Technical Advisory Committee (2);
    - General Plan Advisory Committee (2); and
    - Neighborhood Advisory Committees (9 Neighborhoods and 2 Rounds of Meetings).
- Advisory Boards:
    - Historic Preservation Board;
    - Public Art Advisory Board; and
    - Recreation Advisory Board.
- City Council and Planning Commission:
    - City Council Interviews and Presentation; and
    - Planning Commission Presentation.

Ms. Stuck shared Engagement Window 1 summary information. The first engagement window took place last fall and there was a project launch, open house, and the first series of meetings. There was also a statistically valid survey where residents of Park City were invited to participate. There were over 450 survey responses and almost 70% of the survey respondents were full-time residents. The survey indicated what the community wanted to see and what some of the priorities were. During the initial survey, residents were asked about the values that represent Park City. The top five values were: community, uniqueness, environmental, preservation, and authenticity. Residents were also asked about the most valued characteristics of Park City, which are as follows:

- Access to parks, skiing, recreation, and trails;
- Quality of life;
- Preservation of natural environment;
- Historic character; and
- Sense of community.

Some of the challenges and concerns that were heard at the beginning include:

- Traffic and congestion;
- Balancing tourism and local quality of life;
- Growth and change in the area;
- Affordable housing options; and
- Fear that residents and their children will be unable to live in Park City.

Ms. Stuck explained that some of the challenges tied into the goals:

- Preserving a small-town feel;
- Preserving the natural setting;
- Making the town more affordable and equitable;

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- Improving transportation options; and
- Preserving historic character.

Affordability was the top choice for several subgroups, such as those between the ages of 18 and 44, those renting homes, and those making less than $100,000. Ms. Stuck next reviewed the land use priorities at a neighborhood scale, which include:

- Parks and Open Space;
- Conservation and Natural Space;
- Affordable Housing;
- Restaurants or Bars; and
- Medium-Density Housing.

During the Engagement Window 2 process, there was another set of meetings with the different groups. This started with a meeting with the Youth Advisory Council. There was an introduction to the General Plan and planning concepts. The participants were then split into two groups and were asked what they want to see in Park City in the future. Youth Advisory Council Members were asked two different questions:

- What do you love most about Park City?
- How do you envision Park City in 20 years?

There was an engaging conversation and it was interesting to hear the different perspectives. Participants stressed the importance of more mixed-use neighborhoods, more places to gather, more access to retail and commercial services that are easily accessed by public transit, and the need for small commercial nodes within residential neighborhoods. During the second engagement window, there were a number of focus group meetings and there were discussions with various groups. The takeaways were:

- Winter travel challenges identified as a concern and a need for more frequent, convenient public transit, especially for late-night workers;
- Broad support for adding housing to help workers, young people, and artists live in town;
- Worries about Park City losing its character and becoming overly commercial, with a push to support local businesses and affordable housing to maintain diversity;
- Concerns about rising costs, traffic, and tax revenue shifting to areas outside of the City; and
- Suggestions to incentivize private landowners to provide needed community amenities and create walkable, mixed-use neighborhoods.

Ms. Stuck reported that an open house was held in March. During that time, the draft vision statement was reviewed to see if there were any comments. In general, the community was supportive of the vision statement presented. Attendees were also asked about land use scenarios. There were three scenarios presented to the community.

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Attendees were asked to choose one and provide feedback. There were also three transportation scenarios presented. Based on the open house and the online questionnaire, there was a lot of support for more transformational change when it comes to transportation. There were questions asked about historic preservation as well. In general, there is strong support for preserving the skiing and mountain resort heritage. When it comes to sustainability and resiliency, there is a lot of interest in waterwise landscaping, different sustainable energy measures, and wildfire protection.

Information about the online questionnaire was shared. Ms. Stuck reported that approximately 315 responses were received. The responses indicated strong overall support for the vision statement presented. Respondents highlighted the small-town character, natural environment, and open space and recreational opportunities. For the mission statements, the feedback highlighted that preserving open space and conservation areas is the top priority for Park City residents. There was also strong support for adopting more multi-modal transportation solutions as opposed to expanding road networks. The community does not want to expand the footprint of the road network but wants to work with what is already there and see what solutions can be implemented.

Ms. Stuck reminded Commissioners that there were three land use scenarios, but the strongest support was for Scenario 1: Neighborhood Infill Development. However, the other two scenarios also had fairly high levels of support. Residents were asked about development types that there would be support for in specific areas. There was support for mixed-use development, workforce housing, as well as transit and mobility hubs.

Ms. Garrow shared information about Engagement Window 3. She explained that all of the information was taken from the previous processes and some potential theme statements, action steps, and goals were drafted. There were meetings with all of the technical groups to determine what should be included when thinking about transportation, water, sustainability, community character, and moderate housing. The feedback was used to craft the open house that was held on May 13, 2025. At that event, there was a video shown. Some boards identified some of the specific recommendations by neighborhood based on feedback from neighborhood meetings.

The attendees engaged with the material and felt generally comfortable with the direction of the plan. Open house attendees felt it was reflective of the feedback offered previously. Ms. Garrow reported that there was feedback received on the Land Use Node Map as well. In Park City, many residents want minimal intervention and do not want to see significant change when it comes to land use. The approach has been to use existing zoning as a base for the map and identify specific areas where some type of change might be appropriate. For example, different housing typologies or different types of businesses. Comments were received on the Land Use Node Map.

Ms. Garrow reported that the following items are scheduled as part of the next steps:

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- June:
    - Historic Preservation Board Presentation - June 4;
    - Final Round of Technical Meetings - Week of June 16;
    - Plan Draft and Feedback Questionnaire Opens - June 18; and
    - Joint Planning Commission and City Council Work Session - June 26.
- July:
    - Planning Commission Meeting for Plan Recommendation - July 9.
- August:
    - City Council Meeting for Adoption - August 14.

Ms. Garrow asked if there were any Commissioner questions about the feedback from the community so far or the next steps. Commissioner Bill Johnson wanted additional information about the meeting attendance for the board meetings and neighborhood meetings. Ms. Garrow reported that there was consistently high attendance at all of the focus groups throughout the process as well as with the Advisory Committees and Boards. Commissioner Johnson wondered whether there was a diversified group of participants. Director Ward shared information about the different meetings held. There was more attendance during the second round of the neighborhood meetings. As far as the focus groups, those have included local business owners, developers, non-profits, and regional partners. There was work done in the second round to provide clarity so residents were aware that it was possible to provide neighborhood-specific input. There was also encouragement to sign up to receive updates on the General Plan process.

Ms. Garrow explained that one of the reasons for the statistically valid survey was to make sure a wide variety of residents were included in the process. The survey consultant was able to perform detailed crosstabulations on questions related to housing and transportation. During the open house, attendees were asked to place a sticker on a board to indicate where they live. This highlighted where the feedback was coming from.

When it comes to community engagement, there are different methods that can be used. The open house is a method that allows anyone to come and provide feedback. It then becomes possible to consider how the open house feedback is different or similar to the results of the statistically valid survey. In many instances, the feedback has been consistent. Transportation is the number one issue that has been mentioned. There has been a focus on what was heard during the neighborhood meetings and in the statistically valid survey. That feedback takes a bit of a priority over the open houses because it is possible to clearly track those participants. Commissioner Johnson asked whether the Advisory Board has provided feedback consistent with the different outreach methods. Ms. Garrow confirmed this. The conversations were fairly consistent with what was heard in the broader community engagement processes. However, there have been some conversations about what small-town feel actually means and if it is the right term to use.

Commissioner Rick Shand wondered how long the respondents have lived in Park City. He was interested in knowing whether there is a discrepancy between the concerns of

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residents who have lived in the area for less than five years versus those who have lived in the area for longer than that. He wanted to know whether preservation of the small-town feel is a concern across the board. Commissioner Shand asked if any data indicates how long respondents have lived in Park City. Ms. Garrow confirmed this. She offered to review the survey summary document and follow up with the Commission.

There were some choices in the survey related to different housing types. Ms. Garrow reported that renters and people interested in purchasing their first home were more focused on opportunities for housing stability than those who owned their home and had been in Park City for a long time. Ms. Stuck does not have the crosstabulation details available at this time, but in general, over 60% of the respondents of the statistically valid survey lived in Park City for more than 10 years and another 15% lived in Park City for more than five years. She noted that it is possible to do some additional crosstabulation.

The Vision Statement and Plan Framework information was reviewed. Ms. Stuck reported that the vision statement has been revised several times after feedback from the Planning Commission, City Council, and others. The latest version is as follows:

- Park City is a mountain community that preserves our small-town feel, unique character and history, natural environment, open space, and world-class recreation. We advance multi-model transportation and innovation for residents, workforce, and visitors, while fostering thoughtful planning and land uses for balanced growth, today and for future generations.

Ms. Stuck asked Commissioners about the small-town feel language and whether there is support for that to remain. Commissioner Shand thought that “sense of community” would be a strong replacement for a “small-town feel.” As for the second sentence of the vision statement, he thought everything after multi-modal transportation was generic. It might be best to keep all of the language there general and communicate that the intention is to foster thoughtful planning and land uses for balanced growth. Commissioner Johnson likes the reference to a small-town feel based on the community feedback received. He is not too concerned with the rest of the statement, as it is a general vision statement. There will be a transportation component of the plan that will include details.

Commissioner Suesser agreed with Commissioner Johnson that it makes sense to keep the reference to a small-town feel. She thinks that speaks for itself and people will understand what it means. Commissioner Suesser mentioned the box on the presentation slide, which asks: “Where do we want to be?” Instead of that question, she feels it is more appropriate to ask: “What do we want to be?” As for the vision statement reference to world-class recreation, she agrees that the mountain bicycle trails are world-class as well as the skiing. However, she does not know that there needs to be a specific reference to the world-class recreation offered. Access to recreation might be preferable.

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Commissioner Frontero believes the vision statement is too lengthy. It is trying to be very descriptive and capture a lot of what was shared during the engagement process, but he feels it needs to be more concise. The vision statement, as written, is not inspiring or aspirational. Chair Van Dine agrees with the earlier comments from Commissioner Johnson. She does not have a problem with the first sentence, but the second sentence needs some additional work. It can be a little more condensed. Ms. Garrow noted that based on Planning Commission feedback, the reference to a small-town feel will likely remain moving forward. The team will look at the rest of the drafted vision statement.

The General Plan is structured around five themes, which includes the following:

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

Ms. Garrow shared a slide related to transportation. The theme statement was read aloud: "We value a connected community with great access to recreation and open spaces and a variety of transportation options for its residents and visitors." The plan document includes some of the key areas within transportation, such as transit improvements, traffic management, parking, and preserving the Park City small-town feel. She explained that the latter looks at preserving the small-town feel from a transportation perspective. Within each of the areas are more specific action items. Those action items will be finalized based on the feedback that has been received throughout the process. The chapter will also look at walkable and bikeable neighborhoods, special events, and emergency planning. An example of a special event is the 2034 Olympic Games.

The next slide pertained to the community character section. Ms. Garrow read the theme statement: "We value our unique community, our quality of life, and Park City's authentic character. We support a variety of housing options that create housing opportunities for all groups within the community. We preserve our historic buildings and cultural elements and celebrate the original character of Park City." The key elements include the small-town feel, sense of community, land use and growth, and historic preservation.

Ms. Garrow discussed the moderate housing section and read the theme statement aloud: "We will provide housing for various groups, including workforce, seniors, and first-time home buyers." The key elements listed include a variety of housing options and workforce housing. Since the City has a separate Moderate Income Housing Plan, there is no intention to duplicate that effort. The intention is to offer support to the existing document and bring in some of the key feedback that was heard from the community.

The presentation slide for water and preservation was shared. Ms. Garrow read the theme statement: "We protect our resources and plan for future generations, natural

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hazards, and climate change. We strive to preserve our open and natural lands and create a green buffer around Park City." The key elements include water preservation, open space conservation, and sensitive lands. There are some detailed action items related to how water is dealt with at a site level as well as at a regional level.

The last element is sustainability and the theme statement is: "We value our natural environment and preserve and protect natural areas." The key elements include environmental leadership, wildfires, and energy efficiency. Ms. Garrow reported that one of the priorities of the community relates to wildfires, so an awareness campaign is listed.

Ms. Stuck reviewed the Land Use Node Map. Instead of having a traditional Future Land Use Map, there were discussions about what would make more sense based on the community feedback. The Land Use Node Map identifies neighborhoods where infill nodes might make sense. Any infill that happens in Park City should be context-sensitive and respect the character, scale, architecture, use, and aesthetics of the neighborhood. In the background of the map is the current zoning. On top are the following node types:

- Quinn's Junction Community Mixed-Use Node;
- Quinn's Junction Mobility Hub;
- Quinn's Junction Institutional Hub;
- Bonanza Park Mobility Hubs/Corridor Infill;
- Resort Center Mobility Hub/Corridor Infill;
- Old Town Mobility Hub/Corridor Infill; and
- Neighborhood Transit Hubs.

Commissioner Shand asked what the difference is between a mixed-use node, a mobility hub, and an institutional hub. Ms. Stuck explained that an institutional hub is tied to those types of services. A mobility hub is thinking from the transportation perspective, such as a larger collector lot tied into a BRT stop or some other micro-mobility system or bus route. A mixed-use node is somewhere there is some level of infill with retail and commercial uses tied to that. Commissioner Suesser wanted some clarification on the Old Town Corridor Infill. Ms. Stuck stated that it was identified as a potential bus stop or transportation hub in Old Town. There could also be some infill next to that to support the use. Infill in this case would mean residential. The intention is to look at whether there are vacant lots, underutilized parcels, or underutilized parking lots. Commissioner Johnson stated that additional clarity is needed on the Old Town item shown on the map.

Commissioner Suesser asked about the transportation slide and the reference to preserving Park City's small-town feel. She believes preserving the small-town feel goes beyond Main Street circulation and efficiency in Old Town. Preserving the small-town feel is about connecting Old Town, Lower Deer Valley, Park Meadows, and Thaynes together. She believes the language that has been presented could use some work. Ms. Garrow clarified that the information on the presentation slides are highlights from the plan. The slides do not include all of the information from the plan, as there is more detail.

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Ms. Garrow reported that Design Workshop will present to the Planning Commission and City Council at the Joint Meeting scheduled for June 26, 2025. The draft plan should be available for review on June 18, 2025. There will also be a companion questionnaire so community members can read the plan and then provide feedback. Chair Van Dine thanked Ms. Garrow and Ms. Struck for their presentation on the General Plan process.

The Commission took a short break before continuing with the agenda items.

7. REGULAR AGENDA

A. 7955 Red Tail Court – Plat Amendment – The Applicant Proposes to Amend the Building Envelope for Unit 44 of the Bald Eagle Club at Deer Valley to Allow for the Construction of a Single-Family Dwelling. PL-25-06422.

Planner II, Virgil Lund, presented the Staff Report and explained that this is a Plat Amendment application for 7955 Red Tail Court. It is part of the Bald Eagle Club development and relates to Unit 44. He shared some background information about the Bald Eagle Club. On May 3, 1989, the Planning Commission approved a Master Planned Development ("MPD") for 53 single-family dwellings at Bald Eagle. In 1990, the Building Department issued a Building Permit for a single-family dwelling on Unit 44. In 2022, the City approved a permit to demolish the single-family dwelling on Unit 44. He clarified that Unit 44 is currently vacant. Planner Lund shared images of the current conditions. He next reviewed an image that shows the proposed building envelope in blue. The trees that are proposed to be removed are highlighted in the image in yellow. There is no change in square footage proposed, but an adjustment to the building envelope.

An image was shared to illustrate the setbacks from the existing building envelope. When the plat was first recorded, the setbacks were shown as 15 feet for the zoning district, but subsequent changes to the Land Management Code (“LMC”) have increased the setbacks to 20 feet. The proposed building envelope is approximately 33 feet from the front lot line. Planner Lund shared an image of the adjusted building envelope.

Commissioner Suesser noted that the analysis talks about shifting the building envelope to reduce the amount of steep slope, but it appears while some steep slope is lost in the upper lefthand corner, there is another steep slope section that is gained. Planner Lund confirmed this. He clarified that it is a difficult lot and the whole lot slopes downward. The adjustment does include some additional steep slopes but also avoids setback areas.

Commissioner Johnson asked about the placement of the driveway. He believed it would need to be placed in the area that the envelope had been shifted away from. Planner Lund is not certain how the applicant plans to do the driveway. Commissioner Suesser noted that the shift is to increase the setbacks which she supports. She does not feel the

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shift is to avoid the steep slopes because it avoids one but impacts another. Planner Lund reiterated that this is a difficult site based on how this was platted in the late 1980s.

The Plat Amendment complies with the Deer Valley MPD, Residential Development ("RD") Zoning District requirements, and the Sensitive Land Overlay. Staff finds Good Cause for the Plat Amendment due to the setback compliance and additional slope protection. Staff recommends the Commission review the proposed Plat Amendment and consider approving the adjusted building envelope based on the Draft Final Action Letter.

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

Chair Van Dine asked about Finding of Fact #13 and whether that should be amended. Director Ward reviewed the steep slope map and explained that the red is greater than 40% and the yellow is between 30% and 40%. As a result, the language still applies.

Commissioner Suesser feels it is a bit misleading to state that it avoids steep slopes greater than 30% when very steep slopes are not being avoided. In the Staff Report, it states that there is Good Cause because it avoids steep slopes greater than 30% for the construction of a single-family dwelling, but she does not find that statement to be accurate. City Attorney, Mark Harrington, asked whether there is a desire to change Finding of Fact #13 (C) to state that it "reduces the impact on steep slopes greater than 30%." Chair Van Dine believes that is a more reasonable Finding of Fact to include.

MOTION: Commissioner Johnson moved to APPROVE the Plat Amendment for the Bald Eagle Club at Deer Valley Unit 44, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. On May 3, 1989, the Planning Commission approved the Bald Eagle Club at Deer Valley Master Planned Development (MPD). The MPD approved the construction of 53 Single-Family Dwellings.

2. When the Bald Eagle Club at Deer Valley MPD was approved in 1989, Land Management Code (LMC) Section 7.5.3(c) at that time established Planning Commission requirements to reduce the Front Setback in the RD Zoning District. The Front Setback for the Bald Eagle Club at Deer Valley Unit 44 Building Envelope is 15 Feet, which is 5 feet less than required under today's LMC.

3. 7955 Red Tail Court is Unit 44 of the First Amended Bald Eagle Club at Deer Valley Condominium Plat recorded April 20, 1990 (Summit County Recorder Entry No. 323408).

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4. On August 9, 1990, the Building Department issued permit #5296-90 for the construction of an SFD on Unit 44.

5. On May 12, 2022, the City issued permit #22-430 to demolish the SFD on Unit 44.

6. The Applicant proposes to shift the Bald Eagle Club at Deer Valley Platted Building Envelope for Unit 44 for the construction of a new Single-Family Dwelling (SFD).

7. The proposed Building Envelope is 10,022 square feet. The Plat Amendment does not increase the Building Envelope square footage.

8. The Applicant proposes to shift the 10,022-square-foot Building Envelope to comply with current Residential Development (RD) Zoning District Front Setback requirements and to reduce construction of an SFD on Steep Slopes.

9. On February 7, 2025, the Bald Eagle Club Homeowners Association (HOA) approved the proposed amendment to the Building Envelope.

10. The proposed Plat Amendment complies with the RD Zoning District requirements in LMC Chapter 15-2.13.

11. LMC § 15-2.13-3 outlines the Lot and Site requirements for the RD Zoning District:

    a. Front Setback – 20 feet, Side Setback – 15 feet, Rear Setback – 15 feet.
        i. The proposed Building Envelope is greater than 30 feet from the Front and Rear Lot Lines, exceeding the required Setbacks, and is 15 feet from all side Lot Lines, meeting the required Setbacks.
    b. LMC § 15-2.13-10 outlines requirements for vegetation protection:
        i. “The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches in diameter or greater measured four and one-half feet above the ground.”
        ii. The Applicant proposes to remove two coniferous trees in the proposed Building Envelope measuring 15 and 18 inches in diameter.
        iii. On May 1, 2025, the Forestry Board reviewed the proposed tree removal and determined the Applicant is not required to

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replace the trees due to the Wildland Urban Interface requirements and wildfire mitigation.

12. The proposed Plat Amendment complies with the Sensitive Land Overlay requirements in LMC Chapter 15-2.21 and the Deer Valley MPD.

    a. The Bald Eagle community is part of the Deer Valley Resort 12th Amended and Restated Large Scale MPD. Section E of the Large Scale MPD states: "For projects within the Deer Valley Large Scale MPD, the density limitations of the Sensitive Area Overlay Zone do not apply because MPDs approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not equivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply."
    b. The 12th Amended Deer Valley MPD allows 58 Units for the Bald Eagle Club Development, and 58 Units have been platted. No additional Units are proposed or approved as part of this Plat Amendment.
    c. LMC § 15-2.21-4 outlines development restrictions for Steep Slopes: No Development is allowed on or within 50 feet, map distance, of Very Steep Slopes. Very Steep Slopes are defined as any slope greater than 40 percent.
    d. The proposed Building Envelope reduces the impacts to Steep Slopes.
    e. There are no Wetlands or Streams within 50 feet of the proposed Building Envelope.

13. The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.

    a. Changes to platted elements including adjustments to Building Envelopes require a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7.1-3(B) and approval shall require a finding of Good Cause.
    b. LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."
    c. There is Good Cause for this Plat Amendment because the proposed Building Envelope complies with the Deer Valley MPD, does not

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amend any easements, platted trails, or private roads, corrects Front Setback non-conformities of the existing Building Envelope, and reduces the impact on steep slopes greater than 30% for the construction of an SFD.

14. The Development Review Committee reviewed the proposal on April 15, 2025, and confirmed the proposal conforms to their requirements.

15. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 14, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 14, 2025. The Park Record published courtesy notice on May 14, 2025.

Conclusions of Law:

1. There is Good Cause for this Plat Amendment.

2. The plat amendment is consistent with LMC Chapter 15-2.13 Residential Development District and LMC § 15-7.1-3 Subdivision Procedures.

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 below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval:

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.

2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval 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 Planning Director.

3. Conditions of Approval from the Bald Eagle Club at Deer Valley Master Planned Development and the Deer Valley 12th Amended and Restated Large Scale Master Planned Development shall apply.

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

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B. 233 Norfolk Avenue – Plat Amendment – The Applicant Proposes to Combine Lot 26, Lot 27, and Lot 34 of Block 78 of the Millsite Reservation to Park City to Create a 4,335.17 Square-Foot Lot in the Historic Residential - 1 Zoning District to Construct a Duplex Dwelling. PL-25-06448.

Planner I, Meredith Covey, presented the Staff Report and explained that this is a Plat Amendment application for 233 Norfolk Avenue. 233 Norfolk Avenue is a parcel containing three lots located in the Historic Residential -1 ("HR-1") Zoning District. There was previously a single-family dwelling constructed around 1980 that straddled the lots. It was demolished in 2024, but portions of the 1980 single-family dwelling foundation remain on the site. Planner Covey shared an image of the previous dwelling as well as the existing conditions survey. The applicant now proposes to create one lot from the three lots, which is 4,335 square feet in size, to construct a duplex dwelling unit.

In the HR-1 Zoning District, the minimum lot size for a duplex is 3,750 square feet and the maximum lot size is 7,500 square feet. The use of a duplex in this zoning district is conditional. The applicant has submitted a Conditional Use Permit ("CUP") for the duplex as well as a Steep Slope Conditional Use Permit ("SSCUP"), which will be reviewed by the Planning Commission. There is also a Historic District Design Review ("HDDR") that will be reviewed by the Planning Department. Staff finds Good Cause for the Plat Amendment because it creates a lot that complies with the requirements of the HR-1 Zoning District. In addition, the Plat Amendment requirements will bring the existing and prior construction into compliance, addresses the partial remnant lot, and result in two smaller duplex units on a lot width that is compatible with the existing streetscape. No public street, right-of-way, or easement is vacated or amended, as proposed in this Plat Amendment. The Staff analysis is that the proposal, as conditioned, complies with the HR-1 Zoning District regulations as well as the Plat Amendment regulations in the LMC. Planner Covey highlighted some of the proposed Conditions of Approval.

Commissioner Shand asked about the access road that goes to the lots. He wanted to know if it is a private road. The applicant representative, Doug Ogilvy, clarified that it is part of the Norfolk Avenue right-of-way. Due to the steep slope, it splits into an upper and lower paved section. Commissioner Suesser wanted to further review the proposed Conditions of Approval. She asked for clarification about Condition of Approval #3:

- The Final Plat shall include a Plat Note stating future development is limited to a Duplex Use.

Commissioner Suesser asked what would happen if the CUP for the duplex was not approved. Planner Covey reported that the lot size is larger than the maximum allowable lot size for a single-family dwelling in this zoning district. Based on the lot size, there would need to be a duplex as the use rather than a single-family home.

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

Commissioner Johnson wondered whether there are snow storage easements for the other properties in the area. Planner Covey noted that she would need to look at the recorded plats to determine that, but there is a 10-foot snow storage easement shown on this plat. Commissioner Suesser stated that this is an example of how useful it is to visit a site. Although the Staff Report was well done, it was harder to get a sense of the lot without a visit. She expressed her support for the application before the Commission. Commissioner Frontero also supports this application. He finds that the application cleans up the lot lines. The duplex is a great solution and eliminates the remnant lot.

MOTION: Commissioner Frontero moved to APPROVE the Plat Amendment for 233 Norfolk Avenue according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. 233 Norfolk Avenue (PC-718-B) consists of Lots 26, 27, and 34 of Block 78 of the Millsite Reservation to Park City.

2. There was previously a Single-Family Dwelling (SFD) constructed circa 1980 at 233 Norfolk Avenue that straddled the Lots and was demolished in 2024 (permit 24-990). Portions of the 1980 SFD foundation remain on the site.

3. The Applicant proposes to combine the Lots to create one Lot that is 4,335.17 square feet to construct a Duplex.

4. The property is in the Historic Residential – 1 (HR-1) Zoning District.

5. Land Management Code (LMC) § 15-2.2-2(B)(1) requires a Conditional Use Permit (CUP) for Duplexes in the HR-1 Zoning District.

6. The Applicant submitted a CUP application for the Duplex for Planning Commission review (PL-25-06453).

7. The property contains Steep Slopes. The Applicant submitted a Steep Slope Conditional Use Permit (SSCUP) to be reviewed by the Planning Commission (PL-25-06455).

8. The Applicant submitted a Historic District Design Review (HDDR) application for construction in the Historic District to be reviewed by the Planning Department (PL-24-06324).

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9. LMC § 15-2.2-3 requires that the minimum Lot Area for a Duplex in the HR-1 Zoning District is 3,750 square feet and the maximum Lot Area is 7,500 square feet. The proposed Lot size is 4,335.17 square feet and is compliant for the use as a Duplex.

10. LMC § 15-2.2-3 requires that the minimum width of a Lot in the HR-1 Zoning District is 25 feet when measured 15 feet back from the Front Lot Line. The existing Lot is a minimum width of 50 and is compliant.

11. Plat Amendments are reviewed according to the requirements of LMC § 15-7-1.6 and approval requires a finding of Good Cause.

12. LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

13. Since the 1980s, the 4,335.17-square-foot Parcel has contained a single structure, previously an SFD that straddled the Lot lines. The Plat Amendment allows for a Duplex on the 4,335.17-square-foot Lot, retaining the single structure on the property. Regardless of the use as an SFD or Duplex, the Building Footprint for future development is regulated by the HR-1 Zoning District Maximum Building Footprint formula outlined in LMC § 15-2.2-3(E) and is 1,698.95.

14. The proposed Plat Amendment is in an area of Old Town with Lots of varying sizes. 233 Norfolk Avenue is accessed by the upper portion of Norfolk Avenue that splits to the west to access seven properties. Of these seven properties, five have undergone plat amendments and these Lots range from 2,812 square feet to 3,750 square feet. The two remaining properties include 209 and 233 Norfolk Avenue. 209 Norfolk Avenue is a single parcel with four Lots that are each 1,875 square feet (the parcel is 7,500 square feet in total). There is a pending plat amendment application to combine the four Lots to create two 3,750-square-foot Lots (PL-24-06189).

15. The Lots directly to the west of 233 Norfolk Avenue exceed 7,500 square feet and the proposed 4,335.17-square-foot Lot at 233 Norfolk Avenue is substantially smaller.

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16. The proposed Lot width of 50 feet is compatible with adjacent Lots along the upper portion of Norfolk Avenue that range from 40 to 100 feet.

17. There is Good Cause for this Plat Amendment because it creates a Lot that complies with the requirements of the HR-1 Zoning District and Plat Amendment regulations, brings the existing/prior construction across lot lines into compliance, addresses the partial remnant lot which is separately non-developable, and results in two smaller Duplex units on a lot width compatible with the existing streetscape. No Public Street, Right of Way, or easement has been vacated or amended. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

18. The Development Review Committee reviewed the proposal on May 6, 2025, and confirmed the proposal complies with the required standards.

19. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 14, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 14, 2025.

Conclusions of Law:

1. The Plat Amendment complies with the requirements of LMC Chapter 15-2.2 *Historic Residential – 1 Zoning District*.

2. The proposal complies with LMC § 15-7.1-3(B) *Plat Amendment*, as conditioned.

3. There is Good Cause for this 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:

1. The Applicant must obtain Planning Commission approval of a CUP and SSCUP prior to submitting a Building Permit for the Duplex.

2. The Applicant must obtain Planning staff approval of an HDDR prior to submitting a Building Permit for the Duplex.

3. The Final Plat shall include a Plat Note stating future development is limited to a Duplex Use.

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4. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.

5. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one year's 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 Planning Director.

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

C. 3995 Quinns Drive – Plat Amendment – The Applicant Proposes Amending the Studio Crossing Subdivision Lot 1 to Create Lot A for Phase III of the Studio Crossing Master Planned Development, to Develop 50 Condominium Townhome Units in the Community Transition Zoning District, Regional Commercial Overlay, Sensitive Land Overlay, and the Entry Corridor Protection Overlay. PL-25-06541.

Chair Van Dine explained that Item 7C and Item 7D will be presented at the same time, but there will be two separate motions made. Planning Project Manager, Elissa Martin, presented the Staff Report and explained that this is an application for 3995 Quinns Drive. She reiterated that the presentation will cover Item 7C and Item 7D, which is the Plat Amendment to create Lot A and the Condominium Plat for 50 condominium townhome units. The Studio Crossing MPD is in the Community Transition ("CT") and Regional Commercial Overlay ("RCO") Zones, Sensitive Land Overlay, and the Entry Corridor Protection Overlay. This is Phase III for 50 market-rate townhome condominium units.

Manager Martin reported that in 2022, the Studio Crossing Subdivision was recorded. That created Lot 1A, which was the Film Studio MPD, and Lot 1B was the Studio Crossing MPD. In 2024, the Studio Crossing Subdivision created the building pods for the mixed-use commercial, which includes affordable housing. Lot 1 is for the Phase III and Phase IV market rate units. She shared the Studio Crossing Subdivision Lot 1 Amended, which is Item 7C on the Planning Commission Meeting agenda. This amendment to the plat creates Lot A for the Phase III townhome condominiums. Lot 1 is being reduced slightly and that will be the future Phase IV condominiums. Item 7D on the agenda is the Condominium Plat for the 50 condominium units. Those were originally considered townhomes, but the developer decided to plat these as condominium units instead.

Manager Martin presented the Studio Crossing Condominium Plat with the Commission. She pointed out that there are 10 units per building and there are five buildings. The

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phasing was reviewed and she explained that Phase III is what the Commission is looking at during the current meeting. Phase IV will be discussed by the Commission in the future. The Anytime Phase has the remaining 104 affordable units that will be created.

The applicant proposes several improvements related to Phase III, which include:

- Multi-modal trail infrastructure and grading, crosswalks, and sidewalks planned for Lot A;
- Begin construction of the connection to the Rail Trail;
- Construct an alternative access point for Highway 248, referred to as Big Willow Trail;
- Sewer, water, and utilities for the townhomes, including connection for utilities on the horizontal boring underneath Kearns.

The proposed Plat Amendment and Condominium Plat comply with the CT and RCO Zoning District requirements because the buildings are set back 25 feet from the property boundary. The building height is 25 feet, which is under the zone height of 28 feet. The townhomes also meet the Entry Corridor Protection Overlay setbacks of 150 feet and 200 feet. The Plat Amendment and Condominium Plat are both compliant with the Studio Crossing MPD that was approved in 2024. The MPD specifies that there would be 50 market-rate units in Phase III and five clusters of 10, with a total of 82,000 gross square feet. The gross square feet definition excludes garages and decks from that calculation. As for Good Cause, the Plat Amendment and Condominium Plat are both consistent with the Studio Crossing MPD Development Agreement and the plan for Phase III. No public street, right-of-way, or easement has been vacated or amended because of the plat.

Manager Martin highlighted some of the Conditions of Approval, including Condition of Approval #3 and Condition of Approval #11. The Studio Crossing MPD Development Agreement requires that a minimum of the 65 required affordable Phase I units must receive a Certificate of Occupancy prior to any market rate unit. In order for the Phase III condominium units to receive a Certificate of Occupancy, at least 65 of the affordable units from Phase I must have a Certificate of Occupancy first. Another condition is that the Covenants, Conditions, and Restrictions (“CC&R”) recorded against the market rate units shall include measures to mitigate negative impacts associated with nightly rentals. The market rate units were approved to have overnight rentals as part of the MPD.

Two recommendations were shared with the Planning Commission:

- Review the Studio Crossing Subdivision 1st Amended Plat, creating Lot A for development of a 50-unit market rate condominium development and amending Lot 1 for future Phase IV condominium development, conduct a public hearing, and consider approving the Plat Amendment based on Findings of Fact Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter.

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- Review the Studio Crossing Condominium Plat for 50 market rate townhome units on Lot A of the Studio Crossing Subdivision 1st Amended Plat, conduct a public hearing, and consider approving the Condominium Plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter.

Manager Martin explained that she can answer Commissioner questions. Additionally, the applicant representatives are attending the meeting virtually. Commissioner Shand asked how many affordable housing units are under construction. He also wanted to know the anticipated timeline for the Certificate of Occupancy. Manager Martin reported that 104 units are currently under construction as part of Phase I, but she is not sure about the timeline. The applicant representative, Justin Keys, introduced himself to the Commission. There are 104 units underway currently and the work is on time and on budget. There is a commitment that there will be a ribbon cutting on the first mixed-use phase, which includes those 104 units, by November of this year. The units should be completed in 2025. Commissioner Suesser asked how many affordable units are planned for the Anytime Phase. Manager Martin stated that there are 104 units planned there.

There was discussion about the Anytime Phase. Commissioner Suesser wanted to know when the affordable units are anticipated to be delivered. Mr. Keys believes a Building Permit has already been submitted for that building. There is no intention to put that work off. Under the Development Agreement, those 104 units have to be delivered before a Certificate of Occupancy on the condominium building can be received for Phase IV, but he does not anticipate it will take that long. He reiterated that a Building Permit has already been submitted for the Anytime Phase affordable units. Commissioner Suesser expressed concern about the switch from townhomes to condominium units. She wants to understand what the product will be. Manager Martin explained that the design of the homes has not changed and will still look like townhomes, but they are platted differently. The shared wall is treated slightly differently in the Building Code in terms of the fire requirements and how the utilities run through the buildings. Mr. Keys clarified that the decision was made in consultation with Staff after reviewing the different alternatives. He added that it will look like a single product from the exterior. If each individual unit owner owned the exterior of their units, it would be possible for the owner to make modifications.

Commissioner Frontero believes the MPD requires 185 affordable housing units, which was confirmed. This is the first time he recalls seeing the applicant propose 104 units in the initial phase and 104 units in the Anytime Phase, bringing the total to 208 units. He asked if it is the same square footage spread out over more units or if there is more square footage of affordable. Mr. Keys reported that it is the same allocated gross floor area under the development. The numbers were conservative previously because a commitment was being made. As a result, language stated that at least 185 affordable housing units would be built, but during conversations, it was noted that it was likely there could be 200. There was not a desire to commit to a number that might not be possible.

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At the Development Agreement stage, there are no final floor plans, so the number was created based on estimates. Ultimately, there will be 208 affordable housing units.

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

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

MOTION: Commissioner Johnson moved to APPROVE the Plat Amendment for 3995 Quinns Drive, 3957 Front Street, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. On May 24, 2012, the City Council adopted Ordinance No.12-12 approving the Quinn's Partnership Annexation, annexing 29.55 acres of land at the southwest corner of SR248 and the US40 Interchange in the Quinn's Junction Area, and zoning the property Community Transition (CT) and Regional Commercial Overlay (RCO), within the Sensitive Land Overlay (SLO) and Entry Corridor Preservation Overlay (ECPO).

2. In June of 2012, the City Council approved the Development Agreement for the Quinn's Junction Partnership Annexation Master Planned Development (MPD) for the purpose of constructing 374,000 square feet of a motion picture studio and media campus.

3. On November 9, 2022, the Planning Commission approved amendments to the Quinn's Junction Partnership Annexation Master Planned Development Agreement to allow for a mixed-use project on Lot 1B of the Park City Film Studios First Amended Subdivision and forwarded a recommendation to the City Council to amend Ordinance 12-12 approving the Quinn's Partnership Annexation to allow exceptions to the Zone Height for development on Lot 1B.

4. On December 15, 2022, the City Council adopted Ordinance 2022-47, amending Ordinance 12-12 to allow a mixed-use development and exceptions to the Zone Height for Lot 1B of the Park City Film Studios First Amended Subdivision.

5. December 15, 2022, the City's Housing Authority approved the Applicant's Housing Mitigation Plan for a mixed-use development on Lot 1B, per Ordinance 2022-47.

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6. October 25, 2023, the Planning Commission ratified the Quinn Capital Partners' Studio Crossings Annexation and MPD Development Agreement for Lot 1B of the Park City Film Studios First Amended Subdivision.

7. January 12, 2024, the Mayor and Applicant signed the Quinn Capital Partners' Studio Crossings Annexation and MPD Development Agreement, which includes an approved phasing plan.

8. On April 19, 2024, the Studio Crossing Subdivision Plat was recorded with Summit County (Recorder Entry No. 1218425), amending Lot 1B to create two Lots, Lot 1 (site of Phase III and IV townhomes/condominiums) and Lot 2, in which five Building Pods are platted for the mixed-use and commercial retail buildings.

9. Section 2.1 of the Studio Crossing Development Agreement requires an Administrative Conditional Use Permit (ACUP) prior to any construction activity.

10. On June 13, 2024, the Planning Director approved an ACUP for Studio Crossing Phase I 60,000 square feet of mixed-use development, including 104 deed-restricted affordable dwelling units distributed across Building Pods 2 and 3.

11. On November 7, 2024, the Planning Director approved an ACUP for Studio Crossing Phase II 30,000 square feet of commercial retail distributed across Building Pods 1 and 4.

12. On March 5, 2025, a Plat Amendment and Condominium Plat Application as well as an ACUP Application were submitted for Phase III of the Studio Crossing MPD.

13. The Community Transition Zoning District does not require a minimum Lot size.

14. The proposed plat amendment creates a 3.14-acre Lot (Lot A) and amends Lot 1, reducing its size from 11.97 acres to 8.73 acres.

15. The Studio Crossing MPD met the Regional Commercial Overlay District minimum five-acre Lot requirement at the time of approval.

16. The proposed Plat Amendment is within the Entry Corridor Protection Overlay (ECPO) and is consistent with the approved Studio Crossing Site Plan (Exhibit C of the Studio Crossing MPD Development Agreement), which indicates the ECPO 100-foot Setback is a no-build Zone, the 150-foot

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Setback requires a max building height of 20 feet and the 200-foot Setback requires a max building height of 25 feet. The ECPO setbacks are indicated on the proposed plat.

17. The Planning Commission's November 9, 2022, Final Action Letter approving the Studio Crossing MPD includes a Conclusion of Law that that the MPD "meets the Sensitive Lands requirements of the LMC and is designed to place development on the most developable land and least visually obtrusive portions of the Site.

18. Pursuant to LMC § 15-7.1-3, a Plat Amendment shall be reviewed according to the requirements of § 15-7.1-6, Final Subdivision Plat, and approval shall require a finding of Good Cause and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

Conclusions of Law:

1. There is Good Cause for this Plat Amendment as it is consistent with the Studio Crossing MPD Development Agreement, and the plan for Phase III development of the Studio Crossing MPD.

2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

3. 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.

4. No Public Street, Right-of-Way, or easement has been vacated or amended as a result of the Plat Amendment.

Conditions of Approval:

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 Amendment within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the Planning Commission.

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3. The property is not within the Soils Ordinance. However, if the property owner encounters mine waste or mine waste-impacted soils, they must handle the material in accordance with State and Federal law.

4. The undulating berm required by Conditions of Approval of Ordinance No.12-12 shall be constructed and maintained, consistent with the original Quinn's Junction Partnership Annexation MPD.

5. The Applicant shall install sanitary sewer facilities in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD) construction standards and specifications, SBWRD shall review and approve plans prior to the issuance of any utility or Building Permits; all items required under the Line Extension Agreement must be completed prior to the issuance of any Building Permits.

6. The Applicant shall coordinate all utility connections and ensure APWA and Park City Supplemental Standards and Specifications are followed for all Water connections.

7. Improvements shall be designed to meet all Engineering Department requirements.

8. The Park City Fire District shall review and approve final plans prior to the issuance of any utility or Building Permits.

9. The applicant shall construct a trail connection from the site to the Park City Rail Trail, upon review and approval of a plan by the City's Trails and Open Space Division and within the timeline in the approved Phasing Plan. The alternative access point for SR 248, referred to on the Studio Crossing Condominium plat as Big Willow Trail, shall be constructed according to the approved Phasing Plan.

10. Conditions of Approval included the November 9, 2022 Planning Commission Final Action Letter, and Ordinance No. 2022-47, approving the Studio Crossing MPD, as well as Ordinance No. 2023-43, approving the Studio Crossing Subdivision continue to apply.

11. All development on Lot 1 and newly created Lot A of the Studio Crossing Subdivision 1st Amended plat shall comply with the terms of the Studio Crossing MPD Development Agreement, County Recorder Entry No. 01214657.

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

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D. 3995 Quinns Drive – Condominium Plat – The Applicant Proposes the Studio Crossing Condominium Plat for 50 Condominium Townhome Units as Part of Phase III of the Studio Crossing Master Planned Development in the Community Transition Zoning District, Regional Commercial Overlay, Sensitive Land Overlay, and the Entry Corridor Protection Overlay. PL-25-06460.

It was noted that Item 7D was discussed at the same time as Item 7C.

MOTION: Commissioner Johnson moved to APPROVE the Condominium Plat for 3995 Quinns Drive, 3957 Front Street, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. On May 24, 2012 the City Council adopted Ordinance No.12-12 approving the Quinn's Partnership Annexation, annexing 29.55 acres of land at the southwest corner of SR248 and the US40 Interchange in the Quinn's Junction Area, and zoning the property Community Transition (CT) and Regional Commercial Overlay (RCO), within the Sensitive Land Overlay (SLO) and Entry Corridor Preservation Overlay (ECPO).

2. In June of 2012, the City Council approved the Development Agreement for the Quinn's Junction Partnership Annexation Master Planned Development (MPD) for the purpose of constructing 374,000 gross square feet of a motion picture studio and media campus.

3. On November 9, 2022, the Planning Commission approved amendments to the Quinn's Junction Partnership Annexation Master Planned Development Agreement to allow for a mixed-use project on Lot 1B of the Park City Film Studios First Amended Subdivision and forwarded a recommendation to the City Council to amend Ordinance 12-12 approving the Quinn's Partnership Annexation to allow exceptions to the Zone Height for development on Lot 1B.

4. On December 15, 2022, the City Council adopted Ordinance 2022-47, amending Ordinance 12-12 to allow a mixed-use development and exceptions to the Zone Height for Lot 1B of the Park City Film Studios First Amended Subdivision.

5. December 15, 2022 - The City's Housing Authority approved the Applicant's Housing Mitigation Plan for a mixed-use development on Lot 1B, per Ordinance 2022-47.

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6. October 25, 2023 - The Planning Commission ratified the Quinn Capital Partners' Studio Crossings Annexation and MPD Development Agreement for 282,575 gross square feet of development for Lot 1B of the Park City Film Studios First Amended Subdivision.

7. January 12, 2024, the Mayor and Applicant signed the Quinn Capital Partners' Studio Crossings Annexation and MPD Development Agreement, which includes an approved phasing plan.

8. On April 19, 2024, the Studio Crossing Subdivision Plat was recorded with Summit County (Recorder Entry No. 1218425), amending Lot 1B to create two Lots, Lot 1 (site of Phase III and IV townhomes/condominiums) and Lot 2, in which five Building Pods are platted for the mixed-use and commercial retail buildings.

9. Section 2.1 of the Studio Crossing Development Agreement requires an Administrative Conditional Use Permit (ACUP) prior to any construction activity.

10. On June 13, 2024, the Planning Director approved an ACUP for Studio Crossing Phase I 60,000 square feet of mixed-use development, including 104 deed-restricted affordable dwelling units distributed across Building Pods 2 and 3.

11. On November 7, 2024, the Planning Director approved an ACUP for Studio Crossing Phase II 30,000 square feet of commercial retail distributed across Building Pods 1 and 4.

12. On March 5, 2025, a Plat Amendment and Condominium Plat Application as well as an ACUP Application were submitted for Phase III of the Studio Crossing MPD.

13. The proposed Condominium Plat complies with the Community Transition Zoning District and Regional Commercial Overlay District based on the following findings:

    a. The proposed Building Height of the Condominium Buildings in the Studio Crossing Condominium Plat is 25 feet, consistent with the November 9, 2022, Planning Commission Final Action Letter Findings of Fact and the CT Zone Height of 28 feet.
    b. Proposed townhome condominium buildings are sited at least 25 feet from front, rear, and side property boundaries.

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c. The Studio Crossing MPD supersedes the CT base density requirement of one unit per 20 acres.
d. Pursuant to the Studio Crossings MPD Development Agreement, Section 2.6, the Phase III market-rate residential units shall consist of no more than 50 market-rate townhomes in five clusters of 10 units totaling 82,000 square feet.
e. The Quinn's Junction Partnership Annexation Development Agreement describes the total development activity for the property being limited to 374,000 square feet of Gross Floor Area.
f. The proposed townhomes are clustered in five condominium buildings with 10 dwelling units each, totaling 82,000 square feet of Gross Residential Floor Area consistent with the Studio Crossing MPD Development Agreement.
g. The Studio Crossing Phase III condominium plat does not include commercial uses that would be regulated under the RCO standards.

14. The proposed Condominium Plat is within the Entry Corridor Protection Overlay (ECPO) and meets the minimum required setback for buildings, as depicted in the Studio Crossing Site Plan, which indicates the ECPO 100-foot Setback is a no-build Zone, the 150-foot Setback requires a max building height of 20 feet and the 200-foot Setback requires a max building height of 25 feet.

15. The Planning Commission's November 9, 2022, Final Action Letter approving the Studio Crossing MPD includes a Conclusion of Law that that the MPD "meets the Sensitive Lands requirements of the LMC and is designed to place development on the most developable land and least visually obtrusive portions of the Site.

16. Studio Crossing Development Agreement Section 6.1, Project Phasing, requires "if any phases of the project are not issued Building Permits within 6 years of the issuance of the first Building Permit, the applicant shall be required to return to the Planning Commission to re-permit any remaining Density to ensure that the remaining development is still in the best interest of Park City and immediate neighborhood".

a. The first Building Permits issued for the Studio Crossing MPD were in 2024, for Phase I mixed-use commercial and affordable housing units.

17. The Affordable Housing Mitigation plan (dated 12/15/2022) for the Studio Crossing MPD requires a total of 185 affordable housing units, 65 of which are required to be completed in Phase I and the remaining in a later phase; Condition of Approval 6 of the Affordable Housing Mitigation plat requires

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the 65 affordable Phase I units must receive Certificate of Occupancy prior to any market-rate unit.

18. At the time of this application, 104 affordable housing units are under construction as part of Phase I; pursuant to the Studio Crossing MPD, no affordable housing units are required for Phase III of the development.

19. Utah Code Chapter 57-8 requires Common areas and facilities be identified in a declaration and maintained by an association of unit owners and Utah Code § 57-8-13 outlines specific requirements for Condominium Plats including the condominium declaration must be recorded with the Condominium Plat, and the plat must include diagrammatic floor plans of the building that identify each convertible space and physical unit contained within a building:

    a. The Studio Crossing Condominiums HOA is responsible for the common facilities within Lot A of the proposed plat.
    b. The proposed plat includes floor plans delineating each individual unit in the 10-unit condominium buildings.

20. The Applicant has submitted a construction mitigation plan, utility plan, stormwater drainage and grading plan, and a landscape plan to the Engineering Department.

21. The Studio Crossing MPD Development Agreement (Recorder Entry No. 01214657) Section 2.6 requires that any negative impacts such as parking or noise caused by the nightly rental allowance for the market-rate units are mitigated through the CC&Rs recorded against the market-rate units.

Conclusions of Law:

1. There is Good Cause for this Studio Crossing Condominium Plat as it is consistent with the Studio Crossing MPD Development Agreement, and the plan for Phase III development of the Studio Crossing MPD.

2. Neither the public nor any person will be materially injured by the proposed Condominium Plat.

3. Approval of the Condominium Plat, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

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Conditions of Approval:

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 Condominium Plat at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the Planning Commission.

3. Pursuant to the Studio Crossing MPD Development Agreement, a minimum of the 65 required affordable Phase I units must receive Certificate of Occupancy prior to any market-rate unit.

4. If any phases of the project are not issued Building Permits within 6 years of the issuance of the first Building Permit, the applicant shall be required to return to the Planning Commission to re-permit any remaining Density to ensure that the remaining development is still in the best interest of Park City and immediate neighborhood.

5. The property is not within the Soils Ordinance. However, if the property owner encounters mine waste or mine waste-impacted soils, they must handle the material in accordance with State and Federal law.

6. The undulating berm required by Conditions of Approval of Ordinance No.12-12 shall be constructed and maintained, consistent with the original Quinn's Junction Partnership Annexation MPD.

7. The Applicant shall install sanitary sewer facilities in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD) construction standards and specifications, SBWRD shall review and approve plans prior to the issuance of any utility or Building Permits; all items required under the Line Extension Agreement must be completed prior to the issuance of any Building Permits.

8. The Applicant shall coordinate all utility connections and ensure APWA and Park City Supplemental Standards and Specifications are followed for all Water connections.

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9. Where a Guarantee has been required for a Subdivision, no Certificate of Occupancy for any Building in the Subdivision shall be issued prior to the completion of the Public Improvements.

10. The Park City Fire District shall review and approve final plans prior to the issuance of any utility or Building Permits.

11. The CC&Rs recorded against the market rate units shall include measures to mitigate negative impacts of nightly rentals, such as noise, and parking impacts, and the Studio Crossing Condominiums HOA shall ensure enforcement of the nightly rental mitigation measures recorded in the CC&Rs.

12. The condominium buildings shall adhere to the standards outlined in the Architectural Design Guidelines approved in the 2012 Annexation Agreement.

13. Rooftop mechanical equipment shall be architecturally screened from public view.

14. Trash and recycling enclosures shall be screened with landscaping or fencing.

15. The applicant shall construct a trail connection from the site to the Park City Rail Trail, upon review and approval of a plan by the City's Trails and Open Space Division and within the timeline in the approved Phasing Plan. The alternative access point for SR 248, referred to on the Studio Crossing Condominium plat as Big Willow Trail, shall be constructed according to the approved Phasing Plan.

16. Development of the Studio Crossing Condominiums Plat shall conform to the approved plans included as Exhibit F to the recorded Studio Crossing MPD Development Agreement (Recorder Entry No. 01214657).

17. Conditions of Approval included the November 9, 2022 Planning Commission Final Action Letter, and Ordinance No. 2022-47, approving the Studio Crossing MPD, as well as Ordinance No. 2023-43, approving the Studio Crossing Subdivision continue to apply.

18. All development on newly created Lot A shall comply with the terms of the Studio Crossing MPD Development Agreement, County Recorder Entry No. 01214657.

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

E. 36 Prospect Avenue – Conditional Use Permit – The Applicant Requests a Setback Exception to Construct a Basement Addition In the Footprint of the Existing Landmark Historic Structure in the Historic Residential -1 Zoning District. PL-25-06490.

Planner Covey presented the Staff Report and explained that this is a CUP application for 36 Prospect Avenue. She explained that 36 Prospect Avenue is a Landmark Historic Site located in the HR-1 Zoning District. The existing historic structure was constructed sometime around 1889. The applicant, as part of the CUP, is proposing to construct a basement addition and a new foundation underneath the footprint of the existing historic structure, a portion of which encroaches into the front and side setbacks. Planner Covey shared an image with the Commission. The portion in blue is what is outside of the setback and the portion highlighted in purple is located inside the front and side setbacks.

LMC 15-2.2-4(A) – Exceptions for Existing Historic Buildings and/or Structures outlines some of the exceptions. It allows for a CUP for an exception to the setback requirements for any improvements to a historic structure. The following criteria need to be met:

- Approval of a Conditional Use Permit;
- The scale of the addition is compatible with the historic structure;
- The addition complies with all other provisions of this chapter;
- The addition complies with the adopted Building and Fire Codes;
- The addition complies with the Design Regulations for Historic Districts and Historic Sites.

Staff has found that as conditioned, the proposal complies with LMC 15-2.2-4(A) - Exceptions for Existing Historic Buildings and/or Structures, LMC Chapter 15-2.2 - Historic Residential - 1 Zoning District Regulations, and LMC 15-1-10(E) - Conditional Use Permit Criteria. Planner Covey reviewed some of the proposed Conditions of Approval. There is an Access and Snow Shed Agreement that will need to be obtained with the neighboring property prior to Building Permit submittal. In addition, the applicant will be required to obtain a Geotechnical Report that indicates the site stability and the shoring of the structure. A representative of the Geotechnical Engineer will need to be on-site to observe the excavations. Additional Conditions of Approval were shared.

Staff recommends the Planning Commission consider approving the CUP to construct a basement addition under a Landmark Historic Structure at 36 Prospect Avenue that encroaches into the front and side setbacks, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter.

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Commissioner Johnson expressed support for the proposed Conditions of Approval. He asked if the existing structure is encroaching onto an adjacent property. Planner Covey denied this and explained that the property line juts out around where the existing historic structure is located. She shared example images for clarity. The entirety of the historic structure is located on the subject property. Commissioner Johnson asked about the access. Planner Covey explained that if the applicant needs access through the neighboring property, then some sort of Access Agreement will need to be worked out.

Commissioner Suesser asked how the basement work will be done. The owner of the property, Erin Kryszak, explained that the structure will be lifted. It was noted that the Historic Preservation Board approved the lifting of the house last year. Commissioner Suesser asked whether it is the house or the porch that violates the setback. Planner Covey reported that the house and porch are located within those setbacks. Commissioner Suesser noted that the historic home could be repositioned outside of the setback on the lot, but then that would not allow for the construction of the detached garage. Planner Covey clarified that moving the historic structure has not been proposed.

Director Ward shared the code that the Historic Preservation Board reviews for requests of relocation. It states that it is the intent of the section to preserve the historic and architectural resources through limitations on the relocation of historic structures. Due to the way that many of the historic structures were built in Old Town, where there are encroachments onto adjacent lots or there is non-compliance with setbacks, there is a CUP process for proposals along these lines where it is going below the existing historic structure. Commissioner Suesser thanked Director Ward for providing clarification.

Chair Van Dine opened the public hearing.

Michael McGinley stated that he is the property owner of 32 Prospect Avenue and lives in the house to the north of the property line. In general, he is supportive of the effort to preserve the existing historic structure, but he has some concerns based on the published information. Mr. McGinley expressed appreciation to Staff for their willingness to answer his questions. Based on the information he has, the proposed Conditions of Approval, and assurances from the property owners, he has no objection to approval of the project. He submitted written comments ahead of the meeting, which Chair Van Dine confirmed were received. Mr. McGinley has information about the building plans for 32 Prospect Avenue. He is willing to provide that information to the architect and applicant.

Bill Hummer owns the property at 28 Prospect Avenue. He has concerns about the accessory building that is planned to be built. Looking at the Building Code, he is concerned, because that is going to be used as a portion of the dwelling. He does not understand how this can be approved when it is against the code. Mr. Hummer has had a lot of experience with the drainage and slope of the property along Prospect Avenue. 10 years ago, he built a wall because of the erosion issues, which is a 45 foot wall that covered both 28 Prospect Avenue and a significant portion of 32 Prospect Avenue. There

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is a significant erosion problem on the southwest corner of Mr. McGinley's property. At that time, he had suggested to the other nearby owners that the erosion continue to be monitored and that supports on the backside continue to be constructed. He is concerned about the erosion issues in the area as well as the setbacks. It is his understanding that the five-foot setback required on the north side would need to be added to the south side to obtain approval for the addition. Mr. Hummer is concerned about the proposed work.

Leonard Pearson stated that he lives at 44 Prospect Avenue, which is to the south of the subject property. His concern relates to the removal of the rubble wall that exists between the two properties. Once that wall is removed and construction is done, he is worried that there may be damage to 44 Prospect Avenue. There are no conditions to protect the property owners on either side of this major construction project.

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

Commissioner Suesser asked Staff to address the concern about adjacent properties potentially being compromised during the construction process. She knows that there is a Geotechnical Report for the SSCUP, but one has not been seen for this application. The public input received seems fair as far as concerns that the work might disrupt adjacent properties. Planner Covey reported that there are Conditions of Approval that require the Geotechnical Report to encompass the proposed work on the north side of the property. That is put in place to make sure that there are no negative impacts and that the house is stabilized during construction to minimize impacts on the property to the north. The Geotechnical Engineer would also need to be on-site during construction. There is also a Condition of Approval listed in the Draft Final Action Letter for the Access Agreement that would need to be entered into with the adjacent property owner.

Commissioner Suesser noted that the current conditions are legal non-conforming, but when the historic home is raised, there is an opportunity for it to come into compliance with the setbacks. She cannot find Good Cause for a substantial renovation to take place underneath this home while allowing it to remain in violation of the setback. The proposal is sound, but she believes the historic home should be placed on the property appropriately given the extensive renovation that has been proposed. Commissioner Suesser stated that she does not support the application as has been presented.

Attorney Harrington clarified that Good Cause is not a standard for this application. The criteria for the setback exception are outlined on Pages 9 through 11. The findings should be framed as they relates to those rather than to Good Cause. Commissioner Suesser noted that the Commission is being asked to accept the historic structure remaining non-compliant with the setbacks. The fact that the historic structure encroaches 4 feet 6 inches into the front setback and 8 feet 6 inches into the side setback is substantial. Pursuant to LMC 15-2.2-4, she does not believe the Planning Commission should grant an exception. She believes the design regulations can be achieved without providing the setback exception. Planner Covey stated that the existing historic structure is valid and

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non-complying. The applicant is requesting a CUP to build further into the setback than what is typically allowed. It is not the historic structure, but the addition that the Planning Commission is looking at approving or denying based on the criteria that are listed.

Commissioner Frontero shared comments about the Geotechnical Report. He is not comfortable with leaving some of the future Geotechnical Reports under the Condition of Approval section. The proximity of this home to the neighboring home is closer than normal setbacks. Given that, he feels the Geotechnical Report should be completed on the excavation portion and reviewed by the internal Engineering Staff. That would need to be done in order for him to support a positive recommendation on this application. Commissioner Frontero suggested continuing the item until that report is completed and there is a positive recommendation from the Engineering Staff regarding the excavation.

Ms. Kryszak stated that she was under the impression that the one Geotechnical Report for both the SSCUP and the CUP was enough. It is the same property and is a small lot. Doing two Geotechnical Reports on the lot does not make sense. Her house was built first and other properties have encroached. Even if she were to move the house, it would still be encroaching into the setbacks. It is due to the excavation that was done at 32 Prospect Avenue that her home is leaning. Ms. Kryszak has the legal right to maintain this historic house. It is leaning towards 32 Prospect Avenue, so the house needs work.

Commissioner Frontero commented that a separate Geotechnical Report might not be needed, but he would like the internal Engineering Staff to provide some comments. He wants to make sure they are comfortable that an excavation in this area will not compromise the neighboring homes. Director Ward clarified that the Geotechnical Report was provided and reviewed by both the Engineering and Building teams, who helped craft the Conditions of Approval.

Commissioner Johnson expressed support for the conditions that have been proposed. While he understands some of the concerns expressed, for this CUP the Commission should focus on Conditions of Approval that address those concerns as much as possible. The Historic Preservation Board has approved the lift of the building in its existing location. It will be placed in the same position no greater than two feet from the existing building grade. Planner Covey clarified that the proposed addition in the basement is separate from the accessory structure. That is part of the SSCUP that will be presented after this item.

Commissioner Suesser stated that pursuant to LMC 15-2.2-4, additions must comply with building setbacks. The proposal to put a basement underneath the existing structure is an addition and must comply with the building setbacks unless an exception is granted to achieve construction consistent with the design regulations. She does not believe the Commission needs to grant the exception to achieve construction consistent with the design regulations. It is possible to retain the historic look and feel of the home without granting the exception to the setbacks. Commissioner Johnson understands the

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perspective of Commissioner Suesser that it is possible to shift the building over slightly on the parcel to assist with the setbacks. However, based on comments from the applicant, even if it was shifted slightly, it would still be non-conforming with the setbacks.

Additional discussions were had about setbacks. Attorney Harrington pointed out that there are some competing interests. The preservation policies disfavor relocation, even to become compliant with setbacks, which is the reason the exception language exists. The criteria listed do not ask the Planning Commission to make the Historic Preservation Board determination. Staff has indicated that those approvals have been obtained. The Commission has the authority to look at the discretionary exception based on the criteria in the section. He feels the impact of the encroachment into the setback from the new construction should be the focus. Attorney Harrington does not believe the Commission wants to second guess the Historic Preservation Board's determination. Commissioner Suesser noted that the Board might have allowed the lift in an effort to preserve the home. She does not know whether the setback issue was considered.

Commissioner Shand respects the review process that occurred ahead of the Planning Commission Meeting. As far as the lift is concerned, he sees this as an opportunity to improve a historic structure. There is a desire to preserve the character of Old Town. As far as an addition, he agrees with Commissioner Suesser that this is technically an addition since there is an increase in livable square footage, but it does not increase the footprint of the building. Commissioner Shand likes that the foundation will be improved and that there will be a minimal impact on the streetscape. Moving the home to gain a foot or two for the setback is a lot of effort on the part of the applicant. He pointed out that doing so would only bring the home slightly more into compliance with the setbacks.

Commissioner Suesser made a motion to deny the CUP for 36 Prospect Avenue and directed Staff to draft findings for the denial. There was no second to the motion. Chair Van Dine suggested that an alternate motion be made. The proposed Conditions of Approval were reviewed. Commissioner Johnson asked to review the exhibit that shows the property boundary. The retaining walls on the adjacent property were noted. It was stated that there is an Encroachment Agreement for the historic site and retaining wall.

MOTION: Commissioner Johnson moved to APPROVE the Conditional Use Permit for an exception to the front and side setback for a basement addition at 36 Prospect Avenue, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. 36 Prospect Avenue, constructed circa 1889 on a 4,169-square-foot Lot, is a Landmark Historic Site in the Historic Residential – 1 (HR-1) Zoning District. The Historic Structure was constructed over 3 lot lines.

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2. On November 29, 2023, the Planning Commission approved the 36 Prospect Avenue Plat Amendment.

3. On September 4, 2024, the Historic Preservation Board approved the lifting of the Historic Structure to construct basement foundation upgrades.

4. Additions to Historic Structures must comply with LMC regulations. However, LMC § 15-2.2-4(A) establishes a Conditional Use Permit process with Planning Commission review wherein an Applicant may propose a basement addition under a Historic Structure.

5. The Applicant proposes constructing a basement addition under the footprint of the Landmark Historic Structure that encroaches 4 feet 6 inches into the Front Setback and 8 feet 6 inches into the Side Setback.

6. LMC § 15-2.2-3(F) requires that the Front and Rear Setbacks on the Lot be either 12 or 13 feet but total 25 feet.

7. LMC § 15-2.2-3(G) states, "the Front Setback must be open and free of any Structure." Pursuant to LMC § 15-2.2-4, Landmark Historic Sites that do not comply with Setbacks are valid Non-Complying Structures.

8. LMC § 15-2.2-3(I)requires a 5-foot Side Setback in the HR-1 Zoning District for a lot of this size as LMC § 15-2.2-3(J) states the "Side Setback must be open and free of any Structure."

9. Pursuant to LMC § 15-2.2-4, Landmark Historic Sites that do not comply with Setbacks are valid Non-Complying Structures. The Historic Structure and Historic Porches encroach eight and a half feet into the Side Setback and are allowed pursuant to LMC § 15-2.2-4.

10. The proposed plans follow the Footprint of the existing Historic Structure. Pursuant to LMC § 15-2.2-4, additions must comply with Building Setbacks, unless the Planning Commission grants an exception to the Setbacks to achieve construction consistent with the Design Regulations.

11. LMC § 15-2.2-4 *Exceptions for Existing Historic Buildings and/or Structures* states that additions to Historic Sites may be granted a Setback exception from the Planning Commission if the proposal complies with the following:

    a. Approval of a Conditional Use Permit.
        i. Please see CUP analysis in the below section.
    b. The scale of the addition and/or driveway is Compatible with the Historic Building and/or Structure.

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i. The proposed basement addition is compliant with LMC § 15-2.2- 4(A)(2) Exceptions for Existing Historic Buildings and/or Structures. The proposed basement is not visible from the primary public right- of-way and does not increase the height of the Landmark Historic Structure. The proposed addition does not increase the footprint of the existing Historic Structure and is compatible with the Historic Structure.

c. The addition complies with all other provisions of this Chapter.
   i. Please see the Steep Slope Conditional Use Permit (PL-25-06469) Staff Report for additional in-depth analysis.

d. When the addition complies with the adopted Building and Fire Codes.
   i. The Building Department and Fire Marshall require the following Conditions of Approval:
      1. Access and Snow Shed Agreements will need to be obtained and completed by the Homeowner and the applicable neighboring properties prior to Building Permit submittal.
      2. A geotechnical soils report indicating site stability and temporary shoring and drainage will need to be submitted and approved prior to Building Permit submittal.
      3. A representative of the geotechnical engineer shall observe footing excavations prior to structural fill or concrete placement and provide an excavation observation letter.
      4. Exterior wall fire resistance rating and separation distance to comply with Table R302.1(1) of the 2021 IRC.
      5. Landscaping of the Ignition Zones and Home Hardening must comply with the Park City Wildland Urban Interface Code.

e. The addition complies with the Design Guidelines for Historic Districts and Historic Sites.
   i. The Applicant submitted a Historic District Design Review (HDDR) Application (PL-24-06186). The proposed basement addition must comply with LMC § 15-13-2, Regulations For Historic Residential Sites.
   ii. Basement additions without a garage are regulated by LMC § 15- 13-2(B)(5)(a) Regulations for a Basement Addition Without a Garage, the proposed addition has been reviewed and is compliant with LMC § 15-13-2(B)(5)(a).

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12. There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

13. The Planning 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. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards.

    a. The proposed exception to the Front and Side Setbacks for the basement addition do not alter the size or location of the site. The proposed basement addition is to be located within the same Building Footprint as the existing Structure.
    b. The proposed basement addition will not impact the traffic or capacity of the existing Streets.
    c. On April 25, 2025, DRC reviewed the proposed basement addition and confirmed utility capacity. The Engineering Department requires that the City Engineer review all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards prior to Building Permit issuance.
    d. The proposed basement addition will not impact emergency vehicle access.
    e. LMC § 15-3-6(A) requires two parking spaces for an SFD. Pursuant to LMC § 15-2.2-4, "[a]dditions to Historic Buildings and/or Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or Accessory Apartment." The proposed basement addition does not create a Lockout Unit or Accessory Apartment.
    f. The proposed basement addition does not impact vehicular or pedestrian circulation.
    g. The proposed basement addition is located within the Side Setback and is adjacent to the neighboring property. The proposed addition is located in the same footprint as the existing Historic Structure and will not further encroach into the Side Setback or be located closer to the adjacent property.
    h. The proposed basement addition is subordinate to the Historic Structure. It is located under the existing Historic Site Footprint and is not visible from the primary public right-of-way. The proposed basement addition will be visible from adjacent properties, primarily the property to the north. The primary visual impact will occur on the

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rear of the Structure which is visible from the rear (west) of the property. The visual impact on the side (north) elevation of the Structure is not substantially larger than what is visible currently.

i. The proposed basement addition is located within the same Building Footprint as the Historic Structure. There are no changes in usable open space.

j. There are no signs or lighting proposed as part of this application.

k. The proposed basement addition is subordinate to the Historic Structure. Condition of Approval 9 requires that the addition and any new construction on site comply with LMC § 15-13-2. Please see Section II of this Staff Report for an analysis of the proposed basement addition's compliance with LMC § 15-13-2(B)(5) Regulations for a Basement Addition Without a Garage. Additional details on the design and architectural detailing will be reviewed by the Planning Department during the Historic District Design Review process.

l. There are no impacts from noise, odors, steam, or other such factors from this proposal.

m. There are no impacts on delivery, unloading zones, or screening of trash as part of this application.

n. The proposed basement addition is associated with the Primary Structure. Nightly Rentals are allowed in the HR-1 Zoning District subject to Business License approval and compliance with Park City Municipal Code § 4-5-3 Regulation of Nightly Rentals.

o. 36 Prospect Avenue contains Steep Slopes to the south of the property. The proposed basement addition is to the north of the property and is not on a Steep Slope.

p. Goal 15B of the General Plan is to maintain the character, context, and scale of local Historic Districts with compatible infill development and additions. The proposed basement addition is under the existing Historic Structure Footprint and does not increase the Building Footprint or Height.

14. The proposed basement addition has been reviewed for substantial mitigation of the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards and is compliant with LMC § 15-1-10(E).

15. The analysis of the Staff Report is incorporated herein.

16. Staff published notice on the City's website and posted notice to the property on May 14, 2025. Staff mailed courtesy notice to property owners within 300 feet and posted notice to the property on May 14, 2025. The Park Record published notice on May 14, 2025.

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Conclusions of Law:

1. The proposal complies with the LMC requirements in Chapter 15-2.2, Historic Residential - 1 (HR-1) Zoning District.

2. The proposal complies with the LMC requirements in Chapter 15-2.2-4(A) Exceptions *for Existing Historic Buildings and/or Structures.*

3. The proposal complies with the criteria outlined in LMC § 15-1-10(E) *Conditional Use* Permit *Criteria.*

Conditions of Approval:

1. Final building plans and construction details shall reflect substantial compliance with the plans reviewed on May 28, 2025, by the Planning Commission, pending design modifications required for Historic District Design Review compliance. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.

2. The Applicant shall receive approval of a Historic District Design Review prior to submitting a Building Permit application.

3. If the Applicant does not obtain a Building Permit within one year of the date of this approval, this CUP approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Director approves an extension.

4. The applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.

5. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.

6. Residential fire sprinklers are required for all new construction on this lot, per the requirements of the Chief Building Official.

7. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state. The Final Grade shall be within four feet of Existing Grade.

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8. Access and Snow Shed Agreements will need to be obtained and completed by the Homeowner and the applicable neighboring properties prior to Building Permit submittal.

9. A geotechnical soils report indicating site stability and temporary shoring and drainage will need to be submitted and approved prior to Building Permit submittal.

10. A representative of the geotechnical engineer shall observe footing excavations prior to structural fill or concrete placement and provide an excavation observation letter.

11. Exterior wall fire resistance rating and separation distance to comply with Table R302.1(1) of the 2021 IRC.

12. Landscaping of the Ignition Zones and Home Hardening must comply with the Park City Wildland Urban Interface Code.

13. All construction shall comply with LMC § 15-13-2 *Regulations for Historic Residential Sites.*

14. The basement addition shall not raise the Historic Structure more than 2 feet from its original floor elevation above grade.

15. The Historic Site shall be returned to original grade following construction of a foundation, if original grade cannot be achieved no more than 2 feet of the new foundation shall be visible above grade.

16. The site shall be re-graded to the grading prior to construction of the addition.

17. The City Engineer reviews all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards prior to Building Permit issuance.

The motion was seconded by Commissioner Shand. The motion passed with a vote of 3-to-1 with Commissioner Suesser voting Nay.

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F. 36 Prospect Avenue – Steep Slope Conditional Use Permit – The Applicant Proposes to Construct a Detached Accessory Building on a Steep Slope on a Landmark Historic Site in the Historic Residential-1 Zoning District. PL-25-06469.

Planner I, Lillian Zollinger, presented the Staff Report and explained that the application is for an SSCUP at 36 Prospect Avenue. She shared images of the property with the Commission. In the right image, there are some trees and vegetation to the south of the structure. That is where the applicant is proposing to construct an accessory building on the lot. The basement addition that was discussed previously under the CUP is not over a steep slope and is not part of this review. Planner Zollinger referenced the right image and noted that there is an existing accessory structure and deck in the rear. Those are proposed to be removed as the project moves forward. She shared the Site Plan. As conditioned and proposed, the accessory structure complies with the front and rear setbacks. In the HR-1 Zoning District, accessory structures are allowed to encroach up to 2 feet into the side setback, which is 5 feet. This leaves a three-foot side setback minimum so long as the accessory structure is no greater than 18 feet in height. The proposed structure does not exceed 18 feet in height and has a 3.5-foot setback on the south side.

As conditioned, Staff finds the proposal complies with the SSCUP requirements. The applicant currently does not propose any structures in the rear setback and is only constructing on the south side steep slope. The rear is also a steep slope. Planner Zollinger reported that the applicant is proposing a garage as part of this, which allows for one parking space on the site. The applicant proposes six retaining walls around the site, all less than 4 feet in height. She reiterated that the proposal complies with the height requirement. Several of the proposed Conditions of Approval were highlighted, including conditions related to the height of the retaining walls, the Landscape Plan for the front yard, and on-site parking. The last four conditions shown on the presentation slides were proposed by the Building Department and the Engineering Department.

Commissioner Shand believed the only on-site parking would be in the garage, which was confirmed. Staff recommends that the Planning Commission review the proposal for the SSCUP, hold a public hearing, and consider approving the SSCUP for the accessory building on 36 Prospect Avenue. Planner Zollinger offered to answer questions.

Commissioner Johnson stated that the south side of the historic structure is a very steep slope. He feels there needs to be some justification so he can understand why an accessory structure should be allowed on a very steep slope adjacent to a historic structure. Commissioner Shand referenced Page 14 of the Staff Report and asked the architect to address the retaining walls. Commissioner Johnson added that he would like to know what the height of the shoring wall will be on the south side of the property line. Dave Brock introduced himself as an architect from Brock Design. The reason for the

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retaining walls is to keep everything under a four-foot grade change from the original grade.

Commissioner Shand asked whether the walls go down to the footings. He pointed out that one of the neighbors had a concern about the steep slope, erosion, and the condition of the existing retaining wall. Mr. Brock clarified that the retaining walls do not go down to the footings, but there is a basement space where the retaining walls are seen. The dashed line shown along the basement of the house corresponds to the lower level of the house as well as the space on the lower level of the accessory structure. There is a basement space on the western side of the accessory structure. Mr. Brock stated that the Excavation Plan and professionally designed Shoring Plan have not been done yet. There is a Geotechnical Report and there will be a Shoring and Excavation Plan done in the future with a Civil Engineer involved. Mr. Brock shared an image of the proposed west elevation with the Planning Commission to provide additional clarity.

Commissioner Johnson asked the City Attorney about requiring a Shoring and Excavation Plan at this stage. He wanted to know how this is generally handled. Attorney Harrington reported that a complete application has been filed, which includes a Geotechnical Report but does not include the full building set plans. It is possible to consider an additional Condition of Approval to make sure there is no subsequent development in the rear yard. The Staff Report points out that this proposal is not maximizing the building pad.

Chair Van Dine opened the public hearing.

Michael McGinley clarified that he does not have objections to the Plat Amendment, given the conditions contained in the Draft Final Action Letter, but has serious concerns about the construction plans. Approval of each of these applications does not grant approval for construction. Many of his concerns are based on the Geotechnical Report included for Item 7F. He believes the drainage and foundation will be impacted at 32 Prospect Avenue. Previously, he was assured that all of the Conditions of Approval would need to be addressed and met prior to issuance of a Building Permit. With respect to the Geotechnical Report, he referenced the information for Item 10, Item 12, and Item 19.

Donna Hummer noted that there have been references made to an accessory building. The Accessory Building definition under the Municipal Code states that it is a building on the same lot as the principal building that is clearly incidental. She wanted to know how the proposal falls into the definitions included in the code. Chair Van Dine clarified that questions are not answered during the public hearing, but thanked her for the comment.

Leonard Pearson stated that there is not an Easement Agreement between 44 Prospect Avenue and 36 Prospect Avenue. He is still concerned about what type of wall will be on the south side of the property and what the impacts will be to the neighbors.

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Sarah Coughtrie submitted a comment online about parking and the accessory apartment in the back. On the applicant plans in Exhibit B, it is not labeled as an accessory building, but as an accessory apartment. She feels that is relevant to the discussion. In the Staff Report, there was a comment about parking being exempt from a Landmark Historic Structure so long as there is not an increase to the dwelling area or provide some sort of living space. However, based on the Staff Report information, it appears to do so.

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

Chair Van Dine asked for clarification about an accessory building versus dwelling space. She pointed out that it is listed as a bedroom and bathroom. Director Ward reported that in the defined terms in the code, there is a reference to an Accessory Building that is incidental. That could include a detached garage or a similar structure that requires a Building Permit, but it cannot include a Dwelling Unit. She explained that Dwelling Unit is a defined term. A Dwelling Unit is designed for use as a residence or sleeping place for one or more persons or families that includes a kitchen but excludes hotel, motel, lodge, or nursing home uses. There have been discussions with the applicant to clarify that this cannot be a Dwelling Unit with a kitchen and cannot be a separately rented or leased area within the home. It must remain accessory to the single-family use. Chair Van Dine believes that should be added as a Condition of Approval for clarity.

Commissioner Suesser asked for the definition of Accessory Building. Director Ward reported that there is a four-part definition in the code. It is a building on the same lot as the principal building, which in this case would be the single-family dwelling. The Accessory Building must be incidental to and customarily found in connection with the single-family building. That can include a detached garage or similar structures, but it does have to be operated and maintained for the benefit of the single-family use. Accessory Buildings cannot be a Dwelling Unit. Accessory Buildings also include structures that do not require a Building Permit, such as a shed or something similar.

Commissioner Suesser asked what is in the code about an Accessory Building that is one story. Director Ward explained that there is a separately defined term for an Ancillary Structure, which is one story and can be attached or detached. These are 250 square feet or smaller and include uses such as sheds, greenhouses, and play equipment. It is a type of Accessory Building. Commissioner Suesser referenced Page 18 of the Staff Report, which mentions the proposed detached accessory building is one story and low profile as viewed from Prospect Avenue. She wanted to understand the significance of that. It was clarified that it indicates a similar streetscape will be maintained.

Commissioner Johnson wondered whether the proposed Conditions of Approval are enough to mitigate potential impacts on the adjacent property owner. He also has a concern about the proposed retaining wall for the trash enclosures to the left of the accessory building. The proposed trash enclosure bumps out and looks like it is

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approximately 6 feet tall based on the visual depiction. He wondered whether there are any additional mitigation measures other Commissioners feel should be put in place.

Commissioner Shand asked the City Attorney how to best ensure that the shoring is going to be done correctly and the property to the south will not be negatively impacted. He wanted to know what the responsibility of the Planning Commission is. Attorney Harrington stated that there is safety and adverse impact language. He shared comments about the process and the proposed Conditions of Approval, which are intended to mitigate potential issues. The Commission can ask for more information from the City Engineer or Building Official about the conditions to make sure that the proposed Conditions of Approval are appropriate. Alternatively, the Commission can trust that the current conditions, as drafted, mitigate the anticipated impacts of the construction activity on the narrow lot line and setback. Commissioner Shand understands the concerns that have been expressed and has questions about how this work will be executed safely.

Planner Covey asked what additional information the Commission is looking for outside of what has already been provided. She reiterated that the Building Department and Engineering Department have both reviewed the proposed plans and Geotechnical Report. The development of a final Shoring Plan is normally submitted by the applicant at the Building Permit stage rather than the SSCUP stage of the process.

Commissioner Johnson asked what would happen if this process moved ahead and there was a landslide that impacted the adjacent home. He noted that Park City Municipal Corporation might be liable for issuing the Building Permit. There is a desire to do the best job possible during the review process. Attorney Harrington reminded the Commission that it is important to focus comments on the criteria that have been outlined. He cautioned Commissioners from going beyond the plain language of the statute. Most of the geotechnical and slope details are in the visual analysis section rather than safety. There is a presumption that the geotechnical safety will be handled by the professionals at the time of the Building Permit issuance. He reiterated the need to focus on the criteria.

Commissioner Shand acknowledged that this has been reviewed by different departments, but noted that the Planning Commission is trying to make sure the right decision is made. Director Ward addressed the earlier comment from Commissioner Johnson about the additional carve out for trash enclosure. Planner Covey noted that on one of the elevations, the height of the retaining wall for the trash enclosure is called out.

Commissioner Johnson stated that he feels comfortable with Conditions of Approval #12, #13, and #14, and allowing the City Engineer and team to vet this application. He suggested there be a reference in the condition language to the trash enclosure height. Ms. Kryszak referenced Page 14 of the Staff Report and explained that the wall for the trash enclosure is 3 feet and 11 inches. Commissioner Johnson still thought it made sense to include that specificity in the Condition of Approval language.

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Discussions were had about amendments to the Conditions of Approval. An amendment was made to Condition of Approval #1 to reference the height of the trash enclosure retaining walls. Condition of Approval #23 was added to reference the accessory building use. Commissioner Suesser stated that she was voting in opposition to the application because she feels the Commission should have required increased setbacks for the accessory building given the adjacent home to the north of the applicant property.

MOTION: Commissioner Frontero moved to APPROVE the Steep Slope Conditional Use Permit for a Detached Accessory Building at 36 Prospect Avenue, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. 36 Prospect Avenue is a 4,169-square-foot Lot.

2. The site is in the Historic Residential – 1 (HR-1) Zoning District.

3. The Landmark Historic Structure on the Site was constructed circa 1889.

4. On November 29, 2023, the Planning Commission approved the 36 Prospect Avenue Plat Amendment.

5. On September 4, 2024, the Historic Preservation Board approved the lifting of the Historic Structure to construct basement foundation upgrades.

6. The Applicant proposes to construct a detached Accessory Building on a Steep Slope at 36 Prospect Avenue, a Landmark Historic Structure.

7. The Applicant applied for the SSCUP in conjunction with a Conditional Use Permit (CUP) for an exception to the Building Setback for the addition.

8. The applicant proposed constructing an Accessory Building approximately 525 square feet on an existing Slope of thirty percent (30%) or greater. Therefore, pursuant to § 15-2.2-6, an SSCUP application is required.

9. In conjunction with the SSCUP, the Applicant submitted a Historic District Design Review (HDDR) Application (PL-24-06186). The HDDR Application approval is subject to the approval of this SSCUP.

10. The minimum Lot size in the HR-1 Zoning District is 1,875 square feet. The Lot is 4,169 square feet and complies.

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11. The maximum Lot size in the HR-1 Zoning District is 3,750 square feet. The Lot is 4,169 square feet and is Existing Non-Complying pursuant to LMC § 15-2.2-4.

12. The minimum Lot width in the HR-1 Zoning District is 25 feet. The Lot is 53 feet in width and complies.

13. The maximum Building Footprint in the HR-1 Zoning District for a Lot that is 4,169 square feet is 1,649 square feet. The proposed Building Footprint is 1,276 square feet and complies.

14. The minimum Front and Rear Setbacks for Lots 75 feet up to 100 feet depth in the HR-1 Zoning District is 12 or 13 feet minimum, totaling 25 feet. The Applicant proposes a 13-foot Front Setback and a 12-foot Rear Setback.

15. Minimum Side Setbacks for Lots up to 62.5' in width are three feet each in the HR-1 Zoning District. The Applicant proposes a nine-foot north Side Setback and a five-foot south Side Setback.

16. The maximum building height is 27 feet from Existing Grade in the HR-1 Zoning District. The proposed maximum building height is 22' from Existing Grade and complies. The proposed Accessory Building is 18 feet tall at its highest point above Existing Grade.

17. The HR-1 Zoning District requires a ten-foot minimum horizontal step in the downhill façade, at 23 feet or less. The entire Existing Historic Structure is a maximum of 22 feet tall above Existing Grade and compliant.

18. Structures cannot exceed 35 feet from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters in the HR-1 Zoning District. The Landmark Historic Structure's addition will have an interior height of approximately 24 feet. The Accessory Building will have an interior height of approximately 20 feet.

19. The roof pitch for the Contributing Roof Form must be between 7:12 and 12:12 in the HR-1 Zoning District and occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. The Historic roof form is 12:12. The Accessory Structure's roof pitch is 9:12. The roof pitches extend beyond 20 feet and are compliant.

20. Per Land Management Code (LMC) § 15-2.2-6, SSCUP applications are subject to the following criteria:

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- **LOCATION OF DEVELOPMENT** – *Development is located and designed to reduce visual and environmental impacts of the Structure.*
    - **Complies:** The proposed detached garage and Accessory Building are closer to Prospect Avenue to avoid the steeper slope at the rear of the site and step down the south side slope, to follow the contour of the site.
- **VISUAL ANALYSIS** – *The Applicant must provide a visual analysis of the project from key Vantage Points: To determine potential impacts of the proposed Access and Building mass and design; and to identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.*
    - **Complies:** Due to the steep slope and proposed vegetation, 36 Prospect Avenue is not very visible from Old Town. The Applicant provided cross-canyon images which show the proposed height in a similar pattern to the existing structures on Prospect Avenue. Some existing vegetation will be removed that is dead, dying, or in the location of the proposed Accessory Building. The Applicant proposes to replace and plant vegetation in the rear (west side) of the Lot, where they are not disturbing the slope for structure construction. Due to the downhill slope, the vegetation will not initially screen the structures, but as the vegetation grows, more of the structure will be screened.
- **ACCESS** – *Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.*
    - **Complies:** The front of the site is currently paved for parking. Historic Structures are exempt from Parking requirements and the proposed work includes building a garage. Parking shall be limited to the garage (see Condition of Approval 18 and Section III of this report), and the paved parking area in front of the Historic Structure must be landscaped as proposed. Parking within the landscaped area is prohibited. The Applicant proposes a 10-foot-wide driveway. The amount of impervious surface in the front of the structure will be limited to the driveway and paths leading to the structures. Pursuant to LMC § 15-2.2-5, the Final Grade must be within four vertical feet of Existing Grade. The plans show Final Grade within four feet of Existing Grade, as shown on the plans.
- **TERRACING** – *The project may include terraced retaining Structures if necessary to regain Natural Grade.*
    - **Complies:** The Applicant proposes five concrete retaining walls and one stone retaining wall, all less than four feet in height, around the site. The concrete walls range from four to fourteen feet in length. The longest portion of the stone wall is 19 feet in length. The structures themselves will retain most of the grade. The terraced retaining walls are not visible from Prospect Avenue. The retaining walls allow the grade to stay within four feet of existing grade, as show in the plans above.

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- **BUILDING LOCATION** – *Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.*
    - **Complies:** The detached garage and Accessory Building are set back from the front facade of the Landmark Historic Structure by approximately 11 feet. The detached garage has a limited driveway. The proposed location for the Accessory Building is on a Steep Slope to the south, however, it avoids Steep Slopes on the west and is set back at least 21 feet from the rear property line. Vegetation on the Steep Slope is proposed to be removed to construct the Accessory Building, but there is open space proposed in the Front, Side, and Rear for new plantings.
- **BUILDING FORM AND SCALE** – *Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. To decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main structure or no garage.*
    - **Complies:** The Applicant proposes a smaller Building Footprint than the maximum allowed. The detached garage and Accessory Building step down towards the west side, as the grade steps down. The detached garage is a part of the Accessory Building and is separate from the Historic Building. The proposed detached Accessory Building is one-story and low profile, as viewed from Prospect Avenue. The Accessory Building is less wide than and simple and subordinate in design to the Historic Structure.
- **SETBACKS** – *The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.*
    - **Complies:** The proposed detached garage and Accessory Building are set apart and back from the front facade of the Landmark Historic Structure to reduce the wall effect. The detached garage and Accessory Building are proposed to be constructed closer to Prospect Avenue to avoid the steeper slopes at the rear of the property.
- **DWELLING VOLUME** – *The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.*
    - **Complies:** As seen from Prospect Avenue, the structure is viewed as a one-story structure. The proposed final external and internal structural

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heights are equal to or less than the maximum allowed, and compliant as conditioned with the HR-1 Zoning District requirements as outlined above.

- **BUILDING HEIGHT | STEEP SLOPE** – *The Maximum Height for Detached Accessory Buildings is 18 feet. The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and the Historic character of the neighborhood's existing residential Structures.*
    - **Complies:** The proposed maximum height of the Accessory Building is 18 feet. The tallest portion of the structure is at the rear of the Lot, not visible from Prospector Avenue, and steps down the hillside like the adjacent properties.

21. The analysis of the Staff Report is incorporated herein.

22. Staff published notice on the City's website and posted notice to the property on May 14, 2025. Staff mailed courtesy notice to property owners within 300 feet and posted notice to the property on May 14, 2025. The Park Record published notice on May 14, 2025.

Conclusions of Law:

1. The proposal complies with the LMC requirements in Chapter 15-2.2, Historic Residential - 1 (HR-1) Zoning District.

2. The proposal complies with the LMC requirements in Chapter 15-2.2-6, Development on Steep Slopes in the HR-1 Zoning District.

3. The proposal complies with the LMC requirements in Chapter 15-3, Off-Street Parking.

Conditions of Approval:

1. Final building plans and construction details shall reflect substantial compliance with the plans reviewed May 28, 2025, by the Planning Commission, pending design modifications required for Historic District Design Review compliance. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order. The trash enclosure retaining walls shall be no taller than 4 feet from Final Grade and Existing Grade cannot be modified more than 4 feet to reduce the visual impact from the street.

2. The Applicant shall receive approval of a Historic District Design Review prior to submitting a Building Permit application.

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3. If the Applicant does not obtain a Building Permit within one year of the date of this approval, this SSCUP approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Director approves an extension.

4. The applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.

5. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.

6. Residential fire sprinklers are required for all new construction on this lot, per requirements of the Chief Building Official.

7. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. 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.

8. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state. The Final Grade shall be within four feet of Existing Grade.

9. City approval of a Construction Mitigation Plan (CMP) is a condition precedent to the issuance of any Building Permits. The CMP shall include language regarding the method of protecting adjacent structures.

10. 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.

11. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000 degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.

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12. The Applicant shall submit final slope stability prior to submitting a Building Permit, subject to City Engineer approval.

13. The Applicant shall provide soil stabilization and drainage details documenting how the disturbed area will be restored and stabilized prior to submitting a Building Permit, subject to City Engineer approval.

14. Prior to submitting a Building Permit, the Applicant shall submit a plan demonstrating how they will provide the temporary shoring needed during construction, subject to City Engineer approval.

15. Retaining walls cannot exceed the height approved as part of this SSCUP without modifying the SSCUP.

16. The Applicant shall obtain an Encroachment Agreement for driveway access with the Engineering Department for the heated driveway.

17. If the Applicant proposes additional retaining walls not approved under this SSCUP, the Applicant must file a modification application and return to the Planning Commission for review and approval prior to submitting a revised Building Permit.

18. The front yard landscape plan shall not include additional impervious surfaces than what is outlined on the May 28, 2025 plans. Onsite parking is limited to the garage. Landscaping of the Ignition Zones and Home Hardening must comply with the Park City Wildland Urban Interface Code.

19. Access and Snow Shed Agreements will need to be obtained and completed by the Homeowner and the applicable neighboring properties prior to Building Permit submittal.

20. A geotechnical soils report indicating site stability and temporary shoring and drainage will need to be submitted and approved prior to the Building Permit submittal.

21. A representative of the geotechnical engineer shall observe footing excavations prior to structural fill or concrete placement and provide an excavation observation letter.

22. Exterior wall fire resistance rating and separation distance to comply with Table R302.1(1) of the 2021 IRC.

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23. The Accessory Building may only be used incidental to the Single-Family Dwelling Use and shall not be used as an Accessory Apartment, Dwelling Unit, or rented separately from the primary residence.

The motion was seconded by Commissioner Shand. The motion passed with a vote of 3-to-1 with Commissioner Suesser voting Nay.

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

G. 3672 West Deer Crest Estates Drive – Conditional Use Permit – The Applicant Proposes to Construct a Private Recreation Facility Including Two Pickleball Courts, One Tennis Court, a Playground, Four Parking Spaces, a 375-Square-Foot Building for Storage and Restrooms, a Ten-Foot-Tall Fence Surrounding the Tennis Court, and an Eight-Foot-Tall Retaining Wall in the Front Setback in the Recreation and Open Space Zoning District and Sensitive Land Overlay. PL-24-06308.

Planner II, Virgil Lund, presented the Staff Report and explained that the application is for a CUP at 3672 West Deer Crest Estates Drive. The applicant proposes to construct a Private Recreation Facility. Planner Lund shared some background information with the Commission. In December 1998, the City Council annexed 253 acres of the Deer Crest area into Park City. The proposed development is located on a parcel owned by the State of Utah School and Institutional Trust Lands Administration ("SITLA"). The Lease Agreement with SITLA allows for the proposed uses on the parcel. Some photographs of the site were shared. Currently, it is used for construction staging and other parking for the Deer Crest Master Association. It is located just past the vehicle control gate.

The park will be open for members of the Deer Crest Master Association. Planner Lund shared a rendering and reviewed what the Private Recreation Facility will have:

- Two pickleball courts;
- One tennis court;
- A 450-square-foot stage for covered picnics and private events;
- A 500 square-foot playground;
- Four parking spaces;
- A 375-square-foot building for storage and restrooms;
- A 10-foot tall sound mitigating AcoustiFence surrounding the tennis court and pickleball courts;
- An eight-foot tall retaining wall in the front setback.

An overhead view of the rendering was shared. The proposal complies with all requirements from the Recreation and Open Space ("ROS") Zoning District regarding setbacks, building height, and vegetation protection. The proposal also complies with the Sensitive Land Overlay criteria for fences and retaining walls, off-street parking

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requirements, and the CUP criteria. Planner Lund reported that the pickleball criteria in the LMC do not apply to this specific parcel since the parcel is not a residential lot. He shared some details from the Sound Mitigation Plan that was submitted by the applicant.

Staff recommends that the Planning Commission review the proposed CUP and consider approval based on the Draft Final Action Letter. Planner Lund reviewed the Conditions of Approval, including ones recommended by Bio-West Inc. Those conditions are reflected in Conditions of Approval #4, #5, and #6. The use of the pickleball court shall be limited from 8:00 a.m. to 8:00 p.m. Representatives are available to answer questions.

Information was shared about the Homeowners Association ("HOA"). It was noted that the St. Regis residences are not participants in this park. Those residents opted not to participate in the funding or use of the amenity. Commissioner Frontero asked if this park will have lighting. It was noted that no exterior lighting has been proposed.

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

Commissioner Shand pointed out that there is a mountain bike trail that comes down in this general area. He asked if that will be impacted at all with the proposal. This was denied. The Solamere Trail comes down at the intersection of Deer Crest Estates and Snow Top. There is also one to the west of the park itself. Chair Van Dine appreciates the noise mitigation that is included in the plans. This is placed well to minimize impacts.

Commissioner Johnson referenced the Bio-West Inc. conditions. He asked if pre-construction surveys are recommended. Planner Lund does not recall seeing a specific requirement for a survey prior to construction, but that language could be added. Discussions were had about language to add to the Conditions of Approval. Attorney Harrington suggested a new condition be drafted and another sentence be added to Condition of Approval #1. Condition of Approval #4 was drafted and the conditions were reordered. Commissioner Suesser requested another condition about the bike racks.

MOTION: Commissioner Shand moved to APPROVE the Conditional Use Permit at 3672 West Deer Crest Estates Drive, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. The Applicant proposes to construct a Private Recreation Facility with:

    a. Two pickleball courts.
    b. One tennis court.
    c. A 450-square-foot stage for covered picnics and private events.
    d. A 500-square-foot playground.

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e. Four Parking Spaces.
f. A 375-square-foot Building for storage and restrooms.
g. A 10-foot-tall sound-mitigating AcoustiFence surrounds the tennis court and pickleball courts.
h. An eight-foot-tall retaining wall in the Front Setback.

2. The proposed Site is McKinley Parcel 1C, 0.4 acres located in Wasatch County, owned by the State of Utah School and Institutional Trust Lands Administration (SITLA).

3. The Deer Crest area was originally within unincorporated Wasatch County. Developers started the land use review process with Wasatch County in the late 1980s. In 1991, the Wasatch County Commissioners approved a Density Determination outlining future development and use for what was then called the Telemark Park Resort. However, due to the project's location and impacts on several jurisdictions, a lawsuit ensued regarding development and services.

4. On December 29, 1995, Park City Consolidated Mines Company, Trans-Wasatch Company, and Park City Municipal Corporation entered into a Settlement Agreement. The Settlement Agreement outlined annexation and future development of Deer Crest projects in Park City.

5. Section 5.3.10 of the Settlement Agreement mentions the parcels owned by SITLA and that all proposed uses of these State-owned parcels must comply with the recorded lease agreements between SITLA and Deer Crest.

6. On June 20, 1996, an Amended and Restated Special Use Agreement was recorded with Wasatch County outlining financial terms and use restrictions for this parcel. Section 2 of the Lease Agreement, Permitted Uses, outlines the Uses:

   a. "The Premises shall be used as part of a year-round destination ski and recreational resort (the "Resort"). The Resort will have commercial, residential, and recreational uses, and may include, without limitation, skiing, golf, racquet sports, swimming, hiking, bicycling, sports training, and other recreational activities."

7. On December 17, 1998, the City Council approved Ordinance No. 98-53, annexing 253 acres of the Deer Crest property into Park City. Also on December 17, 1998, Park City Municipal Corporation and Wasatch County signed the Deer Crest Interlocal Agreement. The agreement outlined

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requirements for infrastructure and utility services to the Deer Crest annexation area.

8. Land Management Code (LMC) § 15-4-22 Outdoor Pickleball Courts in Residential Areas does not apply to this CUP Application. LMC § 15-4-22 is required when a pickleball court is proposed on a residential Lot, and the subject Lot is not residential.

9. The proposal complies with the requirements of the ROS Zoning District.

    a. LMC § 15-2.7-3 outlines the Lot and Site requirements.
    b. Setbacks: All Structures must be no less than 25 feet from the boundary line of the Lot, district, or public Right-of-Way.
    c. LMC § 15-2.7-3(A) outlines Setback exceptions: Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, approved Parking Areas, and Screened mechanical and utility equipment are allowed as exceptions in the Front, Side, and Rear Setbacks.
        i. The proposed courts, stage, and play areas are located outside of all required Setbacks. The Applicant proposes four Parking Spaces and an eight-foot-tall retaining wall in the Front Setback.
    d. LMC § 15-2.7-4 outlines Building Height requirements: No Structure may be erected to a height greater than 28 feet from Existing Grade.
        i. The bathroom/storage building is 13 feet in height from Existing Grade, the stage is 14 feet in height from Existing Grade, and the shade Structure and playground equipment are approximately 12 feet in height from Existing Grade.
    e. LMC § 15-2.7-6 outlines requirements for vegetation protection: The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches in diameter or greater measured four and one-half feet above the ground.
        i. The Applicant proposes to remove six Engelmann spruce and Douglas Fir trees that are greater than six inches in diameter and will replace them on-site with six Engelmann spruce and Douglas Fir trees that are equivalent in diameter.

10. The proposal complies with the Sensitive Land Overlay.

    a. Slope Protection: No Development is allowed on or within 50 feet, map distance, of Very Steep Slopes, Areas subject to landslide activity, and other high-hazard geologic Areas. An Area of Very Steep Slopes must cover a topographic Area at least 25 feet

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vertically, upslope, or downslope, and 50 feet horizontally in any direction to be subject to this prohibition.

i. The Applicant's slope map shows the proposed Development is not on or within 50 feet of a Very Steep Slope. No Very Steep Slope within 50 feet of the proposed Development Site covers a large enough topographic Area to impact Development.

b. Ridge Line Area Protection: LMC § 15-15-1 defines "Ridge Line Area" as the top, ridge, or Crest of Hill or Slope plus the land located within 150 feet on both sides of the ridge. No Structure or other appurtenant device, including mechanical equipment, may visually intrude on the Ridge Line Area from any of the designated Vantage Points depicted in LMC § 15- 2.21-5(B).

i. The proposed Development is greater than 150 feet from the Designated Ridgeline.

ii. The proposed Development site is approximately 20 feet below the ridgeline on the east side situated between the two mountain peaks and is not visible from any Designated Vantage Points.

c. Wetlands and Stream Protection.

i. The nearest wetlands and streams are approximately 1,500 feet from the proposed Development.

d. Wildlife and Wildlife Habitat Protection.

i. LMC § 15-2.21-8(B)(1) requires the following:

ii. Protection of wildlife habitat and ecological character:

iii. CONSTRUCTION TIMING. Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-site and adjacent natural Areas.

iv. SENSITIVE AND SPECIALLY VALUED SPECIES. If the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, and the wildlife and habitat report shows the existence of Sensitive or Specially Valued Species, the Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced.

v. CONNECTIONS. If the Development Site contains existing natural Areas that connect to other Off-Site Natural Areas, to the Maximum Extent Feasible the Development plan shall preserve such natural Area connections. If natural Areas lie adjacent to the Development Site, but such natural Areas are not presently connected across the Development Site, then the Development plan shall, to the extent reasonably feasible,

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provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between natural Areas and to enhance the opportunity for the establishment of new connections for the movement of wildlife.

vi. WILDLIFE CONFLICTS. If wildlife that may create conflicts for future occupants of the Development is known to exist in Areas adjacent to or on the Development Site, then the Development plan must include provisions to minimize these conflicts to the extent reasonably feasible.

vii. Bio-West Inc. prepared a wildlife habitat report for the proposed Development, and recommendations from the report are included as Conditions of Approval.

viii. The recommended Conditions of Approval mitigate wildlife conflicts, construction disturbances, and preserve wildlife connections at the Site.

11. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).

a. Private Recreation Facilities and Fences over six feet in Height from Final Grade require a CUP in the ROS Zoning District.

b. Size and Location of Site:

i. The proposed Development complies with all Setback and Building Height requirements for the ROS Zoning District. The park is located where members of Deer Crest Master Association can access from Deer Crest Estates Drive, a private road.

c. Traffic Capacity:

i. The Applicant states that a maximum of 10-12 patrons will use the park at any given time throughout the day. Members of Deer Crest Master Association may reserve the park for private events and gatherings. The pickleball and tennis courts will be available for members on a first-come first-serve basis. The Applicant states that the overflow parking near the gatehouse can be used for additional member-only parking. The overflow parking is on the private street next to the gatehouse and can accommodate approximately four vehicles.

d. Utility Capacity:

i. On April 2, 2025, the Park City Development Review Committee (DRC) reviewed the proposal and confirmed the proposal conforms to all utility capacity requirements.

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ii. On May 1, 2025, the Wasatch County DRC reviewed the proposal and confirmed the proposal conforms to all utility capacity requirements.

e. Emergency Vehicle Access:
   i. On April 2, 2025, the Park City DRC reviewed the proposal and confirmed the proposal conforms to all emergency vehicle access requirements.
   ii. On May 1, 2025, the Wasatch County DRC reviewed the proposal and confirmed the proposal conforms to all emergency vehicle access requirements.

f. Off-Street Parking:
   i. See Finding of Fact 8.

g. Internal Vehicular and Pedestrian Circulation System:
   i. Vehicles will pull into the four Parking Spaces and access the Private Recreation Facility from Deer Crest Estates Drive. The Applicant proposes pedestrian paths around the park.

h. Fencing, Screening, and Landscaping:
   i. See Finding of Fact 12.

i. Structure Mass, Bulk, and Orientation:
   i. The proposed Structures are not visible from any Designated Vantage points and are oriented in a way that blends with the existing topography of the Site, situated between the two mountain peaks and below the designated ridgeline.

j. Useable Open Space:
   i. The proposal creates additional useable Open Space for members of the Deer Crest Master Owners Association.

k. Signs and Lighting:
   i. No signs or exterior lighting are proposed or approved with the CUP application.

l. Physical Design and Compatibility with Surrounding Structures:
   i. The proposed Structures are not visible from any Designated Vantage points and are oriented in a way that blends with the existing topography of the Site, situated between the two mountain peaks and below the designated ridgeline.

m. Noise, Vibration, Odors, Steam, or Other Mechanical Structures:
   i. The Applicant proposes to install an eight-foot rock retaining wall and Significant Vegetation surrounding the tennis and pickleball courts to help mitigate noise from the pickleball courts. Also, the Applicant proposes to install a sound attenuation screen AcoustiFence mounted on a chain-link fence surrounding the tennis and pickleball courts. The Applicant states that the proposed Fence can reduce pickleball sounds by 50%. The closest residential Lot is approximately 400 feet to the east of the proposed pickleball

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courts. All proposed Uses at the park must comply with Municipal Code Chapter 6-3 Noise.

n. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas:
   i. Any delivery or service vehicles will use the proposed Parking Spaces and existing pull-out area near the gatehouse for any deliveries. The Applicant proposes to install one trash can and one recycling can at the park near the bathrooms. Pickup of trash and recycling will be managed by the Deer Crest Master Association.

o. Expected Ownership:
   i. The Applicant, the Deer Crest Master Association, leases the parcel from SITLA. The proposed uses for the site are consistent with the permitted uses outlined in the Lease Agreement.
   ii. In August 2024, the Deer Crest Master Association voted in favor of the proposed Private Recreation Facility.

p. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slopes:
   i. See Finding of Fact 6. The Site is not within the Soils Ordinance boundary.

q. General Plan Consistency:
   i. The Lower Deer Valley section of the General Plan (p. 238) states that future improvements within the area should be directed toward maintaining the world-class resort experience.

12. The proposal complies with the Off-Street Parking requirements in LMC Chapter 15-3.

a. Private Recreation Facilities require a minimum of one Parking Space per four persons maximum rated capacity. According to the Applicant, the proposed Private Recreation Facility will have a rated capacity of 12 patrons. Pursuant to LMC § 15-3-6(B) the proposal requires a minimum of three Parking Spaces. The Applicant proposes four Parking Spaces in the Front Setback.

b. LMC § 15-3-9(A)(2) states that outdoor bicycle parking shall be provided for 10 percent of the required Off-Street parking for the temporary storage of bicycles. Per the required Off-Street Parking Spaces, the Applicant is required to install bike parking for two bikes. The Applicant proposes to construct bike parking for 12 bikes. Prior to Building Permit issuance, the Applicant must submit details for the proposed bike rack demonstrating compliance with the requirements in LMC § 15-3-9(A)(1).

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13. The proposal complies with LMC § 15-4-2 Fences and Retaining Walls.

    a. LMC § 15-4-2(A)(1) states that retaining walls may exceed six feet in height in the Front Setback when approved through a CUP. The Applicant proposes a rock retaining wall that ranges from two feet to eight feet in height from Final Grade encroaching two feet into the Front Setback.
    b. LMC § 15-4-2(B) outlines restrictions on materials for fencing. LMC § 15- 4-2(B)(1) allows chain-link fencing for recreational facilities and courts. Fences greater than six feet in height from Final Grade require a CUP in the ROS Zoning District pursuant to LMC § 15-2.7-2(C)(25). The Applicant proposes a 10-foot-tall vinyl-coated chain link AcoustiFence surrounding the tennis courts, and a five-foot-tall vinyl-coated chain link AcoustiFence surrounding the pickleball courts that will prevent tennis balls and pickleballs from travelling into the adjacent roadway.

14. The Development Review Committee reviewed the proposal on April 2, 2025, and the Wasatch County DRC reviewed the proposal on May 1, 2025. Neither DRC requires Conditions of Approval.

15. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 14, 2025.

16. Staff mailed courtesy notice to property owners within 300 feet on May 14, 2025. The Park Record published courtesy notice on May 14, 2025.

Conclusions of Law:

1. The proposal complies with the LMC requirements pursuant to Chapter 15-2.7 *Recreation and Open Space Zoning District*, Chapter 15-2.21 *Sensitive Land Overlay*, Section 15-4-2 *Fences and Retaining Walls*, Chapter 15-3 *Off-Street Parking and Section* 15-1-10 *Conditional Use Review Process*.

2. The Use will be compatible with surrounding Structures in Use, scale, mass, and *circulation*.

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

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Conditions of Approval:

1. Final building plans and construction details shall reflect substantial compliance with the final plans dated April 9, 2025, submitted to the Planning Department and reviewed May 28, 2025, by the Planning Commission. A construction mitigation plan shall incorporate these Conditions of Approval.

2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director prior to construction.

3. The Applicant shall adhere to the Municipal Code of Park City Chapter 6-3, Noise.

4. Construction management shall be responsible for implementing the recommendations of the Deer Crest Wildlife Habitat Report, shown as Exhibit G and dated March 1, 2025.

5. No clearing of nesting vegetation during the typical nesting/brood-rearing period from April 1 through August 31. If vegetation clearing is required during the nesting/brood-rearing period a qualified wildlife biologist must perform a nest-clearance survey within three days prior to construction activities.

6. If actively nesting and/or brood-rearing birds are found within the direct footprint of the clearing area, the clearance and construction should be postponed until breeding activity is completed and the nestling birds have fledged and the nest is no longer active (as assessed by a qualified wildlife biologist).

7. If nesting bird species are located outside of the direct footprint of the clearing area but within a 300-foot buffer, a biologist should monitor those nests and determine if construction disturbance has the potential to cause nest abandonment.

8. Disturbed areas must be revegetated with native forbs, grasses, and shrubs.

9. All noxious weeds, as identified by the State of Utah or Wasatch County, shall be removed from the Property in a manner acceptable to the City and

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Wasatch County. All noxious weeds shall be removed prior to issuance of Certificate of Occupancy.

10. Any Outdoor Event or Music at the Site that is open to guests outside of the Deer Crest Master Association must receive an Administrative Conditional Use Permit approved by the Planning Department, pursuant to LMC § 15-2.7-2(B)(7).

11. The Use of the Pickleball Courts shall be limited from 8 a.m. to 8 p.m.

12. No signs or exterior lighting are proposed or approved.

13. The Applicant shall install Electric Vehicle charging station infrastructure for two future Electric Vehicle charging stations.

14. The applicant proposes parking for 12 bicycles. The bike racks must comply with the criteria found in LMC Section 15-3-9.

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

8. ADJOURNMENT

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

The meeting adjourned at approximately 9:20 p.m.

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Planning Commission
Staff Report

Subject: **1127 Woodside Avenue**
Application: **PL-24-06317**
Author: **Meredith Covey, Planner I**
Date: **June 11, 2025**
Type of Item: **Work Session**

Recommendation

(I) Review the proposed 1127 Woodside Avenue Plat Amendment to remove a Plat Note establishing a 2,100-square-foot maximum Building Footprint (Exhibit A – Proposed Plat), and (II) provide input on the Applicant's proposal to prepare for a public hearing.

Description

Applicant:	Monique Sanders Representative: Megan Blosser, Alliance Engineering
Location:	1127 Woodside Avenue Landmark Historic Site
Zoning District:	Historic Residential – 1
Adjacent Land Uses:	Residential
Reason for Review:	The Planning Commission reviews and takes Final Action on Plat Amendments.[1]

HDDR	Historic District Design Review
HR-1	Historic Residential – 1
LMC	Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

1127 Woodside Avenue is a Landmark Historic Site on Park City's Historic Sites Inventory. It is an unusually large Lot for a residential Historic Site in Old Town because in 2013, the property owner at the time requested a Plat Amendment to combine nearly four Old Town 25-foot by 75-foot Lots to create a 7,501-square-foot Lot for the Landmark Historic Site.

1127 Woodside Avenue is Parcel No. 1127-WS-1 and is in the Historic Residential – 1

[1] LMC § 15-7.1-2

(HR-1) Zoning District, fronting both Woodside and Norfolk Avenues:



Figure 1: Aerial view of 1127 Woodside Avenue with the HR-1 Zoning District shown in light blue.

The Existing Conditions Survey provided by the Applicant shows the Landmark Historic Structure and additions (Exhibit C – Existing Conditions Survey).

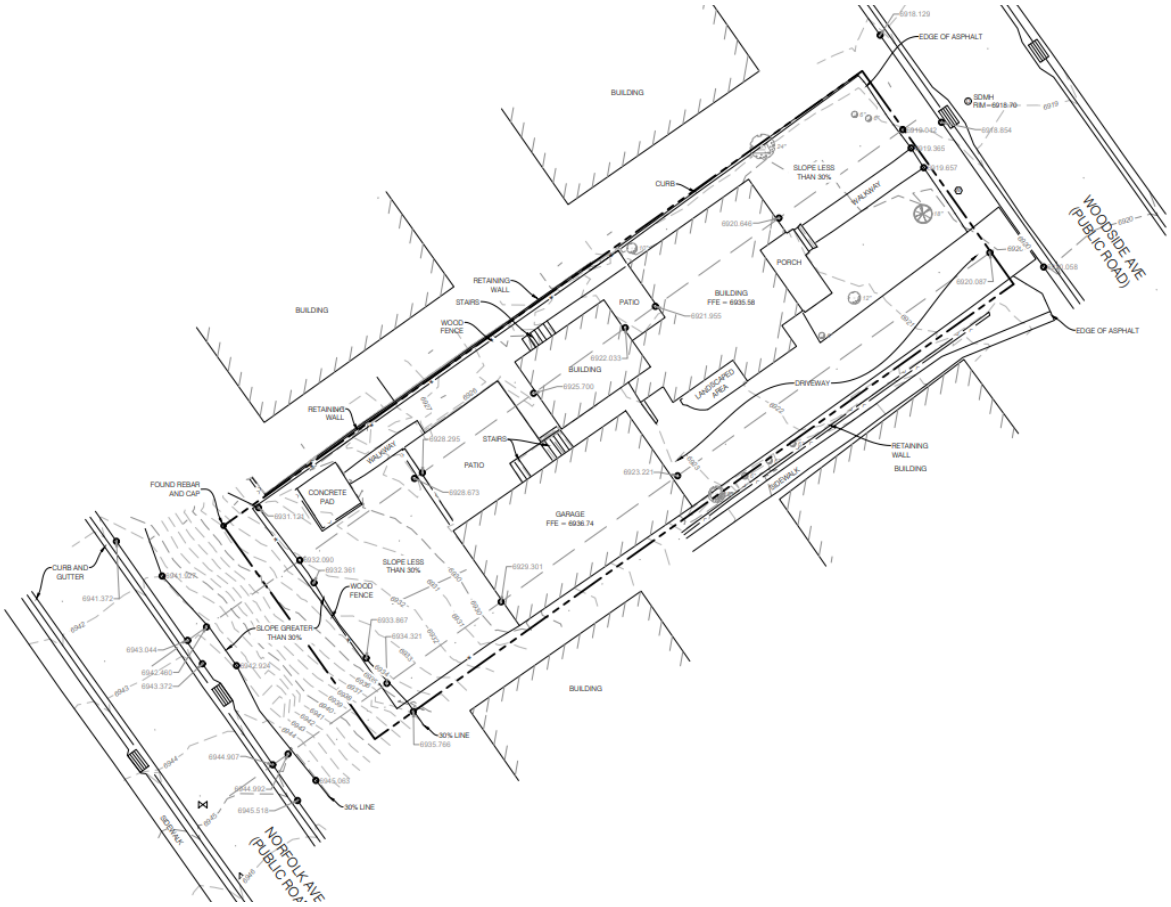


Figure 2: Existing conditions showing the existing Structures on the site



Image 1: 1127 Woodside Avenue viewed from Woodside Avenue.

The Historic Structure is located along Woodside Avenue with the non-Historic garage and addition located behind the Landmark Historic Structure.



Image 2: The rear portion of the property viewed from Norfolk Avenue.



Image 3: The site as viewed from Norfolk Avenue.

On May 5, 2005, City Council adopted Ordinance No. 05-2025 for the Silver Deer Chateaux at Olde Hawke Pointe on Legacy Mountain Subdivision to combine Lots 7, 8, 25, and 26 to create one Lot, 1127 Woodside Avenue. The plat was never recorded and expired on May 6, 2006.

When reviewing a later requested Plat Amendment for 1127 Woodside Avenue in 2013 to create the larger Lot, the Planning Commission added Condition of Approval 7 limiting the total maximum Building Footprint for the Lot to 2,100 total square feet and the maximum Building Footprint of the Landmark Historic Structure to 1,200 square feet. The Planning Commission added Condition of Approval 7 to prevent future property owners from building out to the maximum footprint of 2,460 square feet to avoid engulfing the Landmark Historic Structure with a large addition (Exhibit F – August 14, 2013, Planning Commission Minutes and Staff Report).

On September 5, 2013 City Council adopted Ordinance No. 2013-31 approving the 1127 Woodside Avenue Subdivision Plat with Condition of Approval 7 recommended by the Planning Commission, amending it to read: “The maximum total footprint allowed on the lot is 2,100 square feet. The maximum footprint for the house is 1,200 square feet, which may include up to 30 square feet for a connector. The connector shall not affect the distinct footprint calculations for the house and garage” (Exhibit E – Ordinance No.

2013-31) (Staff Report, Minutes, pg. 17).

As a result, the recorded plat for 1127 Woodside Avenue includes Note 3 limiting the total maximum Building Footprint for the Lot to 2,100 square feet, with the maximum Building Footprint of the house 1,200 square feet, and the connector 30 square feet. The approved 1127 Woodside Avenue Plat was recorded January 27, 2014 (Entry No. 988494) (Exhibit B – Recorded Plat).

The Applicant proposes to amend Note 3 of the recorded 1127 Woodside Avenue Plat to increase the allowed maximum Building Footprint for the Lot by 361 square feet. The Applicant's proposed Plat Note states: "The maximum total footprint allowed on the lot is 2,461 square feet. The maximum footprint allowed for the house is 1,200 square feet, which may include up to 50 square feet for a connector. The connector shall not affect the distinct footprint calculations for the house and garage" (Attachment 1 – Proposed Plat).

Analysis

(I) The proposed Plat Amendment is contrary to the Planning Commission recommendation for the 1127 Woodside Avenue Plat approved by the City Council in 2013.

In 2013, the Applicant proposed to combine Lots 7, 8, 25, and 26 of the Snyders Addition to Park City to create a 7,501-square-foot Lot to make improvements to the site. The Applicant was given the option to demolish the non-historic garage on the site and re-subdivide the Lot to create one or two Lots along Norfolk Avenue in addition to the Woodside Avenue Lot. It was noted that this would limit the Lot size of 1127 Woodside to that of two Old Town Lots measuring roughly 50 feet by 75 feet. The Staff Report expressed that "this would alleviate potential density on the site, and distribute the density over multiple lots."

Staff provided the following table analyzing the proposed Lot size in proximity to 1127 Woodside Avenue (Exhibit F - August 14, 2013, Planning Commission Staff Report and Minutes). Staff noted that the proposed combination of four lots would be one of the larger plat amendments in the neighborhood.

Address	Year Built	Historical Significance	Lot Size (+/-)	Maximum Footprint (+/-)
1167 Woodside	1935-36	Landmark	13,125 SF (7 lots)	3,139 SF
1147 Woodside	1899	Significant	5,625 SF (3 lots)	2,050 SF
1152 Norfolk	Vacant	n/a	3,750 SF (2 lots)	1,519 SF
1127 Woodside	1904	Landmark	7,501 SF (4 lots)	2,461 SF
1102 Norfolk	1904	Landmark	3,750 SF (2 lots)	1,519 SF
1107 Woodside	1916	Significant	1,875 SF (1 lot)	844 SF
1103 Woodside	1905	Significant	1,875 SF (1 lot)	844 SF
1135- Woodside	1984	Non-Historic	7,501 SF (4 lots)	1,358.87 SF
1144 Woodside	2012	Non-Historic	3,920 SF (2 lots)	1,519 SF
1162 Woodside	1905	Landmark	2,813 SF (1.5 lots)	1,201 SF
1158 Woodside	1901	Significant	2,813 SF (1.5 lots)	1,201 SF
1141 Park	1905	Landmark	4,689 SF (2.5 lots)	1,801 SF
1136 Woodside	1984	Non-Historic	2,813 SF (1.5 lots)	1,201 SF
1129 Park	1895	Significant	5,625 (3 lots)	2,050 SF
1125 Park	1901	Landmark	4,689 SF (2.5 lots)	1,201 SF
1120 Woodside	1905	Significant	2,813 SF (1.5 lots)	1,201 SF
1110 Woodside	1928	Landmark	3,920 SF(2 lots)	1,519 SF
1100 Woodside	1928	Landmark	3,920 SF (2 lots)	1,519 SF
1135 Norfolk	1905	Significant	4,356 SF (2.3 lots)	1,705 SF
1121 Norfolk	1966	Non-Historic	3,920 SF (2 lots)	1,519 SF
1117 Norfolk	1967	Non-Historic	1,875 SF (1 lot)	844 SF
1113 Norfolk	Vacant	n/a	1,875 SF (1 lot)	844 SF
1105 Norfolk	2003	Non-Historic	1,875 SF (1 lot)	844 SF
1101 Norfolk	1900	Landmark	1,875 SF (1 lot)	844 SF

Table 1: Lot size analysis from August 14, 2013, Planning Commission staff report

To accommodate the Applicant's Plat Amendment request at that time, the Planning Commission added Condition of Approval 7 limiting the total maximum Building Footprint on the lot to 2,100 square feet and the maximum Building Footprint of the Historic Structure to 1,200 square feet. The Condition of Approval was added to prevent any future property owners from building out to the maximum footprint of 2,460 square feet to avoid engulfing the Landmark Historic Structure with a large addition (Exhibit F – August 14, 2013, Planning Commission Minutes and Staff Report).

On September 5, 2013 City Council adopted Ordinance No. 2013-31 approving the proposed plat with the amended Condition of Approval recommended by the Planning Commission (Exhibit E – Ordinance 2013-31) (Staff Report, Minutes).

Planning reviewed the above table to assess any changes from the 2013 conditions and outlined the current Lot Size and Maximum Building Footprint of the above addresses in the table below:

Address	Lot Size	Maximum Building Footprint	Change Since 2013
1167 Woodside	13,125 SF	3,139 SF	No change
1147 Woodside	5,625 SF	2,050 SF	No Change
1152 Norfolk	3,750 SF	1,519 SF	No Change
1102 Norfolk	3,750 SF	1,519 SF	No Change
1107 Woodside	1,875 SF	844 SF	No Change
1103 Woodside	1,875 SF	844 SF	No Change
1135 Woodside	7,501 SF	1,358 SF	No Change
1144 Woodside	3,750 SF	1,519 SF	No Change
1162 Woodside	2,813 SF	1,201 SF	No Change
1158 Woodside	2,813 SF	1,201 SF	No Change
1141 Park	4,689 SF	1,801 SF	No Change
1136 Woodside	2,813 SF	1,201 SF	No Change
1129 Park Avenue	4,699 SF	1,804 SF	Change in Conditions (Building Footprint decreased by 246 SF)
1125 Park Avenue	2,875 SF	1,223 SF	Change in Conditions (Building Footprint increased by 22 SF)
1120 Woodside	2,813 SF	1,201 SF	No Change
1110 Woodside	3,920 SF	1,572 SF	No Change
1100 Woodside	3,920 SF	1,572 SF	No Change
1135 Norfolk	4,687.5 SF	1,800	Change in Conditions (Building Footprint increased by 95 SF)
1121 Norfolk	3,920 SF	1,572 SF	No Change
1117 Norfolk	3,750 SF	1,519 SF	Change in Conditions (Building Footprint increased by 675 SF)

1113 Norfolk	1,875 SF	844 SF	No Change
1105 Norfolk	1,875 SF	844 SF	No Change
1101 Norfolk	1,875 SF	844 SF	No Change

Table 2: Lot size analysis updated to reflect changes since 2014

1125 Park and 1129 Park are in the Jupiter Moons Plat Amendment approved by City Council on May 13, 2021 (Ordinance No. 2021-23). The plat amendment created three Lots and resolved an encroachment by 1129 Park onto 1125 Park, as well as accommodating the Building Footprint of the adjoining Historic Structures. October 26, 2023, the City Council adopted Ordinance No. 2023-50 to establish a maximum lot size for the Historic Residential Districts. Pursuant to LMC § 15-2.2-4 Significant and Landmark Historic Sites that exceed maximum Lot Area are valid Non-Complying Structures. 1125 Park Avenue is a Landmark Historic Site as established by LMC § 15-11-10 and the Lot is a valid Non-Complying Structure.

1135 Norfolk is in the 1135 Norfolk Avenue Plat Amendment (Entry No. 1134282). On August 1, 2019 City Council adopted Ordinance 2019-42 approving the plat amendment. The Lot Size is larger than what is currently allowed by LMC § 15-2.2-3. 1135 Norfolk Avenue is a Significant Historic Site pursuant to LMC § 15-11-10 and is a valid Non-Complying Structure as established by LMC § 15-2.2-4.

1117 Norfolk is in the 1117 Norfolk Avenue Subdivision (Entry No. 629605) and is compliant with the Maximum Lot Size as allowed by LMC § 15-2.2-3.

There have been no changes in the properties referenced in the 2013 plat amendment Staff Report that resulted in a Lot Size or Building Footprint comparable to the proposal by the Applicant. The changes in Lot Size and Building Footprints noted above have resulted in Lot Sizes smaller than the proposed Lot Size at 1127 Woodside Avenue. The changes that have resulted in non-compliant Lot Sizes were approved prior to the establishment of a Maximum Lot Size in the Historic Residential Districts and are Non-Complying Structures pursuant to LMC Chapter 15-9. Pursuant to LMC § 15-9-6 no Non-Complying Structure may be altered or enlarged, future development or plat amendments would be required to comply with current code standards.

(II) The proposed 1127 Woodside Avenue Plat Amendment does not comply with the recent maximum Lot Area updates to LMC Chapter 15-2.2 *Historic Residential – 1 Zoning District*.

Goal 15 of the General Plan is to preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations. The General Plan states “[w]hile the uses within [the Historic Districts] may evolve over time, the built environment of the local historic districts should stay true to its architectural roots, specifically relative to the integrity, mass, scale and historic fabric of the mining boom era (1872-1929).” Community Planning Strategy 15.12 recommends examination of lot sizes in Old Town to determine if a maximum lot size would provide more compatible mass and scale for new structures as well as

additions to existing structures.[2]

Upon recommendation from the Historic Preservation Board and Planning Commission, on October 26, 2023, the City Council adopted Ordinance No. 2023-50 to establish a maximum lot size for the Historic Residential Districts, now codified in LMC § 15-2.2-3 and outlined in the table below:

Requirement	Analysis of Proposal
Lot Size: The minimum Lot Area is 1,875 square feet for a Single-Family Dwelling and the maximum Lot Area is 3,750 square feet.	The current Lot size of 7,501 square feet is 3,751 square feet larger than the maximum Lot Area for the Zoning District. Pursuant to LMC § 15-2.2-4 Significant and Landmark Historic Sites that exceed maximum Lot Area are valid Non-Complying Structures. 1127 Woodside Avenue is a Landmark Historic Structure pursuant to LMC § 15-11-10 and is a valid Non-Complying Structure. The maximum Lot Area of 3,750 square feet as required by LMC § 15-2.2-3 sets forth a maximum Building Footprint of 1,518 square feet. The proposed Plat Amendment would allow for a Building Footprint of 2,461 square feet which is 943 square feet larger than the HR-1 Zoning District maximum Lot size Building Footprint.

(III) There has not been a change in circumstances to alter the Planning Commission and City Council's finding of Good Cause from the 2013 Plat Amendment.

Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.6 and approval shall require a finding of Good Cause.

LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

On September 5, 2013, the City Council reviewed and approved the 1127 Woodside

[2] General Plan Volume 1, Historic Character

Avenue Subdivision. The Staff Report for the City Council meeting outlined Good Cause for the Plat Amendment as:

> Planning Staff believes there is good cause for the application. Combining the Lots will allow the property owner to move forward with site improvements, which include a possible addition to the historic structure. The plat amendment is necessary in order for the applicants to utilize future plans, and if left un-platted, the property remains as is. Moreover, the plat amendment will resolve the issue of the two (2) existing structures straddling interior lot lines. Moreover, the plat amendment will utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community. Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will gain two (2) ten foot (10') snow storage easements along Woodside and Norfolk Avenues as well as resolve the existing building encroachments over interior lot lines. As discussed previously, this plat amendment reduces the density because the garage could be torn down and the size of the new house or accessory structure would be limited on the lot. At this time, however, the applicant would like to introduce a small addition of 350 square feet footprint and return the site to single family use. The applicant cannot move forward with this addition until the plat amendment has been recorded.

The Applicant provided a statement of Good Cause on May 23, 2025 (Exhibit G – Applicant Statement of Good Cause for 1127 Woodside Plat Amendment) detailing:

> "This property was originally comprised of four Old Town lots, which would support a total allowable footprint of 2,461 square feet under the HR-1 zoning formula. There is Good Cause for the First Amended 1127 Woodside Subdivision because it would allow the construction of an accessory dwelling unit that provides additional housing opportunities in an area that is suffering from a housing shortage. The Applicant is even open to a deed restriction precluding nightly rental of the accessory dwelling unit to ensure year-round housing in this location. Any potential visual impacts have been mitigated by careful design to ensure compatibility with the neighborhood. The proposed accessory structure will be compatible with the neighborhood and consistent with surrounding architecture in both design and scale. It will not appear out of place or visually intrusive. In fact, the accessory dwelling unit's roof peak will sit lower than those of the adjacent condominium buildings on either side of the property. The requested plat amendment represents a modest and appropriate adjustment that brings the recorded plat into alignment with the development standards of the HR-1 zone. It is consistent with the historic preservation goals of the City, achieves the intent of the 2013 condition in a more precise and fact-based manner, and offers clear public and neighborhood benefits. The applicant has demonstrated Good Cause as required by law."

The proposed Plat Amendment would allow for a larger Building Footprint contrary to the finding of Good Cause from the approval in 2013. There has not been a change in circumstances to negate the finding of Good Cause from the 2013 approval.

(IV) The Development Review Committee reviewed this proposal on January 21, 2025, and does not require any Conditions of Approval.[3]

[3] The Development Review Committee meets the first and third Tuesday of each month to review and

Department Review
The Planning and Executive Departments and City Attorney's Office reviewed this report.

Notice
Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 21, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 21, 2025. The *Park Record* published notice on May 21, 2025.[4]

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

Exhibits
A: Proposed Plat
B: Recorded Plat
C: Existing Conditions Survey
D: Historic Site Form
E: Ordinance No. 2013-31
F: August 14, 2013, Planning Commission Staff Report and Minutes
G: Applicant's Statement of Good Cause

provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[4] LMC § 15-1-21

OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Monique Sanders hereby certify that she has caused this plat amendment to be made, together with easements as set forth and hereby consent to the recordation of this plat amendment.

In witness whereof, the undersigned set her hand this _____ day of _____, 2025.

By: _____
Monique Sanders

ACKNOWLEDGMENT

STATE OF _____)

: ss.

COUNTY OF _____)

On this _____ day of _____, 2025, Monique Sanders personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that she acknowledged to me that she executed 1127 WOODSIDE AVENUE SUBDIVISION FIRST AMENDED.

By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____

SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR — No. 4857264 — MICHAEL DEMKOWICZ — STATE OF UTAH

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I certify that I have verified all measurements. I do further certify that by authority of the owners, I have prepared this plat amendment of the property described hereon, hereafter to be known as 1127 WOODSIDE AVENUE SUBDIVISION FIRST AMENDED.

LEGAL DESCRIPTION

Lot 1, 1127 Woodside Avenue Subdivision, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

THE FOLLOWING NOTE 3 OF 1127 WOODSIDE AVENUE SUBDIVISION, RECORDED JANUARY 27, 2014 AS ENTRY NO. 988494, SHALL BE AMENDED AS FOLLOWS:

3. The maximum total footprint allowed on the lot is 2,461 square feet. The maximum footprint allowed for the house is 1,200 square feet, which may include up to 50 square feet for a connector. The connector shall not affect the distinct footprint calculations for the house and garage.

NOTES

1. This plat amendment is subject to the Conditions of Approval in the Final Action Letter dated _____, and on file with the Planning Department (PL-24-_____).

1127 WOODSIDE AVENUE SUBDIVISION FIRST AMENDED

BLOCK 8
LOTS 7, 8, 25, & 26
SNYDER'S ADDITION, PARK CITY, UTAH

SHEET 1 OF 1

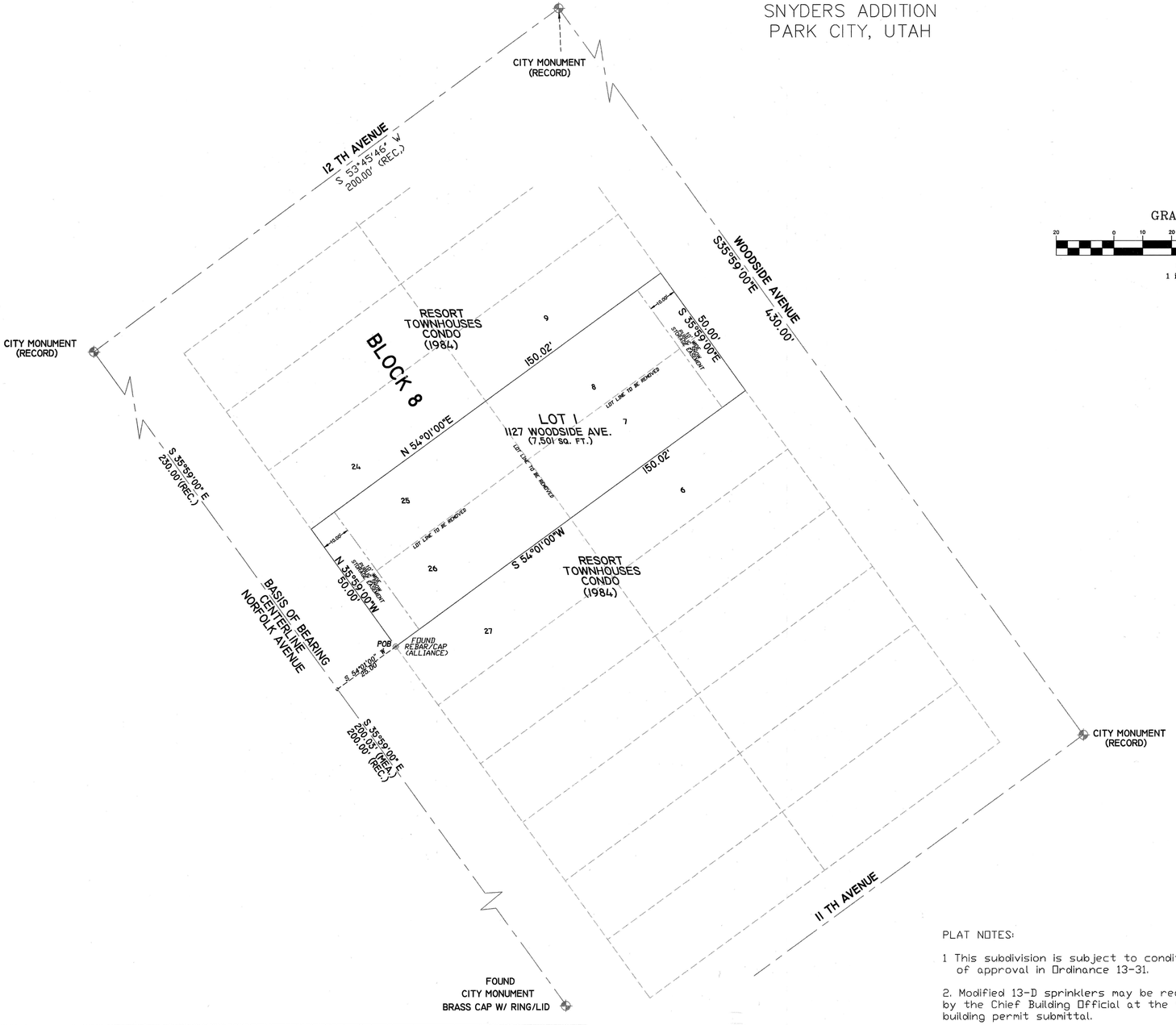
12/18/2024 JOB NO.: 5-11-24 FILE: X:\SnydersAddition\dwg\srv\plat2024\51124.dwg

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2025	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2025	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2025	APPROVED AS TO FORM THIS _____ DAY OF _____, 2025	APPROVED THIS _____ DAY OF _____, 2025	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY _____	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ SUMMIT COUNTY GIS COORDINATOR	_____ FEE _____ RECORDER
					TIME _____ DATE _____ ENTRY NO. _____

1127 WOODSIDE AVENUE SUBDIVISION

BLOCK 8
LOTS 7 8 25 26
SNYDERS ADDITION
PARK CITY, UTAH



GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

PLAT NOTES:

1 This subdivision is subject to conditions of approval in Ordinance 13-31.

2. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal.

3. The maximum total footprint allowed on the lot is 2,100 square feet. The maximum footprint allowed for the house is 1,200 square feet, which may include up to 30 square feet for a connector. The connector shall not affect the distinct footprint calculations for the house and garage.

SURVEYOR'S CERTIFICATE

I, RICHARD K. JOHANSON, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No.152956, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets hereafter to be known as **1127 WOODSIDE AVENUE SUBDIVISION** *and that same has been surveyed as shown on this plat.*

DEC 17, 2013
DATE

SIGNATURE AND SEAL

STATE OF UTAH
No. 152956
RICHARD K. JOHANSON
DEC 17, 2013
PROFESSIONAL LAND SURVEYOR

DESCRIPTION

ALL OF LOTS 7, 8, 25, 26, OF BLOCK 8 SNYDERS ADDITION TO PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE. LOCATED IN THE NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S 35°59'00" E 230.00 FEET AND N 54°01'00" E 25.00 FEET FROM THE INTERSECTION OF 12TH AVENUE AND NORFOLK AVENUE (FOUND CITY MONUMENT), THENCE N 35°59'00" W 50.00 FEET, THENCE N 54°01;00" E 150.02 FEET, THENCE S 35°59'00" E 50.00 FEET, THENCE S 54°01'00" W 150.02 FEET TO THE POINT OF BEGINNING.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT I EMILY WHITE THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS 1127 WOODSIDE AVENUE SUBDIVISION DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE MADE AND I THE UNDERSIGNED OWNER HEREBY CONSENT TO THE RECORDATION OF THIS PLAT. I ALSO OFFER FOR DEDICATION TO THE CITY OF PARK CITY ALL STREET, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED TO BE PUBLIC AS SHOWN HEREON IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION

EMILY WHITE

ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
County of Summit)

On the 17th day of December, 2013, personally appeared before me the undersigned Notary Public in and for said County of Summit in said State of Utah, the person that executed this instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the person who executed this instrument on behalf of said person, being duly sworn acknowledged to me that she is the owner of the herein described tract of land and she signed the afore owner's dedication and consent to record freely and voluntarily.

Commission Number 666499

My Commission Expires 05/20/2017

A Notary Public Commissioned in Utah

EDWIN FIGUEROA
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 05/20/2017
Commission # 666499

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 17th *DAY OF* December *20*13 *AD*

S.B.W.R.D.

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY THE PARK CITY COUNCIL THIS 14 *DAY OF* January *20*14 *AD*

City Recorder

PREPARED BY:

PROPERTY DESIGN LLC
P O BOX 701168
SALT LAKE CITY UT 84170
(801) 495-2541

CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFOMATION ON FILE IN MY OFFICE THIS 8th *DAY OF* January *20*14 *AD*

08 Jan 2014
DATE

CITY ENGINEER

PARK CITY PLANNING COMMISSION

Planning Commission ~~Approved~~ August 14, 2013
~~Staff~~ Modified recommendation

APPROVED AND ACCEPTANCE BY THE PARK CITY COMMISSION ON THIS 15 *DAY OF* January *20*14 *AD*

Chair

APPROVAL AND ACCEPTANCE

Approval and Acceptance by the Park City Council this 4th *day* _____ *of* September *20*13

Mayor

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 14th *DAY OF* January *A.D., 20*14

BY: CITY ATTORNEY

COUNTY RECORDER

STATE OF UTAH COUNTY OF SUMMIT

Recorded and filed at the request of First American Title Insurance Co.
DATE 1-27-14 TIME 11:45 am
ENTRY # 988494 FEE 31.00
Book A Bovard deputy

COUNTY RECORDER

TOPOGRAPHY SURVEY

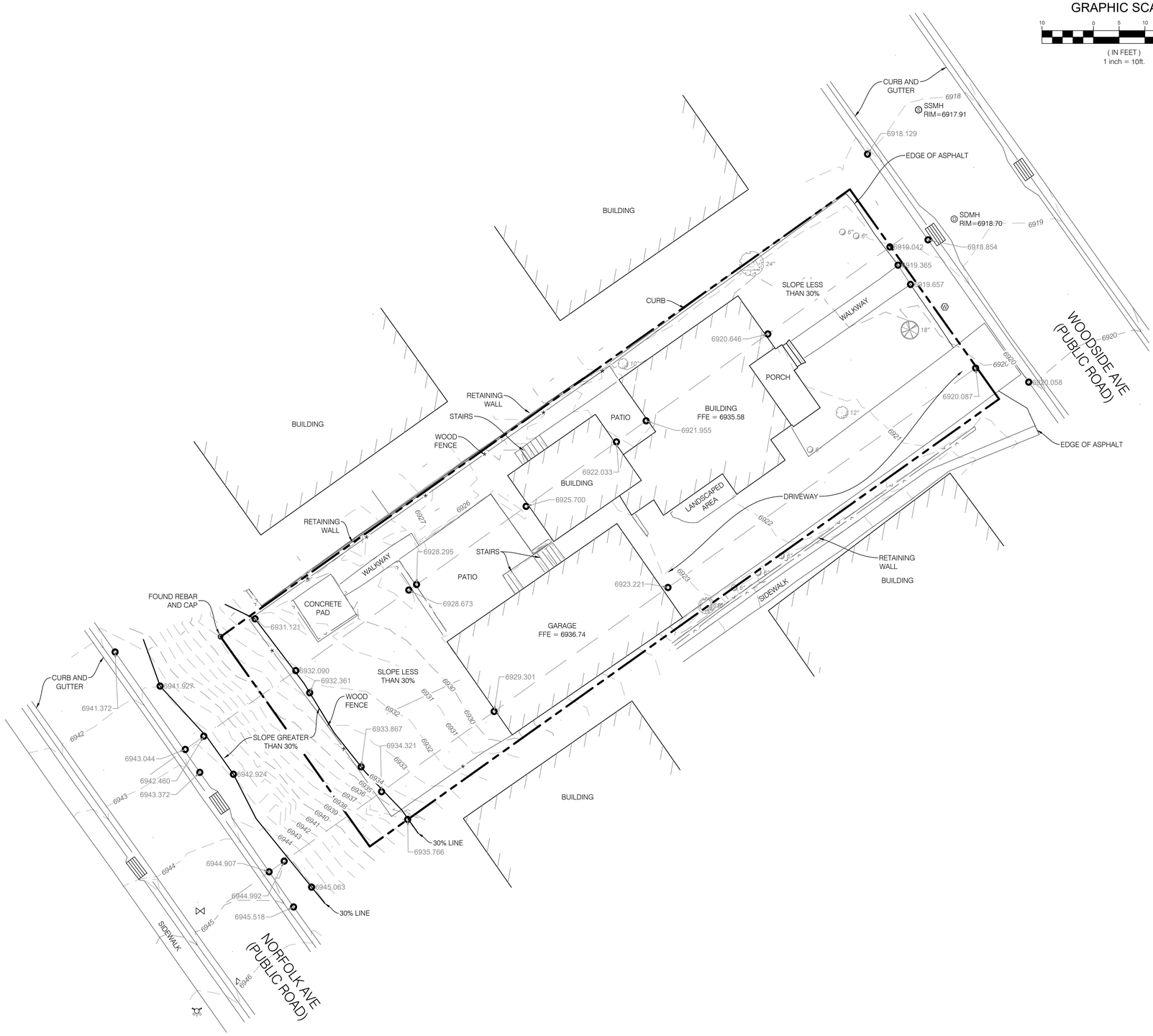
1127 WOODSIDE AVE
PARK CITY
SUMMIT COUNTY, UTAH

NORTH

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1 inch = 10ft.



NARRATIVE OF TOPOGRAPHY:

SCOPE
BENCHMARK ENGINEERING AND LAND SURVEYING, LLC WAS RETAINED BY INSTUDIO DESIGN TO PERFORM A TOPOGRAPHY SURVEY AS SHOWN HEREON.

BENCHMARK
STREET MONUMENT
NORFOLK AVE AND 11TH STREET
ELEVATION = 6970.87

NOTE:
THIS IS A TOPOGRAPHY SURVEY ONLY. THE BOUNDARY IS SHOWN FOR REFERENCE ONLY. REFER TO THE PLAT FOR MORE INFORMATION RELATING TO THE BOUNDARIES OF THE PROPERTY. THE 1127 WOODSIDE AVENUE SUBDIVISION PLAT IS RECORDED AS ENTRY NO 988494 IN THE SUMMIT COUNTY RECORDERS OFFICE.

LEGEND AND ABBREVIATIONS:

CURB & GUTTER
EDGE OF EXISTING ASPHALT
FENCE, WOOD
RETAINING WALL
30% SLOPE LINE

DECIDUOUS TREE
CONIFEROUS TREE
STORM DRAIN INLET BOX
SANITARY SEWER MANHOLE & PIPE
STORM DRAIN MANHOLE & PIPE
WATER VALVE & WATER METER
FIRE HYDRANT

SDMH STORM DRAIN MANHOLE
SSMH SANITARY SEWER MANHOLE
SD STORM DRAIN
CB CATCH BASIN

No.	DATE	DESCRIPTION
1.	10.17.2024	MATCH ELEV. DATUM TO EX. PROJECT

DRAWN BY: TF
CHECKED BY: KO / DKB
FIELD CREW: TF
DATE: 10/08/2024
DWG FILE: 2408124fl.dwg

SCALE MEASURES 1-INCH ON FULL SIZE SHEETS
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS
0 0.5 1

PROFESSIONAL LAND SURVEYOR
DALE K. BENNETT
No. 103381
11/26/2024
STATE OF UTAH

BENCHMARK ENGINEERING & LAND SURVEYING
9108 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

BENCHMARK CIVIL

INSTUDIO DESIGN

1127 WOODSIDE AVE
PARK CITY, UTAH

PROJECT NO. 2408124

TOPOGRAPHY SURVEY

SVB.01
1 OF 1

HISTORIC SITES INVENTORY
HISTORIC SITE FORM

PARK CITY MUNICIPAL CORPORATION



IDENTIFICATION

Property Name (if any): **Matthew Bailey House**

Address: **1127 Woodside Avenue**

Date of Construction: **c. 1895**

City, County: Park City, Summit County, Utah

Architect/Builder: **Unknown**

Tax Number: **SA-77**

Current Owner: **Emily White**

Legal Description (include acreage): see continuation sheet

STATUS / USE

Original Use: **Single dwelling**

Current Use: **Single dwelling**

Property Type:

- ■ Building
- ☐ Structure
- ☐ Site

National Register of Historic Places:

- ■ Eligible
- ☐ Ineligible
- ☐ Listed, Date:

Evaluation:

- ■ Landmark Site
- ☐ Significant Site
- ☐ Not Historic

DOCUMENTATION

Photographs:

- ■ Tax Photos
- ■ Prints
- ■ Historic

Research Sources:

- ■ Sanborn Maps
- ■ Tax Card
- ■ Census Records
- ■ City/ County Histories
- ☐ Personal Interviews
- ■ Park City Museum
- ■ Newspapers
- ☐ Other:

DESCRIPTION

Architectural Style: T/L cottage type / vernacular style

No. Stories: 1

Number of Associated Structures: ■ Accessory building(s). # 1 ☐ Structure(s). # 0

Condition: ■ Good ☐ Fair ☐ Poor ☐ Uninhabitable/Ruin

Location: ■ Original location ☐ Moved (Date: , original location:)

Materials: (Describe the visible materials)

Exterior Walls: Drop-novelty wood siding

Foundation: Concrete

Roof: Cross-wing roof form sheathed in metal material

Windows/Doors: Two over two double hung paired windows on the gable front first floor and a single two over two double hung on the second floor and in the front porch.

Additions: ☐ Major ■ Minor ☐ None

Alterations: ☐ Major ■ Minor ☐ None

Essential Historic Form: ■ Retains ☐ Does Not Retain

NARRATIVE DESCRIPTION OF PROPERTY

(Briefly describe the property and its setting. Include a verbal description of the location; a general description of the property including the overall shape, number of stories, architectural style, materials, shape of roof; identify and describe any associated structures; identify any known exterior additions and/or alterations.)

1127 Woodside is a T/L cottage that has undergone minor modifications. The T/L cottage, also known as a cross-wing, is one of the main three house types built during the historic Park City mining era. The house has a small addition on its south side that was originally a covered porch, but was enclosed sometime before 1968. A portion of the porch area was enclosed prior to the tax photo but has since been opened, similar to what is shown on the 1929 Sanborn map. The cross-gable roof is sheathed with standing seam metal, which replaced the shingle material shown in the early tax photos. The walls are clad with drop-novelty wood siding. The window on the primary gable façade was a casement flanked by two one-over-one double sash windows. A window similar to this used to be under the porch area to the left of the door. A multi-pane

casement window was in the upper front gable and another three windows of the same type are found in the side addition. Sometime between 2013 and 2020 the windows were replaced by a pair of two over two double hung window on the front gable and single two over two on the second floor and the front porch. The door is a wood frame and panel door. The porch is covered by a shed extension of the main roof, which is supported by lathe turned wood posts. The site is surrounded by a wood picket fence. The overall form and materiality of the building remains intact and the building retains its historic value.

The garage present on the property was originally attached to the house, but was moved and made into a garage, according to notes on a 1949 tax card that appear to have been made at a later date. The 1958 tax card dates the garage construction to 1950. It was modified sometime after 2006 to be taller, with livable space above the garage.

SIGNIFICANCE

Historic Era:

☐ Settlement & Mining Boom Era (1868-1893)

■ Mature Mining Era (1894-1930)

☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

Narrative Statement of Significance:

(Briefly describe those characteristics by which this property may be considered historically significant.)

It is likely that this house was built while under the ownership of Matthew Bailey and his wife Mary, as a mortgage was taken out by them in 1895 for the property. Matthew was a miner, and it appears that they rented the house out. The 1900 census shows they lived on Norfolk Avenue with their five children at that time. They sold the house in 1909 to Jacob Hoffman.

Jacob Hoffman, also called Jake, appears on the 1910 census, living in this house with his wife Mary and their daughter Lucille. He worked as a salesman for a department store. Not much else is known of them or their family. The house somehow came under the ownership of James Archibald by the time of the 1920 census.

James Archibald was a teamster for Hopkins Coal Company, and lived at this house with his wife Marie and their two children. They had moved by the time of the 1930 census and it is unknown when they sold the property. It appears that is somehow came under the ownership of the county, and was sold to Dan Kanold in 1929.

No information could be found regarding Dan Kanold, except that he sold the house in 1929 to Eric and Shirley Wallberg. They lived in the house at the time of the 1930 census with their three children. Eric worked as a miner, but not much else is known of their family. They owned the house for many years, but by the time of the 1940 census were renting it out. It was occupied in that year by H.O. Wright and his four daughters. Nothing else is known of them. The property has changed hands several times since the historic period, and is currently owned by Emily White.

Legal Description (include acreage): LOTS 7 & 8 BLK 8 SNYDERS ADDITION TO PARK CITY TWD-542 M40-497 OWD-445 SWD-321 UWD-445 CWD-617-18 XMIC-264 M142-849M143-17 M194-374 M215-408 M233-789 416-344 613-455 656-266 765-161976-750-760 1327-1204 1720-1264 SHANNON P O'NEAL & MELISSA O'NEAL AS TRUSTEES OF THE O'NEAL FAMILY TRUST 1720-1264; 0.09 AC

REFERENCES

- Boutwell, John Mason and Lester Hood Woolsey. Geology and Ore Deposits of the Park City District, Utah. White Paper, Department of the Interior, United States Geological Survey. Washington: Government Printing Office, 1912.
- Carter, Thomas and Peter Goss. Utah's Historic Architecture, 1847-1940. Salt Lake City: Center for Architectural Studies, Graduate School of Architecture, University of Utah and Utah State Historical Society, 1988.
- Hampshire, David, Martha Sonntag Bradley and Allen Roberts. A History of Summit County. Coalville, UT: Summit County Commission,1998.
- National Register of Historic Places. Park City Main Street Historic District. Park City, Utah, National Register #79002511.
- Peterson, Marie Ross and Mary M. Pearson. Echoes of Yesterday: Summit County Centennial History. Salt Lake City: Daughters of Utah Pioneers, 1947.
- Pieros, Rick. Park City: Past & Present. Park City: self-published, 2011.
- Randall, Deborah Lyn. Park City, Utah: An Architectural History of Mining Town Housing, 1869 to 1907. Master of Arts thesis, University of Utah, 1985.
- Ringholz, Raye Carleson. Diggings and Doings in Park City: Revised and Enlarged. Salt Lake City: Western Epics, 1972.
- Ringholz, Raye Carleson and Bea Kummer. Walking Through Historic Park City. Self-published, 1984.
- Thompson, George A., and Fraser Buck. Treasure Mountain Home: Park City Revisited. Salt Lake City: Dream Garden Press, 1993.

PHOTOGRAPHS

(Provide several clear historical and current photos of the property.)



Photo 1: 1127 Woodside Avenue. East elevation. 2020



Photo 2: 1127 Woodside Avenue. Southeast oblique. November 2013



Photo 3: 1127 Woodside Avenue. East elevation. November 2013



Photo 4: 1127 Woodside Avenue. Northeast oblique. November 2013



Photo 5: 1127 Woodside Avenue. East elevation. 2006



Photo 6: 1127 Woodside Avenue. in 1995



Photo 7: 1127 Woodside Avenue in 1981 (Historic Architectural Survey, 1982)

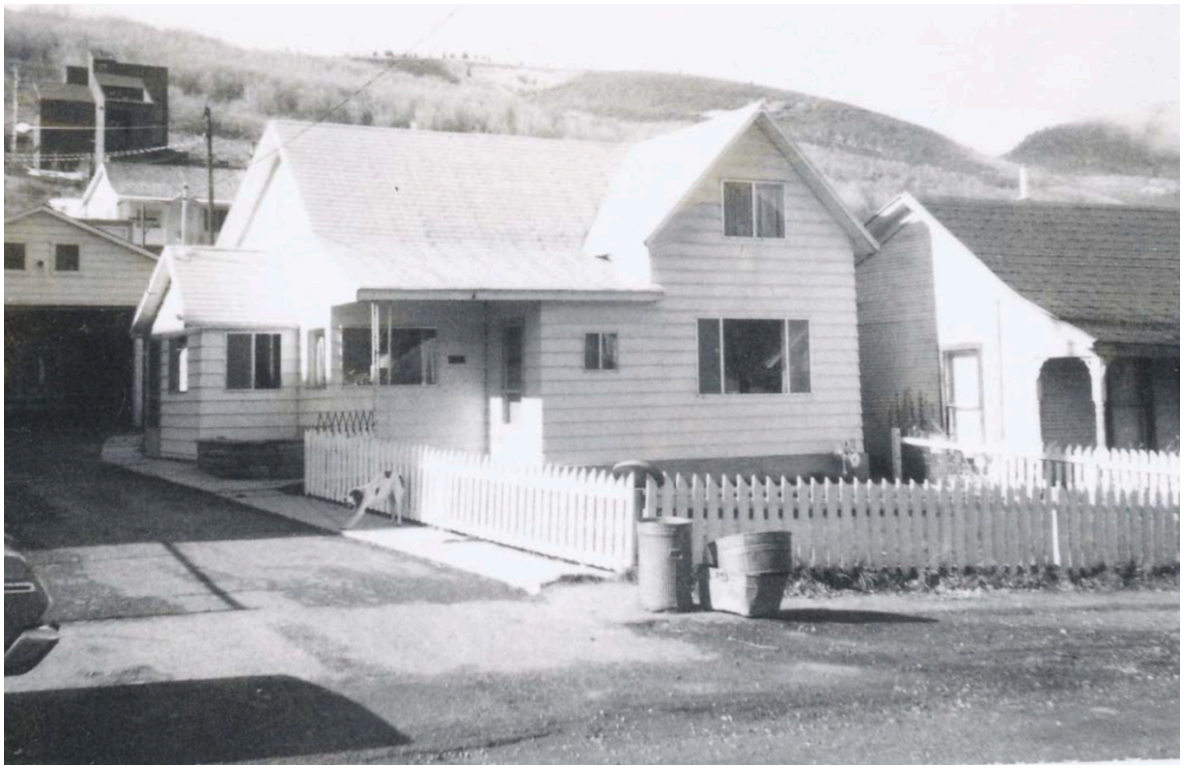


Photo 8: 1127 Woodside Avenue. c. 1968 (Tax Photos, Summit County)

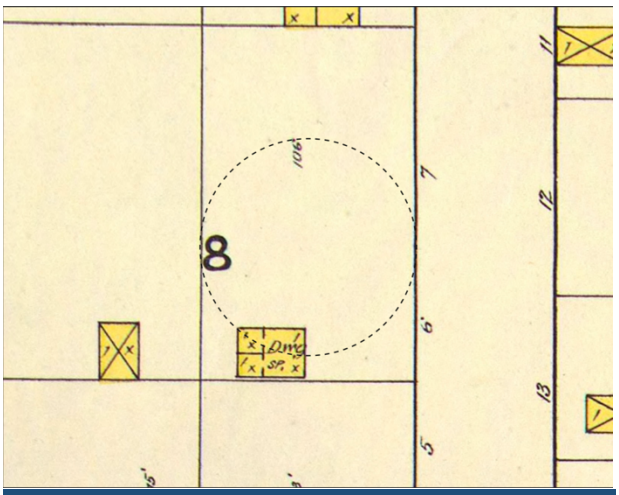
MAPS

(Provide several clear historical and current maps indicating the location of the property in relation to streets or other widely recognized features.)

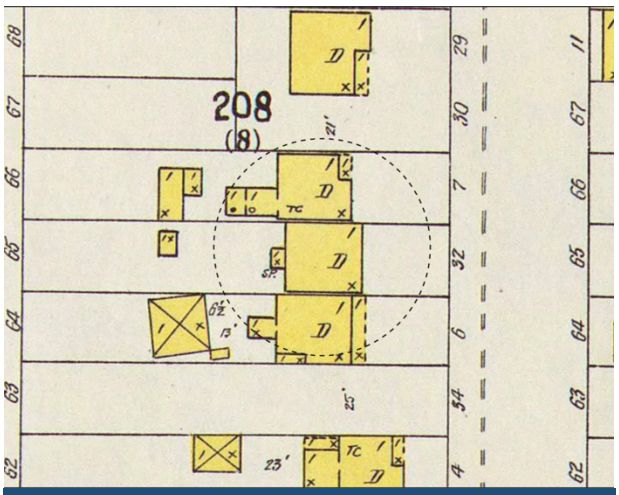


Figure 1: Aerial view showing the location of 1127 Woodside Avenue. (ESRI 2020)

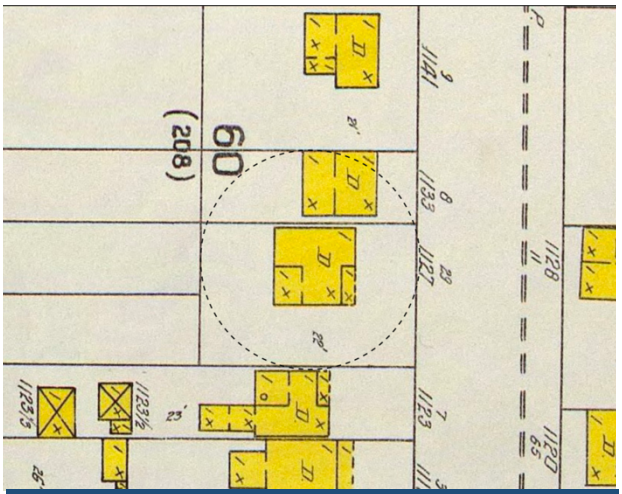
Sanborn Maps



1889



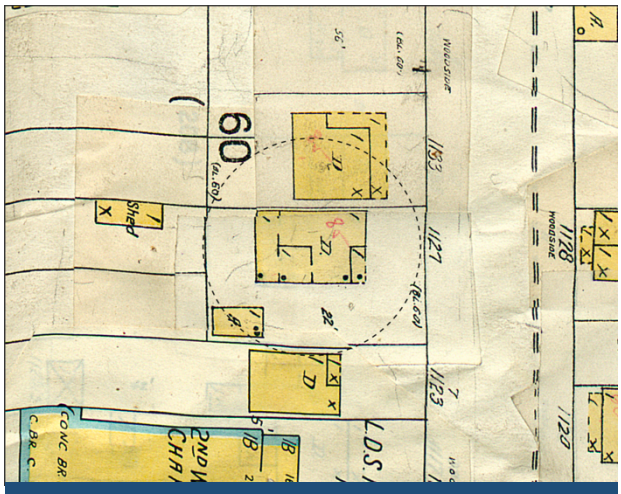
1900



1907



1929



1941

TITLE SEARCH FORM

[Obtain information from title abstract books at County Recorder's Office]

Address: 1127 Woodside Avenue
City: Park City, UT
Current Owner: Emily White
Address: (see historic site form for address)

Tax Number: 1127-WS-1
Legal Description (include acreage): SA BK8 L7, L8, L25 & L26 (see historic site form for complete legal description)

TRANSACTION DATES	GRANTOR (SELLER)	GRANTEE (BUYER)	TYPE OF TRANSACTION	DOLLAR AMOUNT	COMMENTS
11/14/1883	Geo. G. Snyder	David C. McLaughlin	W		[L1-32]
10/24/1893	D.C. & H.M. McLaughlin	Matthew Bailey	W		"7,8"
4/16/1895	Matthew Bailey & wife	Geneva H. Kimball	Mortg.	$400.00	"7,8"
12/10/1909	M.U. Bailey & wife Mary	Jacob Hoffman	W.D.		"7,8"
3/12/1929	Summit County	Dan Kanold et ux	Q.C.D.		"7,8" [under 1911 Tax Sale]
1/5/1929	Dan Kanold et ux	Eric & Shirley Wallberg	W.D.		"7,8"
1/31/1944	Co. Sheriff Geo. M. Fisher	Am. Savings & Loan Co.	Sheriff's Deed		"7,8"
3/29/1945	Am. Savings & Loan Co.	Albert L. Sorensen, et ux	W.D.		"7,8"
6/5/1950	Albert L. Sorensen, et ux	Peter Jaralemon, et ux	W.D.		"7,8"
7/1/1954	Peter Jaralemon, et ux	Russell E. & Ruth R. Green	W.D.		"7,8"
8/17/1972	Russell E. & Ruth R. Green	William T. & Juli M. Bertagnole	W.D.		"7,8,25,26" [rest of form]
10/5/1979	William T. & Juli M. Bertagnole	Summit County Resources	W.D.		
10/5/1979	Summit County Resources	Ennis J. & Barbara E. Gibbs	W.D.		
9/24/1982	Ennis J. & Barbara E. Gibbs	Donald C. & Mary Johnston	W.D.		
5/21/1986	Donald C. & Mary Johnston	First Security Bank of Utah	W.D.		
1/30/1987	First Security Bank of Utah	Warren H. Lortie	W.D.		

Researcher: John Ewanowski, CRSA Architecture

Date: 1/9/2015

TITLE SEARCH FORM

[Obtain information from title abstract books at County Recorder's Office]

Address: 1127 Woodside Avenue, page 2
City: Park City, UT
Current Owner: Emily White
Address: (see historic site form for address)

Tax Number: 1127-WS-1
Legal Description (include acreage): SA BK8 L7, L8, L25 & L26 (see historic site form for complete legal description)

TRANSACTION DATES	GRANTOR (SELLER)	GRANTEE (BUYER)	TYPE OF TRANSACTION	DOLLAR AMOUNT	COMMENTS
9/14/1990	Warren H. Lortie	Jeffrey Kuhn	W.D.		
4/8/1992	Jeffrey Kuhn & Fred Moore	Tim B. Henney	W.D.		
7/9/1996	Tim B. & Katherine S. Henney	Melissa L. & D. Brent Scott	W.D.		
7/9/1996	D. Brent Scott	Melissa L. Scott	Q.C.D.		
7/31/2000	Melissa L. Scott	Shannon P. & Melissa O'Neal	W.D.		
4/5/2013	Shannon P. & Melissa O'Neal	Emily White	W.D.		

Researcher: John Ewanowski, CRSA Architecture

Date: 1/9/2015

Ordinance 13-31

AN ORDINANCE APPROVING THE 1127 WOODSIDE AVENUE SUBDIVISION PLAT LOCATED AT 1127 Woodside Avenue, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1127 Woodside Avenue, has petitioned the City Council for approval of the Subdivision; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 14, 2013 to receive input on the proposed subdivision;

WHEREAS, on August 14, 2013 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 4, 2013 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 1127 Woodside Avenue Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 1127 Woodside Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1127 Park Avenue within the Historic Residential (HR-1) Zoning District.
2. The applicants are requesting to combine four (4) Old Town lots into one Parcel.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR, for the purpose of a rear yard addition to the historic house as well as a future addition to the non-historic garage.
4. The amended plat will create one new 7,501 square foot lot.
5. Currently the property is four (4) Old Town Lots, Lots 7 and 8 as well as Lots 25 and 26 if Block 8.
6. The existing historic 1,358 square foot home is listed as "Landmark" on the Historic Sites Inventory (HSI).
7. The applicant is considering a rear addition to the historic structure. Thus far, no HDDR application has been submitted and the applicant met with Planning Staff to discuss the possibility of an addition on February 6, 2013 during Design Review.
8. The existing non-historic garage straddles Lots 7 and 26 of the Snyders Addition. It is classified as legal non-conforming.

9. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum building footprint allowed is 2,460.56 per the HR-1 LMC requirements. The current footprint of the historic structure is 679 square feet and the footprint of the garage accessory structure is 871 square feet. This would allow a maximum footprint addition of 734.56 square feet; however, the applicant intends to only introduce a small addition to the historic house with a footprint of 350 square feet. This small increase to the size of the house will maintain its compatibility with other homes in the neighborhood.
11. The maximum footprint of 2,461 square feet is significantly larger than any surrounding single-family residential properties, in particular historically significant and landmark structures; however, adherence to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure. The applicant proposes to add a small addition of approximately 350 square feet to the historic building.
12. The amendment of four (4) lots would be one of the larger plat amendments in the neighborhood. The largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots. Other larger plat amendments include the combination of three (3) lots at 1147 Woodside. The majority of plat amendments within this neighborhood range from two (2) lots to two and one-half (2.5) lots.
13. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8.
14. The garage is considered non-complying because of subsequent zoning changes and no longer conforms to the zoning regulation's setback. The garage sits 1.4' from the south property line; the current code requires a five foot (5') side yard setback. The garage encroaches over the lot line between Lots 26 and 7. The plat amendment will remove these encroachments over interior lot lines.
15. Per LMC 15-2.2-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8 and does not comply with the required five foot (5') side yard setback along the north property line as it is only four feet six inches (4'6") from the property line.
16. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
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:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. One (1) 10 foot (10') wide public snow storage easements is required along the street frontage of the lot along Woodside Avenue, and one (1) ten foot (10') wide public snow storage easement is required along the street frontage of Norfolk Avenue. These both shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. The maximum total footprint allowed on the lot is 2,100 square feet. The maximum footprint allowed for the house is 1,200 square feet, which may include up to 30 square feet for a connector. The connector shall not affect the distinct footprint calculations for the house and garage.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 5 day of August, 2013.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

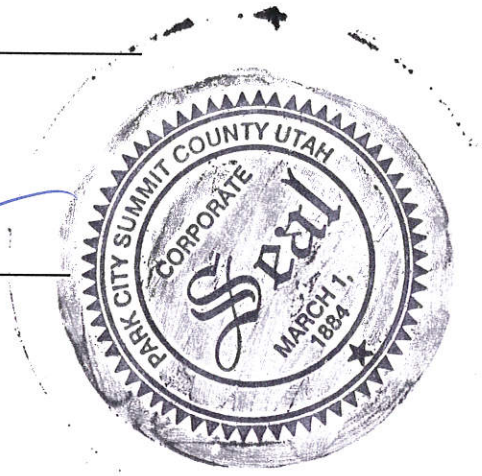
Dana Williams, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

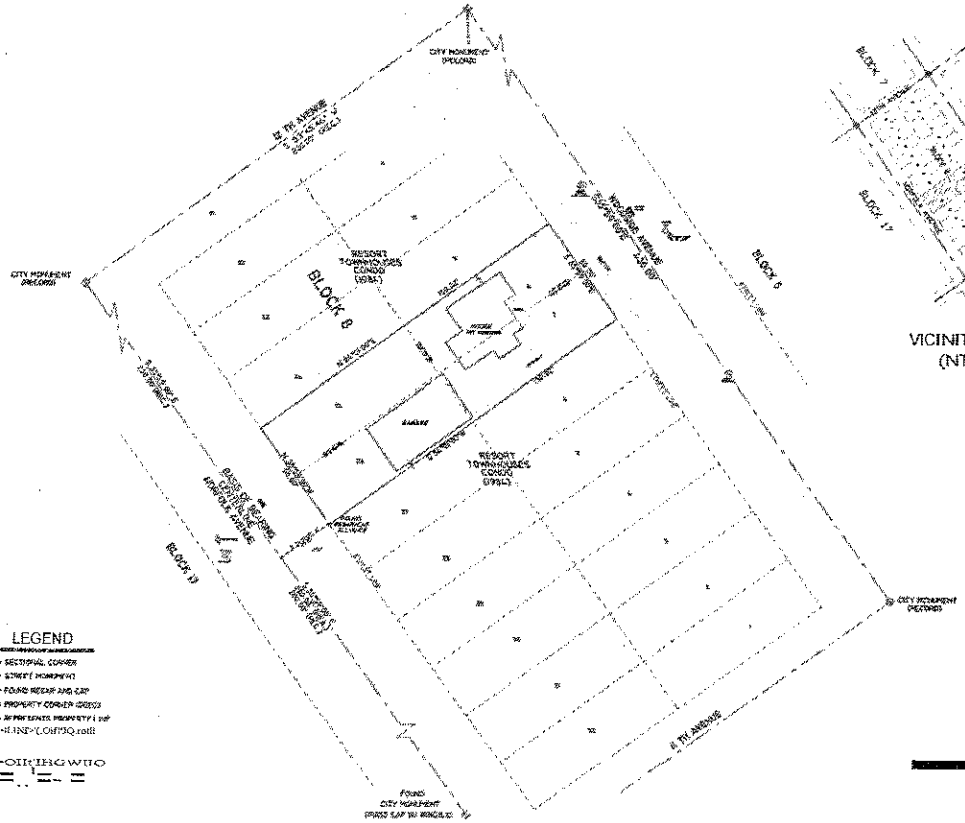
Mark Harrington, City Attorney



Exhibit

RECEIVED
JUN 20 2013
PARK CITY
PLANNING DEPT.

1127 WOODSIDE AVENUE
SUBDIVISION
PART OF BLOCK 8
LOTS 7 8 25 26
SNYDERS ADDITION
PARK CITY , UTAH


BLOCK 8
BLOCK 7
BLOCK 9
BLOCK 10
BLOCK 24
RESORT TOWNHOUSES CONDO (HRA)
RESORT TOWNHOUSES CONDO (HRA)
CITY MONUMENT (RECORD)
CITY MONUMENT (RECORD)
CITY MONUMENT (RECORD)
FOUND CITY MONUMENT (PKNAIL & TAG IN WINDOW)
BASIS OF BEARING (SNYDERS ADDITION)
N 0°15'00" E 326.00' (BASIS OF BEARING)
S 0°15'00" W 326.00' (RECORD)
N 89°45'00" W 150.00' (RECORD)
S 89°45'00" E 150.00' (RECORD)
N 89°45'00" W 150.00' (MEASURED)
S 89°45'00" E 150.00' (MEASURED)
N 0°15'00" E 326.00' (MEASURED)
S 0°15'00" W 326.00' (MEASURED)
N 0°15'00" E 326.00' (RECORD

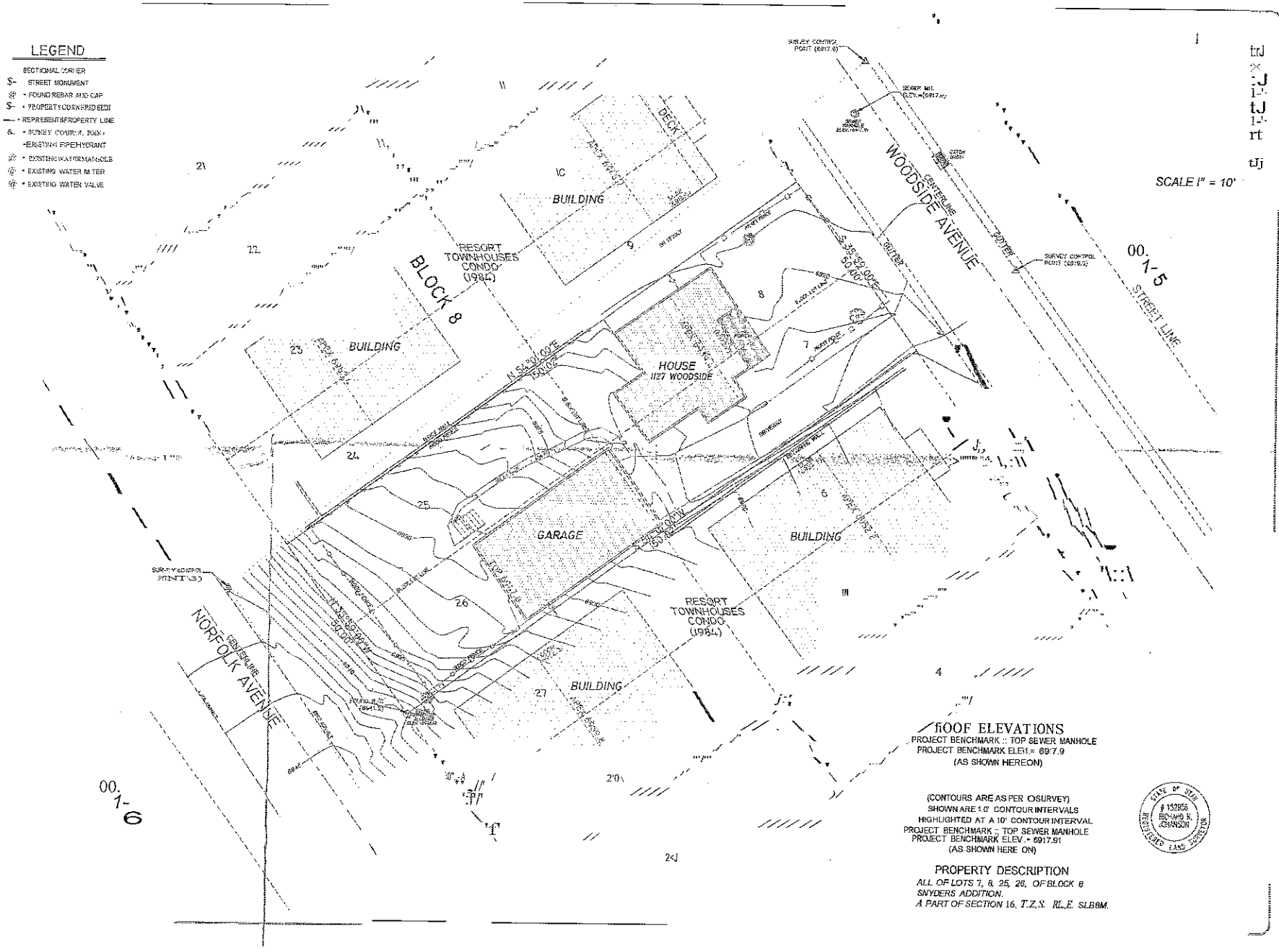

LEGEND
SECTIONAL CORNER
STREET MONUMENT
FOUND REBAR AND CAP
PROPERTY CORNER REBAR
REPRESENTS PROPERTY LINE
SURVEY CONTROL POINT
EXISTING FIRE HYDRANT
EXISTING WATER MANHOLE
EXISTING WATER METER
EXISTING WATER VALVE
SCALE 1" = 10'
BUILDING
RESORT TOWNHOUSES CONDO (1984)
BLOCK 8
HOUSE
1127 WOODSIDE
GARAGE
WOODSIDE AVENUE
NORFOLK AVENUE
CENTERLINE
STREET LINE
00.1-5
00.1-6
BECK
SURVEY CONTROL POINT (5919.9)
SURVEY CONTROL POINT (5917.9)
SEWER MH ELEV.=5917.91
SURVEY CONTROL POINT (5941.3)
N 54°30'00"E 150.00'
S 35°30'00"E 50.00'
N 35°30'00"W 50.00'
S 54°30'00"W 150.00'
ROOF ELEVATIONS
PROJECT BENCHMARK :: TOP SEWER MANHOLE
PROJECT BENCHMARK ELEV.= 6917.9
(AS SHOWN HEREON)
(CONTOURS ARE AS PER OSURVEY)
SHOWN ARE 1.0' CONTOUR INTERVALS
HIGHLIGHTED AT A 10' CONTOUR INTERVAL
PROJECT BENCHMARK :: TOP SEWER MANHOLE
PROJECT BENCHMARK ELEV.= 6917.91
(AS SHOWN HERE ON)
PROPERTY DESCRIPTION
ALL OF LOTS 7, 8, 25, 26, OF BLOCK 8
SNYDERS ADDITION,
A PART OF SECTION 16, T.2.S. R1.E. SLB8M.
STATE OF UTAH
152856
RICHARD K. JOHNSON
REGISTERED LAND SURVEYOR
PROJECT SITE LOCATION
LOTS 7 8 25 26
BLOCK 8
PARCK CITY UT
SNYDERS ADDITION
SURVEYED BY:
DRAWN BY:
BECCH
DATE:
02
EMILY CARLSON
SHEET 1 OF 1
APR 17 2013

Exhibit C



Exhibit D

City Council Staff Report

PARK CITY 1884

PLANNING DEPARTMENT

Planner: Jonathan Weidenhamer
Subject: 1127 WOODSIDE AVENUE REPLAT
Date: May 5, 2005
Type of Item: Administrative
Applicant: Shannon and Missy O'Neal
Zone: Historic Residential – (HR-1)

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

BACKGROUND

The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's Addition to the Park City Survey into one lot of approximately 7,500 square feet (Exhibit A). The property has an existing, one and a half- story historic structure which straddles the lot line between lots 7 and 8. The property also has a 2 story detached garage that straddles the lot line between lots 7 and 26 (Exhibit B existing conditions). The second story of this outbuilding currently has a Lockout unit in it. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.

ANALYSIS

The property is zoned HR-1, Historic Residential. The proposed plat creates a 7,500 square foot lot. All development standards of the Land Management Code including: height, setbacks, parking, architectural design, building footprint, neighborhood and Historic Design Guideline compatibility for the proposed addition will be verified for compliance during design review. The footprint of the current home is approximately 744 s.f. The footprint of the garage is approximately 940 s.f. The two buildings total approximately 1684 s.f. of footprint. The maximum allowed footprint for the combined lots is 2460 s.f.

The required front/ rear yard setbacks in the HR-1 zone for a 150 ' deep lot is a minimum of 15' with a total of 30'. The house and garage meet these requirements. The existing historic home will continue to exist as a non-complying structure in relation to the required side yard setback to the north (5' will be required for the combined lot, currently 4.5' exists). The existing detached garage will also continue to exist as a non-

for the combined lot, currently 1.4' exist); and in terms of its height. A detached accessory building is limited to 18' in height. The garage on these lots is approximately 21' in height. In all cases no greater degree of non-compliance will be created as a result of this lot combination.

Because the existing home at 1127 Woodside Avenue is historic, the LMC Section 15-2.2-4 exempts the addition from off-street parking requirements provided the addition does not create Lockout Unit or Accessory Apartment. The detached garage currently has a Lockout Unit located in it, which is an Allowed Use in the HR-1 Zone. The Lockout Unit has a non-exempt parking requirement of 1 space. The existing garage provides 2 interior spaces, as well as a 24' deep driveway, which will be eligible for a tandem space.

NOTICE

Notice of this hearing was sent to property owners within 300'. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on April 5, 2005, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

EXHIBITS

Ordinance
Exhibit A – Proposed Subdivision Plat
Exhibit B - Site Photo

complying structure in relation to its side yard setback to the south (3' will be required

Ordinance No. 05-

AN ORDINANCE APPROVING THE SILVER DEER CHATEAUX AT OLDE HAWKE POINTE ON LEGACY MOUNTAIN SUBDIVISION WHICH WILL COMBINE LOTS 7, 8, 25, AND 26 OF BLOCK 8 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD.

WHEREAS, the owner of 4 platted lots known as 1127 Woodside Avenue, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on April 27, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment, and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to remove lot lines between four platted lots and create one lot of 7,500 square feet; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
2. The property is located in the Historic Residential (HR-1).
3. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
4. The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's addition to the Park City Survey into one lot of approximately 7,500 square feet.
5. There is an existing historic single family home on the property. The historic home straddles the lot line between lots 7 and 8.
6. The existing home at 1127 Woodside Avenue is historic. Section 15-2.2-4 of the LMC exempts the home from off-street parking requirements.
7. There is an existing non-historic, detached garage on the property. The second floor has a Lockout Unit located in it. Lockout Units are an allowed use in the HR-1 Zone, as long as the site provides code required parking. There are 3 code compliant parking spaces on this lot, which exceeds the number required. The garage straddles the lot line between lots 7 and 26.
8. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.
9. The required front/ rear yard setbacks in the HR-1 zone for a 150 ' deep lot is a

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **1127 Woodside Avenue Plat Amendment**
Author: **Anya Grahn, Historic Preservation Planner**
Project Number: **PL-13-01893**
Date: **August 14, 2013**
Type of Item: **Administrative – Plat Amendment**

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 1127 Woodside Avenue plat amendment, located at the same address, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant:	Emily White, represented by Architect Jonathan DeGray
Location:	1127 Woodside Avenue
Zoning:	Historic Residential (HR-1) District
Adjacent Land Uses:	Residential condominiums, single-family residential, vacation rentals
Reason for Review:	Planning Commission review and recommendation to City Council

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining all of Lots 7, 8, 25, and 26 of Block 8 of the Snyders Addition to Park City. There is an existing historic home on the property identified as a Landmark on the City's Historic Sites Inventory (HSI) that straddles the lot line between Lots 8 and 7. There is also a legal-nonconforming, non-historic garage that encroaches over the lot line between Lots 7 and 26. The garage contains an accessory apartment; however, with the plat amendment, the owner plans to eliminate the apartment and return the property to single family use.

The applicant wishes to combine the lots in order to move forward with a Historic District Design Review (HDDR) approval. No plans have yet been submitted for this property, though Planning Staff met with the applicant to discuss options for building an addition on February 6, 2013. The applicant proposes to introduce a small addition, containing a bedroom and a mudroom to the historic structure, with a footprint of approximately 350 square feet. In order to comply with the Historic District Design Guidelines (HDDR), the proposed addition will need to be visually subordinate to the historic building and will have to complement the visual and physical qualities of the historic building. The Plat Amendment approval and recordation is necessary prior to the approval of the HDDR.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

(A) Preserve present land Uses and character of the Historic residential Areas of Park City,
(B) Encourage the preservation of Historic Structures,
(C) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
(D) Encourage single family Development on combinations of 25' x 75' Historic Lots,
(E) Define Development parameters that are consistent with the General Plan policies for the Historic core, and
(F) Establish Development review criteria for the new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

The 1127 Woodside Avenue property is listed on the Historic Sites Inventory (HSI) as a "Landmark" site which includes a small Mining era home constructed in 1904. During the 1960s, the 1-1/2 story, wood-frame T-cottage was significantly altered. The 1968 historic photograph shows the house with aluminum siding, aluminum windows, and metal porch supports. A portion of the porch was also enclosed. The 1949 tax card also shows that a 12' by 21' structure was originally attached to the northwest corner of the house. In 1990, the Historic Preservation Commission awarded the property owners a grant to restore the porch, windows, and wood siding.

Built in 1950, the garage that exists today is roughly 22.5 feet by 38.75 feet, and is not the garage depicted on the 1949 tax card. In March 1992, the Planning Department approved the use of the garage as a "skiers dorm." A year later, a second floor was added to the garage to create an office and studio space. The garage is considered non-complying because of subsequent zoning changes and no longer conforms to the zoning regulation's setback. The garage currently sits approximately seventy-three feet (73') from the west (front) property line and less than two feet (2') from the south (side) property line. Furthermore, the garage encroaches over the lot line between Lots 26 and 7. The garage is twenty-three feet six inches (23'6") tall on the façade and nineteen feet (19') tall at the rear, exceeding the eighteen foot (18') height permitted for a detached accessory building. The second floor of the garage currently contains an accessory apartment; however, the applicant plans to eliminate the rental unit and return the property to single family use following the plat amendment.

In 2005, the property owners applied for a plat amendment and the Planning Commission approved the plat amendment to combine lots 7, 8, 25, and 26 of Block 8. The second story of the garage was then used as a lockout unit. The plat expired on May 5, 2006, and was never recorded. Similarly, the applicants received an Action Letter from the Planning Department in May 2005 permitting the addition to the rear of the historic home; however, this work was also never completed. The property's setting has changed very little since the early 1900s, and the setting continues to be typical of

mining era homes in Park City. Since the time of the 2005 approvals, the LMC has been amended and new Historic District Guidelines have been put into place.

In February 2013, the applicant submitted a HDDR Pre-application and met with the Design Review Team (DRT). The applicant would like to add a small addition to the rear of the property in order to accommodate a bedroom and mudroom. The proposed footprint of this new addition is roughly 350 square feet. The applicant plans to make a full HDDR submittal once the plat amendment is approved. Work will not be allowed to commence until the plat amendment is recorded.

Analysis

The home currently straddles the lot line between Lots 7 and 8 of Block 8 of the Snyders Addition. Similarly, the garage encroaches over the east property line between Lots 26 and 7. The plat amendment is necessary in order for the applicants to make the necessary improvements to the site, which are subject to Planning Department review.

	HR-1 Zone Designations	Existing Conditions
Lot Size	Greater than 1,875 ft.	7,501 SF
Maximum Building Footprint	2,460.56 SF based on lot size	1,550 SF (Footprints: House—approx. 679 SF + Garage—871 SF)
Maximum Height	27 feet/3 stories 18 feet (accessory structures	19 feet 5 inches/2 stories (House) 23 feet 6 inches/2 stories (Garage)
North Side yard Setback	10 feet	4.5 feet (House)
South Side yard Setback	10 feet	1.4 feet (Garage)
Front Yard Setback	15 feet	28.75 feet (House)
Rear Yard Setback	15 feet	35 feet (Garage)

The garage is considered non-complying because it does not conform to the zoning regulation's setback and exceeds the eighteen feet (18') height allowance. The garage also encroaches over the lot line between Lots 26 and 7. The proposed plat amendment does not increase any degree of nonconformity with respect to setbacks. The plat amendment would remove existing encroachments over the interior lot lines. Any additions to the garage or landmark structure would be required to meet the current setback requirements.

Additions would also be required to comply with the Design Guidelines for Historic Sites in Park City. Though the applicant may have a maximum footprint of 2,460.56, the applicant does not intend to add the full 910.56 square feet of footprint to the structure. Currently, the property owner is proposing to add a small addition to the historic house, containing a mudroom and a bedroom. The footprint of this new addition would be

approximately 350 square feet. The addition will need to appear subordinate to the historic structure from the public right-of-way and will need to be attached by a clear transitional element. A rear addition will not be able to overwhelm or engulf the historic building.

As seen in the chart below, the current size of the historic structure at 1127 Woodside is similar in size to other historic properties in the neighborhood. The proposed small addition with a footprint of 350 square feet will not significantly alter the size of the house, nor create a house that is larger than those seen in the neighborhood. The chart shows the approximate house sizes for other historic structures in the neighborhood:

Address	Year Built	Historical Significance	Total Existing SF of Improvements (per Summit County Recorder's Office)
1167 Woodside	1935-36	Landmark	6,172 SF
1147 Woodside	1899	Significant	2,030 SF
1127 Woodside	**1904**	**Landmark**	**1,358 SF**
1102 Norfolk	1904	Landmark	883 SF
1107 Woodside	1916	Significant	1,149 SF
1103 Woodside	1905	Significant	1,345 SF
1162 Woodside	1905	Landmark	1,100 SF
1158 Woodside	1901	Significant	778 SF
1141 Park	1905	Landmark	1,744 SF
1129 Park	1895	Significant	920 SF
1125 Park	1901	Landmark	895 SF
1120 Woodside	1905	Significant	1,100 SF
1110 Woodside	1928	Landmark	1,348 SF
1100 Woodside	1928	Landmark	1,103 SF
1135 Norfolk	1905	Significant	936 SF
1101 Norfolk	1900	Landmark	1,168 SF

(See Exhibit H – Historically Significant Properties Map for the location of these addresses.)

It would be permissible to demolish the non-historic garage and build a new structure on the site; however, any new structures would be required to meet the specified front, side, and rear yard setbacks. Again, the mass and scale of the new structure would need to comply with the Design Guidelines for Historic Sites and could not overwhelm the historic building. Future subdividing of the lot could permit additional density in the future, specifically if the non-historic garage was removed. Such action would alleviate potential density on the site, and distribute the density over multiple lots.

Similarly, the applicant may choose to demolish the garage and re-subdivide the lot in order to sell one (1) or two (2) lots along Norfolk Avenue. This would limit the lot size of 1127 Woodside to two (2) Old Town lots measuring roughly fifty feet (50') by seventy-five feet (75'). Again, this would alleviate potential density on the site, and distribute the density over multiple lots.

The amendment of four (4) lots would be one of the larger plat amendments in the neighborhood. As seen in the chart below, the largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots. Other larger plat amendments include the combination of three (3) lots at 1147 Woodside. The majority of plat amendments within this neighborhood range from two (2) lots to two and one-half (2.5) lots.

Address	Year Built	Historical Significance	Lot Size (+/-)	Maximum Footprint (+/-)
1167 Woodside	1935-36	Landmark	13,125 SF (7 lots)	3,139 SF
1147 Woodside	1899	Significant	5,625 SF (3 lots)	2,050 SF
1152 Norfolk	Vacant	n/a	3,750 SF (2 lots)	1,519 SF
1127 Woodside	1904	Landmark	7,501 SF (4 lots)	2,461 SF
1102 Norfolk	1904	Landmark	3,750 SF (2 lots)	1,519 SF
1107 Woodside	1916	Significant	1,875 SF (1 lot)	844 SF
1103 Woodside	1905	Significant	1,875 SF (1 lot)	844 SF
1135- Woodside	1984	Non-Historic	7,501 SF (4 lots)	1,358.87 SF
1144 Woodside	2012	Non-Historic	3,920 SF (2 lots)	1,519 SF
1162 Woodside	1905	Landmark	2,813 SF (1.5 lots)	1,201 SF
1158 Woodside	1901	Significant	2,813 SF (1.5 lots)	1,201 SF
1141 Park	1905	Landmark	4,689 SF (2.5 lots)	1,801 SF
1136 Woodside	1984	Non-Historic	2,813 SF (1.5 lots)	1,201 SF
1129 Park	1895	Significant	5,625 (3 lots)	2,050 SF
1125 Park	1901	Landmark	4,689 SF (2.5 lots)	1,201 SF
1120 Woodside	1905	Significant	2,813 SF (1.5 lots)	1,201 SF
1110 Woodside	1928	Landmark	3,920 SF(2 lots)	1,519 SF
1100 Woodside	1928	Landmark	3,920 SF (2 lots)	1,519 SF
1135 Norfolk	1905	Significant	4,356 SF (2.3 lots)	1,705 SF
1121 Norfolk	1966	Non-Historic	3,920 SF (2 lots)	1,519 SF
1117 Norfolk	1967	Non-Historic	1,875 SF (1 lot)	844 SF
1113 Norfolk	Vacant	n/a	1,875 SF (1 lot)	844 SF
1105 Norfolk	2003	Non-Historic	1,875 SF (1 lot)	844 SF
1101 Norfolk	1900	Landmark	1,875 SF (1 lot)	844 SF

(See Exhibit I – Addresses and Property Boundaries Map for the location of these addresses.)

Aside from an HDDR and Building Permit if the applicant wishes to add an addition to the house, there are no other regulatory processes anticipated for this property. The site is not on a steep slope.

Good Cause

Planning Staff believes there is good cause for the application. Combining the Lots will allow the property owner to move forward with site improvements, which include a possible addition to the historic structure. The plat amendment is necessary in order for the applicants to utilize future plans, and if left un-platted, the property remains as is. Moreover, the plat amendment will resolve the issue of the two (2) existing structure

straddling interior lot lines. Moreover, the plat amendment will utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will gain two (2) ten foot (10') snow storage easements along Woodside and Norfolk Avenues as well as resolve the existing building encroachments over interior lot lines. As discussed previously, the potential density could be reduced if the non-historic garage was demolished and replaced by a new house. At this time, however, the applicant would like to introduce a small addition of 350 square feet footprint and return the site to single family use. The applicant cannot move forward with this addition until the plat amendment has been recorded.

Process
The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review
This project has gone through an interdepartmental review. No additional issues were raised regarding the subdivision.

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record.

Public Input
Public input has been received and has been attached as Exhibit G.

Additional public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting scheduled for September 4, 2013.

Alternatives
- The Planning Commission may forward a positive recommendation to the City Council for the 1127 Woodside Avenue Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 1127 Woodside Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 1127 Woodside Avenue Plat Amendment.

Significant Impacts
There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation
The proposed plat amendment would not be recorded and four (4) existing lots would not be adjoined. Any additions to the historic house would be limited to the existing rear and side lot lines. The garage would continue to encroach over the rear property line of Lots 26 and 7 as well. The non-historic garage could also be removed to create additional density on the site, as well.

Recommendation
Staff recommends the Planning Commission hold a public hearing for the 1127 Woodside Avenue Plat Amendment, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits
Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C – Vicinity Map/Aerial Photograph
Exhibit D – Staff Report for 1127 Woodside Plat, dated May 5, 2005
Exhibit E – Minutes from City Council meeting, May 5, 2005
Exhibit F – 5-25 Ordinance, approved
Exhibit G – Public Input
Exhibit H – Historically Significant Properties Map
Exhibit I – Addresses and Property Boundaries Map

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 13-

AN ORDINANCE APPROVING THE 1127 WOODSIDE AVENUE SUBDIVISION PLAT LOCATED AT 1127 Woodside Avenue, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1127 Woodside Avenue, has petitioned the City Council for approval of the Subdivision; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 14, 2013 to receive input on the proposed subdivision;

WHEREAS, on August 14, 2013 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 4, 2013 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 1127 Woodside Avenue Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 1127 Woodside Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1127 Park Avenue within the Historic Residential (HR-1) Zoning District.
2. The applicants are requesting to combine four (4) Old Town lots into one Parcel.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of a rear yard addition to the historic house as well as a future addition to the non-historic garage.
4. The amended plat will create one new 7,501 square foot lot.
5. Currently the property is four (4) Old Town Lots, Lots 7 and 8 as well as Lots 25 and 26 if Block 8.

6. The existing historic 1,358 square foot home is listed as “Landmark” on the Historic Sites Inventory (HSI).
7. The applicant is considering a rear addition to the historic structure and possibly an addition to the non-historic garage. Thus far, no HDDR application has been submitted and the applicant met with Planning Staff to discuss the possibility of an addition on February 6, 2013 during Design Review.
8. The existing non-historic garage straddles Lots 7 and 26 of the Snyders Addition. It is classified as legal non-conforming.
9. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum building footprint allowed is 2,460.56 per the HR-1 LMC requirements. The current footprint of the historic structure is 679 square feet and the footprint of the garage accessory structure is 871 square feet. This would allow a maximum footprint addition of 910.56 square feet; however, the applicant intends to only introduce a small addition to the historic house with a footprint of 350 square feet. This small increase to the size of the house will maintain its compatibility with other homes in the neighborhood.
11. The maximum footprint of 2,461 square feet is significantly larger than any surrounding single-family residential properties; however, adherence to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure. The applicant proposes to add a small addition of approximately 350 square feet to the historic building.
12. The amendment of four (4) lots would be one of the larger plat amendments in the neighborhood. The largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots. Other larger plat amendments include the combination of three (3) lots at 1147 Woodside. The majority of plat amendments within this neighborhood range from two (2) lots to two and one-half (2.5) lots.
13. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8.
14. The garage is considered non-complying because of subsequent zoning changes and no longer conforms to the zoning regulation’s setback. The garage sits 1.4’ from the south property line; the current code requires a ten foot (10’) side yard setback. The garage encroaches over the lot line between Lots 26 and 7. The plat amendment will remove these encroachments over interior lot lines.
15. Per LMC 15-2.2-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8 and does not comply with the required ten foot (10’) side yard setback along the north property line as it is only four feet six inches (4’6”) from the property line.
16. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
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:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the home or would first require the approval of an HDDR shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
5. Two (2) 10 foot wide public snow storage easements are required along the street frontages of the lot along Woodside Avenue and Norfolk Avenue and shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this ___day of August, 2013.

PARK CITY MUNICIPAL CORPORATION

_____
Dana Williams, MAYOR

ATTEST:

_____
City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney

RECEIVED
JUN 20 2013
PARK CITY
PLANNING DEPT.

1127 WOODSIDE AVENUE SUBDIVISION

PART OF BLOCK 8
LOTS 7 8 25 26
SNYDERS ADDITION
PARK CITY , UTAH



VICINITY MAP
(NTS)

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

LEGEND
- = SECTIONAL CORNER
- = STREET MONUMENT
- = FOUND REBAR AND CAP
- = PROPERTY CORNER (DEED)
- = REPRESENTS PROPERTY LINE
- = SURVEY CONTROL POINT
- = EXISTING FIRE HYDRANT
- = EXISTING SEWER MANHOLE
- = EXISTING POWER POLE (WITH OVER HEAD LINES)

SURVEYOR'S CERTIFICATE

I, RICHARD K. JOHANSON, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No.152956, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners,I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets hereafter to be known as 1127 WOODSIDE AVENUE SUBDIVISION and that same has been surveyed as shown on this plat.

MARCH 26, 2013
DATE

SIGNATURE AND SEAL

BOUNDARY DESCRIPTION

ALL OF LOTS 7, 8, 25, 26, OF BLOCK 8 SNYDERS ADDITION. LOCATED IN THE NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

Known all men by these presents that we, all of the _____ undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

1127 WOODSIDE AVENUE SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public us.
In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D., 20_____

ACKNOWLEDGMENT

STATE OF UTAH
County of Summit :
Personally appeared before me this ___ day of _____ 20_____ the following:

who acknowledged to me that __be__ executed the above owners dedication.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN _____

CONSENT TO RECORD

STATE OF UTAH
County of Summit :
The undersigned lien holder hereby consents to the recordation of the plat

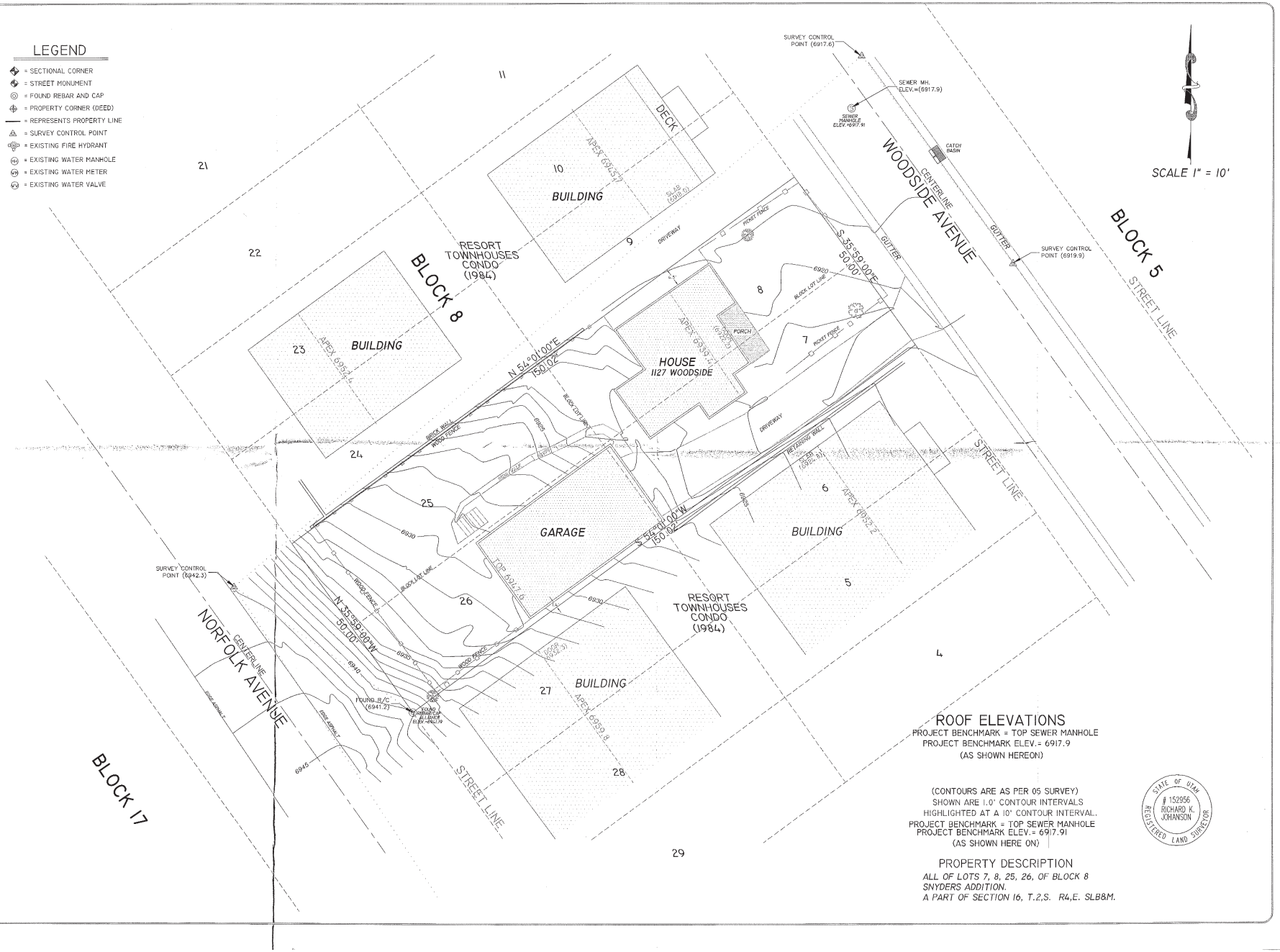
By: _____
Authorized official

The foregoing consent to record was acknowledged before me this _____ day of _____ 20___ by: _____

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN _____

SUMMIT COUNTY PUBLIC HEALTH DEPARTMENT	UTAH POWER AND LIGHT	SOUTH SUMMIT FIRE DISTRICT		
Approved and Accepted, this _____ day of _____ 20____ DEPARTMENT OF ENVIRONMENTAL HEALTH BY: _____	Approved and Accepted, this _____ day of _____ 20____ UTAH POWER AND LIGHT BY: _____	Approved and Accepted, this _____ day of _____ 20____ _____ FIRE DISTRICT BY: _____	All lots within this subdivision must meet all building permit requirements at the time of building permit issuance.	LEGEND 0000 INDICATES STREET ADDRESS AS SHOWN ON THE PLAT. TWO NUMBERS INDICATES THAT EITHER MAY BE USED.

PREPARED BY:	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AND ACCEPTANCE	APPROVAL AS TO FORM	COUNTY RECORDER
PROPERTY DESIGN LLC P O BOX 701168 SALT LAKE CITY UT 84170 (801) 495-2541	Approved and accepted by the Park City Engineering Department this _____ day of _____ 20____ _____ DATE _____ CITY ENGINEER	Approved and accepted by the Park City Planning Commission this _____ day of _____ 20____ _____ Chair	On behalf of the Park City Council on this _____ day _____ of _____ 20____ at which time this subdivision was approved and accepted. _____ Mayor _____ City Recorder	APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20_____ _____ PC CITY ATTORNEY	STATE OF UTAH COUNTY OF SUMMIT Recorded and filed at the request of _____ DATE _____ TIME _____ ENTRY # _____ FEE _____ _____ COUNTY RECORDER



ROOF ELEVATIONS

PROJECT BENCHMARK = TOP SEWER MANHOLE
PROJECT BENCHMARK ELEV.= 6917.9
(AS SHOWN HEREON)

(CONTOURS ARE AS PER 05 SURVEY)
SHOWN ARE 1.0' CONTOUR INTERVALS
HIGHLIGHTED AT A 10' CONTOUR INTERVAL.
PROJECT BENCHMARK = TOP SEWER MANHOLE
PROJECT BENCHMARK ELEV.= 6917.91
(AS SHOWN HERE ON)

PROPERTY DESCRIPTION

ALL OF LOTS 7, 8, 25, 26, OF BLOCK 8
SNYDERS ADDITION.
A PART OF SECTION 16, T.2,S. R4,E. SLB&M.

STATE OF UTAH
152956
RICHARD K. JOHANSON
REGISTERED LAND SURVEYOR

PROPERTY DESIGN LLC
P O BOX 701168
SALT LAKE CITY UT 84170
(801) 496-2541

REVISIONS
DATE | BY | COMMENTS

PROJECT SITE LOCATION
LOTS 7 8 25 26
BLOCK 8
PARCK CITY UT
SNYDERS ADDITION

SURVEYED BY:
DRAWN BY: BECCH
DATE: 02

1127 WOODSIDE AVENUE
BUILDING ELEVATIONS

FOR: EMILY CARLSON
PROJ: 1127 WOODSIDE DWG
JOB NO: R-13-002

SHEET 1 OF 1
APR 17 2013



City Council
Staff Report

PARK CITY 1884

PLANNING DEPARTMENT

Planner: **Jonathan Weidenhamer**
Subject: **1127 WOODSIDE AVENUE REPLAT**
Date: **May 5, 2005**
Type of Item: **Administrative**
Applicant: **Shannon and Missy O'Neal**
Zone: **Historic Residential – (HR-1)**

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

BACKGROUND
The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's Addition to the Park City Survey into one lot of approximately 7,500 square feet (Exhibit A). The property has an existing, one and a half- story historic structure which straddles the lot line between lots 7 and 8. The property also has a 2 story detached garage that straddles the lot line between lots 7 and 26 (Exhibit B existing conditions). The second story of this outbuilding currently has a Lockout unit in it. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.

ANALYSIS
The property is zoned HR-1, Historic Residential. The proposed plat creates a 7,500 square foot lot. All development standards of the Land Management Code including: height, setbacks, parking, architectural design, building footprint, neighborhood and Historic Design Guideline compatibility for the proposed addition will be verified for compliance during design review. The footprint of the current home is approximately 744 s.f. The footprint of the garage is approximately 940 s.f. The two buildings total approximately 1684 s.f. of footprint. The maximum allowed footprint for the combined lots is 2460 s.f.

The required front/ rear yard setbacks in the HR-1 zone for a 150 ' deep lot is a minimum of 15' with a total of 30'. The house and garage meet these requirements. The existing historic home will continue to exist as a non-complying structure in relation to the required side yard setback to the north (5' will be required for the combined lot, currently 4.5' exists). The existing detached garage will also continue to exist as a non-

complying structure in relation to its side yard setback to the south (3' will be required for the combined lot, currently 1.4' exist); and in terms of its height. A detached accessory building is limited to 18' in height. The garage on these lots is approximately 21' in height. In all cases no greater degree of non-compliance will be created as a result of this lot combination.

Because the existing home at 1127 Woodside Avenue is historic, the LMC Section 15-2.2-4 exempts the addition from off-street parking requirements provided the addition does not create Lockout Unit or Accessory Apartment. The detached garage currently has a Lockout Unit located in it, which is an Allowed Use in the HR-1 Zone. The Lockout Unit has a non-exempt parking requirement of 1 space. The existing garage provides 2 interior spaces, as well as a 24' deep driveway, which will be eligible for a tandem space.

NOTICE

Notice of this hearing was sent to property owners within 300'. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on April 5, 2005, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

EXHIBITS

Ordinance
Exhibit A – Proposed Subdivision Plat
Exhibit B - Site Photo

Ordinance No. 05-

AN ORDINANCE APPROVING THE SILVER DEER CHATEAUX AT OLDE HAWKE POINTE ON LEGACY MOUNTAIN SUBDIVISION WHICH WILL COMBINE LOTS 7, 8, 25, AND 26 OF BLOCK 8 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD.

WHEREAS, the owner of 4 platted lots known as 1127 Woodside Avenue, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on April 27, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment, and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to remove lot lines between four platted lots and create one lot of 7,500 square feet; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
2. The property is located in the Historic Residential (HR-1).
3. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
4. The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's addition to the Park City Survey into one lot of approximately 7,500 square feet.
5. There is an existing historic single family home on the property. The historic home straddles the lot line between lots 7 and 8.
6. The existing home at 1127 Woodside Avenue is historic. Section 15-2.2-4 of the LMC exempts the home from off-street parking requirements.
7. There is an existing non-historic, detached garage on the property. The second floor has a Lockout Unit located in it. Lockout Units are an allowed use in the HR-1 Zone, as long as the site provides code required parking. There are 3 code compliant parking spaces on this lot, which exceeds the number required. The garage straddles the lot line between lots 7 and 26.
8. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.
9. The required front/ rear yard setbacks in the HR-1 zone for a 150 ' deep lot is a

minimum of 15’ with a total of 30’. The house and garage meet these requirements.

10. The required side yard setback in the HR-1 zone for a 50' wide lot is 5'. The historic home currently has 4.5’ and will continue to exist as a non-complying structure.
11. The required side yard setback for an outbuilding located on a 50' wide lot for is 3'. The detached garage currently has 1.4’ and will continue to exist as a non-complying structure.
12. The required height for an accessory building is 18’. The detached garage is currently 21’ in height and will continue to exist as a non-complying structure.
13. No greater degree of non-compliance will be created as a result of this plat amendment.
14. The footprint of the current home is approximately 744 s.f. The footprint of the garage is approximately 940 s.f. The two buildings total approximately 1684 s.f. of footprint. The maximum allowed footprint for the combined lots is 2460 s.f.
15. The project will be reviewed for compliance with the Historic District Design Review Guidelines prior to the issue of a building permit for any addition or exterior remodel.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.

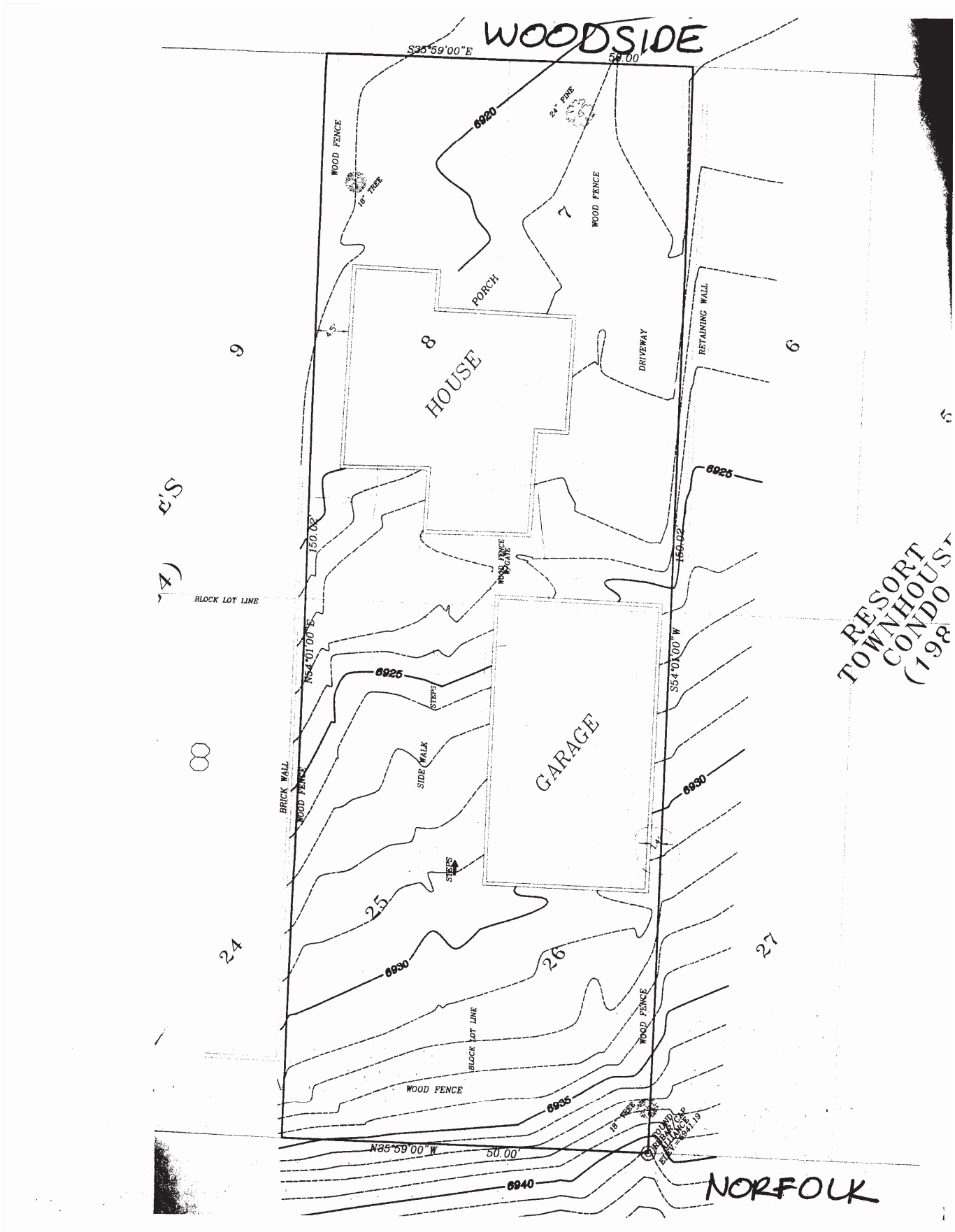
The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year’s time, this approval and the plat will be void.

No building permits shall be issued prior to the final recordation of the plat at the County Recorder’s Office.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 5th day of May, 2005.

1127 WOODSIDE AVENUE REPLAT
LOT LINE AMENDMENT PLAT
LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY
PARK CITY UTAH
NORTH
SURVEYOR'S CERTIFICATE
PRELIMINARY
BOUNDARY DESCRIPTION
PROPERTY DESCRIPTION
SUBDIVISION DESCRIPTION
OWNER'S DEDICATION
CONSENT TO RECORD
ACKNOWLEDGEMENT
RESORT TOWNHOUSES (1981)
RESORT TOWNHOUSES (1981)
WOODSIDE AVENUE
PRESCOTT STREET
BLOCK 8
LEGEND
LOCATION MAP
(NTS)
SEWER BASIN SPACE IMPROVEMENT DISTRICT
SEWER IMPACT FEE DISTRICT
PLANNING COMMISSION
COUNCIL APPROVAL AND ACCEPTANCE
LAND DESIGN LLC


WOODSIDE
S35°59'00"E
50.00
6920
24" PINE
WOOD FENCE
16" TREE
7
WOOD FENCE
PORCH
8
HOUSE
DRIVEWAY
RETAINING WALL
6
9
6925
150.02
WOOD FENCE
GATE
BLOCK LOT LINE
N54°01'00"E
6925
STEPS
SIDE WALK
BRICK WALL
WOOD FENCE
GARAGE
S54°01'00"W
150.02
6930
STEPS
25
24
26
27
6930
BLOCK LOT LINE
WOOD FENCE
WOOD FENCE
6935
18" TREE
N35°59'00"W
50.00
6940
NORFOLK

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 5, 2005

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 5, 2005. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Planner; and Gary Hill, Budget Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

Budget document - Mike Sweeney, HMBA, asked that the budget document be made available to citizens so they can follow the work session discussions and are better prepared. Services like snow removal are of interest to merchants. It was explained that it will be available on the Internet in its entirety and there are currently hard copies of the budget for public review at the Marsac Building and the Library.

IV MINUTES OF MEETING OF APRIL 21, 2005

Marianne Cone, "I move we approve the Minutes of the meeting of April 21, 2005". Joe Kernan seconded. Motion unanimously carried.

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance – 2300 Deer Valley Drive East, St. Regis Resort Deer Crest record of survey plat **(motion to continue to May 26, 2005)** – The Mayor requested a motion to continue. Jim Hier, "I so move". Marianne Cone seconded. Motion unanimously carried.

2. Ordinance approving the Silver Deer Chateaux at Olde Hawke Pointe on Legacy Mountain Subdivision which will combine Lots 7, 8, 25 and 26 of Block 8 of the Snyder's Addition to the Park City Survey into one lot of record – Jonathan Weidenhamer explained that the application proposes the combination of four lots into one. There is an historic home and a garage on the property and the applicants would like to build an addition on the rear of the residence. The Planning Commission held a public hearing where no input was received and forwards a positive recommendation. The Mayor opened the public hearing and hearing no comments, closed the hearing.

Ordinance No. 05-25

AN ORDINANCE APPROVING THE SILVER DEER CHATEAUX AT OLDE HAWKE POINTE ON LEGACY MOUNTAIN SUBDIVISION WHICH WILL COMBINE LOTS 7, 8, 25, AND 26 OF BLOCK 8 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD – 1127 WOODSIDE AVENUE

WHEREAS, the owner of 4 platted lots known as 1127 Woodside Avenue, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on April 27, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment, and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to remove lot lines between four platted lots and create one lot of 7,500 square feet; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
2. The property is located in the Historic Residential (HR-1).
3. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
4. The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's addition to the Park City Survey into one lot of approximately 7,500 square feet.
5. There is an existing historic single family home on the property. The historic home straddles the lot line between lots 7 and 8.
6. The existing home at 1127 Woodside Avenue is historic. Section 15-2.2-4 of the LMC exempts the home from off-street parking requirements.
7. There is an existing non-historic, detached garage on the property. The second floor has a Lockout Unit located in it. Lockout Units are an allowed use in the HR-1 Zone, as long as the site provides code required parking. There are 3 code compliant parking spaces on this lot, which exceeds the number required. The garage straddles the lot line between lots 7 and 26.
8. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.
9. The required front/ rear yard setbacks in the HR-1 zone for a 150 ' deep lot is a minimum of 15' with a total of 30'. The house and garage meet these requirements.
10. The required side yard setback in the HR-1 zone for a 50' wide lot is 5'. The historic home currently has 4.5' and will continue to exist as a non-complying structure.
11. The required side yard setback for an outbuilding located on a 50' wide lot for is 3'. The detached garage currently has 1.4' and will continue to exist as a non-complying structure.
12. The required height for an accessory building is 18'. The detached garage is currently 21' in height and will continue to exist as a non-complying structure.
13. No greater degree of non-compliance will be created as a result of this plat amendment.
14. The footprint of the current home is approximately 744 s.f. The footprint of the garage is approximately 940 s.f. The two buildings total approximately 1684 s.f. of footprint. The maximum allowed footprint for the combined lots is 2460 s.f.
15. The project will be reviewed for compliance with the Historic District Design Review Guidelines prior to the issue of a building permit for any addition or exterior remodel.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 5th day of May, 2005.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Dana Williams, Mayor

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

EXHIBIT A

1127 WOODSIDE AVENUE REPLAT
LOT LINE AMENDMENT PLAT
LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH RANGE 1 EAST
SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY
PARK CITY UTAH
NORTH
RESORT TOWNHOUSES (1981)
RESORT TOWNHOUSES (1984)
BLOCK 9
SILVER STAR DRIVE
WOODSIDE AVENUE
LOCATION MAP
LEGEND
OWNER'S DEDICATION
SURVEYOR'S CERTIFICATE
PRELIMINARY
ACKNOWLEDGEMENT
CONSENT TO RECORD

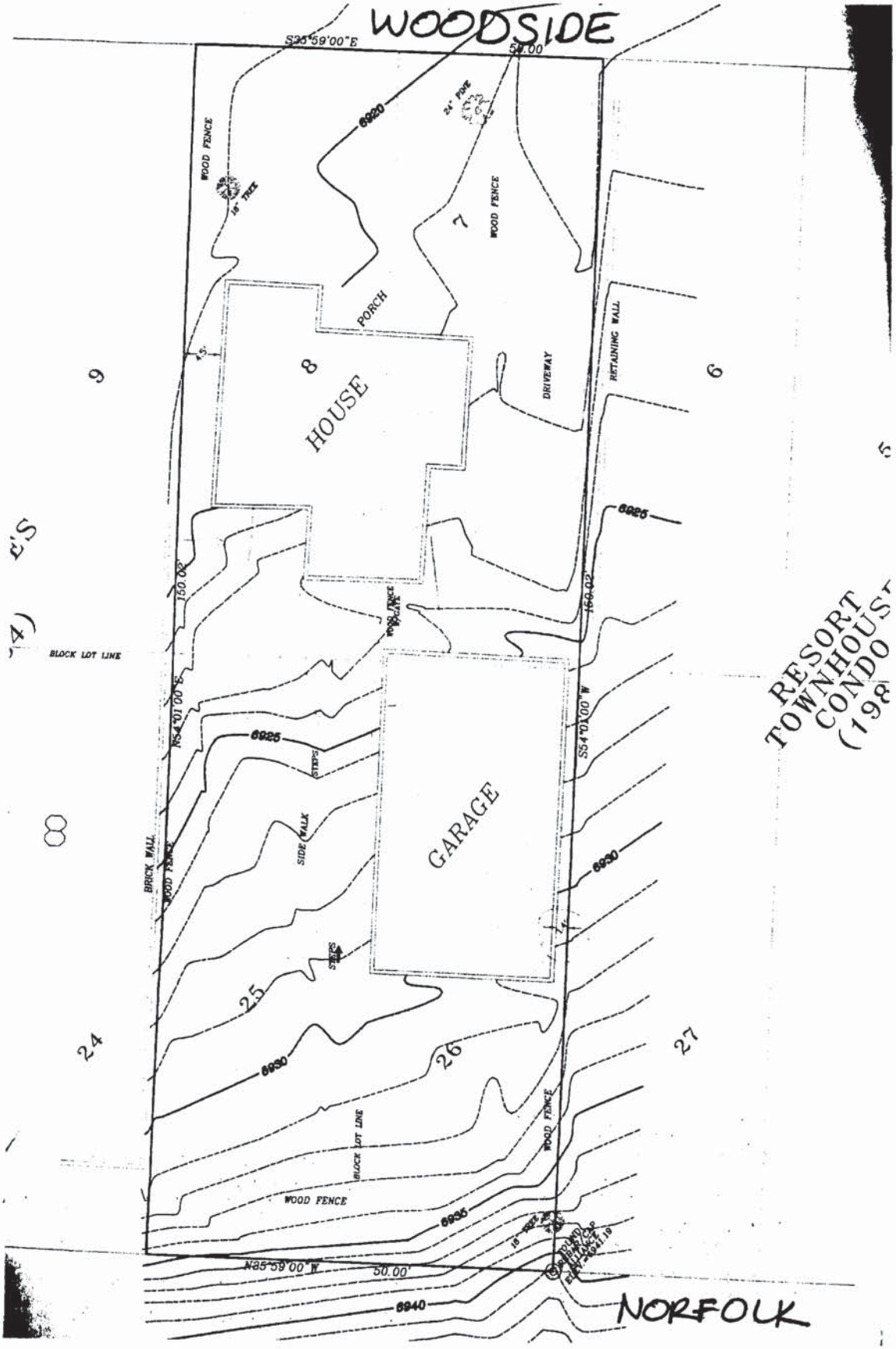


Exhibit B – Site Survey

Anya Grahn

From: Brian Van Hecke <bvhutah@gmail.com>
Sent: Monday, July 22, 2013 12:18 PM
To: Anya Grahn
Cc: Thomas Eddington
Subject: 1127 Woodside Avenue

Hi Anya,

Nice speaking with you today regarding 1127 Woodside Avenue and the request to combine 4 Old Town lots.

This is a great historic home that truly represents Park City's long and vibrant history. I've walked by the house for years and always admired it.

As discussed, I would like to express my general concern and the danger of lot combinations in historic Old Town. As you know density is already a major issue within Old Town. Developers and many property owners have been building and/or adding on to homes that are way beyond scale of historic standards.

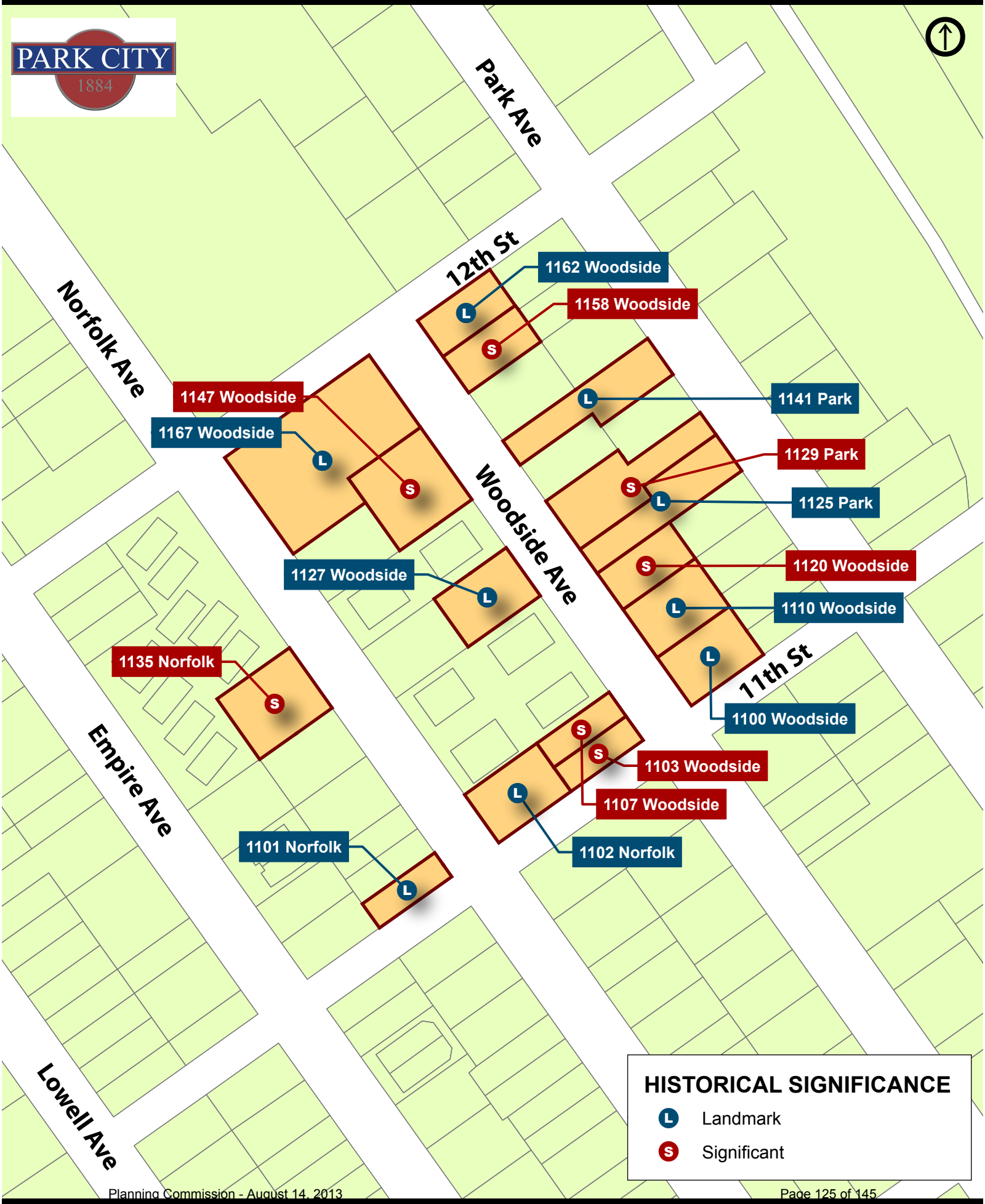
Although the request to combine the lots may seem reasonable it's very important to only consider lot combinations when true plans are also presented (at the same time) as the basis for the lot combination request. What are the plans of the owner? What is the basis for the request?

I appreciate your review and efforts to help protect historic Old Town Park City. Please help to maintain the historical integrity of Old Town Park City.

Regards,

Brian
1101 Empire Avenue
435.901.1500

HISTORICALLY SIGNIFICANT PROPERTIES | PARK CITY, UTAH



7/25/2013
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ADDRESSES AND PROPERTY BOUNDARIES | PARK CITY, UTAH



7/25/2013
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Commissioner Hontz noticed when reading that Staff report that her husband, Jonathan Weidenhamer, had written the Staff report in 2005 for 1127 Woodside Avenue. She did not believe that presented a conflict or would affect her decision this evening.

CONTINUATION(S) – Public hearing and continue to date specified.

1. Land Management Code – Amendments to Chapter 2.4 – Historic Residential-Medium Density (HRM) District

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Thomas moved to CONTINUE the LMC Amendments to Chapter 2.4 – Historic Residential Medium Density District to August 28, 2013. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously.

2. 7905 Royal Street – Record of Survey Amendment
(Application PL-13-01968)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Thomas moved to CONTINUE 7905 Royal Street to August 28, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 1127 Woodside Avenue – Plat Amendment
(Application #PL-13-01893)

Planner Anya Grahn reported that the property owners at 1127 Woodside Avenue were requesting a plat amendment to combine four lots of record into one lot. The lots include Lots 7, 8, 25 and 26 of Block 8 of the Snyder's Addition. The existing 1904 Landmark house currently straddles the interior lot lines between Lot 7 and 8. There is also a legal non-conforming non-historic garage that encroaches between Lots 7 and 26.

Planner Grahn stated that the house and garage do not meet the current side yards setbacks. She noted that the Chart on page 101 of the Staff report incorrectly showed that the required side yard setbacks were 10 feet. The required side yard setbacks are actually 5 feet. The house is 4.5 feet from the north side yard setback. The garage is 1.4 feet from the south side yard setback. The garage was also 19 feet tall, which exceeds the 18-foot height requirement for an accessory structure. Planner Grahn stated that the house and the garage conform to the front and rear yard setbacks and the house meets the maximum height requirement. The garage and the house were both below the maximum building footprint as existing.

Planner Grahn explained that the applicant was requesting this plat amendment in order to move forward with an HDDR. The Staff met with the applicant in February to discuss the options for possibly adding a small addition to the house. At that time the applicant was also considering connecting it to the garage. However, in talking with the architect it appears she only plans to add a mud room and a bedroom, which would add approximately 335 square feet of footprint to the historic house.

Planner Grahn pointed out that any new additions would have to comply with the setbacks required by the Land Management Code as well as the Historic District Design Guidelines. An accessory apartment above the garage was approved in 1992. As it sits now the property is similar to a duplex because of the accessory apartment above the garage and the house. Planner Grahn clarified that the owner intends to use it as a single-family property and not have renters.

Planner Grahn noted that the total square footage of the house and the garage was 2,672 square feet, which includes the footprint and the upper levels. She noted that 2,672 was the number calculated by the architect, but it does not correspond to the Summit County Recorder's information provided on the chart. She stated that this was not the first time the Staff has found that the Summit County Recorder has incorrect information.

Planner Grahn remarked that the amendment of the four lots would create one of the largest lots in the neighborhood, as outlined in the comparison chart on page 102 of the Staff report. Other larger plat amendments were seven lots at the Park City Mechanical Arts Building, as well as a plat amendment of three lots at 1140 Woodside. She noted that the majority of the lots in the neighborhood were between 2 and 2-1/2 lot combinations.

The Staff found good cause for this application because moving the interior lot lines would help the applicant improve the site. It also allows the City to gain a 10-foot wide snow storage easement along Woodside and Norfolk Avenue. At the same time, Planner Grahn thought they needed to be sensitive to the fact that there is a historic Landmark home on the property and, therefore, not allow a property owner to maximize the footprint.

In researching past applications, they found that in June 2011 the Planning Commission approved a plat amendment at 929 Park Avenue that actually set a footprint limitation. That application was a plat amendment for two full lots and the remnants of two additional lots. There was also a historic house that straddled interior lot lines. At that time the Planning Commission added a condition of approval that included a reduction of footprint based on the Land Management Code Footprint Formula.

Planner Grahn stated that if they were to do the same for 1127 Woodside, the four lots currently equate to 7,501 square feet and the footprint formulate calculates 2,461 square feet. She pointed out that it would not limit the footprint but there was the potential to negotiate an average for what is should be.

Planner Grahn referred to a wooden fence along the south property line and suggested adding a condition of approval requiring an encroachment agreement if one does not already exist, to settle any issues that may arise with the fence.

Commissioner Strachan asked Planner Grahn for the footprint limitation. Planner Grahn stated that after looking at it again, she would suggest 2,100 square feet. Currently, the maximum footprint could be 2,461. It would give the applicant some flexibility in adding the addition or possibly changing the non-historic garage in the future.

Jonathan DeGray, representing the applicant, was comfortable with reducing the footprint as long as it allowed the owner to improve the historic home to make it more livable by adding a mud room and a small bedroom. They were looking for an additional 350 square feet. If the 2,100 square feet proposed by Planner Grahn would allow for that expansion, he would not be opposed.

Commissioner Savage clarified that 2,100 square feet would allow for the proposed expansion plus a little extra.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Hontz supported the Staff recommendation, with proposed changes to the Findings of Fact and Conditions of Approval. Planner Grahn referred to Finding 7 and removed the language "…and possibly an addition to the non-historic house", since the owner was no longer considering an addition to the garage. The new finding should read,

The applicant is considering a rear addition to the historic structure. Thus far no HDDR application has been submitted." The remainder of the last sentence was also deleted.

Planner Grahn noted that Findings 14 and 15 should be corrected to reflect a 5 foot side yard setback instead of a 10 foot side yard setback.

Planner Grahn noted that Condition 7 should be added to address the 2,100 square foot footprint limitation. Mr. DeGray clarified that he was comfortable with the square footage, but he wanted to check the math to make sure it would allow for the 350 square foot addition.

The Commissioners discussed revisions to Finding 11. Assistant City Attorney McLean recommended that they keep the first sentence because it adds justification to why they were limiting the footprint. They could then add that the owner consents to limiting the size to 2100 square.

Commissioner Hontz suggested that they should also reference historically significant and landmark structures to justify the limitation.

The first sentence of Finding 11 was revised to read, "The maximum footprint of 2,461 square feet is significantly larger than any surrounding single-family residential properties, in particular historically significant and landmark structures; and the owner consents to limiting the size to 2,100 square feet; however…."

Commissioner Hontz referred to Condition of Approval 3, and suggested adding a comma after the word "home", and another comma after the "HDDR". She felt the commas made the sentence easier to read and understand.

Commissioner Hontz referred to Condition 5 and recommended changing "Two (2) 10' wide public snow storage easements…" to read, "One 10-foot wide public snow storage easement is required along the street frontage of Woodside and one 10-foot wide public snow storage easement is required along the street frontage of Norfolk Avenue." She thought it was better to separate the two for clarity.

Mr. DeGray reiterated his concern about making sure the footprint numbers were accurate before they were memorialized in a condition of approval. Commissioner Hontz stated that the Staff could bring back the Findings and Conditions for ratification to allow Mr. DeGray to work with the Staff to check the numbers before it goes to the City Council. If the number is different than 2,100 square feet, the Planning Commission could discuss it at that time.

Commissioner Savage pointed out that having to come back to the Planning Commission would delay the process for the application. Commissioner Strachan suggested that Mr. DeGray and Planner Grahn step into the hall and work out the math, and come back with revised Findings and Conditions that the Planning Commission could ratify this evening. The Commissioners concurred.

Planner Grahn and Mr. DeGray left the room and the Planning Commission moved to the next item on the agenda.

Planner Grahn and Mr. DeGray later returned with agreement on the square footage and the revised Findings and Conditions.

Commissioner Hontz referred to the table on page 102 of the Staff report and clarified that per the Summit County Recorder, the 1,358 square feet was in the actual structure and not a footprint. Planner Grahn replied that this was correct. However, in re-measuring the house, Mr. DeGray found that the actual size is 2,672 square feet, including the garage. She pointed out that if the Summit County Recorder's office was that far off on this property, she could only imagine the discrepancies with the rest of the properties on the street.

Commissioner Hontz wanted to know the square footage of the Landmark structure at 1127 Woodside without the garage. Mr. DeGray could not recall the actual square footage of the house, but the footprint was calculated at just under 800 square feet. The basement was 400 square foot basement and there was 250 square feet upstairs. He estimated the square footage to be approximately 1400 square feet. Commissioner Hontz believed that 2,100 square feet would allow significantly more than the 350 square feet needed for the addition. Mr. DeGray calculated that there was a little over 800 square feet in the existing house in footprint and they were looking for an additional 350 square feet.

Commissioner Hontz wanted to address the house separately from the garage, because in order for the garage footprint to expand, it does not meet the Code in terms of setbacks. Mr. DeGray emphasized that the owner did not want to expand the footprint of the garage, and he was willing to make that a condition of approval.

Assistant City Attorney McLean pointed out that the garage is not historic and it could be torn down in the future and a new garage built. Commissioner Savage thought the condition should address the house. If someone wanted to change the garage they would have to submit a different application. Director Eddington stated that they should limit the square footage of the house to 1200 square feet in one condition, and state in a separate condition that the square feet footprint of the garage would not exceed 880 square feet either as is or if it was torn down and replaced.

Commissioner Hontz stated that in looking at the table on page 102 she thought the 1200 square feet for the footprint limitation of the historic house made sense, because they were trying to replicate the pattern and limitations and footprints they see in the existing structures. She wanted to continue to maintain the compatibility she sees in the charts.

Assistant City Attorney McLean reiterated her concern that because the garage is not historic, they have no way of knowing what might happen in the future. If someone wanted to attach a garage that meets the Historic District Guidelines, they would normally be entitled to do that. It would be confusing in the future to decipher what would be permitted or not, with a plat note that talks about the existing garage. Commissioner Strachan stated that someone could come in for a plat amendment to amend the plat for the garage. He asked if a plat amendment for the garage would create a legal problem. Ms. McLean stated that it creates additional hurdles. She recognized that if the applicant's representative was willing to accept a condition of approval it should not be a problem.

Commissioner Savage suggested that they restrict the total allowed footprint on the lot to 2100 square feet and the footprint for the house could not exceed 1200 square feet. It would constrain the size of a garage but it would not prohibit anything as long as it stays within the total footprint. Mr. DeGray pointed out that this was a Landmark structure and it would have to go through a full HDDR. Expanding the home beyond a reasonable notion would be prohibited by the Landmark status.

Speaking on behalf of his client who was out of town, Mr. DeGray stated that a maximum of 2100 square feet, with the understanding that it is a Landmark structure and would have to go through an HDDR, would be most appealing.

Commissioner Hontz suggested that they add Condition 7 to read, "The maximum footprint allowed on the lot is 2,100 square feet. The maximum footprint allowed for the house is 1,200 square feet." The Commissioners concurred.

MOTION: Commissioner Savage moved to forward a POSITIVE recommendation to the City Council for the Plat Amendment at 1127 Woodside Avenue according to the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report and as amended. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 1127 Woodside</u>

1. The property is located at 1127 Park Avenue within the Historic Residential (HR-1) Zoning District.
2. The applicants are requesting to combine four (4) Old Town lots into one Parcel.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of a rear yard addition to the historic house as well as a future addition to the non-historic garage.
4. The amended plat will create one new 7,501 square foot lot.
5. Currently the property is four (4) Old Town Lots, Lots 7 and 8 as well as Lots 25 and 26 if Block 8.
6. The existing historic 1,358 square foot home is listed as "Landmark" on the Historic Sites Inventory (HSI).
7. The applicant is considering a rear addition to the historic structure. Thus far, no HDDR application has been submitted and the applicant met with Planning Staff to discuss the possibility of an addition on February 6, 2013 during Design Review.
8. The existing non-historic garage straddles Lots 7 and 26 of the Snyder's Addition. It is classified as legal non-conforming.
9. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum building footprint allowed is 2,460.56 per the HR-1 LMC requirements. The current footprint of the historic structure is 679 square feet and the footprint of the garage accessory structure is 871 square feet. This would allow a maximum footprint addition of 910.56 square feet; however, the applicant intends to only introduce a small addition to the historic house with a footprint of 350 square feet. This small increase to the size of the house will maintain its compatibility with other homes in the neighborhood.
11. The maximum footprint of 2,461 square feet is significantly larger than any surrounding single-family residential properties, in particular historically significant and landmark structures; however, adherence to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure. The applicant proposes to add a small addition of approximately 350 square feet to the historic building.
12. The amendment of four (4) lots would be one of the larger plat amendments in the neighborhood. The largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots. Other larger plat amendments include the combination of three (3) lots at 1147 Woodside. The majority of plat amendments within this neighborhood range from two (2) lots to two and one-half (2.5) lots.
13. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8.

14. The garage is considered non-complying because of subsequent zoning changes and no longer conforms to the zoning regulation's setback. The garage sits 1.4' from the south property line; the current code requires a five foot (5') side yard setback. The garage encroaches over the lot line between Lots 26 and 7. The plat amendment will remove these encroachments over interior lot lines.
15. Per LMC 15-2.2-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8 and does not comply with the required five foot (5') side yard setback along the north property line as it is only four feet six inches (4'6") from the property line.
16. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

Conclusions of Law – 1127 Woodside

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
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 – 1127 Woodside

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.

5. One (1) 10 foot (10') wide public snow storage easements is required along the street frontage of the lot along Woodside Avenue and one (1) ten foot (10') wide public snow storage easement will also be required along the street frontage along Norfolk Avenue. These both shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. The maximum footprint allowed on the lot is 2,100 square feet. The maximum footprint allowed for the house is 1,200 square feet.

2. 7620 Royal Street – Record of Survey Amendment

Planner Whetstone provided a handout of the plat with a change to the square footage being proposed for Unit 401. The revised ordinance was also provided.

Planner Whetstone reviewed the request to amend Unit 401 of the Royal Plaza Condominiums, a condominium project located at Silver Lake. The amendment would convert limited common deck and chimney area to private area for Unit 401. Planner Whetstone noted that the net increase would be 40 square feet. She noted that the Staff report incorrectly showed the net increase of 66 square feet due to a problem with CAD doing the survey. The plat that was submitted with the application stated that the new unit would be 66 square feet that what was currently platted. The Staff calculated a net increase of 40 square feet and the number needed to be amended. Planner Whetstone noted that the correct increase of 40 square feet would be recorded in the square footage of Unit 401.

Planner Whetstone reported that this was the third amendment to the Royal Plaza; however unit 401 has never been amended. In 2009 the Staff relooked at the units and found that they needed to add a significant amount of UEs. At that time the Deer Valley Master Plan was amended to account for that.

Planner Whetstone referred to an analysis in the Staff report comparing the permitted through the MPD/CUP and the proposed. The applicant requested an increase of 40 square feet and that change was reflected in the first paragraph of the ordinance.

Planner Whetstone noted that the project must comply with the Deer Valley Master Plan. The Staff reviewed the request and recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended to correctly reflect the correct Unit Equivalent Addition of .02 unit equivalents, as opposed to .03.

HOGGAN LEE HUTCHINSON

Justin Keys
Justin@hlhparkcity.com
Direct: 435.731.9195

May 23, 2025

VIA EMAIL

Park City Municipal Corporation
Park City Planning Commission
PO Box 1480
Park City, Utah 84060

Re: 1127 Woodside Plat Amendment

Dear Commissioners,

This firm represents Monique Sanders, the owner of the property located at 1127 Woodside Avenue, Park City, Utah 84060. On behalf of our client, we respectfully submit this letter in support of the requested plat amendment (Application # PL-24-06317) for 1127 Woodside Avenue, which seeks to revise Plat Note 3 to allow a total building footprint of 2,461 square feet, consistent with the formula set forth in the HR-1 zoning code. As explained below, the proposed amendment is compliant with applicable code requirements, respects the intent of historic preservation policies, and meets the City's standards for a finding of Good Cause.

1. *The proposed plat amendment does not create non-compliance with the requirements of the HR-1 zone.*

The proposed plat amendment complies with the Land Management Code (the "LMC"). The HR-1 zone permits a building footprint of 2,461 square feet for a 7,501 sq. ft. lot like this one.[1] However, the current recorded plat artificially restricts that footprint to 2,100 sq. ft.—not due to any zoning requirement but based on concerns raised in 2013 that a future addition could visually overwhelm the Landmark Historic Structure.

The applicant is not seeking a variance or departure from the Land Management Code. Rather, the proposed amendment would bring the plat into alignment with the square footage the HR-1 zone already authorizes. The lot was lawfully created and recorded in 2014, in full compliance with the applicable code at that time. Although the previous staff report cites that a Non-Complying Structure may not be altered or enlarged, this is a legal non-complying lot, not a "Non-Complying

[1] LMC § 15-2.2-3(E).

Structure."[2] The code section for Building Footprint calculations in the HR-1 zone explicitly allows homes on lots larger than the zoning limit of 3,750 sq. ft. to have a larger footprint than would be allowed on a 3,750 sq. ft. lot by using the same Building Footprint limit calculation on all lots up to 18,750 sq. ft.[3]

2. The proposed structure honors the intent behind the 2013 footprint restriction

Beyond complying with the LMC's requirements for the property, the proposed new structure on the lot is not at odds with the intent of Plat Note 3. The original 2,100 sq. ft. cap was imposed to prevent a single massive addition that would "engulf the Landmark Historic Structure."[4] That risk does not exist here.

The additional footprint will be applied to a detached accessory structure located to the rear of the lot, along Norfolk Avenue, and fully screened from Woodside. This design preserves the visual prominence of the Landmark Historic Structure. It does not "engulf" or dominate the historic house and is far more respectful of its character than what the code would otherwise allow if applied aggressively. This satisfies the exact intent behind the 2013 condition. In fact, it furthers the purposes of Plat Note 3 by using up the remaining Building Footprint allotted by the LMC which will prevent any future additions to the Landmark Historic Structure.

3. The proposed plat amendment meets the Park City's standard for Good Cause

The proposed plat amendment should be approved because it meets the required "Good Cause" standard. "Good Cause" as: "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City, and furthering the health, safety, and welfare of the Park City community."[5]

This property was originally comprised of four Old Town lots, which would support a total allowable footprint of 2,461 square feet under the HR-1 zoning formula. There is Good Cause for the First Amended 1127 Woodside Subdivision because it would allow the construction of an accessory dwelling unit that provides additional housing opportunities in an area that is suffering from a housing shortage. The Applicant is even open to a deed restriction precluding nightly rental of the accessory dwelling unit to ensure year-round housing in this location.

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[2] Exhibit A, Staff Report from Merideth Covey on 1127 Woodside Avenue to Planning Commission 9 (April 23, 2025).
[3] LMC § 15-2.2-3(E).
[4] Exhibit B, Staff Report from Anya Grahn on 1127 Woodside Avenue Plat Amendment to Planning Commission 3 (August 14, 2013).
[5] LMC § 15-15-1.

Any potential visual impacts have been mitigated by careful design to ensure compatibility with the neighborhood. The proposed accessory structure will be compatible with the neighborhood and consistent with surrounding architecture in both design and scale. It will not appear out of place or visually intrusive. In fact, the accessory dwelling unit's roof peak will sit lower than those of the adjacent condominium buildings on either side of the property.

The requested plat amendment represents a modest and appropriate adjustment that brings the recorded plat into alignment with the development standards of the HR-1 zone. It is consistent with the historic preservation goals of the City, achieves the intent of the 2013 condition in a more precise and fact-based manner, and offers clear public and neighborhood benefits. The applicant has demonstrated Good Cause as required by law.

We respectfully request that the Planning Commission approve the amendment. We appreciate your efforts on our behalf. Please feel free to contact me if you have any questions regarding this request.

Very Truly Yours,
HOGGAN LEE HUTCHINSON



Justin J. Keys

Planning Commission
Staff Report

Subject: **5 Iron Canyon Court**
Iron Canyon Subdivision Lot 30
Application: **PL-25-06524**
Date: **June 11, 2025**
Type of Item: **Plat Amendment**

Recommendation

(I) Review the Iron Canyon Subdivision Lot 30 – Building Pad Adjustment for 5 Iron Canyon Court to reflect existing conditions and to allow for deck and roof extensions, (II) conduct a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Outside Ventures, LLC Otto Walker Architects, Applicant Representative
Location:	5 Iron Canyon Court
Zoning District:	Single Family
Adjacent Land Uses:	Residential
Reason for Review:	Plat Amendments require Planning Commission Final Action.[1]

LMC	Land Management Code
SLO	Sensitive Land Overlay
SF	Single Family
SFD	Single-Family Dwelling

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Background

The Iron Canyon Subdivision was recorded in 1983. Each Lot has a platted Building Pad[2] limit of 4,000 square feet.

[1] LMC § 15-7.1-2(B)
[2] LMC § 15-15-1 defines *Building Pad* as the exclusive area, as defined by the setbacks, in which the entire Building Footprint may be located.



Figure 1: Iron Canyon Subdivision recorded in 1983

The Applicant proposes a Plat Amendment to adjust the platted Building Pad for Lot 30 of the Iron Canyon Subdivision (5 Iron Canyon Court) to align with the existing Single-Family Dwelling (SFD) that was constructed in 1994 on the 0.56-acre Lot. The current SFD matches the 1994 building permit plans which show the dwelling outside the platted Building Pad. The Applicant's proposed Building Pad amendment would also allow for deck and roof expansions within a contracted 3,840-square-foot Building Pad.

Several lots within the Iron Canyon Subdivision have completed Building Pad adjustments, all maintaining the 4,000-square-foot Building Pad. The following Lots have adjusted their Building Pad within Iron Canyon Subdivision:

(See the following recorded plats in Exhibit D)

Lot 29 – November 10, 2005 Building Pad Adjustment approved in preparation for a new SFD on a vacant Lot.

Lot 11 – Home built in 1988 – June 1, 2006 Building Pad Adjustment approved to allow for an Addition.

Lot 4 – September 14, 2006 Building Pad Adjustment approved. Addition built in 2023.

Lot 5 – September 28, 2006 Building Pad Adjustment approved in preparation for a new SFD on a vacant Lot.

Lot 43 – July 28, 2017 Building Pad Adjustment approved in preparation for a new SFD on a vacant Lot.

Lot 42 – October 12, 2017 Building Pad Adjustment approved in preparation for a new SFD on a vacant Lot.

Lot 33 – February 3, 2025 Building Pad Adjustment approved in preparation for a new SFD on a vacant Lot.

Lot 8 – Home built in 1990 – August 29, 2023 Building Pad Adjustment approved to allow for an Addition to existing SFD.
Lot 45 – Home built in 1989 – September 26, 2023 Building Pad Adjustment approved for remodel to existing SFD and expansion of the deck
Lot 41 – March 25, 2024 Building Pad Adjustment approved in preparation for a new SFD on a vacant Lot.

Out of 10 Plat Amendments three were directly initiated for remodels or additions to the existing SFDs; one amendment was approved in 2006 but the addition was not built until 2023. Six of the Building Pad Adjustments were approved for vacant Lots in preparation to build a new SFD. However, as mentioned above, none of the Building Pad modifications increased the Building Pad beyond 4,000 square feet.

Analysis

(I) The proposed Building Pad Adjustment and expanded Structure on Lot 30 of the Iron Canyon Subdivision complies with LMC Chapter 15-2.21 Sensitive Land Overlay (SLO) Zone Regulations.

The proposed Building Pad Adjustment would establish a slightly reduced Building Pad limit of 3,840 square feet and would shift the Limits of Disturbance further back on the Lot to align with the existing SFD.

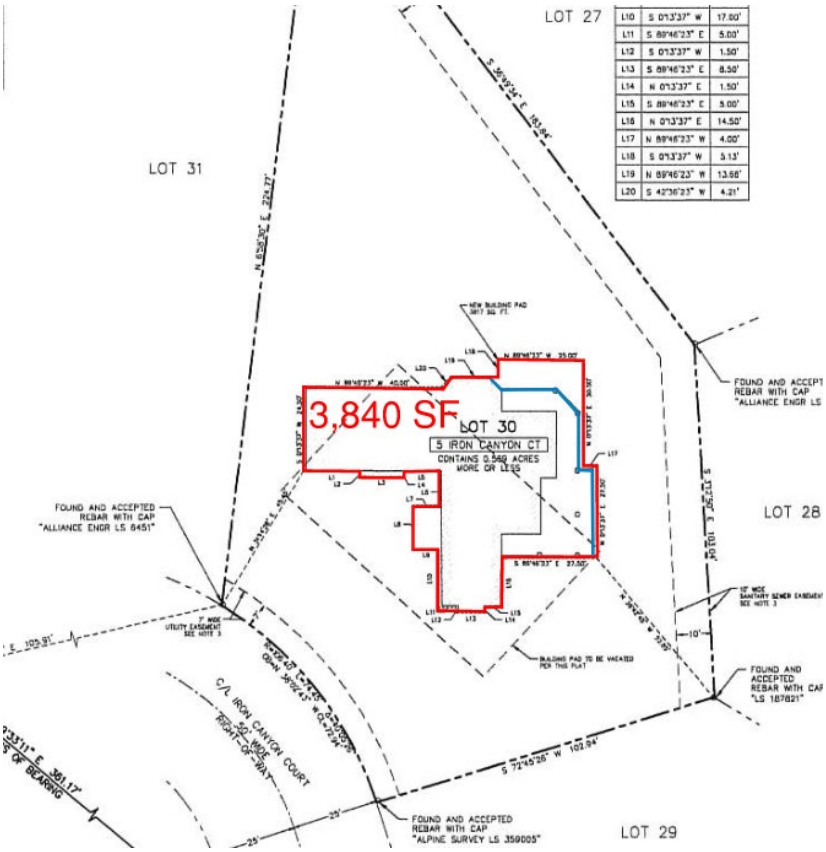


Figure 2: The original Building Pad is the rectangle indicated with a dashed line; the proposed Building Pad Adjustment is outlined in red. The blue line represents the existing building footprint

The property is within the SLO boundary; however, the area proposed for expansion of the SFD does not contain sensitive lands, pursuant to LMC § 15-2.21-3. The proposed deck and roof extension is located on the northeast side of the existing SFD, on the downhill slope that ranges in steepness between roughly 10% and 12.5%. There is also a small expanded upper floor area proposed on the southwest façade. The Applicant's existing conditions Survey shows the entire Lot slopes gently towards the northeast; there are no slopes greater than 30% and there are no ridgelines.

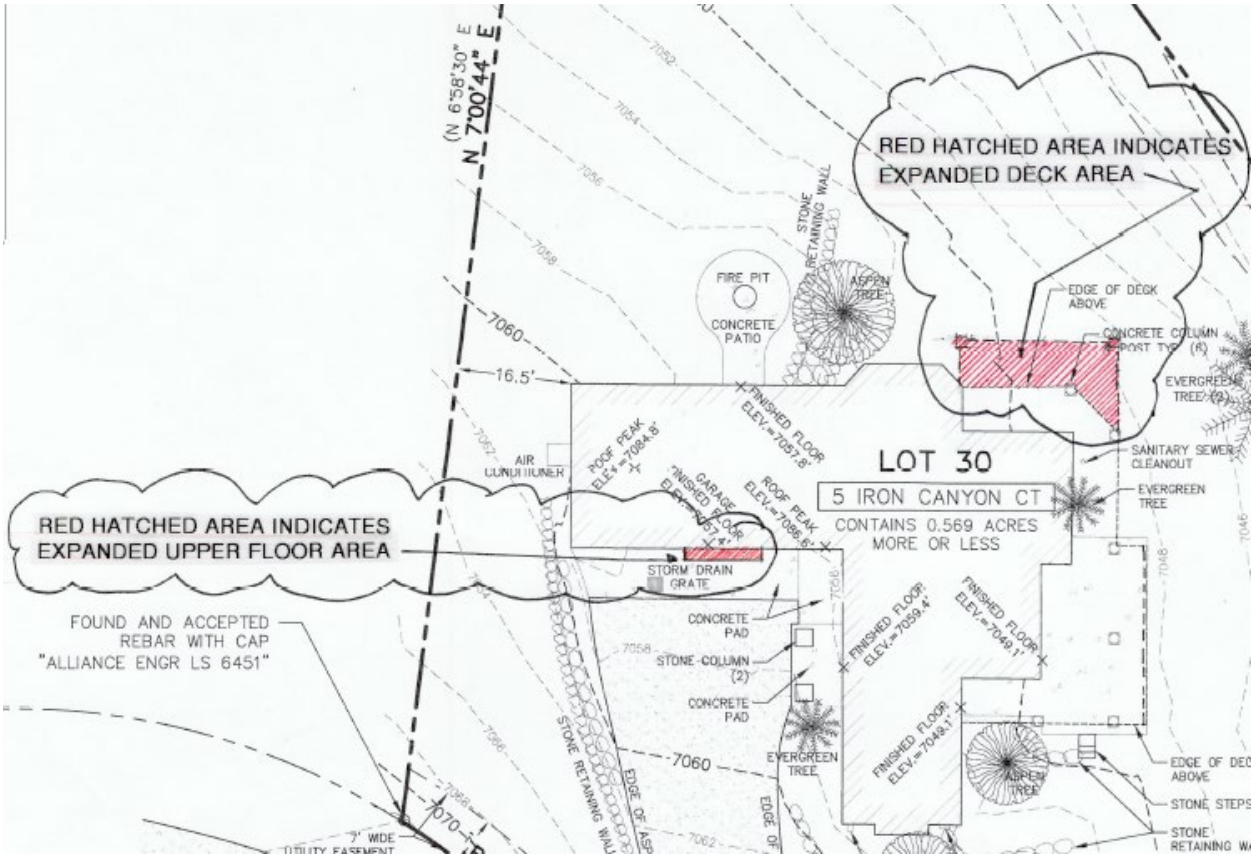


Figure 3: Applicant enhanced existing conditions survey with shaded areas showing the proposed deck expansions.

The existing SFD is surrounded by natural turf, shrub oak and minimal Significant Vegetation. There is no Significant Vegetation on the area of land proposed for the deck and roof extension. There is one small evergreen tree underneath the lower-level deck that will be preserved with the deck and roof extension.

The linear distance between 5 Iron Canyon Court and HWY 224 is 0.6 miles. The proposed deck expansion will not be visible from the northern entry corridor.



Figure 4: Googe Earth view of HW 224 and 5 Iron Canyon Court labeled with a yellow pinpoint.

The wooded area surrounding the SFD and the Significant Vegetation beyond the proposed Building Pad provides a natural visual buffer to neighboring homes.



Figure 5: Applicant's image of the northeast side of the property

(II) There is Good Cause for the proposed Plat Amendment to adjust the Building Pad of Lot 30 of the Iron Canyon Subdivision because it resolves an existing non-conformity and complies with the Sensitive Land Overlay criteria. [3]

[3] LMC §15-15-1

Pursuant to LMC § 15-7.1-3, a Plat Amendment shall be reviewed according to the requirements of Section 15-7.1-6 Final Subdivision Plat and approval shall require a finding of Good Cause.

LMC § 15-15-1 defines Good Cause as:

> *Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.*

The Plat Amendment to adjust the Building Pad will resolve an existing non-conformity by aligning the limits of disturbance with the existing SFD, which is currently outside the platted Building Pad boundary.

(III) The Development Review Committee reviewed the proposal on June 3, 2025 and did not raise any concerns with the proposed Building Pad Adjustment.[4]

Department Review

The Planning Department and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 28, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 27, 2025. The *Park Record* published courtesy notice on May 28, 2025.[5]

Public Input

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

Alternatives

The Planning Commission may:

- Approve the Plat Amendment to adjust the Boundary Pad for Lot 30.
- Deny the Plat Amendment to adjust the Boundary Pad, and direct staff to draft findings for the denial in the Final Action Letter.
- Request additional information and continue the discussion to a date certain

[4] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[5] LMC § 15-1-21

Exhibits

A: Draft Final Action Letter
B: Proposed Draft Plat Amendment for Lot 30
C: Iron Canyon Subdivision
D: Past Plat Amendments for Boundary Adjustments in Iron Canyon Subdivision
E: Existing Conditions Survey

Planning Department

June 11, 2025

Outside Adventures, LLC

CC: Otto Walker Architects

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	5 Iron Canyon Court
Zoning District:	Single Family (SF)
Application:	Plat Amendment – Boundary Pad Adjustment
Project Number:	PL-25-06524
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	June 11, 2025
Project Summary:	Applicant proposes amending the Iron Canyon Subdivision Lot 30 to adjust the Building Pad to align with the existing Single-Family Dwelling and to allow for a deck and roof extension.

Action Taken

On June 11, 2025, the Planning Commission conducted a public hearing and approved the Plat Amendment for a Boundary Pad Adjustment according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. 5 Iron Canyon Court is within the Iron Canyon Subdivision, recorded in 1983; each Lot has platted Building Pad limits of 4,000 square feet.
2. At least ten other Lots within the Iron Canyon Subdivision have completed Building Pad adjustments, none of which have exceeded the original 4,000 square foot Building Pad.
3. The existing Single-Family Dwelling (SFD) was constructed in 1994 outside of the platted Building Pad.
4. The Applicant submitted a Plat Amendment to adjust the Building Pad to align with the existing SFD and allow for a deck and roof extension.

5. The proposed new Building Pad will be reduced from 4,000 square feet to approximately 3,840 square feet.
6. The property is located within the Sensitive Lands Overlay (SLO).
7. The Applicant submitted SLO analysis materials and the Planning Department determined there are no Sensitive Lands that will be impacted by the proposed Building Pad Adjustment or deck and roof extension.
    a. The slopes on Lot 30 are less than 30%
    b. The area proposed for expansion consists of 10% to 12.5% slopes.
    c. There are no ridgelines on the property.
    d. There is no Significant Vegetation in the area proposed for expansion.
    e. The SFD and proposed area for expansion is visually buffered from neighboring properties by the vegetation surrounding the home.
8. Pursuant to LMC § 15-7.1-3, a Plat Amendment shall be reviewed according to the requirements of Section 15-7.1-6 Final Subdivision Plat and approval shall require a finding of Good Cause.

Conclusions of Law

1. The proposed Plat Amendment to adjust the Building Pad to allow for an expansion of the SFD meets the criteria for Good Cause, Pursuant LMC § 15-15-1, by resolving a non-conformity.
2. No Public Street, Right-of-Way, or easement has been vacated or amended as a result of the Plat Amendment.

Conditions of Approval

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 Amendment within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the Planning Commission.
3. New construction shall not occur outside the platted Building Pad per the approved Plat Amendment for Lot 30.

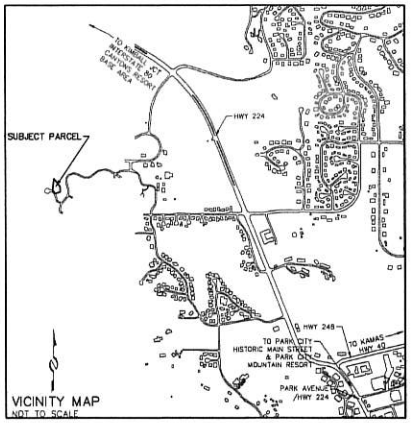
If you have questions or concerns regarding this Final Action Letter, please call 435-699-7741 or email elissa.martin@parkcity.org.

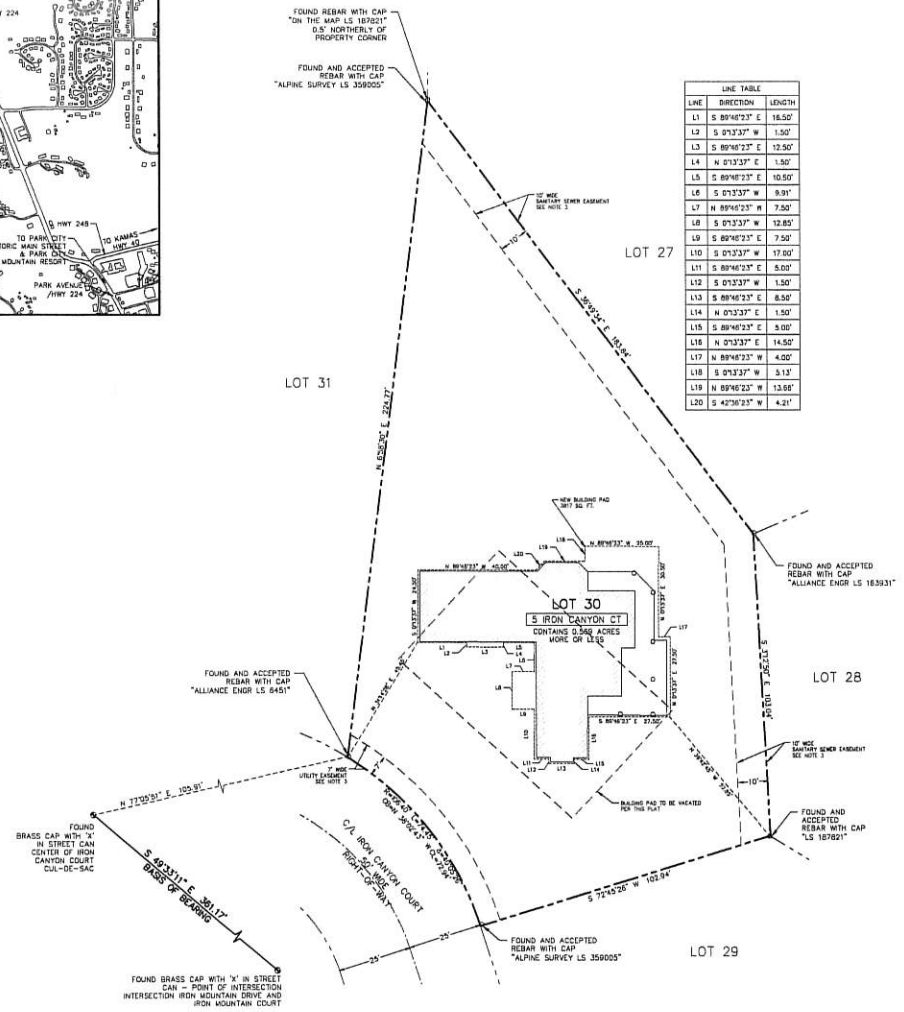
Planning Department

Sincerely,

Christin Van Dine, Planning Commission Chair

CC: Elissa Martin





LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 89°46'23" E	16.50'
L2	S 0°13'37" W	1.50'
L3	S 89°46'23" E	12.50'
L4	N 0°13'37" E	1.50'
L5	S 89°46'23" E	10.50'
L6	S 0°13'37" W	9.91'
L7	N 89°46'23" W	7.50'
L8	S 0°13'37" W	12.85'
L9	S 89°46'23" E	7.50'
L10	S 0°13'37" W	17.00'
L11	S 89°46'23" E	5.00'
L12	S 0°13'37" W	1.50'
L13	S 89°46'23" E	8.50'
L14	N 0°13'37" E	1.50'
L15	S 89°46'23" E	5.00'
L16	N 0°13'37" E	14.50'
L17	N 89°46'23" W	4.00'
L18	S 0°13'37" W	5.13'
L19	N 89°46'23" W	13.68'
L20	S 42°36'23" W	4.21'

DRAFT UNDER REVIEW

SURVEYOR'S CERTIFICATE

I, Charles Golati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyor Act. I further certify that by authority of the owners, I have completed a survey of the property described hereon in accordance with Utah Code Section 17-23-17, have verified all measurements, and have adjusted the building pad as shown hereon, hereafter to be known as IRON CANYON SUBDIVISION LOT 30 - BUILDING PAD ADJUSTMENT, and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

LOT 30 IRON CANYON SUBDIVISION according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the _____ of OUTSIDE VENTURES LLC, he owner of the above described tract of land, and hereby causes the same to be amended as set forth to be hereafter known as IRON CANYON SUBDIVISION LOT 30 - BUILDING PAD ADJUSTMENT.

In witness whereof, the undersigned set his hand this _____ day of _____, 2025.

OUTSIDE VENTURES LLC

By: _____

_____, Its _____

ACKNOWLEDGEMENT

STATE OF UTAH)
:ss.
COUNTY OF SUMMIT)

On this ____ day of _____, 2025, _____ personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is signing as _____ of the OUTSIDE VENTURES LLC.

Notary Public

_____

Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2025-____.
2. The purpose of this plat amendment is to vacate the existing (original) building pad and provide the location and dimensions of the new building pad.
3. See Record of Survey S- 11321 on file with the Summit County Recorder performed by Allterra Utah LLC.

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

20' 0 20' 40'

1" = 20' (24" x 36" SHEET SIZE)

PROFESSIONAL LAND SURVEYING AND CONSULTING

ALLTERRA UTAH, LLC

435-640-9200

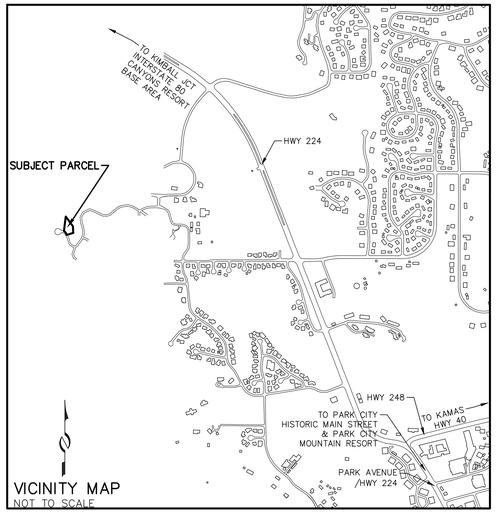
ALLTERRAUTAH.COM 1470 OFFICE ROAD, FRANCIS, UTAH 84036

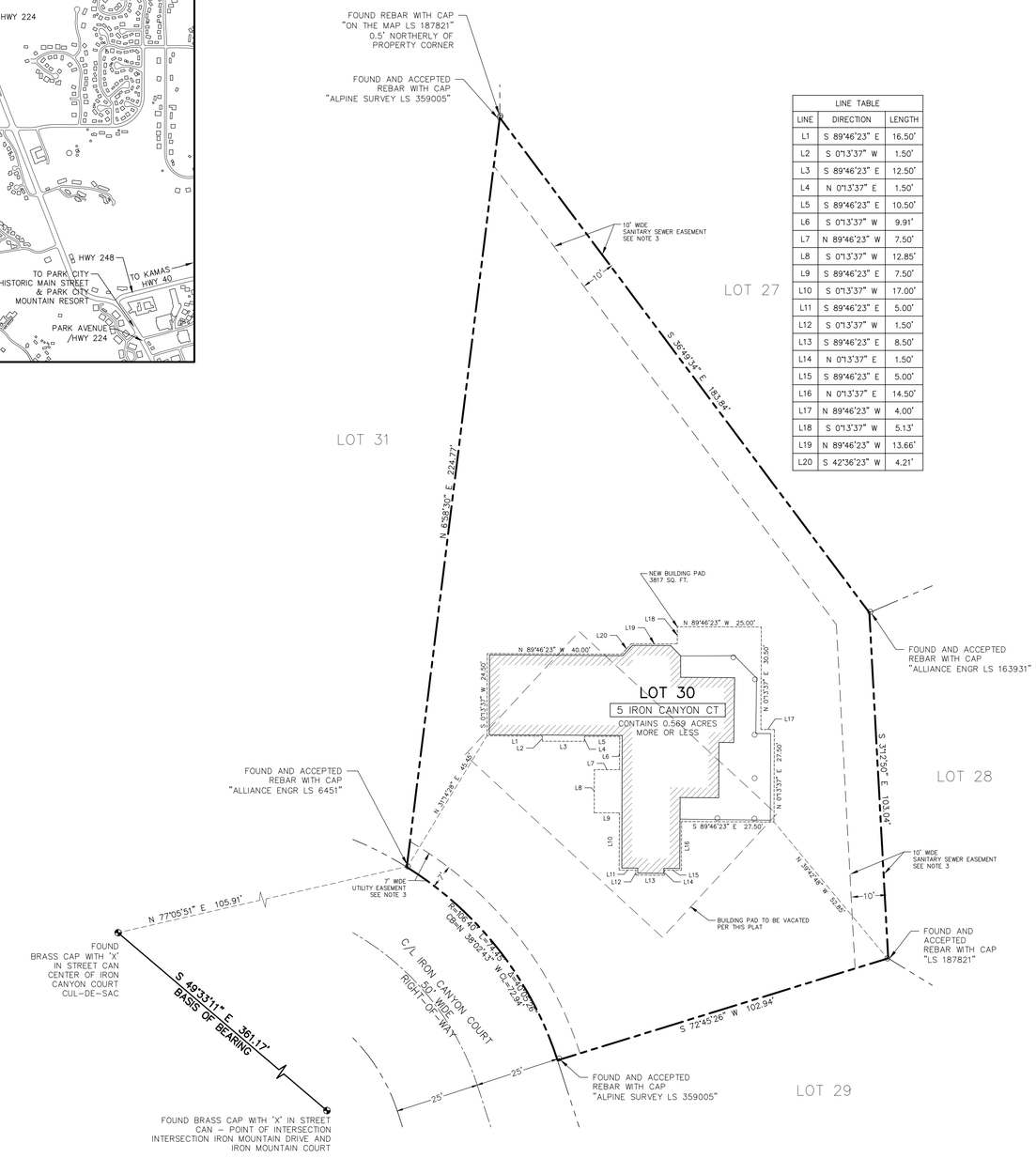
IRON CANYON SUBDIVISION LOT 30 - BUILDING PAD ADJUSTMENT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH

4/29/25 SHEET 1 OF 1

PUBLIC SAFETY ANSWERING POINT APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED ON THIS___DAY OF _____, 2025	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS___DAY OF _____, 2025	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS___DAY OF _____, 2025	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS___DAY OF _____, 2025	APPROVED AS TO FORM THIS ___DAY OF _____, 2025	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 2025	I CERTIFY THIS PLAT WAS APPROVED BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 2025	STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
BY_____ SUMMIT COUNTY GIS COORDINATOR	BY_____	BY_____ CHAIR	BY_____ PARK CITY ENGINEER	BY_____ PARK CITY ATTORNEY	BY_____ MAYOR	BY_____ PARK CITY RECORDER	FEE _____ SUMMIT COUNTY RECORDER TIME _____ DATE _____ ENTRY NO. _____





LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 89°46'23" E	16.50'
L2	S 01°13'37" W	1.50'
L3	S 89°46'23" E	12.50'
L4	N 01°13'37" E	1.50'
L5	S 89°46'23" E	10.50'
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L18	S 01°13'37" W	5.13'
L19	N 89°46'23" W	13.66'
L20	S 42°36'23" W	4.21'

DRAFT
REVIEW

SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyor Act; I further certify that by authority of the owner, I have completed a survey of the property described hereon in accordance with Utah Code Section 17-23-17, have verified all measurements, and have adjusted the building pad as shown hereon, hereafter to be known as IRON CANYON SUBDIVISION LOT 30 - BUILDING PAD ADJUSTMENT, and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

PROFESSIONAL LAND SURVEYOR
No.7248891
CHARLES
GALATI
State of Utah

LEGAL DESCRIPTION

LOT 30 IRON CANYON SUBDIVISION according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the _____ of OUTSIDE VENTURES LLC, he owner of the above described tract of land, and hereby causes the same to be amended as set forth to be hereafter known as IRON CANYON SUBDIVISION LOT 30 - BUILDING PAD ADJUSTMENT.

In witness whereof, the undersigned set his hand this _____ day of _____, 2025.

OUTSIDE VENTURES LLC

By: _____
_____, its _____

ACKNOWLEDGEMENT

STATE OF UTAH)
:ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 2025, _____personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is signing as _____of the OUTSIDE VENTURES LLC.

_____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires:_____

Commission No._____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2025-_____.
2. The purpose of this plat amendment is to vacate the existing (original) building pad and provide the location and dimensions of the new building pad.
3. See Record of Survey S- 11321 on file with the Summit County Recorder performed by Allterra Utah LLC.

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

20' 0 20' 40'
1" = 20' (24" X 26" SHEET SIZE)

PROFESSIONAL LAND SURVEYING AND CONSULTING

ALLTERRA UTAH, LLC

435-640-4200

463 SCENIC HEIGHTS ROAD, FRANCIS, UTAH 84036

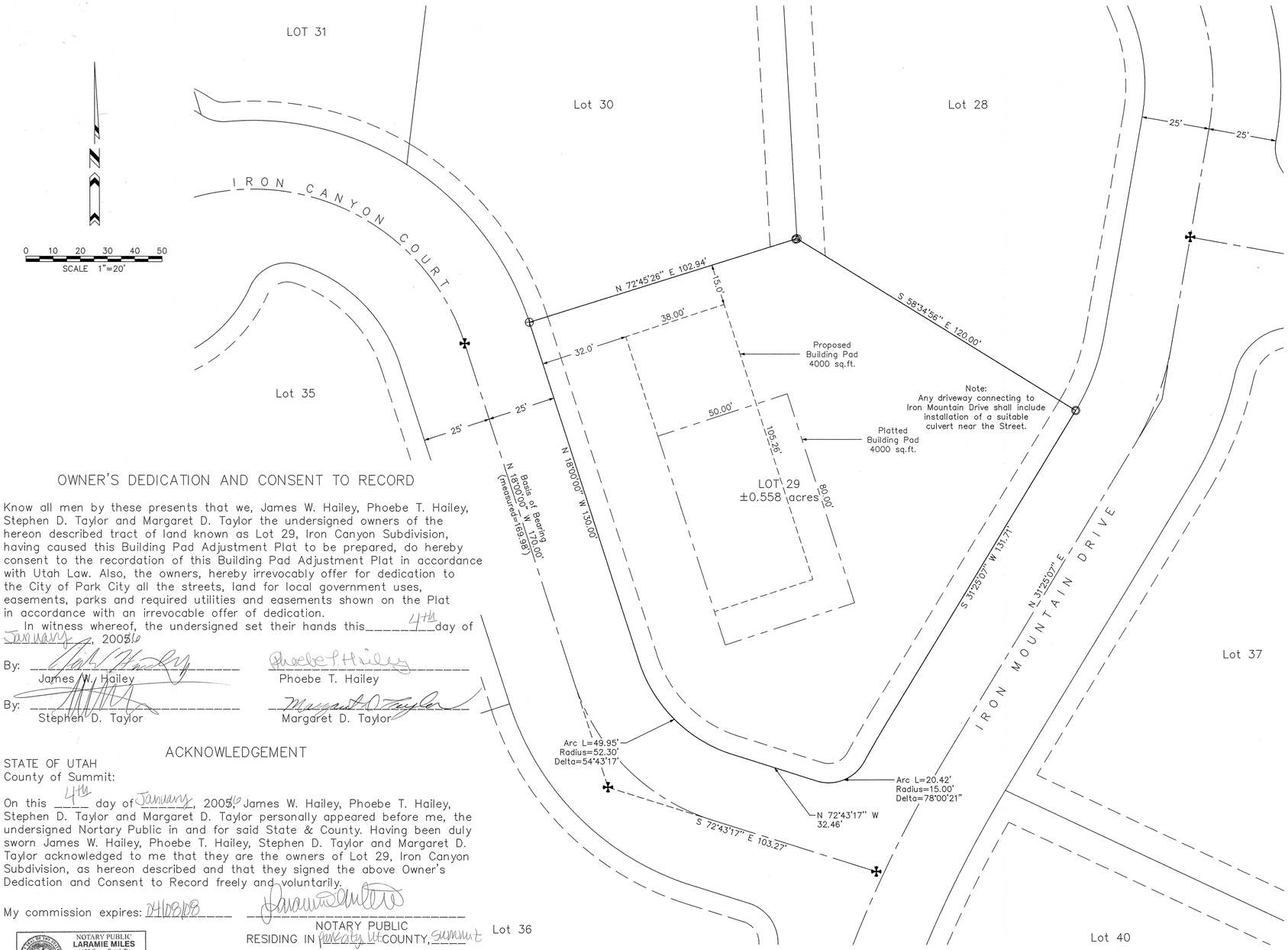
IRON CANYON SUBDIVISION LOT 30 - BUILDING PAD ADJUSTMENT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH

4/29/25 SHEET 1 OF 1

PUBLIC SAFETY ANSWERING POINT APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED ON THIS___DAY OF _____, 2025	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS___DAY OF _____, 2025	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS___DAY OF _____, 2025	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS___DAY OF _____, 2025	APPROVED AS TO FORM THIS ___DAY OF _____, 2025	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 2025	I CERTIFY THIS PLAT WAS APPROVED BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 2025	STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
BY_____ SUMMIT COUNTY GIS COORDINATOR	BY_____	BY_____ CHAIR	BY_____ PARK CITY ENGINEER	BY_____ PARK CITY ATTORNEY	BY_____ MAYOR	BY_____ PARK CITY RECORDER	_____ FEE _____ SUMMIT COUNTY RECORDER TIME _____ DATE _____ ENTRY NO. _____

Iron Canyon Subdivision
Lot 29
Building Pad Adjustment



NARRATIVE

1. Survey requested by: James W. Hailey, et al.
2. Purpose of survey: building pad adjustment.
3. Basis of survey: found Street Monuments as shown.
4. Property monuments found as shown.
5. Located in the Southwest Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
6. See the official plat of Iron Canyon Subdivision, for other ~~possible~~ easements, restrictions or setbacks.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. The Street address of the Lot is 2451 Iron Mountain Drive.

LEGAL DESCRIPTION

All of Lot 29, Iron Canyon Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; containing 0.558 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that we, James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor the undersigned owners of the hereon described tract of land known as Lot 29, Iron Canyon Subdivision, having caused this Building Pad Adjustment Plat to be prepared, do hereby consent to the recordation of this Building Pad Adjustment Plat in accordance with Utah Law. Also, the owners, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the Plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set their hands this 4th day of January, 2006.

By: _____ James W. Hailey

_____ Phoebe T. Hailey

By: _____ Stephen D. Taylor

_____ Margaret D. Taylor

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this 4th day of January, 2006 James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor personally appeared before me, the undersigned Nortary Public in and for said State & County. Having been duly sworn James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor acknowledged to me that they are the owners of Lot 29, Iron Canyon Subdivision, as hereon described and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: 4/08/08

_____
NOTARY PUBLIC
RESIDING IN Park City, Ut COUNTY, Summit

NOTARY PUBLIC
LARAMIE MILES
1100 Snow Creek Dr
Park City, UT 84060
My Commission Expires
April 8, 2008
STATE OF UTAH

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.

STATE OF UTAH
12/13/05
J.D. GAILEY
No. 359005
REGISTERED LAND SURVEYOR

Dec. 13, 05
Date

_____
J.D. Gailey, LAND S#359005

Legend

- ✣ Found Street Monument
- ⊕ Found rebar & cap–LS 359005
- ⊛ Found rebar & cap–LS 163961
- ⊙ Found rebar & cap–LS 187821
- Utility & Drainage Easement
- Platted Building Pad
- Proposed Building Pad

Alpine Survey, Inc.
19 Prospector Dr.
Park City, Utah 84060
(435) 655–8016

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 4th DAY OF Jan., 2006
BY: _____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12 DAY OF January, 2006 A.D.
BY _____ CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 5TH DAY OF January, 2006 A.D.
BY Eric W. DeHaan PE
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 17 DAY OF January, 2006 A.D.
BY _____ PARK CITY ATTORNEY

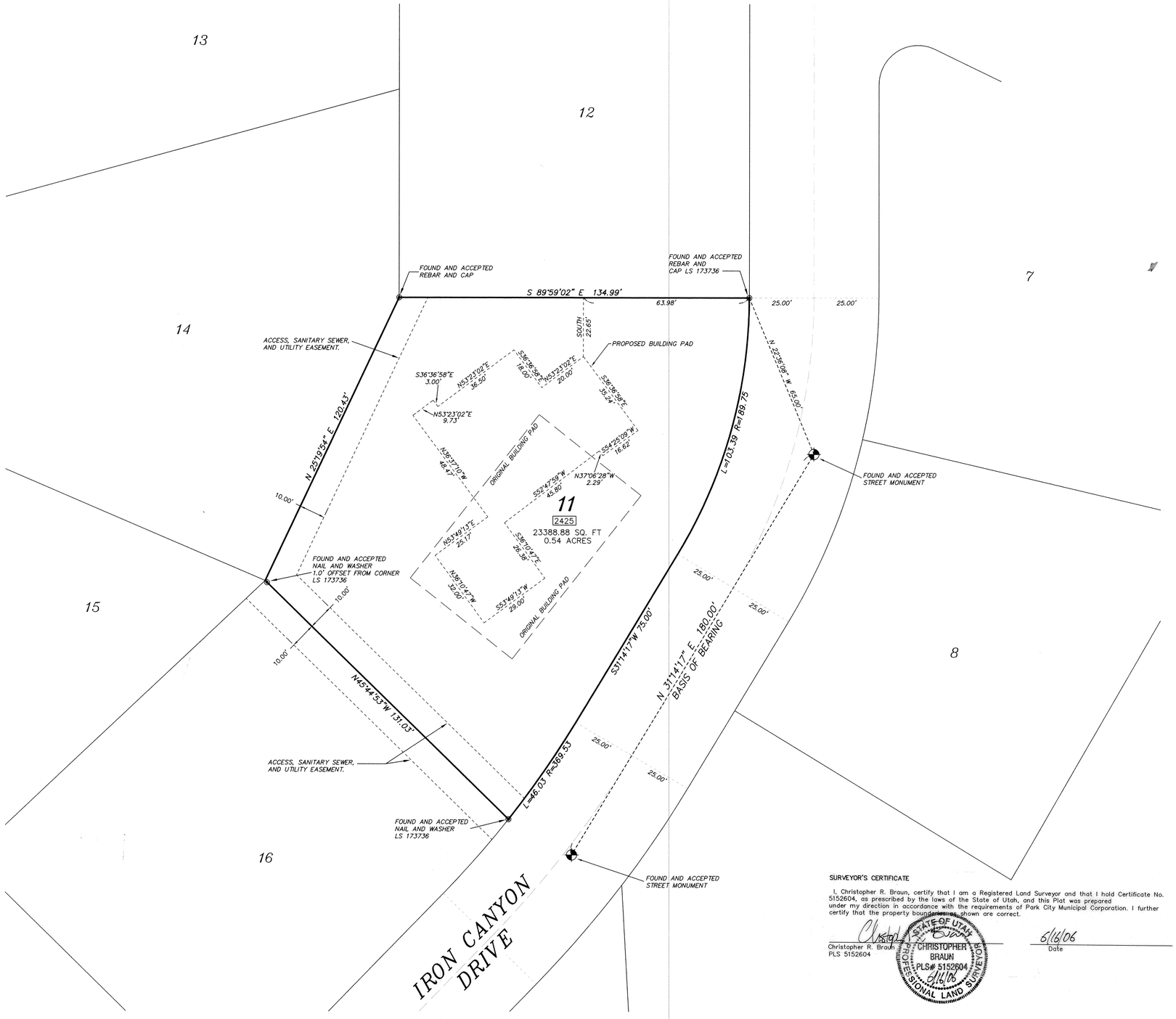
CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 10 DAY OF November, 2005 A.D.
BY _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 10th DAY OF November, 2005 A.D.
BY Dana Williams MAYOR

RECORDED
#767452
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF First American Title
DATE 2/3/06 TIME 12:37PM BOOK ___ PAGE ___
31.00 FEE
Mary Ann Trussell - deputy RECORDER

IRON CANYON SUBDIVISION AMENDMENT TO LOT 11

LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN SUMMIT COUNTY, UTAH



OWNERS DEDICATION AND ACKNOWLEDGMENT FOR LOT 11 IRON CANYON SUBDIVISION PLAT AMENDMENT.

Known all men by these presents: That the undersigned are the owners of the herein described tract of land, hereafter to be known as the Lot 11 Iron Canyon Subdivision Plat Amendment. In witness to thereof we have here into set our hands this _____ day of _____ 2006.

Michael E. Corcoran Gail B. Corcoran

ACKNOWLEDGMENT

State of ~~Utah~~ Connecticut
County of ~~Summit~~ Fairfield

On this 23 day of June, 2006, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, Michael G. Corcoran and Gail B. Corcoran, being duly sworn acknowledged to me that they are the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public My commission expires: _____

Leslie A. Marchese
Notary Public
State of Connecticut
My Commission Expires
October 31, 2009

LEGAL DESCRIPTION

ALL OF LOT 11 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.

THE PURPOSE OF THIS PLAT AMENDMENT IS TO CHANGE THE BUILDING PAD TO BETTER REFLECT THE LOCATION OF THE CURRENT AND PROPOSED STRUCTURE ON THE LOT.

ORIGINAL BUILDING PAD AREA	PROPOSED BUILDING PAD AREA
4,000 SQUARE FEET	3983.3 SQUARE FEET

BUILDING PAD AREA DECREASED
16.7 SQUARE FEET

2425 ADDRESS ON IRON CANYON DRIVE

NORTH

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries shown are correct.

Christopher R. Braun
PLS 5152604

STATE OF UTAH · CHRISTOPHER R. BRAUN · PLS# 5152604 · 6/16/06 · PROFESSIONAL LAND SURVEYOR

6/16/06
Date

[redacted]

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS 1st DAY OF JUNE A.D. 2006. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

Dana Williams
MAYOR
Jan H. Scott
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 18TH DAY OF JULY A.D. 2006

Eric W. Oddan PE
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 24th DAY OF MAY A.D. 2006.

CHAIRMAN

SEWER DISTRICT APPROVAL

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 16th DAY OF June A.D. 2006.

S.B.W.R.D.

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 11th DAY OF August A.D. 2006

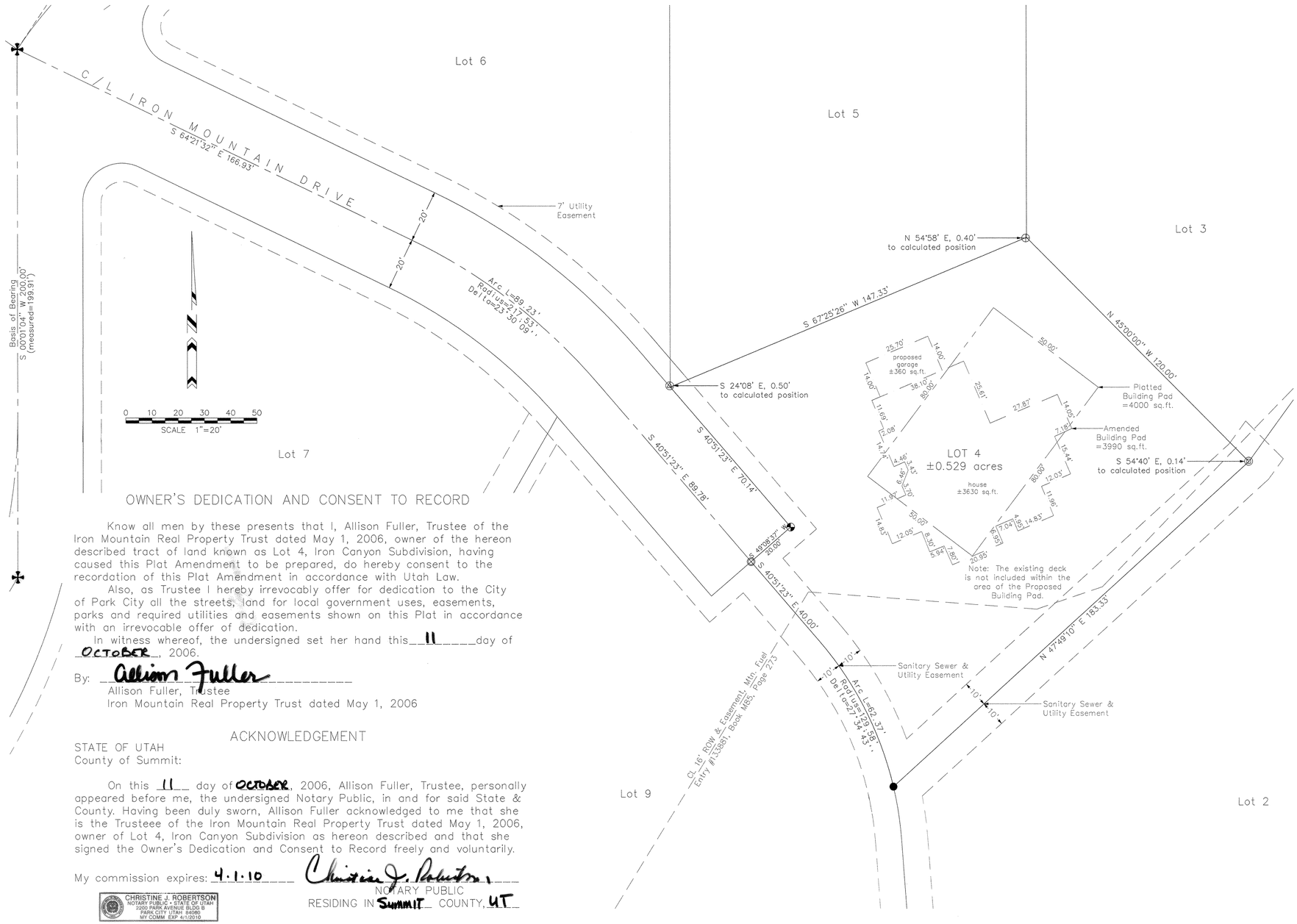
CITY ATTORNEY

RECORDED

Nº 788378
STATE OF Utah.
COUNTY OF Summit.
RECORDED AND FILED AT THE REQUEST OF:
Equity Title
Date: 8-24-06 Time: 8:38 a.m.
Fee: $ 31.00 Jennie B. Bowen, Deputy
COUNTY RECORDER

PARK CITY SURVEYING
P.O. BOX 3003 PARK CITY, UTAH 84060
435-649-2918 FAX 649-4637

Iron Canyon Subdivision
Lot 4
Plat Amendment



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that I, Allison Fuller, Trustee of the Iron Mountain Real Property Trust dated May 1, 2006, owner of the hereon described tract of land known as Lot 4, Iron Canyon Subdivision, having caused this Plat Amendment to be prepared, do hereby consent to the recordation of this Plat Amendment in accordance with Utah Law.

Also, as Trustee I hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on this Plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set her hand this 11 day of OCTOBER, 2006.

By: Allison Fuller
Allison Fuller, Trustee
Iron Mountain Real Property Trust dated May 1, 2006

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this 11 day of OCTOBER, 2006, Allison Fuller, Trustee, personally appeared before me, the undersigned Notary Public, in and for said State & County. Having been duly sworn, Allison Fuller acknowledged to me that she is the Trusteee of the Iron Mountain Real Property Trust dated May 1, 2006, owner of Lot 4, Iron Canyon Subdivision as hereon described and that she signed the Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: 4.1.10

CHRISTINE J. ROBERTSON
NOTARY PUBLIC • STATE OF UTAH
2200 PARK AVENUE BLDG B
PARK CITY UTAH 84060
MY COMM EXP 4/1/2010

Christine J. Robertson
NOTARY PUBLIC
RESIDING IN SUMMIT COUNTY, UT

NARRATIVE

1. Survey requested by: Allison Fuller.
2. Purpose of survey: building pad adjustment.
3. Basis of survey: found Street Monuments as shown.
4. Property monuments found as shown.
5. Located in the Southwest Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
6. See the official plat of Iron Canyon Subdivision, for other possible easements, restrictions or setbacks.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. The Street address of Lot 4 is 2409 Iron Mountain Drive.

LEGAL DESCRIPTION

All of Lot 4, Iron Canyon Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; containing 0.529 acres, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.

STATE OF UTAH 10/6/06 J.D. GAILEY 359005 PROFESSIONAL LAND SURVEYOR

10/6/06
Date

J.D. Gailey 359005

Legend

- ✢ Found Street Monument
- ⊕ Found rebar & cap–LS 173736
- ⊡ Found rebar & cap–LS 154491
- ⊿ Found rebar & cap–LS 163486
- ○ Found rebar & cap–unreadable
- ● Found 5/8" rebar–no cap
- ◔ Found rebar & cap–LS 359005
- Utility & Drainage Easement
- Platted Building Pad
- Proposed Building Pad

Alpine Survey, Inc. 19 Prospector Dr. Park City, Utah 84060 (435) 655-8016	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 11th DAY OF Oct., 2006. BY: _____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 23rd DAY OF August, 2006 A.D. BY _____ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12th DAY OF OCTOBER, 2006 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 27th DAY OF October, 2006 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 14th DAY OF September, 2006 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 14th DAY OF September, 2006 A.D. BY _____ MAYOR	# 795864 RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Equity Title DATE 11-6-06 TIME 10:57 AM BOOK ____ PAGE ____ $31.00 FEE RECORDER

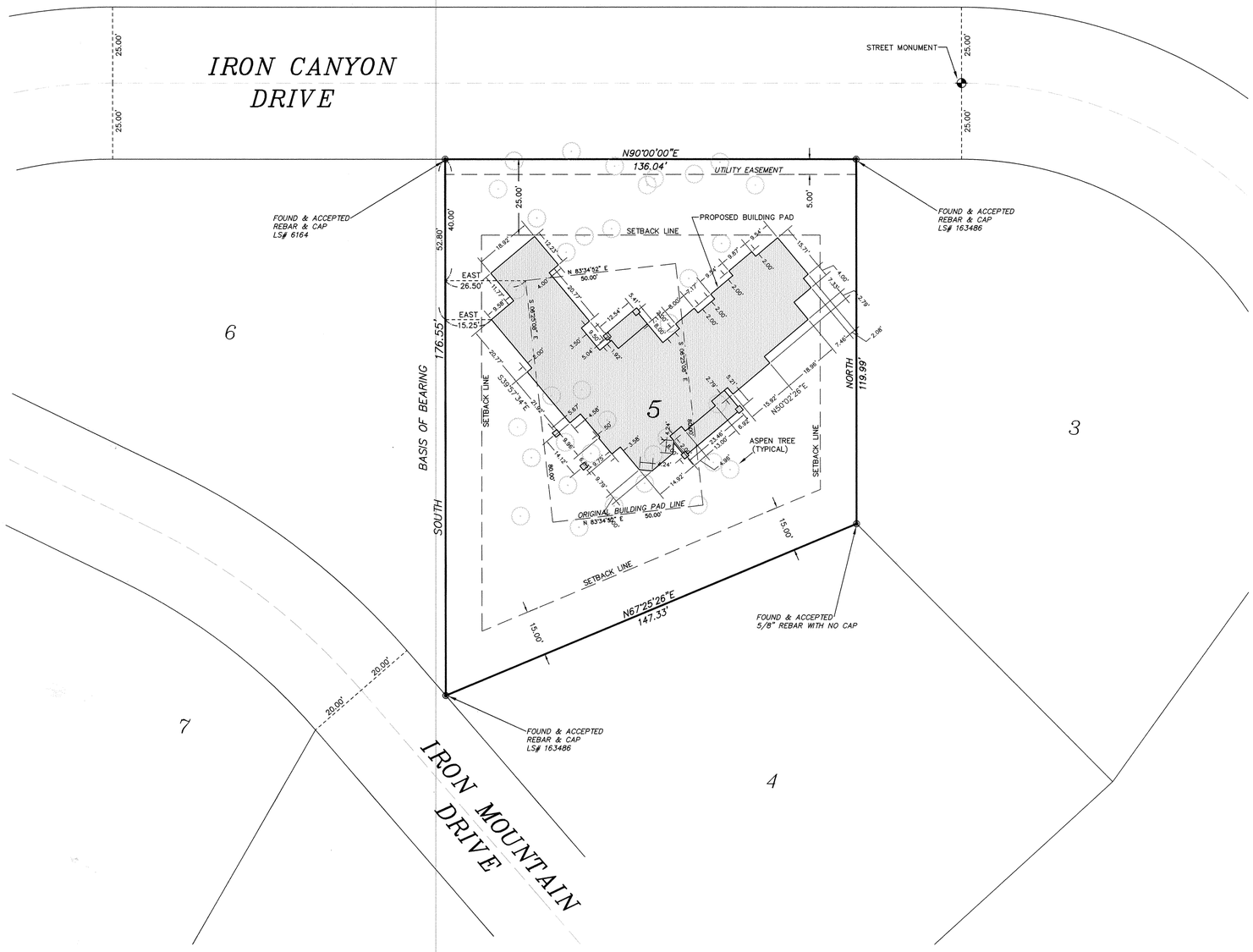
IRON CANYON LOT 5 AMENDED SUBDIVISION

LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN SUMMIT COUNTY, UTAH

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.



NORTH

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries, as shown are correct.

Christopher R. Braun
PLS 5152604

10/16/06
Date

STATE OF UTAH — CHRISTOPHER BRAUN — PLS# 5152604 — 10/16/06 — PROFESSIONAL LAND SURVEYOR

OWNERS DEDICATION AND ACKNOWLEDGMENT FOR LOT 5 IRON CANYON SUBDIVISION PLAT AMENDMENT.

Known all men by these presents: That the undersigned ~~are~~ is the owner~~s~~ of the herein described tract of land, hereafter to be known as IRON CANYON LOT 5 AMENDED SUBDIVISION
In witness to thereof we have here into set our hands this _____ day of _____
2006.

~~Keith G. Barnhart, Trustee of The Barnhart Family Trust dated February 28, 2001~~
SCOTT L. JAFFA NOVEMBER 30, 2006

~~Connie R. Barnhart, Trustee of The Barnhart Family Trust dated February 28, 2001~~

ACKNOWLEDGMENT

State of Utah:
County of Summit:

On this 30 day of November 2006, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, ~~Keith G. Barnhart and Connie R. Barnhart, Trustees of The Barnhart Family Trust dated February 28, 2001~~, being duly sworn acknowledged to me that they are the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily. SCOTT L. JAFFA, NOVEMBER, 30 2006

Sharon C Bauman
Notary Public

My commission expires: 7-13-2010

NOTARY PUBLIC SHARON E. BAUMAN 445 Marsac Avenue, P.O. Box 1480 Park City, Utah 84060 My Commission Expires July 13, 2010 State of Utah

LEGAL DESCRIPTION
ALL OF LOT 5 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.

THE BUILDING PAD ON THIS LOT MUST BE WITHIN THE SETBACK LINES SHOWN ON THE RECORDED IRON CANYON SUBDIVISION PLAT AND MUST MAINTAIN A MAXIMUM AREA EQUAL TO OR LESS THAN THE ORIGINAL BUILDING PAD'S 4000 SQ. FEET.

PROPOSED BUILDING PAD SIZE: 3824 SQ. FEET

ALL OTHER CONDITIONS OF APPROVAL AND PLATTED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION WILL CONTINUE TO APPLY.

THE STREET ADDRESS OF LOT 5 IS 2414 IRON CANYON DRIVE.

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS 28th DAY OF SEPTEMBER A.D. 2006. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

Dana Williams
MAYOR
Jan M Scott
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 30TH DAY OF NOVEMBER A.D. 2006

Eric W. DeHaan PE
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF SEPTEMBER A.D. 2006.

CHAIRMAN

SEWER DISTRICT APPROVAL

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 17th DAY OF November A.D. 2006.

S.B.W.R.D.

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 12TH DAY OF December A.D. 2006

CITY ATTORNEY

RECORDED

Nº. 799969 DATE 12/22/06 TIME 3:19 PM
STATE OF UTAH.
COUNTY OF SUMMIT.
RECORDED AND FILED AT THE REQUEST OF:
FIRST AMERICAN TITLE CO OF UTAH
FEE $31.00

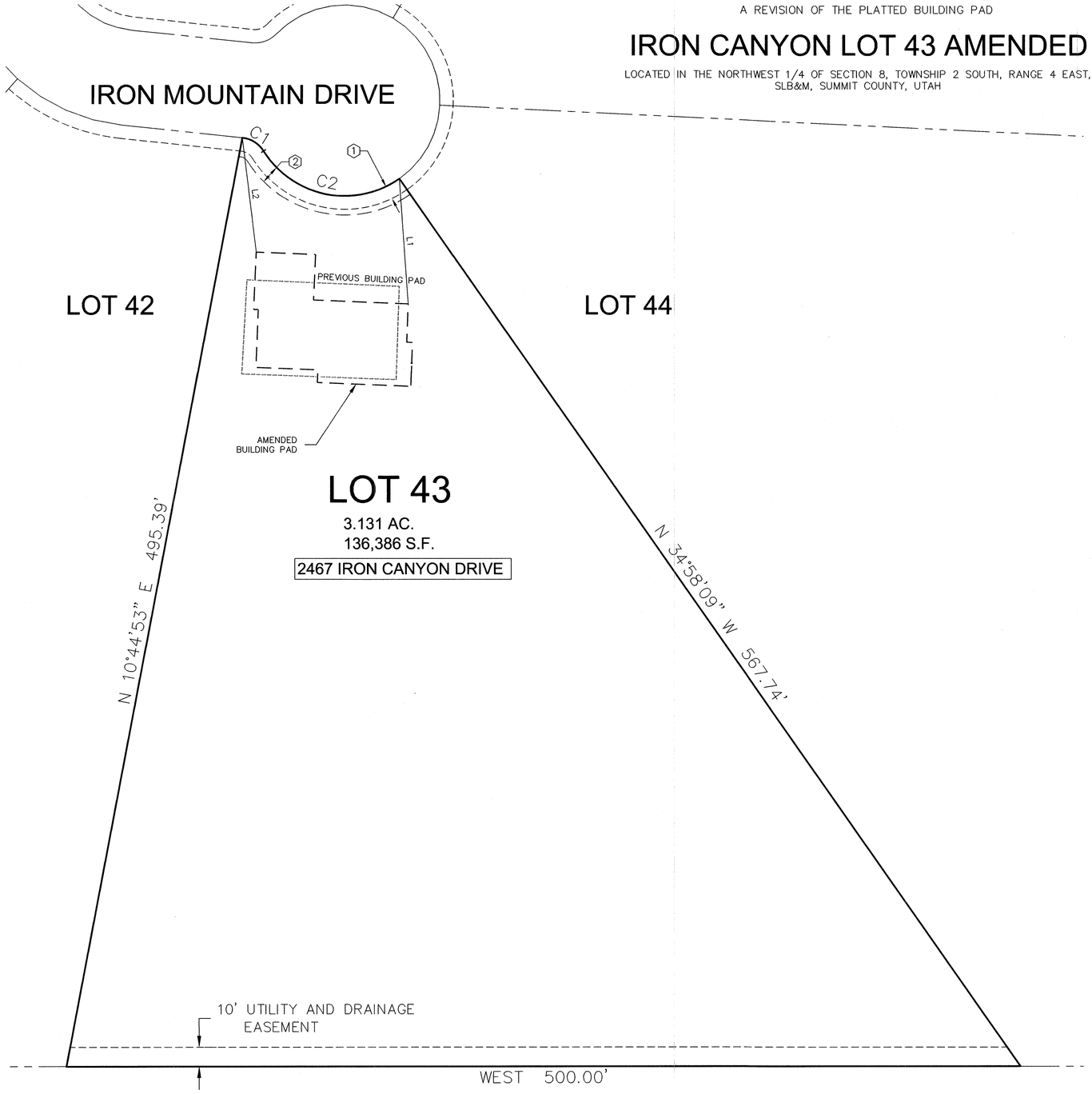
Alan Spriggs
COUNTY RECORDER

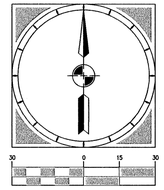
PARK CITY SURVEYING, INC.
P.O. BOX 3003 PARK CITY, UTAH 84060
435-649-2918 FAX 649-4637

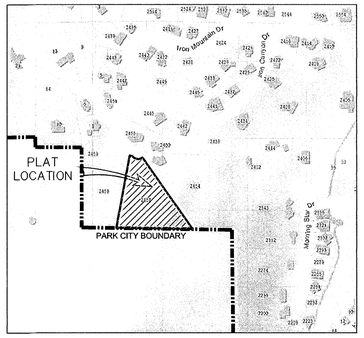
A REVISION OF THE PLATTED BUILDING PAD

IRON CANYON LOT 43 AMENDED

LOCATED IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M, SUMMIT COUNTY, UTAH







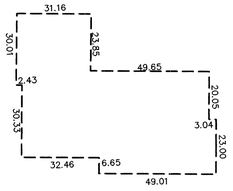
VICINITY MAP

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 04°04'42" E	65.77'
L2	S 06°55'00" E	60.37'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	13.62'	15.00'	52°01'12"	S 57°59'24" E	13.16'
C2	81.15'	50.00'	92°59'21"	S 78°28'28" E	72.53'



NEW BUILDING PAD DIMENSIONS

LEGEND

- LOT 43 PROPERTY LINES
- ADJACENT PROPERTY LINES
- (1) 7' WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LINE
- (2) 10' WIDE SNOW STORAGE EASEMENT

BOUNDARY DESCRIPTION

ALL OF LOT 43 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH (REF. NO. 145796) IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT:

1. I HAVE REVIEWED THIS PLAT AS IT RELATES TO AN ADJUSTMENT TO THE BUILDING PAD SIZE AND LOCATION ON LOT 43 OF THE IRON CANYON PLAT.

2. THE BOUNDARY OF LOT 43 OF THE IRON CANYON PLAT IS UNCHANGED FROM THE IRON CANYON PLAT ON FILE AND RECORDED WITH THE SUMMIT COUNTY RECORDERS OFFICE.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

7.14.17
DATE

PROFESSIONAL LAND SURVEYOR
No. 145796
BING CHRISTENSEN
7-14-17
State of Utah
SURVEYOR'S SEAL

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, HEREAFTER TO BE KNOWN AS IRON CANYON LOT 43 AMENDED HEREBY CONSENTS TO RECORD THIS PLAT AMENDMENT AND HEREBY GRANT EASEMENTS TO PARK CITY SHOWN HEREIN.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS 15 DAY OF July, 2017.

KYLE CONTI, A MARRIED MAN

Kyle Conti
PRINTED NAME

7-15-2017
DATE

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF WASATCH } S.S.

ON THIS 15 DAY OF July, 2017 KYLE CONTI PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BY ME DULY SWORN/ AFFIRMED THAT HE ACKNOWLEDGED TO ME THAT HE SIGNED THIS PLAT AMENDMENT FOR THE PURPOSES STATED HEREIN.

JENNIFER BALLS
Notary Public
State of Utah
Comm. No. 681001
My Comm. Expires Jan 7 20

NOTARY PUBLIC

PLAT NOTES

1. THE BUILDING PAD ON THIS LOT MUST BE WITHIN THE SETBACK LINES AS PER THE LAND MANAGEMENT CODE, "SECTION 15-2.11-3 LOT AND SITE REQUIREMENTS" UNLESS OTHERWISE NOTED. THE MAXIMUM AREA AREA MUST BE LESS THAN OR EQUAL TO THE ORIGINAL BUILDING PAD'S 4000 SQ. FEET.

2. THE PREVIOUS BUILDING PAD IS ADJUSTED TO MATCH NEW BUILDING PAD. SIZE OF BUILDING PAD IS 4,000 SQ. FEET

3. ALL OTHER CONDITIONS OF APPROVAL AND PLATTED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION WILL CONTINUE TO APPLY.

4. THE STREET ADDRESS OF LOT 43 IS 2467 IRON MOUNTAIN DRIVE.

5. MODIFIED 13-D SPRINKLERS ARE REQUIRED BY THE CHIEF BUILDING OFFICIAL FOR NEW CONSTRUCTION AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.

6. THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2017-18.

JOB NO.:C16-041 FILE: Z:/CURRENT PROJECTS/ C16-041/WORKING FILES/ SURVEY/ LOT 43-PLAT AMENDMENT FINAL.DWG

Summit Engineering Group Inc.
Structural • Civil • Surveying
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-654-9229 • F: 435-654-9231

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 27TH DAY OF APRIL, 2017.

MAYOR

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY THE PARK CITY COUNCIL THIS 31 DAY OF July, 2017.

PARK CITY RECORDER

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 28th DAY OF July, 2017.

PARK CITY ATTORNEY

PARK CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS 12TH DAY OF APRIL 2017.

CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE INFORMATION ON FILE AND IN MY OFFICE ON THIS 14th DAY OF July, 2017.

PARK CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 17th DAY OF July, 2017.

S.B.W.R.D.

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF: FIRST AMERICAN TITLE CO

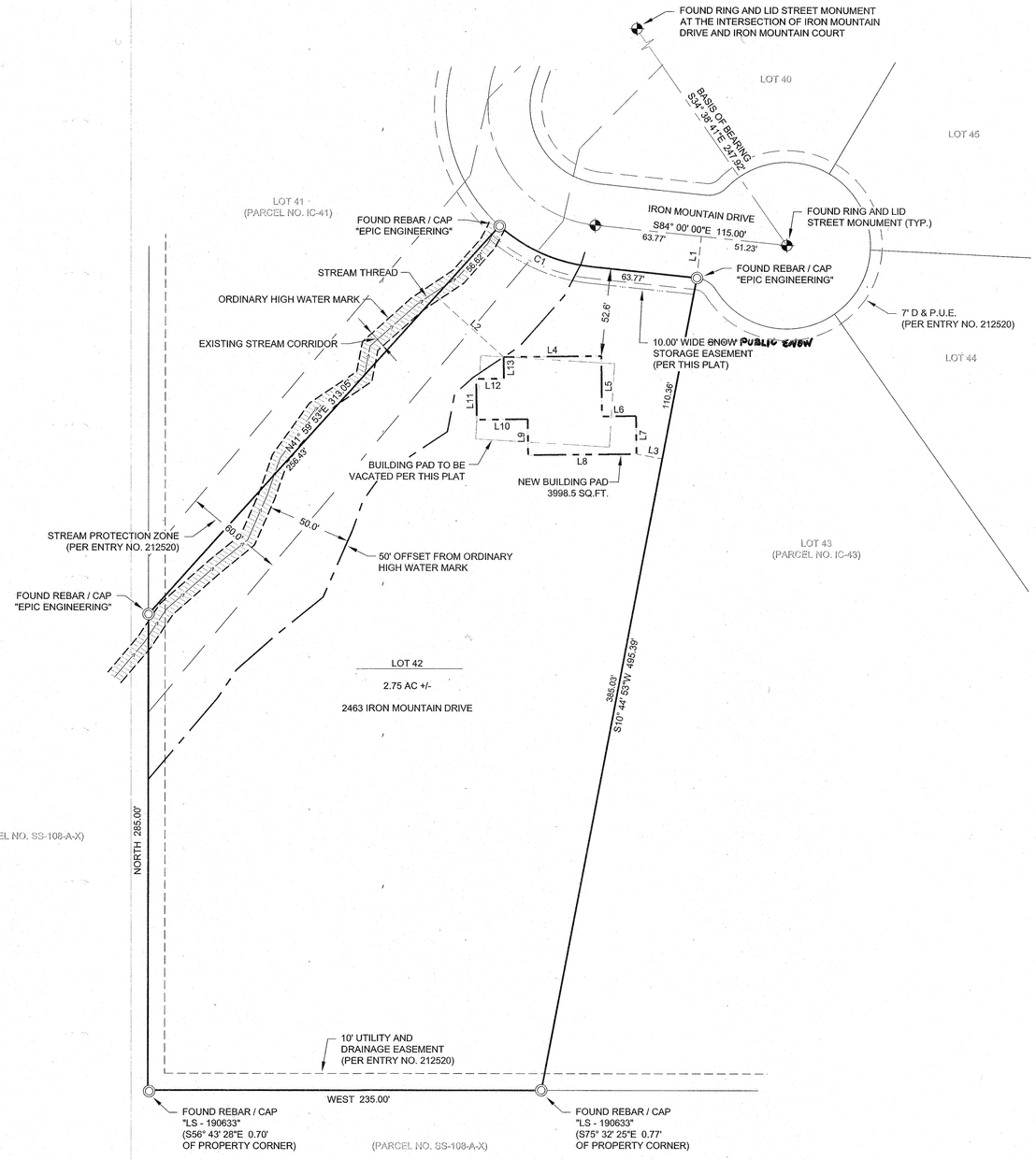
DATE 8/16/17 TIME 11:36am BOOK — PAGE —

10755566 ENTRY # 431.00 FEE C. Willoughby - Deputy COUNTY RECORDER

IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT

LOCATED IN THE:
NORTHWEST QUARTER SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH





Parcel Line Table		
Line #	Length	Direction
L1	25.00	S06°00'00"W
L2	54.43	S48°00'07"E
L3	15.64	S79°15'07"E
L4	58.35	N89°20'34"E
L5	36.07	S00°39'26"E
L6	20.39	N89°20'34"E
L7	22.80	S00°39'26"E
L8	64.73	S89°20'34"W
L9	21.56	N00°39'26"W
L10	30.46	S89°20'34"W
L11	24.35	N00°39'26"W
L12	16.46	N89°20'34"E
L13	12.95	N00°39'26"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.66	96.59	35°58'54"	S65°59'03"E	59.67

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY ADJUST THE LOCATION AND SIZE OF THE BUILDING PAD AND DEDICATE A SNOW STORAGE EASEMENT TO PARK CITY, AS SHOWN ON THIS PLAT AND NAME SAID PLAT IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT. IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 30 DAY OF DECEMBER, 2017, AD.

BY: _____ 12/30/17
HOWARD R. ROTHWELL - TRUSTEE — DATE
ROTHWELL FAMILY TRUST DATED OCTOBER 19, 2016

BY: _____ 12/30/17
KATHLEEN STEPP ROTHWELL - TRUSTEE — DATE
ROTHWELL FAMILY TRUST DATED OCTOBER 19, 2016

ACKNOWLEDGMENT

STATE OF UTAH KANSAS)
: SS.
COUNTY OF Johnson)

ON THE 30 DAY OF December, 20 17 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE OF THE ABOVE OWNER'S DEDICATION HOWARD R. ROTHWELL, WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6/27/2021

Graham Casey Booth
Notary Public State of Kansas
My Appt Expires 6/27/2021

ACKNOWLEDGMENT

STATE OF UTAH KANSAS)
: SS.
COUNTY OF Johnson)

ON THE 30 DAY OF December, 20 17 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE OF THE ABOVE OWNER'S DEDICATION KATHLEEN STEPP ROTHWELL, WHO ACKNOWLEDGED TO ME THAT SHE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6/27/2021

Graham Casey Booth
Notary Public State of Kansas
My Appt Expires 6/27/2021

BOUNDARY DESCRIPTION

LOT 42, IRON CANYON SUBDIVISION, ACCORDING THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

NOTES

1. THE PURPOSE FOR THIS PLAT AMENDMENT IS TO VACATE THE EXISTING BUILDING PAD AND PROVIDE THE LOCATION AND DIMENSIONS OF THE NEW BUILDING PAD.
2. NEW CONSTRUCTION SHALL COMPLY WITH LAND MANAGEMENT CODE SECTION 15-2.2 REGARDING SETBACKS, BUILDING HEIGHT, BUILDING ENVELOPE, BUILDING PAD, ETC.
3. MODIFIED 13 SPRINKLERS ARE REQUIRED BY THE CHIEF BUILDING OFFICIAL FOR NEW CONSTRUCTION, AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
4. THIS PLAT AMENDMENT IS SUBJECT TO CONDITIONS OF APPROVAL AND ALL GENERAL AND SPECIAL NOTES CONTAINED WITHIN THE IRON CANYON SUBDIVISION PLAT, ENTRY NUMBER 212520, AND ALL OTHER, ZONING REQUIREMENTS, COVENANTS, RESTRICTIONS, EASEMENTS AND RIGHTS OF WAY, PER RECORD DOCUMENTS AND CITY OR COUNTY ORDINANCES.
5. ALL OTHER CONDITIONS OF APPROVAL AND PLATTED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION CONTINUE TO APPLY AND SHALL BE NOTED ON THE PLAT.
6. THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2017-55.

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE ADJUSTED THE BUILDING PAD LOCATION AND SIZE, TOGETHER WITH A SNOW STORAGE EASEMENT, HEREAFTER TO BE KNOWN AS IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

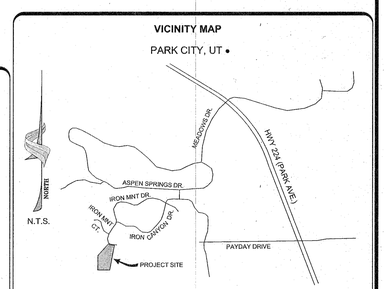
No. 319686 PHILLIP R. CHRISTENSEN REGISTERED PROFESSIONAL LAND SURVEYOR 12-19-17 STATE OF UTAH

_____ DECEMBER 19, 2017
PHILLIP R. CHRISTENSEN — DATE
P.L.S. 319686

LEGEND

- BOUNDARY LINE
- PARCEL LINE
- ROAD CENTERLINE
- 7' D & P.U.E.
- 10' UTILITY AND DRAINAGE EASEMENT
- 10' SNOW STORAGE EASEMENT
- STREAM PROTECTION ZONE
- BUILDING PAD
- FOUND MONUMENT

VICINITY MAP



PARK CITY COUNCIL - APPROVAL AND ACCEPTANCE	PARK CITY RECORDER - CERTIFICATE OF ATTEST	PARK CITY ATTORNEY - APPROVAL AS TO FORM	PARK CITY PLANNING COMMISSION	PARK CITY - ENGINEER'S CERTIFICATE	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
APPROVED AND ACCEPTED THIS 12 DAY OF OCTOBER, 2017 A.D. BY: _____ PARK CITY MAYOR	APPROVED AND ACCEPTED THIS 12 DAY OF OCTOBER, 2017 A.D. _____ PARK CITY RECORDER	APPROVED AS TO FORM THIS 2nd DAY OF February, 2018 A.D. BY: _____ PARK CITY ATTORNEY	ON BEHALF OF THE PARK CITY PLANNING COMMISSION, THIS 27 DAY OF SEPTEMBER, 2017 A.D., AT WHICH TIME THIS SUBDIVISION WAS APPROVED. BY: _____ CHAIR - PARK CITY PLANNING COMMISSION	I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE INFORMATION ON FILE AND IN MY OFFICE, ON THIS 1st DAY OF FEBRUARY, 2018 A.D. BY: _____ PARK CITY ENGINEER	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 5th DAY OF January, 2018 A.D. BY: _____ S.B.W.R.D. REVIEWER

SUMMIT COUNTY RECORDER

STATE OF UTAH COUNTY OF SUMMIT

RECORDED AND FILED AT THE REQUEST OF: HOWARD R ROTHWELL

2/7/2018 DATE — 11:20 AM TIME — 1086169 ENTRY NO. — $31.00 FEE $

BOOK — PAGE

BY: C. Willoughby - deputy
SUMMIT COUNTY RECORDER

IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT
NW1/4 SEC. 8, T.2S., R.4E., SLB&M.,
PARK CITY, SUMMIT COUNTY, UTAH

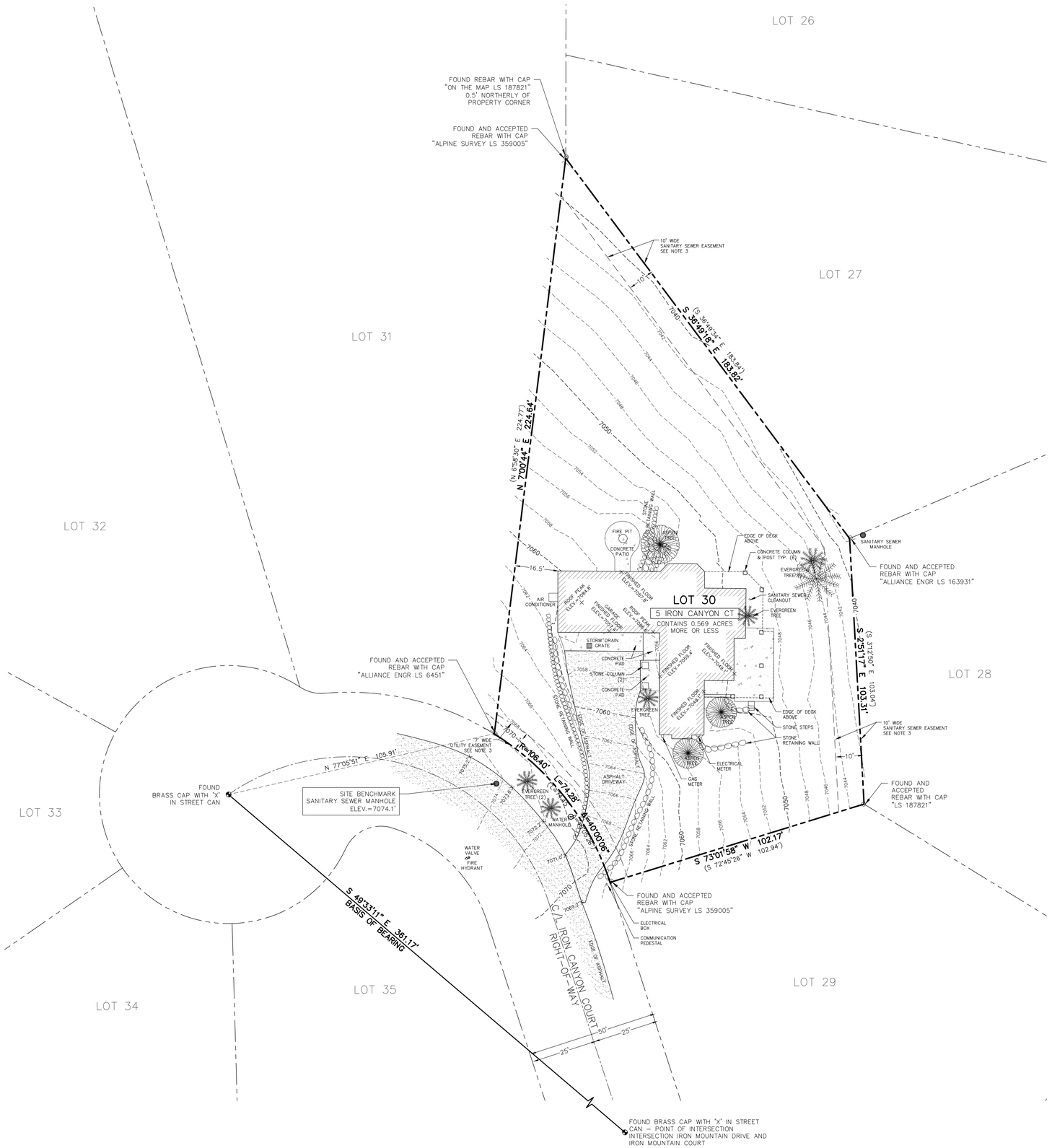
epic ENGINEERING
3341 South 4000 West
West Valley, Utah 84120
(801)955-5605
50 East 100 South
Heber City, Utah 84032
(435)654-5605

0 1" = 40' 1"	PROJECT #: 17SM1891.25
DRAWN: JD	DATE: 12/19/2017
CHECKED: PC	SHEET NO: 1 OF 1

N:\PROJ\2017 SM PROJECTS\IRON CANYON LOT 42 ROS & TOPO\DWGS\SHEETS\AMENDED SUB PLAT LOT 42.DWG

LOT 30
IRON CANYON SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
ALTA/NSPS LAND TITLE SURVEY
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



PROFESSIONAL LAND SURVEYOR
No.7248891
CHARLES GALATI
5/30/2025
State of Utah

SURVEYOR'S CERTIFICATE

To Outside Ventures, LLC, a Nevada limited liability company and First American Title Insurance Company National Commercial Services:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes zero (0) items of Table A thereof. The field work was completed on July 19, 2023.

LEGAL DESCRIPTION

LOT 30 IRON CANYON SUBDIVISION according to the official plat thereof on file and of record in the Summit County Recorder's Office.

NARRATIVE/NOTES

Basis of Bearing for this survey is between the found street Monuments as shown on this plat.

Site Benchmark: sanitary sewer manhole, Elevation=7074.1' as shown on this plat.

Field work for this survey was completed July 19, 2023, and is in compliance with generally accepted industry standards for accuracy.

The purpose of this survey was to perform an ALTA/NSPS Land Title Survey at the request of the client for the possibility of future improvements to the property.

County tax maps, recorded deeds, Iron Canyon Subdivision Plat Entry No. 212520, Records of Survey, Nos s-324, s-562, s-1733, s-2102 & s-4160 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were all considered when determining the boundary as shown on this plat.

Property corners were found as shown.

Only Evergreen trees and significant Aspen trees with trunks larger than approximately 0.5' diameter. Scrub Oak exists scattered throughout the property.

Record bearings and distances, when different than measured are shown in parenthesis . ( )

T-Posts were set at all property corner monuments, painted and flagged pink.

TITLE COMMITMENT AND TABLE A NOTES

1. This survey was performed in conjunction with Commitment for Title Insurance File No. NCS-1183955-HHLV, issued by First American Title Insurance Company National Commercial Services, with a commitment date of June 16, 2023.
2. The following exceptions in Schedule B, Part II of the title commitment are not addressed by this survey: 1-9, 12-15.
3. With regards to Item 10 of the Schedule B, Part II of the title commitment regarding easements, notes and restrictions as shown on subdivision plat recorded October 28, 1989 as Entry No. 212520 , easements per said plat are shown hereon.
4. With regards to the record documents of Item 11 of the Schedule B, Part II of the title commitment, there are no plottable easements that affect the subject property and therefor nothing is shown.

ADDITIONAL NOTES

1. There are no slopes in excess of 30% on the subject property.
2. Significant vegetation, other than "Scrub Oak" that permeates the subject property, is shown and indicated hereon.
3. There are no ridgelines on the subject property.

LEGEND

- ⊙ Found Monument (As-Noted)
- Found Street Monument (As-Noted)

20' 0 20' 40'

REVISIONS
5/30/2025 - Added "ADDITIONAL NOTES" 1-3 regarding Sensitive Lands.

PROFESSIONAL LAND SURVEYING AND CONSULTING
ALLTERRA UTAH, LLC
435-640-4200
463 SCENIC HEIGHTS ROAD, FRANCIS, UTAH 84036

STAFF:
CHARLES GALATI
JASON WYNNE
SAM GALATI
DUSTIN CARRISH

DATE: 5/30/2025

ALTA/NSPS LAND TITLE SURVEY
5 IRON CANYON COURT
PARK CITY, UTAH

CLIENT: OUTSIDE VENTURES LLC
PROJECT.: 23029
C:\Users\Charlie\Desktop\ALLTERRA\AU JOBS\23029 – Lot 30 Iron Canyon\23029-alta.dwg

SHEET 1 OF 1

Planning Commission
Staff Report

Subject: **2647 Meadow Creek Drive**
2685 Meadow Creek Drive
Application: **PL-25-06415**
Author: **Jaron Ehlers, Planner I**
Date: **June 11, 2025**
Type of Item: **Modification to a Plat Amendment**

Recommendation

(I) Review the proposed modification to the approved Smith Subdivision First Amended Plat to shift the Building Pad for the Barn pursuant to the Planning Commission's March 13, 2024 Condition of Approval 7 and to update the driveway, (II) hold a public hearing, and (III) consider approving the modification based on the redlined Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A). The redlines reflect the changes to the Final Action Letter adopted March 13, 2024.

Description

Applicant:	Paul Caraher Josh Call, Applicant Representative
Location:	2647 and 2685 Meadow Creek Drive
Zoning District:	Parcel A (2647 Meadow Creek Drive) – Single Family, partially in the Sensitive Land Overlay Parcel B (2685 Meadow Creek Drive) – Estate and Sensitive Land Overlay
Adjacent Land Uses:	Single Family and Open Space
Reason for Review:	The Planning Commission reviews and takes Final Action on modifications to Plat Amendments.[1]

DRC	Development Review Committee
LMC	Land Management Code
RD	Residential Development
SF	Single Family
SLO	Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

[1] LMC § 15-7.1-2

The Smith Subdivision contains two parcels: Parcel A (2647 Meadow Creek Drive) of the McLeod Creek Subdivision and Parcel B (2685 Meadow Creek Drive) of the Willow Ranch Subdivision. On March 13, 2024, the Planning Commission approved the Smith Subdivision First Amended Plat to shift the driveway easement from Parcel A to Parcel B and to modify the two Building Pads on Lot B – one for a home, and one for a barn – based on a 2023 preliminary wetland delineation (Packet Item 7.C | Minutes) (Exhibit D).[2]

The Planning Commission approved the Plat Amendment with Condition of Approval 7 requiring the Applicant to submit an updated Army Corps of Engineers wetland delineation to confirm the Building Pad compliance with the wetland Setback and to return to the Planning Commission for additional review if modifications are required.

On January 15, 2025, the Army Corps of Engineers submitted the final delineation, and the Applicant updated the location of the building pad for the barn for Planning Commission review to meet wetland Setbacks (Exhibit F). The Applicant also requests modifications to the driveway to reflect the Park City Fire District (PCFD) requirements for access.

On April 9, 2025, the Planning Commission opened a public hearing and at the Applicant's request, continued the public hearing to June 11, 2025 (Packet Item 5.A | Minutes).

Analysis

In conformance with the Planning Commission's March 13, 2024 Condition of Approval 7, the Applicant proposes shifting the Building Pad for the barn to comply with Land Management Code (LMC) § 15-2.21-6(F), which requires a 50-foot Setback from wetlands in the Sensitive Land Overlay.

[2] On March 25, 2024, the Plat Amendment approval was appealed. On May 6, 2024, the Appeal Panel held a public hearing and denied the appeal (Packet | Minutes) (Exhibit E).

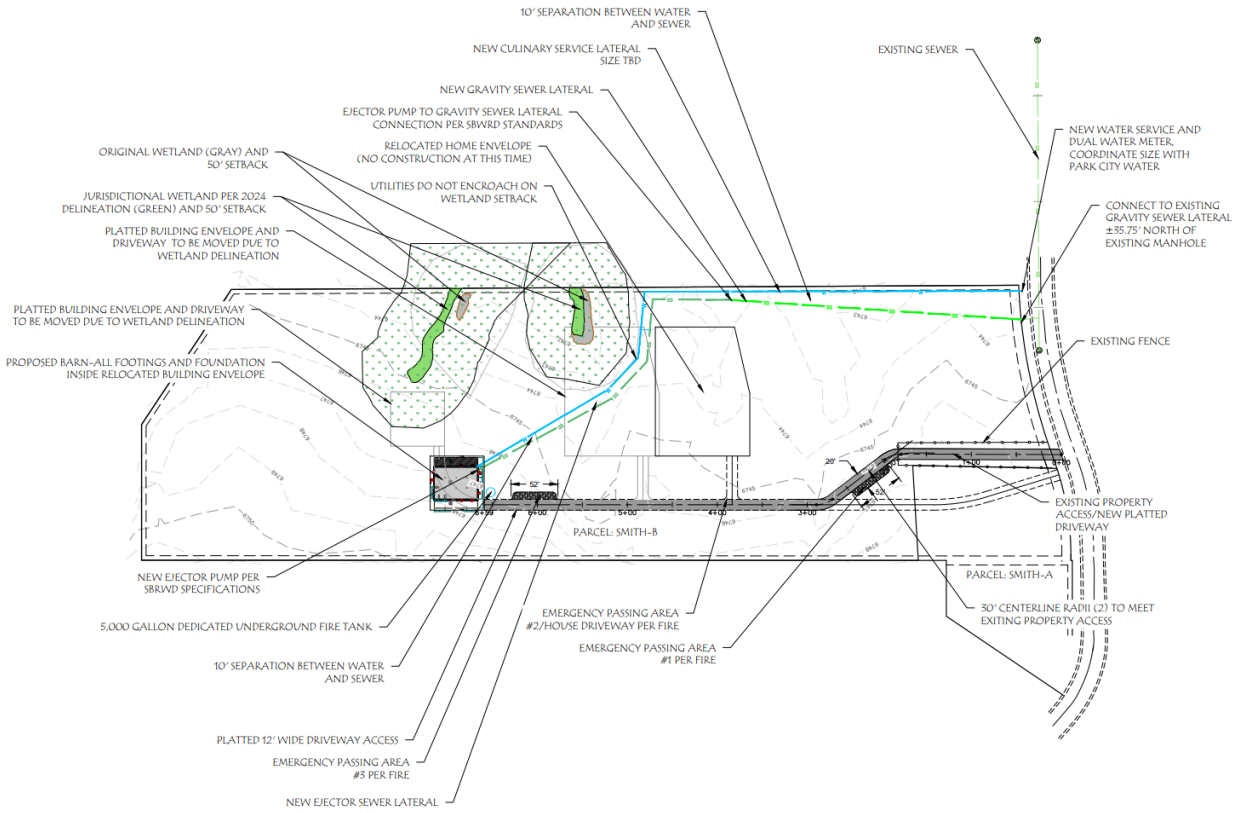


Figure A: Proposed Site Plan showing the updated wetland delineation, setback, Building Pad locations, and modifications to the driveway easement. This graphic shows the movement from the Building Pads as platted on the Smith Subdivision, not just the modification from the March 13, 2024, Approval.

(I) The proposal to modify the Smith Subdivision First Amended Plat complies with the Estate Zoning District requirements outlined in LMC Chapter 15-2.10.

Parcel B is within the Estate Zoning District and LMC § 15-2.10-2 establishes Single-Family Dwellings and Agriculture as Allowed Uses. The relocated Building Pads comply with the Lot and Site requirements of the Estate Zoning District:

Estate Zone Requirements	**Analysis of Proposal**
Lot Size *LMC § 15-2.10-3(A) requires that all uses (except Duplexes) have a minimum Lot Size of 3 Acres.*	**Complies:** Parcel B has a Lot Size of 6.4 Acres
Lot Width *LMC § 15-2.10-3(B) requires a minimum Lot Width of 100 feet*.	**Complies:** Parcel B has a Lot Width of 304 feet.

Setbacks *LMC § 15-2.10-3(C) establishes that Setbacks for Front, Rear, and Sides are 30 feet.*	**Complies:** The Building Pad for the Single-Family Dwelling is 41 feet from the Northern Lot Line. The Barn Building Pad is 55 feet from the southern Lot Line. The Barn Building Pad is 633 feet from the eastern Lot Line and 318 feet from the western Lot Line.
Building Height *LMC § 15-2.10-4 sets a Building Height of 28 feet from Existing Grade.*	**Complies:** Future development must comply with Building Height.

(II) The proposal to amend the Smith Subdivision, as conditioned, complies with the Sensitive Land Overlay outlined in LMC Chapter 15-2.21.

Parcel B is in the Sensitive Land Overlay (SLO) and contains wetlands. LMC § 15-2.21-6(D) requires that the Applicant provide a wetlands delineation. On January 15, 2025, the Army Corps of Engineers submitted a final wetlands delineation (Exhibit F). LMC § 15-2.21-6(F) requires a 50-foot Setback from wetlands and the Applicant updated the proposed Building Pad for the barn to incorporate a 50-foot Setback.

(III) The proposal to amend the Smith Subdivision complies with the Subdivision Procedures outlined in LMC Chapter 15-7.1.

Plat Amendments shall be reviewed according to LMC § 15-7.1-6 *Final Subdivision Plat* and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

(a) There is Good Cause for this proposed Plat Amendment

The Planning Commission shall make a finding as to good cause prior to approving a Plat Amendment.[3] LMC § 15-15-1 defines *Good Cause* as "[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

There is Good Cause for the Plat Amendment because it aligns with the Planning Commission's March 2024 Condition of Approval 7 to move the Building Pads outside of the wetlands Setbacks and by moving the Parcel B Driveway Easement exclusively onto Parcel B. The Plat Amendment also brings the future driveway into compliance with PCFD requirements.

[3] LMC § 15-7.1-6(C)

(b) No Public Street, Right-of-Way, or easement is vacated or amended.

No changes to the public street or Right-of-Way are proposed. The utility easements around the property will not be amended.

(IV) Park City Fire District requires a modification to the approved Driveway Easement to include a turnaround area and a Condition of Approval.

As part of the original approval, PCFD required emergency passing lanes and an area for firetruck turnaround. PCFD requires the emergency passing areas and turnaround be added to the platted driveway easement. Condition of Approval 10 requires the final plat to reflect the access reviewed and approved by PCFD on March 27, 2025 (Exhibit G).

The Applicant also worked with Park City Water and Snyderville Basin Water Reclamation District to ensure their utility plan does not encroach on the wetland Setbacks.

Department Review

The Planning and Executive Departments and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 27, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 27, 2025. The *Park Record* published notice on March 27, 2025.[4] On April 9, 2025, the Planning Commission opened a public hearing and at the Applicant's request, continued the public hearing to June 11, 2025.

Public Input

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

Alternatives

The Planning Commission may:

- Approve the modified Plat Amendment.
- Deny the modified Plat Amendment and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

Exhibits

A: Draft Final Action Letter
    Attachment 1: Draft Modified Plat Amendment
B: Previously Approved Plat

[4] LMC § 15-1-21

C: Current Recorded Plat
D: March 13, 2024, Planning Commission Final Action Letter
E: May 6, 2024, Appeal Panel Final Action Letter
F: Final Wetland Delineation Letter
G: Approved Driveway Plan from PCFD

Planning Department

March 13, 2024, modified June 11, 2025

Josh Call
Rimrock Engineering and Development

CC: Paul and Alaine Caraher

NOTICE OF PLANNING COMMMISSION ACTION

Description

Address:	2685 and 2647 Meadow Creek Drive
Zoning District:	Parcel A – Single Family, partially in the Sensitive Land Overlay Parcel B – Estate and Sensitive Land Overlay
Application:	Plat Amendment
Project Number:	PL-24-06033
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	March 23, 2024, modified June 11, 2025
Project Summary:	The Applicant Proposes Amending the Smith Subdivision Parcel to Shift the Existing Building Pads Out of the Wetlands to Maintain the Sensitive Land Overlay and Amend the Driveway Easement to be Entirely on Parcel B

Action Taken

On March 13, 2024, the Planning Commission conducted a public hearing and approved the Smith Subdivision First Amended Plat Amendment. On June 11, 2025, the Planning Commission approved a modified Plat Amendment [Attachment 1] pursuant to Condition of Approval 7 to shift the Barn Building Pad and to update the driveway easement, according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. In 1980, the Park City Municipal Corporation (the City) approved the McLeod Creek Subdivision.

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2. On January 22, 1985, the City Council passed Ordinance 86-5, rezoning Mcleod Creek Subdivision to being Single Family (SF) Zoning District.
3. On December 17, 1992, the City Council formally annexed what would become the Willow Ranch Subdivision, zoning it Estate and Recreation Open Space.
4. On January 28, 1993, the City Council approved the final Plat for the Willow Ranch Subdivision, which consisted of eight lots.
5. The City was creating the SLO at the same time as the Willow Ranch annexation, and so the SLO didn't initially apply as the Annexation was vested.
6. To provide protection in the absence of the SLO, specific building pads for a Single-Family Dwelling and Barn, driveway easements, and square footage were placed as restrictions on the Plat.
7. Lot 6, which is now Parcel B, was one such Lot.
8. In 1995, the then owner wished to add an addition to the existing Single-Family Dwelling located on Lot 10 of the McLeod Creek Subdivision, but this proposed addition encroached into setbacks. The owner also owned Lot 6 of Willow Ranch, which was vacant. The property owner applied to create the two-Lot Smith Subdivision. To accommodate the addition, the Lot line for Lot 10 would be shifted North to incorporate part of Lot 6. This new Lot was named Parcel A. The remainder of Lot 6 became Parcel B.
9. On August 31, 1995, the City Council approved the Smith Subdivision. The Lot 6 Building Pads for the potential Single-Family Dwelling and Barn remained on the Smith Subdivision Plat, but neither the Square Footages nor the Driveway Easement are shown. Ordinance 95-44, which approved the Smith Subdivision, included Condition of Approval (COA) 3 which states, "All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect."
10. The addition was not constructed.
11. On September 8, 2022, the Planning Department received a Plat Amendment from the current applicant seeking to adjust the lot line for Parcels A and B to restore it to the original boundary between the McLeod and Willow Ranch Subdivisions. That application was under the address 2647 Meadow Creek Drive (Parcel A) and assigned the number PL-22-05374. As part of Staff's analysis of the application, it was determined that the Applicant would need to complete a Wetlands Delineation as required by LMC § 15-2.21-6.
12. A COA was recommended where the final location of the Building Pads would be determined by the Planning Director and City Engineer following that Delineation.

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Staff also recommended that the restrictions and Plat Notes that had been included on the Willow Ranch Plat, but weren't included on the Smith Subdivision Plat, would be placed on the amended Smith Subdivision Plat, as they remained in effect due to COA 3 of Ordinance 95-44. The Plat Amendment was scheduled for a public hearing before the Planning Commission on December 14, 2022, but the applicant withdrew the application before the hearing.

13. In preparation for submitting a new Plat Amendment application, the applicant reached out to Staff to determine what would be required under the SLO and expressed their interest in building the Barn first.
14. Staff took the proposal to the Development Review Committee (DRC) on August 15, 2023. Following the meeting, the applicant worked with the Planning Department, City Engineer, Park City Fire District (PCFD), and the public utilities to amend their proposal.
15. On January 4, 2024, the applicant submitted the formal application for a Plat Amendment.
16. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The Park Record published notice on February 28, 2024.
17. On March 13, 2024, the Planning Commission approved the Smith Subdivision First Amended Plat to shift the driveway easement from Parcel A to Parcel B and to modify the two Building Pads on Lot B – one for a home, and one for a barn – based on a 2023 preliminary wetland delineation.
18. The Planning Commission approved the Plat Amendment with Condition of Approval 7 requiring the Applicant to submit an updated Army Corps of Engineers wetland delineation to confirm the Building Pad compliance with the wetland Setback and to return to the Planning Commission for additional review if modifications are required.
19. On January 15, 2025, the Army Corps of Engineers submitted the final delineation, and the Applicant updated the location of the building pad for the barn for Planning Commission review to meet the wetland Setbacks.
20. In conformance with the Planning Commission's March 13, 2024 Condition of Approval 7, the Applicant shifted the Building Pad for the barn to comply with Land Management Code (LMC) § 15-2.21-6(F), which requires a 50-foot Setback from wetlands in the Sensitive Land Overlay
21. Parcel B is located within the Estate Zoning District.

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22. Land Management Code (LMC) § 15-2.10-2 establishes that both Single Family Dwellings and Agriculture are Allowed Uses within the Estate Zone.
23. Per LMC Chapter 15-2.10, all structures within the Estate Zone are subject to the following criteria:

Estate Zone Requirements	Analysis of Proposal
Lot Size	*LMC § 15-2.10-3(A) requires that all uses (except Duplexes) have a minimum Lot Size of 3 Acres.* **Complies:** Parcel B has a Lot Size of 6.4 Acres
Lot Width	*LMC § 15-2.10-3(B) requires a minimum Lot Width of 100 feet*. **Complies:** Parcel B has a Lot Width of 304 feet.
Setbacks	*LMC § 15-2.10-3(C) establishes that Setbacks for Front, Rear, and Sides to be 30 feet.* **Complies:** The Building Pad for the Single Family Dwelling is located ~~44.68~~ 41 feet from the Northern Lot Line. The Barn Building Pad is located ~~103.29~~ 55 feet from the Northern Lot Line.
Building Height	*LMC § 15-2.10-4 sets a Building Height of 28 feet from Existing Grade.* **Complies:** ~~The Building Height for the Barn will be 27.125 feet.~~ Future development must comply with Building Height.

24. Parcel B is located within the SLO, specifically in relation to Wetlands located on the Lot. LMC § 15-2.21-6(D) requires that the Applicant provide a wetlands delineation. The Applicant has completed a provisional delineation which identified two Wetlands on Parcel B, shown on the Site Plan Concept. LMC § 15-2.21-6(F) requires a 50 foot Setback from all Wetlands. As the Site Plan Concept shows, the existing Building Pads for both the Barn and Single Family Dwelling encroach on the Wetlands Setback.

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25. ~~The Applicant has contacted the Army Corps of Engineers for a formal delineation by them, and the field work will occur in the Spring.~~
26. The current Smith Subdivision Plat also established that the area added to Lot 10, forming Parcel A, was to be a non-build Yard Area.
27. Plat Amendments shall be reviewed according to LMC § 15-7.1-6 Final Subdivision Plat and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.
28. Good Cause exists for the Plat Amendment as it resolves existing issues and non-conformities, specifically by moving the Building Pads outside of the Wetlands Setbacks and by moving the Parcel B Driveway Easement exclusively onto Parcel B as well as bringing a potential driveway into compliance with PCFD requirements.
29. No changes to the public street or Right-of-Way are proposed. The utility easements running around the property will not be amended. The Driveway Easement will be amended, but it is not a public easement.
30. As part of the original approval, PCFD required emergency passing lanes and an area for them to turn around. PCFD requires the emergency passing areas and turn area to be added to the driveway easement to reflect the access that was reviewed and approved by PCFD on March 27, 2025.
31. The Applicant worked with Park City Water and Snyderville Basin Water Reclamation District to ensure their utility plan does not encroach on the wetland Setbacks.
32. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 27, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 27, 2025. The Park Record published notice on March 27, 2025.
33. On April 9, 2025, the Planning Commission held a public hearing and continued the public hearing to June 11, 2025.

Conclusions of Law

1. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.10 for the Estate Zoning District.
2. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.21 for the SLO.

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3. The proposed Plat Amendment complies with the LMC Requirements pursuant to LMC Chapter 15-7.1 for Subdivision Procedures as there is Good Cause and no Public Street, Right-of-Way, or easement is vacated or amended.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of Planning Commission approval of this Modification (by June 11, 2026). If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. No building permit application may be submitted until after this plat amendment has been recorded with the County.
4. Development on Parcel A must conform with the land use regulations of the Single-Family Zoning District.
5. Development on Parcel B must conform with the land use regulations of the Estate Zoning District and the Sensitive Land Overlay.
6. Easements established as part of the 1995 Smith Subdivision are required to be retained or relocated pursuant to documented easement holder permission, including a 10-foot existing utility and drainage easement common to both Lots.
7. ~~Prior to the recordation of the amended plat, the applicant shall submit an updated wetland delineation approved by the Army Corps of Engineers to confirm the designated building pads and proposed driveway comply with required wetland regulations. If modifications to the designated building pads and proposed driveway location are required, the Applicant shall return to the Planning Commission for additional review and approval based upon the updated wetland delineation to ensure compliance with the Sensitive Land Overlay and to mitigate site disturbance. Such modifications shall not result in any net expansion of a building pad.~~ The recorded Plat Amendment shall fully comply with the Army Corps of Engineers wetland Delineation dated January 15, 2025.
8. Plat notes shall require the following:
    a. A maximum of three horses will be allowed and grazing of horses in the wildlife corridor is prohibited for Parcel B.
    b. Home square footage is limited to a maximum of 8,000 square feet for Parcel B.

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c. Barn square footage is limited to a maximum of 1,800 square feet for Parcel B. Residential use and human occupancy of the barn is prohibited.
d. Building height of the home and barn on Parcel B is limited to 23 feet to midpoint of roof and 28 feet to peak of roof.
e. Parcel B is subject to an Animal Management Plan and Equestrian Lot Open Space Covenant Executed with Park City Municipal Corporation.
f. Basements are prohibited for Parcel B.

9. A Plat Note shall indicate that the area added to Lot 10 [Lot A] of the McLeod Creek Subdivision, which is zoned Estate Zoning District, from the Willow Ranch Subdivision shall be a non-build area with such uses allowed as were previously allowed as part of Lot 6 of the Willow Ranch Subdivision.
10. The Driveway Easement shall be modified to reflect the access that was reviewed and approved by the Park City Fire District on March 27, 2025.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5058 or email jaron.ehlers@parkcity.org.

Sincerely,

Christin Van Dine
Planning Commission Chair

CC: Jaron Ehlers, Planner I

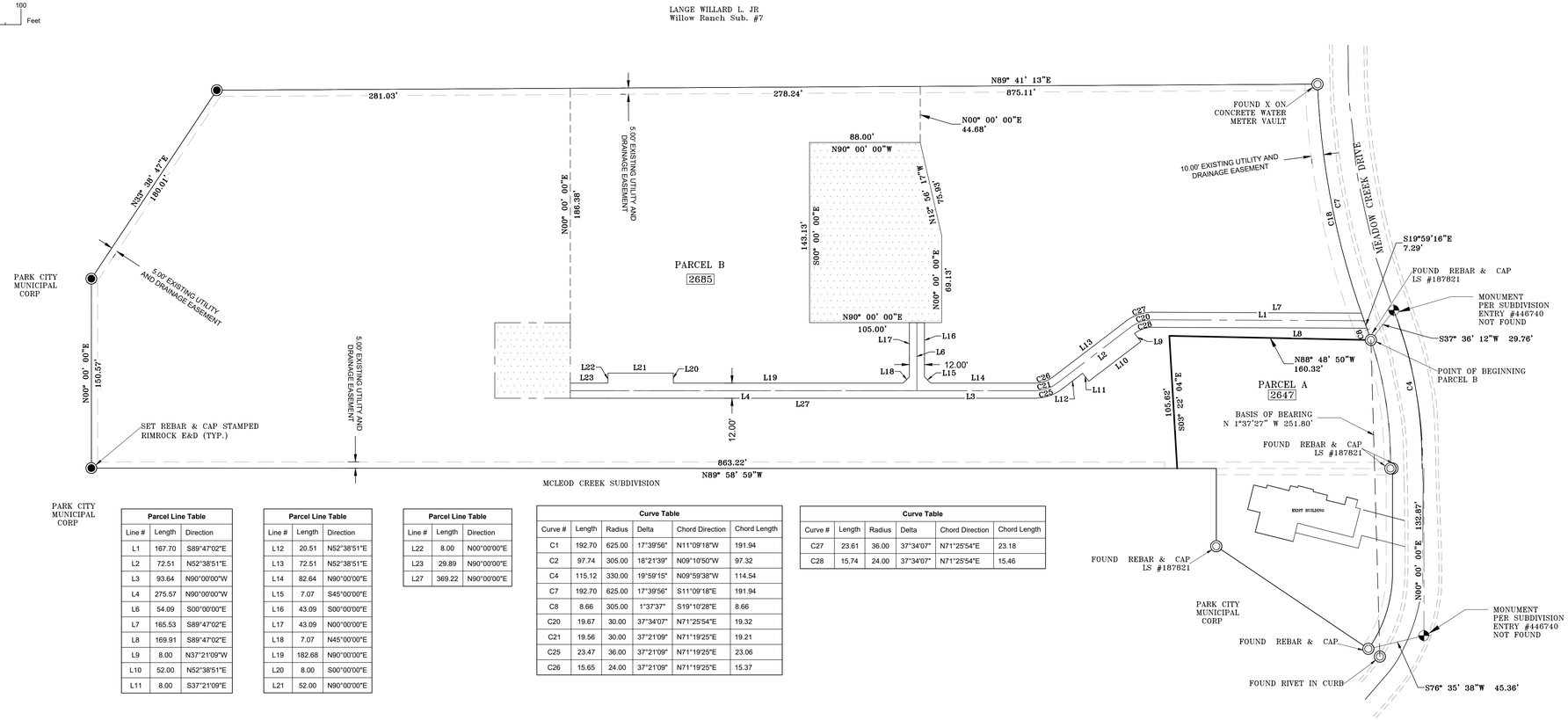
Attachment 1: ~~Proposed Plat~~ Modified Plat Amendment dated June 11, 2025.

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SMITH SUBDIVISION
PARCEL B AMENDED

LOCATED IN THE:
SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY
SUMMIT COUNTY, UTAH

0 50 100 Feet



Parcel Line Table		
Line #	Length	Direction
L1	167.70	S89°47'02"E
L2	72.51	N52°38'51"E
L3	93.64	N90°00'00"W
L4	275.57	N90°00'00"W
L6	54.09	S00°00'00"E
L7	165.53	S89°47'02"E
L8	169.91	S89°47'02"E
L9	8.00	N37°21'09"W
L10	52.00	N52°38'51"E
L11	8.00	S37°21'09"E

Parcel Line Table		
Line #	Length	Direction
L12	20.51	N52°38'51"E
L13	72.51	N52°38'51"E
L14	82.64	N90°00'00"E
L15	7.07	S45°00'00"E
L16	43.09	S00°00'00"E
L17	43.09	N00°00'00"E
L18	7.07	N45°00'00"E
L19	182.68	N90°00'00"E
L20	8.00	S00°00'00"E
L21	52.00	N90°00'00"E

Parcel Line Table		
Line #	Length	Direction
L22	8.00	N00°00'00"E
L23	29.89	N90°00'00"E
L27	369.22	N90°00'00"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	192.70	625.00	17°39'56"	N11°09'18"W	191.94
C2	97.74	305.00	18°21'39"	N09°10'50"W	97.32
C4	115.12	330.00	19°59'15"	N09°59'38"W	114.54
C7	192.70	625.00	17°39'56"	S11°09'18"E	191.94
C8	8.66	305.00	1°37'37"	S19°10'28"E	8.66
C20	19.67	30.00	37°34'07"	N71°25'54"E	19.32
C21	19.56	30.00	37°21'09"	N71°19'25"E	19.21
C25	23.47	36.00	37°21'09"	N71°19'25"E	23.06
C26	15.65	24.00	37°21'09"	N71°19'25"E	15.37

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C27	23.61	36.00	37°34'07"	N71°25'54"E	23.18
C28	15.74	24.00	37°34'07"	N71°25'54"E	15.46

PLAT NOTES

THE PURPOSE OF THIS PLAT IS TO ADJUST THE BUILDING EASEMENTS FOR PARCEL B, SMITH SUBDIVISION. A PLAT AMENDMENT OF LOT 6 WILLOW RANCH SUBDIVISION. RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE.

PARCEL A, SMITH SUBDIVISION, BEING A PLAT AMENDMENT OF LOT 6 WILLOW RANCH SUBDIVISION AND LOT 10 MCLEOD CREEK SUBDIVISION AND RECORD OF SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

1. 10' PUBLIC UTILITY EASEMENTS ON FRONT LOT LINE ALONG ELK MEADOW CIRCLE, 5' PUBLIC UTILITY EASEMENTS ON ALL SIDE AND REAR LOT LINES
2. THIS SUBDIVISION PLAT AMENDMENT IS BASED UPON THE PREVIOUS RECORDED SUBDIVISION PLAT BY JOE DHAENENS RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY # 446740
3. BASIS OF BEARING IS BETWEEN A FOUND RIVET IN THE CURB AND GUTTER AND A FOUND REBAR AND CAP LS#187182 AS SHOWN ON THIS PLAT

LOT 6 BUILDING PAD (sq. feet) = 14,400

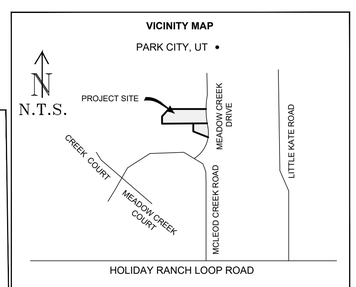
LOT 6 BARN PAD (sq. feet) = 3600

TOTAL (sq. feet) = 18,000

LEGEND

EDGE OF ASPHALT
CURB AND GUTTER
HOUSE BUILDING PAD
BARN BUILDING PAD
SECTION CORNER (FOUND)
SECTION LINE
BOUNDARY LINE
PARCEL LINE
SET MONUMENT (AS NOTED)
MONUMENT (AS NOTED)

VICINITY MAP



PARK CITY RECORDER

APPROVED THIS_____ DAY OF _____, A.D. 2025.

PARK CITY RECORDER

PARK CITY MAYOR

APPROVED THIS_____ DAY OF _____, A.D. 2025.

PARK CITY MAYOR

PARK CITY ATTORNEY

I HAVE EXAMINED THE PROPOSED PLAT OF THIS SUBDIVISION, AND IN MY OPINION IT CONFORMS WITH THE ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT. APPROVED THIS _____ DAY OF _____ A.D. 2025.

PARK CITY ATTORNEY

PARK CITY ENGINEER

I HEREBY CERTIFY THAT THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

PARK CITY ENGINEER _____ DATE

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

APPROVED THIS_____ DAY OF _____, A.D. 2025.

SBWRD REPRESENTATIVE

PARK CITY PLANNING COMMISSION

APPROVED THIS_____ DAY OF _____, A.D. 2025.

CHAIRMAN

RECORDED ENTRY NUMBER _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE $ _____ SUMMIT COUNTY RECORDER

SURVEYOR'S CERTIFICATE

I, TRAVIS R. GOWER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, AND THAT I HOLD LICENSE NUMBER 6439364 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THAT PLAT. I DO FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT AND AMENDMENT OF THE PROPERTY DESCRIBED HEREON, HEREAFTER TO BE KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED.

Travis R. Gower
TRAVIS R. GOWER
P.L.S. 6439364

LICENSED PROFESSIONAL LAND SURVEYOR
NO. 6439364
TRAVIS R. GOWER
1-23-25
STATE OF UTAH

FINAL REVIEW

January 23, 2025
DATE

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT PAUL THOMAS CARAHER III (TRUSTEE) OF THE CARAHER FAMILY TRUST, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, TO BE HEREAFTER KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED, AS SHOWN ON THIS PLAT AND INTENDED FOR PRIVATE USE, SUBJECT TO EASEMENTS AND RIGHTS GRANTED HEREUNDER AND ANY MATTERS OF RECORD, RESTRICTIONS AND CONDITIONS CONTAINED ON THIS PLAT. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____,2025, A.D.

BY:_____ _____
PAUL THOMAS CARAHER III DATE

ACKNOWLEDGEMENT

STATE OF UTAH)
: SS.
COUNTY OF _____)

ON THE _____ DAY OF _____, A.D. 2025, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION _____, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

ALL OF PARCEL B, SMITH SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH. RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY #446740

LOT 6 PLAT NOTES

PER THE WILLOW RANCH SUBDIVISION PLAT RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY# 374694. AT THE REQUEST OF THE PARK CITY PLANNING DEPARTMENT. NON -APPLICABLE PLAT NOTES REMOVED. NOTES BELOW REFER TO LOT 6 WILLOW RANCH SUBDIVISION.

1. BUILDINGS SHALL BE CONSTRUCTED WITHIN THE LIMITS OF SHOWN BUILDING PADS.

3. A 5FT NON-EXCLUSIVE UTILITY AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG BOTH SIDES OF ALL LOT LINES

4. A 10FT NON-EXCLUSIVE UTILITY EASEMENT IS HEREBY DEDICATED ALONG FRONT LOT LINES.

5. ALL FOOTING AND FOUNDATION DESIGNS SHALL BE APPROVED BY GEOGRAPHICAL ENGINEERS.

6. IRRIGATION IN LOT 6 BY SPRINKLER ONLY.

7. ON LOT 6, A MAXIMUM OF THREE HORSES WILL BE ALLOWED AND NO GRAZING OF HORSES IN THE WILDLIFE CORRIDOR.

8. OWNER OF LOT 6, IS REQUIRED TO INSTALL AND MAINTAIN LOT LINE FENCING IN ACCORDANCE WITH THE C.C.&R.'S AND DESIGN GUIDELINES OF WILLOW RANCH.

9. HOME SQUARE FOOTAGE TO BE LIMITED TO A MAXIMUM 8,000 SQUARE FEET ON LOT 6.

10. BARN SQUARE FOOTAGE WILL BE LIMITED TO A MAXIMUM OF 1800 SQUARE FEET WITH NO HUMAN OCCUPANCY.

11. BUILDING HEIGHTS OF HOMES AND BARNS WILL BE LIMITED TO 23 FEET TO MID POINT OF ROOF AND 28 FEET TO PEAK OF ROOF.

12. HOME ON LOT 6, WILL BE REQUIRED TO INSTALL MODIFIED 13-D FIRE SPRINKLER SYSTEMS AS DIRECTED BY THE PARK CITY FIRE MARSHALL.

13. LOT 6 IS SUBJECT TO AN ANIMAL MANAGEMENT PLAN AND EQUESTRIAN LOT OPEN SPACE COVENANT EXECUTED WITH THE PARK CITY MUNICIPAL CORPORATION.

14. NO BASEMENTS ARE ALLOWED.

15. PRIOR TO OCCUPANCY OF ANY HOUSE, ITS DRIVEWAY MUST BE PAVED.

16. PARK CITY MUNICIPAL CORPORATION DOES NOT NORMALLY PLOW SNOW WITHIN A SUBDIVISION UNTIL 50% OF THE LOTS HAVE BEEN BUILT UPON.

17. NO BUILDING PERMITS WILL BE ISSUED UNTIL MEADOW CREEK DRIVE HAS BEEN PAVED. EXCAVATION AND FOOTING /FOUNDATION PERMITS WILL BE ISSUED PRIOR TO PAVING OF MEADOW CREEK DRIVE.

18. LOT 6 IS ALLOWED AN ACCESSORY DWELLING UNIT SUBJECT TO THE APPROVAL OF PARK CITY MUNICIPAL CORPORATION AND RESTRICTIONS AS OUTLINED IN THE WILLOW RANCH C.C.&R.'S.

SMITH SUBDIVISION PARCEL B AMENDED
LOCATED IN THE: SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY SUMMIT COUNTY, UTAH

RIMROCK ENGINEERING & DEVELOPMENT
tgower@re-n-d.com
801-837-0633
5513 W 11000 N
#435
HIGHLAND, UTAH
84003

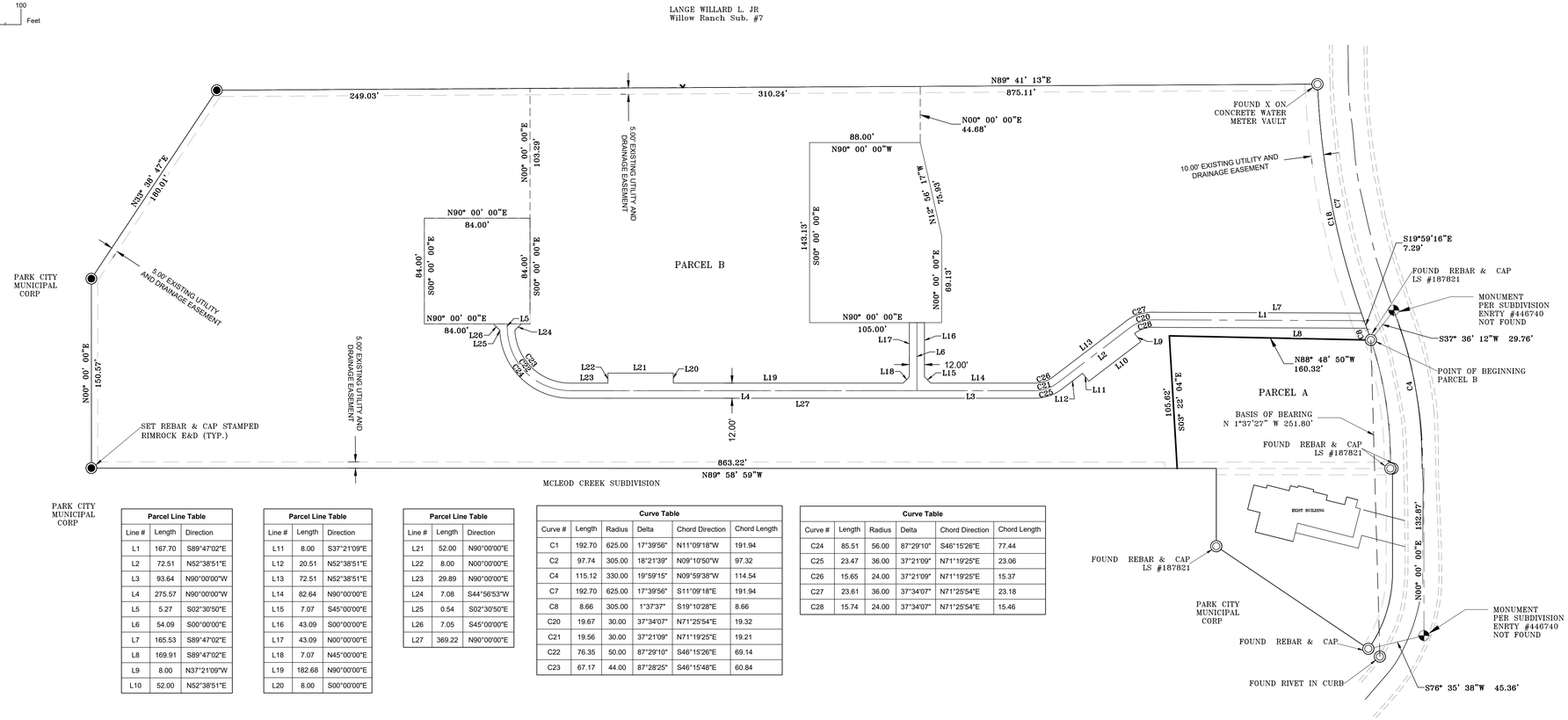
PROJECT NAME	
SMITH SUBDIVISION PARCEL B AMENDED	
1" = 50'	PROJECT # RGC221601-01
DRAWN: TG	DATE: 01/23/2025
CHECKED: AP	SHEET NO: 1 OF 1

E:\SMITH SUBDIVISION\DWG\SMITH SUBDIVISION FINAL REVIEW 1-23-25.dwg

SMITH SUBDIVISION
PARCEL B AMENDED

LOCATED IN THE:
SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY
SUMMIT COUNTY, UTAH

0 50 100 Feet



Parcel Line Table		
Line #	Length	Direction
L1	167.70	S89°47'02"E
L2	72.51	N52°38'51"E
L3	93.64	N90°00'00"W
L4	275.57	N90°00'00"W
L5	5.27	S02°30'50"E
L6	54.09	S00°00'00"E
L7	165.53	S89°47'02"E
L8	169.91	S89°47'02"E
L9	8.00	N37°21'09"W
L10	52.00	N52°38'51"E

Parcel Line Table		
Line #	Length	Direction
L11	8.00	S37°21'09"E
L12	20.51	N52°38'51"E
L13	72.51	N52°38'51"E
L14	82.64	N90°00'00"E
L15	7.07	S45°00'00"E
L16	43.09	S00°00'00"E
L17	43.09	N00°00'00"E
L18	7.07	N45°00'00"E
L19	182.68	N90°00'00"E
L20	8.00	S00°00'00"E

Parcel Line Table		
Line #	Length	Direction
L21	52.00	N90°00'00"E
L22	8.00	N00°00'00"E
L23	29.89	N90°00'00"E
L24	7.08	S44°56'53"W
L25	0.54	S02°30'50"E
L26	7.05	S45°00'00"E
L27	369.22	N90°00'00"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	192.70	625.00	17°39'56"	N11°09'18"W	191.94
C2	97.74	305.00	18°21'39"	N09°10'50"W	97.32
C4	115.12	330.00	19°59'15"	N09°59'38"W	114.54
C7	192.70	625.00	17°39'56"	S11°09'18"E	191.94
C8	8.66	305.00	1°37'37"	S19°10'28"E	8.66
C20	19.67	30.00	37°34'07"	N71°25'54"E	19.32
C21	19.56	30.00	37°21'09"	N71°19'25"E	19.21
C22	76.35	50.00	87°29'10"	S46°15'26"E	69.14
C23	67.17	44.00	87°28'25"	S46°15'48"E	60.84

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C24	85.51	56.00	87°29'10"	S46°15'26"E	77.44
C25	23.47	36.00	37°21'09"	N71°19'25"E	23.06
C26	15.65	24.00	37°21'09"	N71°19'25"E	15.37
C27	23.61	36.00	37°34'07"	N71°25'54"E	23.18
C28	15.74	24.00	37°34'07"	N71°25'54"E	15.46

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT PAUL THOMAS CARAHER III (TRUSTEE) OF THE CARAHER FAMILY TRUST, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, TO BE HEREAFTER KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED, AS SHOWN ON THIS PLAT AND INTENDED FOR PRIVATE USE, SUBJECT TO EASEMENTS AND RIGHTS GRANTED HEREUNDER AND ANY MATTERS OF RECORD, RESTRICTIONS AND CONDITIONS CONTAINED ON THIS PLAT. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2024, A.D.

BY:_____ _____
PAUL THOMAS CARAHER III DATE

ACKNOWLEDGMENT

STATE OF UTAH)
: SS.
COUNTY OF _____)

ON THE _____ DAY OF _____, A.D. 2024, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION _____, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

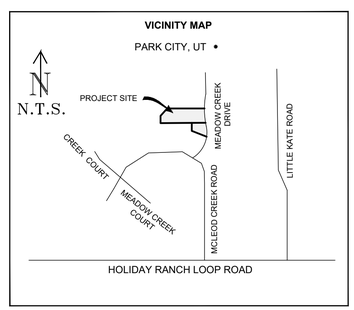
ALL OF PARCEL B, SMITH SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH. RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY #446740

PLAT NOTES

THE PURPOSE OF THIS PLAT IS TO ADJUST THE BUILDING EASEMENTS FOR PARCEL B

1. 10' PUBLIC UTILITY EASEMENTS ON FRONT LOT LINE ALONG ELK MEADOW CIRCLE, 5' PUBLIC UTILITY EASEMENTS ON ALL SIDE AND REAR LOT LINES
2. THIS SUBDIVISION PLAT AMENDMENT IS BASED UPON THE PREVIOUS RECORDED SUBDIVISION PLAT BY JOE DHAENENS RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY # 446740
3. BASIS OF BEARING IS BETWEEN A FOUND RIVET IN THE CURB AND GUTTER AND A FOUND REBAR AND CAP LS#187182 AS SHOWN ON THIS PLAT

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, TRAVIS R. GOWER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, AND THAT I HOLD LICENSE NUMBER 6439364 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THAT PLAT. I DO FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT AND AMENDMENT OF THE PROPERTY DESCRIBED HEREON, HEREAFTER TO BE KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED.

PRELIMINARY

LICENSED PROFESSIONAL LAND SURVEYOR No. 6439364 TRAVIS R. GOWER STATE OF UTAH

TRAVIS R. GOWER
P.L.S. 6439364 DATE

PARK CITY RECORDER

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
PARK CITY RECORDER

PARK CITY MAYOR

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
PARK CITY MAYOR

PARK CITY ATTORNEY

I HAVE EXAMINED THE PROPOSED PLAT OF THIS SUBDIVISION, AND IN MY OPINION IT CONFORMS WITH THE ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT. APPROVED THIS _____ DAY OF _____ A.D. 2024.

_____
PARK CITY ATTORNEY

PARK CITY ENGINEER

I HEREBY CERTIFY THAT THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

_____ _____
PARK CITY ENGINNER DATE

SNYDERVILLE BASIN WATER RECLAMTION DISTRICT

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
SBWRD REPRESENTATIVE

PARK CITY PLANNING COMMISION

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
CHAIRMAN

RECORDED ENTRY NUMBER _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

_____ _____
FEE $ SUMMIT COUNTY RECORDER

SMITH SUBDIVISION PARCEL B AMENDED

LOCATED IN THE: SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY SUMMIT COUNTY, UTAH

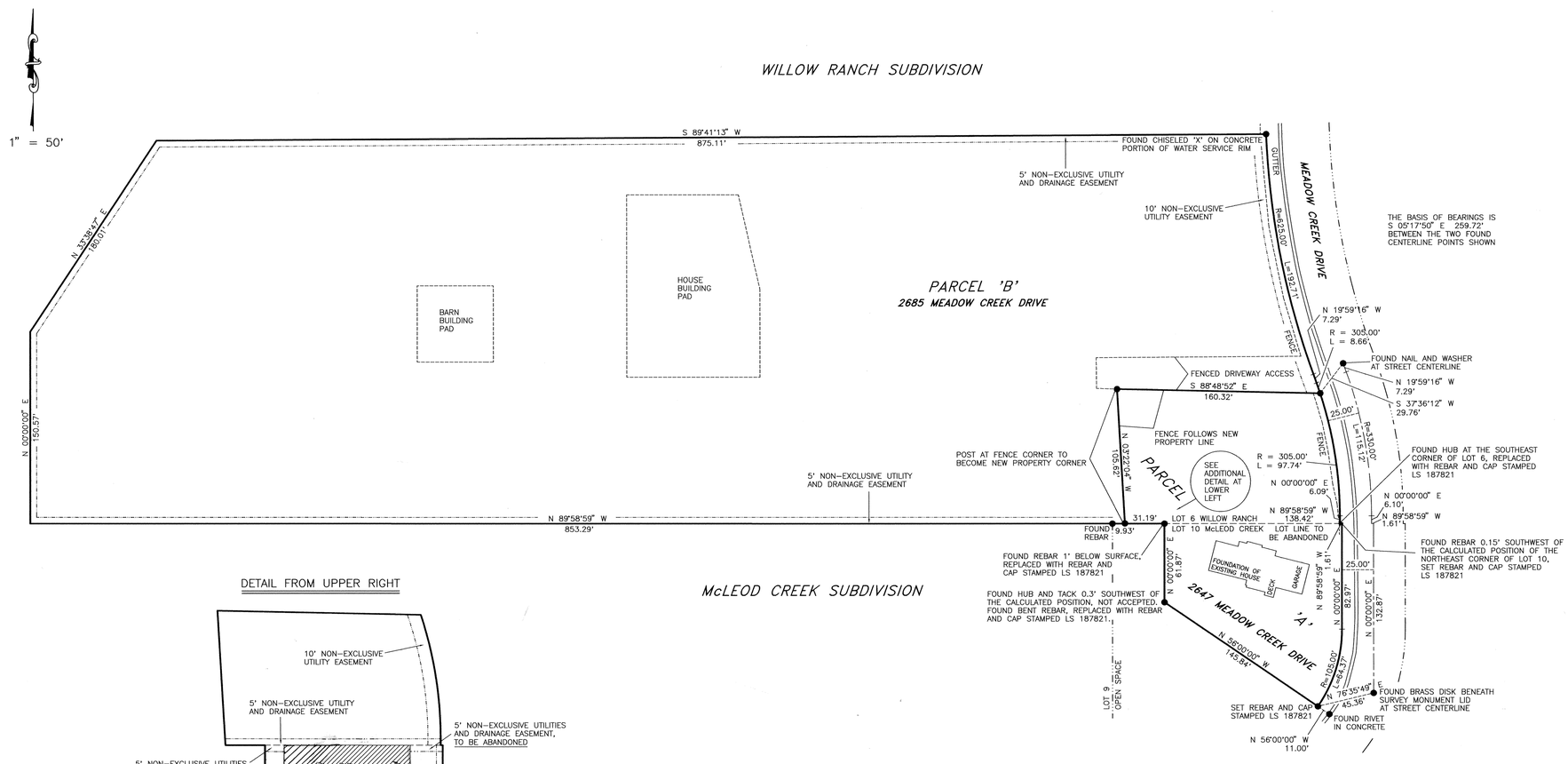
tgower@re-n-d.com
801-837-0633
RIMROCK ENGINEERING & DEVELOPMENT

PROJECT NAME
SMITH SUBDIVISION PARCEL B AMENDED

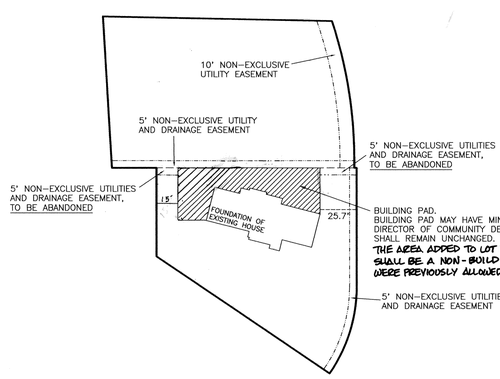
1" = 50'	PROJECT # RGC2216-01-01
DRAWN: TG	DATE: 01/16/2024
CHECKED: AP	SHEET NO: 1 OF 1

E:\2022 PROJECTS\SMITH SUBDIVISION-DWG\SMITH SUBDIVISION REV1 PRELIM 2024 - A 2-8-24.DWG

SMITH SUBDIVISION
being a
PLAT AMENDMENT OF LOT 6 WILLOW RANCH SUBDIVISION AND LOT 10 McLEOD CREEK SUBDIVISION
and RECORD OF SURVEY



DETAIL FROM UPPER RIGHT



OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT, THAT WE, PHILO M. SMITH, JR. AND DIANE JORDAN SMITH TRUSTEES, THE OWNERS OF THE HEREON DESCRIBED PROPERTY, HEREINAFTER TO BE KNOWN AS SMITH SUBDIVISION, CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE, AND THE PLAT TO BE PREPARED, AND WE DO HEREBY CONSENT TO THE RECORDATION OF THIS SUBDIVISION AND PLAT AMENDMENT.

Philo M. Smith, Jr.
PHILO M. SMITH, JR.

Diane Jordan Smith
DIANE JORDAN SMITH, FOR DIANE JORDAN SMITH TRUSTEES

THE OWNER, OR HIS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY, ALL STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS, AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THE SUBDIVISION PLAT AND CONSTRUCTION PLANS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Summit
ON THIS 6th DAY OF October, 1995, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PHILO M. SMITH, JR. AND DIANE JORDAN SMITH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE OWNERS OF THE HEREIN DESCRIBED PROPERTY, AND THEY SIGNED THE ABOVE OWNER'S CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC GLENNA R. COLLINS 310 South Main, Suite 350 Salt Lake City, Utah 84101 My Commission Expires December 23, 1998 STATE OF UTAH

Glenna R. Collins
NOTARY PUBLIC
MY COMMISSION EXPIRES: 12-23-98
RESIDING AT: Park City, UT

SURVEYOR'S CERTIFICATE

I, JOE DHAENENS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW.

NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS AS SHOWN.
2. SURVEY MONUMENTS WERE FOUND OR SET AS SHOWN.
3. THE PURPOSE OF THIS SURVEY IS FOR BOUNDARY LOCATION AND PLAT AMENDMENT.
4. THIS SURVEY WAS REQUESTED BY PHILO SMITH.
5. THIS SURVEY WAS PERFORMED ON MAY 10, 1995.
6. THE OWNER OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBERANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT WHERE OTHERWISE SHOWN.
8. THE PURPOSE OF THIS PLAT AMENDMENT IS TO ADD PART OF LOT 6 TO LOT 10. OTHER LOT LINES IN McLEOD CREEK AND WILLOW RANCH SUBDIVISIONS WILL NOT BE AFFECTED.

LEGAL DESCRIPTIONS

PARCEL A:
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 10 OF McLEOD CREEK SUBDIVISION, TOGETHER WITH A PART OF LOT 6 OF WILLOW RANCH SUBDIVISION, SAID PART OF LOT 6 BEING THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, THENCE N 89°58'59" W ALONG THE COMMON LINE BETWEEN McLEOD CREEK AND WILLOW RANCH SUBDIVISIONS 169.61 FEET, THENCE N 03°22'04" W 105.62 FEET, THENCE S 88°48'52" E 160.32 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THENCE 97.74 FEET IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE WHOSE CHORD BEARS S 09°10'50" E 97.32 FEET, THENCE S 00°00'00" E 6.09 FEET TO THE POINT OF BEGINNING.
PARCEL A CONTAINS 0.74 ACRES.

PARCEL B:
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 6 OF WILLOW RANCH SUBDIVISION, EXCEPTING THEREFROM A PART OF LOT 6 OF WILLOW RANCH SUBDIVISION, SAID PART OF LOT 6 BEING THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, THENCE N 89°58'59" W 169.61 FEET, THENCE N 03°22'04" W 105.62 FEET, THENCE S 88°48'52" E 160.32 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THENCE 97.74 FEET IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE WHOSE CHORD BEARS S 09°10'50" E 97.32 FEET, THENCE S 00°00'00" E 6.09 FEET TO THE POINT OF BEGINNING.
PARCEL B CONTAINS 6.40 ACRES.

REGISTERED LAND SURVEYOR No. 187821 JOE DHAENENS STATE OF UTAH

Joe Dhaenens
JOE DHAENENS

11-28-95
DATE

SURVEYED BY:
ON THE MAP
LAND SURVEYING
P.O. BOX 3864
PARK CITY, UT 84060
647-9826

CITY COUNCIL

APPROVED BY THE PARK CITY COUNCIL ON THIS 31ST DAY OF AUGUST, 1995.

Bradley A. Olch
MAYOR

Anita L. Sheldon
CITY RECORDER

PARK CITY SUMMIT COUNTY UTAH CORPORATE SEAL MARCH 1, 1884

CITY ENGINEER

APPROVED BY THE PARK CITY ENGINEER ON THIS 12TH DAY OF DECEMBER, 1995.

Eric W. DeHaan, PE
CITY ENGINEER

CITY ATTORNEY

APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS 10TH DAY OF JANUARY, 1996.

Mark D. Harrington
CITY ATTORNEY

SEWER DISTRICT APPROVAL

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 7TH DAY OF December, 1995.

James K. Brasil
S.B.S.I.D.

RECORDED

NUMBER 446740
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE
REQUEST OF Coalition Title

DATE 01-23-96
TIME 08:34 AM
FEE $32.00

Lorene M. Dunn-deputy
COUNTY RECORDER

PARK CITY
1884

Planning Department

March 13, 2024

Josh Call
Rimrock Engineering and Development

CC: Paul and Alaine Caraher

NOTICE OF PLANNING COMMMISSION ACTION

Description

Address:	2685 and 2647 Meadow Creek Drive
Zoning District:	Parcel A – Single Family, partially in the Sensitive Land Overlay Parcel B – Estate and Sensitive Land Overlay
Application:	Plat Amendment
Project Number:	PL-24-06033
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	March 23, 2024
Project Summary:	The Applicant Proposes Amending the Smith Subdivision Parcel to Shift the Existing Building Pads Out of the Wetlands to Maintain the Sensitive Land Overlay and Amend the Driveway Easement to be Entirely on Parcel B

Action Taken

On March 13, 2024, the Planning Commission conducted a public hearing and approved the Smith Subdivision First Amended Plat Amendment [Attachment 1] according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. In 1980, the Park City Municipal Corporation (the City) approved the McLeod Creek Subdivision.
2. On January 22, 1985, the City Council passed Ordinance 86-5, rezoning Mcleod Creek Subdivision to being Single Family (SF) Zoning District.

3. On December 17, 1992, the City Council formally annexed what would become the Willow Ranch Subdivision, zoning it Estate and Recreation Open Space.
4. On January 28, 1993, the City Council approved the final Plat for the Willow Ranch Subdivision, which consisted of six lots.
5. The City was creating the SLO at the same time as the Willow Ranch annexation, and so the SLO didn't initially apply as the Annexation was vested.
6. To provide protection in the absence of the SLO, specific building pads for a Single-Family Dwelling and Barn, driveway easements, and square footage were placed as restrictions on the Plat.
7. Lot 6, which is now Parcel B, was one such Lot.
8. In 1995, the then owner wished to add an addition to the existing Single-Family Dwelling located on Lot 10 of the McLeod Creek Subdivision, but this proposed addition encroached into setbacks. The owner also owned Lot 6 of Willow Ranch, which was vacant. The property owner applied to create the two-Lot Smith Subdivision. To accommodate the addition, the Lot line for Lot 10 would be shifted North to incorporate part of Lot 6. This new Lot was named Parcel A. The remainder of Lot 6 became Parcel B.
9. On August 31, 1995, the City Council approved the Smith Subdivision. The Lot 6 Building Pads for the potential Single-Family Dwelling and Barn remained on the Smith Subdivision Plat, but neither the Square Footages nor the Driveway Easement are shown. Ordinance 95-44, which approved the Smith Subdivision, included Condition of Approval (COA) 3 which states, "All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect."
10. The addition was not constructed.
11. On September 8, 2022, the Planning Department received a Plat Amendment from the current applicant seeking to adjust the lot line for Parcels A and B to restore it to the original boundary between the McLeod and Willow Ranch Subdivisions. That application was under the address 2647 Meadow Creek Drive (Parcel A) and assigned the number PL-22-05374. As part of Staff's analysis of the application, it was determined that the Applicant would need to complete a Wetlands Delineation as required by LMC § 15-2.21-6.
12. A COA was recommended where the final location of the Building Pads would be determined by the Planning Director and City Engineer following that Delineation. Staff also recommended that the restrictions and Plat Notes that had been included on the Willow Ranch Plat, but weren't included on the Smith Subdivision

Plat, would be placed on the amended Smith Subdivision Plat, as they remained in effect due to COA 3 of Ordinance 95-44. The Plat Amendment was scheduled for a public hearing before the Planning Commission on December 14, 2022, but the applicant withdrew the application before the hearing.

13. In preparation for submitting a new Plat Amendment application, the applicant reached out to Staff to determine what would be required under the SLO and expressed their interest in building the Barn first.
14. Staff took the proposal to the Development Review Committee (DRC) on August 15, 2023. Following the meeting, the applicant worked with the Planning Department, City Engineer, Park City Fire District (PCFD), and the public utilities to amend their proposal.
15. On January 4, 2024, the applicant submitted the formal application for a Plat Amendment.
16. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The Park Record published notice on February 28, 2024.
17. Parcel B is located within the Estate Zoning District.
18. Land Management Code (LMC) § 15-2.10-2 establishes that both Single Family Dwellings and Agriculture are Allowed Uses within the Estate Zone.
19. Per LMC Chapter 15-2.10, all structures within the Estate Zone are subject to the following criteria:

Estate Zone Requirements	**Analysis of Proposal**
Lot Size	*LMC § 15-2.10-3(A) requires that all uses (except Duplexes) have a minimum Lot Size of 3 Acres.* **Complies:** Parcel B has a Lot Size of 6.4 Acres
Lot Width	*LMC § 15-2.10-3(B) requires a minimum Lot Width of 100 feet.* **Complies:** Parcel B has a Lot Width of 304 feet.
Setbacks	*LMC § 15-2.10-3(C) establishes that Setbacks for Front, Rear, and Sides to be 30 feet.* **Complies:**

	The Building Pad for the Single Family Dwelling is located 44.68 feet from the Northern Lot Line. The Barn Building Pad is located 103.29 feet from the Northern Lot Line.
Building Height	*LMC § 15-2.10-4 sets a Building Height of 28 feet from Existing Grade.* **Complies:** The Building Height for the Barn will be 27.125 feet.

20. Parcel B is located within the SLO, specifically in relation to Wetlands located on the Lot. LMC § 15-2.21-6(D) requires that the Applicant provide a wetlands delineation. The Applicant has completed a provisional delineation (Exhibit L) which identified two Wetlands on Parcel B, shown on the Site Plan Concept. LMC § 15-2.21-6(F) requires a 50 foot Setback from all Wetlands. As the Site Plan Concept shows, the existing Building Pads for both the Barn and Single Family Dwelling encroach on the Wetlands Setback.
21. The Applicant has contacted the Army Corps of Engineers for a formal delineation by them, and the field work will occur in the Spring.
22. The current Smith Subdivision Plat also established that the area added to Lot 10, forming Parcel A, was to be a non-build Yard Area.
23. Plat Amendments shall be reviewed according to LMC § 15-7.1-6 Final Subdivision Plat and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.
24. Good Cause exists for the Plat Amendment as it resolves existing issues and non-conformities, specifically by moving the Building Pads outside of the Wetlands Setbacks and by moving the Parcel B Driveway Easement exclusively onto Parcel B as well as bringing a potential driveway into compliance with PCFD requirements.
25. No changes to the public street or Right-of-Way are proposed. The utility easements running around the property will not be amended. The Driveway Easement will be amended, but it is not a public easement.

Conclusions of Law

1. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.10 for the Estate Zoning District.

2. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.21 for the SLO.
3. The proposed Plat Amendment complies with the LMC Requirements pursuant to LMC Chapter 15-7.1 for Subdivision Procedures as there is Good Cause and no Public Street, Right-of-Way, or easement is vacated or amended.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. No building permit application may be submitted until after this plat amendment has been recorded with the County.
4. Development on Parcel A must conform with the land use regulations of the Single-Family Zoning District.
5. Development on Parcel B must conform with the land use regulations of the Estate Zoning District and the Sensitive Land Overlay.
6. Easements established as part of the 1995 Smith Subdivision are required to be retained or relocated pursuant to documented easement holder permission, including a 10-foot existing utility and drainage easement common to both Lots.
7. Prior to the recordation of the amended plat, the applicant shall submit an updated wetland delineation approved by the Army Corps of Engineers to confirm the designated building pads and proposed driveway comply with required wetland regulations. If modifications to the designated building pads and proposed driveway location are required, the Applicant shall return to the Planning Commission for additional review and approval based upon the updated wetland delineation to ensure compliance with the Sensitive Land Overlay and to mitigate site disturbance. Such modifications shall not result in any net expansion of a building pad.
8. Plat notes shall require the following:
    a. A maximum of three horses will be allowed and grazing of horses in the wildlife corridor is prohibited for Parcel B.
    b. Home square footage is limited to a maximum of 8,000 square feet for Parcel B.

c. Barn square footage is limited to a maximum of 1,800 square feet for Parcel B. Residential use and human occupancy of the barn is prohibited.
d. Building height of the home and barn on Parcel B is limited to 23 feet to midpoint of roof and 28 feet to peak of roof.
e. Parcel B is subject to an Animal Management Plan and Equestrian Lot Open Space Covenant Executed with Park City Municipal Corporation.
f. Basements are prohibited for Parcel B.

9. A Plat Note shall indicate that the area added to Lot 10 [Lot A] of the McLeod Creek Subdivision, which is zoned Estate Zoning District, from the Willow Ranch Subdivision shall be a non-build area with such uses allowed as were previously allowed as part of Lot 6 of the Willow Ranch Subdivision.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5058 or email jaron.ehlers@parkcity.org.

Sincerely,

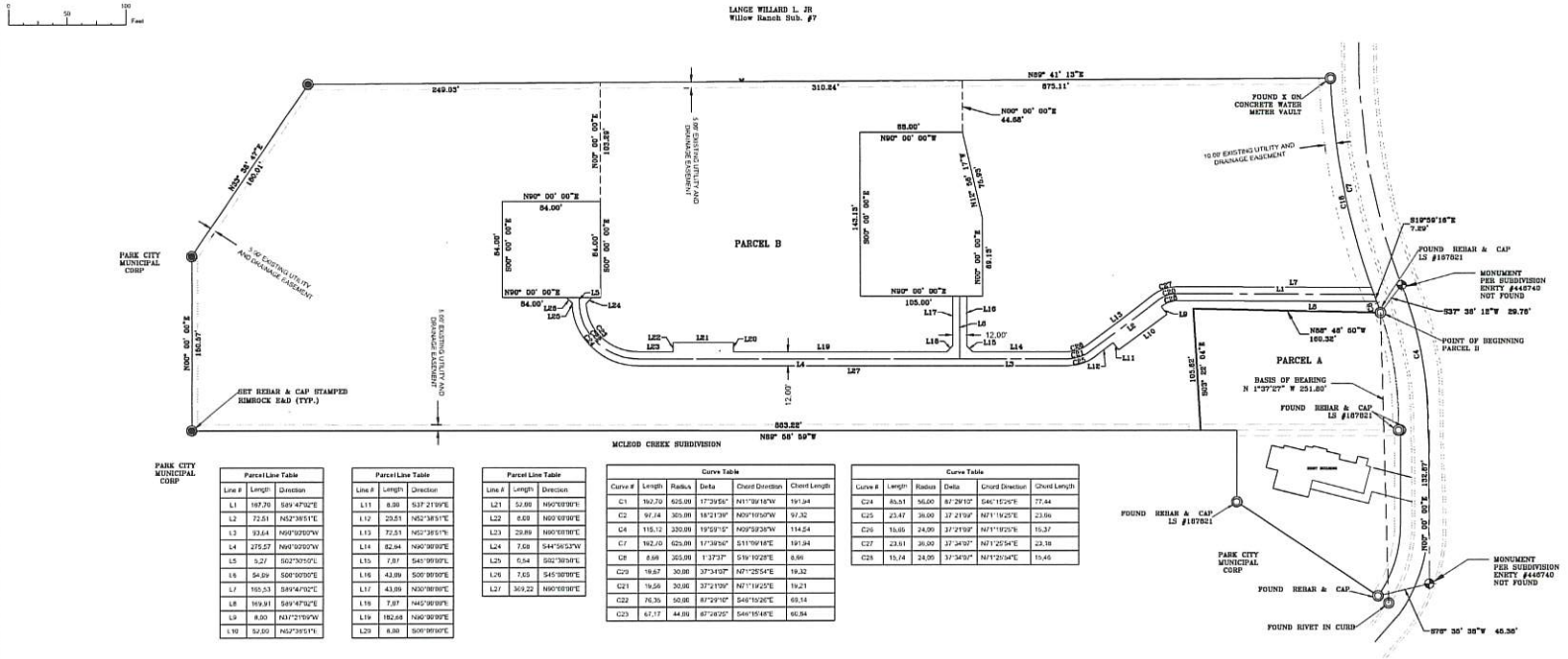
Christin Van Dine
Planning Commission Chair Pro Tem

CC: Jaron Ehlers, Planning Technician

Attachment 1: Proposed Plat

SMITH SUBDIVISION
PARCEL B AMENDED

LOCATED IN THE:
SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY
SUMMIT COUNTY, UTAH



Parcel Line Table		
Line #	Length	Direction
L1	167.76	S89°47'02"E
L2	72.51	N52°38'51"E
L3	93.64	N90°00'00"W
L4	275.57	N90°00'00"W
L5	9.27	S52°38'51"E
L6	84.09	S00°00'00"E
L7	165.53	S89°47'02"E
L8	169.91	S89°47'02"E
L9	8.00	N37°21'59"W
L10	52.00	N52°38'51"E

Parcel Line Table		
Line #	Length	Direction
L11	8.00	S37°21'59"E
L12	29.51	N52°38'51"E
L13	72.51	N52°38'51"E
L14	82.94	N90°00'00"E
L15	7.87	S45°00'00"E
L16	43.09	S00°00'00"E
L17	43.09	N00°00'00"E
L18	7.87	N45°00'00"E
L19	182.68	N90°00'00"E
L20	8.00	S00°00'00"E

Parcel Line Table		
Line #	Length	Direction
L21	52.00	N90°00'00"E
L22	8.00	N00°00'00"E
L23	29.89	N90°00'00"E
L24	7.09	S44°56'53"W
L25	6.54	S52°38'51"E
L26	7.65	S45°38'08"E
L27	369.22	N90°00'00"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	192.70	625.00	17°39'56"	N11°09'18"W	191.94
C2	97.74	305.00	18°21'39"	N09°10'50"W	97.32
C4	115.12	330.00	19°59'15"	N09°58'38"W	114.54
C7	192.70	625.00	17°39'56"	S11°09'18"E	191.94
C8	8.66	265.00	1°52'23"	S19°10'28"E	8.66
C20	19.67	30.00	37°34'02"	N71°25'54"E	19.32
C21	19.56	30.00	37°21'09"	N71°11'25"E	19.21
C22	70.35	50.00	80°36'16"	S46°15'26"E	64.74
C23	67.17	44.00	87°28'25"	S46°15'48"E	60.84

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C24	85.51	56.00	87°29'02"	S46°15'26"E	77.44
C25	23.47	35.00	37°21'59"	N71°11'25"E	23.06
C26	15.05	24.00	37°21'59"	N71°11'25"E	15.37
C27	23.61	35.00	37°34'02"	N71°25'54"E	23.18
C28	15.74	24.00	37°34'02"	N71°25'54"E	15.46

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT PAUL THOMAS CARAHER III (TRUSTEE) OF THE CARAHER FAMILY TRUST, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, TO BE HEREAFTER KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED, AS SHOWN ON THIS PLAT AND INTENDED FOR PRIVATE USE, SUBJECT TO EASEMENTS AND RIGHTS GRANTED HEREUNDER AND ANY MATTERS OF RECORD, RESTRICTIONS AND CONDITIONS CONTAINED ON THIS PLAT. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2024, A.D.

BY _____ _____
PAUL THOMAS CARAHER III DATE

ACKNOWLEDGMENT

STATE OF UTAH)
: SS.
COUNTY OF _____)

ON THE ____ DAY OF _____, A.D. 2024, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION _____, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

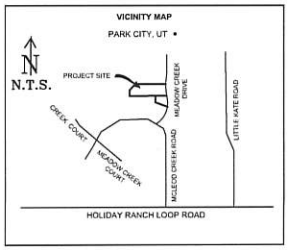
ALL OF PARCEL B, SMITH SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH. RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY #446740

PLAT NOTES

THE PURPOSE OF THIS PLAT IS TO ADJUST THE BUILDING EASEMENTS FOR PARCEL B

1. 10' PUBLIC UTILITY EASEMENTS ON FRONT LOT LINE ALONG ELK MEADOW CIRCLE, 5' PUBLIC UTILITY EASEMENTS ON ALL SIDE AND REAR LOT LINES
2. THIS SUBDIVISION PLAT AMENDMENT IS BASED UPON THE PREVIOUS RECORDED SUBDIVISION PLAT BY JOE DHAENENS RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY # 446740
3. BASIS OF BEARING IS BETWEEN A FOUND RIVET IN THE CURB AND GUTTER AND A FOUND REBAR AND CAP LS#187162 AS SHOWN ON THIS PLAT

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, TRAVIS R. GOWER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, AND THAT I HOLD LICENSE NUMBER 6439364 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THAT PLAT. I DO FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT AND AMENDMENT OF THE PROPERTY DESCRIBED HEREON, HEREAFTER TO BE KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED.

PRELIMINARY

TRAVIS R. GOWER
P.L.S. 6439364 DATE

PARK CITY RECORDER

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
PARK CITY RECORDER

PARK CITY MAYOR

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
PARK CITY MAYOR

PARK CITY ATTORNEY

I HAVE EXAMINED THE PROPOSED PLAT OF THIS SUBDIVISION, AND IN MY OPINION IT CONFORMS WITH THE ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT, APPROVED THIS _____ DAY OF _____, A.D. 2024.

_____
PARK CITY ATTORNEY

PARK CITY ENGINEER

I HEREBY CERTIFY THAT THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

_____ _____
PARK CITY ENGINEER DATE

SNYDERVILLE BASIN WATER RECLAMTION DISTRICT

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
SBWRD REPRESENTATIVE

PARK CITY PLANNING COMMISION

APPROVED THIS_____ DAY OF _____, A.D. 2024.

_____
CHAIRMAN

RECORDED ENTRY NUMBER _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

_____ _____
FEE $ SUMMIT COUNTY RECORDER

SMITH SUBDIVISION PARCEL B AMENDED
LOCATED IN THE: SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY SUMMIT COUNTY, UTAH

tgower@re-n-d.com
801-837-0633
RIMROCK ENGINEERING & DEVELOPMENT

PROJECT NAME	
SMITH SUBDIVISION PARCEL B AMENDED	
1" = 50'	PROJECT # RGC2216-01-01
DRAWN: TG	DATE: 01/16/2024
CHECKED: AP	SHEET NO: 1 OF 1

DocuSign Envelope ID: 60D6CA39-0CEB-4415-B51D-0CD044C5782F

Planning Department

May 10, 2024

Bob Theobold
Appellant

NOTICE OF APPEAL PANEL ACTION

Description

Address:	2647 and 2685 Meadow Creek Drive
Zoning District:	Parcel A – Single-Family, partially in the Sensitive Land Overlay and Estate Parcel B – Estate and Sensitive Land Overlay
Application:	Appeal of Plat Amendment Approval
Project Number:	PL-24-06033 – Plat Amendment PL-24-06078 – Appeal
Action:	DENIED
Date of Final Action:	May 10, 2024
Project Summary:	The Applicant appealed the Planning Commission's approval of a Plat Amendment.

Action Taken

On May 6, 2024, the Appeal Panel conducted a public hearing, denied the appeal, and affirmed the Planning Commission's approval of a Plat Amendment based on the following Findings of Fact and Conclusions of Law:

Findings of Fact

The Appeal Panel hereby finds as follows:

1. The properties are located at 2647 and 2685 Meadow Creek Drive and are part of the Smith Subdivision.
2. The Smith Subdivision contains two lots, one from the Willow Ranch Subdivision and the other from the McLeod Creek Subdivision.
3. A platted driveway easement crosses both lots for access to 2685 Meadow Creek Drive.

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4. The platted house and barn Building Pads for 2685 Meadow Creek Drive encroach into a 50-foot Setback from wetlands required by the Sensitive Land Overlay.
5. The Applicant applied to relocate the platted Building Pads to meet the required Setbacks and to replat the driveway easement so it is entirely located on 2685 Meadow Creek Drive.
6. On June 28, 2023, the Applicant submitted a preliminary wetland delineation to the Army Corps of Engineers in preparation for submitting a Plat Amendment application to shift the Single-Family and Barn building pad and relocate the driveway easement.
7. On August 15, 2023, the Development Review Committee reviewed the proposal and worked with the Applicant to amend their proposal to comply with the preliminary wetland delineation.
8. On January 4, 2024, the Applicant submitted a Plat Amendment Application to the Planning Department.
9. On March 13, 2024, the Planning Commission held a public hearing on the proposed Smith Subdivision First Amended Plat and unanimously approved the Plat Amendment.
10. On March 25, 2024, the Appellant appealed the Planning Commission's approval.
11. The property is within the Sensitive Land Overlay, and the Planning Commission correctly determined changes to platted elements require a Sensitive Land Analysis pursuant to LMC § 15-2.21-3(A)(7), including an updated map delineating all wetlands.
12. The typographical error to Finding of Fact 4 is harmless error and had no bearing upon the application of the LMC to this application or the Good Cause determination by the Planning Commission.
13. Staff published notice on the City's and Utah Public Notice websites and posted notice to the property on April 22, 2024. Staff mailed courtesy notice to the property owners within 300 feet on April 22, 2024. The *Park Record* published courtesy notice on April 20, 2024.

Conclusions of Law

1. The Appeal Panel found no error or misapplication of the Land Management Code in the Planning Commission's Final Action Letter.
2. The Planning Commission correctly found the Plat Amendment complied with the Land Management Code, and there was Good Cause for the Plat Amendment.
3. The Appeal Panel found no error or misapplication of the Land Management Code as to any other findings of fact or conclusions of law by the Planning Commission

4. As to all other allegations or arguments asserted by the Appellant, the Appellant failed to meet the requisite burden of proof.

Order: The Appeal Panel hereby denies the appeal and affirms the Planning Commission's decision to approve the Smith Subdivision First Amended Plat in accordance with the applicable standards, Utah Code, and Land Management Code Chapter 15-7.1, and § 15-7.1-3(B). The original action letter stands, with the exception of the typographical error in Finding of Fact #4, which may be corrected to reflect 8 lots.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

DocuSigned by:
Adam Strachan
05AE9877B95E400...

Adam Strachan
Appeal Panel Chair

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

January 15, 2025

Regulatory Division (SPK-2023-00487)

Mr. Paul Caraher
2685 Meadow Creek Drive
Park City, Utah 84060
ptcaraher@gmail.com

Dear Mr. Caraher:

We are responding to your June 22, 2024 request for verification of an Aquatic Resource delineation for the Caraher Property site. The approximately 6-acre project site is located on 2624 Meadow Creek Drive, Latitude 40.672378°, Longitude -111.513651°, Park City, Summit County, Utah (Enclosure 1).

Based on the information you have provided, the Meadow Creek Drive Lot 6 project involves the construction of a barn pad, access road, and buried utility lines. The proposed activities would be conducted in accordance with the *Park City Barn* plans, created by Rimrock Engineering & Development and dated June 12, 2024 (Enclosure 2).

We have determined that the proposed work will not result in the discharge of dredged or fill material within waters of the United States. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented on site to achieve this end. This determination is based on the information you provided to our office. If future plans would result in a change to the design or construction methods of the proposed action, we recommend you contact our office for a new determination.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, and does not refer to, nor affect jurisdiction over any waters present on site. Other federal, state, and local laws may apply to your activities. Therefore, in addition to contacting other federal and local agencies, you should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits.

In addition, based on available information, we concur with your aquatic resources delineation for the site, which consists of approximately 0.05 acre of palustrine emergent wetlands, as depicted on *Delineation Detail Caraher Parcel* drawing prepared by CNL Environmental and dated June 7, 2024 (Enclosure 3). This letter verifies that the

location and boundaries of wetlands were delineated consistent with the wetland definition at 33 CFR §328.3(c)(16), the 1987 *Corps of Engineers Wetlands Delineation Manual* (Wetlands Research Program Technical Report Y-87-1) and the applicable regional supplements; and the location and boundaries of non-tidal waters conform with the ordinary high water mark definition at 33 CFR §328.3(c)(7), Regulatory Guidance Letter 05-05, and any applicable regional guide.

This verification letter does not constitute a jurisdictional determination (JD). A JD is not required to process an application for a Department of the Army permit. If you do not require a JD for the site, your permit application may be processed sooner. You may request a JD for this site at any time prior to starting work in aquatic resources, including after a permit decision is made. To request a JD for this site, complete the attached *Request for Aquatic Resources Delineation or Jurisdictional Determination Form* (enclosure 4) and return it to this office at the address listed below.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

Please refer to identification number SPK-2023-00487 in any correspondence concerning this project. If you have any questions, please contact Connor Jones at Utah Regulatory Field Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010-7744, by email at *connor.d.jones@usace.army.mil*, or telephone at 801-295-8380 ext. 8317.

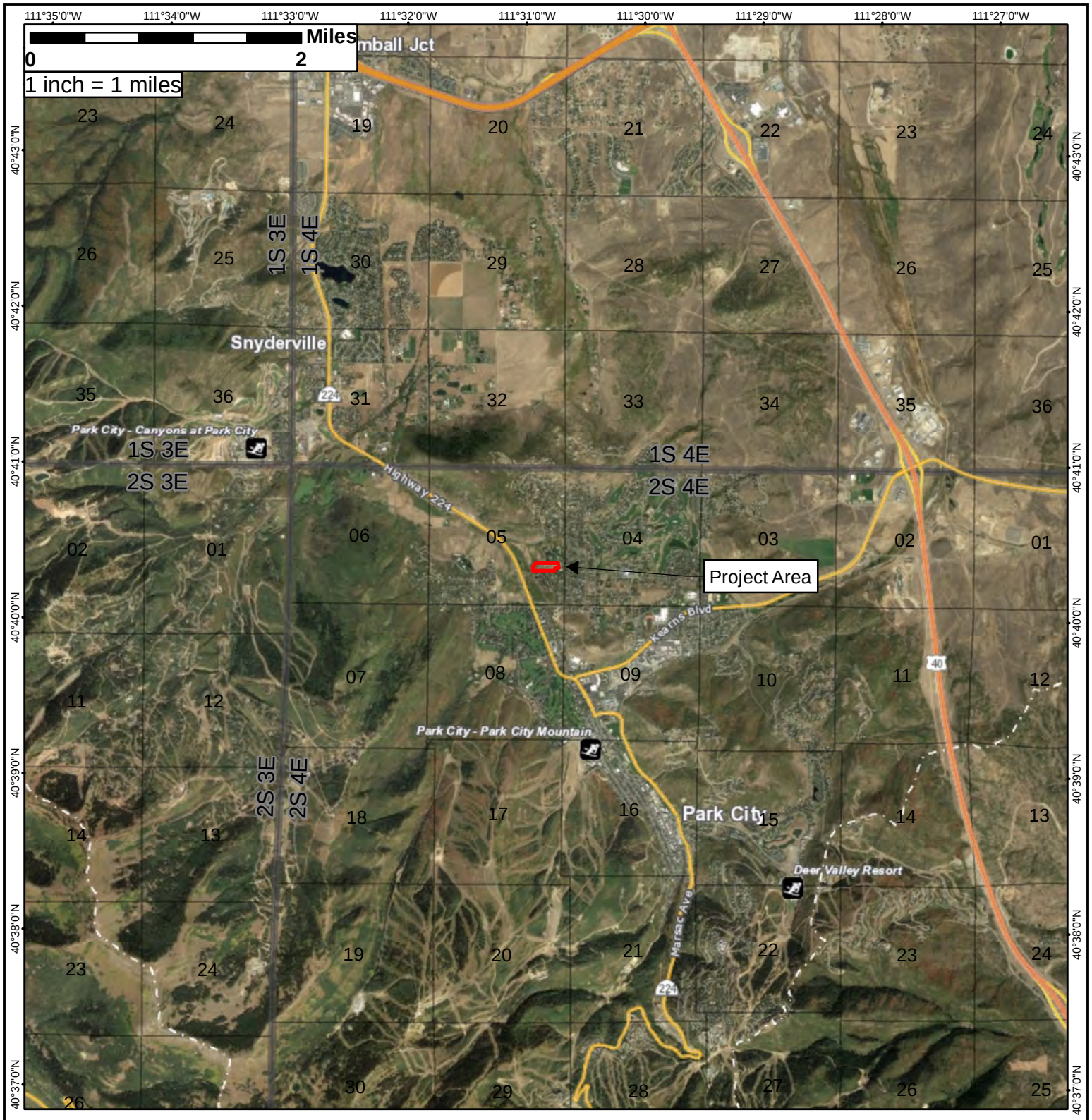
Sincerely,



Connor Jones
Project Manager
Utah Regulatory Section

Enclosures

cc: Cody Mittanck, CNL Environmental (cody@cnlenvironmental.com)



Project Location

Caraher Parcel

Section 5
n T.2S, R.4E, S.L.B.&M.

Legend

Project Area

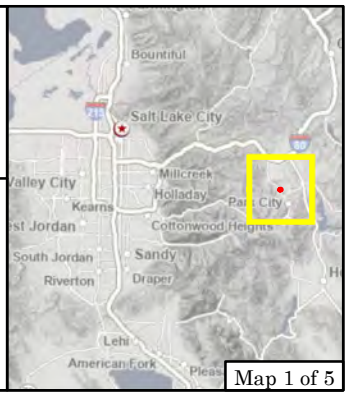
Projection:
NAD 83 UTM Zone 12N

Source:
UGRC Basemap Hybrid Imagery 9/24/21

Survey Performed by
Cody Mittanck

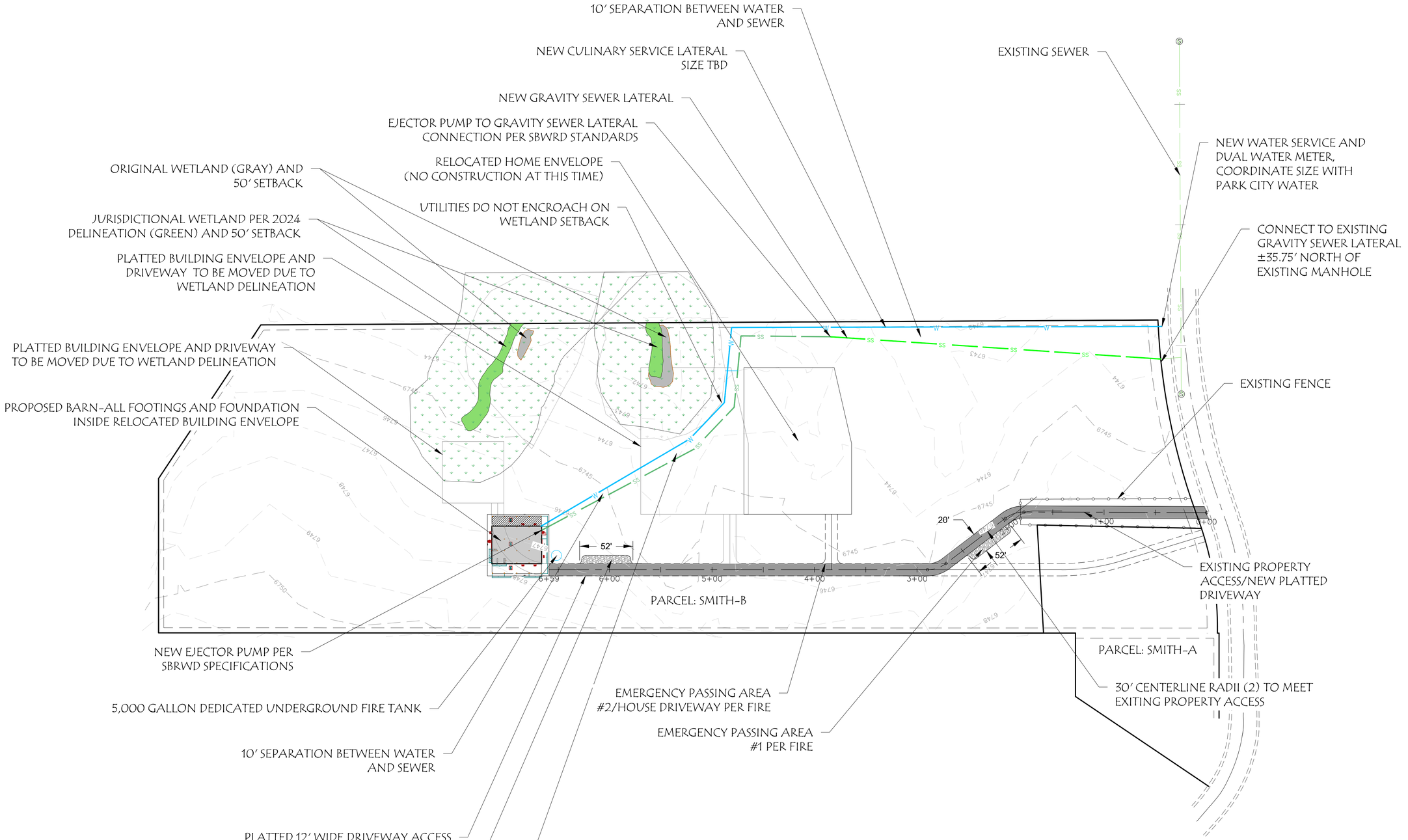
CNL ENVIRONMENTAL

Created: 6/7/2024
Revised:
Author: CMM



Map 1 of 5

Enclosure 1



SHEET NOTES

1.

SHEET LEGEND

- EXIST POWER
- EXIST GAS
- EXIST WATER
- EXIST IRRIGATION
- EXIST SEWER
- EXIST TELEPHONE
- EXIST STORM DRAIN
- EXIST FIBER OPTIC
- EXIST FENCE
- EXIST EDGE OF ROAD
- EXIST MAJOR CONTOUR
- EXIST MINOR CONTOUR
- EXIST DITCH FLOW LINE
- NEW EDGE OF ROAD
- NEW MAJOR CONTOUR
- NEW MINOR CONTOUR
- NEW DITCH FLOW LINE
- NEW PROPERTY LINE
- PROPERTY BOUNDARY
- UTILITY EASEMENT

PLAN REVISIONS
A.

RIMROCK ENGINEERING & DEVELOPMENT

CAD TECH:	XXX
DESIGNER:	XXX
Q&A:	XXX

CALL BLUE STAKES PRIOR TO DIGGING

PROJECT NAME

PARK CITY BARN

SHEET NAME

SITE PLAN CONCEPT

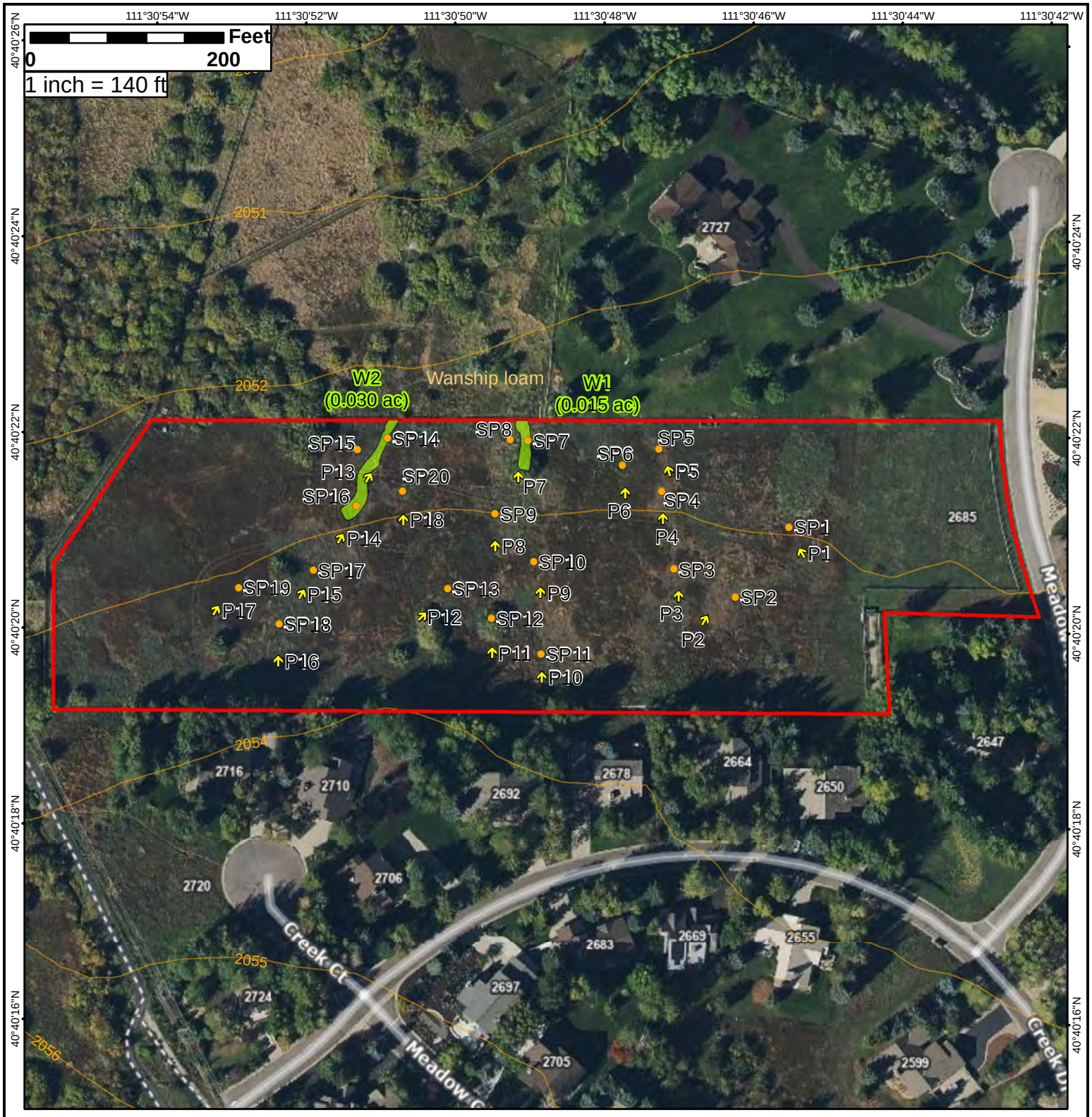
PLAN SUBMITTAL: CONCEPTUAL

REVIEW SET 6/12/24

SHEET NUMBER **1.1**

D:\TEMP #480_DRIVE\2023\Comber_Smith, Bare, Park, City\Design, Base\Design, Base_February Update.dwg

Enclosure 2



Delineation Detail

Caraher Parcel

Project Dimensions:
Note: dimensions include features w/in project area

Project area = 6.397 ac
Wetlands = 0.045 ac

Legend

- Project Area
- Directional Photo Points (P)
- Sample Points (SP)
- Palustrine Emergent Wetland
- Soils
- Contours (1m height interval)

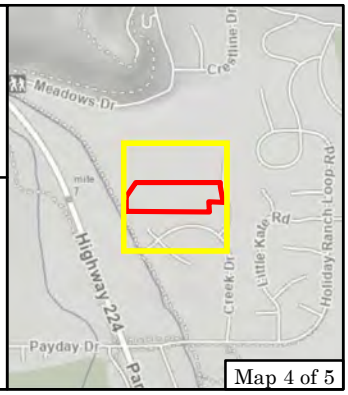
Projection:
NAD 83 UTM Zone 12N

Source:
UGRC Basemap Hybrid Imagery 9/24/21

Survey Performed by
Cody Mittanck

CNL ENVIRONMENTAL

Created: 6/7/2024
Revised:
Author: CMM



Map 4 of 5

Enclosure 3

U.S. Army Corps of Engineers (USACE)

REQUEST FOR JURISDICTIONAL DETERMINATION (JD)

For use of this form, see Sec 404 CWA, Sec 10 RHA, Sec 103 MPRSA; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0024
Expires 2027-09-30

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.

Principal Purpose The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the review area that are or that may be subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice or FOIA request as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in any approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure Submission of requested information is voluntary, however, if the information is not provided there may be some delay in processing your request. Failure to provide this information will not result in an adverse action.
System of Record Notice (SORN): The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website:
http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0024, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

1. To (*District Name*):

2. I am requesting a JD on property located at (*Street Address*): _____

City/Township/Parish: _____ County: _____ State: Utah

Acreage of Parcel/Review Area for JD: _____

Section: _____ Township: _____ Range: _____

Latitude (*decimal degrees*): _____ ° Longitude (*decimal degrees*): _____ °

(*For linear projects, please include the center point of the proposed alignment.*)

3. Please attach a survey/plat map and vicinity map identifying location and review area for the JD.

4. ☐ I currently own this property. ☐ I plan to purchase this property.

☐ I am an agent/consultant acting on behalf of the requester.

☐ Other (*provide explanation*):

Enclosure 4

5. Reason for request: (*check as many as applicable*)

- ☐ I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all aquatic resources.
- ☐ I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
- ☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
- ☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.
- ☐ I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.
- ☐ A Corps JD is required in order to obtain my local/state authorization.
- ☐ I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
- ☐ I believe that the site may be comprised entirely of dry land.
- ☐ Other *(provide details below):*

6. Type of determination being requested:

- ☐ I am requesting an approved JD.
- ☐ I am requesting a preliminary JD.
- ☐ I am requesting a "no permit required" letter as I believe my proposed activity is not regulated.
- ☐ I am requesting a verification of an aquatic resources delineation but I am not requesting a JD.
- ☐ I am unclear as to which JD I would like to request and require additional information to inform my decision.

7. Typed or Printed Name: _____ Daytime Phone No.: _____

Company Name: _____ Email Address: _____

Address:

By signing below, you are indicating that you have the authority, or are acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant Corps personnel right of entry to legally access the site if needed to perform the JD. Your signature shall be an affirmation that you possess the requisite property rights to request a JD on the subject property.

Signature:	Date:

1/26/2025

10' SEPARATION BETWEEN WATER AND SEWER

NEW CULINARY SERVICE LATERAL SIZE TBD

NEW GRAVITY SEWER LATERAL

EJECTOR PUMP TO GRAVITY SEWER LATERAL CONNECTION PER SBWRD STANDARDS

RELOCATED HOME ENVELOPE (NO CONSTRUCTION AT THIS TIME)

UTILITIES DO NOT ENCROACH ON WETLAND SETBACK

ORIGINAL WETLAND (GRAY) AND 50' SETBACK

JURISDICTIONAL WETLAND PER 2024 DELINEATION (GREEN) AND 50' SETBACK

PLATTED BUILDING ENVELOPE AND DRIVEWAY TO BE MOVED DUE TO WETLAND DELINEATION

PLATTED BUILDING ENVELOPE AND DRIVEWAY TO BE MOVED DUE TO WETLAND DELINEATION

PROPOSED BARN-ALL FOOTINGS AND FOUNDATION INSIDE RELOCATED BUILDING ENVELOPE

EXISTING SEWER

NEW WATER SERVICE AND DUAL WATER METER, COORDINATE SIZE WITH PARK CITY WATER

CONNECT TO EXISTING GRAVITY SEWER LATERAL ±35.75' NORTH OF EXISTING MANHOLE

EXISTING FENCE

EXISTING PROPERTY ACCESS/NEW PLATTED DRIVEWAY

LANDSCAPE BOULDERS TO PROTECT TANK/CONNECTIONS

PARCEL: SMITH-A

30' CENTERLINE RADII (2) TO MEET EXITING PROPERTY ACCESS

5,000 GALLON DEDICATED UNDERGROUND FIRE TANK

PARCEL: SMITH-B

NEW EJECTOR PUMP PER SBRWD SPECIFICATIONS

10' SEPARATION BETWEEN WATER AND SEWER

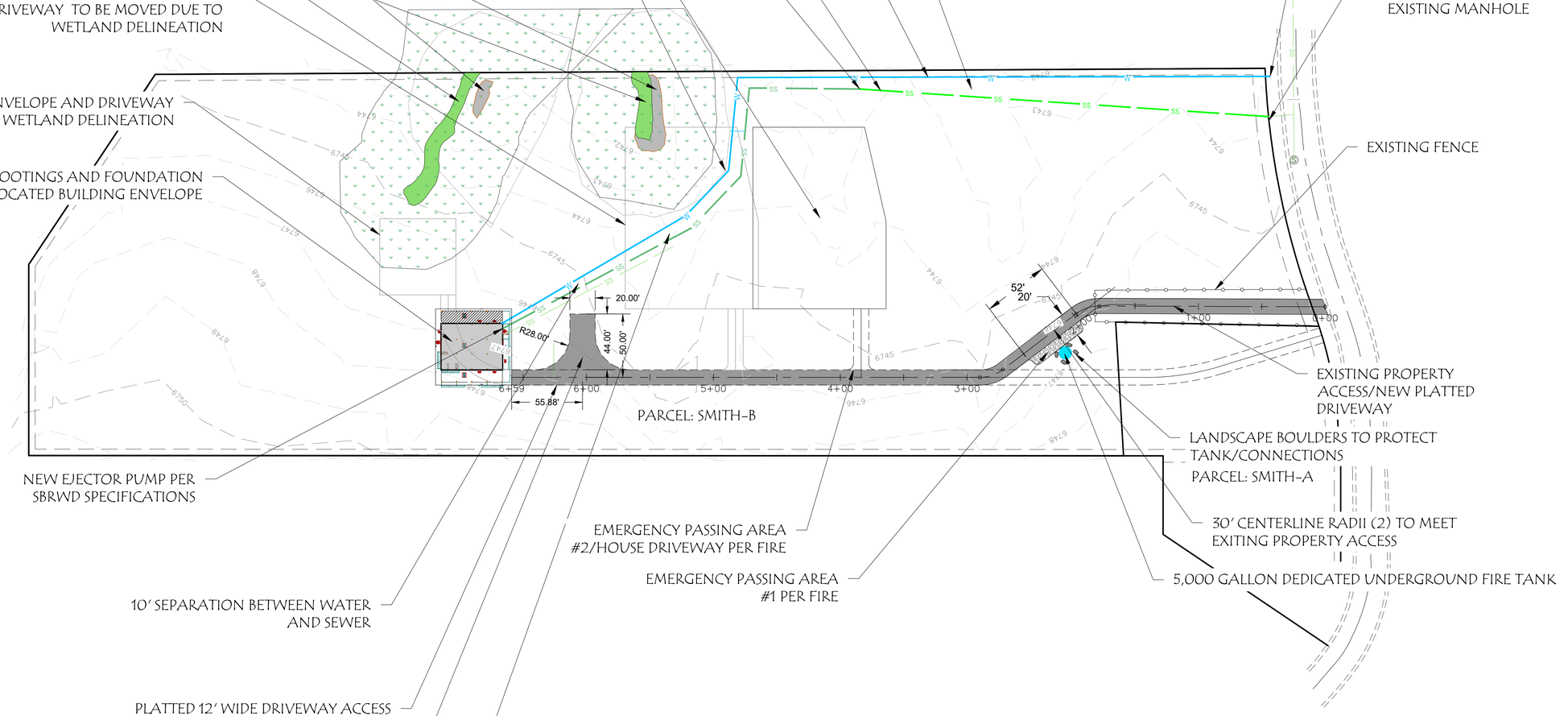
PLATTED 12' WIDE DRIVEWAY ACCESS

EMERGENCY TURN AROUND AREA PER FIRE

NEW EJECTOR SEWER LATERAL

EMERGENCY PASSING AREA #2/HOUSE DRIVEWAY PER FIRE

EMERGENCY PASSING AREA #1 PER FIRE



Approved
03/27/2025 by mowens
Park City Fire Service District

SHEET NOTES
1.

SHEET LEGEND
- EXIST POWER
- EXIST GAS
- EXIST WATER
- EXIST IRRIGATION
- EXIST SEWER
- EXIST TELEPHONE
- EXIST STORM DRAIN
- EXIST FIBER OPTIC
- EXIST FENCE
- EXIST EDGE OF ROAD
- EXIST MAJOR CONTOUR
- EXIST MINOR CONTOUR
- EXIST DITCH FLOW LINE
- NEW EDGE OF ROAD
- NEW MAJOR CONTOUR
- NEW MINOR CONTOUR
- NEW DITCH FLOW LINE
- NEW PROPERTY LINE
- PROPERTY BOUNDARY
- UTILITY EASEMENT

PLAN REVISIONS
A.

RIMROCK ENGINEERING & DEVELOPMENT

CAD TECH:	XXX
DESIGNER:	XXX
Q&A:	XXX

CALL BLUE STAKES PRIOR TO DIGGING

PROJECT NAME
PARK CITY BARN

SHEET NAME
SITE PLAN

PLAN SUBMITTAL: PERMIT

REVIEW SET 3/26/25

SHEET NUMBER
1.1

D:\TEMP HARD DRIVE\2023\Comber Smith Barn Park City\Design Base\Design Base_February Updates.dwg

Planning Commission
Staff Report

Subject: **7 and 11 Red Cloud Trail**
Application: **PL-24-06354**
Author: **Virgil Lund, Planner II**
Date: **June 11, 2025**
Type of Item: **Plat Amendment**

Recommendation

(I) Review the proposed Red Cloud Subdivision Second Amended Plat to combine Lots 1 and 2, incorporate 0.92 acres of a Recreation and Open Space (ROS) Zoned parcel, and establish a maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet, (II) conduct a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	11 Red Cloud Trail Realty, LLC Applicant Representative: Alliance Engineering
Location:	7 and 11 Red Cloud Trail
Zoning Districts:	Estate Recreation and Open Space Sensitive Land Overlay
Adjacent Land Uses:	Open Space
Reason for Review:	The Planning Commission reviews and takes Final Action on Plat Amendments.[1]

LMC	Land Management Code
MPD	Master Planned Development
ROS	Recreation and Open Space
SFD	Single-Family Dwelling

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

Lots 1 and 2 of the Red Cloud Subdivision are 1.45 acres and 1.22 acres, respectively. Lot 1 has a Building Envelope of 9,660 square feet and Lot 2 has a Building Envelope of 9,749 square feet. Lots 1 and 2 each have a maximum Gross Residential Floor Area of

[1] LMC § 15-1-8

10,000 square feet. Parcel 2 (shown in Figure 2 below) is 0.92 acres and is owned by the Applicant.

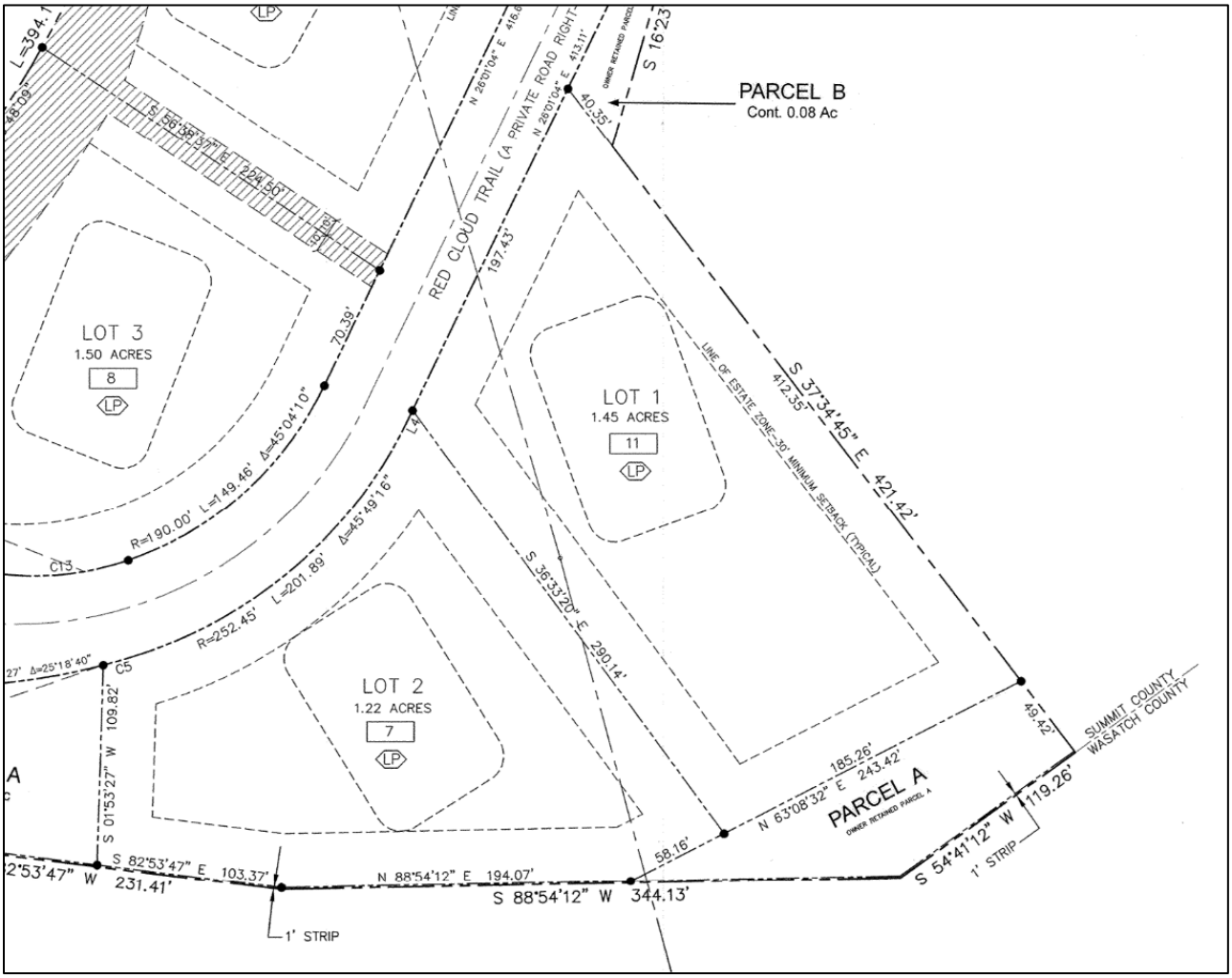


Figure 1: Existing Lots 1 and 2 (First Amended Red Cloud Plat)

The Applicant proposes combining Lots 1 and 2 and establishing a maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet for the combined Lot. The Applicant also proposes incorporating parcel number PCA-S-98-SD-9-A (shown as Parcel 2 on the proposed Plat), zoned ROS, into the proposed Lot. The ROS parcel was originally included in the Red Cloud Development but was never platted. The previous owner of Lot 1 also owned the ROS parcel. When the Applicant purchased Lots 1 and 2 from the previous owners, the Applicant also obtained the ROS Zoned parcel. The proposed 156,057-square-foot (3.58-acre) Lot is within the Estate and ROS Zoning Districts and the Sensitive Land Overlay (SLO).

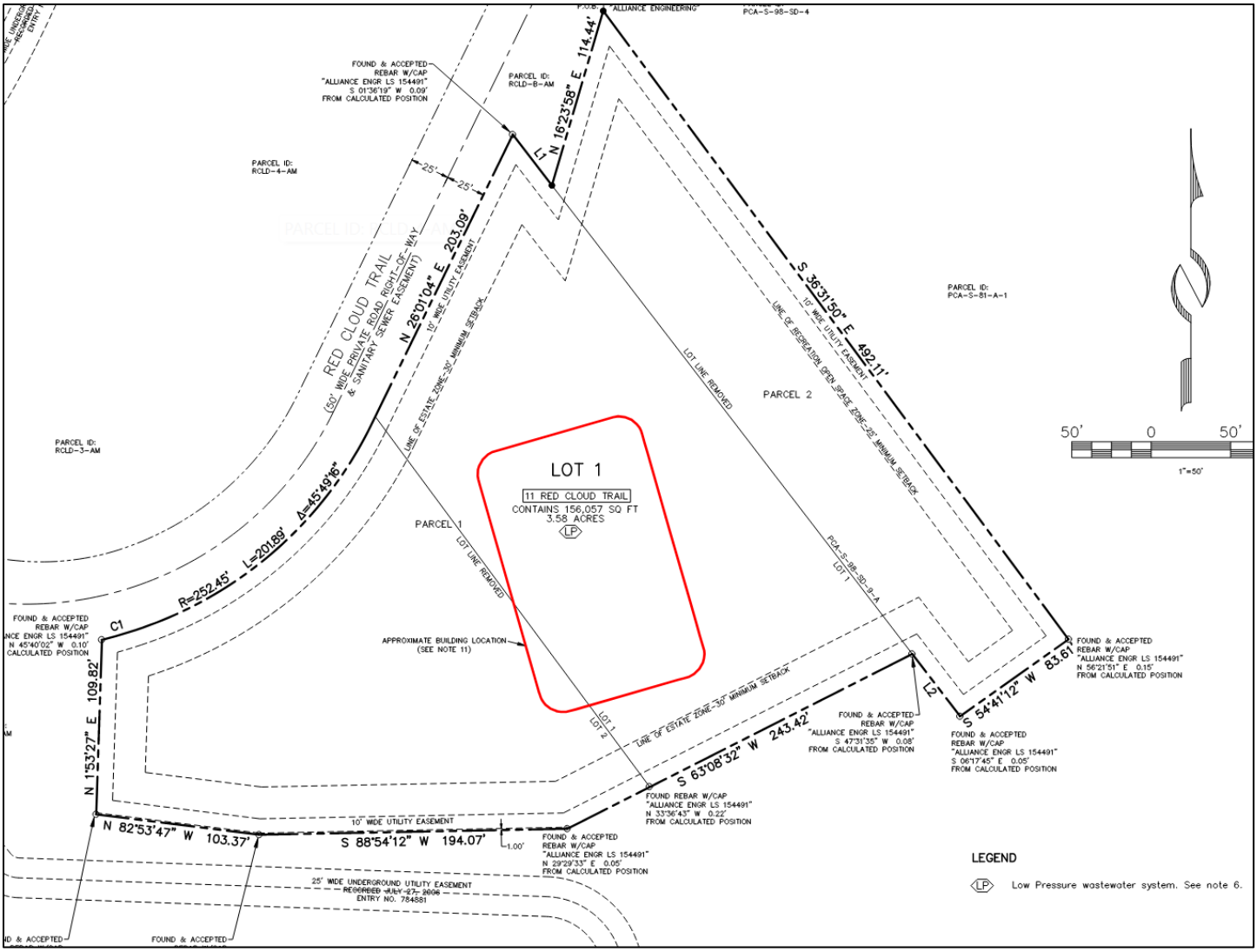


Figure 2: Proposed Lot with Building Envelope Highlighted in Red

Background

On June 24, 1999, the City Council adopted Ordinance 99-30 approving the Annexation and Development Agreement for the 1,655-acre Flagstaff Mountain area. The Development Agreement defined the Red Cloud Subdivision as Pod D, approved for a maximum of 38 detached Single-Family Dwellings (SFDs). The Development Agreement stipulated that if all property owners did not sign the Development Agreement, the maximum number of SFDs for Pod D would be 30.

All property owners did not sign the Development Agreement and on August 11, 2004, the Planning Commission approved the Master Planned Development (MPD) for 30 SFDs for Pod D (Red Cloud).

On November 11, 2004, the City Council adopted Ordinance 04-56 approving the Red Cloud Subdivision for 30 SFDs (Exhibit C).

On May 4, 2006, the City Council adopted Ordinance 06-23 approving an amendment to Lots 1, 2, 3, and 4 of the Red Cloud Subdivision. The amendment adjusted the location of the private road, Red Cloud Trail, and the layouts and locations of Lots 1 through 4 (Exhibit D).

On August 18, 2021, the Building Department issued permit #21-974 for the construction of a SFD on Lot 1 (11 Red Cloud Trail) of the Red Cloud Subdivision.

On April 12, 2022, the Building Department issued permit #22-255 for the construction of a SFD on Lot 2 (7 Red Cloud Trail) of the Red Cloud Subdivision.

While both SFDs were under construction, the Applicant purchased Lots 1 and 2. On October 31, 2024, the Building Department issued building permits for the demolition of the existing foundations on Lots 1 and 2 (permits 24-2607 and 24-2606).



Figure 3: Lots 1 and 2 with Foundations Shown Prior to Demolition, Looking Southwest



Figure 4: Existing Lots 1 and 2, Looking South

On December 12, 2024, the Applicant applied to combine the Lots. The item was publicly noticed for Planning Commission review on April 9, 2025. However, the Applicant requested the Planning Commission continue the proposed Plat Amendment to a date uncertain (April 23 Planning Commission Meeting Minutes).

Analysis

(I) The proposed Plat Amendment complies with the Recreation and Open Space Zoning District Requirements in LMC Chapter 15-2.7.

The purpose of the ROS District is to:

1. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
2. Permit recreational Uses and preserve recreational Open Space land,
3. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
4. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.

5. Encourage sustainability, conservation, and renewable energy.[2]

The proposed Plat Amendment preserves the 40,075-square-foot (0.92-acre) ROS-zoned parcel on the combined Lot. Future Uses within this parcel must comply with the ROS requirements. Staff recommends Condition of Approval 7, requiring that Parcel 2 be hatched with a Plat Note indicating the ROS designation.

The image below shows parcel PCA-S-98-SD-9-A that is proposed to be incorporated into the residential Lot and in the ROS Zoning District:

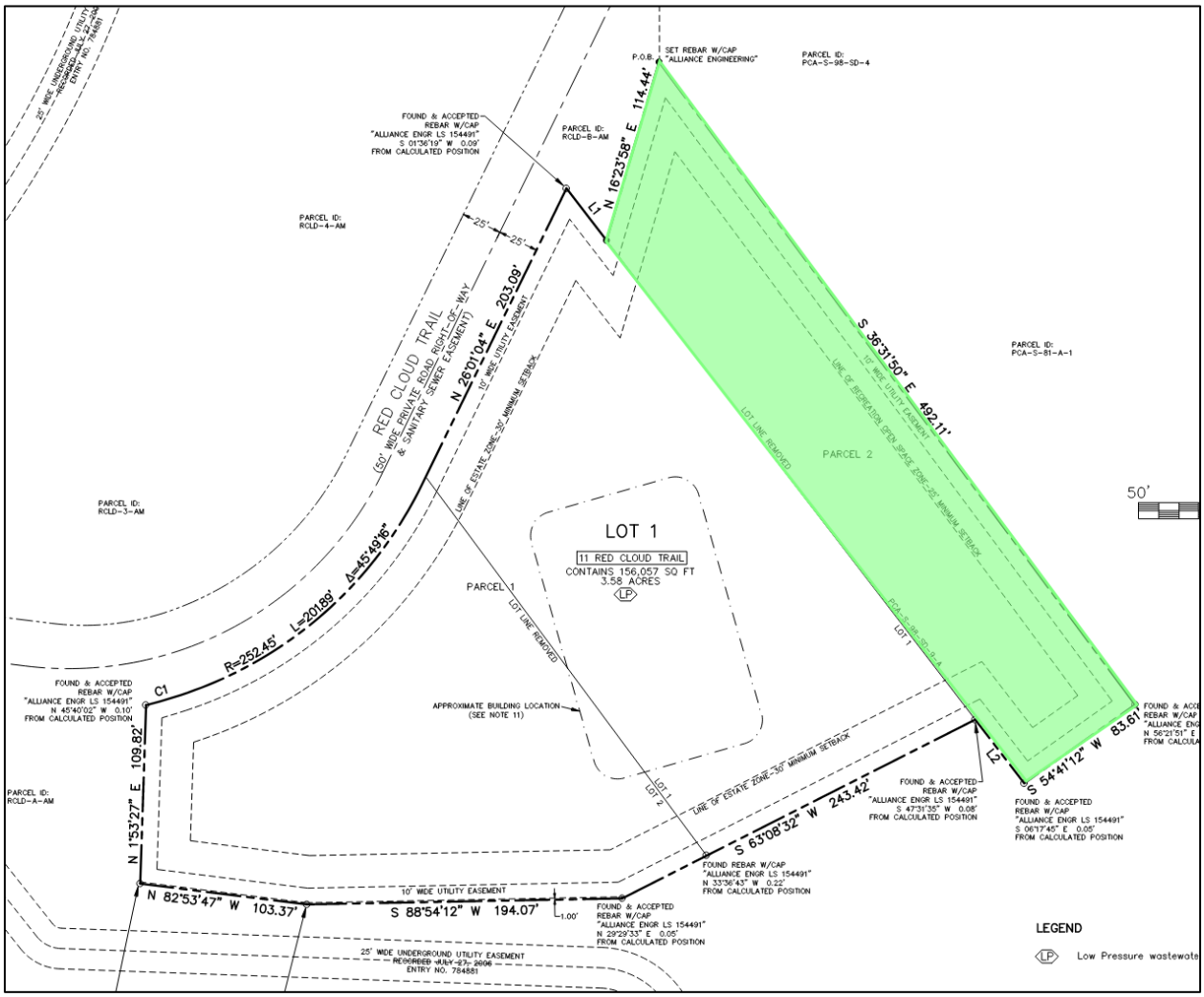


Figure 5: 0.92-Acre ROS Zoned Portion of Proposed Lot 1, Shown in Green

(II) The proposed Plat Amendment complies with the Estate Zoning District requirements outlined in LMC Chapter 15-2.10.

The purpose of the Estate (E) District is to:

[2] LMC § 15-2.7-1

1. Allow very low density, environmentally sensitive residential Development which:
    - preserves ridge tops, meadows, and visible hillsides,
    - preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
    - preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
    - mitigates geologic and flood hazards,
    - protects views along the City's entry corridors, and
    - decreases fire risk by keeping Development out of sensitive wild land interface Areas.
2. Incorporate pedestrian trail linkages between and through neighborhoods; and
3. Encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.[3]

Setbacks

LMC § 15-4-17 outlines the Setback requirements for unusual Lot configurations. The proposed Lot will have the Front, Rear, and Side Setbacks determined by the Planning Director during building permit plan review for the Single-Family Dwelling.

LMC § 15-2.10-3(C) outlines the following Setbacks for the Estate Zoning District:

The minimum Front, Side and Rear Setbacks for all Structures is 30 feet.

Complies – The proposed Building Envelope is set back 99 feet eight inches from the Front, 266 feet from the west Side, 169 feet one inch from the east Side, and 56 feet four inches from the Rear property lines.

[3] LMC § 15-2.10-1

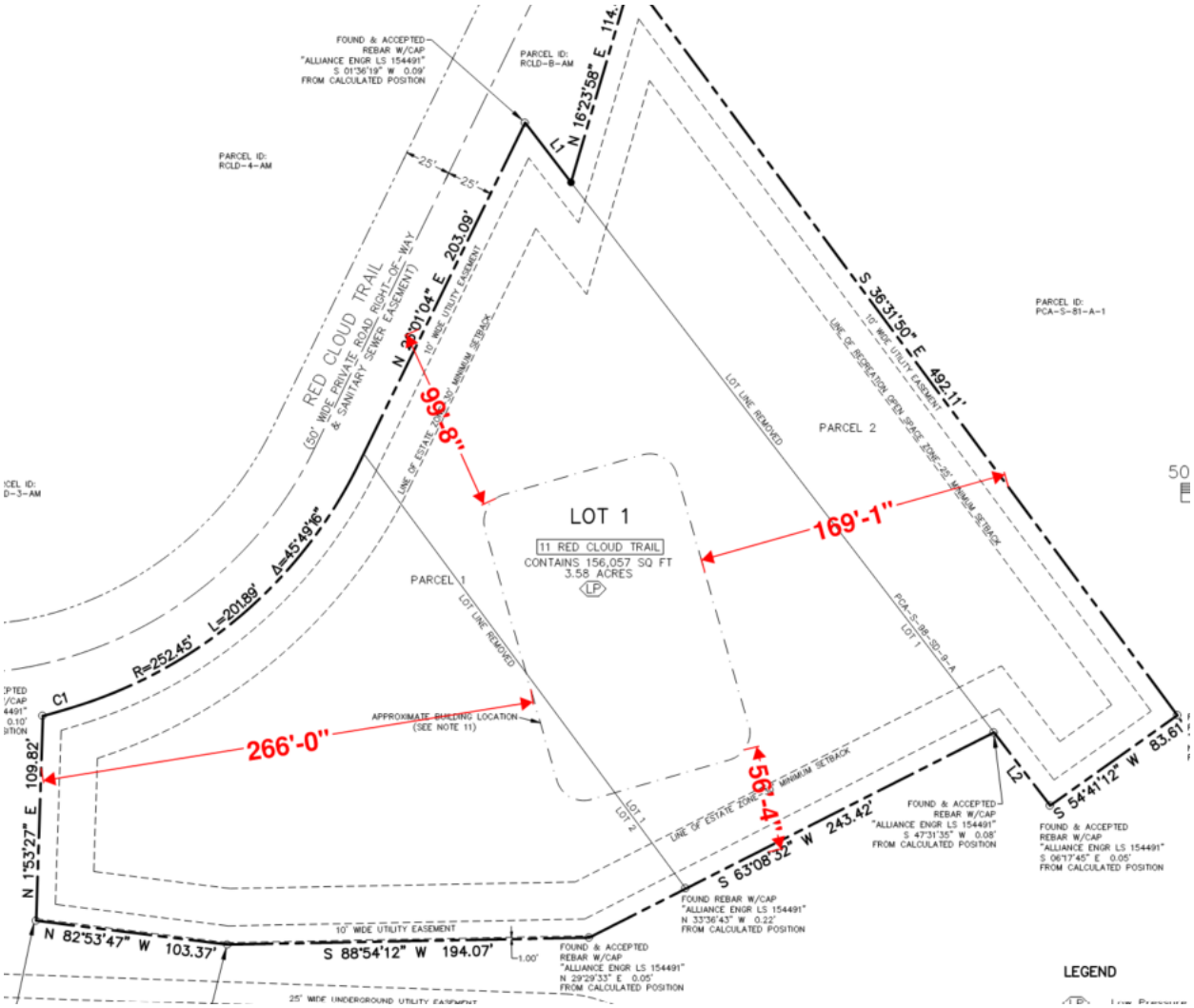


Figure 6: Proposed Building Envelope Distances from Property Lines

Lot Size and Density
LMC § 15-2.10-3(A) states the minimum Lot size for all Uses in the Estate Zoning District is three acres.

Complies – The Applicant proposes a Lot that is 3.58 acres.

Lot Width
LMC § 15-2.10-3(B) states the minimum Lot width in the Estate Zoning District is 100 feet.

Complies – The Applicant proposes a Lot that is approximately 500 feet wide, measured from the front Lot Line.

Vegetation Protection
LMC § 15-2.7-6 and § 15-2.10-10 require the protection of Significant Vegetation during any development activity.

The proposed Plat Amendment will not impact any Significant Vegetation on the Lot. The proposed Building Envelope does not contain any Significant Vegetation. Staff recommends the following Condition of Approval:

> *The Applicant is responsible for re-vegetating all areas previously disturbed by the demolition of the Single-Family Dwelling foundations on Lots 1 and 2. All new vegetation must comply with LMC § 15-5-5(N).*

(III) The proposed Plat Amendment complies with Ordinance No. 04-56 and the Red Cloud MPD.

The Red Cloud MPD approved 30 detached SFDs. The Applicant's proposed Plat Amendment reduces the number of SFDs in the Red Cloud Subdivision to 29.

Ordinance No. 04-56 outlines the general process and requirements for combining Lots in the Red Cloud Subdivision:

"Lot combinations are subject to Design Review Board approval. Adjoining Lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If Lots are combined, the Design Review Board will designate a new approximate Building location."

On October 28, 2024, the Empire Pass Design Review Board approved the proposed Plat Amendment and location of the Building Envelope on proposed Lot 1 (Exhibit E). Neither the current LMC nor the version in effect at the time of the Red Cloud MPD approval includes a process for establishing a maximum house size for combined lots in the Estate Zoning District.

The table below outlines the sizes of the existing Lots in the Red Cloud Subdivision and the size of the Building Envelopes for each Lot. Each Lot in the Red Cloud Subdivision has a maximum Gross Residential Floor Area of 10,000 square feet.

Proposed Lot:				
Lot Size	Lot Size in SF	Building Envelope	B.E. % of Lot	Max Floor Area
3.58	155,945	18,000	12%	16,000

Lot Number	Lot Size	Lot Size in SF	Building Envelope (in Square Feet)	Building Envelope % of Lot	Max Floor Area
1	1.45	63,162	9,660	15%	10,000
2	1.22	53,143	9,749	18%	10,000
3	1.50	65,340	9,757	15%	10,000
4	2.72	118,483	9,743	8%	10,000
5	1.01	43,996	9,605	22%	10,000
6	1.73	75,359	9,593	13%	10,000
7	1.7	74,052	9,336	13%	10,000
8	1.46	63,598	8,787	14%	10,000
9	1.22	53,143	8,554	16%	10,000
10	1	43,560	9,271	21%	10,000
11	1.01	43,996	10,315	23%	10,000
12	1.1	47,916	10,751	22%	10,000
13	1.82	79,279	9,560	12%	10,000
14	2.01	87,556	11,927	14%	10,000
15	1.08	47,045	10,203	22%	10,000
16	1.01	43,996	8,961	20%	10,000
17	1.95	84,942	9,812	12%	10,000
18	1.13	49,223	9,521	19%	10,000
19	1.08	47,045	9,696	21%	10,000
20	2.02	87,991	9,725	11%	10,000
21	2.08	90,605	9,731	11%	10,000
22	1.32	57,499	9,479	16%	10,000
23	1.49	64,904	11,005	17%	10,000
24	1.83	79,715	9,684	12%	10,000
25	1.025	44,649	9,480	21%	10,000
26	1.1	47,916	9,712	20%	10,000
27	1.08	47,045	10,232	22%	10,000
28	1.02	44,431	10,189	23%	10,000
29	1.21	52,708	11,244	21%	10,000
30	1.44	62,726	11,145	18%	10,000

The average Lot size in the Red Cloud Subdivision is 1.43 acres. The average Building Envelope percentage of each Lot in the Red Cloud Subdivision is 17%. The Applicant proposes a Building Envelope that occupies 12% of the proposed Lot size. Without the Open Space parcel included in the proposed Lot size, the proposed Building Envelope would occupy 15.5% of the Lot. The adjacent Lot, Lot 5, has a Building Envelope that covers 22% of the Lot and Lot 8 (across the street) has a Building Envelope that covers 14% of the Lot.

Ordinance No. 04-56 outlines requirements for adjustments to the Building Envelope:

“any adjustment of the approximate Building location must avoid Very Steep Slopes and Ridge Line Areas.”

LMC § 15-15-1 defines Very Steep Slopes as Slopes greater than 40 percent. The proposed Building Envelope for Lot 1 is on a Slope between 15 and 30 percent.

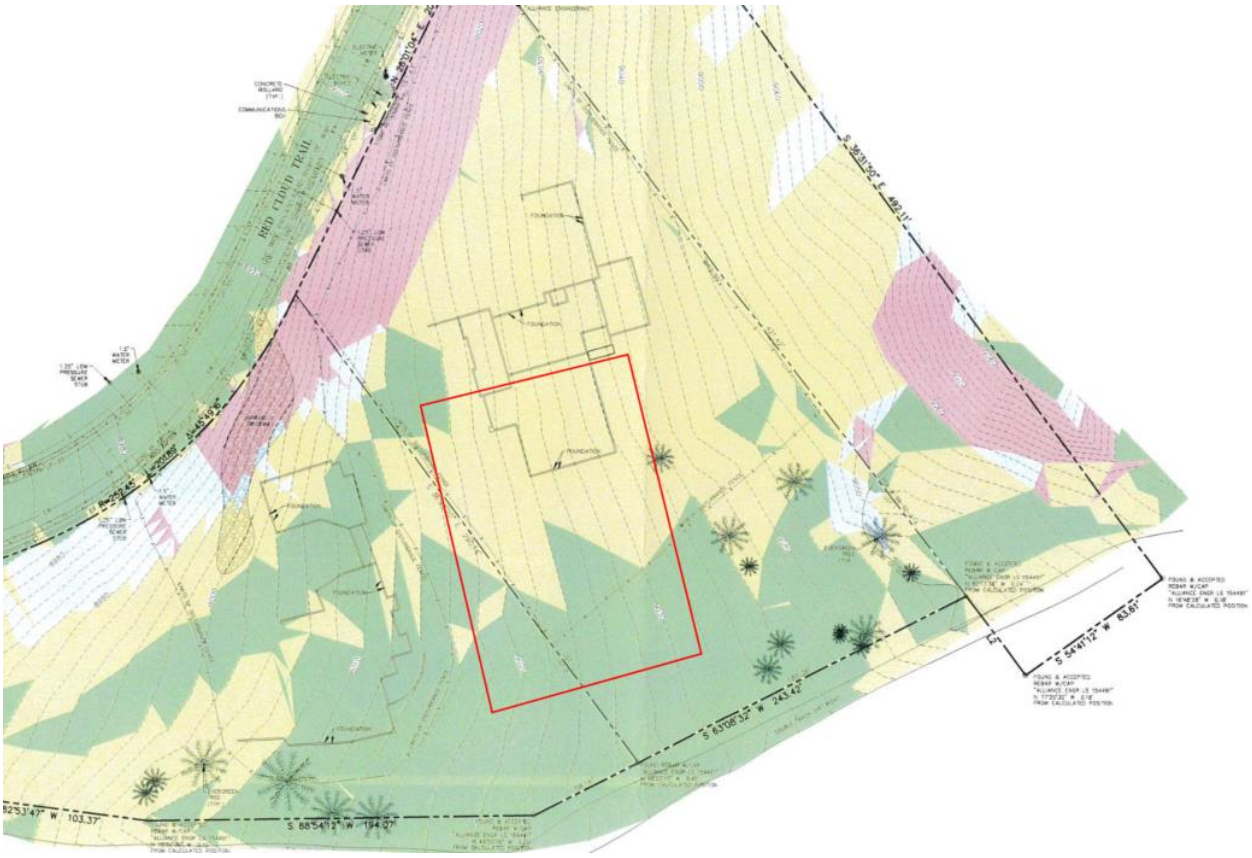


Figure 7: Approximate Location of Proposed Building Envelope in Relation to Very Steep Slopes (Shown in Red)

LMC § 15-15-1 defines “Ridge Line Area” as the top, ridge or Crest of Hill, or Slope plus the land located within 150 feet on both sides of the top, crest or ridge. The map below shows the existing Lots 1 and 2 in relation to the designated ridgeline. The blue area shows a 150-foot buffer from the ridgeline area. The proposed Building Envelope is greater than 150 feet from the designated ridgeline.



Figure 8: Existing Lots 1 and 2 in Relation to the Designated Ridgeline with Building Envelope Shown in Light-Blue (Designated Ridgeline Shown as Green Line, with 150-foot Buffer Shown in Blue)

Based on the Subdivision analysis above, a maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet is appropriate for the proposed 3.58-acre Lot.

(IV) The proposed Plat Amendment complies with the Sensitive Land Overlay Requirements in LMC Chapter 15-2.21.

The Lots proposed to be combined have been approved under the Red Cloud MPD and Ordinance No. 04-56, which considered SLO principles. The proposed Building Envelope complies with the Steep Slope and Ridgeline requirements outlined in Ordinance No. 04-56.

(V) The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.

Changes to platted elements including Lot combinations require a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7.1-3(B)

and approval shall require a finding of Good Cause.

LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

There is Good Cause for this Plat Amendment because the Building Envelope and maximum Gross Residential Floor Area for the combined Lot are smaller than the Building Envelope and maximum Gross Residential Floor Area for the two separate Lots created in the First Amended Red Cloud Subdivision Plat, a Unit of density is eliminated, and no Public Street or Right-of-Way is vacated or amended.

Staff recommends the following Condition of Approval:

> *The Red Cloud Master Planned Development limits Single-Family Dwellings to 30. The Dwelling Unit eliminated as part of this Plat Amendment to combine two Single-Family Lots may not be transferred and is retired.*

(VI) The Development Review Committee reviewed the proposal on January 21, 2025, and confirmed the proposal conforms to their requirements.[4]

Department Review

The Planning Department, Executive Department and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 28, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 28, 2025. The *Park Record* published courtesy notice on May 28, 2025.[5]

Public Input

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

Alternatives

The Planning Commission may:

---

[4] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[5] LMC § 15-1-21

- Approve the Red Cloud Subdivision 2nd Amended Lots 1 & 2 Subdivision Plat.
- Deny the Red Cloud Subdivision 2nd Amended Lots 1 & 2 Subdivision Plat and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

Exhibits

A: Draft Final Action Letter
    Attachment 1: Proposed Plat
B: Red Cloud MPD Final Action Letter
C: Ordinance No. 04-56 Approving the Red Cloud Subdivision
D: Ordinance No. 06-23 Approving the First Amended Red Cloud Subdivision
E: Empire Pass Design Review Board Approval Letter

Planning Department

June 11, 2025

Alliance Engineering
7 and 11 Red Cloud Trail

CC: 11 Red Cloud Realty LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	7 and 11 Red Cloud Trail
Zoning District:	Estate, Recreation and Open Space, Sensitive Land Overlay
Application:	Plat Amendment
Project Number:	PL-24-06354
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	June 11, 2025
Project Summary:	The Applicant proposes the Red Cloud Subdivision Second Amended Plat to combine Lots 1, 2, and parcel PCA-S-98-SD-9-A and establish a maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet.

Action Taken

On June 11, 2025, the Planning Commission conducted a public hearing and approved the Second Amended Red Cloud Subdivision according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. Lots 1 and 2 of the Red Cloud Subdivision are 1.45 acres and 1.22 acres, respectively. Lot 1 has a Building Envelope of 9,660 square feet and Lot 2 has a Building Envelope of 9,749 square feet. Lots 1 and 2 each have a maximum Gross Residential Floor Area of 10,000 square feet. Parcel 2 is 0.92 acres and is owned by the Applicant.

2. The Applicant proposes combining Lots 1 and 2 and establishing a maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet for the combined Lot. The Applicant also proposes incorporating parcel number PCA-S-98-SD-9-A (shown as Parcel 2 on the proposed Plat), zoned ROS, into the proposed Lot. The ROS parcel was originally included in the Red Cloud Development but was never platted. The previous owner of Lot 1 also owned the ROS parcel. When the Applicant purchased Lots 1 and 2 from the previous owners, the Applicant also obtained the ROS Zoned parcel. The proposed 156,057-square-foot (3.58-acre) Lot is within the Estate and ROS Zoning Districts and the Sensitive Land Overlay (SLO).
3. On June 24, 1999, the City Council adopted Ordinance 99-30 approving the Annexation and Development Agreement for the 1,655-acre Flagstaff Mountain area. The Development Agreement defined the Red Cloud Subdivision as Pod D, approved for a maximum of 38 detached Single-Family Dwellings (SFDs).
4. The Development Agreement stipulated that if all property owners did not sign the Development Agreement, the maximum number of SFDs for Pod D would be 30.
5. All property owners did not sign the Development Agreement and on August 11, 2004, the Planning Commission approved the Master Planned Development (MPD) for 30 SFDs for Pod D (Red Cloud).
6. On November 11, 2004, the City Council adopted Ordinance 04-56 approving the Red Cloud Subdivision for 30 SFDs.
7. On May 4, 2006, the City Council adopted Ordinance 06-23 approving an amendment to Lots 1, 2, 3, and 4 of the Red Cloud Subdivision. The amendment adjusted the location of the private road, Red Cloud Trail, and the layouts and locations of Lots 1 through 4.
8. On August 18, 2021, the Building Department issued permit #21-974 for the construction of a SFD on Lot 1 (11 Red Cloud Trail) of the Red Cloud Subdivision.
9. On April 12, 2022, the Building Department issued permit #22-255 for the construction of a SFD on Lot 2 (7 Red Cloud Trail) of the Red Cloud Subdivision.
10. While both SFDs were under construction, the Applicant purchased Lots 1 and 2. On October 31, 2024, the building department issued building permits for the demolition of the existing foundations on Lots 1 and 2 (permits 24-2607 and 24-2606).

11. On December 12, 2024, the Applicant applied to combine the Lots. The item was publicly noticed for Planning Commission review on April 9, 2025. However, the Applicant requested the Planning Commission continue the proposed Plat Amendment to a date uncertain.
12. The proposed Plat Amendment complies with the Recreation and Open Space Zoning District Requirements in LMC Chapter 15-2.7.
    a. The purpose of the ROS District is to:
        i. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
        ii. Permit recreational Uses and preserve recreational Open Space land,
        iii. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
        iv. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
        v. Encourage sustainability, conservation, and renewable energy.
            1. The proposed Plat Amendment preserves the ROS-zoned parcel on the combined Lot and requires that all future Uses of the parcel comply with the ROS requirements.
    b. The proposed Plat Amendment preserves the 40,075-square-foot (0.92-acre) ROS-zoned parcel on the combined Lot. Future Uses within this parcel must comply with the ROS requirements.
13. The proposed Plat Amendment complies with the Estate Zoning District requirements outlined in LMC Chapter 15-2.10.
    a. The purpose of the Estate District is to:
        i. Allow very low density, environmentally sensitive residential Development which:
            1. preserves ridge tops, meadows, and visible hillsides,
            2. preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
            3. preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
            4. mitigates geologic and flood hazards,
            5. protects views along the City’s entry corridors, and

6. decreases fire risk by keeping Development out of sensitive wild land interface Areas.

ii. Incorporate pedestrian trail linkages between and through neighborhoods; and

iii. Encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

b. Setbacks

i. LMC § 15-4-17 outlines the Setback requirements for unusual Lot configurations. The proposed Lot will have the Front, Rear, and Side Setbacks determined by the Planning Director during building permit plan review for the Single-Family Dwelling.

ii. LMC § 15-2.10-3(C) outlines the following Setbacks for the Estate Zoning District:

1. The minimum Front, Side and Rear Setbacks for all Structures is 30 feet.
2. The proposed Building Envelope is set back 99 feet eight inches from the Front, 266 feet from the west Side, 169 feet one inch from the east Side, and 56 feet four inches from the Rear property lines.

c. Lot Size and Density

i. LMC § 15-2.10-3(A) states the minimum Lot size for all Uses in the Estate Zoning District is three acres. The Applicant proposes a Lot that is 3.58 acres.

d. Lot Width

i. LMC § 15-2.10-3(B) states the minimum Lot width in the Estate Zoning District is 100 feet. The Applicant proposes a Lot that is approximately 500 feet wide, measured from the front Lot Line.

e. Vegetation Protection

i. LMC § 15-2.7-6 and § 15-2.10-10 require the protection of Significant Vegetation during any development activity. The proposed Plat Amendment will not impact any Significant Vegetation on the Lot. The proposed Building Envelope does not contain any Significant Vegetation.

14. The proposed Plat Amendment complies with Ordinance No. 04-56 and the Red Cloud MPD.

a. The Red Cloud MPD approved 30 detached SFDs. The Applicant's proposed Plat Amendment reduces the number of SFDs in the Red Cloud Subdivision to 29.
b. Ordinance No. 04-56 outlines the general process and requirements for combining Lots in the Red Cloud Subdivision:
    i. "Lot combinations are subject to Design Review Board approval. Adjoining Lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If Lots are combined, the Design Review Board will designate a new approximate Building location."
    ii. On October 28, 2024, the Empire Pass Design Review Board approved the proposed Plat Amendment and location of the Building Envelope on proposed Lot 1. Neither the current LMC nor the version in effect at the time of the Red Cloud MPD approval includes a process for establishing a maximum house size for combined lots in the Estate Zoning District.
c. Each Lot in the Red Cloud Subdivision has a maximum Gross Residential Floor Area of 10,000 square feet.
d. The average Lot size in the Red Cloud Subdivision is 1.43 acres. The average Building Envelope percentage of each Lot in the Red Cloud Subdivision is 17%. The Applicant proposes a Building Envelope that occupies 12% of the proposed Lot size. Without the Open Space parcel included in the proposed Lot size, the proposed Building Envelope would occupy 15.5% of the Lot. The adjacent Lot, Lot 5, has a Building Envelope that covers 22% of the Lot and Lot 8 (across the street) has a Building Envelope that covers 14% of the Lot.
e. Ordinance No. 04-56 outlines requirements for adjustments to the Building Envelope: "any adjustment of the approximate Building location must avoid Very Steep Slopes and Ridge Line Areas." LMC § 15-15-1 defines Very Steep Slopes as Slopes greater than 40 percent. The proposed Building Envelope for Lot 1 is on a Slope between 15 and 30 percent.
f. LMC § 15-15-1 defines "Ridge Line Area" as the top, ridge or Crest of Hill, or Slope plus the land located within 150 feet on both sides of the top, crest or ridge. The proposed Building Envelope is greater than 150 feet from the designated ridgeline.

g. A maximum Gross Residential Floor Area of 16,000 square feet and a maximum Building Envelope of 18,000 square feet is appropriate for the proposed 3.58-acre Lot.

15. The proposed Plat Amendment complies with the Sensitive Land Overlay Requirements in LMC Chapter 15-2.21.
    a. The Lots proposed to be combined have been approved under the Red Cloud MPD and Ordinance No. 04-56, which considered Sensitive Land Overlay principles. The proposed Building Envelope complies with the Steep Slope and Ridgeline requirements outlined in Ordinance No. 04-56.
16. The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.
    a. Changes to platted elements including Lot combinations require a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7.1-3(B) and approval shall require a finding of Good Cause.
    b. LMC § 15-15-1 defines Good Cause as “Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”
    c. There is Good Cause for this Plat Amendment because the Building Envelope and maximum Gross Residential Floor Area for the combined Lot are smaller than the Building Envelope and maximum Gross Residential Floor Area for the two separate Lots created in the First Amended Red Cloud Subdivision Plat, a Unit of density is eliminated, and no Public Street or Right-of-Way is vacated or amended.
17. The Development Review Committee reviewed the proposal on January 21, 2025, and confirmed the proposal conforms to their requirements.
18. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on May 28, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 28, 2025.
19. The Park Record published courtesy notice on May 28, 2025.

Conclusions of Law

1. There is Good Cause for this Plat Amendment.

2. The Plat Amendment is consistent with LMC Chapters 15-2.10 Recreation and Open Space Zoning District, 15-2.7 Estate Zoning District, and 15-2.21 Sensitive Land Overlay, and Sections 15-7.1-3(B) Classification of Subdivision and § 15-7.1-6 Final Subdivision Plat.
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 below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

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, the Conditions of Approval, and the amended CC&Rs prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval 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 Planning Director.
3. All Conditions of Approval from Ordinance 04-56 and the Red Cloud Master Planned Development shall continue to apply.
4. The Red Cloud Master Planned Development limits Single-Family Dwellings to 30. The Dwelling Unit eliminated as part of this Plat Amendment to combine two Single-Family Lots may not be transferred and is retired.
5. Gross Residential Floor Area for the combined Lot shall not exceed 16,000 square feet.
6. The Building Envelope, as indicated on the Plat, shall not exceed 18,000 square feet.
7. Parcel 2 indicated on Lot 1 is zoned Recreation and Open Space. All construction activity on Parcel 2 must comply with the Recreation and Open Space Zoning District requirements. A plat note must indicate the ROS designation for this parcel.
8. The Applicant is responsible for re-vegetating all areas previously disturbed by the demolition of the Single-Family Dwelling foundations on Lots 1 and 2. All new vegetation must comply with LMC § 15-5-5(N).

If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org.

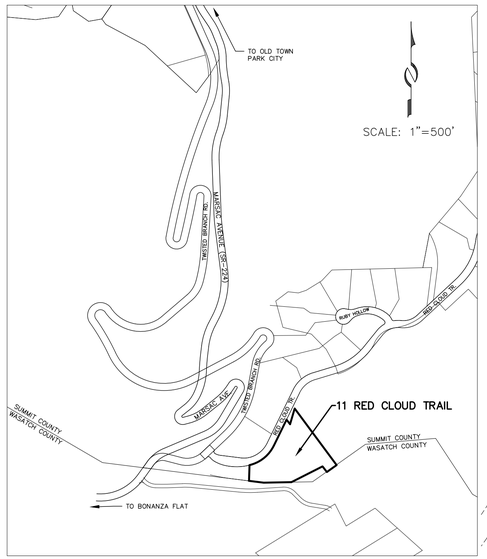
Planning Department

Sincerely,

Christin Van Dine
Planning Commission Chair

CC: Virgil Lund

VICINITY MAP



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 37°34'45" E	40.35'
L2	N 37°34'45" W	49.42'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD LENGTH	CHORD BEARING
C1	356.00'	22.32'	3°35'30"	22.31'	N 73°38'04" E

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as RED CLOUD SUBDIVISION LOTS 1 & 2 AMENDED. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over any public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities.

In witness whereof, the undersigned set his hand this _____ day of _____, 2025.

11 Red Cloud Trail Realty, LLC, a Delaware limited liability company

By: _____
Robert L. Siegfried Jr., Manager

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2025, Robert L. Siegfried Jr. personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of 11 Red Cloud Trail Realty, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed RED CLOUD SUBDIVISION LOTS 1 & 2 AMENDED.

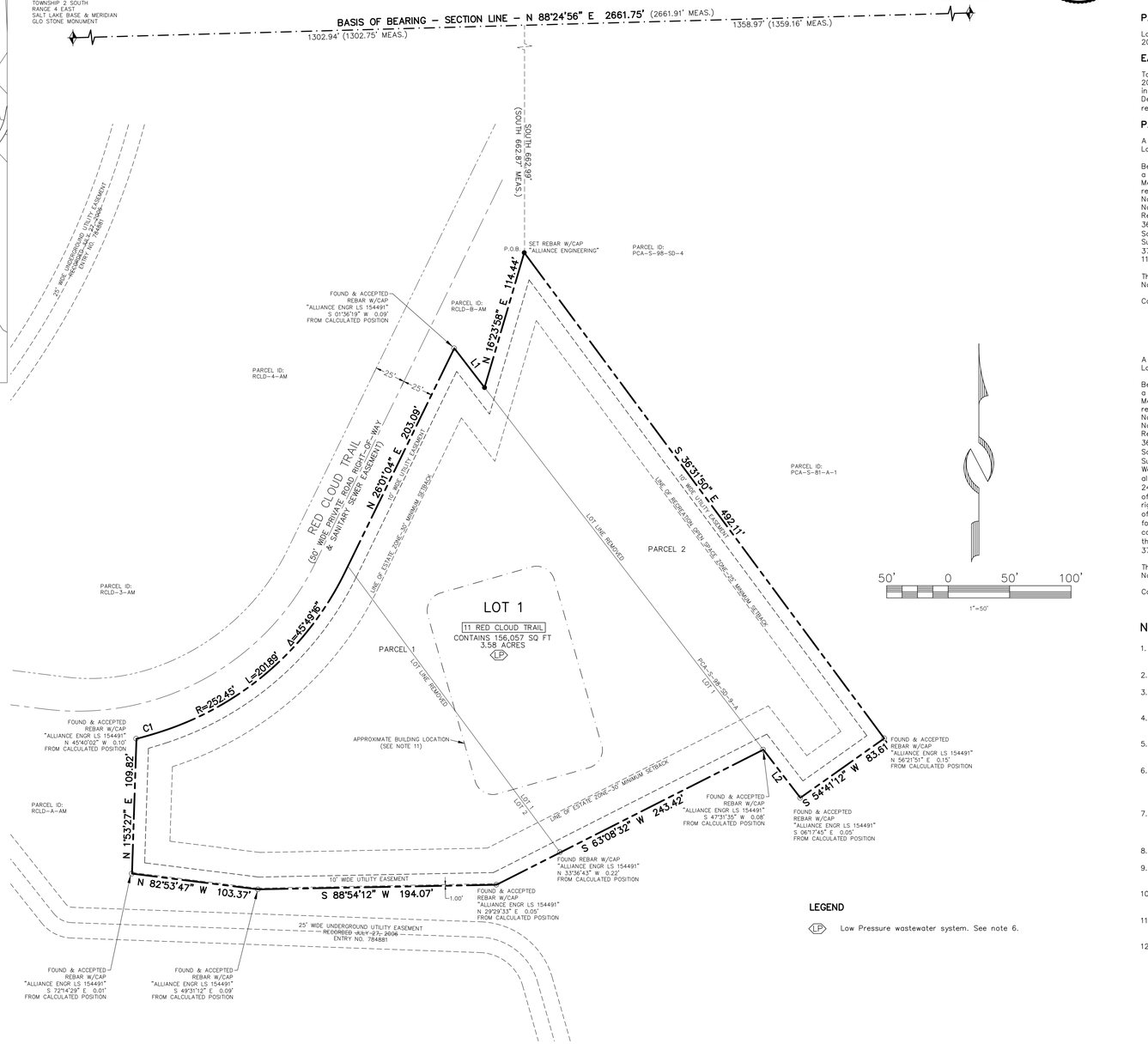
By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____



LEGEND

(LP) Low Pressure wastewater system. See note 6.

SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed a survey and have referenced a record of survey map of the existing property boundaries in accordance with Section 17-23-17 and have verified the boundary locations and have placed monuments as represented on the plat. I do further certify that by authority of the owners, I have prepared this plat amendment of the property described hereon, hereafter to be known as RED CLOUD SUBDIVISION LOTS 1 & 2 AMENDED.

PROFESSIONAL LAND SURVEYOR No. 4857264 MICHAEL DEMKOWICZ STATE OF UTAH

LEGAL DESCRIPTION

PARCEL 1

Lots 1 and 2, Red Cloud Subdivision, Amendment to Lots 1, 2, 3 and 4, according to the official Plat recorded July 31, 2006, as Entry No. 785276 of the records of the Summit County Recorder.

EASEMENT 1

Together with the parking and ski access easements as contained in that certain Easement Agreement, dated February 2014, by and between RC 21 Holdings LLC, a Delaware limited liability company, and Empire Pass Master Owners Association, inc. a Utah non-profit corporation, and Elul, LLC, a Utah limited liability company, and United Park City Mines Company, a Delaware corporation, recorded February 21, 2014, as Entry No. 990108, in book 2229, at page 179, Summit County recorder's office. (See note 7 below)

PARCEL 2

A parcel of land located in the North half of the Northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point that is North 88°24'56" East 1302.94 feet coincident with the section line and South 662.99 feet from a GLO stone monument at the Northwest corner of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the Easterly boundary of Parcel B, Amendment to Lots 1, 2, 3 & 4, Red Cloud Subdivision, recorded July 31, 2006, as Entry No. 785276 in the Office of the Summit County Recorder, said point also being on the Northeasterly end line of Lot 121, Home Station, in the Snake Creek Mining District; and running thence coincident with the Northeasterly end lines of Home Station and Lot 57, Lucky Bill, in the Snake Creek Mining District as shown on that certain Record of Survey, recorded March 3, 2017, as Entry No. 0002928 in the Office of the Wasatch County Recorder, South 36°31'50" East 492.11 feet to the Summit/Wasatch County line; thence coincident with the Summit/Wasatch County line South 54°41'12" West 83.61 feet to the Easternmost corner of Parcel A of said Amendment to Lots 1, 2, 3 & 4, Red Cloud Subdivision; thence coincident with Parcel A and Lot 1 of said Amendment to Lots 1, 2, 3 & 4, Red Cloud Subdivision North 37°34'45" West 421.42 feet to the Easterly boundary of said Parcel B; thence coincident with Parcel B North 16°23'58" East 114.44 feet to the point of beginning.

The Basis of Bearing for the above description is North 88°24'56" East 2661.75 feet between the Northwest corner and the North quarter corner of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Contains: 156,057 Sq. Ft. or 3.58 Acres

AS-SURVEYED DESCRIPTION

A parcel of land located in the North half of the Northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point that is North 88°24'56" East 1302.94 feet coincident with the section line and South 662.99 feet from a GLO stone monument at the Northwest corner of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the Easterly boundary of Parcel B, Amendment to Lots 1, 2, 3 & 4, Red Cloud Subdivision, recorded July 31, 2006, as Entry No. 785276 in the Office of the Summit County Recorder, said point also being on the Northeasterly end line of Lot 121, Home Station, in the Snake Creek Mining District; running thence coincident with the Northeasterly end lines of Home Station and Lot 57, Lucky Bill, in the Snake Creek Mining District as shown on that certain Record of Survey, recorded March 3, 2017, as Entry No. 0002928 in the Office of the Wasatch County Recorder, South 36°31'50" East 492.11 feet to the Summit/Wasatch County line; thence coincident with the Summit/Wasatch County line South 54°41'12" West 83.61 feet to the Easternmost corner of Parcel A of said Amendment to Lots 1, 2, 3 & 4, Red Cloud Subdivision; thence coincident with Parcel A of said Amendment to Lots 1, 2, 3 & 4, Red Cloud Subdivision North 37°34'45" West 49.42 feet to the southeast corner of Lot 1 of said Amendment to Lots 1, 2, 3, & 4, Red Cloud Subdivision; thence along the southerly boundary of Lots 1 & 2 of said subdivision the following three (3) courses: 1) South 63°08'32" West 243.42 feet; 2) South 88°54'12" West 194.07 feet; 3) North 82°53'47" West 103.37 feet to the southwest corner of Lot 2 of said subdivision; thence along the west line of said Lot 2 North 01°53'27" East 109.82 feet to the southeasterly right-of-way of Red Cloud Trail, said point also being on a non-tangent curve to the left having a radius of 356.00 feet, of which the radius point bears North 14°34'11" West; thence along the southeasterly right-of-way of Red Cloud Trail the following three (3) courses: 1) along the arc of said curve 22.32 feet through a central angle of 03°35'30" to a point of compound curve to the left having a radius of 252.45 feet, of which the radius point bears North 18°09'40" West; 2) along the arc of said curve 201.89 feet through a central angle of 45°49'16"; 3) North 26°01'04" East 203.09 feet; thence South 37°34'45" East 40.35 feet; thence North 16°23'58" East 114.44 feet to the point of beginning.

The Basis of Bearing for the above description is North 88°24'56" East 2661.75 feet between the Northwest corner and the North quarter corner of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Contains: 156,057 Sq. Ft. or 3.58 Acres

NOTES

1. This plat amendment is subject to the Conditions of Approval in Final Action Letter dated _____, and on file with the Planning Department (PL-24-_____).
2. See Record of Survey S-_____, filed in Summit County, Utah on _____.
3. All notes shown on Sheet 4 of Red Cloud Subdivision, recorded January 27, 2005, as Entry No. 724721 remain in full force and effect.
4. All notes shown on Amendment to Lots 1, 2, 3 & 4 Red Cloud Subdivision, recorded July 31, 2006, as Entry No. 785276 remain in full force and effect.
5. At the time of the resurfacing of Red Cloud Trail, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) Standards.
6. Lots 1 & 2 are served by a low pressure wastewater system. These lots shall be required to install a low pressure grinder pump station and appurtenances consistent with the SBWRD Public Low Pressure Sewer System installed for the project. The Master Association shall be responsible for the operation, maintenance and repair of the low pressure grinder pump station and appurtenances.
7. Easement 1 in the legal description as shown on this plat is a Parking and Ski Access Easement recorded February 21, 2014, in Book 2229 at Page 0179 as Entry No. 990108 and is located on Lot 16 of the Red Cloud Subdivision (44 Red Cloud Trail), approximately one half mile northeast of 11 Red Cloud Trail.
8. A maximum of two (2) driveways are allowed with a maximum width of 20 feet each.
9. A motor court in accordance with the Empire Pass Design Guidelines will be allowed in addition to the building envelope and driveway to be determined by the Empire Pass Design Review Board.
10. The maximum gross area house size for Lot 1 shall be 16,000 square feet above grade as measured by the Park City Land Management Code.
11. The maximum allowed Building Area (Building Envelope) shall be 18,000 square feet, which excludes the driveways, motorcourt and associated retaining walls.
12. The purpose of this plat is to combine Parcel 1 and Parcel 2 into one unified lot of record.

RED CLOUD SUBDIVISION 2ND AMENDED LOTS 1 & 2

LOCATED IN THE NORTHWEST QUARTER OF SECTION 33
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

3/5/2025 JOB NO.: 10-7-23 FILE: X:\Empire\dwg\srv\plat2023\100723_CURRENT.dwg

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2025
BY _____

PLANNING COMMISSION
RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THE _____ DAY OF _____, 2025
BY _____
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2025
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 2025
BY _____
PARK CITY ATTORNEY

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS _____ DAY OF _____, 2025
BY _____
SUMMIT COUNTY GIS COORDINATOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
_____ FEE
_____ RECORDER
TIME _____ DATE _____ ENTRY NO. _____

relocate Lot 4will not change the proposed Pod boundaries but will shift it to a new location which is less visible than in the original proposal. The Staff recommended that the Planning Commission conduct a public hearing and take action to approve the MPD based on the findings of fact, conclusions of law, and conditions of approval in the staff report. The Staff requested that the Planning Commission hold open the public hearing on the preliminary and final subdivision plat and continue the public hearing to the next meeting.

Commissioner O=Hara asked about a zone change. Doug Clyde, representing the applicant, stated that changing the zone is part of changing the development agreement. He reviewed the minor change to Lot 4 and explained that the relocation will allow the developer to loosen up the lotting plan.

Chair Barth re-opened the public hearing on the MPD.

There was no comment.

Chair Barth closed the public hearing on the MPD.
Commissioner Erickson disclosed that a division of the company he works for is involved in the Tuhay project. He stated that he will continue to vote on the Red Cloud project unless it is deemed to be a conflict of interest.

MOTION: Commissioner O=Hara moved to APPROVE the MPD for Red Cloud, Pod D, based on the findings of fact, conclusions of law, and conditions of approval outlined in the staff report. Commissioner Powers seconded the motion.

VOTE: The motion passed unanimously.

Chair Barth clarified that the Planning Commission voted specifically on the MPD and that the public hearing on the subdivision plat is continued.

Findings of Fact - Red Cloud MPD

1. The Red Cloud Master Planned Development is located in the Estate-MPD and Recreational Open Space-MPD District.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development agreement/Annexation Resolution No. 99-30 on June 14, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-use development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2 and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
4. The DA defines the Northside Neighborhood, or Pod D, as 63 acres composed of property owned by five separate property owners: United Park City Mines, Deer Valley, Park Star Mining Company, Bransford Land Company, Stichting Beheer Mayflower Project. Pod D may contain a maximum of 38 detached single-family homes if all landowners provide written acceptance of the Development Agreement. Without acceptance by all property owners, United Park and Deer Valley may apply for a maximum of 30 detached single-family homes on lands owned by them.
5. The proposed Red Cloud Master Planned Development includes a conceptual site design for thirty (30) single family homes.
6. A Conservation and Public Ski Easement are proposed within platted lots for the Enchanted Forest.
7. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer=s approval.

8. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over-length cul-de-sac. A secondary emergency access road is required with an all-weather, 20-foot-wide surface.
9. The maximum building height in the Estate District is 28 feet (33 feet with a pitched roof).
10. Section 1.4 of the Development Agreement limits development.
    - out of the meadows;
    - disturbance to a minimum of 50 feet from a ski run;
    - structures, road, and utilities to minimize visual impacts;
    - out of the AEnchanted Forest.@
11. Section 15-7.3-4(A)(6)(a) of the Park City Land Management Code generally limits cul-de-sac lengths to 650 feet unless otherwise approved by the Planning Commission. The MPD includes a cul-de-sac in excess of 650 feet. The Planning Commission reviewed the proposed road design at the meeting of July 28, 2004, and determined the proposed road to meet the intent of the subdivision regulations and results in less overall site disturbance.

Conclusions of Law - Red Cloud MPD

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code;
3. The MPD, as conditioned, is consistent with the Park City General Plan;
4. The MPD, as conditioned, provides the highest value of open space as determined by the Planning Commission;
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City;

6. The MPD, as conditioned, compliments the natural features on the site and preserves significant features or vegetation to the extent possible;
7. The MPD, as conditioned, is compatible in use, scale, and mass with adjacent properties and promotes neighborhood compatibility;
8. The MPD provides amenities to the community so that there is no net loss of community amenities;
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed;
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the site;
11. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing trail connections; and
12. The MPD has been noticed and public hearings held in accordance with this Code.

Conditions of Approval - Red Cloud MPD

1. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the Red Cloud Master Planned Development area.
2. Both utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer=s approval. Utility lines and cleared ski trails shall not encroach in the Enchanted Forest.
3. The proposed over-length cul-de-sac that ends in the thirty single family lots will have a secondary emergency access from the Red Cloud road to Marsac Avenue. This emergency access shall not go through the Enchanted Forest or the City Open Space Easements. The emergency access will continue as a minimum 20-foot-wide all-weather surface road.

4. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Building Permit.
5. The subdivision plat shall include a plat note requiring water-efficient irrigation systems, limited turf and disturbance.
6. The subdivision will include ski and conservation easements over the Enchanted Forest. Public ski access only will be allowed. No construction activity, including fencing, will be permitted.
7. This approval is contingent upon City Council approval of an amendment to the Development Agreement, Exhibit A, for the boundary of Pod D prior to the review of the subdivision plat, and/or issuance of any Building Permit. The City Council has total legislative discretion to approve or deny an amendment to the Development Agreement.
8. All subsequent applications and approvals are subject to the Technical Reports as approved or amended.

3. <u>9200 Marsac Avenue, Empire Day Lodge - Amendment to 1999 Flagstaff Development Agreement relating to access and parking</u>

Director Putt reported that in 1999 the City approved an annexation of the Flagstaff Mountain area, now known as Empire Pass, which was memorialized when the annexation plat was recorded with a Development Agreement. Section 1.5 of the Development Agreement discussed the approval and nature of a skier day lodge in Pod B-2 at the top of Empire and Daly Canyons. The 35,000 square foot structure was approved by the Planning Commission through a CUP in 2000. Limitations on use and access to that structure are addressed in Section 2.5 of the Development Agreement. The fact that this structure is open to the public without access to a public street is problematic, and the Staff believes that should be corrected as part of this amendment. Another issue addresses the

ORDINANCE NO. 04-56

AN ORDINANCE APPROVING THE RED CLOUD SUBDIVISION PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Red Cloud subdivision plat have petitioned the City Council for approval of the Red Cloud subdivision plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 27, 2004, to receive input on the Red Cloud subdivision plat;

WHEREAS, the Planning Commission, on October 27, 2004, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 11, 2004 the City Council approved the Red Cloud subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Red Cloud subdivision plat

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

SECTION 1. APPROVAL. The Red Cloud subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Red Cloud Subdivision Plat is located in the Estate-MPD and Recreational Open Space-MPD Districts.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.

4. The MPD and subdivision are subject to the 14 Technical Reports approved on December 12, 2002.
5. The Planning Commission approved the Red Cloud MPD on August 11, 2004, for thirty (30) single-family homes.
6. On September 9, 2004, the City Council upheld the Planning Commission's approval of the MPD after hearing an appeal by Stichting Mayflower Fonds, et al.
7. The City Council amended the Development Agreement and Zoning Map on September 23, 2004.
8. Both a Conservation Easement and Public Ski Easement are proposed within platted lots for the Enchanted Forest. Conservation easements are proposed elsewhere in Empire Pass in accordance with the Development Agreement.
9. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
10. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over length cul de sac. A secondary emergency access road is required with an all-weather 20-foot wide surface.
11. The maximum Building Height in the Estate District is 28 feet (33 feet with a pitched roof).
12. The applicant's prior dedication of the realigned SR 224 is subject to a claim resulting from ownership of the Marsac Claim. The applicant and UDOT have committed to maintaining public access and taking necessary corrective action. Accordingly, the applicant is proceeding at their own risk.

Conclusions of Law

1. There is good cause for this Final Subdivision Plat.
2. The Final Subdivision Plat is consistent with the Flagstaff Annexation and Development Agreement, the Red Cloud Master Plan Development, the Red Cloud Preliminary Plat, Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Preliminary Subdivision Plat.
4. Approval of the Final Subdivision Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. City Engineer approval of a utility and infrastructure plan is a condition precedent to the plat recordation.
2. Both utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval. Utility lines and cleared ski trails shall not encroach in the Enchanted Forest as defined on the plat.
3. The proposed over-length cul de sac that ends in the thirty single family lots will have a secondary emergency access from the Red Cloud road. This emergency access shall not go through the Enchanted Forest. The emergency access will continue as a minimum 20-foot wide all-weather surface road. This emergency

access road must be installed prior to building permit issuance for any of the single-family homes.

4. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Building Permit and for the Red Cloud Subdivision infrastructure.
5. The final subdivision plat will include plat notes as follows:

General

1. Development Approval. These criteria are in addition to the conditions imposed on the project by the projects CC&Rs, Design Guidelines and other conditions imposed by the Empire Pass Design Review Board (AKA the Design Review Committee in the Design Guidelines, exhibit 2 of the 1999 LSMPD for the Project). All references to defined terms in the Land Management Code (LMC) are references to the LMC in effect at the time of this plat approval. All references to defined terms in the Design Guidelines (DGs) and Emergency Response Plan (ERP) are references to exhibits to the projects 1999 Large Scale Master Plan (LSMPD) and are subject to any future revision of those documents. All Development (LMC) is subject to the approval of both the City and the Design Review Board. Approval of any Development within this subdivision plat by the City requires prior written approval by the Design Review Board.

2. Building Height and Setbacks. All current LMC zone restrictions on building height and setbacks apply. Building setbacks are minimum Estate Zone Setbacks, 30 feet from property lines unless noted otherwise, or as restricted by ski or utility easements as shown hereon. No Additional Building Height over the zone building height limits will be granted.

3. Defensible Space Plan. Prior to vertical construction of residential units a Defensible Space plan, consistent with the project Emergency Response Plan (Exhibit 7 of the LSMPD), shall be approved by the City and implemented by the developer.

4. Water Efficient Irrigation and Limited Turf. Each platted lot, when developed, must incorporate a water efficient irrigation system (to the extent an irrigation system is used), and must limit the area of turf, consistent with the Design Guidelines.

Building Approval Process

1. General Applicability of Design Review Guidelines. All Development is subject to applicable requirements of the Design Review Guidelines, as such may be amended or superseded from time to time.

2. Approximate Building Location. Approximate Building Locations within each lot are shown on the plat are subject to adjustment on an individual lot basis with the

approval of the Design Review Board. Such approvals must be obtained prior to the issuance of a building permit. Site-specific plans must be developed within these locations and submitted to the Design Review Board, whose approval must be received before the issuance of a building permit. Any such Design Review Board approval is subject to review and approval by the Planning Department in accordance with the provisions of the LMC and applicable Design Guidelines. Approximate Building Locations have been sited on Developable Land (LMC), and avoid Ridge Line Areas (LMC). Therefore, any adjustment of the Approximate Building Location must avoid Very Steep Slopes (LMC) and Ridge Line Areas.

3. Building Footprint and Site Disturbance. In order to encourage lower building forms, the maximum building footprint is allowed up to the total area show within the Approximate Building Location (Design Guidelines) as shown on the plat. Second story square footage cannot be more then 2/3rds of the first floor. Total Limits of Disturbance cannot extend more then 20' beyond the outside walls of the building. Driveways, utility corridors, paths, drainage features, ski trails and their associated retaining structures are exceptions to this restriction. Limits of Disturbance (LMC) plans shall be submitted to the City Planning Department for review and approval by individual homeowners. These plans must demonstrate compliance with the goal of maximum retention of Significant Vegetation (LMC) and minimization of overall site disturbance.

4. Defensible Space. Vegetation outside of the Limits of Disturbance will be managed in accordance with the Defensible Space Plan consistent with the Urban Wildland Fire Interface Code and will focus on fire hazard reduction as well as good forest health and may not be improved for additional yard area. Removal of vegetation beyond the Limits of Disturbance will be done only by hand held equipment. All vegetation removal and management must be approved by both the Planning and Building Departments whose requirements may include that a licensed professional prepare the plan.

5. Irrigated Area. Each individual lot must submit landscape plans consistent with the projects Design Guidelines and a Defensible Space Plan (Emergency Response Plan). The maximum irrigated area within the landscaped area that will be considered for any lot is 5,000 sq ft. This does not limit the City's ability to require additional intermittent irrigation of existing vegetation in the Defensible Space zone adjacent to the landscaped area.

6. Design Review Board Approval. The Design Review Board's review shall consist of, but not be limited to, insuring the maximum preservation of existing vegetation, minimizing grading impacts, providing for solar access and views, and minimizing impacts on adjacent lots.

7. Landscaping Plans. Landscaping plans are subject to the review and approval of the Design Review Board and the Planning Department in accordance with the project Design Guidelines.

House Size

1. Gross Floor Area. The maximum Gross Floor Area (LMC) of a house is 10,000 sq ft. Gross Floor Area includes all enclosed areas designed for human occupation. Unenclosed porches, balconies, patios and decks, vent shafts, courts are not calculated in Gross Floor Area. Garages, up to a maximum area of 600 square feet, are not considered Gross Floor Area. Basement Area (LMC) below Final Grade (LMC) is not considered Gross Floor Area. The square footage of all Accessory Structures (LMC) is deducted from the house Gross Floor Area. Garage square footage in excess of 600 square feet is deducted from the house Gross Floor Area.

2. Lot Combinations. Lot combinations are subject to Design Review Board approval. Adjoining lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If lots are combined the Design Review Board will designate a new Approximate Building Location.

Limits of Disturbance and Vegetation Protection

1. Limits of Disturbance. As required by the LMC and the Design Guidelines, limits of disturbance plans must be reviewed and approved by both the City Planning Department and the Design Review Board.

2. Ski Run Vegetative Buffer. The vegetative buffer between the buildings and the existing ski runs are defined by the Approximate Building Location as designated on this plat. Existing Significant Vegetation (as defined by the LMC) within the buffer to the ski runs must be maintained. Vegetation management within the buffer and/or beyond the approved limits of disturbance on approved building plans will be maintained in accordance with good forest health practices and fire hazard reduction, but all such maintenance shall be approved by the Design Review Board, and the Park City Planning and Building Departments.

Easements and Lot Line Adjustments

1. Easements. The numbers, locations, and widths of private ski trail easements and the Deer Valley ski trail and bridge easements as shown on the plat are approximate the location of which will be fixed by a subsequent grant of easement prior to construction on a lot.

2. Lot Line Adjustments. Individual lot lines are subject to adjustment as approved by the Design Review Board and in accordance with the Park City Land Management code.

Other Specific Conditions, Restrictions and Benefits Affecting the Plat

1. Restrictive Covenants. The property and lots depicted on this plat are subject to the Master Declaration of Covenants, Conditions and Restrictions for Flagstaff, a Planned Community, recorded on June 28, 2004, as entry No.623450 in Book No.1457, Pages 747 to 832, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.

2. Master Declaration. The property and lots depicted on this plat are subject to the Declaration of Covenants, Conditions and Restrictions for Red Cloud Subdivision, Park City, Utah, recorded on _____, 2004, as entry No. _____ in Book No. ____, Pages ___ to ___, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.

3. Emergency Secondary Access. The property depicted on the Plat has secondary emergency access for controlled evacuation and for access by fire and safety personnel and equipment by virtue of an grant of easement recorded _____, 2004, in Book No. _____, Pages ____, in the office of the Summit County Recorder.

4. Enchanted Forrest. The area on the plat identified as the Enchanted Forrest and the lots that incorporate such area are affected by a ski easement for public skiing and a conservation easement. No Development activity, including fencing, is permitted within the Enchanted Forrest.

5. Access Parcel. A Future Access Parcel between lots 28 and 29 has been reserved and will be held by the developer for potential future access to adjoining lands, if developed.

6. Land Area Limitation. The gross land area of this plat, as depicted, shall not exceed 49.737 acres.

7. Shared Driveway. Developer will grant, for the benefit of the owners of lots 8 and 9, a perpetual, non-exclusive shared driveway easement in the location shown on the plat, and will require that said owners share the maintenance and other expenses associated with such shared driveway.

6. The final subdivision plat will include ski and conservation easements over the Enchanted Forest. Public ski access only will be allowed. No construction activity, including fencing, is permitted within the Enchanted Forest as defined on the final plat.

7. All subsequent applications and approvals are subject to the Technical Reports as approved or amended.
8. The plat will also include the following note: "Vertical construction in Red Cloud, (except building permits for Temporary Improvements, including sales and construction trailers) is allowed only in accordance with the Planning Commission approved Construction and Development Phasing plan, or as amended by subsequent action, as follows:

- Approval of the Mountain Village Master Planned Development (MPD) application (including, but not limited to, the Alpine Club Phase 1, pulse gondola, transit hub, village ski runs, and related landscaping) and all related conditional use permits;
- Approval of the Pod D MPD and subdivision plat;
- The Alpine Club Phase 1 resort amenity package shall be substantially complete and bonded for completion, including, at a minimum, a restaurant, bar, convenience store, landscaping, ski runs/pedestrian connections, and concierge's services operated by a management company. Phase 1 of the Alpine Club will consist of a minimum of 10,000 square feet of building area;
- The first phase of Alpine Club multi-family units as approved in the Mountain Village MPD shall be substantially complete, and bonded for completion;
- A building permit shall be issued for the Mountain Village transit hub and the hub shall be bonded for completion;
- A building permit shall be issued for the pulse gondola and the gondola shall be bonded for completion; and
- A building permit shall be issued for construction of at least one multi-family building within the Mountain Village (as approved in the Mountain Village MPD) in addition to the Alpine Club multi-family units.

9. A financial security to guarantee the installation of public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.
10. If at any time, public access or the State's acceptance of dedication of SR 224 is invalidated or withdrawn, such that public access is materially interrupted, all future development activity shall be subject to immediate stop work order and any pending and future Certificate of Occupancy and Building Permit shall be suspended until (i) a Certificate of Immediate Occupancy is obtained for public access, or (ii) alternative access acceptable to the City is provided, or (iii) the City receives public access assurances satisfactory to the City from UDOT or others. This condition shall be noted on the plat, and shall be of no force or effect and may be removed from the plat at any point in time when the applicant, on its own initiative, provides (i) alternative access solutions satisfactory to the City, or (ii) assurances from UDOT satisfactory to the City that SR 224 will remain in its existing location.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of November, 2004.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Ordinance No. 06-23

AN ORDINANCE APPROVING THE AMENDMENT TO LOTS 1, 2, 3, AND 4 OF THE RED CLOUD SUBDIVISION, PARK CITY, UTAH.

WHEREAS, the owners of the property known as lots 1, 2, 3, and 4 of the Red Cloud subdivision have petitioned the City Council for approval of a plat amendment to said lots and the private road adjacent to said lots; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 26, 2006, to receive input on the amendment to lots 1, 2, 3, and 4 of the Red Cloud subdivision;

WHEREAS, the Planning Commission, on April 26, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 4, 2006, the City Council approved the amendment to lots 1, 2, 3, and 4 of the Red Cloud subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amendment to lots 1, 2, 3, and 4 of the Red Cloud subdivision.

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

SECTION 1. APPROVAL. The amendment to lots 1, 2, 3, and 4 of the Red Cloud subdivision as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Red Cloud Subdivision Plat is located in the Estate (E) zoning district as part of the Flagstaff Mountain Annexation and Master Planned Development (MPD).
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
4. On November 11, 2004, the City Council approved the Red Cloud subdivision for 30 single-family lots. Red Cloud was known as Pod D of the Flagstaff Mountain Annexation.

5. The City received on February 24, 2006, a completed application for a plat amendment affecting lots 1-4 and the private road adjacent to these lots. The developer, United Park City Mines Company, still retains ownership of all lands within the plat amendment.
6. The plat amendment revises the location of the private road, Red Cloud Trail, shifting it further north and away from the Wasatch County line (see Exhibit B). A one-foot protection strip is also platted along the property line with Wasatch County.
7. The four proposed lots range in size from 1.22 acres to 2.72 acres, which is similar to the previously approved lot sizes and the rest of the Red Cloud subdivision. The owner/developer retains two parcels (A and B) that are adjacent to Wasatch County.
8. Each building lot has a building pad that will be field located based on the requirements established in the Red Cloud subdivision. These lots are subject to the original plat notes of the Red Cloud subdivision.
9. The plat also designates the 30-foot setback from property lines as required within the Estate zone.
10. The proposed lot layout is in conformance with requisite Subdivision Code road requirements and designs inasmuch as access is by means a street designed to City standards; the proposed roads are designed to relate to the existing topography without need for excessive grading; and secondary access is provided.
11. The subject lots front Red Cloud Trail. No other streets in Summit County are named Red Cloud Trail, therefore confusion in street naming is not likely to occur.
12. The applicant stipulates to installing and maintaining all necessary street signs within the subdivision.
13. The applicant has stipulated to installing all necessary street lights within the subdivision.
14. Land Management Code Section 15-7-3-4(E) permits the creation of a protection strip adjacent to a proposed street in such a manner as to deny access from an adjacent property to such street. The 1-foot protection strip along the County line is proposed on the subdivision plant which restricts road access without the formal approval of both Park City and Wasatch County.
15. Staff finds the proposed plat amendment complies with the requirements of Land Management Code section15-7 Subdivisions.

Conclusions of Law

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Flagstaff Annexation and Development Agreement, the Village at Empire Pass Master Plan Development, Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
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

1. All original conditions and plat notes of the Red Cloud subdivision approved November 11, 2004, continue to apply.
2. City Engineer approval of a utility and infrastructure plan is a condition precedent to the plat recordation.
3. Both utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.

4. The proposed over-length cul de sac that is Red Cloud Trail will have a secondary emergency access from the end of Red Cloud Trail. The emergency access will continue as a minimum 20-foot wide all-weather surface road. This emergency access road and all connections and private road construction below SR-224 must be installed prior to building permit issuance for any of the single-family homes within the subdivision.
5. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Building Permit and for the Red Cloud Subdivision infrastructure.
6. A financial security to guarantee the installation of public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer. All street improvements are privately maintained.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 4th day of May, 2006.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington

Mark D. Harrington, City Attorney

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154481 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of the tract of land shown on this plat and described hereon and subdivided said tract of land into lots, private rights-of-way, and easements to be hereafter known as AMENDMENT TO LOTS 1, 2, 3 AND 4, RED CLOUD SUBDIVISION and that the same has been correctly surveyed on the ground as shown on this plat.

_____ DATE

_____ JOHN DEMKOWICZ

BOUNDARY DESCRIPTIONS

A parcel of land comprised of Lots 1, 2, 3, 4 and a portion of the private right-of-way known as Red Cloud Trail of the Red Cloud Subdivision Record of Survey Plat, recorded January 27, 2005 as #724721 in the office of the recorder, Summit County, Utah, located in the northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point that is North 88°24'36" East 1056.85 feet along section line and South 338.01 feet from the northwest corner of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the easternmost corner of Lot 7, Red Cloud Subdivision, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah, recorded January 27, 2005 as #724721; and running thence North 79°12'43" East 164.36 feet; thence South 53°50'42" East 121.88 feet; thence South 22°03'19" East 98.48 feet; thence South 40°22'34" East 30.00 feet to a point on a non tangent curve to the left having a radius of 175.00 feet, of which the radius point bears South 49°22'34" East; thence southwesterly along the arc of said curve 101.46 feet through a central angle of 33°13'10"; thence South 16°23'36" West 269.36 feet; thence South 37°34'49" East 481.42 feet; thence South 24°41'12" West 116.38 feet; thence South 88°24'12" West 344.13 feet; thence North 82°53'47" West 231.46 feet to a point on a curve to the right having a radius of 1275.00 feet, of which the radius point bears North 07°06'13" East; thence along the arc of said curve 147.29 feet through a central angle of 06°37'06"; thence North 13°43'21" East 50.00 feet to a point on a non tangent curve to the right having a radius of 50.00 feet, of which the radius point bears North 13°43'21" East; thence northerly along the arc of said curve 167.23 feet through a central angle of 122°31'36"; thence North 46°35'15" East 192.32 feet to a point on a curve to the left having a radius of 625.00 feet, of which the radius point bears North 43°24'45" West; thence along the arc of said curve 394.13 feet through a central angle of 36°08'00"; thence North 10°27'30" East 165.34 feet to a point on a curve to the right having a radius of 215.00 feet, of which the radius point bears South 79°32'45" East; thence along the arc of said curve 13.74 feet through a central angle of 03°39'39" to the point of beginning.

Description contains 6.03 acres.

OWNER RETAINED PARCEL A

A parcel of land located in the northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at the easternmost corner of Lot 1, Red Cloud Subdivision, according to the official plat thereof on the end of record in the office of the recorder, Summit County, Utah, recorded January 27, 2005 as #724721; and running thence along the boundary of said Red Cloud Subdivision the following seven (7) courses: 1) South 24°41'12" West 116.38 feet; thence 2) South 88°24'12" West 344.13 feet; thence 3) North 82°53'47" West 231.46 feet to a point on a curve to the right having a radius of 1275.00 feet, of which the radius point bears North 07°06'13" East; thence 4) along the arc of said curve 147.29 feet through a central angle of 06°37'06"; thence 5) North 13°43'21" East 50.00 feet to a point on a non tangent curve to the right having a radius of 50.00 feet, of which the radius point bears North 13°43'21" East; thence 6) northerly along the arc of said curve 107.22 feet through a central angle of 122°51'36"; thence 7) North 46°35'15" East 33.12 feet to a point on a non tangent curve to the left having a radius of 100.00 feet, of which the radius point bears North 76°35'15" East; thence southeasterly along the arc of said curve 121.19 feet through a central angle of 69°26'26"; thence South 82°51'01" East 100.53 feet to a point on a curve to the left having a radius of 246.00 feet, of which the radius point bears North 07°08'59" East; thence along the arc of said curve 76.00 feet through a central angle of 18°37'13"; thence South 91°53'27" West 112.13 feet; thence South 82°53'47" East 63.37 feet; thence South 88°24'12" East 194.07 feet; thence North 63°08'32" East 243.42 feet to a point on the northeasterly boundary of said Lot 1, Red Cloud Subdivision; thence South 37°34'49" East 66.42 feet to the point of beginning.

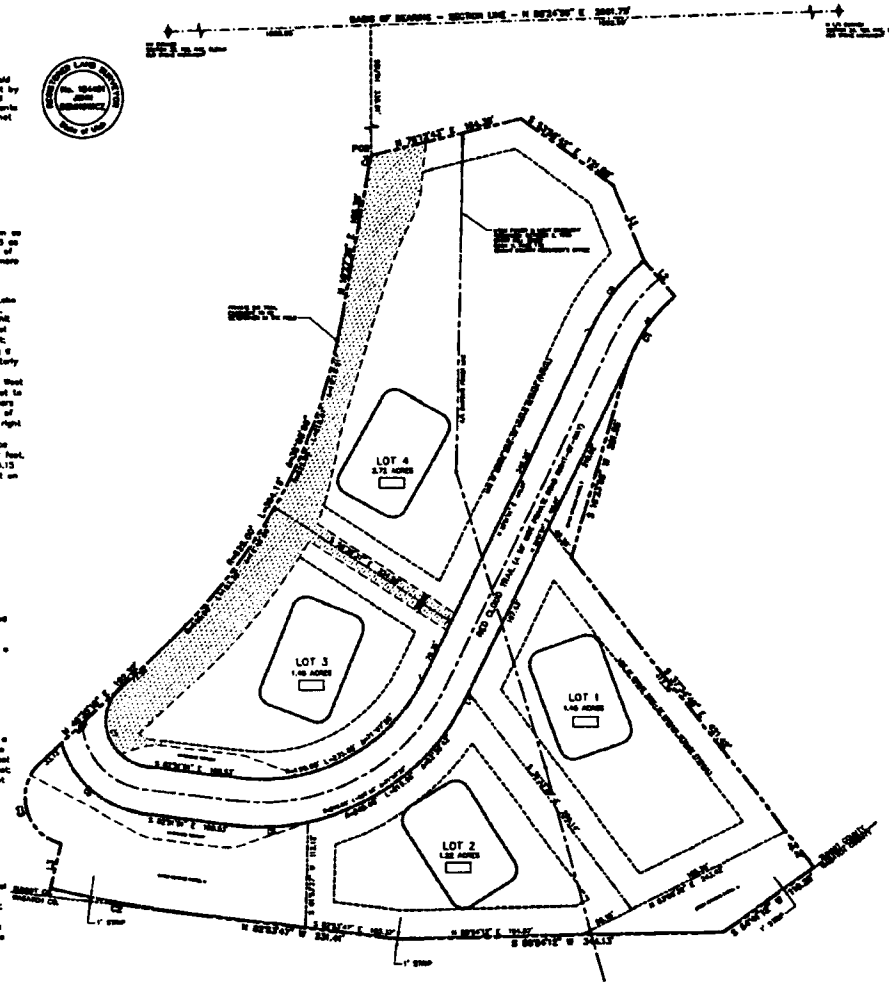
OWNER RETAINED PARCEL B

A parcel of land located in the northwest quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at the northernmost corner of Lot 1, Red Cloud Subdivision, according to the official plat thereof on the end of record in the office of the recorder, Summit County, Utah, recorded January 27, 2005 as #724721; and running thence North 37°34'49" West 66.35 feet; thence North 26°01'04" East 216.02 feet to a point on a non tangent curve to the left having a radius of 175.00 feet, of which the radius point bears South 63°58'56" East; thence southeasterly along the arc of said curve 29.38 feet through a central angle of 09°37'05"; thence South 16°23'36" West 301.36 feet to the point of beginning.

NOTES

1. All notes shown on Sheet 2 of RED CLOUD SUBDIVISION recorded on January 27, 2005 as entry no. 724721 are applicable to this plat.
2. Any 1' strip or disabled bonds along the south boundary of this subdivision plat is subject to the following restrictions: no road may be constructed across said strip without the formal approval of Park City Municipal Corporation and Weber County.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots together with easements and private rights-of-way as set forth on the plat, hereafter to be known as AMENDMENT TO LOTS 1, 2, 3 & 4, RED CLOUD SUBDIVISION. Also the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, and any utilities providers, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use, and eventual replacement.

The owner, or his representative, hereby irrevocably offers for dedication to the City of Park City all the streets land for local government uses, easements, parks, required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

In witness whereof the undersigned has set his hand on this _____ day of _____, 2006.

UNITED PARK CITY MINES COMPANY

By _____

Title: _____

ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 2006, personally appeared before me, the undersigned Notary Public, in and for said State and County, _____ who after being duly sworn, acknowledged to me that he is the _____ of UNITED PARK CITY MINES COMPANY, that he signed the foregoing Owner's Consent to Record on behalf of the corporation with full authority of its bylaws.

_____
A Notary Public commissioned in Utah

_____
Printed Name

_____
Residing In: _____

My Commission Expires: _____

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 24°41'12" W	116.38'
L2	S 88°24'12" W	344.13'
L3	N 82°53'47" W	231.46'
L4	N 13°43'21" E	50.00'
L5	N 46°35'15" E	33.12'
L6	S 82°51'01" E	100.53'
L7	S 91°53'27" W	112.13'
L8	S 82°53'47" E	63.37'
L9	S 88°24'12" E	194.07'
L10	N 63°08'32" E	243.42'
L11	S 37°34'49" E	66.42'
L12	S 16°23'36" W	269.36'
L13	S 37°34'49" E	481.42'
L14	S 24°41'12" W	116.38'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	175.00'	101.46'	33°13'10"
C2	1275.00'	147.29'	6°37'06"
C3	50.00'	107.23'	122°51'36"
C4	625.00'	394.13'	36°08'00"
C5	215.00'	13.74'	3°39'39"
C6	246.00'	76.00'	18°37'13"
C7	100.00'	121.19'	69°26'26"

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C8	175.00'	29.38'	9°37'05"
C9	175.00'	101.46'	33°13'10"
C10	1275.00'	147.29'	6°37'06"
C11	50.00'	107.23'	122°51'36"
C12	625.00'	394.13'	36°08'00"
C13	215.00'	13.74'	3°39'39"
C14	246.00'	76.00'	18°37'13"
C15	100.00'	121.19'	69°26'26"
C16	175.00'	29.38'	9°37'05"

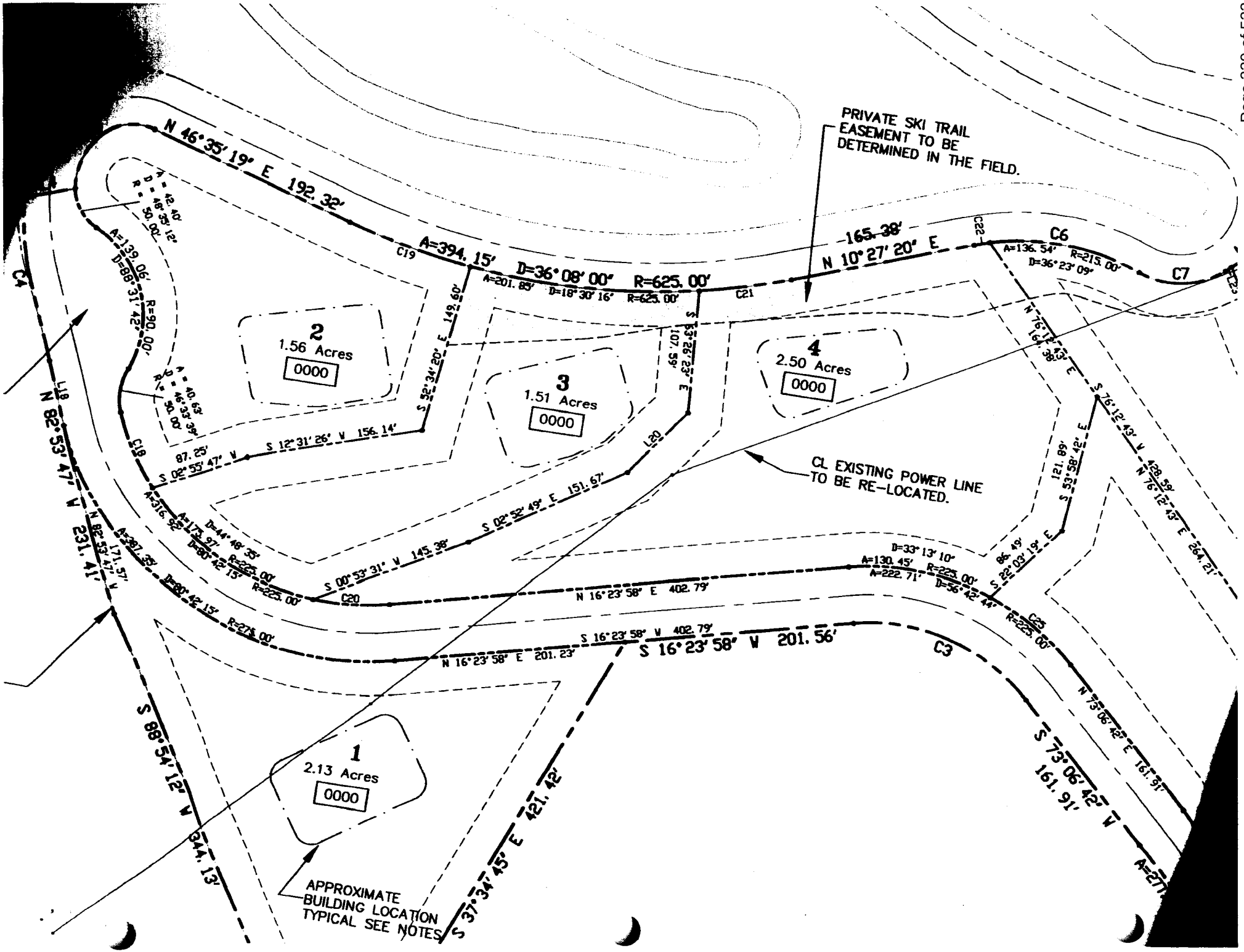
AMENDMENT TO LOTS 1, 2, 3 & 4
RED CLOUD SUBDIVISION

A SINGLE FAMILY SUBDIVISION LOCATED IN SECTION 28 AND SECTION 33
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED
APR 10 2006
PARK CITY
PLANNING DEPT

PAGE 1 OF 1

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2006 A.D. BY _____ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2006 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2006 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2006 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2006 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2006 A.D. BY _____ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER _____


PRIVATE SKI TRAIL
EASEMENT TO BE
DETERMINED IN THE FIELD.
N 46° 35' 19" E 192.32'
A=394.15'
D=36° 08' 00"
R=625.00'
N 10° 27' 20" E
165.38'
C6
A=136.54'
R=215.00'
D=36° 23' 09"
C7
2
1.56 Acres
0000
3
1.51 Acres
0000
4
2.50 Acres
0000
1
2.13 Acres
0000
CL EXISTING POWER LINE
TO BE RE-LOCATED.
APPROXIMATE
BUILDING LOCATION
TYPICAL SEE NOTES
N 82° 53' 47" W 231.41'
S 88° 54' 12" W 344.13'
S 37° 34' 45" E 421.42'
S 16° 23' 58" W 201.56'
N 16° 23' 58" E 201.23'
S 16° 23' 58" W 402.79'
N 16° 23' 58" E 402.79'
S 00° 53' 31" W 145.38'
S 02° 52' 49" E 151.67'
S 12° 31' 26" W 156.14'
S 02° 55' 47" W 87.25'
S 32° 34' 20" E 149.60'
S 53° 22' 23" E 107.59'
N 76° 12' 43" E 164.38'
S 76° 12' 43" W 428.59'
N 76° 12' 43" E 264.21'
S 53° 58' 42" E 121.89'
S 22° 03' 19" E 86.49'
S 73° 06' 42" W 161.91'
N 73° 06' 42" E 161.91'
A=139.06'
D=88° 31' 42"
R=90.00'
A=42.40'
D=48° 35' 12"
R=50.00'
A=40.63'
D=46° 33' 39"
R=50.00'
A=316.52'
A=173.97'
D=44° 48' 35"
D=80° 42' 15"
R=225.00'
A=381.25'
A=171.57'
D=80° 42' 15"
R=275.00'
A=201.85'
D=18° 30' 16"
R=625.00'
D=33° 13' 10"
A=130.45'
A=222.71'
R=225.00'
D=56° 42' 44"
R=225.00'
L18
L20
C4
C19
C20
C21
C22
C23

EMPIRE PASS
DESIGN REVIEW BOARD

October 28, 2024

Mr. John Shirley
Think Architecture
7927 S. Highpoint Parkway, Suite 300
Sandy, UT 84094

RE: Red Cloud Lots 1& 2 Combined DRB Site Restrictions Approval

Dear Mr. Shirley,

Please allow this letter from the Design Review Board (the DRB) to serve as approval for the site allowances for the combination of Red Cloud Lots 1 & 2. On October 25, 2024, the DRB reviewed conceptual plans for the lots listed above. The homesites are combined and the DRB approved the Building Envelope square footage maximum of 18,000 and the home maximum gross floor area to be 16,000 square feet. The home will be subject to the DRB review process in accordance with the Empire Pass Design Guidelines.

Please feel free to contact me with any questions or to discuss further.

Best,

Trish Waterman

Trish Waterman, Empire Pass MOA Director
On Behalf of the Empire Pass DRB

Planning Commission
Staff Report

Subject: **6453 Silver Lake Drive**
Application: **PL-24-06225**
Author: **Jacob Klopfenstein, Planner I**
Date: **June 11, 2025**
Type of Item: **Plat Amendment**

Recommendation

The Applicant proposes a Plat Amendment for 6453 Silver Lake Drive to reflect existing conditions, which exceed the platted area of disturbance, and to increase the area of disturbance for an addition to the Single-Family Dwelling.

Staff recommends the Planning Commission:

(I) Review the Plat Amendment for 6453 Silver Lake Drive,
(II) Conduct a public hearing, and
(III) Consider approving the Plat Amendment, but limited to reflect existing conditions, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Elizabeth Allen Justin Keys, Applicant Representative
Location:	6453 Silver Lake Drive
Zoning District:	Residential Development
Adjacent Land Uses:	Single-Family Dwellings, Ski Trail Easements
Reason for Review:	The Planning Commission reviews and takes Final Action on Plat Amendments.[1]

LMC	Land Management Code
MPD	Master Planned Development
RD	Residential Development
SFD	Single-Family Dwelling
SLO	Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

The Applicant proposes a Plat Amendment to increase the area of disturbance for the

[1] LMC § 15-1-8.

17,408-square-foot (0.4-acre) Lot from 2,919 square feet to 6,486 square feet (an increase of 3,567 square feet) to reflect built/existing conditions and to accommodate a 2,238-square-foot addition to the Single-Family Dwelling (SFD) (see Figure 1 below, as well as Exhibit C, Applicant's Narrative and Supplemental Materials).

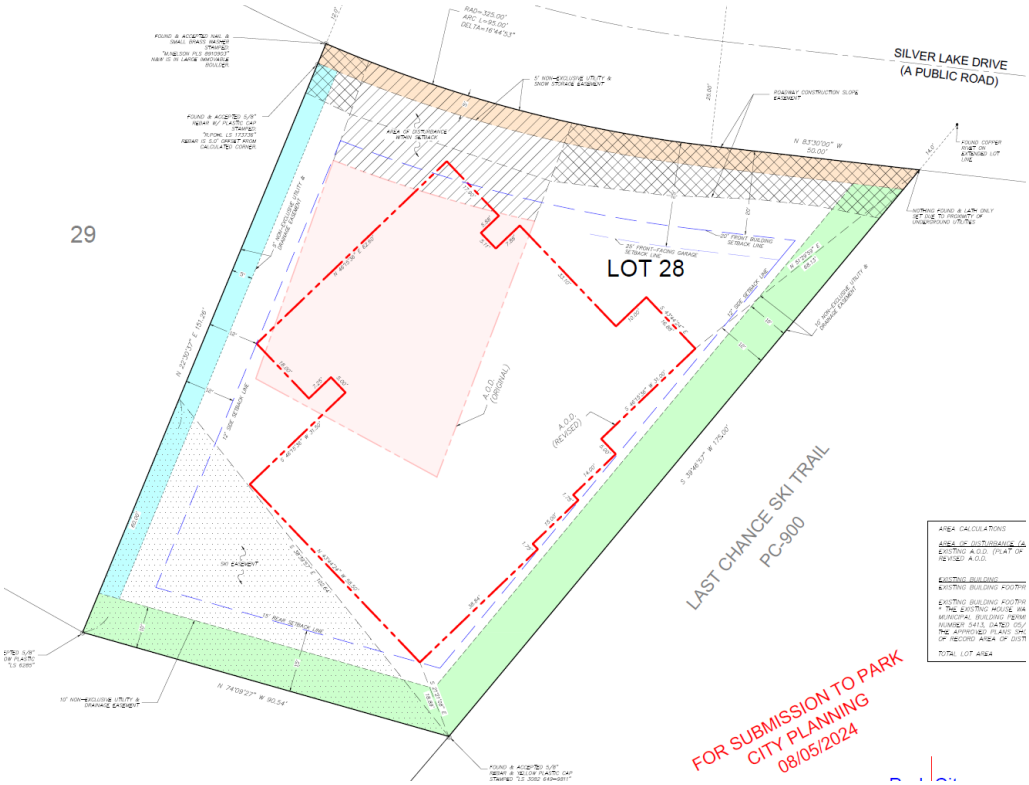


Figure 1: Applicant's proposed Plat Amendment for 6453 Silver Lake Drive. The area shaded in light pink represents the originally platted area of disturbance. The red dotted line represents the applicant's proposed area of disturbance, which accommodates the existing SFD and a proposed 2,238-square-foot addition.

The existing SFD at the Site has a Building Footprint of approximately 3,003 square feet, which exceeds the platted 2,919-square-foot area of disturbance. The Applicant proposes a 3,567-square-foot expansion of the area of disturbance and proposes a potential future Building Footprint of up to 5,261 square feet within the proposed expanded area of disturbance.

The table below details the proposed changes between the platted area of disturbance, proposed area of disturbance, existing SFD and proposed expanded SFD. Please also see Figures 2 and 3 below, which illustrate the proposed changes.

Area	***Footprint***	***Change***
Platted area of disturbance	2,919 square feet	N/A
Existing SFD	3,003 square feet	N/A
Proposed area of	6,486 square feet	3,567-square-foot increase

disturbance		(122%)
Proposed SFD expansion	5,241 square feet	2,208-square-foot increase (75%)

6453 Silver Lake Drive is Lot 28 in the Evergreen Subdivision and is within the Deer Valley Master Planned Development (MPD). The SFD was constructed in 1991 and was approved to be built outside the platted area of disturbance shown on the Evergreen Subdivision First Amended Plat (Summit County Recorder Entry No. 290308; Exhibit D).

The Planning Commission initially reviewed the Applicant's proposal on November 13, 2024 (Packet, Item 5.D.; Minutes p. 15-19) and continued the item to February 12, 2025 at the Applicant's request. At that time, the Commission requested the Applicant supplement the proposal with additional exhibits showing overlays of the existing SFD, the proposed expanded area of disturbance, and the proposed plans for the remodel and addition of the SFD.

The Applicant was unable to submit their updated materials in time for the Planning Commission's review on February 12, 2025, and the item was removed from the Commission's agenda. On May 13, 2025, the Applicant provided Exhibit I showing overlays of the existing SFD, existing area of disturbance, proposed area of disturbance, and significant vegetation.

Staff does not find Good Cause to grant the Plat Amendment to accommodate the proposed SFD addition due to the existing SFD's noncompliant height.

The Applicant's representative contends that the Plat Amendment should be approved in full to reflect existing conditions and to accommodate a 2,238-square-foot addition to the SFD (see Exhibit B, Applicant Letter dated March 31, 2025). The Applicant's representative argues that it is unclear whether the Building Height of the existing SFD was noncompliant at the time of its construction in 1991.

Please see Analysis Section I for further discussion of Building Height. Please see Analysis Section IV for further discussion of Staff's recommendation regarding Good Cause. Please see Exhibit B, Applicant Letter dated March 31, 2025, for the Applicant's narrative regarding Building Height.



Figure 2: Excerpt from Applicant's submittal (Exhibit I) showing the footprint of the existing SFD at 6453 Silver Lake Drive (indicated by the grey shaded area) overlaid with the proposed Building Footprint, including a proposed future addition to the existing SFD (indicated by the green shaded area).

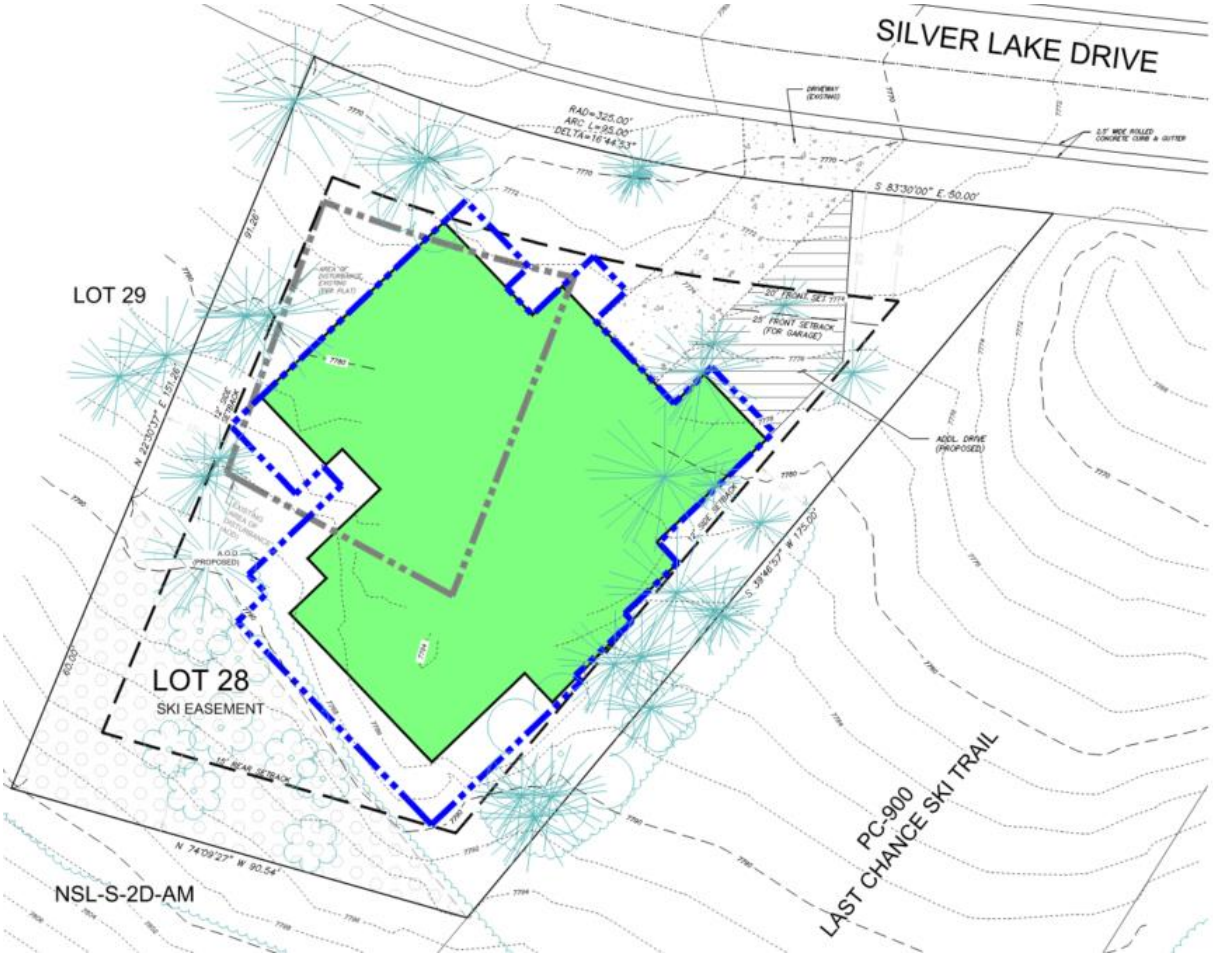


Figure 3: Excerpt from Applicant's submittal (Exhibit I) showing the existing area of disturbance, proposed area of disturbance, proposed future building footprint, and significant vegetation for the Site at 6453 Silver Lake Drive. The bright green area indicates the proposed building footprint for the existing SFD and future addition. The dark blue dotted line indicates the proposed (expanded) AOD. The grey dotted line indicates the existing AOD, but the existing SFD encroaches outside this area. The teal items indicate existing vegetation at the Site.



Figure 4: Front view of 6453 Silver Lake Drive.



Figure 5: Side view of 6453 Silver Lake Drive as viewed from the northwest. Red stakes mark the platted area of disturbance.

Background

The Evergreen Subdivision First Amended Plat created 36 Single-Family Lots and was recorded with the Summit County Recorder in May 1988 (Entry No. 290308; Exhibit D). The First Amended Plat establishes an area of disturbance for each Lot. Lot 28 (6453 Silver Lake Drive) includes an area of disturbance measuring approximately 50 feet wide and 55 feet long in the northwest portion of the Lot, a total of approximately 2,919 square feet. A portion of the area of disturbance, measuring approximately 50 feet wide and 25 feet long, is within the 25-foot Front Setback (indicated by the cross-hatched area in the image below).

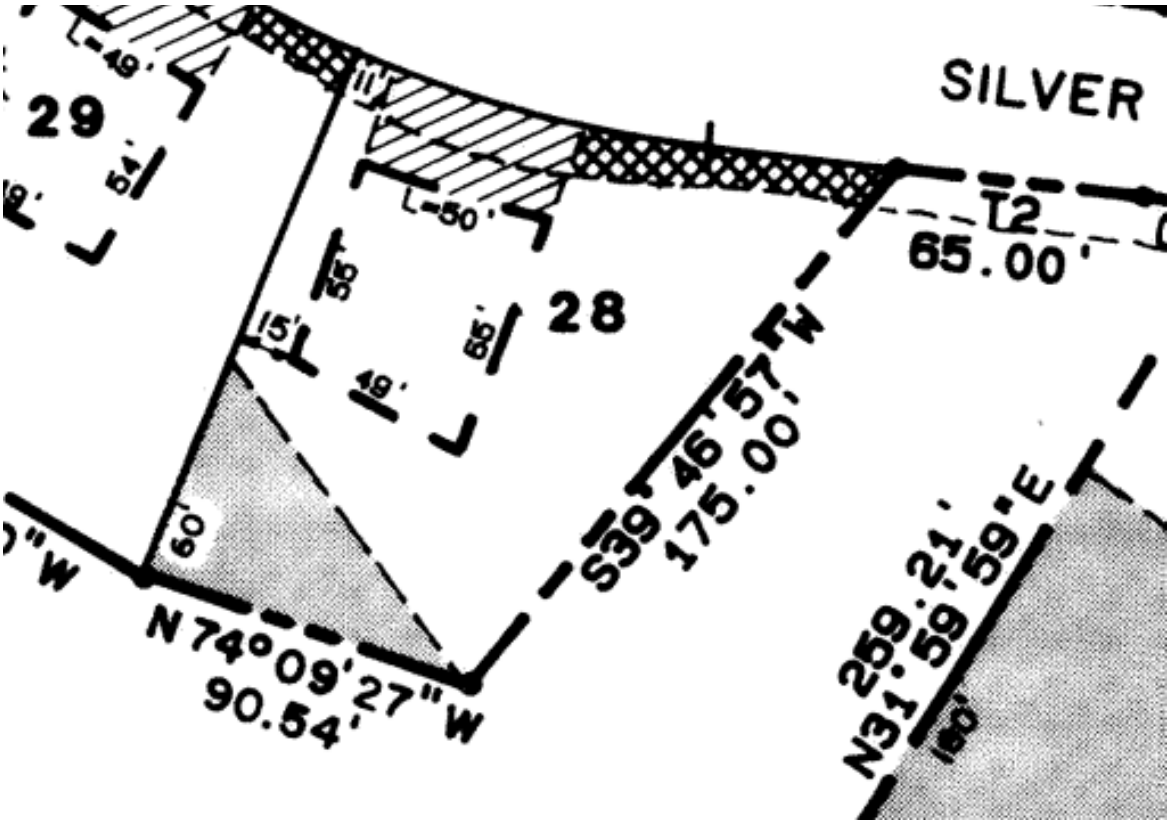


Figure 6: Excerpt from Evergreen Subdivision First Amended Plat showing area of disturbance on Lot 28 in the northwest portion of the Lot.

In June of 1990, the City issued Building Permit #90-5116 for the SFD at 6453 Silver Lake Drive with a modified Building Permit #91-6008 issued in August 1991. Both permits approved construction of the SFD outside the platted area of disturbance.

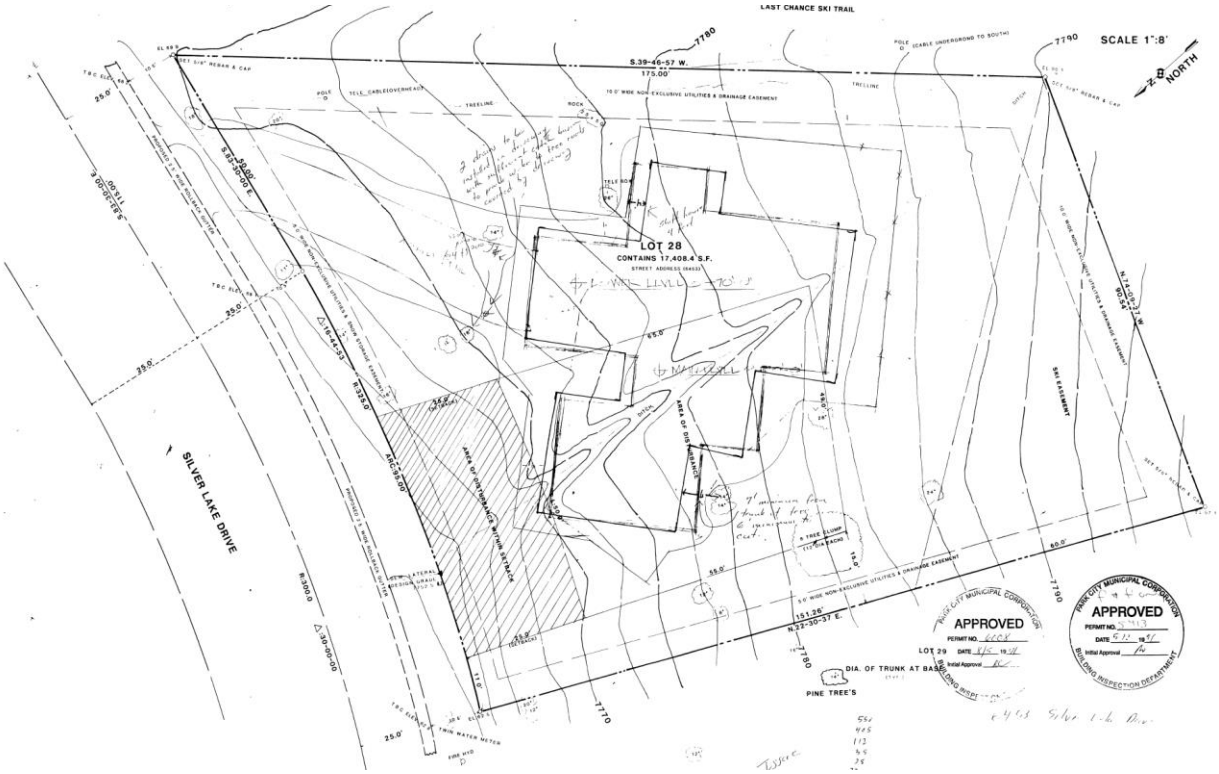


Figure 7: Excerpt from Building Permit #91-6008 approving construction of the SFD at 6453 Silver Lake Drive outside the platted area of disturbance.

Building Permit records do not indicate why the SFD was approved outside the platted area of disturbance. However, instructions written on Permit #90-5116 required retention of multiple existing trees on the property. The Applicant thinks the SFD may have been allowed to be built outside the platted area of disturbance to retain and protect trees on the property.

Permit #90-5166 highlights several areas where trees were marked for retention:

- Two areas of trees on the west side of the SFD (highlighted in Figure 7 in yellow) are not listed on the Applicant's existing conditions submittal (see Exhibit C, p. 10) and were removed at some point.
- Two areas of trees on the east side of the SFD (highlighted in Figure 7 in green) remain and would be impacted by the proposed expansion to the area of disturbance.
- An area of trees on the northwest portion of the Lot and an area on the north side of the SFD (highlighted in Figure 7 in blue) would not be impacted by the proposed expansion to the area of disturbance.

See Exhibit I for more information on existing significant vegetation at the Site.



Figure 8: Notes written on Building Permit #90-5116 require retention of existing trees on the property at 6453 Silver Lake Drive.

An arborist completed a report for the Site (Exhibit J) on September 11, 2024 and concluded that the stand of trees located at the Site are showing signs of great health, and no abnormal pest and diseases were present. The arborist noted that the trees were in their adequate natural growing environment.

SFDs on other Lots within the Evergreen Subdivision were built outside the platted areas of disturbance:



Figure 9: Applicant's submittal showing platted area of disturbance (marked in red) overlaid with built conditions in the Evergreen Subdivision.

Ordinance No. 95-17 (Exhibit H), approved by City Council on April 27, 1995, amended the Evergreen Subdivision Plat to allow deviations to the area of disturbance to be reviewed and approved by the Evergreen Architectural Committee (see Exhibit E, Evergreen Subdivision Amendment to the Amended Plat). This ordinance defined the area of disturbance as representing “the boundary in which all building and associated construction disturbance shall occur.”

The Applicant was not able to contact the Evergreen Architectural Committee, and it appears the committee disbanded sometime after 2021. While the Evergreen Subdivision Amendment allows the Evergreen Architectural Committee to approve deviations to the area of disturbance, it does not allow the Committee to approve expansions of the area of disturbance. Property owners requesting an expansion to the area of disturbance are required to complete a Plat Amendment pursuant to Land Management Code § 15-1-8, Plat Amendments.

Several other lots in the Evergreen Subdivision completed Plat Amendments to expand the area of disturbance to reflect built/existing conditions. In October 1994, the City Council approved Ordinance No. 94-42 approving an expansion to the area of disturbance for 6715 Silver Lake Drive (Lot 15 of the Evergreen Subdivision). The amendment increased the area of disturbance for Lot 15 from approximately 4,275 square feet to approximately 5,815 square feet (an increase of approximately 36%). The First Amended Lot 15, Evergreen Plat was recorded with Summit County on January 30, 1995 (Entry No. 423968).

In May 2002, the City Council approved Ordinance No. 02-06 to relocate a ski easement from the middle of Lot 23 to the rear of the Lot. The Evergreen Subdivision Lot 23 Amended Plat was recorded with Summit County on September 5, 2002 (Entry No. 631078). The plat does not designate an amended area of disturbance. However, Condition of Approval 1 of Ordinance No. 02-06 notes that the building pad for Lot 23 could be moved to a distance similar to the extension granted for the adjacent Lot 22. Ordinance No. 02-06 indicates that a ski easement was relocated in a similar fashion for Lot 22; however, no amended plats have been recorded for Lot 22. The existing SFD on Lot 23 was constructed in 2003 and is approximately 4,838 square feet.

In 2020, the City Council approved Ordinance No. 2020-07 (Packet, Item VI-3; Minutes, p. 7), to increase the area of disturbance for Lot 1 of the Evergreen Subdivision (7058 Silver Lake Drive) from 5,270 square feet to 6,260 square feet, a total increase of 990 square feet (approximately 19%). The Applicant recorded the Amended Plat of Evergreen – Lot 1 Amended with Summit County on May 26, 2020 (Entry No. 1132724).

In 2024, the Planning Commission approved an expansion of the area of disturbance for 7008 Silver Lake Drive (Lot 2 of the Evergreen Subdivision) (Packet, Item 6.E.; Minutes, p. 19-26). The Applicant recorded the Evergreen Subdivision Lot 2 Plat Amendment with Summit County on December 4, 2024 (Entry No. 1228501). The Plat Amendment added 6,810 to the area of disturbance for Lot 2, for a total area of disturbance of 10,566 square feet on the Lot (an increase of approximately 180%).

The Applicant for Lot 1 (7058 Silver Lake Drive) obtained approval from the Evergreen Architectural Committee in 2020 to adjust the platted area of disturbance. The Applicant for Lot 2 (7008 Silver Lake Drive) was not able to contact the Evergreen Architectural Committee and noted that the property did not have an HOA when the property owner purchased it.

Plat Amendments have also been recorded for Lots 6, 10, 16, 17, and 20 of the Evergreen Subdivision. However, these Plat Amendments did not amend the areas of disturbance for the Lots.

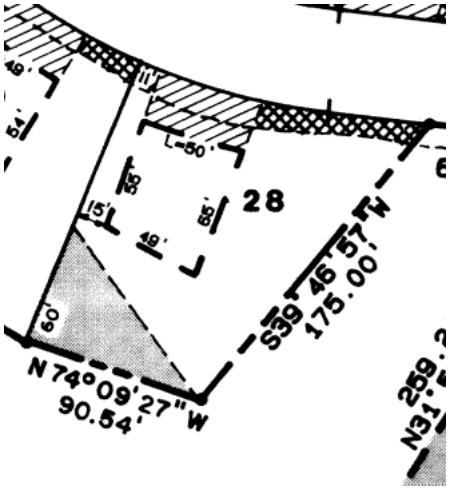
Analysis

(I) The Plat Amendment proposal, as conditioned, complies with the requirements of the Residential Development (RD) Zoning District.

Pursuant to LMC § 15-2.13-2(A), SFDs are an allowed use in the RD Zoning District.

Pursuant to LMC § 15-2.13-3 and LMC § 15-2.13-4, the following Lot and Site Requirements and Building Height standards apply:

Requirement	Analysis of Proposal

Front Setback: 20 feet required, 25 feet for front-facing garages for Single-Family and Duplex Dwellings	**Complies:** The existing SFD maintains a minimum 21.6-foot Setback from the Front Property Line. The existing front-facing garage maintains a 32-foot, 6-inch Setback from the Front Property Line. **Condition of Approval recommended:** Staff recommends Condition of Approval 1 requiring that new construction shall comply with RD Zoning District Lot and Site Requirements.
Side Setback: 12 feet required	**Complies:** The existing SFD maintains an 18-foot Setback on the east side of the Lot and a 24-foot Setback on the west side of the Lot. The proposed area of disturbance maintains a 12-foot Side Setback on each side of the Lot.
Rear Setback: 15 feet required	**Complies:** The existing SFD maintains a minimum 45-foot Setback from the Rear Property Line. The proposed area of disturbance maintains a minimum 15-foot Rear Setback and does not include development within an existing ski easement.  *Excerpt from the Evergreen Subdivision First Amended Plat showing the ski easement on Lot 28 (6453 Silver Lake Drive) shaded in gray.*

Building Height

The maximum Building Height for the RD Zone is 28 feet from Existing Grade, or 33 feet from Existing Grade with a roof pitch of 4:12 or greater.

The existing SFD is approximately 39 feet, 8 inches from Existing Grade and includes a roof pitch of 5:12. This exceeds the maximum allowable Building Height in the RD Zoning District but was approved through Building Permits #90-5116 in June 1990 and #91-6008 in August 1991. Plans for Building Permit #91-6008 proposed a maximum Building Height of approximately 41 feet, 5 inches.

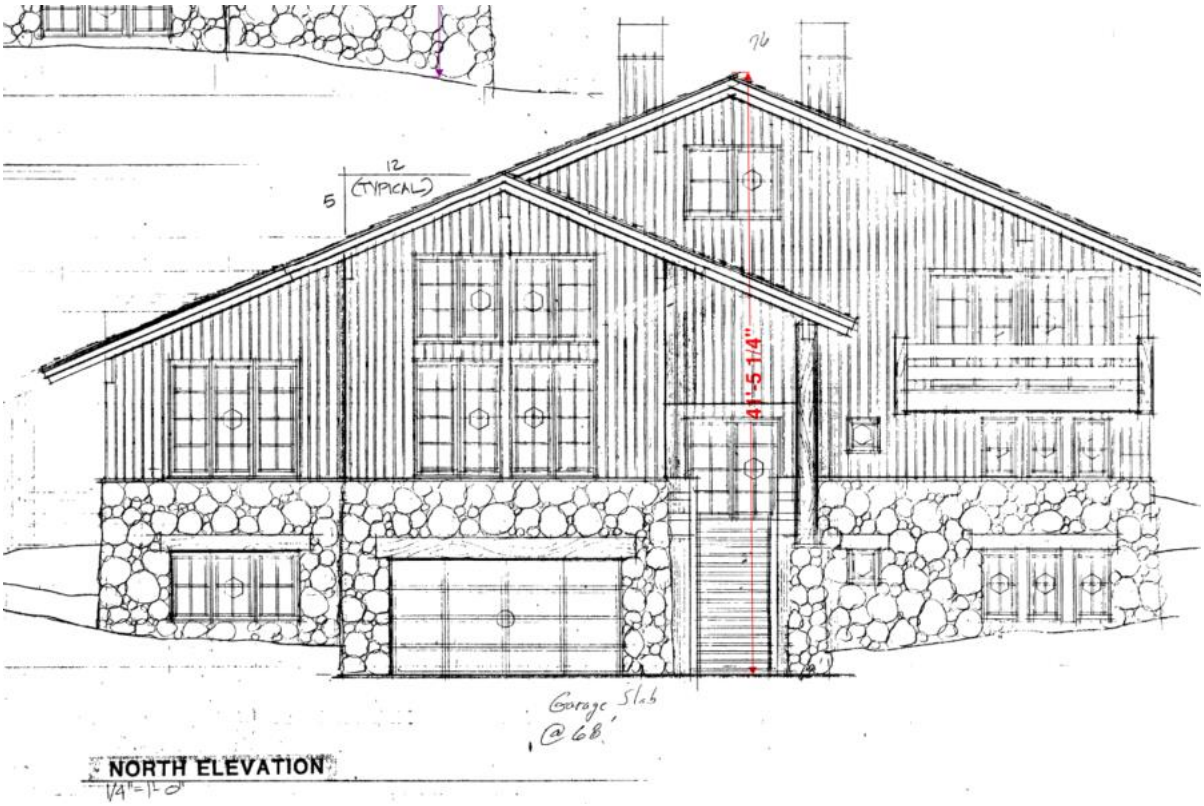


Figure 10: Excerpt from Building Permit #91-6008 showing proposed Building Height of approximately 41 feet, 5 inches for the SFD at 6453 Silver Lake Drive.

The Applicant's representative argues that it is unclear whether the Building Height of the existing SFD was noncompliant at the time of its construction in 1991. Please see Exhibit B, Applicant Letter dated March 31, 2025 for the Applicant's full narrative regarding the Building Height issue.

The height standard for the RD Zone in the March 15, 1990 LMC[2] was 28 feet from natural grade:

[2]The Applicant's representative cites the January 1, 1989 version of the LMC in Exhibit B. Both the 1989 and 1990 versions of the LMC restricted the Building Height in the RD Zoning District to 28 feet from Natural Grade.

7.5.4. HEIGHT REGULATIONS. No building shall be erected to a height greater than 28 feet, measured from natural grade at the building site. On lots specifically designated by the Planning Commission and recorded on the subdivision plat, no building shall be erected to a height greater than 12 feet above natural grade for uphill lots within the area between the five-foot setback allowed for garages and the 25-foot setback. On lots with a downhill orientation, no building shall be erected to a height greater than 12 feet above grade measured at the top back of curb within the area between the five-foot setback allowed under special consideration and the regular 25-foot setback.

LMC § 15-15-1 currently defines Natural Grade as *"The Grade of the surface of the land prior to any Development Activity or any other man-made disturbance or Grading. The Planning Department shall estimate the Natural Grade, if not readily apparent, by reference elevations at points where the disturbed Area appears to meet the undisturbed portions of the Property. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water."*

The Height Provisions of the 1990 LMC indicate that height was measured from Natural Grade to the midpoint between the lowest point of the eaves/cornice and the ridge for gabled roofs (the SFD at 6453 Silver Lake Drive has a gabled roof with a 5:12 pitch):

8.17. HEIGHT PROVISIONS. The total height of the building shall be measured as the vertical distance from the natural grade, as defined in this Code, to the highest point of a flat roof or the deck line of a mansard roof, or to a point midway between the lowest part of the eves or cornice and the ridge of a hip or gable roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18 inches above the maximum height limitation in the zone. Roofs not fitting clearly any of the above three classifications shall be classified by the Community Development Director in accordance with the roof it most clearly resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration. To allow for roof pitches and provide usable space within the structure, the following exceptions apply:

The Applicant did not provide a topographic survey of the Site that predates development in the area that would determine Natural Grade. There are no other records establishing or interpolating Natural Grade for this Site.

Based on the Applicant's existing conditions submittal, staff estimates the vertical distance from Existing Grade to a midway point between the highest ridge and the eaves of the roof to be 36-37 feet. This still puts the height of the existing SFD above the 28-foot height limit, which was in effect in 1990 and remains the RD zone height standard today. The gabled roof's 5:12 pitch may allow the roof of the existing SFD to

extend five feet above the RD zone's maximum height; however, the roof exceeds that height.

LMC § 15-15-1 defines Non-Complying Structure as a structure that legally existed before its current zoning designation and, because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure.

Because a building height for 6453 Silver Lake Drive that did not comply with the zoning district height requirements was approved in error or by miscalculations resulting from erroneous information submitted with Building Permit #91-6008, the structure did not legally exist before its current zoning designation. Therefore, 6453 Silver Lake Drive does not fit the definition of Non-Complying Structure and does not qualify for any exemptions or exceptions outlined in LMC Chapter 15-9, Non-Conforming Uses And Non-Complying Structures.

Staff recommends Condition of Approval 2 requiring that the portions of the SFD that exceed the RD Zoning District Building Height shall not be enlarged and that new construction comply with the RD Zoning District Building Height regulations.

(II) The Deer Valley Resort 12th Amended MPD governs the site, and the density limitations of the Sensitive Land Overlay (SLO) outlined in LMC Chapter 15-2.21 do not apply to the Site.

6453 Silver Lake Drive is within the SLO, and LMC § 15-2.21-3(A) requires applicants proposing development within the SLO to submit a sensitive lands analysis. However, the Deer Valley Resort 12th Amended MPD Permit Section E states that the density limitations of the SLO do not apply to Lots within the MPD because MPDs approved prior to the implementation of the SLO are considered vested in terms of density (Exhibit F). See Exhibit G for the Applicant's full sensitive lands analysis.

The Deer Valley MPD also states that site planning standards can be applied to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation, and building design standards do apply. These standards are presented below with analysis:

Requirement	**Analysis of Proposal**
Does not reduce vested density	**Complies:** Lot 28 of the Evergreen Subdivision is vested for one SFD. The Applicant does not propose reducing vested density. The existing SFD at 6453 Silver Lake Drive is proposed to remain.
Limits of disturbance	**Condition of Approval recommended:**

	Ordinance No. 95-17 (Exhibit H) defines the area of disturbance for the Evergreen Subdivision as representing “the boundary in which all building and associated construction disturbance shall occur.” Staff recommends Condition of Approval 3 requiring all future construction to comply with the platted area of disturbance.
Vegetation	**Condition of Approval recommended:** The proposed expansion of the area of disturbance would impact at least two coniferous trees on the northeast side of the Lot. Building Permit #90-5116 indicated the trees in this area of the Lot should be retained. The Applicant’s preliminary design plans for the proposed SFD addition show a second garage on the northeast side of the Lot, which would likely require the trees to be removed. Staff recommends Condition of Approval 4 requiring any vegetation disturbed by construction to be replaced on site and requiring the Applicant to seek Forestry Board approval if replacement on-site is not possible.
Building Design	**Conditions of Approval recommended:** Staff recommends Condition of Approval 1 requiring future construction to comply with all Front, Side, and Rear Setback requirements in effect at the time of building permit submittal. Staff recommends Condition of Approval 2 requiring that new construction shall comply with the Residential Development Zoning District Building Height regulations.

(III) The property includes easements that will not be impacted by the proposed Plat Amendment.

The southwest corner of the Lot at 6453 Silver Lake Drive includes a ski easement for the Deer Valley Last Chance trail. The Applicant does not seek any changes to the ski easement.

Condition of Approval 7 prohibits any encroachments within the ski easement and any

construction impacts to the ski easement.

The Lot also includes a 5-foot non-exclusive utility and drainage easement on the side Lot lines, as well as a 5-foot non-exclusive utility and snow storage easement along the front property line. The Applicant's proposed plat does not propose any changes to these easements.

(IV) The Planning Commission must make a finding of Good Cause to approve the proposed Plat Amendment.

LMC § 15-7.1-6(C) requires the Planning Commission to find Good Cause to approve a Plat Amendment.

LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community."

No public street, Right-of-Way, or easement is vacated or amended with the proposed Plat Amendment.

Staff finds Good Cause to approve the Plat Amendment to reflect existing (built) conditions on the Lot. Amending the area of disturbance to reflect existing conditions promotes best planning practices by establishing an accurate record of the current Uses of the Site.

The Applicant requests the Planning Commission find Good Cause to increase the platted area of disturbance by 3,567 square feet to allow for an addition to the SFD. See Exhibit B, Applicant Representative's Letter dated March 31, 2025, and Exhibit C, Applicant's Narrative and Supplemental Materials, for the Applicant's full narrative regarding Good Cause.

Staff does not find Good Cause to approve the Plat Amendment to expand the platted area of disturbance beyond the built conditions of the Site to accommodate the Applicant's proposed addition to the SFD.

Although the non-conforming height of the existing SFD was approved through Building Permit #91-6008, expanding the area of disturbance to accommodate the proposed addition to the SFD does not resolve the non-conforming height of the existing SFD or mitigate the potential negative impacts of the non-conforming height. See Analysis Section I above for further discussion regarding Building Height.

The proposed future addition to the SFD would require removing existing trees on the

northeast portion of the Lot. Building Permit #90-5116 required retention of these trees at the site (see areas noted in green in Figure 7 in the Background section above). As noted above, the arborist's report for the site (Exhibit J) concluded that the trees on the site are showing signs of great health and no abnormal pests or disease. The proposed expansion to the area of disturbance is not consistent with the apparent vegetation protection goals of the building permits that originally approved the SFD on the Lot.

Existing approval records for the Evergreen Subdivision indicate that the subdivision was designed to accommodate ski-in/ski-out development, and the limits of disturbance on the Lots in the subdivision were designed to minimize conflicts with ski trails. Though the proposed expanded area of disturbance on Lot 28 (6453 Silver Lake Drive) would not encroach into any ski easements or trails, the Lot is immediately adjacent to the Deer Valley Last Chance ski trail, which abuts the Lot on the east side.

Staff recommends Condition of Approval 8 requiring the Applicant to revise the area of disturbance designated on the proposed plat to reflect existing conditions at the Site only prior to recordation.

(V) The Development Review Committee reviewed the proposal on September 3, 2024, and did not require Conditions of Approval.[3]

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 27, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 28, 2025. The *Park Record* published courtesy notice on May 28, 2025.[4]

Public Input

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

Alternatives

The Planning Commission may:

- Approve the Plat Amendment to amend the platted area of disturbance to reflect existing conditions;
- Approve the Plat Amendment to amend the platted area of disturbance to reflect existing conditions and to accommodate the proposed addition to the SFD;

[3] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[4] LMC § 15-1-21

- Deny the Plat Amendment and direct staff to make Findings for the denial; or
- Request additional information and continue the discussion to a date certain or uncertain.

Exhibits

A: Draft Final Action Letter
    Attachment 1: Proposed Plat
B: Applicant Representative's Letter dated March 31, 2025
C: Applicant's Narrative and Supplemental Materials
D: Evergreen Subdivision First Amended Plat
E: Evergreen Subdivision Amendment to the Amended Plat
F: Deer Valley Resort 12th Amended Master Planned Development Permit
G: Sensitive Lands Analysis for 6453 Silver Lake Drive
H: Ordinance No. 95-17
I: Applicant's Supplemental Materials - Existing and Proposed Conditions and Significant Vegetation Overlays
J: Arborist Report for Evergreen Lot 28

Planning Department

June 11, 2025

Justin Keys
justin@hlhparkcity.com

CC: Elizabeth Allen

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	6453 Silver Lake Drive
Zoning District:	Residential Development (RD)
Application:	Plat Amendment
Project Number:	PL-24-06225
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	June 11, 2025
Project Summary:	The Applicant Proposes a Plat Amendment to Revise the Platted Area of Disturbance to Reflect Existing Conditions and Accommodate a Future Addition to a Single-Family Dwelling in the Residential Development Zoning District.

Action Taken

On June 11, 2025, the Planning Commission conducted a public hearing and approved the Plat Amendment for 6453 Silver Lake Drive to amend the area of disturbance to reflect built conditions according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. 6453 Silver Lake Drive is a Single-Family Dwelling (SFD) and is Lot 28 in the Evergreen Subdivision, which is within the Deer Valley Master Planned Development (MPD).
2. The Applicant proposes a Plat Amendment to increase the platted area of disturbance on the Lot from 2,919 square feet to 6,486 square feet (an increase

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of 3,567 square feet) to reflect built conditions on the lot and to accommodate a 2,238-square-foot addition to the SFD.

a. The existing SFD at the Site has a Building Footprint of approximately 3,003 square feet, which exceeds the platted 2,919-square-foot area of disturbance. The Applicant proposes a 3,567-square-foot expansion of the area of disturbance and proposes a potential future Building Footprint of up to 5,261 square feet within the proposed expanded area of disturbance.
b. The table below details the proposed changes between the platted area of disturbance, proposed area of disturbance, existing SFD and proposed expanded SFD.

Area	***Footprint***	***Change***
Platted area of disturbance	2,919 square feet	N/A
Existing SFD	3,003 square feet	N/A
Proposed area of disturbance	6,486 square feet	3,567-square-foot increase
Proposed SFD expansion	5,241 square feet	2,208-square-foot increase

3. The Planning Commission initially reviewed the Applicant's proposal on November 13, 2024 and continued the item to February 12, 2025 at the Applicant's request.
    a. The Commission requested the Applicant supplement the proposal with additional exhibits showing overlays of the existing home, the proposed expanded area of disturbance, and the proposed plans for the remodel and addition of the home.
    b. The Applicant was unable to submit their updated materials in time for the Planning Commission's review on February 12, 2025, and the item was removed from the Commission's agenda. The Applicant provided an exhibit showing overlays of the existing home, existing area of disturbance, proposed area of disturbance, and significant vegetation on May 13, 2025.

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4. The Planning Commission does not find Good Cause to grant the Plat Amendment to accommodate the proposed SFD addition due to the existing building's noncompliant height.
5. The southwest corner of the Lot at 6453 Silver Lake Drive includes a ski easement for the Deer Valley Last Chance trail. The Applicant does not seek any changes to the ski easement.
6. The Evergreen Subdivision First Amended Plat was recorded in May 1988 and established an area of disturbance for each Lot in the subdivision. Lot 28 includes an area of disturbance measuring approximately 50 feet wide and 55 feet long in the northwest portion of the Lot. A portion of this area of disturbance, measuring approximately 50 feet wide and 25 feet long, is within the 25-foot Front Setback.
7. The SFD at 6453 Silver Lake Drive was approved through Building Permits #90-5116 in June 1990 and #91-6008 in August 1991. Both permits approved construction of the SFD outside the platted area of disturbance.
    a. Building Permit #90-5116 required retention of multiple existing trees on the property.
    b. An arborist completed a report for the Site on September 11, 2024 and concluded that the stand of trees located at the Site show signs of great health, and no abnormal pest and diseases were present. The arborist noted that the trees were in their adequate natural growing environment.
8. Ordinance No. 95-17, approved by City Council on April 27, 1995, amended the Evergreen Subdivision Plat to allow deviations to the area of disturbance to be reviewed and approved by the Evergreen Architectural Committee.
9. Ordinance No. 95-17 amended the Evergreen Subdivision Plat to add the following plat note: *"Note: The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee."*
10. The Applicant has not been able to contact the Evergreen Architectural Committee, and it appears the committee disbanded sometime after 2021.

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11. Pursuant to Land Management Code (LMC) Section 15-1-8, Plat Amendments, proposals to expand platted areas of disturbance must be reviewed by the Planning Commission.
12. Several other lots in the Evergreen Subdivision completed Plat Amendments to expand the area of disturbance to reflect built/existing conditions.
    a. In October 1994, the City Council approved Ordinance No. 94-42 approving an expansion to the area of disturbance for 6715 Silver Lake Drive (Lot 15 of the Evergreen Subdivision). The amendment increased the area of disturbance for Lot 15 from approximately 4,275 square feet to approximately 5,815 square feet (an increase of approximately 36%). The First Amended Lot 15, Evergreen Plat was recorded with Summit County on January 30, 1995 (Entry No. 423968).
    b. In May 2002, the City Council approved Ordinance No. 02-06 to relocate a ski easement from the middle of Lot 23 to the rear of the Lot. The Evergreen Subdivision Lot 23 Amended Plat was recorded with Summit County on September 5, 2002 (Entry No. 631078).
        i. The plat does not designate an amended area of disturbance. However, Condition of Approval 1 of Ordinance No. 02-06 notes that the building pad for Lot 23 could be moved to a distance similar to the extension granted for the adjacent Lot 22.
        ii. Ordinance No. 02-06 indicates that a ski easement was relocated in a similar fashion for Lot 22; however, no amended plats have been recorded for Lot 22.
        iii. The existing SFD on Lot 23 was constructed in 2003 and is approximately 4,838 square feet.
    c. In 2020, the City Council approved Ordinance No. 2020-07 (Packet, Item VI-3; Minutes, p. 7), to increase the area of disturbance for Lot 1 of the Evergreen Subdivision (7058 Silver Lake Drive) from 5,270 square feet to 6,260 square feet, a total increase of 990 square feet (approximately 19%). The Applicant recorded the Amended Plat of Evergreen – Lot 1 Amended with Summit County on May 26, 2020 (Entry No. 1132724).
        i. The Applicant for Lot 1 (7058 Silver Lake Drive) obtained approval from the Evergreen Architectural Committee in 2020 to adjust the platted area of disturbance.
    d. In 2024, the Planning Commission approved an expansion of the area of disturbance for 7008 Silver Lake Drive (Lot 2 of the Evergreen

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Subdivision) (Packet, Item 6.E.; Minutes, p. 19-26). The Applicant recorded the Evergreen Subdivision Lot 2 Plat Amendment with Summit County on December 4, 2024 (Entry No. 1228501). The Plat Amendment added 6,810 to the area of disturbance for Lot 2, for a total area of disturbance of 10,566 square feet on the Lot (an increase of approximately 180%).

i. The Applicant for Lot 2 (7008 Silver Lake Drive) was not able to contact the Evergreen Architectural Committee and noted that the property did not have an HOA when the property owner purchased it.

13. The Plat Amendment proposal, as conditioned, complies with the requirements of the Residential Development (RD) Zoning District.
    a. Pursuant to LMC § 15-2.13-2(A), Single-Family Dwellings are an allowed use within the RD Zoning District.
    b. No minimum or maximum home sizes are designated in the RD Zoning District.
    c. A minimum 20-foot Front Setback is required in the RD Zoning District.
        i. The existing SFD maintains a minimum 21.6-foot Setback from the Front Property Line.
        ii. The existing front-facing garage maintains a 32-foot, 6-inch Setback from the Front Property Line.
        iii. Condition of Approval 1 requires new construction to comply with Residential Development Zoning District Lot and Site Requirements.
    d. A minimum 12-foot Side Setback is required in the RD Zoning District.
        i. The existing SFD maintains an 18-foot Setback on the east side of the Lot and a 24-foot Setback on the west side of the Lot.
    e. A minimum 15-foot Rear Setback is required in the RD Zoning District.
        i. The existing SFD maintains a minimum 45-foot Setback from the Rear Property Line.
    f. The maximum Building Height within the RD Zoning District is 28 feet from Existing Grade, or 33 feet from Existing Grade with a roof pitch of 4:12 or greater.
        i. The existing SFD is approximately 39 feet, 8 inches from Existing Grade and includes a roof pitch of 5:12. This height exceeds the maximum allowable Building Height in the RD Zoning District but

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was approved through Building Permits #90-5116 in June 1990 and #91-6008 in August 1991. Plans for Building Permit #91-6008 proposed a maximum Building Height of approximately 41 feet, 5 inches.

ii. The height standard for the RD Zone in the March 15, 1990 LMC was 28 feet from natural grade.
    1. LMC § 15-15-1 currently defines Natural Grade as "The Grade of the surface of the land prior to any Development Activity or any other man-made disturbance or Grading. The Planning Department shall estimate the Natural Grade, if not readily apparent, by reference elevations at points where the disturbed Area appears to meet the undisturbed portions of the Property. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water."

iii. The Height Provisions of the 1990 LMC indicate that height was measured from Natural Grade to the midpoint between the lowest point of the eaves/cornice and the ridge for gabled roofs.
    1. The SFD at 6453 Silver Lake Drive has a gabled roof with a 5:12 pitch.

iv. The Applicant did not provide a topographic survey of the Site that predates development in the area that would determine Natural Grade. There are no other records establishing or interpolating Natural Grade for this Site.
    1. Based on the Applicant's existing conditions submittal, staff estimates the vertical distance from Existing Grade to a midway point between the highest ridge and the eaves of the roof to be 36-37 feet. This still puts the height of the existing SFD above the 28-foot height limit, which was in effect in 1990 and remains the RD zone height standard today. The gabled roof's 5:12 pitch may allow the roof of the existing SFD to extend five feet above the RD zone's maximum height; however, the roof exceeds that height.

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v. Pursuant to LMC Section 15-9-6(A), no Non-Complying Structure may be repaired, maintained, altered, or enlarged, unless such repair, maintenance, alteration, or enlargement shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure.
    1. LMC § 15-15-1 defines Non-Complying Structure as a structure that legally existed before its current zoning designation and, because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure.
    2. Because a building height for 6453 Silver Lake Drive that did not comply with the zoning district height requirements was approved in error or by miscalculations resulting from erroneous information submitted with Building Permit #91-6008, the structure did not legally exist before its current zoning designation. Therefore, 6453 Silver Lake Drive does not fit the definition of Non-Complying Structure and does not qualify for any exemptions or exceptions outlined in LMC Chapter 15-9, Non-Conforming Uses And Non-Complying Structures.
    3. Condition of Approval 2 requires that the portions of the SFD that exceed the RD Zoning District Building Height shall not be enlarged and that new construction comply with the RD Zoning District Building Height regulations

14. The Deer Valley Resort 12th Amended MPD governs the site, and the density limitations of the Sensitive Land Overlay (SLO) outlined in LMC Chapter 15-2.21 do not apply to the Site.
    a. 6453 Silver Lake Drive is within the SLO, and LMC § 15-2.21-3(A) requires applicants proposing development within the SLO to submit a sensitive lands analysis.
    b. The Deer Valley Resort 12th Amended Master Planned Development Permit, Section E, states that the density limitations of the SLO do not apply to Lots within the MPD because MPDs approved prior to the implementation of the SLO are considered vested in terms of density.
    c. The Deer Valley MPD states that site planning standards can be applied only to the extent that they do not unequivocally reduce vested density.

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Limits of disturbance, vegetation, and building design standards do apply, pursuant to Section E of the Deer Valley Resort 12th Amended Master Planned Development Permit.

i. The Applicant does not propose reducing vested density. The existing SFD at 6453 Silver Lake Drive is proposed to remain.
ii. Future construction must comply with the platted area of disturbance.
iii. Any vegetation disturbed by construction must be replaced on site, and the Applicant must seek Forestry Board approval if replacement on-site is not possible.
iv. New construction must comply with all requirements of Land Management Code Chapter 15-2.13 Residential Development Zoning District.
v. Portions of the SFD that exceed Residential Development Zoning District Building Height shall not be enlarged and new construction shall comply with the Residential Development Zoning District Building Height regulations.

15. No public street, Right-of-Way, or easement is vacated or amended with the proposed Plat Amendment.
16. Land Management Code Section 15-15-1 defines Good Cause as “Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community.”
17. There is Good Cause to approve the Plat Amendment to amend the platted area of disturbance to reflect existing (built) conditions on the Lot. Amending the area of disturbance to reflect existing conditions promotes best planning practices by establishing an accurate record of the current Uses of the Site.
18. There is no Good Cause to approve the Plat Amendment to amend the platted area of disturbance beyond the built conditions to accommodate the Applicant’s proposed addition to the SFD.
    a. The proposed expanded area of disturbance does not resolve the non-conforming height of the existing structure or mitigate the potential negative impacts of the non-conforming height.

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b. The proposed future addition to the SFD would require removing existing trees on the northeast portion of the Lot. Building Permit #90-5116 required retention of these trees at the site. The proposed expansion to the area of disturbance is not consistent with the apparent vegetation protection goals of the building permits that originally approved the SFD on the Lot. The September 11, 2024 arborist's report for the site concluded that the trees on the site are showing signs of great health and no abnormal pests or disease.
c. Existing approval records for the Evergreen Subdivision indicate that the subdivision was designed to accommodate ski-in/ski-out development, and the limits of disturbance on the Lots in the subdivision were designed to minimize conflicts with ski trails. Though the proposed expanded area of disturbance on Lot 28 (6453 Silver Lake Drive) would not encroach into any ski easements or trails, the Lot is immediately adjacent to the Deer Valley Last Chance ski trail, which abuts the Lot on the east side.
d. Condition of Approval 8 requires the Applicant to revise the area of disturbance designated on the proposed plat to reflect existing conditions at the Site only prior to recordation.

19. The Development Review Committee reviewed the proposal on September 3, 2024 and did not require Conditions of Approval.
20. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 27, 2025. Staff mailed courtesy notice to property owners within 300 feet on May 28, 2025. The Park Record published courtesy notice on May 28, 2025.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it amends the area of disturbance to reflect built conditions.
2. The Plat Amendment is consistent with the Land Management Code, including LMC Chapter 15-2.13 Residential Development (RD) District, Chapter 15-2.13 Sensitive Land Overlay Zone (SLO) Regulations as it pertains to properties within the Deer Valley Master Planned Development, and § 15-7.1-3(B) Classification Of Subdivision – 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.

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Planning Department

Conditions of Approval

1. New construction shall comply with all requirements of Land Management Code Chapter 15-2.13 Residential Development Zoning District.
2. The portions of the Single-Family Dwelling that exceed Residential Development Zoning District Building Height shall not be enlarged. New construction shall comply with the Residential Development Zoning District Building Height regulations.
3. All future construction on the Site shall comply with the platted area of disturbance.
4. Any vegetation disturbed by construction shall be replaced on site. The Applicant shall seek Forestry Board approval if replacement of vegetation on-site is not possible.
5. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.
6. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one 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 Planning Director.
7. Encroachments within the ski easement on the southwest corner of the Lot are prohibited. The ski easement shall not be impacted by any future construction.
8. The Applicant shall revise the area of disturbance designated on the proposed plat to reflect built/existing conditions at the Site only prior to recordation.

If you have questions or concerns regarding this Final Action Letter, please call (385) 481-2037 or email jacob.klopfenstein@parkcity.org.

Sincerely,

Christin Van Dine, Chair
Planning Commission

CC: Jacob Klopfenstein

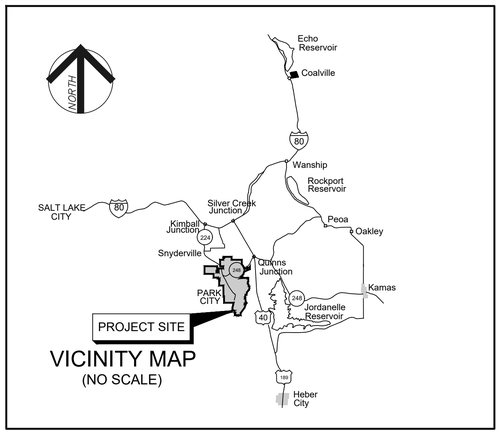
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EVERGREEN LOT 28 THIRD AMENDED PLAT

LOT 28 OF THE AMENDED PLAT OF EVERGREEN SUBDIVISION LYING WITHIN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

FOR SUBMISSION TO PARK CITY PLANNING 08/05/2024



VICINITY MAP
(NO SCALE)

LEGEND

AREA OF DISTURBANCE (ORIGINAL EVERGREEN PLAT OF RECORD.)

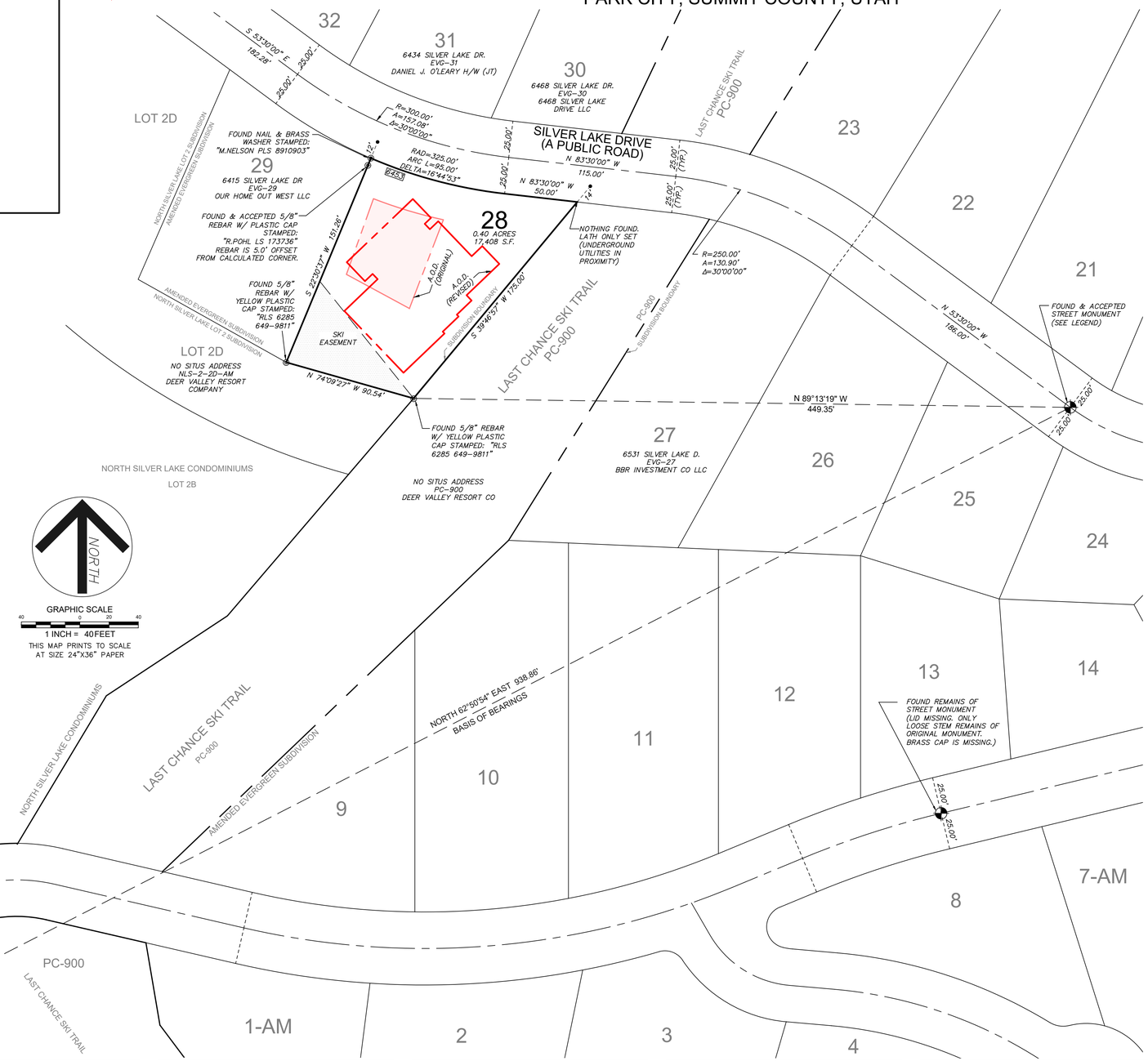
AREA OF DISTURBANCE (REVISED WITH THIS PLAT AMENDMENT)

SECTION CORNER TIE INFORMATION

21 / 22 — WEST QUARTER CORNER SECTION 22 T2S, R4E SLB&M

N 00°40'31" E

21 / 22 / 26 / 27 — SOUTHWEST CORNER SECTION 22, T2S, R4E SLB&M



PLAT NOTES

1. SEE RECORD OF SURVEY DATED 08/05/2024.
2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL OF ORDINANCE 2024-_____.

LEGAL DESCRIPTION

LOT 28 OF THE AMENDED EVERGREEN SUBDIVISION, ON FILE AND OF RECORD AT THE SUMMIT COUNTY, UTAH RECORDER'S OFFICE, AND HEREAFTER TO BE KNOWN AS "EVERGREEN LOT 28 THIRD AMENDED PLAT."

CONTAINS 17,408 SQUARE FEET OR 0.40 ACRES.

CONTAINS 1 LOT.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, ELIZABETH ALLEN ALSO KNOWN AS ELIZABTH MCCALEB ALLEN, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE "EVERGREEN LOT 28 THIRD AMENDED PLAT", DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET OUR HAND THIS _____ DAY OF _____, 20___.

_____
ELIZABETH ALLEN

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 20___, _____, PERSONALLY APPEARED BEFORE ME, ELIZABETH ALLEN ALSO KNOWN AS ELIZABTH MCCALEB ALLEN, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE), AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT THEY ARE THE LANDOWNERS, AND THAT SAID DOCUMENT WAS SIGNED BY THEM, AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THIS "EVERGREEN LOT 28 THIRD AMENDED PLAT."

SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN _____

PRINTED NAME _____

RESIDING IN _____

MY COMMISSION EXPIRES: _____

COMMISSION NUMBER _____

SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NUMBER 8910903 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

I DO FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS " EVERGREEN LOT 28 THIRD AMENDED PLAT".

PROFESSIONAL LAND SURVEYOR
No. 8910903
STATE OF UTAH
MARTINA NELSON

FOR SUBMISSION TO PARK CITY PLANNING 08/05/2024

AREA CALCULATIONS

AREA OF DISTURBANCE (A.O.D.)	SQUARE FEET
EXISTING A.O.D. (PLAT OF RECORD)	2919 S.F.
REVISED A.O.D.	6486 S.F.

EXISTING BUILDING	SQUARE FEET
EXISTING BUILDING FOOTPRINT (INCLUDING DECKS)	3462 S.F.
EXISTING BUILDING FOOTPRINT (BLDG ONLY)	2886 S.F. *

* THE EXISTING HOUSE WAS BUILT ACCORDING TO APPROVED PARK CITY MUNICIPAL BUILDING PERMIT NUMBER 6008, DATED 08/1991 AND PERMIT NUMBER 5413, DATED 05/1991.
THE APPROVED PLANS SHOW THE HOUSE AND DRIVEWAY OUTSIDE THE PLAT OF RECORD AREA OF DISTURBANCE.

TOTAL LOT AREA	17,408 S.F. (0.40 AC.)

Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

SHEET 1 OF 2
08/05/2024

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PARK CITY PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL & ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 20___.	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 20___.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 20___.	APPROVED AS TO FORM THIS _____ DAY OF _____, 20___.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 20___.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 20___	APPROVED THIS _____ DAY OF _____, 20___.	ENTRY NUMBER: _____ BOOK _____ PAGE: _____ STATE OF UTAH, COUNTY OF _____ DATE: _____ TIME: _____ FEE PAID: _____ RECORDED AND FILED AT THE REQUEST OF:
_____ S.B.W.R.D. REPRESENTATIVE	_____ PLANNING COMMISSION CHAIRMAN	_____ PARK CITY ENGINEER	_____ PARK CITY ATTORNEY	_____ PARK CITY MAYOR	_____ PARK CITY RECORDER	_____ BY: JEFF WARD, GIS DIRECTOR SUMMIT COUNTY GIS COORDINATOR	_____ COUNTY RECORDER:

D:\Park City Surveying Dropbox\Park City Surveying Team Folder\ZDrive\S SVL\evergreen\Lots\EVERGREEN 28 PLAT AMENDMENT.dwg, 1, 8/5/2024 12:19:33 PM

EVERGREEN LOT 28 THIRD AMENDED PLAT

LOT 28 OF THE AMENDED PLAT OF EVERGREEN SUBDIVISION
LYING WITHIN THE NORTHWEST QUARTER OF
SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NORTH

GRAPHIC SCALE
10 0 5 10
1 INCH = 10 FEET
THIS MAP PRINTS TO SCALE
AT SIZE 24"X36" PAPER

LEGEND

- BUILDING SETBACK LINE
- AREA OF DISTURBANCE (ORIGINAL EVERGREEN PLAT OF RECORD.)
- AREA OF DISTURBANCE (REVISED WITH THIS PLAT AMENDMENT)
- ROAD CONSTRUCTION SLOPE EASEMENT (EVERGREEN PLAT OF RECORD)
- AREA OF DISTURBANCE WITHIN SETBACK (EVERGREEN PLAT OF RECORD)
- SKI EASEMENT
- 10' NON-EXCLUSIVE UTILITIES & DRAINAGE EASEMENT
- 5' NON-EXCLUSIVE UTILITIES & DRAINAGE EASEMENT
- 5' NON-EXCLUSIVE UTILITIES & SNOW STORAGE EASEMENT (ALONG FRONT LOT LINES)

30

29

SILVER LAKE DRIVE
(A PUBLIC ROAD)

FOUND COPPER RIVET ON EXTENDED LOT LINE

FOUND & ACCEPTED NAIL & SMALL BRASS WASHER STAMPED: "M.NELSON PLS 8910903" N&W IS IN LARGE IMMOVABLE BOULDER.

FOUND & ACCEPTED 5/8" REBAR W/ PLASTIC CAP STAMPED: "R.POHL LS 173736" REBAR IS 5.0' OFFSET FROM CALCULATED CORNER.

RAD=325.00'
ARC L=95.00'
DELTA=16°44'53"

5' NON-EXCLUSIVE UTILITY & SNOW STORAGE EASEMENT

ROADWAY CONSTRUCTION SLOPE EASEMENT

AREA OF DISTURBANCE WITHIN SETBACK

N 83°30'00" W
50.00'

FOUND COPPER RIVET ON EXTENDED LOT LINE

NOTHING FOUND & LATH ONLY SET DUE TO PROXIMITY OF UNDERGROUND UTILITIES

5' NON-EXCLUSIVE UTILITY & DRAINAGE EASEMENT

N 22°30'37" E 151.26'

25' FRONT-FACING GARAGE SETBACK LINE

20' FRONT BUILDING SETBACK LINE

LOT 28

N 46°15'36" E 62.60'

S 46°15'36" W 31.50'

S 43°44'24" E
16.88'

12' SIDE SETBACK LINE

N 51°29'59" E
68.13'

10' NON-EXCLUSIVE UTILITY & DRAINAGE EASEMENT

A.O.D. (ORIGINAL)

A.O.D. (REVISED)

S 46°15'36" W 31.00'

S 39°46'57" W 175.00'

60.00'

SKI EASEMENT

S 38°39'27" E 102.64'

N 43°44'24" W 38.50'

15' REAR SETBACK LINE

S 21°21'05" E
18.89'

N 74°09'27" W 90.54'

FOUND & ACCEPTED 5/8" REBAR W/ YELLOW PLASTIC CAP STAMPED: "LS 6285"

10' NON-EXCLUSIVE UTILITY & DRAINAGE EASEMENT

FOUND & ACCEPTED 5/8" REBAR & YELLOW PLASTIC CAP STAMPED "LS 3082 649-9811"

LOT 2D

LAST CHANCE SKI TRAIL
PC-900

AREA CALCULATIONS

AREA OF DISTURBANCE (A.O.D.)	SQUARE FEET
EXISTING A.O.D. (PLAT OF RECORD)	2919 S.F.
REVISED A.O.D.	6486 S.F.

EXISTING BUILDING	SQUARE FEET
EXISTING BUILDING FOOTPRINT (INCLUDING DECKS)	3462 S.F.
EXISTING BUILDING FOOTPRINT (BLDG ONLY)	2886 S.F. *

* THE EXISTING HOUSE WAS BUILT ACCORDING TO APPROVED PARK CITY MUNICIPAL BUILDING PERMIT NUMBER 6008, DATED 08/1991 AND PERMIT NUMBER 5413, DATED 05/1991.
THE APPROVED PLANS SHOW THE HOUSE AND DRIVEWAY OUTSIDE THE PLAT OF RECORD AREA OF DISTURBANCE.

TOTAL LOT AREA 17,408 S.F. (0.40 AC.)

FOR SUBMISSION TO PARK CITY PLANNING
08/05/2024

Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

SHEET 2 OF 2
08/05/2024

RECORDED

ENTRY NUMBER: _____
BOOk _____ PAGE: _____
STATE OF UTAH, COUNTY OF _____
DATE: _____ TIME: _____
FEE PAID: _____
RECORDED AND FILED AT THE REQUEST OF:

_____
COUNTY RECORDER:

D:\Park City Surveying Dropbox\Park City Surveying Team Folder\2Drive\ES\Evergreen\Lots\EVERGREEN 28 PLAT AMENDMENT.dwg 2, 8/5/2024 12:19:37 PM

HOGGAN LEE HUTCHINSON

Justin Keys
justin@hlhparkcity.com
Direct: 435.731.9195

March 31, 2025

VIA EMAIL

Jacob Klopfenstein
Park City Planning Department
Jacob.klopfenstein@parkcity.org
PO Box 1480
Park City, Utah 84060

Re: Evergreen Subdivision Lot 28 Plat Amendment Application

Dear Mr. Klopfenstein,

This firm represents Elizabeth Allen (the "Applicant")—the owner of 6453 Silver Lake Drive (Lot 28 on the Evergreen Subdivision Plat). The Applicant applied for a plat amendment (Application #PL-24-06225) to expand the area of disturbance on her lot to accurately reflect existing conditions and allow for a future addition to her single-family home. This letter is intended to address the issue of building height raised in the November 13, 2024 Staff Report (the "Staff Report") which is used as justification for recommending denying a plat amendment to the limits requested by the Applicant.

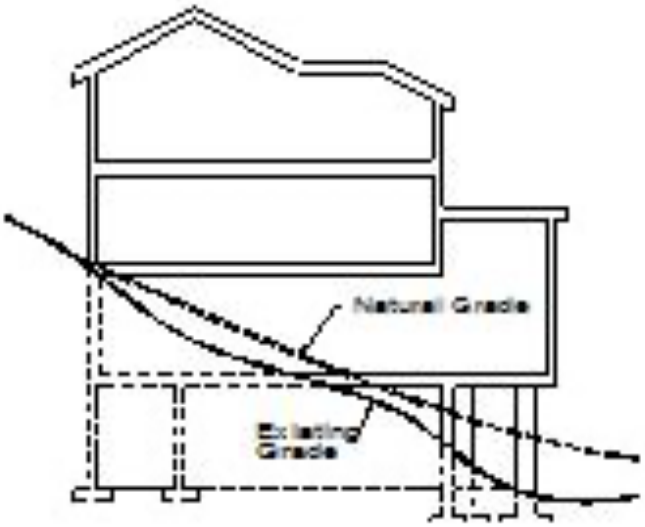
Our primary concern is that the analysis to date fails to take into account important changes to the code that directly implicate this home's compliance with the Land Management Code. Under Utah's vested rights doctrine, this home must comply with the RD Zone's height regulations from 1991, not today.[1] While the report correctly states that the twenty-eight-foot height limit has remained unchanged since the home's approval in 1991, it overlooks the fact that in the interim the method for measuring height has been revised. The Staff Report states:

> This [home] exceeds the maximum allowable Building Height in the RD Zoning District but was approved through Building Permit #91-6008. The April 25, 1991 edition of the LMC, which was in effect at the time of this building Permit approval, stated that no building shall be erected to a height greater than 28 feet in the Residential Development Zone.[2]

[1] *See Western Land Equities, Inc. v. City of Logan,* 617 P.2d 388, 391 (Utah 1980).
[2] Exhibit A, Staff Report from Jacob Klopfenstein on 6453 Silver Lake Drive Plat Amendment 8 (November 13, 2024).

While the numerical height limit of twenty-eight feet has not changed, how height is measured under the code makes a drastic difference in this instance.

Currently, the RD Zone's height regulation states: "No Structure shall be erected to a height greater than twenty-eight feet (28') from Existing Grade."[3] In 1991, the RD Zone's height regulation stated: "No building shall be erected to a height greater than 28 feet, measured from natural grade at the building site."[4] The key difference is that, at the time this home was built, height was measured from "Natural Grade" rather than "Existing Grade." Existing Grade is defined by the Land Management Code ("LMC") as "The Grade of a Property prior to any proposed Development or Construction Activity."[5] This means the grade of the property, as it exists, at the time of the Application before the Development or Construction Activity proposed by the application begins. In other words, this is the present-day condition at the time of the application. Natural Grade, on the other hand, is defined as "The Grade of the surface of the land prior to any Development Activity or any other man-made disturbance or Grading." This can be described, alternatively, as the grade of the land prior to any human disturbance, hence the use of the word "natural." The LMC, helpfully, includes an illustration of the differences:

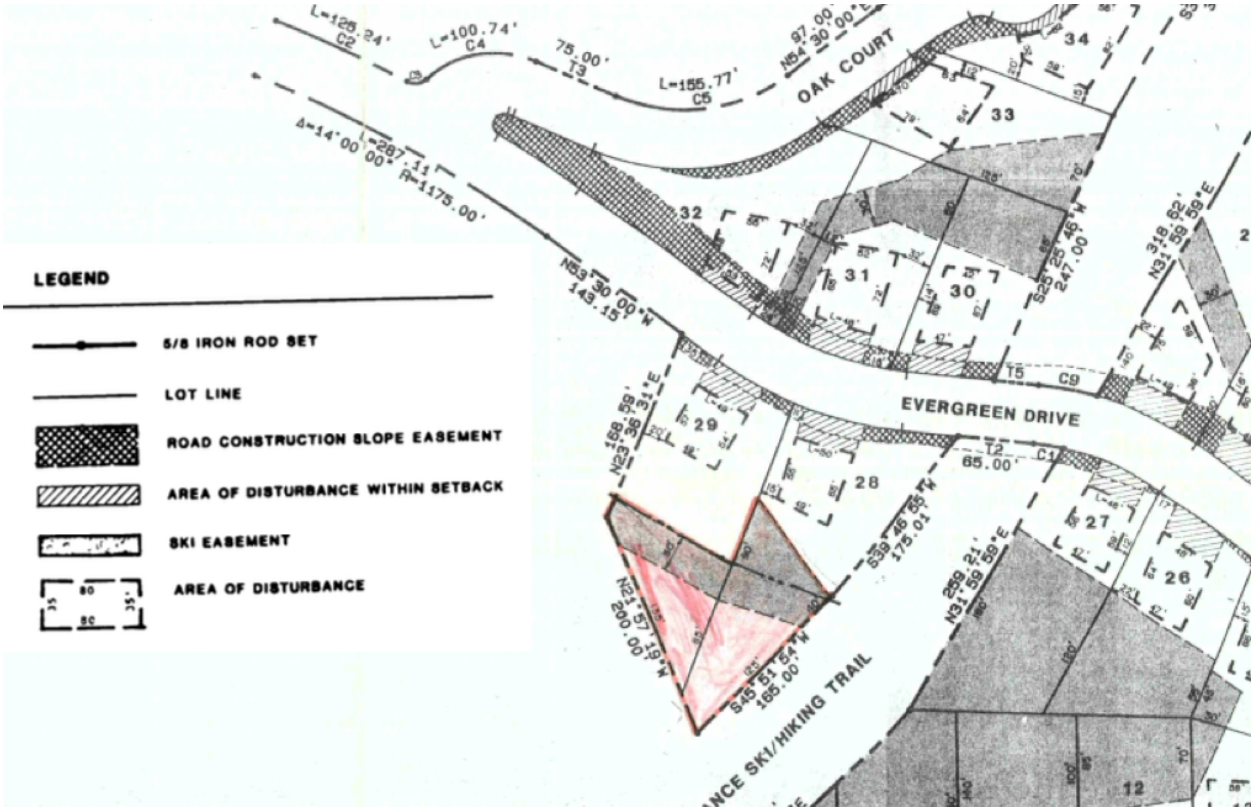


As shown in the illustration, Natural Grade is often higher, sometimes significantly, than Existing Grade. This is especially so when the subject property is a steep uphill lot with a road cut on the downhill side of the property, as is the case here.

Evergreen Lot 28, like all lots in the Evergreen subdivision, is also subject to a "road construction slope easement."

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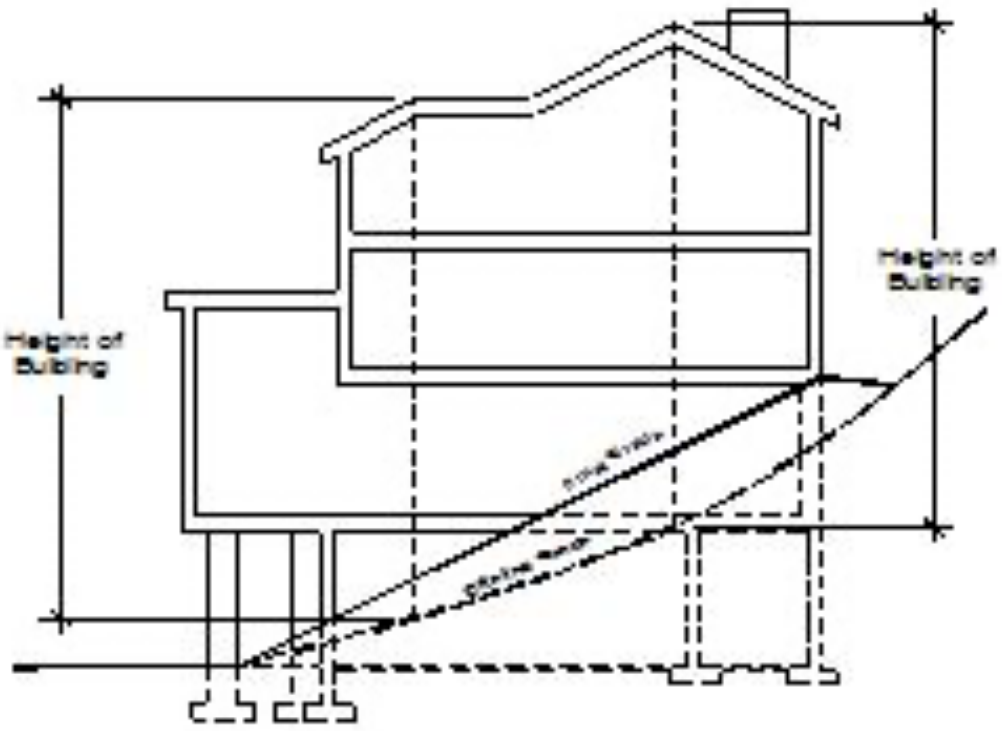
[3] LMC § 15-2.13-4.
[4] *See* Exhibit B, Park City Land Management Code § 7.5.4. (1989); *see also* Exhibit C, Park City Land Management Code § 7.5.4. (1994).
[5] LMC § 15-15-1.



When the road was constructed in 1988, excavation extended beyond the right-of-way, altering the grade of Lot 28 before the 1991 application to build the existing home. Additionally, the tunnel for the Last Chance ski run was cut into the mountain on another side of the property before the 1991 application, likely requiring further significant modifications to the grade on a portion of Lot 28. As a result, neither a 1991 survey nor a present-day survey would accurately reflect the Natural Grade from which the home's height should be measured. Only a survey conducted before the road was cut into the mountainside could conclusively establish the home's compliance with height regulations. Considering that Lot 28 and Silver Lake Drive are both on a steep mountainside, it is likely that this home was in compliance with the height requirements at the time based on the appropriate historic Natural Grade.

There are also relevant changes to the code as to the highest point of a structure for height measurement purposes. Currently, the LMC method for measuring building height is: "The vertical distance under any roof or roof element to Existing Grade."[6] In other words, height is measured from the highest point of the roof straight down to Existing Grade directly below it, at whatever point results in the highest measurement. That is also illustrated in the LMC:

[6] LMC § 15-15-1



This is how the height listed in the Staff Report was measured.

But once more, the LMC was more generous in 1991: "The total height of the building shall be measured as the vertical distance from the natural grade . . . to a point midway between the lowest part of the eves or cornice and the ridge of a hip or gabled roof."[7] Thus, instead of measuring to the peak or ridge of the roof, as is done under the current code, you measure to a point halfway between the highest and lowest point of the roof. Measuring from this point, instead of the ridge, significantly lowers the height of the roof for purposes of measuring it for code compliance. Like the City in 1991, under this legally required method of measuring, we believe the building height is compliant.

Unfortunately, without a topographical survey predating Silver Lake Drive, we cannot confirm whether this home complied with the LMC at the time it was built. But similarly, there is no evidence in the record to establish that the home was not built in compliance with the code in 1991. It also bears noting that staff approved this home in 1991. There are only three possibilities of how this home was approved: (1) The Planning Department at the time determined that this house met the zone's height requirement when measured from Natural Grade; (2) the Planning Department at the time willfully granted an exception to the LMC without going through the MLUDMA mandated variance process[8]; or (3) the Planning Department at the time made a mistake and forgot to check height before approving this home. Of these possibilities, the most likely is that this home was determined to comply with the zone's height limit. To our knowledge, it has never been the

[7] *See* Exhibit B, Park City Land Management Code § 8.17. (1989); *see also* Exhibit C, Park City Land Management Code § 8.17. (1994).

[8] Park City produced no records in response to a GRAMA request showing that a legally granted variance was ever given.

practice of the Planning Department to grant illegal variances. Likewise, mistakes by the Planning Department are rare. While this home was likely determined to be compliant at the time of the application, if either of the other two possibilities were the source of the 1991 approval, neither justify finding that there is not good cause for the requested plat amendment.

If the home did not comply with the LMC at the time of the 1991 application, its approval by the Planning Department was either intentional or an oversight. Regardless, even if the home's design was non-compliant in 1991, it would be inequitable for Park City to now deny a plat amendment solely based on a potentially non-existent zoning violation that the City either knowingly overlooked or inadvertently missed. In fact, we believe the City is prohibited from enforcing that provision under the doctrine of zoning estoppel. Zoning estoppel "estops a government entity from exercising its zoning power to prohibit a proposed land use when a property owner, relying reasonably and in good faith on some government act or omission, has made a substantial change in position or incurred such extensive obligations or expenses that it would be highly inequitable to deprive the owner of his right to complete his proposed development."[9] Further, "[a] building permit that is applied for and issued in good faith is clearly an affirmative action of the municipality upon which a [property owner] should be able to rely."[10] And "[i]f a building permit is issued based on a municipality's interpretation of the applicable zoning ordinances," and the property owner relies on that permit—including through "physical construction"—"the municipality would be estopped from later asserting a different interpretation."[11]

The Staff Report recommends finding no good cause for the requested plat amendment solely due to alleged non-compliance with the RD Zone's height regulations. However, it is unclear whether the home is actually non-compliant, and it is more likely that it has always complied with the LMC as it existed at the time of the 1991 application. Even if the home is non-compliant, Park City is estopped from enforcing that provision. Accordingly, the recommendation to the Planning Commission should be changed to a full approval.

Based on the foregoing, we respectfully request that the recommendation to the Planning Commission be modified to a full approval. Thank you for your consideration in this matter. Please feel free to contact us if you have any questions.

Very Truly Yours,
HOGGAN LEE HUTCHINSON



Justin J. Keys

[9] *Fox v. Park City*, 2008 UT 85, ¶ 35.
[10] *Id.*
[11] *Id.* ¶ 36; *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1980).

Park City Surveying
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 fax

August 05, 2024

PLAT AMENDMENT
Lot 28 of the Amended Evergreen Subdivision
Site address: 6453 Silver Lake Dr. Park City, UT 84060
Summit County Parcel ID: EVG-28
Landowner: Ms. Elizabeth Allen

Purpose: To modify the Area of Disturbance envelope (AOD)

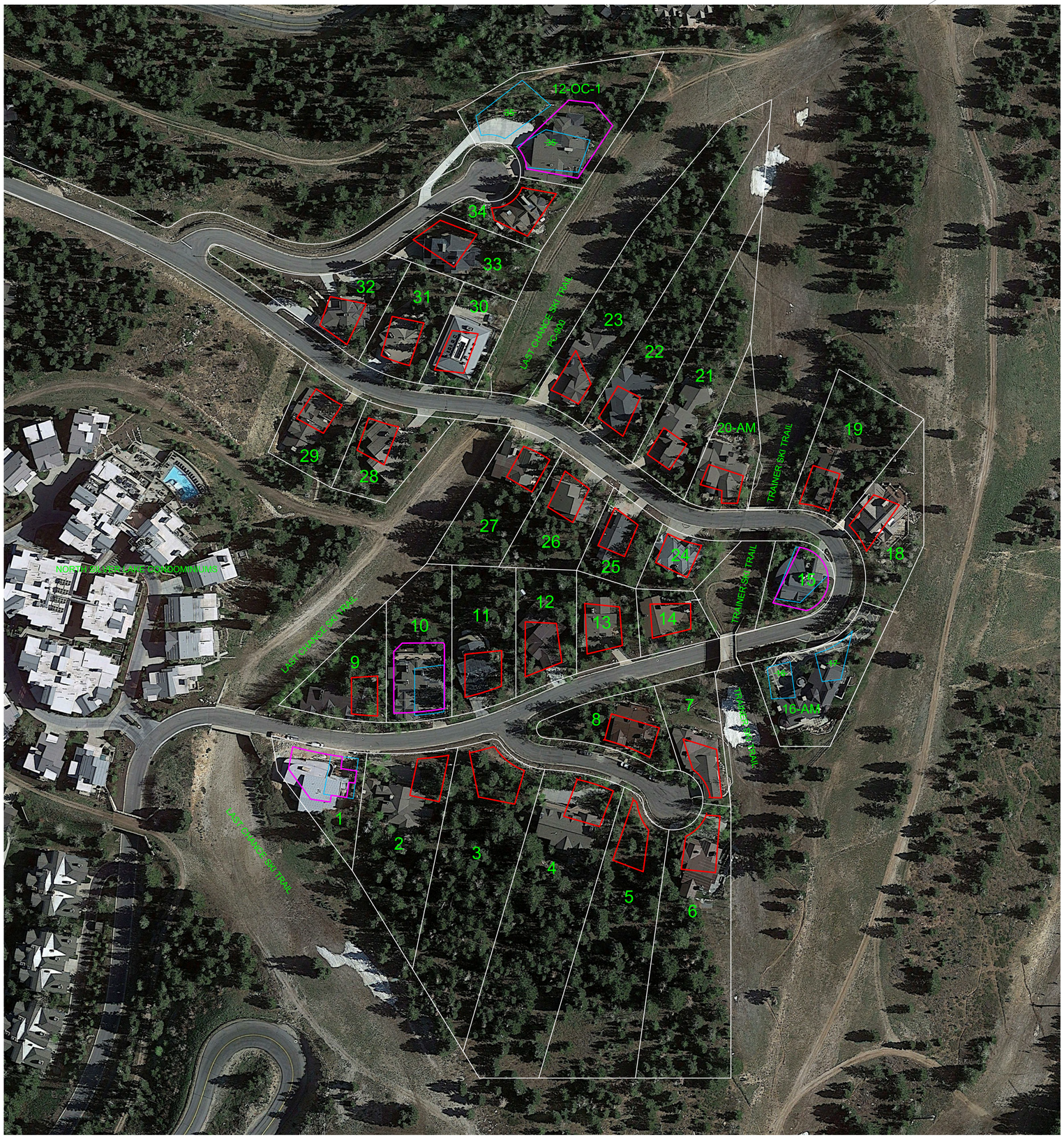
PROJECT DESCRIPTION
The purpose of this Plat Amendment is to enlarge the Area of Disturbance (AOD) envelope.
There is an existing house at this location.

There is Good Cause for this Plat Amendment:
1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Plat Amendments.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. Approval of the Plat Amendment, subject to the Conditions of Approval, will not adversely affect the health, safety and welfare of the citizens of Park City.
4. No easements of record nor platted road rights-of-way will be altered or vacated with this Plat Amendment.
5. This Plat Amendment will not increase density.
6. This Plat Amendment is consistent with other Plat Amendments in Evergreen Subdivision.

Respectfully, and on behalf of landowner Elizabeht Allen,



Martina Nelson, P.L.S., Owner
Park City Surveying
martina@pcsurveying.com
Mobile 801-664-8099
Office 435-649-2918



EVERGREEN SUBDIVISION

AN EXHIBIT MAP SHOWING BUILT HOMES AND AREA OF DISTURBANCES PER PLATS OF RECORD

NORTH

GRAPHIC SCALE

80 0 40 80

1 INCH = 80FEET

THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

LEGEND

AREA OF DISTURBANCE (ORIGINAL EVERGREEN PLAT OF RECORD.)

AREA OF DISTURBANCE (REVISED WITH PRIOR PLAT AMENDMENT)

AREA OF DISTURBANCE (REMOVED WITH PRIOR PLAT AMENDMENT)

NARRATIVE

THIS MAP SHOWS THE AREAS OF DEVELOPMENT (AOD) PER THE ORIGINAL AMENDED EVERGREEN SUBDIVISION PLAT OF RECORD.

ENTRY 290308, RECORDED 05/17/1988.

SOME PLAT AMENDMENTS ON THE FOLLOWING LOTS HAVE GRAPHICALLY CHANGED THE AOD:

LOT 1
LOT 10
LOT 35–36

OTHER PLAT AMENDMENTS HAVE MODIFIED LOT BOUNDARIES AND/OR SKI EASEMENTS. NOT ALL PLAT AMENDMENTS SPEAK TO RECONFIGURING THE AOD ORIGINAL AMENDED EVERGREEN SUBDIVISION PLAT OF RECORD.

Park City Surveying
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Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

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SURVEYED BY: PCS
DRAFTED BY: MN
CHECKED BY: MN
DATE: AUGUST 05, 2024

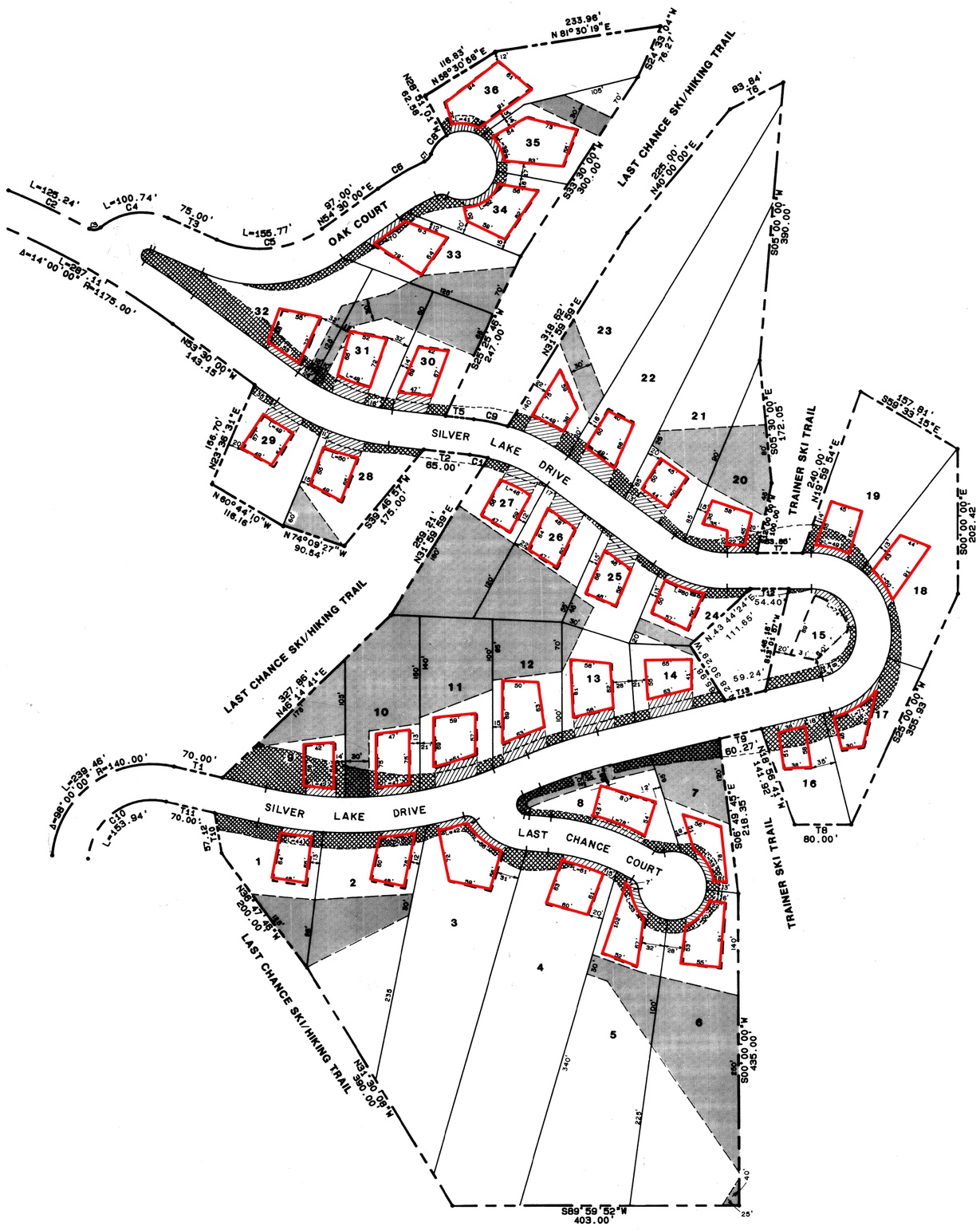
EVERGREEN SUBDIVISION
AREA OF DEVELOPMENT ENVELOPES

DWG: EVG - AOD W AERIAL.DWG

FOR: PCS

SHEET 1 OF 2

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EVERGREEN SUBDIVISION

AN EXHIBIT MAP SHOWING BUILT HOMES AND AREA OF DISTURBANCES PER PLATS OF RECORD

NORTH

GRAPHIC SCALE

80 0 40 80

1 INCH = 80FEET

THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

NARRATIVE

THIS MAP SHOWS THE AREAS OF DEVELOPMENT (AOD) PER THE ORIGINAL AMENDED EVERGREEN SUBDIVISION PLAT OF RECORD.

ENTRY 290308, RECORDED 05/17/1988.

THIS IS SHEET 2 OF 2 OF THE RECORDED PLAT.

OUTLINES IN RED ARE THE ORIGINAL AMENDED EVERGREEN SUBDIVISION AODs CALCULATED BY PARK CITY SURVEYING STAFF.

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SURVEYED BY: PCS
DRAFTED BY: MN
CHECKED BY: MN
DATE: AUGUST 05, 2024

EVERGREEN SUBDIVISION
AREA OF DEVELOPMENT ENVELOPES

DWG: EVG - AOD W AERIAL.DWG

FOR: PCS

SHEET 2 OF 2

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(435)649-4637 fax

August 05, 2024

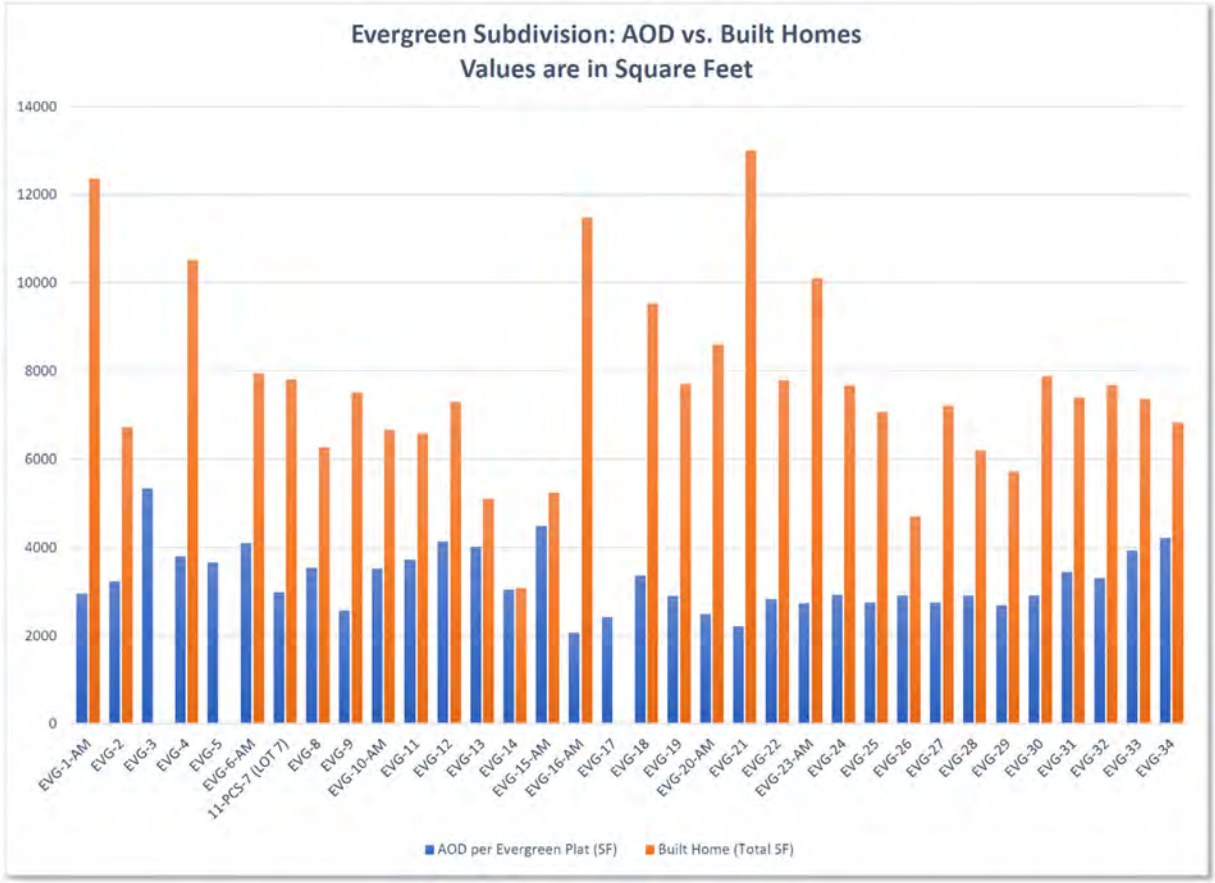
PLAT AMENDMENT
Lot 28 of the Amended Evergreen Subdivision
Site address: 6453 Silver Lake Dr. Park City, UT 84060
Summit County Parcel ID: EVG-28

REVIEW of AOD areas and prior Evergreen Plat Amendments

While we respect that each new Application to the city is reviewed on its own merits, we also considered these main elements in this Plat Amendment Application.

1. In our review of the Evergreen Subdivision, we found no houses built entirely within the Area of Disturbance (AOD) as shown on the Amended Evergreen Plat of record.

Here is a comparison of the *original AOD* per the Amended Evergreen Plat and the total SF of the *built homes*. We used the Summit County Assessor information. (Lots with no comparison are vacant lots.)



2. Park City Ordinance 2020-07 to create a Plat Amendment Entry 432561, recorded 06/30/1995, allows for the Evergreen Architectural Committee to review AOD deviations. This committee no longer exists. However, in that Ordinance, an ARC approval letter stated:

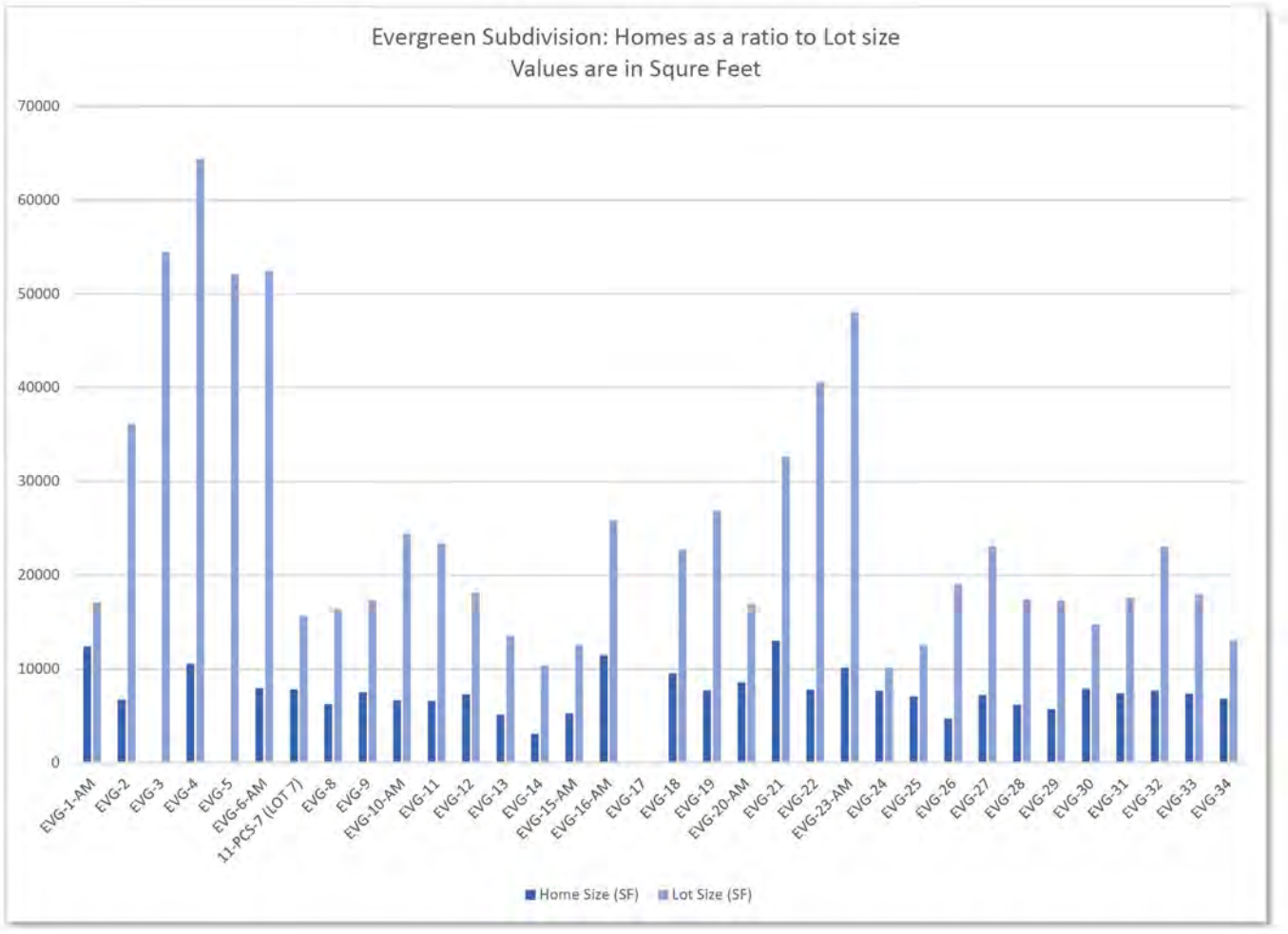
16. The approval letter requires the following two conditions of approval: (1) the building pad adjustment must not encroach upon the recorded ski easement; and (2) the proposed building pad must maintain all lot setbacks required by the Land Management Code.

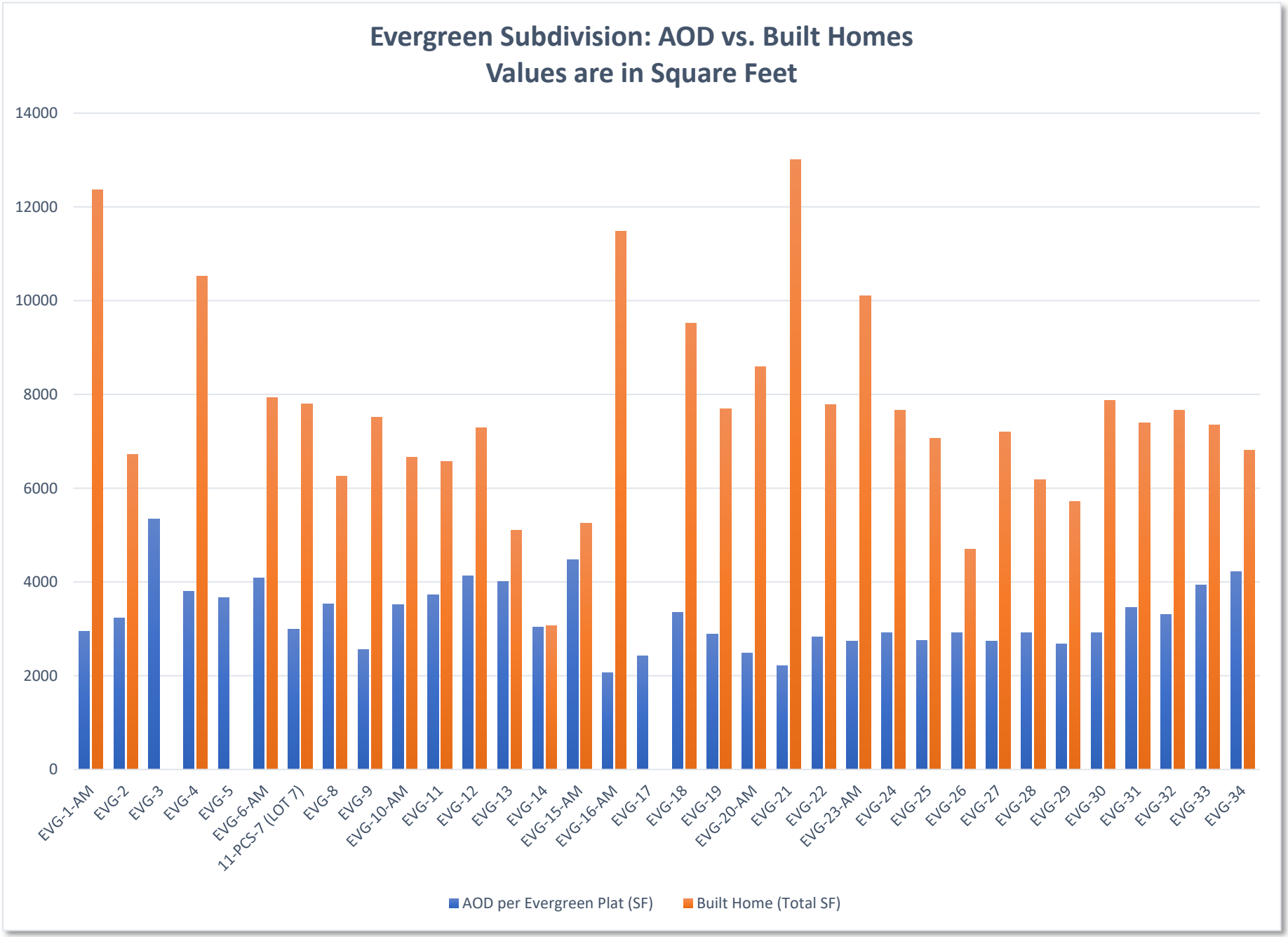
3. Prior Evergreen Plat Amendments provide direction regarding allowing larger AOD envelopes than shown on the original Amended Evergreen Plat. Many of these Plat Amendments occurred after houses were approved and built.

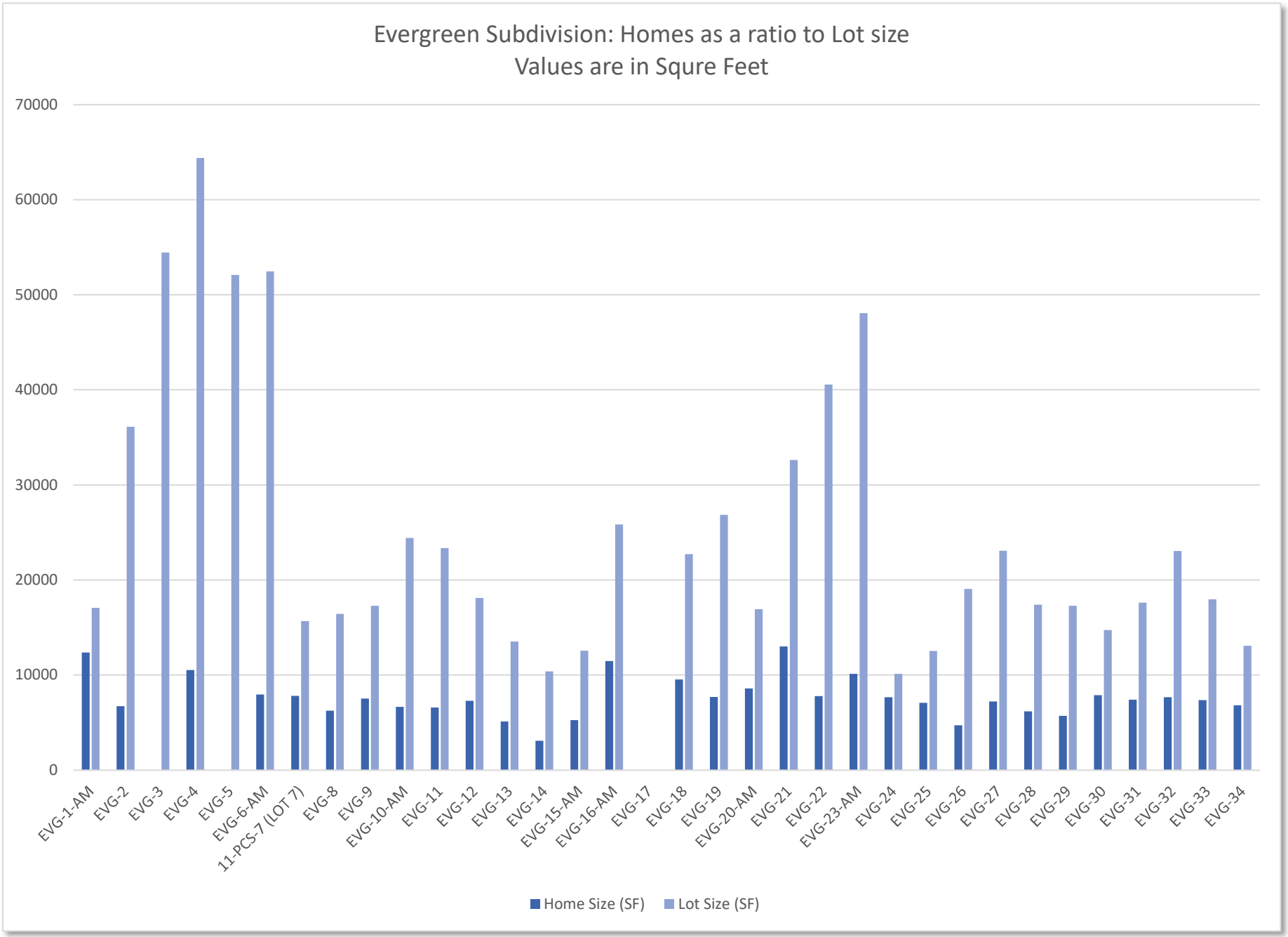
4. Approved by the Park City Planning Commission 04/10/2024, but not yet recorded, is a Plat Amendment on Lot 2. This Plat Amends the AOD from 3,756 SF to 10,566 SF. This change largely is to bring the built house into compliance with the AOD, and to allow for a small 585 SF addition.

5. Last, here is a comparison of Homes vs. Lot Size. While most if not all homes have been built larger than the AOD allows, there seems to be a reasonable ratio of homes to lot size.

Many of the larger lots have large areas of non-buildable ski easement areas. (Lots with no comparison are vacant lots or lots no longer existing after a Plat Amendment.)




Evergreen Subdivision: AOD vs. Built Homes
Values are in Square Feet
14000
12000
10000
8000
6000
4000
2000
0
EVG-1-AM
EVG-2
EVG-3
EVG-4
EVG-5
EVG-6-AM
11-PCS-7 (LOT 7)
EVG-8
EVG-9
EVG-10-AM
EVG-11
EVG-12
EVG-13
EVG-14
EVG-15-AM
EVG-16-AM
EVG-17
EVG-18
EVG-19
EVG-20-AM
EVG-21
EVG-22
EVG-23-AM
EVG-24
EVG-25
EVG-26
EVG-27
EVG-28
EVG-29
EVG-30
EVG-31
EVG-32
EVG-33
EVG-34
AOD per Evergreen Plat (SF)
Built Home (Total SF)


Evergreen Subdivision: Homes as a ratio to Lot size
Values are in Squre Feet
70000
60000
50000
40000
30000
20000
10000
0
EVG-1-AM
EVG-2
EVG-3
EVG-4
EVG-5
EVG-6-AM
11-PCS-7 (LOT 7)
EVG-8
EVG-9
EVG-10-AM
EVG-11
EVG-12
EVG-13
EVG-14
EVG-15-AM
EVG-16-AM
EVG-17
EVG-18
EVG-19
EVG-20-AM
EVG-21
EVG-22
EVG-23-AM
EVG-24
EVG-25
EVG-26
EVG-27
EVG-28
EVG-29
EVG-30
EVG-31
EVG-32
EVG-33
EVG-34
Home Size (SF)
Lot Size (SF)

RECORD OF SURVEY & EXISTING CONDITIONS MAP

LOT 28 OF THE AMENDED PLAT OF EVERGREEN LYING WITHIN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

NARRATIVE:
THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO LOCATE EXISTING CONDITIONS ON THE PROPERTY.

THIS SURVEY WAS REQUESTED BY THE CURRENT LANDOWNER, ELIZABETH ALLEN.

VERTICAL DATUM:
THE ELEVATION DATUM FOR THIS 2024 FIELD SURVEY IS USING THE SAME ASSUMED ELEVATION DATUM AS SURVEY S-7606, RECORDED 09/25/2012. THE REASON TO HOLD THIS ASSUMED DATUM IS TO MATCH THE ELEVATIONS OF THE EXISTING HOUSE AND LOT GROUND ELEVATIONS FROM THAT 2012 SURVEY.

FOR COMPARISON, HERE IS THE DIFFERENCE ON THE BENCHMARK SANITARY SEWER MANHOLE RIM.

SANITARY SEWER MANHOLE	LOT 28 (2012 SURVEY)	NAVD88 DATUM	DIFFERENCE
RIM ELEVATION	7766.4'	7764.8'	1.6'

NAVD 88 (NORTH AMERICAN VERTICAL DATUM)
VERTICAL N.G.S. BENCHMARK MONUMENT USED: CHISELED SQUARE 3.
PID LO0236
SUMMIT COUNTY, UTAH
USGS QUAD "PARK CITY EAST" (1955)
NAVD 88 ELEVATION (ORTHO): 6563.44'
THIS BENCHMARK IS ALONG THE RAIL TRAIL AND LIES WITHIN SUMMIT COUNTY PARCEL ID SS-64-A.

THIS SURVEY WAS GENERATED USING 2' (TWO FOOT) CONTOURS.

THE BASIS OF BEARINGS IS NORTH 62°50'54" EAST BETWEEN FOUND STREET MONUMENTS AS SHOWN HEREON. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

EXISTING SURVEY MONUMENTS IN ADJACENT ROADWAYS AND LOTS WERE USED TO REESTABLISH THE PROPERTY CORNERS.

ALL FOUND PROPERTY MONUMENTS, STREET MONUMENTS, AND/OR PROPERTY LINE EXTENDED MONUMENTS ARE WITHIN 0.2' CALCULATED HORIZONTAL POSITION, UNLESS NOTED OTHERWISE.

ALL BEARINGS AND DISTANCES ON LOT LINES AND ROADWAY CENTERLINES ARE PER PLAT OF RECORD, UNLESS NOTED OTHERWISE.

SEE THE "AMENDED EVERGREEN SUBDIVISION" OF RECORD, ENTRY 290308, RECORDED 05/17/1988 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

AREAS OF DISTURBANCE (AOD) SHOWN HEREON IS PER THE SUBDIVISION PLAT OF RECORD.

EXISTING BUILDING LOCATION IS TO AS-BUILT LOCATION OF FINISHED SURFACES OF THE BUILDING WALL CORNERS. ACTUAL FOUNDATION LOCATION MAY DIFFER.

THE EXISTING HOUSE WAS BUILT ACCORDING TO APPROVED PARK CITY MUNICIPAL BUILDING PERMIT NUMBER 6008, DATED 08/1991 AND PERMIT NUMBER 5413, DATED 05/1991. THE APPROVED PLANS SHOW THE HOUSE AND DRIVEWAY OUTSIDE THE AREA OF DISTURBANCE.

RTK GPS AND ROBOTIC TOTAL STATION INSTRUMENTS WERE USED ON THIS SURVEY.

SURVEY COMPLETED: 06/17/2024.

SEE SAID OFFICIAL EVERGREEN AMENDED SUBDIVISION PLAT FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING ENVELOPES AND BUILDING LOT RESTRICTIONS.
NOTE: OTHERS MAY APPLY.

ZONING: THIS PARCEL LIES WITHIN PARK CITY MUNICIPAL'S "RESIDENTIAL DENSITY" ZONE.
SOURCE: HTTPS://PARKCITY.MAPS.ARCGIS.COM/APPS/MAPVIEWER/INDEX.HTML?WEBMAP=AA328E9CFDFB4CBEBBE8A542ADDF9A03
SOURCE (REGULATIONS LMC 15-2.13)
HTTPS://PARKCITY.MUNICIPALCODEONLINE.COM/BOOK/PRINT?TYPE=ORDINANCES&NAME=15-2.13_ RESIDENTIAL_DEVELOPMENT_(RD)_DISTRICT
(RETRIEVED ON 02/27/2024 BY PARK CITY SURVEYING)

THE BUILDING REGULATIONS FOR THIS ZONE ARE AS FOLLOWS. THERE ARE EXCEPTIONS AND THE ZONE CODE SPECIFICS SHOULD BE REFERENCED.

SETBACK	DISTANCE
FRONT	20'
FRONT W/ FRONT FACING GARAGE	25'
SIDE	12'
REAR	15'
ALLOWABLE BUILDING HEIGHT	28'

THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.

THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL FOUND EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

THIS SURVEY IS IN COMPLIANCE WITH GENERALLY ACCEPTED INDUSTRY STANDARDS OF ACCURACY IN THIS LOCALE.

LEGAL DESCRIPTION
LOT 28 OF AMENDED PLAT OF EVERGREEN, ON FILE AND OF RECORD AT THE SUMMIT COUNTY, UTAH RECORDER.

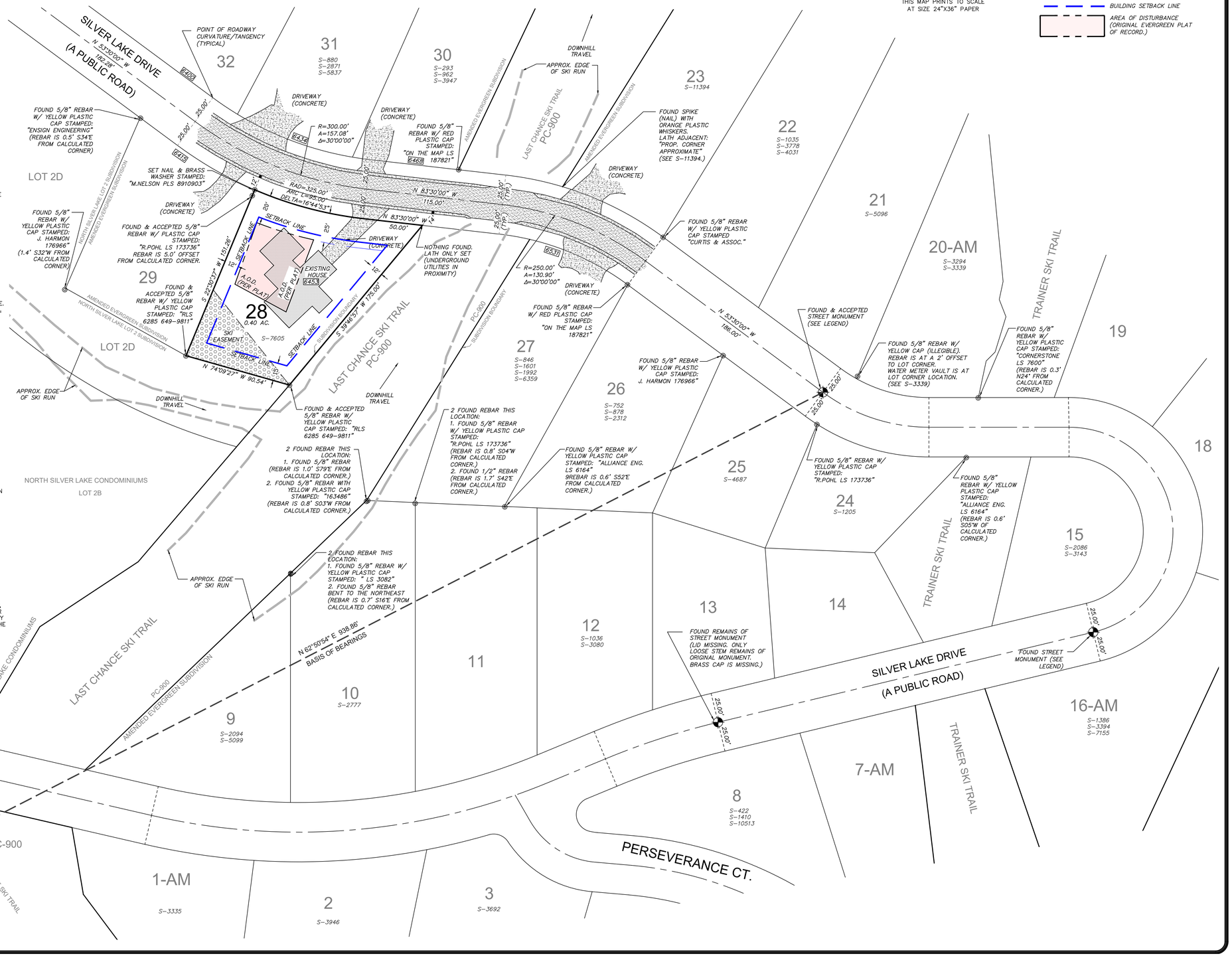
SEE ENTRY 290308, RECORDED 05/17/1988.

SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 8910903, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

PROFESSIONAL LAND SURVEYOR — No. 8910903 — MARTINA NELSON — 08/05/2024 — STATE OF UTAH

MARTINA NELSON
P.L.S. 8910903



LEGEND

- FOUND STREET MONUMENT: A BRASS CAP IN A CONCRETE BASE, ALL IN A ROUND STEEL CASING
- SET NAIL WITH SMALL BRASS WASHER STAMPED: "M.NELSON PLS 8910903"
- FOUND REBAR W/ CAP (AS DESCRIBED)
- SET METAL RIVET IN CURB
- 6453 ADDRESS
- S-1234 SURVEYS OF RECORD
- BUILDING SETBACK LINE
- AREA OF DISTURBANCE (ORIGINAL EVERGREEN PLAT OF RECORD.)

NORTH

GRAPHIC SCALE
40 0 20 40
1 INCH = 40 FEET
THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

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SURVEYED BY: MN/AW
DRAFTED BY: MN
CHECKED BY: AW
DATE: AUGUST 05, 2024

RECORD OF SURVEY & EXISTING CONDITIONS MAP
LOT 28
AMENDED PLAT OF EVERGREEN SUBDIVISION

DWG: EVERGREEN 28 ROS-ASB 2024.dwg

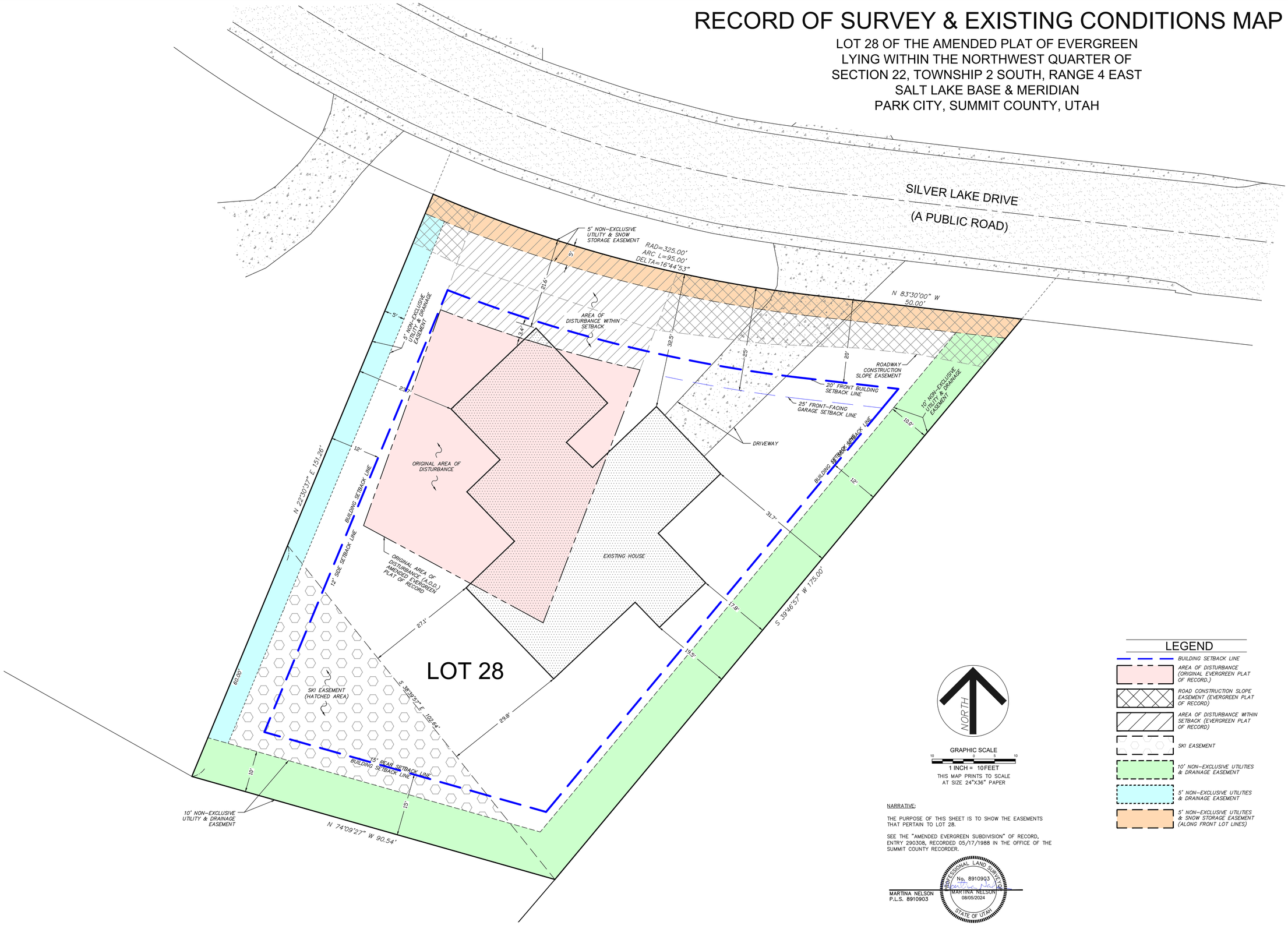
FOR: ELIZABETH ALLEN

SHEET 1 OF 3

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RECORD OF SURVEY & EXISTING CONDITIONS MAP

LOT 28 OF THE AMENDED PLAT OF EVERGREEN
LYING WITHIN THE NORTHWEST QUARTER OF
SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



NARRATIVE:

THE PURPOSE OF THIS SHEET IS TO SHOW THE EASEMENTS THAT PERTAIN TO LOT 28.

SEE THE "AMENDED EVERGREEN SUBDIVISION" OF RECORD, ENTRY 290308, RECORDED 05/17/1988 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

PROFESSIONAL LAND SURVEYOR
No. 8910903
MARTINA NELSON
08/05/2024
STATE OF UTAH

MARTINA NELSON
P.L.S. 8910903

LEGEND

- BUILDING SETBACK LINE
- AREA OF DISTURBANCE (ORIGINAL EVERGREEN PLAT OF RECORD.)
- ROAD CONSTRUCTION SLOPE EASEMENT (EVERGREEN PLAT OF RECORD)
- AREA OF DISTURBANCE WITHIN SETBACK (EVERGREEN PLAT OF RECORD)
- SKI EASEMENT
- 10' NON-EXCLUSIVE UTILITIES & DRAINAGE EASEMENT
- 5' NON-EXCLUSIVE UTILITIES & DRAINAGE EASEMENT
- 5' NON-EXCLUSIVE UTILITIES & SNOW STORAGE EASEMENT (ALONG FRONT LOT LINES)

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DRAFTED BY: MN
CHECKED BY: AW
DATE: AUGUST 05, 2024

RECORD OF SURVEY & EXISTING CONDITIONS MAP
LOT 28
AMENDED PLAT OF EVERGREEN SUBDIVISION

DWG: EVERGREEN 28 ROS-ASB 2024.dwg

FOR: ELIZABETH ALLEN

SHEET 2 OF 3

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RECORD OF SURVEY & EXISTING CONDITIONS MAP

LOT 28 OF THE AMENDED PLAT OF EVERGREEN
LYING WITHIN THE NORTHWEST QUARTER OF
SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NARRATIVE:

THE PURPOSE OF THIS SHEET IS TO SHOW THE EXISTING CONDITIONS.

CONTOURS SHOWN HEREON ARE AT 2' INTERVALS, WITH MAJOR CONTOURS AT 10' INTERVALS.

UNDERGROUND COMMUNICATIONS LINES WERE MARKED, BY OTHERS, BY UTAH 811. AS THE MARKS WERE VERY RECENT, WE FIELD LOCATED THEM AND SHOW THEM ON THIS SURVEY MAP.

UTAH 811 DESIGN MAP INFORMATION WAS RETRIEVED AS PART OF OUR SURVEY FOR LOT 28. FEEL FREE TO CONTACT PARK CITY SURVEYING FOR THIS USEFUL UNDERGROUND UTILITY MAPPING INFORMATION.

PROFESSIONAL LAND SURVEYOR
No. 8910903
MARTINA NELSON
08/05/2024
STATE OF UTAH

MARTINA NELSON
P.L.S. 8910903

ROOF RIDGE PEAKS SHOWN ARE AS VISIBLE FROM LOT 28. MORE ROOF PEAKS EXIST THAN THOSE SHOWN ON THIS MAP.

EXISTING HOUSE \6415 SILVER LAKE DR. EVG-29

FF (GARAGE): 7769.8'
RIDGE 7796.5'
RIDGE 7799.9'
RIDGE 7821.8'
FF: 7787.5'
RIDGE 7820.0'
7787.1'
RIDGE 7812.2'
FF: 7797.7'

WALK CONTINUES TO HOUSE

CONCRETE WALK

NORTH

GRAPHIC SCALE
10 0 5 10
1 INCH = 10FEET
THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

25.00'
CONCRETE DRIVEWAY
STORM DRAIN MANHOLE RIM ELEV: 7762.5'
BENCHMARK FOR LOT 28: SANITARY MANHOLE RIM ELEV: 7766.4'
FOUND 5/8" REBAR W/ RED PLASTIC CAP STAMPED: "ON THE MAP LS 187821"
SET NAIL & SMALL BRASS WASHER STAMPED: "M.NELSON PLS 8910903" SET IN LARGE IMMOVABLE BOULDER.
SET COPPER RIVET ON EXTENDED LOT LINE
12.0'
CONCRETE DRIVEWAY
25.00' (TYP.)
SILVER LAKE DRIVE
(A PUBLIC ROAD)
WATER MANHOLE RIM ELEV: 7771.0'
5' NON-EXCLUSIVE UTILITY & SNOW STORAGE EASEMENT
RAD=325.00'
ARC L=95.00'
DELTA=16°44'53"
FOUND & ACCEPTED 5/8" REBAR W/ PLASTIC CAP STAMPED: "R.POHL LS 173736" REBAR IS 5.0' OFFSET FROM CALCULATED CORNER.
2.5' WIDE ROLLED CONCRETE CURB & GUTTER
N 83°30'00" W 50.00'
SET COPPER RIVET ON EXTENDED LOT LINE
NOTHING FOUND & LATH ONLY SET DUE TO PROXIMITY OF UNDERGROUND UTILITIES
CONCRETE RETAINING WALL
29
28
6453
0.40 ACRES
17,408.40 SF (PLAT)
5' NON-EXCLUSIVE UTILITY & DRAINAGE EASEMENT
LANDSCAPE ROCKS
CONCRETE DRIVE
BOULDER (TYP.)
WILDLIFE STATUES
10' NON-EXCLUSIVE UTILITY & DRAINAGE EASEMENT
LANDSCAPING/GRAVEL
STONE WALK
COLUMN
DECK (2ND STY.)
STEPS UP TO MAIN ENTRY
STACKED ROCK RETAINING WALL (TYP.)
1.5' DIA. WOOD POSTS
STEPS
DECK
FF (MAIN ENTRY): 7786.8'
FF (ONTO REAR STAIRS DOWN TO REAR YARD): 7790.7
FF (GARAGE): 7775.7'
ELEC. OUTLET (TYP.)
WILDLIFE STATUE
BUILDING SETBACK LINE
SETBACK LINE, BUILDING SETBACK LINE
APPROXIMATE EDGE OF SKI RUN
EXISTING HOUSE
AREA OF DISTURBANCE (PER ORIGINAL PLAT)
FF (ONTO DECK): 7787.8'
DECK
ROUND WOOD COLUMN (TYP)
HOT TUB
DECK SURFACE ELEV: 7787.6'
SKI EASEMENT (HATCHED AREA)
UNDERGROUND COMMUNICATION UTILITIES (SEE NOTE IN NARRATIVE.)
N 22°30'13" E 151.26'
S 39°46'57" W 175.00'
S 38°39'57" E 102.64'
N 74°09'27" W 90.54'
60.00'
FOUND & ACCEPTED 5/8" REBAR W/ YELLOW PLASTIC CAP STAMPED: "LS 6285"
10' NON-EXCLUSIVE UTILITY & DRAINAGE EASEMENT
FOUND & ACCEPTED 5/8" REBAR & YELLOW PLASTIC CAP STAMPED "LS 3082 649-9811"
LAST CHANCE SKI TRAIL
PC-900

LEGEND

- SET NAIL WITH SMALL BRASS WASHER STAMPED: "M.NELSON PLS 8910903"
- FOUND REBAR W/ CAP (AS DESCRIBED)
- SET METAL RIVET IN CURB
- FIRE HYDRANT
- WATER VALVE
- WATER MANHOLE
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- CATCH BASIN
- UTILITY LATERAL
- WATER METER
- ELECTRIC METER
- ELECTRIC BOX/TRANSFORMER
- COMMUNICATIONS BOX
- SEWER CLEAN OUT
- OUTDOOR ELEC. OUTLET
- LAMP POST
- FLOOD LIGHT
- SAT. DISH
- IRRIGATION BOX
- GAS METER
- AC HVAC
- SIGN
- SETBACK LINE
- UTILITY POLE GUY WIRE
- 6453 ADDRESS
- 6500.0 EXISTING GROUND SPOT ELEVATION
- STACKED ROCK RETAINING WALL

TREE DIAMETER ANNOTATED TO EDGE OF DRIPLINE

- 5' CONIFEROUS TREE
- 5' DECIDUOUS TREE
- TREELINE

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SURVEYED BY: MN/AW
DRAFTED BY: MN
CHECKED BY: AW
DATE: AUGUST 05, 2024

RECORD OF SURVEY & EXISTING CONDITIONS MAP
LOT 28
AMENDED PLAT OF EVERGREEN SUBDIVISION

DWG: EVERGREEN 28 ROS-ASB 2024.dwg

FOR: ELIZABETH ALLEN

SHEET 3 OF 3

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SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 3082 as prescribed under the Laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described, and have subdivided said tract of land into lots and streets, hereafter to be known as Evergreen and that same has been correctly surveyed and staked on the ground as shown on this plat.

James G. West — May 14, 1988 — Date

NORTH

SCALE 1" : 100'

BOUNDARY DESCRIPTION

Beginning at a point which is North 1519.85 feet and East 830.77 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the northerly right-of-way of Royal Street East as dedicated, said point also being on a 2275.83 foot radius curve to the left (center bears South 15° 34' 41" West 2275.83 feet of which the central angle is 00° 34' 52"); thence northwesterly along the arc of said curve and along said right-of-way 23.08 feet to a point on 797.95 foot radius curve to the right (center bears North 14° 59' 49" East 797.95 feet of which the central angle is 00° 08' 38"); thence northeasterly along said right-of-way of Royal Street East and along the arc of said curve 2.00 feet to a point on the northerly right-of-way of SILVER LAKE DRIVE the following eight calls being along said right-of-way;
1) thence North 20° 00' 00" East 15.00 feet to a point on a 95.00 foot radius curve to the right (center bears South 70° 00' 00" East 95.00 feet of which the central angle is 70° 00' 00");
2) thence northeasterly along the arc of said curve 116.06 feet to a point on a 200.17 foot radius curve to the left (center bears North 200.17 feet of which the central angle is 50° 00' 00");
3) thence northeasterly along the arc of said curve 174.68 feet;
4) thence North 40° 00' 00" East 59.61 feet to a point on a 499.69 foot radius curve to the left (center bears North 50° 00' 00" West 499.69 feet of which the central angle is 35° 00' 00");
5) thence northeasterly along the arc of said curve 305.24 feet;
6) thence North 05° 00' 00" East 285.00 feet to a point on a 140.00 foot radius curve to the right (center bears South 85° 00' 00" East 140.00 feet of which the central angle is 98° 00' 00");
7) thence northeasterly along the arc of said curve 239.46 feet;
8) thence South 77° 00' 00" East 70.00 feet;
thence North 46° 14' 41" East 327.87 feet;
thence North 32° 00' 00" East 259.20 feet to a point on the southerly right-of-way of SILVER LAKE DRIVE said point being on a 225.00 foot radius curve to left (center bears South 13° 10' 07" West 225.00 feet of which the central angle is 06° 40' 07") the following two calls being along said right-of-way;
1) thence northwesterly along the arc of said curve 26.19 feet;
2) thence North 83° 30' 00" West 65.00 feet;
thence South 39° 46' 57" West 175.00 feet;
thence North 74° 09' 21" West 90.54 feet; thence North 60° 44' 10" West 116.16 feet; thence North 23° 36' 31" East 156.70 feet, to a point on the southerly right-of-way of SILVER LAKE DRIVE the following nine calls being along said right-of-way;
1) thence North 53° 30' 00" West 143.15 feet to a point on a 1175.00 foot radius curve to the left (center bears South 36°30'00" West 1175.00 feet of which the central angle is 14°00'00");
2) thence northwesterly along the arc of said curve 287.11 feet;
3) thence North 67° 30' 00" West 178.98 feet to a point on a 265.00 foot radius to the left (center bears South 22° 30' 00" West 265.00 feet of which the central angle is 97° 30' 00");
4) thence southwesterly along the arc of said curve 450.95 feet;
5) thence South 15° 00' 00" West 378.08 feet to a point on a 475.00 foot radius curve to the left (center bears South 75° 00' 00" East 475.00 feet of which the central angle is 37° 00' 00");
6) thence southeasterly along the arc of said curve 306.74 feet;
7) thence South 22° 00' 00" East 428.60 feet to a point on a 95.00 foot radius curve to the right (center bears South 68° 00' 00" West 95.00 feet of which the central angle is 150° 15' 00");
8) thence southwesterly along the arc of said curve 249.12 feet;
9) thence North 51° 45' 00" West 12.86 feet to a point on the easterly right-of-way of ROYAL STREET as dedicated, said point also being on a 115.00 foot radius curve to the left (center bears North 38° 55' 50" West 115.00 feet of which the central angle is 25° 06' 43");
thence Northeasterly along the arc of said curve and said right-of-way 50.40 feet to a point on the northerly right-of-way of SILVER LAKE DRIVE the following eight calls being along said right-of-way:
1) thence South 51° 45' 00" East 12.63 feet to a point on a 45.00 foot radius curve to the left (center bears North 38° 15' 00" East 45.00 feet of which the central angle is 150° 15' 00");
2) thence northeasterly along the arc of said curve 118.00 feet;
3) thence North 22° 00' 00" West 428.60 feet to a point on a 525.00 foot radius curve to the right (center bears North 68° 00' 00" East 525.00 feet of which the central angle is 37° 00' 00");
4) thence northwesterly along the arc of said curve 339.03 feet;
5) thence North 15° 00' 00" East 378.08 feet to a point on a 315.00 foot radius curve to the right (center bears South 75° 00' 00" East 315.00 feet of which the central angle is 97° 30' 00");
6) thence northeasterly along the arc of said curve 536.03 feet;
7) thence South 67° 30' 00" East 178.98 feet to a point on a 1225.00 foot radius to the right (center bears South 22° 30' 00" West 1225.00 feet of which the central angle is 05° 51' 27");
8) thence southeasterly along the arc of said curve 125.24 feet to a point on the northerly right-of-way of Oak Court, said point also being on a 14.50 foot radius curve to the left (center bears North 28° 21' 27" East 14.50 feet of which the central angle is 68° 29' 28"), the following eight calls being along said northerly right-of-way;
1) thence northeasterly along the arc of said curve 17.33 feet to a point on a 90.00 foot radius curve to the right (center bears South 40° 08' 01" East 90.00 feet of which the central angle is 64° 08' 01");
2) thence northeasterly along the arc of said curve 100.74 feet;
3) thence South 66° 00' 00" East 75.00 feet to a point on a 150.00 foot radius curve to the left (center bears North 24° 00' 00" East 150.00 feet of which the central angle is 59° 30' 00");
4) thence northeasterly along the arc of said curve 155.77 feet;
5) thence North 54° 30' 00" East 97.00 feet to a point on a 400.00 foot radius curve to the right (center bears South 35° 30' 00" East 400.00 feet of which the central angle is 10° 46' 42");
6) thence northeasterly along the arc of said curve 75.25 feet to a point on a 17.50 foot radius curve to the left (center bears North 24° 43' 18" West 17.50 feet of which the central angle is 46° 01' 51");
7) thence northeasterly along the arc of said curve 14.06 feet to a point on a 400.00 foot radius curve to the right (center bears South 70° 45' 09" East 48.00 feet of which the central angle is 41° 54' 10");
8) thence northeasterly along the arc of said curve 35.10 feet; thence North 28° 51' 01" West 62.58 feet; thence North 58° 30' 58" East 116.83 feet;
Thence North 81° 30' 19" East 233.96 feet;
Thence South 24° 33' 04" West 76.27 feet;
thence South 33° 30' 00" West 300.00 feet;
thence South 25° 25' 46" West 247.00 feet to a point on the northerly right-of-way of Evergreen Drive, the following two calls being along said right-of-way;
1) thence South 83° 30' 00" East 40.00 feet to a point on a 275.00 foot radius curve to the right (center bears South 06° 30' 00" West 275.00 feet of which the central angle is 10° 11' 11");
2) thence southeasterly along the arc of said curve 48.89 feet;
thence North 32° 00' 00" East 318.62 feet;
thence North 43° 00' 00" East 225.00 feet;
thence North 63° 25' 24" East 83.84 feet;
thence South 05° 00' 00" West 390.00 feet;
thence South 05° 30' 00" East 172.05 feet;
thence South 12° 00' 00" West 100.00 feet to a point on the no.therly right-of-way of Evergreen Drive;
thence East 63.85 feet along said right-of-way; thence North 19° 59' 54" East 240.00 feet;
thence South 59° 33' 15" East 157.81 feet;
thence South 202.42 feet;
thence South 25° 00' 00" West 355.93 feet;
thence West 80.00 feet;
thence North 18° 56' 41" West 141.92 feet to a point on the southerly right-of-way of Evergreen Drive;
thence South 76° 30' 00" West 60.27 feet along said right-of-way;
thence South 06° 49' 45" East 218.35 feet;
thence South 435.00 feet;
thence South 89° 59' 52" West 403.00 feet;
thence North 31° 70' 08" West 390.00 feet;
thence North 36° 42' 46" West 200.00 feet;
thence North 09° 37' 00" West 57.12 feet to the southerly right-of-way of Evergreen Drive, the following eight calls being along said right-of-way:
1) thence North 77° 00' 00" West 70.00 feet to a point on a 90.00 foot radius curve to the left (center bears South 13° 00' 00" West 90.00 feet of which the central angle is 98° 00' 00");
2) thence southwesterly along the arc of said curve 153.94 feet;
3) thence South 05° 00' 00" West 285.00 feet to a point on a 549.69 foot radius curve to the right (center bears North 85° 00' 00" West 549.69 feet of which the central angle is 35° 00' 00");
4) thence southwesterly along the arc of said curve 335.79 feet;
5) thence South 40° 00' 00" West 59.61 feet to a point on a 250.17 foot radius curve to the right (center bears North 50° 00' 00" West 250.17 feet of which the central angle is 50° 00' 00");
6) thence southwesterly along the arc of said curve 218.32 feet to a point on a 45.00 foot radius curve to the left (center bears South 45.00 feet of which the central angle is 70° 00' 00");
7) thence southwesterly along the arc of said curve 54.98 feet;
8) thence South 20° 00' 00" West 11.14 feet ;o a point on the aforementioned northerly right-of-way of Royal Street East, said point also being on a 2275.83 foot radius curve to the left (center bears South 16° 12' 33" West 2275.83 feet of which the central angle is 00° 37' 52");
thence northwesterly along the arc of said curve and right-of-way 25.07 feet to the point of beginning.

Contains 27.89 acres, more or less.

Excepting therefrom the following parcel:

Beginning at a point which is North 2497.44 feet and East 2197.38 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the northerly right-of-way line of Silver Lake Drive; thence North 28°30'29" West 85.975 feet; thence North 43°44'19" East 111.65 feet to a point on the southerly right-of-way line of Silver Lake Drive; thence East 54.40 feet along said right-of-way line; thence South 13°01'57" West 146.16 feet to a point on the northerly right-of-way line of Silver Lake Drive; thence South 76°30'00" West 59.24 feet along said right-of-way line to the point of beginning.

Contains 0.29 acres, more or less.

Total net acreage is 27.60 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That Deer Valley Resort Company, a Utah Limited Partnership, the owner of the herein described tract of land, hereby causes the same to be divided into lots and streets, as set forth in the above plat, hereafter to be known as Evergreen, an amended subdivision, subject to the declaration of covenants, conditions and restrictions, and reservation of easements for Evergreen, an amended subdivision, which will be recorded in the offices of the County Recorder of Summit County, Utah, concurrently with the recording of this plat.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County, a non-exclusive easement over the streets, driveways and utility easements shown on the this plat for the purpose of providing access for utility maintenances and to provide emergency services to said Evergreen.

EXECUTED this 16 day of MAY, 1988

DEER VALLEY RESORT COMPANY
BY ROYAL STREET OF UTAH, INC., General Partner
BY
Vice President

STATE OF UTAH
COUNTY OF SUMMIT

ACKNOWLEDGEMENT

On the 16th day of May, 1988, personally appeared before me Lawrence S. Stiers, who, being by me duly sworn, did say that he is the Vice President of Royal Street of Utah, Inc. Utah Corporation, which is a General partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation and such general partner, and said Lawrence S. Stiers, duly acknowledged to me that this partnership executed the same.

Notary Public
My Commission Expires 8-30-91
Residing at Park City, UT 84060

ANNIS E. WOODS — NOTARY PUBLIC — STATE OF UTAH

EAST 830.77'
EAST 1/4 COR. SEC. 21 T.2S., R.4E., S.L.B.&M. Alum. Cap
NORTH 1519.85'
N 0°04'51" E BASIS OF BEARING
SOUTHWEST COR. SEC. 22 T.2S., R.4E., S.L.B.&M. Brass Cap

SECTION TIE DETAIL

LEGEND

- 5/8" IRON ROD SET
- STREET MONUMENTS

CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	0°34'52"	2275.83'	23.08'
C2	0°08'38"	797.95'	2.00'
C3	70°00'00"	95.00'	116.06'
C4	35°00'00"	200.17'	174.68'
C5	6°40'07"	225.00'	26.19'
C6	5°51'27"	1225.00'	125.24'
C7	150°15'00"	45.00'	118.00'
C8	98°00'00"	140.00'	239.46'
C9	68°29'28"	14.50'	17.33'
C10	64°08'01"	90.00'	100.74'
C11	59°30'00"	150.00'	155.77'
C12	10°46'42"	400.00'	75.25'
C13	46°01'51"	17.50'	14.06'
C14	41°54'10"	48.00'	35.10'
C15	60°52'09"	48.00'	50.99'
C16	98°00'00"	35.00'	57.33'
C17	7°49'51"	350.00'	47.84'
C18	03°43'30"	17.50'	16.41'
C19	8°04'31"	350.00'	12.68'
C20	98°00'00"	90.00'	153.94'
C21	98°00'00"	90.00'	153.94'
C22	0°37'52"	2275.83'	25.07'
C23	70°00'00"	70.00'	85.52'
C24	35°00'00"	535.00'	326.75'
C25	35°00'00"	150.00'	91.56'
C26	35°00'00"	150.00'	91.56'
C27	50°00'00"	70.00'	61.07'
C28	74°00'00"	85.00'	83.95'
C29	18°00'00"	375.00'	117.81'
C30	9°16'00"	575.00'	93.00'
C31	5°21'31"	575.00'	53.78'
C32	75°34'56"	14.50'	18.37'
C33	51°23'24"	95.00'	85.21'
C34	20°09'27"	285.00'	100.27'
C35	4°54'48"	285.00'	24.44'
C36	54°41'32"	17.50'	16.70'
C37	77°04'13"	48.00'	64.57'
C38	91°03'45"	48.00'	76.29'
C39	91°26'50"	48.00'	76.63'
C40	29°11'22"	48.00'	24.45'
C41	6°08'01"	347.52'	37.25'
C42	8°31'13"	45.00'	8.69'
C43	143°58'00"	14.50'	36.44'
C44	11°31'54"	610.00'	122.77'
C45	11°31'54"	525.00'	105.66'
C46	11°42'05"	525.00'	107.26'
C47	4°33'05"	660.00'	52.43'
C48	4°26'55"	660.00'	51.24'
C49	32°32'07"	175.00'	99.37'
C50	3°07'31"	275.00'	15.00'
C51	21°30'58"	275.00'	103.99'
C52	5°12'31"	275.00'	25.00'
C53	3°53'55"	1225.00'	83.36'
C54	6°44'21"	40.00'	4.70'
C55	16°44'53"	325.00'	95.00'
C56	13°15'07"	325.00'	75.17'
C57	3°57'53"	175.00'	12.11'
C58	23°19'53"	225.00'	91.62'
C59	29°09'58"	125.00'	63.63'
C60	7°20'02"	125.00'	16.00'
C61	19°48'48"	275.00'	95.10'
C62	38°33'07"	112.50'	75.70'
C63	164°39'54"	9.50'	27.30'

TANGENT DATA

NO.	BEARING	DISTANCE
T1	N60°00'00"E	15.00'
T2	N40°00'00"E	59.61'
T3	N77°00'00"E	70.00'
T4	N83°30'00"W	65.00'
T5	N06°14'50"E	85.00'
T6	S51°45'00"E	12.63'
T7	N83°30'00"W	40.00'
T8	N83°25'24"E	83.84'
T9	N90°00'00"W	63.85'
T10	N90°00'00"W	80.00'
T11	S76°30'00"W	60.27'
T12	N09°37'00"W	57.12'
T13	N77°00'00"W	70.00'
T14	S40°00'00"W	59.61'
T15	S20°00'00"W	11.14'
T16	N05°00'00"E	85.00'
T17	S83°30'00"E	40.00'
T18	N00°00'00"W	12.94'
T19	N40°00'00"E	59.61'
T20	N67°30'00"W	100.74'
T21	N51°45'00"W	9.99'
T22	S83°29'18"E	75.25'
T23	N40°00'00"E	15.00'
T24	N83°30'00"W	65.00'
T25	S83°29'18"E	45.41'
T26	N83°30'00"W	57.33'
T27	N67°30'00"E	52.00'
T28	N76°30'00"E	55.00'
T29	N76°30'00"E	51.51'
T30	N90°00'00"E	54.40'
T31	S83°30'00"W	59.24'
T32	N90°00'00"W	32.09'
T33	N85°00'00"W	31.00'
T34	N67°30'00"E	27.26'
T35	N83°30'00"W	50.00'
T36	N53°30'00"W	39.13'
T37	N90°00'00"E	67.20'
T38	N76°30'00"E	10.00'
T39	S71°58'13"E	51.58'
T40	N90°00'00"E	12.48'
T41	S85°00'00"E	31.00'
T42	S20°00'00"W	32.06'

NOTES

1. 10.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG ALL SUBDIVISION BOUNDARY LINES AS SHOWN (UNLESS NOTED OTHERWISE).
2. 5.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG ALL SIDE AND REAR LOT LINES AS SHOWN. (UNLESS NOTED OTHERWISE).
3. 5.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND SNOW STORAGE EASEMENT ALONG ALL FRONT LOT LINES AS SHOWN. (UNLESS NOTED OTHERWISE).
4. SEE SHEET 2 FOR ADDITIONAL EASEMENTS.
5. LOTS 19, 20, 21, 22, and 23 REQUIRE SEWER EJECTOR PUMPS.
6. EACH HOUSE MUST INSTALL AN INDIVIDUAL PRESSURE REDUCER VALVE.
7. SNOW PLOWING BY THE CITY MAY NOT OCCUR UNTIL CERTAIN CRITERIA ARE MET; REFER TO THE CONDITIONS OF PLANNING COMMISSION APPROVAL DATED OCTOBER 22, 1986.
8. THE SYMBOL [6893] INDICATES THE STREET ADDRESS FOR EACH LOT AS SHOWN.

EXISTING 20.00' WIDE CROSS-COUNTRY WATER LINE EASEMENT
EXISTING 20.00' WIDE CROSS-COUNTRY SANITARY SEWER EASEMENT
20' NON-EXCLUSIVE DRAINAGE & UTILITIES EASEMENT
EXIST. 25.00' WIDE WATER TRANSMISSION LINE EASEMENT
0.29 acres EXCEPTION PARCEL
(SEE SECTION TIE DETAIL)
P.O.B.

AMERICAN FLAG SUBDIVISION
OAK COURT
LAST CHANCE SKI/HIKING TRAIL
SILVER LAKE DRIVE
ROYAL STREET
ROYAL STREET EAST
TRAINER SKI TRAIL

AMENDED PLAT of EVERGREEN

A SUBDIVISION LOCATED IN THE
SW. QUARTER OF SEC. 15 & THE N.W. QUARTER OF SEC. 22
T.2S., R.4E., S.L.B. & M.,
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 of 2

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF Park City CITY COUNCIL THIS 17th DAY OF May A.D. 1988 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED

MAYOR
Anita L. Colotti
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE Park City CITY ENGINEERING DEPARTMENT ON THIS 17TH DAY OF May A.D. 1988.

CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE Park CITY PLANNING COMMISSION ON THIS 17 DAY OF May A.D. 1988

CHAIRMAN

APPROVAL AS TO FORM

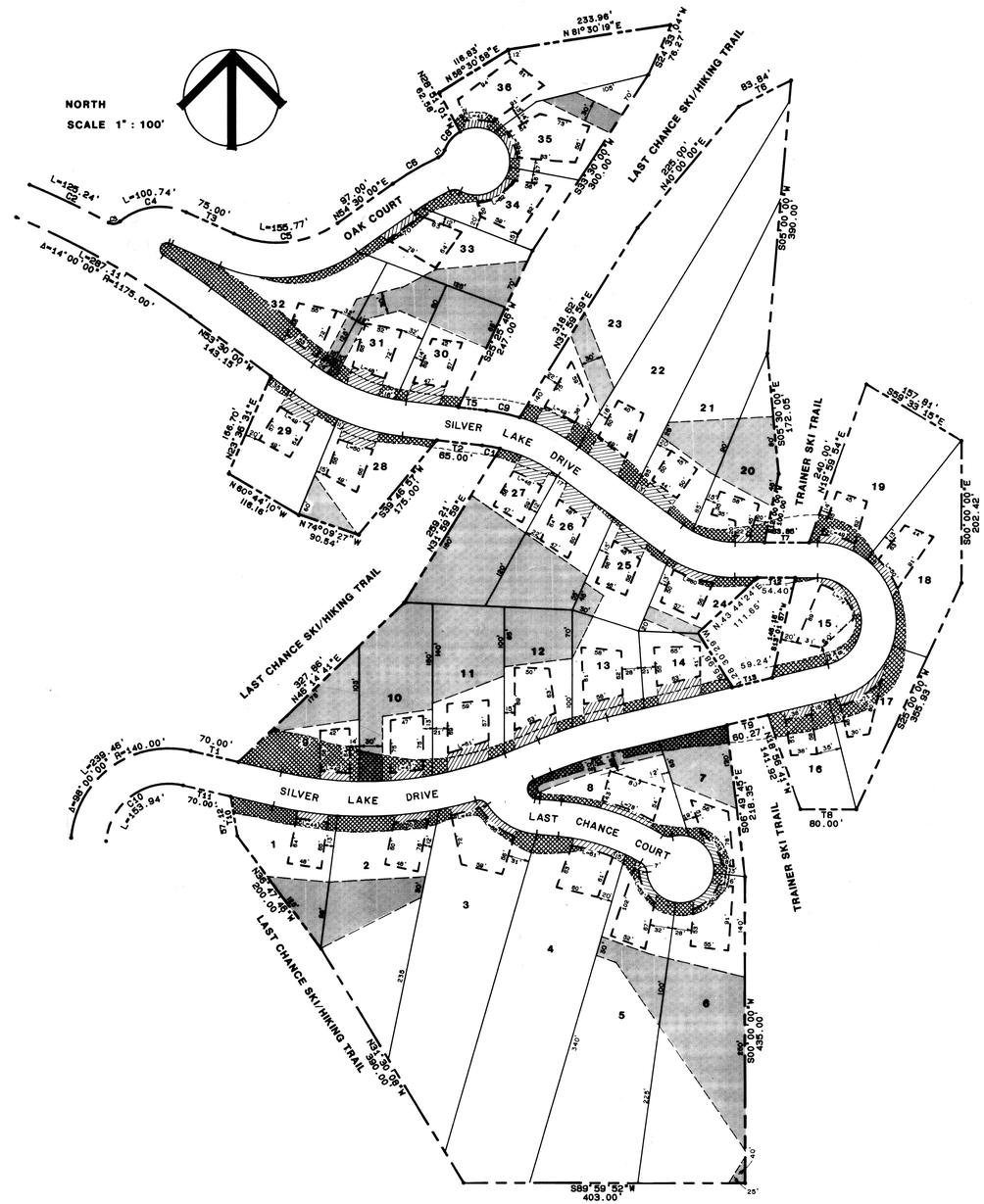
APPROVED AS TO FORM ON THIS 17th DAY OF May A.D. 1988.

CITY ATTORNEY

RECORDED

No. 250308
STATE OF UTAH 5/17/88
COUNTY OF SUMMIT TIME 3:38
RECORDED AND FILED AT THE REQUEST OF:
HIGH COUNTRY TITLE
58.00 FEES
COUNTY RECORDER

J.J.Johnson & Associates
Park Meadows Plaza,
Highway 248
Park City, Utah 84060
(801) 649-9811



CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	6°40'07"	225.00'	26.19'
C2	5°51'27"	1225.00'	125.24'
C3	68°29'28"	14.50'	17.33'
C4	64°08'01"	90.00'	100.74'
C5	59°30'00"	150.00'	155.77'
C6	10°46'42"	400.00'	75.25'
C7	46°01'51"	17.50'	14.06'
C8	41°54'10"	48.00'	35.10'
C9	10°11'11"	275.00'	48.89'
C10	98°00'00"	90.00'	153.94'

TANGENT DATA

NO.	BEARING	DISTANCE
T1	S77°00'01"E	70.00'
T2	N83°30'01"W	65.00'
T3	S66°00'00"E	75.00'
T5	S83°29'59"E	40.00'
T6	N63°25'24"E	83.84'
T7	N90°00'00"E	63.85'
T8	N90°00'00"W	80.00'
T9	S76°30'00"W	60.27'
T10	N09°37'00"W	57.12'
T11	N77°00'00"W	70.00'
T12	N90°00'00"E	54.40'
T13	S76°30'00"W	59.24'

BUILDING SETBACKS

LOT NUMBER	REQUIRED FRONTYARD SETBACK
1	10'
2	10'
3	10'
4	10'
5	10'
6	10'
7	10'
8	10'
9	10'
10	10'
11	25'
12	25'
13	25'
14	25'
15	10'
16	10'
17	10'
18	10'
19	10'
20	10'
21	25'
22	25'
23	25'
24	10'
25	25'
26	25'
27	25'
28	25'
29	25'
30	25'
31	25'
32	10'
33	10'
34	10'
35	10'
36	10'

LEGEND

- 5/8 IRON ROD SET
- LOT LINE
- ROAD CONSTRUCTION SLOPE EASEMENT
- AREA OF DISTURBANCE WITHIN SETBACK
- SKI EASEMENT
- AREA OF DISTURBANCE (35' × 80' × 35' × 80')

AMENDED PLAT

of

EVERGREEN

SHEET 2 of 2

ENTRY # 290308
5-17-88
TIME 8:38

J.J.Johnson & Associates
Park Meadows Plaza,
Highway 248
Park City, Utah 84060
(801) 649-9811

EVERGREEN

NOTE:

THE AREA OF DISTURBANCE REPRESENTS THE BOUNDARY IN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR. WHEN THE ACTUAL BUILDING FOOTPRINT IS ESTABLISHED, THE LIMITS OF CONSTRUCTION DISTURBANCE SHALL BE NO GREATER THAN 15 FEET BEYOND THE FOUNDATION WALL. THE BUILDING FOOTPRINT CAN SHIFT WITHIN THE AREA OF DISTURBANCE. DRIVEWAY ACCESS TO THE AREA OF DISTURBANCE SHALL BE NO WIDER THAN 20 FEET. DEVIATIONS FROM THE AREA OF DISTURBANCE MAY AND MUST BE APPROVED BY THE EVERGREEN ARCHITECTURAL COMMITTEE.

AN AMENDMENT TO THE AMENDED PLAT
OF

EVERGREEN

A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15 AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. PARK CITY, SUMMIT COUNTY, UTAH

ACCORDING TO THE AMENDED PLAT RECORDED ON 5/17/88 AS ENTRY NO. 290308 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

Fee Exempt per Utah Code Annotated 1953 21-7-2

CITY COUNCIL APPROVAL

PRESENTED TO THE PARK CITY COUNCIL THIS 27TH DAY OF APRIL A.D. 1995, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

MAYOR

Linda L. Sheldon
CITY RECORDER

PARK CITY SUMMIT COUNTY UTAH CORPORATE SEAL MARCH 1 1894

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 10TH DAY OF MAY A.D. 1995.

Eric W. Ostberg, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 15TH DAY OF MAY A.D. 1995

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 16TH DAY OF MAY A.D. 1995

CITY ATTORNEY

RECORDED

No. 432561
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF
Park City Municipal Corp
Date: 6-30-95
Time: 9:29 AM
Fee: N/C
FEES

Darene M. Dunn - deputy
COUNTY RECORDER

Fee Exempt per Utah Code Annotated 1953 21-7-2

FEE EXEMPT
UTAH CODE ANNOTATED § 11-13-102

When recorded, Mail to:
Park City Recorder
PO Box 1480
Park City, UT 84060

DEER VALLEY RESORT TWELFTH AMENDED AND RESTATED LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT

November 30, 2016

WHEREAS, Royal Street Land Company, a Utah corporation ("Royal Street") heretofore submitted to the Planning Commission of Park City ("Commission") certain items with relation to a residential, commercial, and recreational development project known as Deer Valley / Lake Flat Area Development ("Project") which items were listed in the original Permit granted for the Project by Commission and are incorporated herein by reference; and

WHEREAS, Commission found that such items submitted by Royal Street complied with and satisfied all applicable requirements of the Park City Land Management Code as then in force, to permit the construction of the Project as a planned unit development pursuant to the planned unit development exception then contained in the Park City Land Management Code; and

WHEREAS, Commission heretofore issued to Royal Street a Special Exception Permit dated September 27, 1977, with relation to the Project, which Special Exception Permit was amended by an Amended Special Exception Permit dated June 27, 1979 issued to Royal Street and by a Second Amended and Restated Special Exception Permit dated January 27, 1982, a Third Amendment to Special Exception Permit dated May 17, 1984, a Fourth Amendment to Special Exception Permit dated February 21, 1985, a Fifth Amended and Restated Special Exception Permit dated December 23, 1986, a First Amendment to Fifth Amended and Restated Special Exception Permit dated November 29, 1989, a Second Amendment to Fifth Amended and Restated Special Exception Permit dated April 11, 1990, a Sixth Amended and Restated Special Exception Permit dated October 10, 1990, a Seventh Amended and Restated Large Scale Master Planned Development Permit dated April 14, 1993, an Eighth Amended and Restated Large Scale Master Planned Development Permit dated April 25, 2001, a Ninth Amended and Restated Large Scale Master Planned Development Permit dated June 28, 2006, a Tenth Amended and Restated Large Scale Master Planned Development Permit dated August 12, 2009, and an Eleventh Amended and Restated Large Scale Master Planned Development Permit dated March 23, 2011, which were issued to Deer Valley Resort Company ("Permittee"), as assignee and successor to the rights of Royal Street under the Special Exception Permit; and

WHEREAS, Permittee and Commission desire to further amend and restate the Large Scale Master Planned Development Permit to reflect actions approved by the Commission with respect to the combination of vacant Deer Valley MPD Silver Lake Village Lots F, G, and H into one Lot I and to transfer 843 square feet of existing residential density (0.4215 unit equivalents (UE)) from Deer Valley MPD Silver Lake Village Lot D (existing Goldener Hirsh Inn) to the new Deer Valley MPD Silver Lake Village Lot I, to accommodate connection, access and circulation between the Goldener Hirsch Inn on Parcel D and the future Goldener Hirsch Residences proposed on Parcel I.

WHEREAS, Permittee has requested modification to the Large Scale Master Planned Development Permit and Commission is willing to grant said modifications as herein set forth; and

WHEREAS, Commission finds that it is in the best interest of Park City and its citizens that Permittee be granted the right to construct and develop the Project as a Master Planned Development in accordance with the Park City Land Management Code passed and adopted December 22, 1983, effective January 1, 1984 as the same has been amended by Ordinance to the date hereof (herein designated the "Code") and in accordance with the Large Scale Master Planned Development Permit as amended and restated hereby.

NOW THEREFORE, the Large Scale Master Planned Development Permit is hereby amended and restated to authorize and grant the right, and Permittee is hereby authorized and granted the right, to develop and construct the Project, subject to Planning Commission approval of any required Conditional Use Permits for site specific development and City Council approval and recordation of any required subdivision plats, as outlined and detailed in this: (A) Twelfth Amended and Restated Large Scale Master Planned Development Permit ("Permit") including the Exhibits hereto and those documents and items submitted by Permittee as aforesaid, as a Master Planned Development pursuant to the Master Planned Development provisions contained in the Code; and, (B) the Agreement dated July 12, 1978, between Park City, as "City", and Royal Street, as "Royal Street", as amended by an Amendment to Agreement dated May 29, 1978, a Second Amendment to Agreement dated April 3, 1980, a Third Amendment to Agreement dated August 21, 1980, as amended and restated in its entirety by a Fourth Amendment and Restatement of Agreement, a Fifth Amendment to Agreement dated May 17, 1984, and a Sixth Amendment to Agreement dated February 21, 1985, and all subsequent amendments, which are all incorporated herein by reference and which Agreement as so amended is herein referred to as the "Agreement", and as such Agreement may hereafter be further amended from time to time. Park City is hereinafter referred to in this Permit as "City".

A. Densities. For purposes of determining densities in the Project:

(1) Insofar as the following portions of the Project are concerned, the authorized densities shall be as follows:

Parcel Designation	Authorized Dwelling Units
Northwest Multi-Family (Fawn grove)	80
North Entrance Multi-Family (Pinnacle)	40
North Hillside Multi-Family (Pinnacle)	46
Southwest Multi-Family (Aspenwood)	30
Southwest Multi-Family (Courchevel)	13.5
Northwest Hillside Multi-Family (Daystar)	24
South Entrance Multi-Family (Stonebridge)	50
South Multi-Family (Lakeside)	60
West Multi-Family (Pine Inn and Trails End)	40
Total	383.5

For purposes of determining densities on the parcels designated in this Subparagraph (1), a single family home or an apartment containing two bedrooms or more constituted a dwelling

Unit, a one-bedroom apartment constituted one-half of a dwelling Unit, and a hotel room or lodge room constituted one-half of a dwelling Unit. The parcels in this subparagraph have all been developed as of the date hereof.

(2) Insofar as all portions of the Project other than the nine parcels containing 383.5 dwelling Units identified in Subparagraph A. (1) above are concerned, an apartment Unit containing one bedroom or more shall constitute a dwelling Unit and a hotel room or lodge room shall constitute one-half of a dwelling Unit.

(3) If approved in advance by Commission and Permittee, the owner of any development parcel in the Project shall have the right to have the densities permitted on said development parcel calculated in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) or in accordance with the Unit Equivalent formula contained in Section 10.12 of the Code, as said Unit Equivalent formula may from time to time be amended or modified. In the event of election of an owner to utilize said Unit Equivalent formula and approval thereof by Commission and Permittee, the maximum number of Unit Equivalents which may be contained in the structures built upon said development parcel shall not exceed the permitted number of dwelling Units to be constructed thereon determined in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) and the number of Unit Equivalents as constructed on said development parcel shall for all purposes hereof be deemed the number of units constructed thereon. Approval of use of the Unit Equivalent formula by Commission and Permittee shall not, and cannot, alter or release any private land use covenants between the owner and Deer Valley, or others, concerning development of the property or the density permitted thereon.

(4) Insofar as the following portions of the Project are concerned, the authorized densities, permitted on the development parcels are required to be calculated in accordance with the Unit Equivalent Formula contained in Section 10.12 of the Code as said Unit Equivalent formula may from time to time be amended or modified:

Parcel Designation	Authorized Unit Equivalents
Snow Park Village	209.75
Total	209.75

B. **Unit Size**. Except for units with relation to which the owner elected or elects to or is required to utilize the Unit Equivalent formula, there shall be no size limitation for Units constructed on any parcel provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

C. **Development Parcel Designations**. Development parcel designations, prescribed densities, parcel sizes, building height limitations (the height limitation for each parcel will be determined by reference to the Code in effect at time of application for approval of the development of the parcel) and the status of development of the parcels as of the date hereof are reflected on Exhibit 1. Permittee shall have the right to develop a total of 2,110 residential Units (exclusive of employee housing Units) within the Project. Permittee shall have the right to develop 209.75 Unit Equivalents within the Snow Park Village, subject to the conditions and

requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the following:

(1) Conditional Use Review. Prior to the sale by Permittee of the Snow Park Village, Permittee shall submit a site-specific plan with relation to such parcel to the Commission requesting approval for construction on the parcel. In addition, the Permittee shall request the establishment of building site conditions with relation to the parcel. Accordingly, Permittee or persons acting on its behalf shall file with the Community Development Department of City a completed application form supported by the information set forth in Section 15-6 of the Code, as the same may be amended from time to time. The procedure for the approval or disapproval of any site-specific plan shall be based upon the provisions of this Permit and the conditional use criteria of the Code in effect on the date of application. Components of the Project, other than land development parcels, are listed on Exhibits 2 and 3.

D. Subdivision of Development Parcels. Prior to the sale of any individual lots on any parcel listed on Exhibit 1 developed for residential use as a "subdivision" as defined by the City subdivision ordinance and state statute, the party electing to establish a subdivision on said parcel shall comply with all applicable provisions of the City subdivision ordinance in effect at the time of application. The procedure for the approval or disapproval of any subdivision application shall be based upon the procedure provided in the City subdivision ordinance in effect at the time of application.

Prior to the filing of a record of survey map and declaration of condominium to establish a condominium on any parcel listed on Exhibit 1, the party electing to establish a condominium shall comply with all applicable provisions of any City condominium ordinance in effect at the time of application. The procedure for the approval or disapproval of any condominium shall be based upon the Utah Code and any City condominium ordinance in effect at the time of application.

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

F. Relationship to National Standards. The provisions of the Code and any other applicable zoning and development ordinances including national standards with respect to engineering or building requirements as adopted by City, in effect in City on the date hereof, shall govern the development within the Project, except as otherwise provided herein.

G. Off-Street Parking. Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of the Project as is filed with City. For purposes of calculating required parking, the Project shall be deemed to be zoned Residential Development District (RD) Master Planned Developments (MPD). Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.

If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.

H. Commercial Space, Support Commercial, and Meeting Space. Exhibit 2 hereto lists commercial and support space allotted to the Project. The General Snow Park Commercial category is restricted in utilization within the Project to the following parcels in the Snow Park area:

Pine Inn Multi-Family Parcel
Snow Park Lodge Multi-Family Parcel (Black Diamond Lodge)
Snow Park Village (Combination of Snow Park Hotel Parcel and Snow Park Parking Area Parcel)
Snow Park Day Center Parcel

Utilization of portions of the General Snow Park Commercial category within any of the above listed parcels is subject to the specific approval of both Permittee and Commission.

In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of application.

I. Employee Housing. Permittee has been required to cause the development of 112 employee (affordable) housing units pursuant to prior editions of this Permit. Prior to the date of this Permit, Permittee has developed or caused to be developed units qualifying under the low and moderate income housing exception of the Code as follows:

Project Location	Number of Qualifying Units
A. Units in Deer Valley:	
Little Belle Manager Unit	1
Stag Lodge Manager Unit	1
Sterlingwood Manager Unit	1
Bald Eagle Caretaker Units	2
Mt. Cervin Manager Unit	1
Deer Valley Club Manager Unit	1
B. Units Other Than in Deer Valley:	
Parkside Apartments	42
Fireside Apartments / Condos	42
Washington Mill Apts.	8
Peace House	3
Aspen Villas / Silver Meadows (Participation)	9
Fawn grove Employee Unit	1
Total	112

Deer Valley shall be obligated to comply with all applicable ordinances of City relating to the creation and construction of employee housing, including ordinances that are adopted after the date of this Permit. Deer Valley will be given credit for the previously developed units

identified above when computing the employee housing obligation under applicable ordinances. The City acknowledges full satisfaction of Deer Valley's current obligation in the Employee Housing Agreement dated October 6, 1995 executed in conjunction with Deer Valley's contribution to the Silver Meadows project. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing employee / affordable housing units built by Deer Valley or persons acting on its behalf exceeds the number of units required by the new ordinance, credit shall be given against the ordinance imposed obligation, but in no event shall City be obligated to reimburse Deer Valley for any excess, or to permit the assignment of the excess to other parties with a similar employee housing requirement. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing units built by Deer Valley or those acting on its behalf falls short of the newly imposed ratio of employee units to conventional units, Deer Valley agrees to be bound by the provisions of the newly adopted ordinance; provided, however, that the new ordinance shall apply only to those Units on which site specific approval is granted after the adoption of the employee / affordable housing ordinance.

J. **Technical Reports**. Permittee shall submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by Commission as significant changes occur in those systems and as needed for specific project review as required by the Community Development Director and Public Works Director prior to density approval.

K. **Public Use of Ski Facilities**. Use of all ski facilities shall be open to the general public and shall not be restricted to owners of property located in Deer Valley or to members of any private club. Furthermore, all charges, fees and costs paid by the general public for the use of such facilities shall not exceed the charges, fees and costs paid by owners of property located in Deer Valley.

L. **Trails** .There are 4 types of trails in Deer Valley:

(1) Bicycle paths located within street rights-of-way;

(2) Pedestrian paths connecting parcels together within a community;

(3) Connecting paths connecting communities together; and

(4) Hiking trails to provide access to the mountain.

Bicycle paths shall be located within street rights-of-way dedicated to City and shall be operated and maintained by City as shown on the Deer Valley Trails Master Plan and the City Trails Master Plan.

Pedestrian paths shall be hard surfaced, a minimum of five feet wide, a maximum of six feet wide and built to public sidewalk specifications. These paths shall connect development parcels together and connect development parcels to commercial nodes. At the time of conditional use approval of a particular development parcel, the developer of said parcel shall provide a pedestrian path across said parcel connecting to the paths on the adjoining parcels. The location of these paths shall be determined by the parcel developer and by City staff with the Deer Valley Trails Master Plan used as a guide. The locations shall be modified as necessary to take into consideration topography and existing trails, and shall tie into the bus system which serves Deer Valley. These paths shall form a year-round system. Maintenance shall be the responsibility of the parcel owner. A 10 to 15 foot wide easement (easement size

shall be determined at the time of site specific conditional use approval) for each pedestrian path shall be dedicated to City and is required to be shown on the recorded plat for the applicable development parcel.

It is recognized by the parties that the property within the Deer Valley Resort is private property. Public access to ski runs is at the discretion of Permittee. Summer public access and non-destructive summer use which includes casual hiking on ski runs shall be allowed by Permittee subject to reasonable rules and regulations.

In the event that City in its sole discretion determines that City should hold any easements for hiking, City shall make a request that an easement be granted for any or all of the hiking trails that City desires to hold within or adjacent to ski runs shown on the Trails Master Plan. In the event that City obtains a formal agreement, City agrees to maintain such hiking trails, and Permittee will provide legal descriptions, signage and grant to City an easement (minimum of 10 feet to maximum of 15 feet wide) to maintain such hiking trails without hard surface and without winter maintenance. If City desires to upgrade the hiking trails beyond that which currently exists, City agrees to bear the cost of those improvements. The Trails Master Plan shall serve as a general guide in determining the final location of said hiking trails. In the event City obtains and holds formal easements for hiking trails, City shall indemnify and hold Permittee and its successors and assigns harmless from and against any loss, damage, injury or responsibility with relation to any such trail and any claims, demands or causes of action from any person resulting from injuries sustained while utilizing any hiking trails for which City has obtained and holds easements. Said public easement shall also be subject to such additional reasonable rules and regulations as Permittee deems appropriate to eliminate possible interference with the operation and maintenance of the ski resort, or in the interest of safety or security.

M. **Open Space**. With the exception of those parcels identified on Exhibit 1 and those areas and items listed on Exhibit 2 as "commercial and support space", all remaining property in the Project is hereby designated "landscaped open space" as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by City or permitted by the Code as presently in effect. The "landscaped open space" shall be maintained and operated by Permittee at Permittee's sole cost and expense.

N. **Fire Considerations**. All buildings or structures located within the Bald Eagle, Silver Lake, and North Silver Lake Communities shall be fire sprinkled in accordance with UBC 38-1-82.

O. **Water Improvements** .Permittee agrees that, as a condition of and concurrently with issuance to Permittee of a building permit for the construction of any buildings or structures comprising a portion of the Project, Permittee shall be obligated to agree in writing to construct and convey to City storage facilities, pumping facilities, and transmission lines, as agreed upon and approved by the Public Works Director and City Engineer at the time of issuance of said building permit, to the extent necessary to store and transmit culinary water, irrigation water, and water for fire flows to the buildings and structures covered by the building permit and to connect the same to the water system of City, and shall evidence to the satisfaction of City the ability of Permittee to comply with such agreements.

Permittee agrees that completion of the action required by this Section O with relation to any building or structure included in the Project shall be deemed a condition precedent to the

right to occupy and utilize the building or structure. Commission and Permittee agree that the general level of water facilities construction for the Project required by this Section O has been heretofore accomplished by Permittee.

The existing agreement relating to water rights and water facilities for Deer Valley development entered into November 17, 1988 between Permittee as "DVRC", Royal Street as "Royal Street", and City as "Park City" and the Deer Valley Water Facilities Improvement Agreement dated March 31, 1994 between City, Royal Street and Permittee (as "DVRC") and the Amendment to the 1994 Deer Valley Water Facilities Improvement Agreement dated May 12, 2006 between City as "Park City", Royal Street and Permittee (as "DVRC") are made a part of this Permit by reference.

P. **Sewer Considerations** .Although City has no responsibility for sewer approvals; the Snyderville Basin Sewer Improvement District has indicated the following with respect to sewerage in Deer Valley: Projected flow calculations are based on average wastewater flow from residential units and make no distinction regarding size. In other words, the Sewer District does not follow the "unit equivalent" concept as does City.

The Sewer District has previously reviewed both the Upper and Lower Deer Valley sewer systems and made the following comments: Upper System (American Flag / Silver Lake Community) - There are two sections of sewer within the American Flag Subdivision that limit upstream, new growth to approximately 325 additional residential units. There are several sections with only slightly greater capacity. This concern or limitation was eliminated by construction of a new sewer trunk line from Royal Street through the Westview Parcel in 1988. Lower System (Solamere, Queen Esther, Fawn grove) - A portion of the trunk sewer serving this area was replaced in 1985 to provide greater capacity for Hanover and Park Con projects as well as Deer Valley's. These three developers executed an agreement with the District which identified their anticipated development and the percentage of the cost they would fund to "reserve" capacity in the sewer system. Of the present sewer capacity of approximately 1385 units, Deer Valley has approximately 200 units available for future development. However, there are downstream sections of sewer that have less capacity than the new Deer Valley North Road sewer. This problem will be pursued with the developers as necessary.

Q. **Separability**. If any provision or provisions of this Permit shall be held or deemed to be, or shall, in fact, be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent, whatsoever.

R. **Term of Permit**. The term of this Permit is governed by the Twenty-Ninth Edition of the Land Management Code of Park City as revised as of April 1, 1993.

Approved this 30th day of November, 2016.

PARK CITY PLANNING COMMISSION

By _____

Planning Commission Chair

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belleterre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	18	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	0	0		59 (A)	0.35
Silver Lake Village Lot G	0	0		59 (A)	0.38
Silver Lake Village Lot H	0	0		59 (A)	0.44
Silver Lake Village Lot I (combination of Silver Lake Village lots F, G, H)	34.4215	38	13,14,15	59 (A)	1.17
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Cottages Single Family	11	11		28	7.06
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:
1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
2. One small unit was separately permitted in this project using .5 unit of density.
3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
10. The development density on these parcels is less than the original permitted density at the election of the developer.
11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.
13. Prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report. If Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance.
14. Building on Lot I shall be designed to be broken into more than one volumetric mass above final grade, exhibiting both horizontal and vertical articulation. Common underground parking is permitted.
15. The transfer of 0.4215 UE from Lot D to Lot I was approved by Planning Commission on November 30, 2016.

A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'.

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 2
COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO RESIDENTIAL	DEVELOPED	REMAINING
SNOW PARK LODGE	13807	26958		85578	126343		126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112		5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280		23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890		0	21890
SILVER LAKE LODGE	1200	29160		15790	46150		46150	0
EMPIRE LODGE (4)		22456		12544	35000		30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954	11968
NORTH SILVER LAKE COMMUNITY	8000			6525	14525		0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724		31724	0
TOTAL	75959	78574	20265	174391	349189		295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee. 18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf).
Remainder of Silver Lake Community commercial consists of:

Developed Space:	
Royal Plaza	14312
Mt. Cervin Plaza	8080
Goldener Hirsch Inn	2062 (see note #5)
Chateaux at Silver Lake	7500
Total	31954
Transferred to Royal Plaza Residential	1243
Allocated but Undeveloped Space:	
Silver Lake Village Lot C	7000
Remainder Unallocated	4968
Total	45165

(3) Includes kitchen, receiving and storage.
(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.
(5) Commercial uses on Silver Lake Village Lot D includes 2,062 sf as allocated from this Amended and Restated Large Scale MPD, plus support commercial uses.

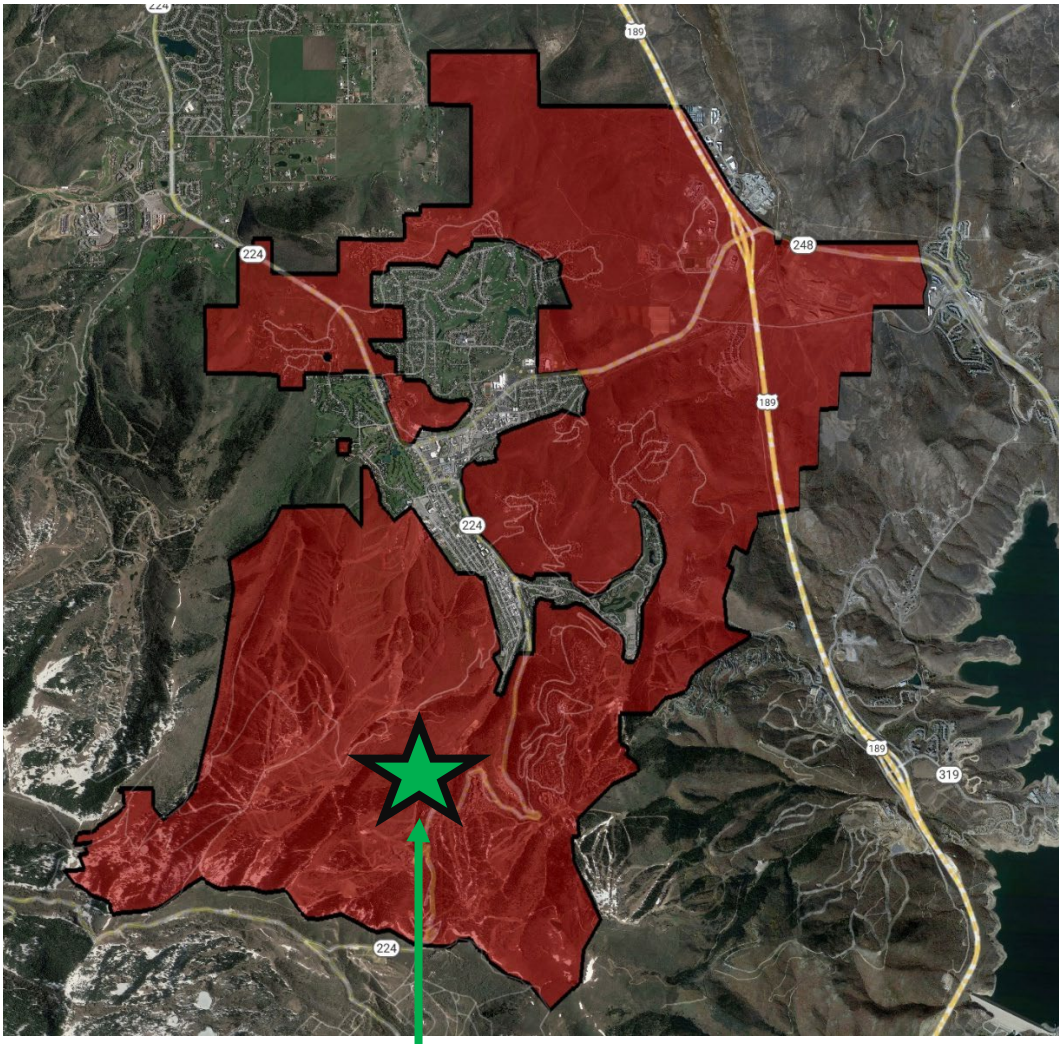
DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 3
OTHER PROJECT COMPONENTS

ITEM	WITHIN PARK CITY	OUTSIDE PARK CITY
SKI AREA (1)		
CHAIRLIFTS	15	5
GONDOLA		1
SKI TRAILS AND BOWLS	63	34
SNOWMAKING	X	X
SKI PATROL / UTILITY STATIONS:		
BALD EAGLE MTN.	X	
BALD MTN.	X	
FLAGSTAFF MTN.	X	
LITTLE BALDY		X
JORDANELLE BASE		X
EMPIRE CANYON	X	
AMENITIES		
SNOW PARK LAKES & MEADOWS	X	
SNOW PARK PARKING LOTS	X	
PEDESTRIAN TRAIL SYSTEM	X	X
MOUNTAIN BIKING TRAILS SYSTEM	X	X
SOLAMERE SWIM & TENNIS FACILITY	X	
SNOWSHOE TOMMYS CABIN	X	
CUSHINGS CABIN	X	
BIRDSEYE CABIN	X	
JORDANELLE BASE		X
SNOW PARK CONCERT AMPHITHEATRE	X	

(1) ADDITIONAL SKI AREA FACILITIES AS DEMAND DICTATES, SUBJECT TO PROVISIONS OF PARK CITY LAND MANAGEMENT CODE AND OTHER APPLICABLE JURISDICTIONS.

Park City Surveying
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 fax

Park City Municipal's Sensitive Lands Overlay
Municipal code 15-2.21-3



SITE

Source for this KML: Park City Municipal GIS staff.

This being an existing constructed subdivision with existing homes, streets, trails and ski runs, developer studies and reports were submitted as part of the preliminary and final approval of the subdivision. Therefore, an SLO analysis is not entirely needed. However, in the spirit of good faith, we are submitting an SLO analysis for this Plat Amendment.

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Chapter 2.21.3 Sensitive Lands Overlay Zone – Ordinance Provisions

PURPOSE: The purpose of the Sensitive Land overlay (SLO) is to:

A. Require dedicated open space in aesthetically and environmentally sensitive Areas

B. Encourage preservation of large expanses of open space and wildlife habitat

C. Cluster development while allowing a reasonable use of property

D. Prohibit development on ridge line areas, steep slopes, and wetlands

E. Protect and preserve Environmentally sensitive land.

(*Amended by Ord. No. 07-81)*

OVERLAY REVIEW PROCESS: The overlay review process has four primary steps:

1. SENSITIVE LAND ANALYSIS

Applicants for development within the SLO must identify the property's sensitive environmental and aesthetic areas such as steep slopes, ridge line areas, wetlands, stream corridors, wild land interface, and wildlife habitat areas and provide at time of application a sensitive land analysis.

2. APPLICATION OF OVERLAY ZONE REGULATIONS

Regulatory standards apply to the type of sensitive land delineated.

3. SITE DEVELOPMENT SUITABILITY DETERMINATION

Staff shall review the sensitive land analysis, apply the applicable sensitive land overlay regulations, Section 15-2.21-4 through 15-2.21-9, and shall prepare a report to the applicant and the Planning Commission identifying those areas suitable for development as developable land.

4. HARDSHIP RELIEF

If the Applicant demonstrates that the regulations PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 2.21 Sensitive Land Overlay Zone (SLO) Regulations 15-2.21-2 would deny all reasonable use of the property, the Planning Commission may modify application of these regulations to provide the applicant reasonable use of the property.

(Amended by Ord. No. 07-81)

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SENSITIVE LAND ANALYSIS:

1. Visual Assessment

A visual assessment of the Property from Vantage Points designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

2. Slope/Topographic Map

A slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight area of high geologic hazard, areas subject to land sliding, and all significant steep slopes in the following categories: greater than 15%, greater than 30%, and very steep slopes greater than 40%.

3. For properties with steep slopes or with very steep slopes within fifty feet (50') of the property, the following are also required:

SOIL INVESTIGATION REPORT. A soil investigation report, including but not limited to shrink-swell potential water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.

GEOTECHNICAL REPORT. A geotechnical report which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high-hazard Areas such as mine shafts and avalanche paths.

ADDITIONAL SLOPE INFORMATION. A Slope/topographic map depicting contours at an interval of two feet (2').

4. Ridge Line Area

A map depicting all crests of hills and ridge line areas.

5. Vegetative Cover

A detailed map of vegetative cover, depicting the following: deciduous trees, coniferous trees, gamble oak or high shrub and sage, grassland, and agricultural crops.

The Planning Department may require a more detailed tree/ vegetation survey if the site has unusual or significant vegetation, stand of trees, or woodlands.

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6. Designated Entry Corridors and Vantage Points

Designated entry corridors and vantage points present within or adjacent to the site, including Utah highway-248 east of Wyatt Earp Way and Utah highway-224 north Holiday Ranch.

7. Wetlands

A map delineating all wetlands established by using the 1987 Federal Manual for identifying and Delineating Jurisdictional Wetlands, as amended. See Section 15-2.21-6.

8. Stream Corridors, Canals, and Irrigation Ditches

A map delineating all stream corridors, canals, and irrigation ditches, defined by the Ordinary High-Water Mark.

9. Wildlife Habitat Areas

A map depicting all wildlife habitat areas, as defined by the wildlife habitat report shall be provided by the applicant. The wildlife habitat report shall be prepared by a professional, qualified in the areas of ecology, wildlife biology, or other relevant disciplines.

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(435)649-2918
(435)649-4637 fax

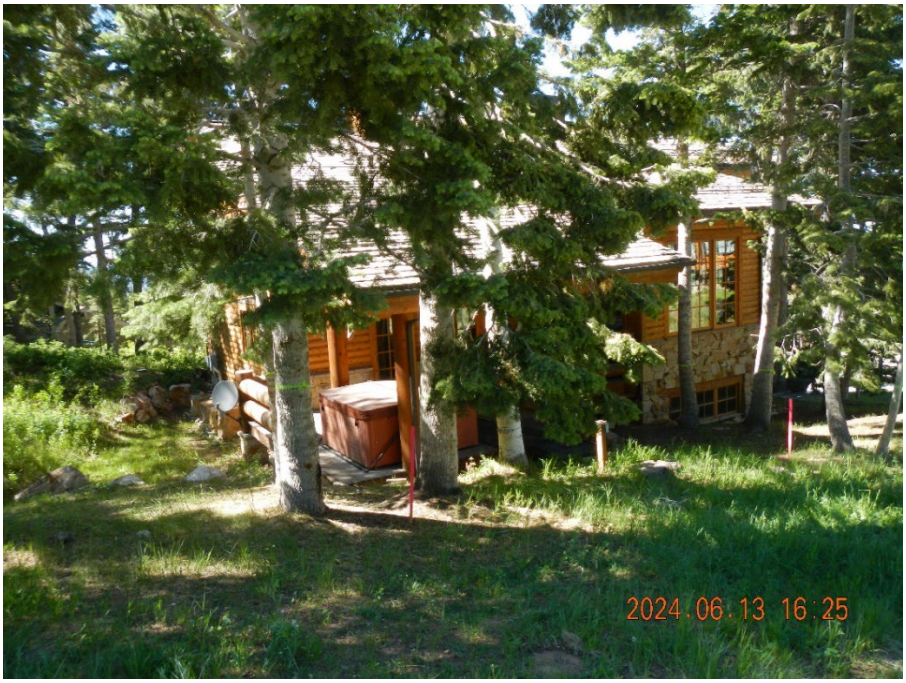
1. Visual Assessment

This is an existing conditions photo of the property showing trees and foliage covering the property. Additional photos are included in the Plat Amendment submittal documents.

Front of property



Rear of property



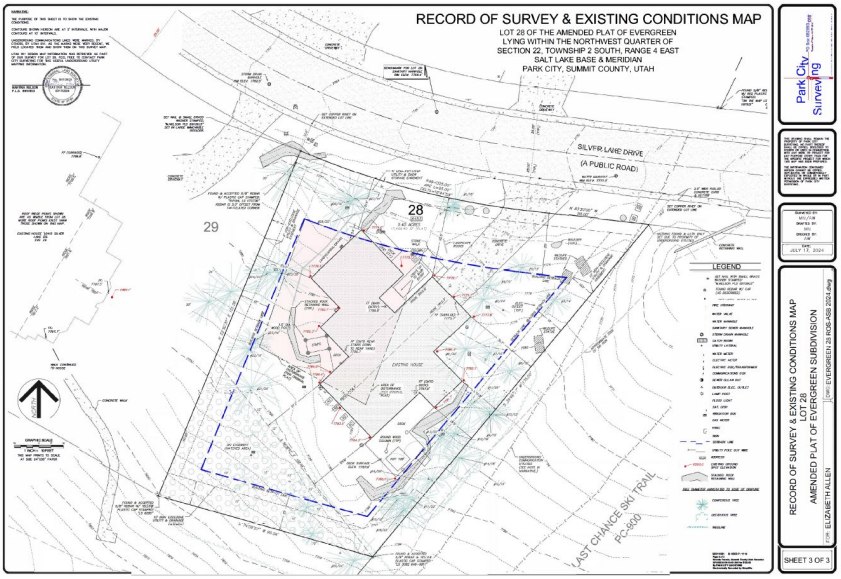
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2. SLOPE/TOPOGRAPHY MAPS

This property is adjacent to ski runs in the Deer Valley Resort. The full side Topography & Slope Analysis maps are included in the Plat Amendment submittal documents.

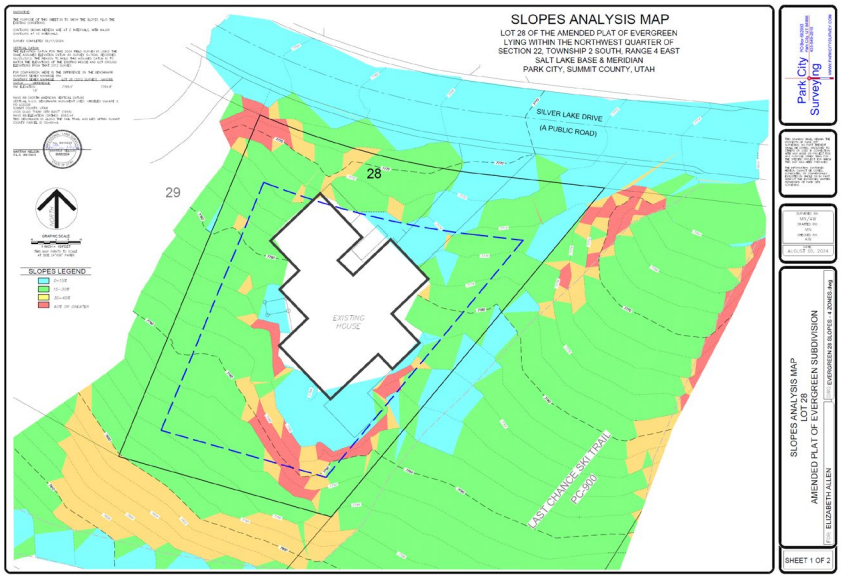
2a. BOUNDARY SURVEY & EXISTING CONDITIONS Map dated July 17, 2024.

This is page 3 of the 3-page survey.



2b. SLOPES ANALYSIS MAP dated 08/05/2024.

(Two-foot contours from field survey dated 07/17/2024.)
Except for the Southeast corner of Lot 28, the steep slopes on the property are man-made, likely having occurred during original construction.



See attached Appendix 1a & 1b for full maps.

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3. For properties with steep slopes or with very steep slopes within fifty feet (50') of the property, the following are also required:

SOIL INVESTIGATION REPORT. This being an existing constructed subdivision with existing homes, streets, trails and ski runs, a Soil Investigation Report was submitted as part of the preliminary and final approval of the subdivision. No additional soil information will be provided for this Plat Amendment request.

GEOTECHNICAL REPORT. This being an existing constructed subdivision with existing homes, streets, trails and ski runs, a Geotechnical Report was submitted as part of the preliminary and final approval of the subdivision. No additional Geotechnical studies are deemed necessary.

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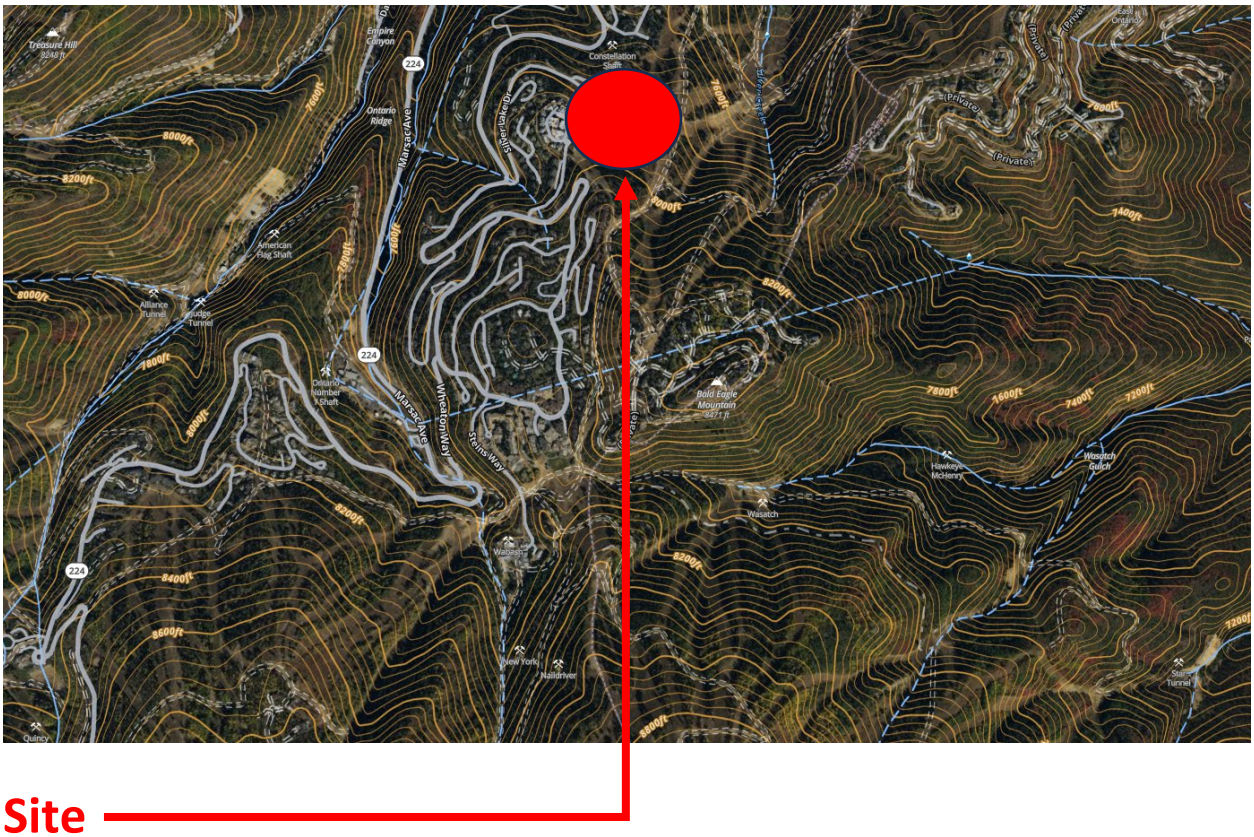
4. RIDGE LINE AREA

Evergreen Lot 28, as part of the existing Evergreen Subdivision, is not protruding, nor is it near any ridgelines and thus doesn't impact any ridgeline views. No additional ridgeline information is deemed necessary. The house was constructed in 1991 with a building permit issued by Park City.

A field survey was performed by Park City Surveying in the summer of 2024, and found the subject property exists between 7770 feet and 7810 feet.

For comparison, Bald Eagle Mountain is approximately 8471'
Source: https://raster.utah.gov/

The thin, blue dashed lines represent creeks/drainages on this map.



Site

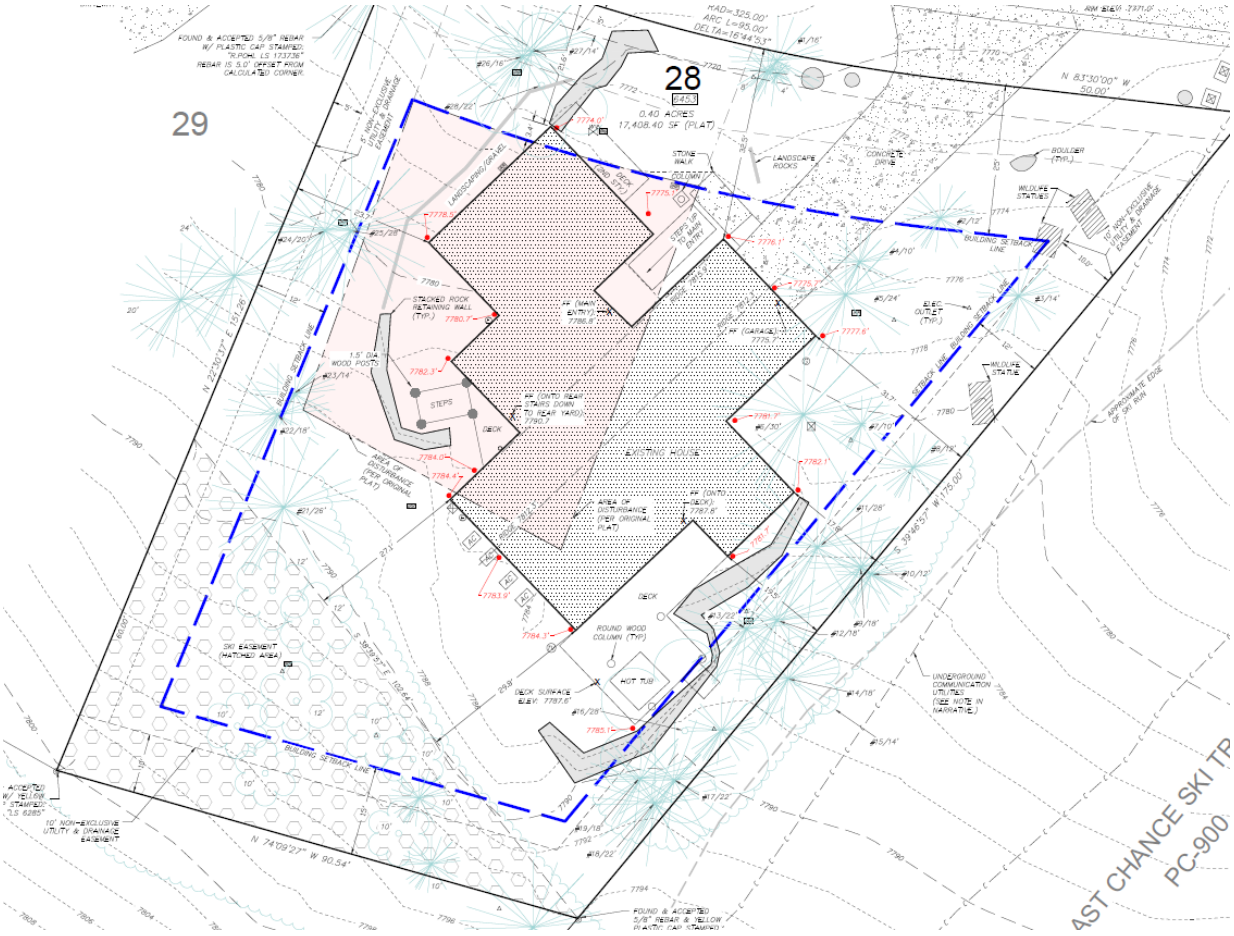
Source: https://webmap.onxmaps.com/hunt/map#14.24/40.62513/-111.48192

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5. VEGETATIVE COVER

This property is populated with deciduous and coniferous trees.

- Park City Surveying did an extensive field survey, physically locating individual trees within and adjacent to Lot 28. The method used was per Park City Municipal standard for SLO work, trees with a trunk of 6 inches or larger, measured at 4 ½ above the ground. The trees are labelled in the field and correspond to sheet 3 of the Field Survey Map.
- LMC 15-1-1 Definitions, definition:
  SIGNIFICANT VEGETATION. Includes all large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, all groves of small trees, and all clumps of oak or maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.
- Sheet 3 of 3 of the Existing Conditions Survey shows the tree locations.



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This Google Earth image shows Lot 28 in relationship to the surrounding homes, roadways and ski runs.



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6. DESIGNATED ENTRY CORRIDORS AND VANTAGE POINTS

Not Applicable.

This property is not near any of the designated Park City Municipal vantage points, including:

-McPolin Barn (3000 S.R. 224)
-Park City School District Campus
-Intersection of Main Street and Heber Avenue
-Park City Ski Area Base
-Snow Park Lodge
-Intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue
-Park Meadows Golf Course Clubhouse
-S.R. 248 at the turn-out one quarter mile west from HWY 40
-S.R. 224, one-half mile south of the intersection with Ute Boulevard
-The intersection of S.R. 224 and Holiday Ranch Loop Road
-The intersection of Queen Esther Drive and Deer Valley Drive
-City Hall (445 Marsac Avenue)
-The roundabout at the Park City Hospital (900 Round Valley Drive)
-The intersection of the Rail Trail and Richardson Flat Road
-Additional Vantage Points established on a case-by-case basis for evaluation of project impacts on designated Ridge Line Areas

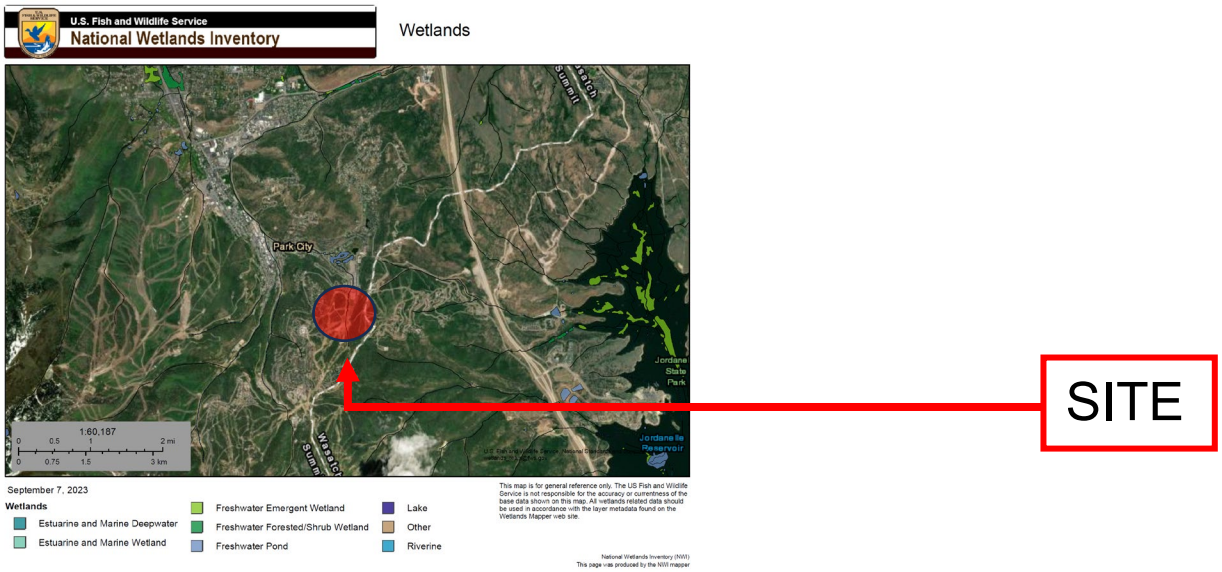
Source: LMC 15-2.21-3 (6)

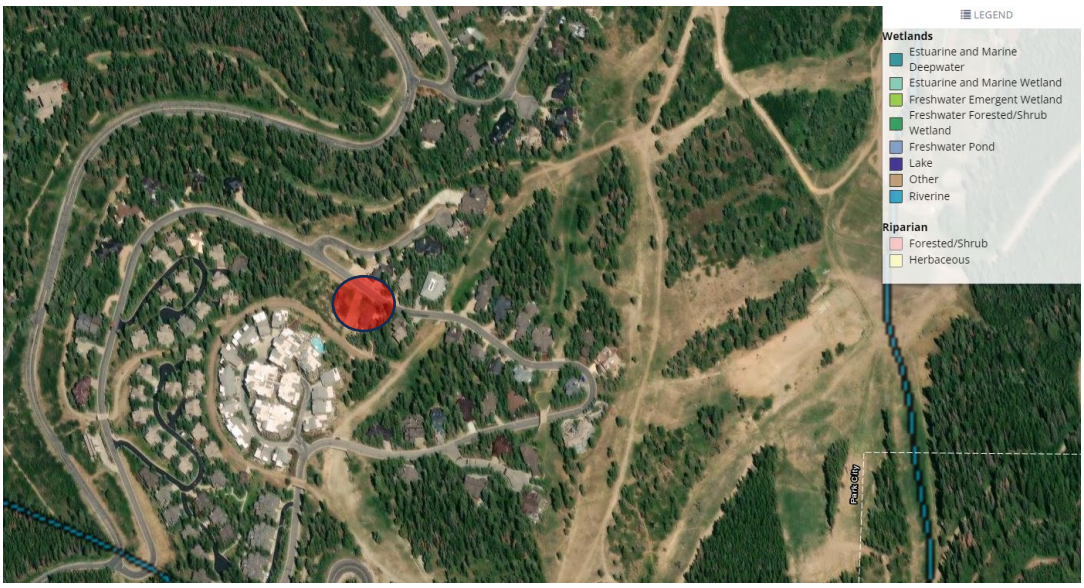
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7. WETLANDS

This property contains no known wetlands, using the US Fish & Wildlife's Wetlands Mapper tool. These maps are not official water delineation maps and are specifically used as a visual aide to assess whether the subject property is affected by any designated wetlands.

Evergreen Lot 28 is on the side of a mountain. Wetlands studies were provided as part of the Evergreen Subdivision preliminary and final applications and approvals. There are no wetlands in this area. No additional wetlands studies are deemed necessary for this plat amendment.





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8. STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES

See Wetland maps (previous page).

Subject property is not affected by any designated streams, canals, or irrigation ditches.

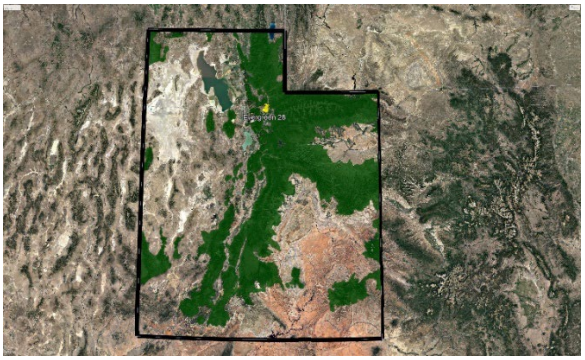
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8. WILDLIFE HABITAT AREAS

Source: https://dwr-data-utahdnr.hub.arcgis.com/

Evergreen Lot 28 is part of an existing subdivision and has had all necessary wildlife habitat studies performed as part of the preliminary and final subdivision applications and approvals. There are no changes to the property that will affect existing wildlife in this area of Deer Valley. No additional wildlife studies are provided for this plat amendment. However, in the interest of transparency, below are wildlife habitat areas using State of Utah wildlife data.

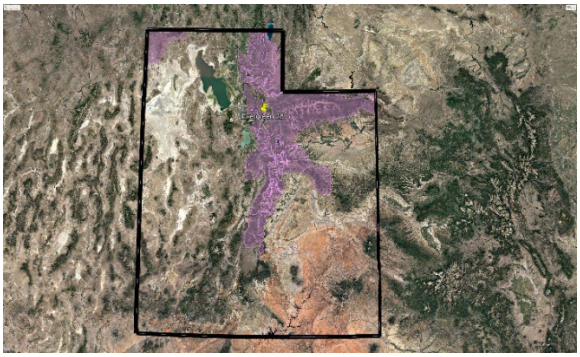
ELK HABITAT



A representation of Rocky Mountain elk current distribution, season of habitat use, and habitat value.

Rocky Mountain elk distribution, season of habitat use, and habitat values are determined by local wildlife biologist relying on observations, surveys, and radio/satellite data. For use in large-scale planning and reporting.

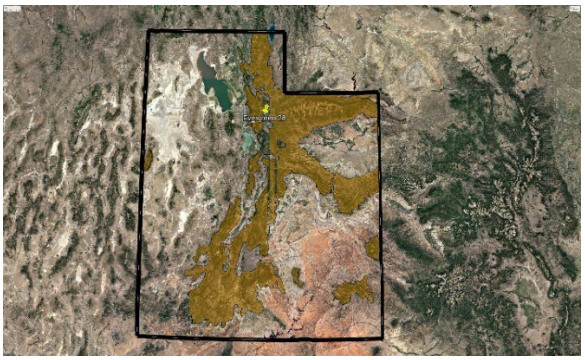
MOOSE HABITAT



A representation of moose current distribution, season of habitat use, and habitat value.

Moose distribution, season of habitat use, and habitat values are determined by local wildlife biologist relying on observations, surveys, and radio/satellite data and reporting.

BLACK BEAR HABITAT

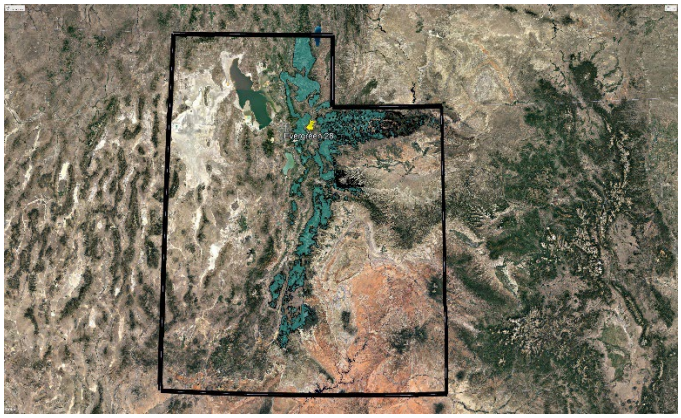


A representation of black bear current distribution, season of habitat use, and habitat value. This feature class has been simplified for web services.

Black bear distribution, season of habitat use, and habitat values are determined by local wildlife biologist relying on observations, surveys, and radio/satellite data. For use in large-scale planning and reporting.

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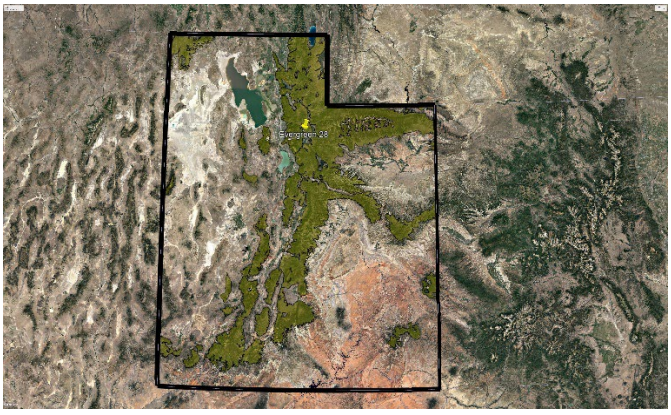
SNOWSHOE HARE HABITAT



A representation of snowshoe hare current distribution, season of habitat use, and habitat value. This feature class has been simplified for web services.

Snowshoe hare distribution, season of habitat use, and habitat values are determined by local wildlife biologist relying on observations, surveys, and radio/satellite data. For use in large-scale planning and reporting.

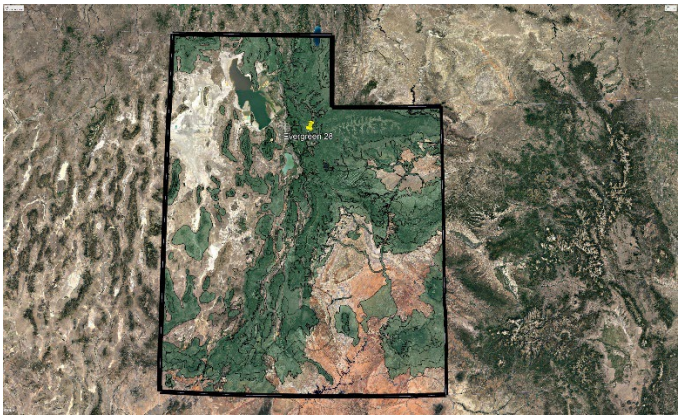
DUSKY GROUSE HABITAT



A representation of dusky grouse current distribution, season of habitat use, and habitat value. This feature class has been simplified for web services.

Dusky grouse distribution, season of habitat use, and habitat values are determined by local wildlife biologist relying on observations, surveys, and radio/satellite data. For use in large-scale planning and reporting.

MULE DEER HABITAT



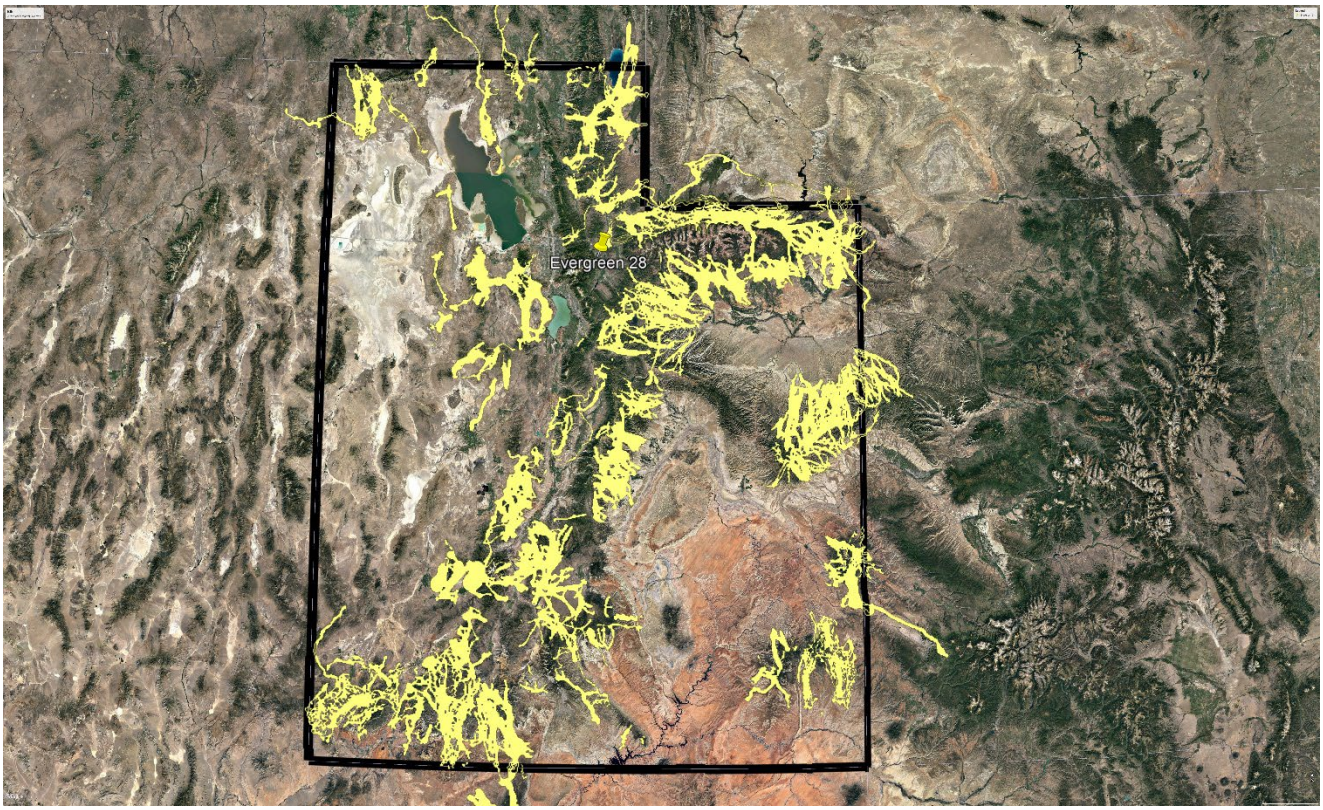
A representation of mule deer current distribution, season of habitat use, and habitat value. This feature class has been simplified for web services.

Mule deer distribution, season of habitat use, and habitat values are determined by local wildlife biologist relying on observations, surveys, and radio/satellite data. For use in large-scale planning and reporting.

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MIGRATION CORRIDORS

These data represent the DWR edited version of statistically based polygons derived from GPS collared data on animals migrating in Utah from 2016 - 2021. The GPS data were analyzed using the Brownian Bridge Movement Model (BBMM), which produced polygons based on an animal's movement path from data recorded at brief intervals. This model understands that location points are connected to each other in time.



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Additional Information and Study Requirements

1. Fire Protection Report

Evergreen Lot 28, as part of the existing Evergreen Subdivision, has had all necessary fire protection studies performed as part of the preliminary and final subdivision applications and approvals. No additional fire protection studies are deemed necessary for this plat amendment.

2. Hydrological Report

Evergreen Lot 28, as part of the existing Evergreen Subdivision, has had all necessary hydrological studies performed as part of the preliminary and final subdivision applications and approvals. No additional groundwater levels, drainage channels and systems or base flood elevation studies are deemed necessary for this plat amendment.

CONCLUSION

Since Evergreen Lot 28 is part of the existing Evergreen Subdivision, which is a fully approved and constructed subdivision, most of the items in this required Sensitive Lands Analysis were previously submitted as part of the preliminary and final approval applications or are not applicable for this proposed Plat Amendment process with Park City.

The house on the property was built in 1991 with a building permit issued by Park City. No additional findings as part of the proposed plat amendment contradict the original approvals for the subdivision.

Sincerely,



August 05, 2024

Martina Nelson, PLS
Park City Surveying
PO Box 682993
Park City, UT 84068

Email: martina@pcsurveying.com

Ordinance No. 95-17

AN ORDINANCE APPROVING A PLAT AMENDMENT TO THE EVERGREEN SUBDIVISION AREA OF DISTURBANCE IN PARK CITY, UTAH

WHEREAS, Park City, in cooperation with the Evergreen Subdivision Architectural Committee, petitioned the Planning Commission for approval of a plat amendment to the Evergreen Subdivision Area of Disturbance; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on March 22, 1995; and

WHEREAS, on March 22, 1995, the Planning Commission approved the plat amendment described below;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the plat amendment and neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT AMENDMENT APPROVAL. The Evergreen Subdivision Plat Area of Disturbance is hereby amended by adding the following language:

> **Note: The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee.**

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 27th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

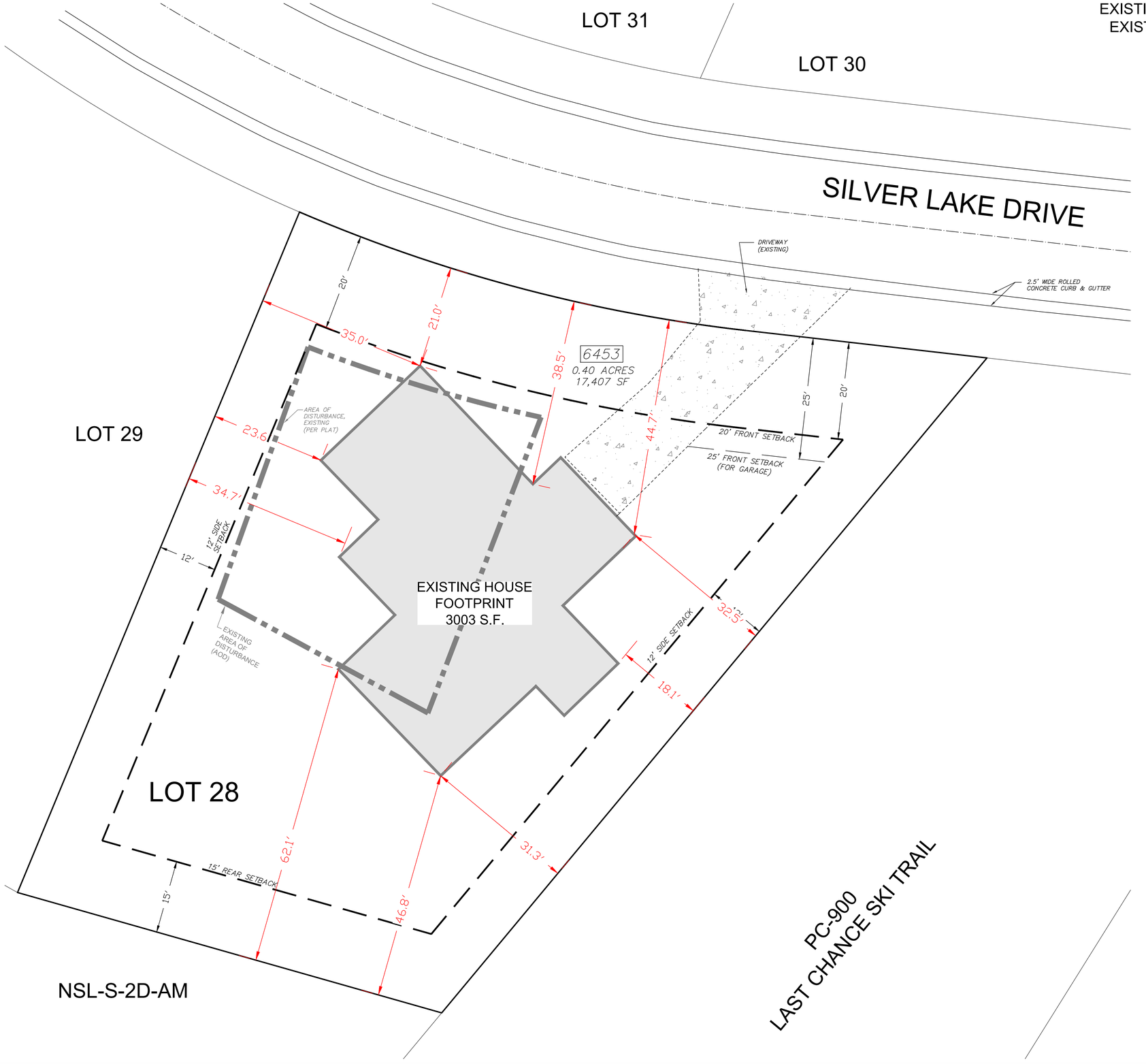
Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

EVERGREEN LOT 28 EXHIBIT MAP

EXISTING BUILDING FOOTPRINT AND
EXISTING AREA OF DISTURBANCE





GRAPHIC SCALE
10 0 5 10
1 INCH = 10FEET
THIS MAP PRINTS TO SCALE
AT SIZE 24"X36" PAPER

NARRATIVE:

THE PURPOSE OF THESE EXHIBIT MAPS IS TO SHOW THE EXISTING AND PROPOSED CONDITIONS FOR EVERGREEN LOT 28.

TOTAL LOT AREA
17,407 SF
0.40 ACRES

BUILDING FOOTPRINT: NOT INCLUDING DECKS
EXISTING 3003 SF

AREA OF DISTURBANCE
EXISTING (PLAT OF RECORD) 2919 SF

LEGEND

BUILDING FOOTPRINT – EXISTING

A.O.D. PER PLAT OF RECORD

18.0' BUILDING EXISTING TO PROPERTY LINE

18.0' BUILDING SETBACK DISTANCE

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Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

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DRAFTED BY: MN
CHECKED BY: MN
DATE: JANUARY 11, 2025

EVERGREEN LOT 28 EXHIBIT MAP
EXISTING AND PROPOSED BUILDING AREAS
EVERGREEN AMENDED SUBDIVISION

DWG: EVERGREEN 28 BLDG NEW Exhibit.dwg

FOR: ELIZABETH ALLEN

SHEET 1 OF 6

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EVERGREEN LOT 28 EXHIBIT MAP

PROPOSED FOOTPRINT AREAS



NORTH

GRAPHIC SCALE

10 0 5 10

1 INCH = 10FEET

THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

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TOTAL LOT AREA
17,407 SF
0.40 ACRES

BUILDING FOOTPRINT: NOT INCLUDING DECKS	
EXISTING	3003 SF
PROPOSED ADDITIONAL (COMBINED)	2258 SF
TOTAL FOOTPRINT	5261 SF
INCREASE:	32%

LEGEND

- BUILDING FOOTPRINT – EXISTING
- BUILDING FOOTPRINT – PROPOSED
- DRIVEWAY – PROPOSED
- 18.0' BUILDING SETBACK DISTANCE

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DRAFTED BY: MN
CHECKED BY: MN
DATE: JANUARY 11, 2025

EVERGREEN LOT 28 EXHIBIT MAP
EXISTING AND PROPOSED BUILDING AREAS
EVERGREEN AMENDED SUBDIVISION

FOR: ELIZABETH ALLEN

DWG: EVERGREEN 28 BLDG NEW Exhibit.dwg

SHEET 2 OF 6

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EVERGREEN LOT 28 EXHIBIT MAP

EXISTING & PROPOSED BUILDING FOOTPRINT
DIMENSIONS ARE TO PROPERTY LINES



NORTH

GRAPHIC SCALE
10 0 5 10
1 INCH = 10FEET
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TOTAL LOT AREA
17,407 SF
0.40 ACRES

BUILDING FOOTPRINT: NOT INCLUDING DECKS

EXISTING	3003 SF
PROPOSED ADDITIONAL (COMBINED)	2258 SF
TOTAL FOOTPRINT	5261 SF
INCREASE:	32%

LEGEND

- BUILDING FOOTPRINT – EXISTING
- BUILDING FOOTPRINT – ADDITION
- 18.0' BUILDING EXISTING TO PROPERTY LINE
- 18.0' BUILDING NEW (PROPOSED) TO PROPERTY LINE
- 18.0' BUILDING SETBACK DISTANCE

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SURVEYED BY: MN/AW
DRAFTED BY: MN
CHECKED BY: MN
DATE: JANUARY 11, 2025

EVERGREEN LOT 28 EXHIBIT MAP
EXISTING AND PROPOSED BUILDING AREAS
EVERGREEN AMENDED SUBDIVISION

DWG: EVERGREEN 28 BLDG NEW Exhibit.dwg

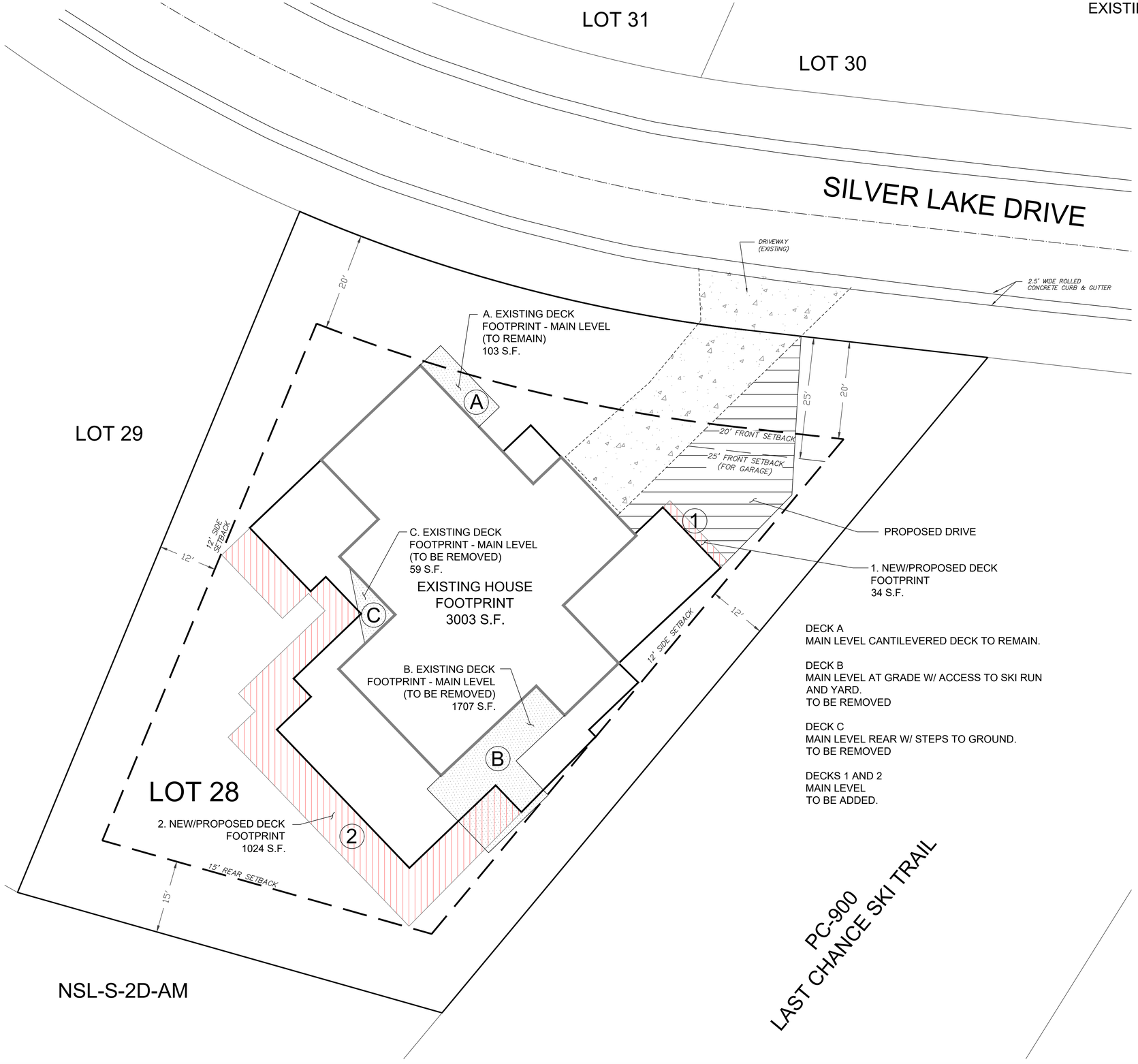
FOR: ELIZABETH ALLEN

SHEET 3 OF 6

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EVERGREEN LOT 28 EXHIBIT MAP

EXISTING AND PROPOSED DECK AREAS



DECK A
MAIN LEVEL CANTILEVERED DECK TO REMAIN.

DECK B
MAIN LEVEL AT GRADE W/ ACCESS TO SKI RUN AND YARD.
TO BE REMOVED

DECK C
MAIN LEVEL REAR W/ STEPS TO GROUND.
TO BE REMOVED

DECKS 1 AND 2
MAIN LEVEL
TO BE ADDED.

NORTH

GRAPHIC SCALE
10 0 5 10
1 INCH = 10FEET
THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

NARRATIVE:

THE PURPOSE OF THESE EXHIBIT MAPS IS TO SHOW THE EXISTING AND PROPOSED CONDITIONS FOR EVERGREEN LOT 28.

TOTAL LOT AREA
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0.40 ACRES

BUILDING FOOTPRINT: NOT INCLUDING DECKS	
EXISTING	3003 SF
PROPOSED ADDITIONAL (COMBINED)	2258 SF
TOTAL FOOTPRINT	5261 SF
INCREASE:	32%

DECK FOOTPRINTS	
EXISTING DECKS	585 SF
PROPOSED ADDITIONAL DECKS	1058 SF
NET INCREASE	198%

LEGEND

- BUILDING DECK – EXISTING
- BUILDING DECK – PROPOSED
- DRIVEWAY – PROPOSED
- 18.0' BUILDING SETBACK DISTANCE

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SURVEYED BY: MN/AW
DRAFTED BY: MN
CHECKED BY: MN
DATE: JANUARY 11, 2025

EVERGREEN LOT 28 EXHIBIT MAP
EXISTING AND PROPOSED BUILDING AREAS
EVERGREEN AMENDED SUBDIVISION

DWG: EVERGREEN 28 BLDG NEW Exhibit.dwg

FOR: ELIZABETH ALLEN

SHEET 4 OF 6

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EVERGREEN LOT 28 EXHIBIT MAP

EXISTING AND PROPOSED BUILDING AREAS WITH
EXISTING & PROPOSED AREA OF DISTURBANCE



NORTH

GRAPHIC SCALE
10 0 5 10
1 INCH = 10FEET
THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

NARRATIVE:

THE PURPOSE OF THESE EXHIBIT MAPS IS TO SHOW THE EXISTING AND PROPOSED CONDITIONS FOR EVERGREEN LOT 28.

TOTAL LOT AREA
17,407 SF
0.40 ACRES

BUILDING FOOTPRINT: NOT INCLUDING DECKS	
EXISTING	3003 SF
PROPOSED ADDITIONAL (COMBINED)	2258 SF
TOTAL FOOTPRINT	5261 SF
INCREASE:	32%

DECK FOOTPRINTS	
EXISTING DECKS	585 SF
PROPOSED ADDITIONAL DECKS	1058 SF
NET INCREASE	198%

AREA OF DISTURBANCE	
EXISTING (PLAT OF RECORD)	2919 SF
PROPOSED (VIA PLAT AMENDMENT)	6416 SF
INCREASE:	45%

LEGEND

- A.O.D. PER PLAT OF RECORD
- A.O.D. PROPOSED
- BUILDING FOOTPRINT – PROPOSED TOTAL
- SKI EASEMENT
- DRIVEWAY – PROPOSED
- 18.0' BUILDING SETBACK DISTANCE

Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

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DRAFTED BY: MN
CHECKED BY: MN
DATE: JANUARY 11, 2025

EVERGREEN LOT 28 EXHIBIT MAP
EXISTING AND PROPOSED BUILDING AREAS
EVERGREEN AMENDED SUBDIVISION

DWG: EVERGREEN 28 BLDG NEW Exhibit.dwg

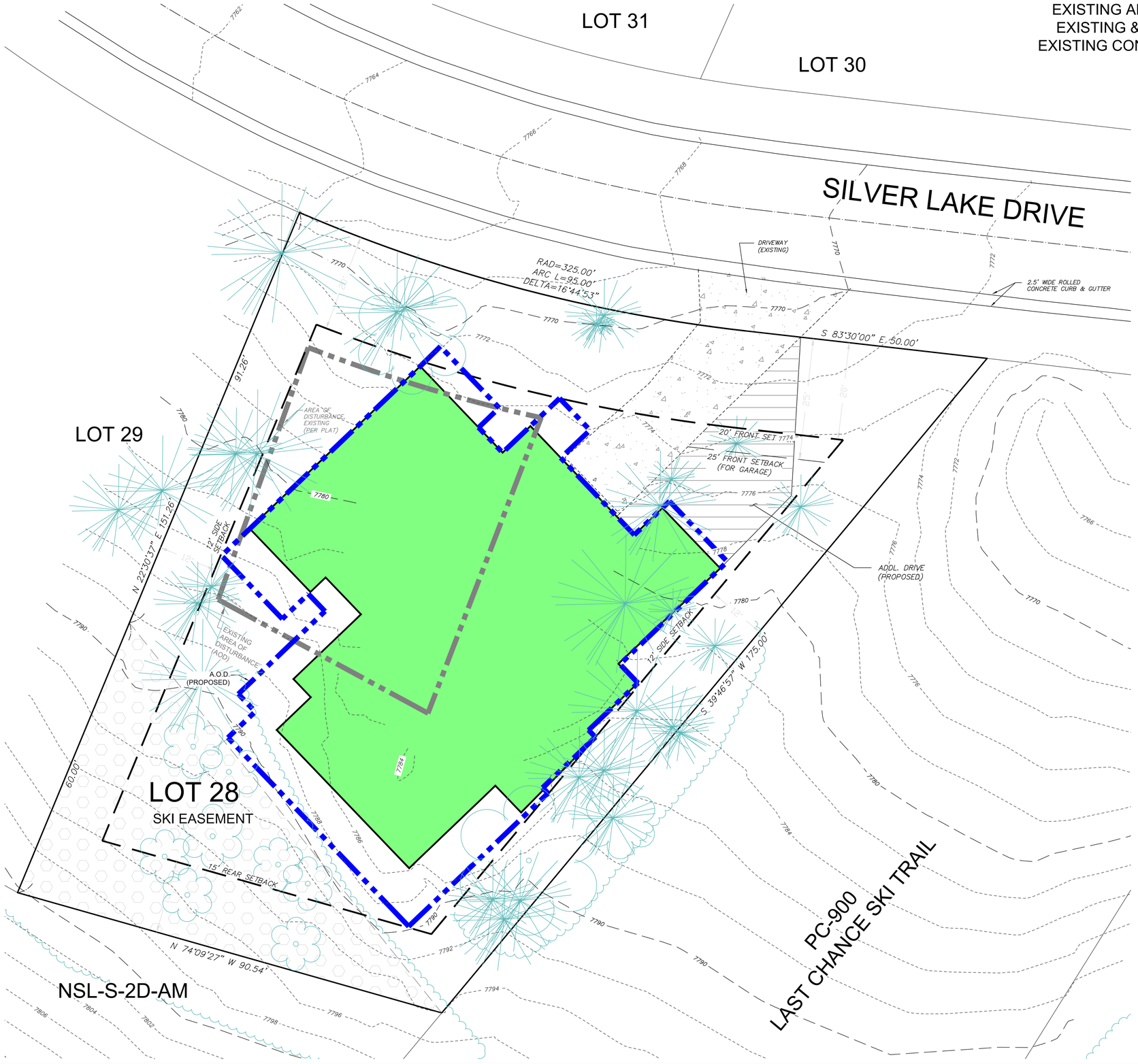
FOR: ELIZABETH ALLEN

SHEET 5 OF 6

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EVERGREEN LOT 28 EXHIBIT MAP

EXISTING AND PROPOSED BUILDING AREAS WITH EXISTING & PROPOSED AREA OF DISTURBANCE, EXISTING CONTOURS AND SIGNIFICANT VEGETATION





GRAPHIC SCALE

10 0 5 10

1 INCH = 10 FEET

THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER

NARRATIVE:

THE PURPOSE OF THESE EXHIBIT MAPS IS TO SHOW THE EXISTING AND PROPOSED CONDITIONS FOR EVERGREEN LOT 28.

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TREE DIAMETER ANNOTATED TO EDGE OF DRIPLINE

- CONIFEROUS TREE
- DECIDUOUS TREE
- TREELINE

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CHECKED BY: MN
DATE: APRIL 30, 2025

EVERGREEN LOT 28 EXHIBIT MAP
EXISTING AND PROPOSED BUILDING AREAS
EVERGREEN AMENDED SUBDIVISION

DWG: EVERGREEN 28 BLDG NEW Exhibit.dwg

FOR: ELIZABETH ALLEN

SHEET 6 OF 6

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Low Stump Tree Service
3560 Beaver Creek Rd
Kamas, UT 84036

Patricia Xavier
Certified Arborist UT-4670A
Certified in Tree Risk Assessment

LOW STUMP TREE SERVICE

Evergreen Lot 28
6453 Silver Lake Dr
Park City, UT 84060

Arborist Consultation: Sensitive Lands Overlay

Assignment: To provide notes in regards to the current and future health of trees on requested property to coincide with Sensitive Lands Overlay (SLO) required for permitting process. This will include the following:

- Species present
- Percentage of species and maturity levels
- Present pest and disease
- Future potential pest and disease
- Future stressors on tree landscape based on construction
- Any other requested information on a case by case basis

Species of Trees on Property

Deciduous

1. Quaking Aspen (*Populus tremuloides)*
2. Bigtooth Maple *(Acer grandidentatum Nutt.)*

Conifer

3. White Fir (*Abies concolor*) *Pseudotsuga menziesii Franco)*
4. Douglas Fir (*Pseudotsuga menziesii Franco*)

Percentage Breakdown and Maturity Levels (28 Marked Trees in LOD)
(this is approximate and can change overtime based on germination and new growth)

1. Conifer: (89%)
    a. 20/25 are White Fir species and 5/25 are Douglas firs. Located on all aspects of the property
    b. Very few landscaped trees appear to be planted, if so they were chosen based on the surrounding forest and stuck with native species.
    c. Diameter ranges from 6”-29”
    d. Largest trees (2) measure at 29” diameter

2. Deciduous: (11%)
    a. Quaking Aspen
        i. 3/28 trees marked are aspens ranging from 5”-14” diameter
    b. Bigtooth Maple
        i. No maples are counted as significant trees as they are all young and under 1” in diameter

Pest and Disease

1. Present
    a. It is important to note that the stand of trees located on this property are showing signs of great health and no abnormal pest and disease is present. This is likely due to the fact that they are in their adequate natural growing environment.
    b. Cytospora canker is a fungal disease that affects aspens and it is rare if this is not present. There are small signs of cytospora canker, but below average.
    c. No signs of pest and disease present to the naked eye on any conifer. On the northern side of the property the conifers have had physical damage by way of plow or other equipment. All appear to have properly sealed off wounds and therefore any further damage/decay.
2. Future
    a. It is impotant to note that under the perfect conditions and growing environment, any tree has the ability to fight off pests and disease. It is when a tree is under stress, whether it be drought or caused by human disturbance, that pest and disease has the ability to enter and diminish the health of the tree.
    b. Deciduous:
        i. Cytospora canker: can increase if trees are damaged as it likes to infect open wounds
        ii. Leaf scorch: if water sources are cut off to trees during construction may affect the trees levels of water intake, affecting the leaves
        iii. Other pests and disease that aspen are at risk of are: leaf miners, twig gall, oystershell scale, aspen borer, iron chlorosis, tent caterpillar, aspen leaf spot, and truck/root rot.
    c. Conifer:
        i. Bark beetles can be treated annually or biannually depending on treatment route and can be done as a preventative treatment for any conifer as they all can be affected.
        ii. Cytospora canker is increasing in presence in the conifer population both native and landscaped
        iii. White fir:
            1. Balsam Woolly adelgid: this is a pest presenting problem in our subalpine fir tree stands and it is said that white fir can be a host as well, but more tolerant. This is not a major concern.
        iv. Douglas Fir

1. Douglas Fir Beetle: most common beetle to be found and can be preventively treated.

Construction Stress

** Trees can take 5-10 years to show signs of previous construction stress, so immediate reaction may not be a factor here as much as long term issues.

1. Soil Compaction:
    a. As construction works throughout the property, the foot traffic, equipment and anything else that is used will pose a risk to causing some significant soil compaction within the drip lines of the trees.
    b. Best way to avoid soil compaction is to create a critical root zone for the most important trees and limit any entrance into that area through fencing
2. Physical Damage
    a. As equipment is carried throughout the property there is risk to trunk damage to any tree. This is not guaranteed to happen, but in the case it does, it allows an entryway for pests and disease at the site of damage.
    b. Root damage as roots are not as deep as people assume (within the top 4-8” of soil) and can easily be damaged with construction equipment, compromising the tree.

Signed:



Date: 9/11/24

Planning Commission
Staff Report

Subject: **Bonanza Park Mixed-Use District**
Application: **PL-24-06024**
Authors: **Rebecca Ward, Planning Director**
Alec Barton, Senior Planner
Date: **June 11, 2025**

Recommendation

(I) Review updates to the draft Bonanza Park Mixed-Use District to reduce Open Space requirements and increase parking reduction allowances, (II) conduct a public hearing, (III) provide input, and (IV) continue the public hearing to June 25, 2025.

Description

Applicant:	Planning Department
Location:	Bonanza Park Neighborhood
Existing Zoning Districts:	General Commercial Light Industrial Frontage Protection Zone
Proposed Zoning District:	Bonanza Park Mixed-Use (BPMX) Frontage Protection Zone
Reason for Review:	The Planning Commission reviews and makes recommendations to City Council regarding rezones and Land Management Code amendments. The City Council takes Final Action.

Summary

The Bonanza Park Small Area Plan ("the Small Area Plan") recommends the creation of a new Bonanza Park Mixed-Use (BPMX) District to build on neighborhood vibrancy and to become a more walkable, connected, livable, and inclusive community.[1] The Planning Commission and City Council have reviewed and shaped the draft code over several work sessions and public hearings. Please see Attachment 1 at the end of this report for a summary.

To encourage redevelopment, the draft BPMX District allows for increased density when project enhancements are provided. Based on the Bonanza Park Area Development Feasibility Analysis completed by Zions Public Finance in April that evaluated three development scenarios, the draft is an incentive for existing property owners. However, unless there is a public-private partnership and/or City approval of a Public

[1] Bonanza Park Small Area Plan, p. 5

Infrastructure District (PID)[2] or other financing tool, new or future property owners require deeper incentives.

On April 24, 2025, the City Council requested evaluation of the components of the code that can be modified to increase feasibility for new or future property owners. On May 22, 2025, the City Council reviewed an updated Bonanza Park Area Development Feasibility Analysis and directed staff and the Planning Commission to evaluate:

- Reducing Open Space requirements from 30% to 20%.
- Further reducing parking requirements.
- Providing more information on the distinction between and impacts of hotels and nightly rentals and allowing for existing hotels and residences to be grandfathered in for transient uses.

This report outlines potential updates to the draft code for the first two topics: (I) reducing Open Space requirements while preserving increased Open Space as a project enhancement and incentivizing conversion of excessive surface parking into Open Space and (II) increasing parking reductions.

The third topic (distinctions between and possible grandfathering of certain transient uses) will be addressed at the Planning Commission's June 25 meeting. Additionally, the Planning team will incorporate Commission input and refine the vantage point and design guideline criteria to ensure compatible redevelopment, shift Conventional Chain Businesses from conditional uses and regulate through square footage limitations, and evaluate non-complying structures and non-conforming uses.

Analysis

(I) Reduce Open Space requirements for redevelopment in the BPMX District to increase feasibility while updating Project Enhancement criteria to allow for increased density when Open Space exceeds what is required. Continue to incentivize conversion of surface parking lots for existing developments into Open Space.

Land Management Code (LMC) Section 15-15-1 defines *Landscaped Open Space* (landscaped areas, hard-scaped plazas, and recreation amenities) and *Natural Open Space* (an undisturbed area with little or no improvements). The Planning Commission evaluates "usable Open Space" when reviewing a Conditional Use Permit.[3] Applicants proposing Master Planned Developments (MPDs)[4] must provide Open Space for 60% of the site for new development or for 30% of the site for redevelopment.[5]

LMC Section 15-6-5(D)(3) establishes Planning Commission discretion in designating the type and mix of Open Space for MPDs based on General Plan recommendations for

[2] PIDs can issue debt repayable from property taxes or assessments on the property owners within its boundaries.
[3] LMC Section 15-1-10(E)(9)
[4] Applicants proposing more than 20,000 residential square feet or 10,000 commercial square feet must obtain MPD approval (LMC Section 15-6-2(A)).
[5] LMC Section 15-6-5(D).

the area. Within an MPD, "[l]andscaped Open Space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open Space may not be utilized for Streets, roads, driveways, Parking Areas, Commercial Uses, or Buildings requiring a Building Permit."[6]

The Bonanza Park neighborhood—once on the outskirts of town and now the City's geographic core—contains expansive surface parking lots.

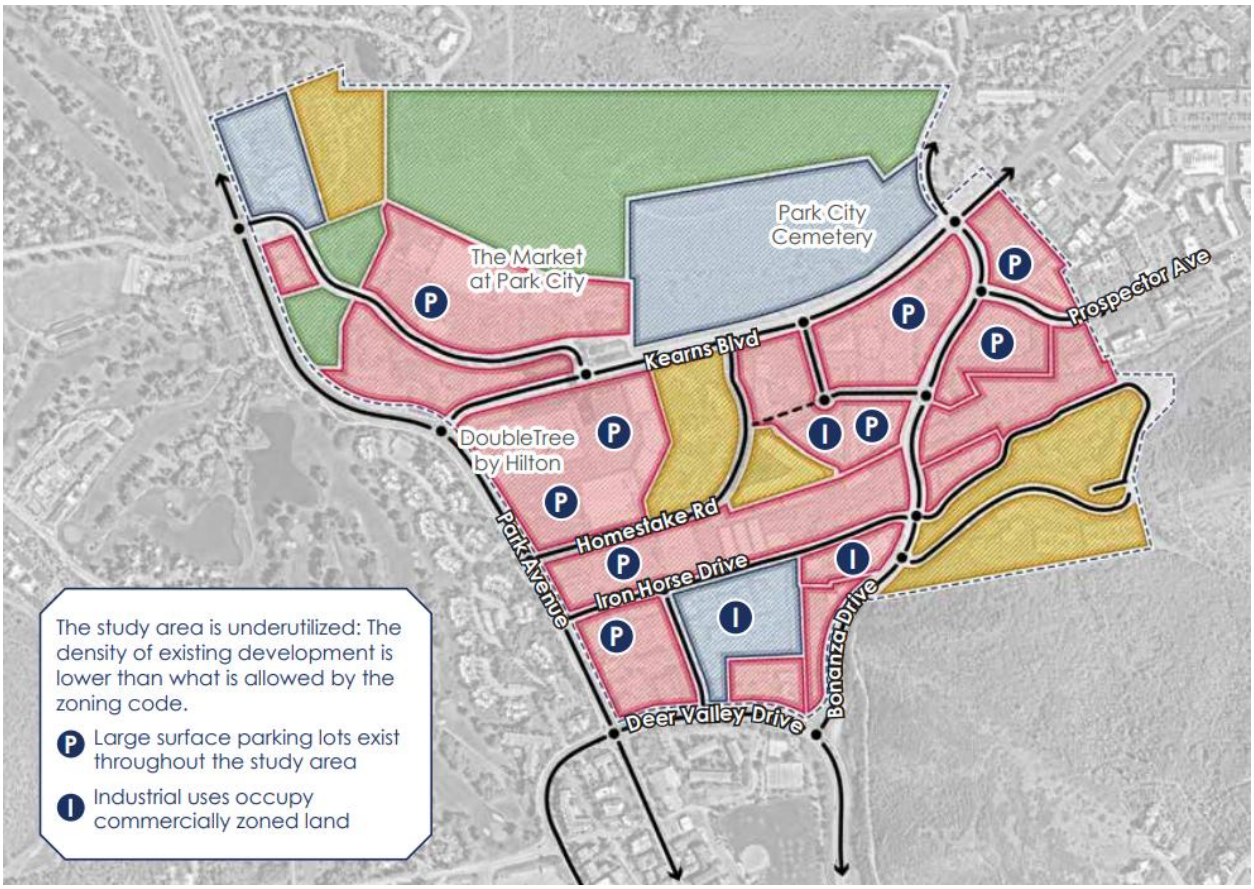


Figure 1: Excerpt from the Bonanza Park Small Area Plan, p. 28, highlighting the predominant surface parking lots.

The Small Area Plan recommends transforming this surface parking into a "green" pedestrian-oriented neighborhood that is welcoming and sustainable through the following strategies:

- Ensure all current and future Bonanza Park residents are within a safe and comfortable 10-minute walk to a park, outdoor community space, or trail connection.
- Provide publicly accessible green spaces or outdoor community spaces to ensure that those added as part of a project enhancement are of high quality.

The Small Area Plan further suggests that "[c]areful consideration should be given to

[6] LMC Section 15-6-5(D)(3)

each project within Bonanza Park to offer complementary outdoor spaces and experiences throughout the neighborhood and foster a more sustainable and greener community."[7]

The draft BPMX District requires at least 30% of a new project to be Open Space, excluding streets, driveways, and parking areas. The draft then defines Open Space typologies as "Green Community Spaces" (outdoor public spaces permitting public access):

- **Amenity Terrace** – rooftop that includes communal recreation or aesthetic uses such as patios, balconies, lounges, etc.
- **Community Garden** – publicly accessible garden space.
- **Flexible Space** – multi-use open space utilized by the public. Can be used for individual enjoyment or for events.
- **Plaza Area** – an open space for public use defined by surrounding buildings or streets.
- **Pocket Park** – small park accessible to the public.
- **Public Courtyard** – publicly accessible open area between buildings and walls.

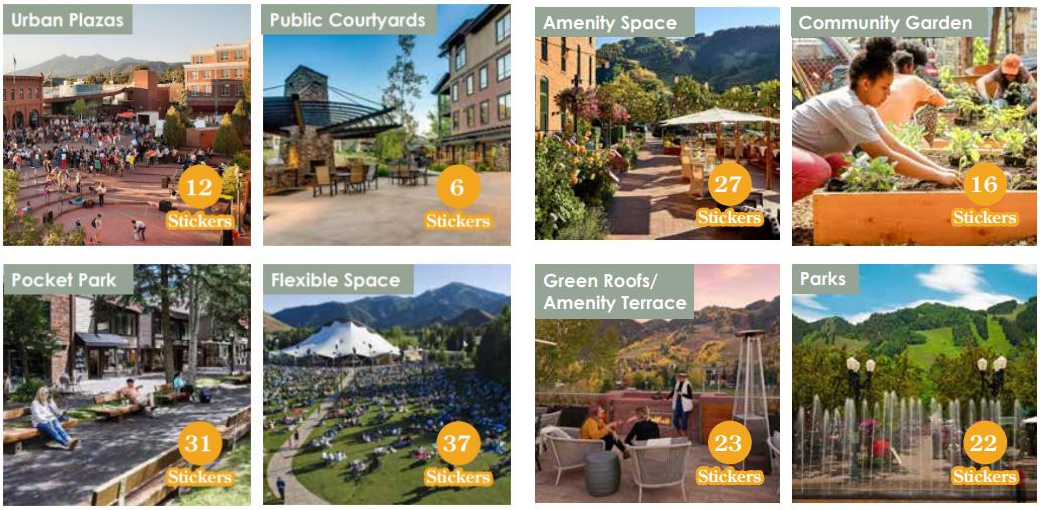


Figure 2: Types of green spaces supported by the community

The draft BPMX District allows developers to propose more than 30% of the required Open Space as a project enhancement for increased density. To qualify as a project enhancement, the Open Space must include a long-term programming plan for activated publicly accessible spaces that provide music, entertainment, and seasonal activation.

The Bonanza Park Area Development Feasibility Analysis of the draft BPMX District completed by Zions Public Finance, Inc. determined that decreasing Open Space to 22% of the site contributes to feasibility for new or future property owners when paired with deeper parking reductions. A majority of the City Council requested the draft BPMX

[7] Bonanza Park Small Area Plan, p. 82

District be updated to reduce the Open Space requirements to further incentivize redevelopment.

In addition to reducing the Open Space requirement, staff recommends updating the Open Space project enhancement as follows:

> **SIGNIFICANT ACTIVATED OUTDOOR PUBLIC SPACE.** The project exceeds the [~~required 30%~~] Open Space requirement and provides at least 30% Open Space and includes a long-term programming plan for activated publicly accessible outdoor spaces that provide music, entertainment, and [~~seasonal~~] activation in all seasons.

Maintain Existing Development Connectivity Improvement Incentives

To transform expansive surface parking lots on properties not yet ready for redevelopment, the draft BPMX District establishes a Conditional Use Permit process for existing property owners to reduce parking and replace with pedestrian and bicyclist connections, install transit improvements, activate the space for those who arrive by transit, on foot, or by bike, or convert surface-level parking into a Green Community Space (a community garden, flexible space, plaza area, pocket park or public courtyard) or Publicly Accessible Outdoor Community Space (space suitable for year-round use that is of a high design quality with gathering spaces, seating areas, play structures, and public art).

TO IMPLEMENT THE COUNCIL DIRECTION, ARE THERE ADDITIONAL CONSIDERATIONS THE PLANNING COMMISSION WOULD LIKE STAFF TO EVALUATE REGARDING OPEN SPACE?

(II) Further reduce parking requirements and mitigate impacts through effective Transportation Demand Management and improved network of transportation options for those who live in and travel to the neighborhood.[8]

There are four parking spaces for every car in the U.S. To reduce excess surface parking, communities are transforming these areas into public spaces (like the City's Main Street Dining Deck program) and mitigating the urban heat island and stormwater run-off by replacing parking with green spaces. As the February 12, 2025 Staff Report outlines, communities are eliminating minimum parking requirements to facilitate pedestrian-oriented neighborhoods.

[8] *"Most people in transportation focus on the five percent of the time that cars are moving. But the average car is parked 95 percent of the time. I think there's a lot to learn from that 95 percent."* – Donald Shoup

The Small Area Plan states, “Bonanza Park will replace its myriad surface parking lots and paved areas with community gathering spaces, pervious surfaces, and new and sustainable development that welcome new residents.” To accomplish the vision of a vibrant, pedestrian-oriented neighborhood, the draft code includes policies favoring reduced parking for mixed-use development, locating parking underground or behind buildings, instituting parking maximums, and encouraging the development of shared parking agreements.

The draft BPMX District encourages underground parking structures—which enables developers to increase surface density—and allows for parking reductions when effective Transportation Demand Management plans are established that demonstrate a site is designed to improve transit accessibility, prioritize pedestrian and bicyclist connections, and provide transportation options like bike shares and car shares.

The table below compares existing parking requirements and those proposed for the BPMX District with green text highlighting minor baseline reductions to reflect best practices for parking demands:

BASELINE PARKING REQUIREMENTS		
Use	**Current Code**	**BPMX District**
Residential Uses		
Multi-Unit Dwelling, Apartment/Condominium 1,000 SF or less	1 per Dwelling Unit	1 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium 1,001-1,999 SF	1.5 per Dwelling Unit	1.5 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium 2,000 SF or more	2 per Dwelling Unit	2 per Dwelling Unit
Non-Residential Uses		
Auditorium and Assembly Hall	1 space per 5 seats	1 space per 5 seats
Bank or Financial Institution	3 spaces per 1,000 SF net leasable floor area	2 spaces per 1,000 SF net leasable floor area
Bar	1 space per 100 SF net leasable floor area	3 spaces per 1,000 SF net leasable floor area
Café/Deli	3 spaces per 1,000 SF net leasable floor area	2 spaces per 1,000 SF net leasable floor area

Child Care Center	1 space per on-duty staff per shift and 1 per 6 children	1 space per on-duty staff per shift and 1 per 6 children
Commercial Use		4 spaces per 1,000 sf net leasable floor area
Disabled Care Elder Care Group Care Facility	1 space per 2 bedrooms plus 1 space per employee per shift, or 2 spaces per 3 employees per shift, whichever is greater	1 space per 2 bedrooms plus 1 space per employee per shift, or 2 spaces per 3 employees per shift, whichever is greater
Grocery	3.5 spaces per 1,000 SF leasable floor area	3 spaces per 1,000 SF net leasable floor area
Flex Industrial		1 space per 1,000 sf floor area and 1 space for every 2 employees in largest shift
Hospital, Limited Care	1 space per 2 beds	1 space per 2 beds
Hotel, Boutique		1 space per room or suite, and 1 space per 200 SF of

The draft code then outlines further limitations on parking and possibilities for reductions. Staff highlighted opportunities to implement Council direction and further reduce parking.

> **PARKING MAXIMUMS.** No more than one hundred percent (100%) of the minimum required parking may be provided for newly constructed non-residential, mixed-use, or Multi-Unit Dwelling developments of ten (10) or more units when the new development is within a one-quarter (¼) mile of a transit stop. When the parking requirement is zero Parking Spaces, a maximum of five (5) Parking Spaces may be provided. Exceptions to the maximum parking limit may be approved by the Planning Commission if found to be consistent with Section 15-2.27-1 and to further the City's goals for reducing single-occupancy vehicle trips.

SHARED PARKING. For both on-site parking and off-site parking, Shared Parking Spaces may be provided contingent upon a shared parking analysis being completed and a Shared Parking Agreement being executed, as approved by the Planning Commission.

1. The parking requirement for Mixed-Use projects may be lowered if the Applicant submits a shared parking opportunity analysis, approved by the Planning Commission, which results in a peak-parking-demand measure that is less than the Parking Requirement established by this Section for Residential and Non-Residential Uses.

PARKING REQUIREMENT ADJUSTMENT. A ten percent (10%) reduction in the number of required Parking Spaces is allowed to reduce or eliminate a public safety hazard or to bring substandard Parking Spaces into compliance with current City design standards subject to approval by the City Engineer.

UNDERGROUND PARKING. All development within the BMPX District is encouraged to provide underground parking to promote a vibrant pedestrian friendly environment that reduces car-pedestrian conflict. If 90% of required parking is provided on-site and underground, Setbacks for the underground parking structure may be reduced by the Planning Commission up to 50% outside of the Frontage Protection Zone if utilities can be accommodated.

ALTERNATIVE PARKING STRATEGIES. The following alternative parking strategies may be used to comply with the minimum Off-Street parking standards required by this Chapter.

OFF-SITE PARKING. Required Off-Street Parking Spaces may be provided Off-Site in compliance with the following:

1. Required parking must be located within the City limits.
2. Access between the on-Site Use(s) or the subject site and the Off-Site Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g., sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).
3. A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the Off-Site parking spaces, guarantees the continued availability of the Off-Site Parking Spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the Off-Site Parking Spaces and the Owners and lessees of the subject Site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-Site parking reduction approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Planning Director.

PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES. For buildings or sites with multiple Uses, parking may be reduced. To calculate the parking requirement, calculate the sum of the minimum Off-Street parking requirements for the two Uses with the highest Off-Street parking requirement, and then multiply that sum by the number shown below for that combination of Uses.

Table 15-2.27-8(H)(2) PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES

FIRST USE	SECOND USE				
	MULTI-UNIT RESIDENTIAL	PUBLIC INTSITUTIONAL OR CIVIC	FOOD, BEVERAGE, BOUTIQUE HOTEL, RECREATION, OR ENTERTAINMENT	RETAIL	OTHER COMMERCIAL
Multi-Unit Dwelling[9]	NA				
Public Institutional, or Civic	10%	NA			
Food,	15%		NA		

[9] The parking reduction for developments with multi-unit residential shall apply only to the non-residential Use parking requirement.

Beverage, Boutique Hotel, Recreation or Entertainment[10]		20%			
Retail	15%	25%	25%	NA	
Other Commercial	20%	25%	25%	20%	NA

ADDITIONAL ALTERNATIVE STRATEGIES. After any reduction in the required number of Off-Street Parking Spaces under Section 15-2.27-8(H) is applied, the alternative strategies described below may be combined for an additional non-residential Use parking reduction of up to ten percent (10%).

1. **DESIGNATED CAR SHARING PARKING.** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 Parking Spaces, for up to a maximum of three (3) designated car sharing spaces (i.e., one designated car sharing space = 2 Parking Spaces; two designated car sharing spaces = 3 Parking Spaces; and three designated car sharing spaces = 5 Parking Spaces).
2. **ELECTRIC VEHICLE CHARGING STATIONS**. Electric Vehicle Charging Stations and Direct Current Fast Chargers (i.e., spaces with

[10] For mixed-use projects, 0 spaces shall be required for the first 3,000 sf of net leasable floor Area of “Retail & Service Commercial, Minor, Personal Service” and/or “Restaurants, Standard and Bar” Uses.

approved charging infrastructure for Electric Vehicles consistent with Section 15-3-11) that are in addition to the Electric Vehicle Parking Spaces required to be provided pursuant to Section 15-3-11 shall count as two Parking Spaces, for up to a maximum of five (5) additional Electric Vehicle Parking Spaces.

3. **UNDERGROUND PARKING.** When underground parking is provided, each two (2) underground Parking Spaces shall count as three (3) Parking Spaces toward satisfying the minimum required parking. This may allow for a reduction of up to five percent (5%) in the number of required Parking Spaces.

2. **PROXIMITY TO TRANSIT.** A fifteen percent (15%) reduction in the total number of required Parking Spaces for any development may be approved when the Site is within one thousand feet (1,000') unobstructed year-round walking distance of a Major Transit Stop.
3. **CUMULATIVE PARKING REDUCTION**. No development may be granted a cumulative parking reduction greater than fifty percent (50%) for non-residential Uses or greater than twenty percent (20%) for residential Uses as provided in Sections 15-2.27-8(H)(1), (2), and (3), unless approved by the Planning Commission.

Staff requests input on additional considerations that may further reduce the demand for parked vehicles:

Unbundled Parking – the BPMX District draft code could be updated to incorporate unbundled parking as an option to reduce parking requirements. Unbundled parking is when parking spaces are sold or leased separately from the residential unit or non-residential space, incentivizing a reduction in vehicles while allowing for those with vehicles to pay for car storage.

Car Shares – the BPMX District establishes a car share program for residents as a project enhancement. However, the parking space reduction for car share programs is limited to five parking spaces. Some communities allow for extensive reductions when car shares are installed. For example, Austin, Texas allows one car share vehicle to count for 20 parking spaces.[11]

The draft language below is a project enhancement developers may propose for increased density:

CAR SHARE PROGRAM FOR RESIDENTS.

i. **Car Share Parking and Use**: The applicant shall provide on-site car share parking in a location accessible to project residents that is mutually agreed upon by the developer and car share operator and approved by the Planning Commission.

ii. **Electric Vehicles**: At least half of the car share vehicles shall be electric vehicles. The developer shall install Electric Vehicle Charging Stations and at least one Direct Current Fast Charger for the electric car share vehicles. The developer shall ensure that electricity is provided to the Electric Vehicle Charging Stations and Direct Current Fast Charger. The property owner shall ensure that electricity is provided to the Electric Vehicle Charging Stations and Direct Current Fast Charger at no cost to the car share operator or user. The applicant is responsible for ensuring sufficient and continuous electricity supply to power the Electric Vehicle Charging Station and Direct Current Fast

[11] https://knowledge.uli.org/-/media/files/reading-list/reading-list-pdfs/2022/globalparkingindustry_reading_list_v3.pdf?rev=2688a0fe02c046caa77e73fbd1376dde&hash=0EC21280CF000F5D1B708BD8DF418A8F

Charger and covering all costs associated with electricity usage during the term of the binding agreement.

iii. **Binding Agreement for Long-Term Use**: The applicant shall enter into a binding agreement with a car share operator outlining the location, operation, and maintenance of the car share vehicles within the development. The agreement shall clarify the roles and responsibilities of both parties, including gas, insurance, cleaning, maintenance, and monitoring.

iv. **Annual Report**: The car share operator shall submit an annual report to the property owner and City regarding car share usage, maintenance, and operation.

v. **Timing and Compliance**: All car share infrastructure must be in place and operable prior to the issuance of a certificate of occupancy unless otherwise agreed upon.

TO IMPLEMENT COUNCIL DIRECTION:

IS THE PLANNING COMMISSION INTERESTED IN EVALUATING UNBUNDLED PARKING?

IS THE PLANNING COMMISSION INTERESTED IN EVALUATING DEEPER PARKING REDUCTIONS FOR CAR SHARE PROGRAMS?

ARE THERE DEEPER PARKING REDUCTIONS THE PLANNING COMMISSION WANTS TO EVALUATE IN THE BASELINE PARKING TABLE? REDUCTIONS FOR ADDITIONAL USE CATEGORIES?

ARE THERE OTHER CONSIDERATIONS THE PLANNING COMMISSION WOULD LIKE STAFF TO EVALUATE?

Department Review

The Planning Department reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on March 26, 2025, and May 28, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 26, 2025, and May 28, 2025.[12] Staff posted notice throughout the neighborhood on June 4, 2025.

Public Input

Public input is attached as Exhibit A.

Exhibit

A: Public Input

ATTACHMENT 1

- October 23, 2024 (Planning Commission Packet, Item 4.A; Minutes, p. 2)
  - Review of conventional chain businesses, vantage points, sustainability considerations, the Frontage Protection Zone, and parking updates.
- December 11, 2024 (Planning Commission Packet, Item 5.A; Minutes, p. 2)
  - Review of the first comprehensive draft.
- February 12, 2025 (Planning Commission Packet, Item 6.A; Minutes, p. 7)
  - Review of project enhancements, the Frontage Protection Zone, vantage points, activating streetscapes, vertical and horizontal mixed use, transient uses, conventional chain businesses, pedestrian and bicyclist connectivity, rights-of-way connectivity, parking reductions, open space, and sustainability.
- March 12, 2025, (Planning Commission Packet, Item 5.F; Minutes, p. 22)
  - Review of street types, vertical and horizontal mixed use, project enhancements, conventional chain businesses, active streetscape uses, the Frontage Protection Zone, vantage points, boutique hotels, nightly rentals, parking, and traffic.
- April 9, 2025 (Planning Commission Packet, Item 5.D; Minutes, p. 31)
  - Review of feasibility analysis indicating the code incentivizes current property owners to redevelop, but not new or future property owners.
  - Review of phased approach, project enhancements, the Frontage Protection Zone, conventional chain businesses, non-conforming uses, vantage points, feasibility, pedestrian, bicyclist, and street connections, vertical and horizontal mixed-use, building placement, orientation, scale, articulation, and fenestration, parking reductions, transportation demand management, and sustainability.
- April 24, 2025 (City Council Packet, Old Business Item 1; Minutes, p. 11)
  - Review of feasibility and direction to establish opportunities to further increase feasibility for new and future property owners.
- May 22, 2025 (City Council Packet, Old Business Item 2; Audio)
  - Direction to reduce open space from 30% to 20%, reduce parking

[12] LMC § 15-1-21

requirements, evaluate nightly rentals and hotels.

Alec Barton

From: Craig Elliott <celliott@elliottworkgroup.com>
Sent: Thursday, December 12, 2024 9:48 AM
To: Rebecca Ward; Christin VanDine; Rick Shand; Sarah Hall; Bill Johnson; Laura Suesser; Henry Sigg; John Frontero
Cc: Carla Lehigh
Subject: [External] Bonanza Park Mixed Use District
Attachments: Bonanza Park Mixed-Use Zoning District Code Amendments CE Markup.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Warning: Replies to this message will go to celliott@elliottworkgroup.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Planning Director and Commissioners:

Thanks for listening to my overall comments last night about the Bonanza Park Mixed Use District. I've attached a pdf file of the hard copy left in chambers last night of the proposed code changes with comments for your review.

I am happy to sit down to discuss if the comments prompt any questions.

My cell number is (435)901-3150 feel free to call or text.

CRAIG ELLIOTT | AIA
1441 Ute Boulevard Suite 100 - Park City UT - 84098
Office: 435.649.0092 x301 | ELLIOTTWORKGROUP.COM

15-1-6 ZONE DISTRICTS AND ZONE MAP

In order to carry out the purposes of the LMC, Zoning Districts have been established as set forth in LMC Chapters 15-2 and as identified on the Official Zoning Map. In interpreting the Official Zoning Map, the following standards shall apply:

1. The zoning boundary lines are intended to conform to existing Property boundary lines when not in a public Right-of-Way, or to follow the center line of public Rights-of-Way, including prescriptive Rights-of-Way, unless the lines are located by specific dimensions, in which case the dimensions shall control.
2. Where the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map.
3. There is no minimum Area or diversity of ownership requirement for a zone designation. Neither the size of a Zoning District nor the number of landowners within the district may be used as evidence of the illegality of a Zoning District or of the invalidity of a municipal decision.
4. All property within the City limits is subject to the City's Zoning Districts, including State or Federal property which may be exempt from the City's land use ordinance and jurisdiction. If such zoning is subsequently invalidated, no building permit, subdivision or approval for any development activity may be applied for until the City establishes a valid zoning for the property.

DRAFT

15-2.27 BONANZA PARK MIXED USE (BPMX) DISTRICT

15-2.27-1 PURPOSE
15-2.27-2 USES
15-2.27-3 LOT AND SITE REQUIREMENTS
15-2.27-4 BUILDING HEIGHT
15-2.27-5 ARCHITECTURAL REVIEW
15-2.27-6 DESIGN GUIDELINES
15-2.27-7 COMMUNITY BENEFITS
15-2.27-8 PARKING REQUIREMENTS
15-2.27-9 TRANSPORTATION DEMAND MANAGEMENT
15-2.27-10 STREET SYSTEMS
15-2.27-11 OPEN SPACE AND TRAIL CONNECTIVITY
15-2.27-12 SUSTAINABILITY REQUIREMENTS
15-2.27-13 CONVENTIONAL CHAIN BUSINESSES
15-2.27-14 CRITERIA FOR DRIVE-UP WINDOWS
15-2.27-15 SEXUALLY ORIENTED BUSINESSES
15-2.27-16 CRITERIA FOR BED AND BREAKFAST INNS
15-2.27-17 GOODS AND USES TO BE WITHIN ENCLOSED BUILDINGS
15-2.27-18 SIGNS
15-2.27-19 RELATED PROVISIONS

15-2.27-1 PURPOSE

The purpose of the Bonanza Park Mixed Use (BPMX) District is to:

1. ensure development in the Bonanza Park neighborhood implements the Bonanza Park Small Area Plan and provides opportunities for locally serving businesses and diverse housing options.
2. encourage development of Missing Middle Housing such as Townhomes, Duplexes, Triplexes and Multi-Unit Dwellings,
3. create a vibrant Mixed-Use pedestrian-oriented neighborhood, with safe comfortable access to parks, and publicly accessible green spaces and outdoor community spaces,
4. protect views along the Bonanza Parks' entry corridors and Frontage Protection Zone,
5. allow increased height and densities when development provides significant community benefits, including exceeding affordable/workforce housing requirements, integration of trail systems, promoting multi-modal transit, providing publicly accessible outdoor community spaces, provide underground parking, art/placemaking elements, community facilities, etc. See definitions in 15-15 Defined Terms,

6. establish a network of pedestrian and bicycle linkages throughout Bonanza Park, through the restriction of auto-centric uses,
7. ensure development implements Universal Design Principles and aspires to reach Park City's net zero goals, reduce vehicle trips and improve access to transit, and
8. incorporates public art and placemaking elements to inspire, delight, and enliven public spaces and streets in the Bonanza Park Neighborhood.

15-2.27-2 USES

[Section Under Development] Uses in the BPMX District are limited to the following:

15-2.27-3 LOT AND SITE REQUIREMENTS

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development activity must comply with the following minimum standards:

A. **LOT SIZE**: No minimum lot size.

B. **DENSITY**: The following densities and square footage limitations apply within the BMPX District.

a. **Residential.** Minimum residential density 10 units per acre.

Which number is it? Also, this would be better if the area was tied to the area of the property.

b. **Commercial**. A single building is limited to no more than 15,000 to 29,000 square feet of commercial square footage. This limitation shall apply to commercial-only development and mixed-use development with a commercial component. A single commercial tenant shall not occupy more than 5,000 square feet of commercial square footage, unless it meets one of the following exemptions:
   1. Grocery Store,
   2. US Post Office, or
   3. The use has received conditional use approval pursuant to Section 15-1-10 Conditional Use Review Process.

C. **OPEN SPACE AND SITE COVERAGE**: The following Open Space and Site Coverage requirements apply within the BPMX District.

Has there been a test site plan of this documentation? Is this considered an easement? Or is it to be transferred to another entit?

a. **Residential.** Parcels with a residential component as a single use or as part of a mixed-use building shall have a minimum site coverage of 40% and a maximum of 80%. At least 20% of the total Site Area shall be transferred

Development Right (TDR) Open Space and may not be used for Streets, roads, driveways, or parking areas. This Transferred Development Right (TDR) Open Space must be Natural or Landscaped Open Space.

Has there been a test site plan of this documentation? Is this considered an easement? Or is it to be transferred to another entit?

b. **Commercial**. Parcels with a commercial component or as part of a mixed-use building shall have a minimum site coverage of 40% and a maximum of 90%. At least 10% of the total Site Area shall be Transferred Development Right (TDR) Open Space and may not be used for Streets, roads, driveways, or parking areas. This Transferred Development Right (TDR) Open Space must be Natural or Landscaped Open Space.

c. **Industrial**. Parcels with an industrial component shall have a maximum site coverage of 70%. At least thirty percent (30%) of the total Site Area, shall be Transferred Development Right (TDR) Open Space and may not be used for Streets, roads, driveways, or Parking Areas.

D. **SETBACK REQUIREMENTS**: Table 15.2-27-3-D identifies the required setbacks in the BPMX District.

Table 15.2-27-3-D: MINIMUM SETBACK REQUIREMENTS

Use	Front Setback	Side Setback	Rear Setback
Recreation Open Space	Designated Recreation Open Space Lots within the Bonanza Park Neighborhood are subject to the requirements outlined in the Recreation and Open Space Zone District including 15-2.7-3 Lot and Site Requirements.		
Dwelling, 2 units or less	The minimum Front Setback is twenty feet (20').	The minimum Side Setback for any Main Structure is ten feet (10'). The minimum Side Setback for any Accessory Structure is five feet (5').	The minimum Rear Setback is ten feet (10').
Dwelling, 3 units or more	The minimum Front Setback is twenty feet (20'). (See Note 1, 2, 3)	The minimum Side Setback is five feet (5'). (See Note 4, 5)	The Rear Setback is fifteen feet (15').
Commercial	Minimum front setback is twenty feet (20') for all Main and Accessory Buildings and	The minimum Side Setback is ten feet (10'). (See Note 3, 4, 5, 6, 7)	The minimum Rear Setback is ten feet (10'). (See Note 3)

It may be useful to allow zero setbacks on the front yard if a new street and sidewalk is created that is dedicated to PCMC.

	Uses. (See Note 1, 2, 3)		
Flex / Light Industrial	The minimum Front Setback is thirty feet (30').	The minimum Side Setback is ten feet (10'). (See Note 7)	The minimum Rear Setback is ten feet (10').

Notes:

1. The twenty foot (20') Front Setback may be reduced to ten feet (10'), provided all on-Site parking is at the rear of the Property or underground.
2. The Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty-feet (30') in width abutting the Street. See Section 15-2.20.
3. The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-2.18-3(I).
4. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
5. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
6. The minimum Side Setback for a Detached Accessory Building not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building must be one foot (1'), except when an opening is proposed on an exterior wall adjacent to the Property Line, at which time the minimum Side Setback must be three feet (3'). See the following illustration:
7. On Corner Lots, the Side Yard that faces a Street is considered a Front Yard and the Setback must not be less than twenty feet (20').

E. **DWELLING, 2 UNITS OR LESS SETBACK EXCEPTIONS.** The setback exceptions identified in Chapter 15-2.12-3 (R-1 zone district) shall apply to development in the BPMX District.

F. **DWELLING, 3 UNITS OR MORE SETBACK EXCEPTIONS.** The setback exceptions identified in Chapter 15-2.15-3 (RM zone district) shall apply to development in the BPMX District. In addition, the following activities shall per permitted in setbacks.

1. Public Transit Area
2. The twenty foot (20') Front Setback may be reduced to ten feet (10'), provided the parcel is not located within the Frontage Protection Zone, and usable dedicated outdoor space is provided for all residential units. This space may be located at grade, as a balcony, as a rooftop amenity, or any combination thereof.

G. **COMMERCIAL SETBACK EXCEPTIONS.** The setback exceptions identified in Chapter 15-2.18-3 (GC District) shall apply to development in the BPMX District. In addition, the following activities shall per permitted in setbacks.

1. The twenty foot (20') Front Setback may be reduced to ten feet (10'), provided the parcel is not located within the Frontage Protection Zone, and usable dedicated outdoor space is provided for all residential units. This space may be located at grade, as a balcony, as a rooftop amenity, or any combination thereof.

H. **SNOW RELEASE.** The design of roofs shall address snow accumulation and ice/snow shedding. Entries, walkways and pedestrian areas shall be protected from ice/snow shedding. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

I. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

J. **PROSPECTOR OVERLAY ESTABLISHING A MAXIMUM FLOOR AREA FOR DEVELOPMENT.** The following requirements apply to specific Lots in the Prospector Square Subdivision:

1. **AFFECTED LOTS.** Lots 2A through Lot 49D, except Lots 40, 41, 42, 43, 44, 45, and 46, and parking Lots A through K as shown on the Amended Prospector Square Subdivision Plat.

2. **MAXIMUM FLOOR AREA RATIO (FAR).** The FAR must not exceed two (2.0) for all Affected Lots as specified above. All Uses within a Building, except enclosed Parking Areas, are subject to the Floor Area Ratio (FAR). Parking Lots A - K must have no Use other than parking and related Uses such as snow plowing, striping, repaving and landscaping.

3. **REDUCED SITE REQUIREMENTS.** In the Prospector Square Subdivision, Front, Side and Rear Setbacks may be reduced to zero feet (0') for all Affected Lots as specified above. Commercial Lots within the Frontage Protection Zone shall comply with FPZ Setbacks per LMC Section 15-2-20. This section is not intended to conflict with the exceptions listed above nor shall it be interpreted as taking precedence over the requirement of Section 15-2.18-3(H) Clear View of Intersection.

15-2.27-4 BUILDING HEIGHT

No Structure shall be erected to a height greater than thirty-five feet (35') from Existing Grade. This is the Zone Height.

The word "may" is doing a lot of work here. Why not just provide height if the items are provided? This discretion discourages the area to be redeveloped.

A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

1. One (1) additional story, or a maximum of forty-five feet (45) from Existing Grade per Section 15-2.27-8 may be granted if Community Benefits are provided, pursuant to Section 15.2-27-X.
2. Affordable Master Planned Developments may be granted additional height up to forty-five feet (45) from Existing Grade per Section 15-6.1.
3. Gable, hip, Barrel, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 of greater.

A typical double-loaded corridor residential building is 60' to 70' wide. A gable roof spaning this distance at 4:12 pitch would be 10' to 11'-8" tall. This will diminish the buildable area.

4. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC).
5. Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
6. Church spires, bell towers, and like architectural features, subject to LMC Chapter 15-5 Architectural Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
7. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.
8. Ski lift and tramway towers may extend above the Zone Height subject to a visual analysis and approval by the Planning Commission

15-2.27-5 ARCHITECTURAL REVIEW

Prior to the issuance of a Building permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with Architectural Review, Chapter 15-5. In addition to the requirements identified in Chapter 15-5, the Design Guidelines identified in Section 15.2-27-6 shall apply.

15-2.27-6 DESIGN GUIDELINES

In order to implement the Bonanza Park Small Area Plan, specific design guidelines for the BPMX District are adopted. These are intended to ensure development is consistent with the neighborhood character while improving overall connectivity with greater Park City.

A. **APPLICABILITY.** These Design Guidelines shall apply to all development in the BPMX District, with the exception of single-family or two-dwelling unit development. Where there is a conflict between the standards in this Chapter and Chapter 15-5, the requirements of this Chapter shall apply.

B. **BUILDING PLACEMENT AND ORIENTATION.**

1. Incorporate open space into building placement. Open spaces provide opportunities for additional landscaping, while also providing opportunities for commercial businesses to utilize space as outdoor seating or for outdoor merchandising.
2. On parcels greater than 30,000 square feet, the massing of the building should be broken into smaller volumes. Creative approaches to break up building mass and scale is encouraged. This could include separate buildings above grade or linked exterior walkways.

Which streets? What about orienting to open space? What about building forms creating community gathering space?

3. Buildings should be oriented to the street to create a positive pedestrian experience. To the extent practicable, building facades should be parallel to the adjacent street to orient access to public and private streets, pedestrian circulation, and gathering areas.
4. Development should preserve or enhance views of significant community features from prominent public vantage points as listed below:
   a. PLACEHOLDER FOR VANTAGEPOINTS
5. Maximizing solar exposure during winter months should be a consideration in designing public spaces and gathering areas. Development adjacent to major open spaces, such as parks or designated public amenities, shall perform a sun/shadow study of the effects of development on such spaces from autumn through spring.

C. **BUILDING SCALE, VARIATION, AND FENESTRATION.** Buildings in Bonanza Park should reflect the scale of uses and reinforce a pedestrian environment.

1. **BUILDING SCALE**
   a. The perceived mass and scale of Development in the BPMX District shall be reduced by incorporating design elements that emphasize three or more of the following:
      i. Variation in roof forms or parapet heights, or
      ii. Insets, projections or other relief in the wall plane, or
      iii. Architectural emphasis on building entries, or
      iv. Arcades, porticos, or other forms of covered exterior circulation, or
      v. Variations to window size or proportions, or
      vi. Balconies, or
      vii. Variation in color, texture, or materials as allowed in Section 15-5.

Define the word “large”.

   b. Building design should avoid blank walls and large undifferentiated expanses of wall surface exposed to public pedestrian rights of way, plazas, or parks.
   c. Roof overhangs, projections, awnings or canopies should contribute to the character of the building and create shadow patterns while aiding in protection of the structure and pedestrians.
   d. Exceptions from the guidelines may be allowed for those areas of the building envelope that are not visible from adjacent development and public spaces.

2. **VERTICAL BUILDING ARTICULATION**
    a. All buildings that are approved above thirty five feet (35') in height shall include vertical articulation to help break up the mass of the building. This articulation shall occur every thirty feet (30') and shall be achieved through a façade change of at least eight inches (8") in depth, or through a material change.
    b. This shall apply to all building facades.

Instead of a stepback, which defines the architectural form, applying a 45 degree angle similar to the HCB height definition would be more consistent with the LMC while maintaining the light and air that this section is intended to do.

3. **VERTICAL STEPBACKS**
    a. A vertical stepback is required for any building developed within fifty feet (50') of the Frontage Protection Zone. These upper story setbacks shall be a minimum of ten feet (10') in depth.
    b. A vertical stepback for portions of a building over thirty five feet (35') should be considered.

4. **HORIZONTAL BUILDING ARTICULATION**
    a. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the facade of the Structure so that no greater than seventy five percent (75%) of the length of the Building Facade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Facade alignment or a ten foot (10') change in the Building Height, or a combined change in Building Facade and Building Height totaling ten feet (10').
    b. Structures that exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.
    c. This shall apply to all building facades.

5. **FENESTRATION**
    a. Windows for non-residential and mixed-use buildings should be provided to create a direct relationship to the street.
        i. A minimum of 50% glazing is required on the ground level of all street-facing facades to create a strong relationship to the street.
        ii. A minimum of 40% is required for second levels.
    b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.

This number seems really high.

Is this for the first floor only? It seems odd in a Planning Document if it is for the whole building.

c. Reflective glass is prohibited on ground floors and discouraged on upper levels.

6. Balconies are permitted for all residential uses. These may be integrated into a vertical step-back. Railings for balconies should have a minimum of 30% transparency. Balconies may count as outdoor space for residential units if they are a minimum of six (6) feet by eight (8) feet.

Area is not a good definition for breaks.. Distance would be a better definition. Main Street blocks are 400 lineal feet.

D. **SITE ACCESS AND ON-SITE PARKING.** Site access should be consolidated to the greatest extent practicable.

1. For sites that are larger than two (2) acres in size, integration of an alleyway or mid-block walkway is encouraged to support a pedestrian oriented street design.
2. Access between the on-site Use and Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g. sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).

Stairs and Elevators?

This doesn't make sense. Get the cars into parking as quickly as possible.

3. On-site parking should be accessed from a street other than Park and Kearns. If there is no access from an internal street, the main vehicular access point shall be from the shortest block length.
4. Additional vehicular access points on Park and Kearns are discouraged and shall be minimized.
    a. Where parking is accessed from Park or Kearns, the parking area, inclusive of drive aisles, shall be no more than 35% of the parcel width. Screening of parking areas is required, which may include low walls, landscaping, public art, public seating, multi-modal transportation infrastructure, and the like.

"Shortest Block Length" has no value. It should be from best location for traffic and distance from major intersections.

5. All onsite parking shall be located behind the front-most wall of the Main Building.

This is in contradiction with the Small Area Plan where there is street parking proposed.

6. When a parking garage is provided, underground parking is preferred. Where an above-grade garage is provided, it shall be located behind the Main Building and shall include architectural screening or artistic screening to minimize views of vehicles.
7. Any street-facing entry to a parking garage should be designed to reduce visibility. All ramps shall be integrated into the building's architecture.
8. Parking areas and loading zones should be located to minimize visual impacts from the a public Street or pedestrian way.
9. Consider paving material change to define surface parking areas from the main vehicular travel lane.

This paragraph is not clear. Interpreting "should have" will cause issues with approval for buildings that are 100% residential.

E. **STREET LEVEL DESIGN.** Thought shall be given to the street level design to encourage the overall walkability and vitality of the area.

1. Buildings should have an active use on the ground level. Active uses support the vibrancy and usability of the public realm adjacent to a building, and include retail establishments, retail services, civic spaces (theaters, museums, etc), restaurants, bars, art and craft studios, and other uses determined to be

What is a "main entry"? What if the building is a series of townhouse residential units?

20' is entirely arbitrary and makes very little sense.

This should be removed. It may not work for all retail spaces. This is a building code issue, not planning.

There are many quality materials that are sustainable, durable, and maintain their appearance that should be allowed.

substantially similar by the Planning Director and/or Planning Commission. For buildings that are 100% residential, a lobby or other common space shall meet this requirement. The active use should extend at least 25 feet inside the building.

2. All buildings shall have at least one main entry on all street-facing facades. This entry should be easily seen from the street and adjacent pedestrian way.
3. On corner lots, two (2) entrances should be provided. At least one (1) of these entries should be located within twenty (20) feet of the corner.
4. An internal airlock should be incorporated into all commercial, lodging, public, and mixed-use buildings.

F. **ARCHITECTURAL STYLES AND MATERIALS.** The limitations identified in Chapter 15-5 shall apply. In addition, the following standards should be met:

1. Building materials should convey a pedestrian scale and have proven durability in Park City's climate.
2. Building materials shall be of a high quality and reflect the range of materials found in the Bonanza Park Area. The use of wood, metal, glass, and XX is appropriate in this zone district.
3. Architecture that reflects corporate branding is not permitted. This shall not be construed to limit the ability to place signage on the property in accordance with the allowances and limitations of the Land Management Code.

G. **ROOFS.**

1. Flat roofs and low sloping roofs are preferred.
2. Snow shedding shall be considered in all roof design. Roofs shall be designed and insulated to ensure valleys, areas over wall top plates and other similar building spaces do not form ice dams and to minimize the need for heat tape.
3. Where roofs will drip onto pedestrian or other public areas, buildings shall provide a system of gutters, downspouts and permitted heat-tape to direct and channel roof run-off into the project's landscape areas and to prevent ice build-up in pedestrian areas. In non-pedestrian or public areas, roofs may drip to swales that direct water to the natural or proposed landscape.
4. Eaves and fascia shall generally be responsive and proportional to the design of the building.
5. The limitations identified in Chapter 15-5 shall apply.

H. **LANDSCAPING.**

1. Landscaping should complement the context and enhance the architecture of the building.
2. Stormwater best management practices should be considered in the landscape design.
3. Landscape materials should reflect the Park City climate.
4. For parcels located in the Frontage Protection Zone, the first thirty feet (30') should include landscaping and pedestrian-focused infrastructure.

a. Sidewalks, trails, bike paths, and the like are permitted in this area. These shall have a vegetative buffer from the edge of road pavement of at leave three feet (3')
b. Multi-modal infrastructure is permitted in this area, including bike racks, transit stops and shelters, wayfinding signage, seating, and the like. Mobility Hubs and Transit Hubs are also permitted in these areas, provided they do not exceed XX feet in height.

Showing proposed locations for mechanical equipment makes sense but it is very difficult to know at the planning level the exact equipment and sizes.

I. **SERVICE AND MECHANICAL AREAS.**

1. Trash, recycling, and service areas should be designed as integrated components of the building and should be sited to minimize impacts to pedestrians.
2. All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to mitigate visual impacts on nearby Properties and general public view. All mechanical equipment must be shown on the plans prepared for city review.
3. Delivery areas should be located at the rear of a property.
4. The loading and unloading of goods must take place entirely on the Site. Loading and delivery areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for city review.
5. Shared delivery, service, trash, and recycling areas are encouraged.
6. All Structure must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for city review. Refuse storage must be Screened, enclosed, and properly ventilated.

Utility companies will most likely require this location as the current infrastructure is provided from these two streets

7. When possible, transformers and other utility boxes, should be located at the rear of the property.
   a. Location along Park and Kearns is highly discouraged.
   b. All transformers and other utility infrastructure should be screened through fencing, landscaping, low walls, art, and the like, as permitted by the relevant utility provider.
8. The undergrounding of utilities is preferred.
9. Mechanical equipment, ducts, and vents should be accommodated internally within the building and / or co-located on the roof. Screening of equipment on the roof is encouraged.

J. **ART INSTALLATIONS.**

1. Integration of public art is encouraged in all development in the BPMX zone district, including murals, sculptures, enhanced trails, gateways, crosswalks, wayfinding, interactive exhibits, and the like.
2. It shall be the responsibility of the property owner to maintain all art located on private property.
3. Art is specifically allowed in the Frontage Protection Zone.
4. [should there be a required review with the arts board?]

This discretionary review will be detrimental in redeveloping the district. The word "may" is the issue.

K. **LARGE LOT DEVELOPMENT.** For parcels that are five (5) acres or more in size, the entire site should be developed. However, if a property owner is not prepared to develop the entire parcel at one time, the development shall be clustered to enable phasing of development.

15-2.27-7 COMMUNITY BENEFITS

Additional height may be granted to allow for additional housing units, or more residential floor space than allowed through underlying zoning in exchange for providing defined public or community benefits. In the BPMX District, Density Bonuses allow for up to one (1) additional story, or a maximum of forty-five feet (45) from Existing Grade if the provision of Community Benefits exceeds the minimum thresholds outlined herein

1. **APPLICABILITY.** The Community Benefit process shall be required in the BPMX District for the following:

This is every project. Just say it.

a. Any Multi-Unit Residential project with market-rate units exceeding 20% of the total Residential Units.

b. Any Mixed-Use Residential project with more than 10,000 square feet of Commercial, Retail, Office, Public, or Quasi-public Gross Floor Area.

c. Any Commercial or Industrial project exceeding 20,000 square feet.

d. Allowed but not required. The Community Benefit process is allowed but not required in the BPMX Districts for:

i. Any Multi-Unit Residential project proposing Affordable Units.

ii. Any Mixed-Used Residential project proposing Affordable Units.

iii. Any Commercial project in or outside the FPZ proposing Affordable Units.

iv. Any Hotel or Lodging project proposing Affordable Units.

e. Not Allowed. The Community Benefit 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 a Master Planned Development or Affordable Master Planned Development. Additional height is not permitted in the FPZ.

2. **STANDARDS.**

1. (Section is reserved)

15-2.27-8 PARKING REQUIREMENTS

A. APPLICABILITY. All development within the BMPX District is subject to the following parking requirements in addition to requirements outlined in Section 15-3 Off Street Parking.

B. REQUIREMENT. Off-Street parking within the BPMX District shall be provided for each land Use as listed in this section, where parking ratio requirements supersede those in Section 15-3 Off Street Parking.

1. **RESIDENTIAL USES**. Off-Street parking shall be provided for each land Use as listed in this section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure. Specific Uses, and the related parking ratio requirements are also shown below: Also refer to 15-15 Definitions for clarification of Uses.

Table 15-2.27-8-B-1 RESIDENTIAL PARKING RATIO REQUIREMENTS	
USE	**PARKING RATIO (NUMBER SPACES)**
Accessory Apartment	1 space per dwelling unit
Lockout Unit in Single Family and Duplex Dwellings	1 space per dwelling unit
Single Family Dwelling	2 per Dwelling Unit
Duplex Dwelling	1.5 per Dwelling Unit (3 total)
Triplex Dwelling	1.5 per Dwelling Unit (5 total)
Multi-Unit Dwelling, Apartment/Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit
Dormitory	75% of the number of people housed or 1 per 200 sf floor Area devoted to accommodations, whichever is less
Boarding House, Hostel	1 per 2 beds; and 1 per manager's unit
Secondary Living Quarters	1 per bedroom in addition to requirements for primary residence
Guest House	1 per Unit
Nightly Rental	Parking for the first six (6) bedrooms is based on

	the parking requirement for the dwelling. An additional space is required for every additional two (2) bedrooms utilized by the Nightly Rental Use. Parking for Historic Structures may be allowed on the Street adjacent to the Property, if approved by the Planning, Engineering, and Building Department

2. **NON-RESIDENTIAL USES**. In non-residential projects, or for non-residential space associated with primarily residential Structures, the following parking requirements shall apply: Also refer to LMC Chapter 15-15, Definitions, for clarification of Uses. Uses may also qualify for additional parking via underground parking if proven community benefits are provided.

Table 15-2.27-8-B -2 NON-RESIDENTIAL PARKING RATIO REQUIREMENTS	
USES	**PARKING RATIO REQUIREMENTS (NUMBER SPACES)**
Group Care Facility	1 per 2 bedrooms plus 1 per employee per shift, or 2 per 3 employees per shift, whichever is greater
Child Care Center	1 per on-duty staff per shift and 1 per 6 children
Public and Quasi-Public Institution, church and school; Public Utility Uses; and Cemetery	1 space per 5 seats, or 2 spaces per 3 employees, or 1 space per 1,000 sf of floor Area, whichever is greater
Auditorium and Assembly Hall	1 space per every 5 seats
Bed and Breakfast Inn	1 space per bedroom and 1 space per on-duty manager
Hotel, Minor and Major	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space
Offices, General	2 spaces per 1,000 sf of leasable floor Area
Offices, Intensive	4 spaces per 1,000 sf of leasable floor Area
Office and Clinic, Medical	5 spaces per 1,000 sf of leasable floor Area
Hospital, Limited Care	1 space per 2 beds

Hospital, General	1.5 spaces per bed
Automobile Sales/Rental	1 space per vehicle plus one space per employee
Financial Institution, with and without drive-up	2 spaces per 1,000 sf of net leasable floor Area
Retail & Service Commercial, Minor, Personal Service	0 spaces required for buildings that have less than or equal to 3,000 net leasable floor area Above 3,000 net leasable floor area is 3 spaces for each 1,000 sf of net leasable floor area
Retail & Service Commercial, Major	5 spaces for each 1,000 sf of net leasable floor Area
Retail & Service, outdoor storge	3 spaces per 1,000 sf of inside net leasable floor Area
Retail & Service, Auto Related and Gas Stations	5 spaces per 1,000 sf of net leasable floor Area
Shopping centers or complexes of multi-tenant retail spaces	3.5 spaces per 1,000 sf of leasable floor Area, excluding corridors and service Areas not related to individual tenant retail spaces
Convenience Store, Support Commercial Uses	4 spaces per 1,000 sf of net leasable floor Area
Cafe/Deli	2 spaces per 1,000 sf of net leasable floor Area
Restaurant, Standard and Bar	0 spaces required for buildings that have less than or equal to 3,000 net leasable floor area Above 3,000 net leasable floor area is 3 spaces for each 1,000 sf of net leasable floor area
Restaurant, Outdoor Dining	Based on Site specific review at the time of CUP
Restaurant, With Drive-up	7 per 1,000 sf of net leasable floor Area
Light Industrial and Wholesale establishments	1 space per 1,000 square feet of floor area and 1 for every 2 employees in the largest shift
Temporary Improvement	1 per employee plus 1 guest spaces

Tramway Station/Ski Base Facility	See Chapter 8.20
Recreation Facility, Private or HOA	Minimum of 1 space per 4 persons maximum rated capacity
Recreation Facility, Public	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area, or 1 per 3 persons rated capacity depending on type of facility
Indoor Entertainment, Theater	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area depending on type of facility
Commercial Outdoor Recreation and Stables, Riding Academy	1 space per 3 persons maximum rated capacity
Master Planned Developments	As determined by Planning Commission based on proposed Uses
Mining Operations	2 spaces per 3 employees
Airports/Heliports	As determined by the Planning Commission based on traffic generation study

C. **CALCULATION OF SPACES**. If a project incorporates two Uses, the Use requiring higher number of Parking Spaces shall govern. Whenever the calculation results in a fractional number, the number of spaces required must be rounded up to the next whole number.

D. **PARKING MAXIMUMS.** No more than one hundred and twenty five percent (125%) of the minimum required parking may be provided for newly constructed non-residential, mixed-use, or Multi-Unit Dwelling developments of ten (10) or more units when the new development is within a one-quarter (¼) mile of a transit stop. When the parking requirement is zero Parking Spaces, a maximum of five (5) Parking Spaces may be provided. The maximum parking limit does not apply to public parking facilities, park-and-ride lots, shared parking areas, or any City facilities. Exceptions to the maximum parking limit may be approved by the Planning Commission if found to be consistent with Section 15-3-1 and to further the City's goals for reducing single-occupancy vehicle trips.

E. **SHARED PARKING.** For both on-site parking and off-site parking, Shared Parking Spaces may be provided contingent upon a shared parking analysis being completed and a Shared Parking Agreement being executed, as approved by the Community Development Director.

1. The parking requirement for projects with multiple, distinct land uses (residential, commercial, lodging, or other) may be lowered, if the applicant submits a shared-parking analysis, approved by the Community Development Director, which results in a peak-parking-demand measure that is less than the Parking Requirement established by Section 15-3-6 for Residential and Non-Residential Uses.

F. PARKING REQUIREMENT ADJUSTMENT. A ten percent (10%) reduction in the number of required Parking Spaces is allowed to reduce or eliminate a public safety hazard or to bring substandard Parking Spaces into compliance with current City design standards subject to approval by the City Engineer.

G. UNDERGROUND PARKING. All development within the BMPX District is encouraged to provide underground parking in order to promote a vibrant pedestrian friendly environment that reduces car-pedestrian conflict. If 100% of required parking is provided on-site and underground, Front and Rear Setbacks may be reduced by 50% outside of the Frontage Protection Zone Overlay.

H. ALTERNATIVE PARKING STRATEGIES. The following alternative parking strategies may be used to comply with the minimum Off-Street parking standards required by this Chapter.

1. **OFF-SITE PARKING.** Required Off-Street Parking Spaces may be provided Off-Site in compliance with the following:

    a. Required parking must be located within the City limits.

    b. Access between the on-Site Use(s) or the subject site and the Off-Site Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g., sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).

    c. A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the Off-Site parking spaces, guarantees the continued availability of the Off-Site Parking Spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the Off-Site Parking Spaces and the Owners and lessees of the subject Site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-Site parking reduction approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Planning Director.

2. **PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES**. For buildings or sites with multiple Uses, parking may be reduced. To calculate the parking requirement, calculate the sum of the minimum Off-Street parking requirements for the two Uses with the highest Off-Street parking requirement, and then multiply that sum by the number shown below for that combination of Uses.

Table 15-2.27-8-H-2 PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES

FIRST USE	SECOND USE				
	MULTI-UNIT RESIDENTIAL	PUBLIC INTSITUTIONAL OR CIVIC	FOOD, BEVERAGE, LODGING, RECREATION, OR ENTERTAINMENT	RETAIL	OTHER COMMERCIAL
Multi-Unit Dwelling[1]	NA				
Public Institutional, or Civic	10%	NA			
Food, Beverage, Lodging, Recreation or Entertainment[2]	15%	20%	NA		
Retail	15%	255	25%	NA	
Other Commercial	20%	25%	25%	20%	NA

This percentage is low.

3. **ADDITIONAL ALTERNATIVE STRATEGIES**. After any reduction in the required number of Off-Street Parking Spaces under Section 15-3-6.1(C) is applied,

[1] The parking reduction for developments with multi-unit residential shall apply only to the non-residential Use parking requirement.

[2] For mixed-use projects, 0 spaces shall be required for the first 3,000 sf of net leasable floor Area of "Retail & Service Commercial, Minor, Personal Service" and/or "Restaurants, Standard and Bar" Uses.

the alternative strategies described below may be combined for an additional non-residential Use parking reduction of up to ten percent (10%).

a. **DESIGNATED CAR SHARING PARKING.** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 Parking Spaces, for up to a maximum of three (3) designated car sharing spaces (i.e., one designated car sharing space = 2 Parking Spaces; two designated car sharing spaces = 3 Parking Spaces; and three designated car sharing spaces = 5 Parking Spaces).

b. **ELECTRIC VEHICLE (EV) CHARGING PARKING SPACES.** Electric Vehicle (EV) Parking Spaces (i.e., spaces with approved charging infrastructure for Electric Vehicles consistent with Section 15-3-11) that are in addition to the EV Parking Spaces required to be provided pursuant to Section 15-3-11 shall count as two Parking Spaces, for up to a maximum of five (5) additional EV Parking Spaces.

c. **UNDERGROUND PARKING.** When underground parking is provided, each two (2) underground Parking Spaces shall count as three (3) Parking Spaces toward satisfying the minimum required parking. This may allow for a reduction of up to five percent (5%) in the number of required Parking Spaces.

4. **PROXIMITY TO TRANSIT.** A fifteen percent (15%) reduction in the total number of required Parking Spaces for any development may be approved when the Site is within one thousand feet (1,000') unobstructed year-round walking distance of a Major Transit Stop.

This whole section seems off. Why not just have the City do a study and define the acceptable density in the codel

5. **CUMULATIVE PARKING REDUCTION**. No development may be granted a cumulative parking reduction greater than fifty percent (50%) for non-residential Uses or greater than fifteen percent (15%) for residential Uses as provided in Sections 15-3-6.1(C), (D), and (E).

15-2.27-9 TRANSPORTATION DEMAND MANAGEMENT

A. **APPLICABILITY.** A Transportation Demand Management (TDM) Plan is required for all development projects as provided in Section 15-3-12(B). Two (2) TDM Plan levels shall apply as described below.

1. **LEVEL 1 TDM PLAN.** A Level 1 TDM Plan is required for all development described below:

a. Single Family Dwellings: 10 - 24 Dwelling Units

b. Single Family Attached Dwellings or Multi-Unit Dwellings: 10 - 44 Dwelling Units

c. Hotel or Lodging Project: 10 - 39 rooms

2. **LEVEL 2 TDM PLAN.** A Level 2 TDM Plan is required for all projects that require a Traffic Impact Study (TIS) (i.e., development adds twenty-five (25) or more peak hour vehicle trips) as described below:
    a. Single Family Detached Dwellings: 25 Dwelling Units and greater
    b. Single Family Attached Dwellings or Multi-Unit Dwellings: 45 Dwelling Units and greater
    c. Hotel: 40 rooms or more
    d. Retail: 3,000 square feet or greater
    e. Office: 3,000 square feet or greater
    f. Sit-Down Restaurant: 2,500 square feet or greater
    g. Fast Food/Fast Casual Restaurant: 800 square feet or greater

B. **EXEMPT PROJECTS.** Projects exempt from TDM Plan requirements are:
    1. Developments of Single-Family or Duplex Dwelling Units with fewer than ten (10) Dwelling Units;
    2. Remodels or expansions of existing residential units that do not increase the total number of residential units;
    3. Remodels or expansions of Commercial, Retail, Office, Hotel or lodging projects, or mixed-use projects involving no more than five hundred square feet (500 square feet) of commercial net leasable space or two (2) lodging rooms or units;
    4. Any Hotel or lodging project with fewer than ten (10) rooms;
    5. Retail less than 3,000 square feet;
    6. Office less than 3,000 square feet;
    7. Sit-Down Restaurant less than 2,500 square feet; and
    8. Fast Food/Fast Casual Restaurant less than 800 square feet.

C. **TDM PLAN.** The Applicant shall submit a TDM Plan for review and approval by the Planning Commission. The TDM Plan shall document and demonstrate consistency with the requirements in this Section. The TDM Plan shall include, but is not limited to, the following:
    1. Identification of the applicable TDM strategies to be implemented based on the size of the project and estimated number of trips generated.
    2. Implementation plan for each TDM strategy, including timelines, responsibilities, and budget allocations.

3. Monitoring and evaluation plan, submitted annually to the Planning Department, to track the effectiveness of TDM strategies and adjust them as needed. At their discretion, the Planning Director may require additional Planning Commission review and modifications as needed.

D. **LEVEL 1 TDM PLAN REQUIRED COMPONENTS.** The following TDM trip reduction strategies are required for Level 1 TDM Plans:

1. Participation in an annual travel survey of residents and employees for the first four(4)years of building occupancy. Employers on Sites subject to an approved TDM Plan shall submit the survey results to the City.
2. Provide the following information to employees and/or residents on an annual basis:
    a. Carpooling/vanpooling information;
    b. Transit schedules and route information;
    c. Information on air pollution and alternatives to single-occupancy vehicle trips;
    d. Bicycle route and facility information, including local bicycle maps, locations of nearest outdoor bicycle parking or enclosed bicycle storage, and bicycle safety information; and
    e. Information on walking and biking to work, pedestrian and bicycling safety, and all-weather walking shoes and traction devices for shoes and bicycle tires in winter/ice conditions.
3. One strategy from the Supplemental TDM Menu (see Section 15-3-12(F).)

E. **LEVEL 2 TDM PLAN REQUIRED COMPENENTS.** The following TDM trip reduction strategies are required for Level 2 TDM Plans:

1. All Level 1 required components.
2. Establishment of a TDM Coordinator to directly support commute programs, implement mobility programs, and develop transportation policies and initiatives.
3. Employee parking cash-out program.
4. Unbundle parking for residential Dwelling Units at minimum.
5. Two strategies from the Supplemental TDM Menu (see Section 15-3-12(F).)

F. **SUPPLEMENTAL TDM MENU.** Supplemental TDM strategies over and above the applicable Level 1 or Level 2 TDM Plan requirements may be implemented to reduce the amount of required Parking for non-residential Uses. When three (3) or more of the following strategies are provided in addition to the applicable Level 1 or Level 2 TDM Plan requirements, the Planning Commission may approve up to a fifteen percent (15%) reduction in the required parking for non-residential Uses.

1. Alternative work schedules/flex-time.
2. Preferential Parking for carpool or vanpool vehicles.
3. Employee shower facilities.
4. Provision of on-Site or Off-Site multimodal transportation improvements at the discretion of the Planning Commission, such as:
5. Pedestrian network improvements (e.g., providing sidewalks that are wider than the required minimum width),
6. Construct or improve a bike facility (e.g., providing improved safety of bicycle facilities serving key transit nodes), or
7. Construct transit-supportive treatments (e.g., traffic calming near transit stop, transit stop enhancements and amenities, etc.).
8. On-site child care facilities.
9. Facilities and equipment to encourage telecommuting (e.g., video-conferencing facilities and equipment).
10. Contributions to funds for local and regional facilities such as park-and-ride lots, multimodal transportation centers, satellite work centers, etc. as approved by the City Council.
11. On-Site amenities such as cafeterias, restaurants, automated teller machines, and other services that would eliminate the need for additional trips.
12. Transit incentives for employees such as additional pay for carpoolers, etc.
13. Plans for delivery of goods at off-peak times and/or plans and facilities for centralized deliveries of goods for multi-tenant facilities.

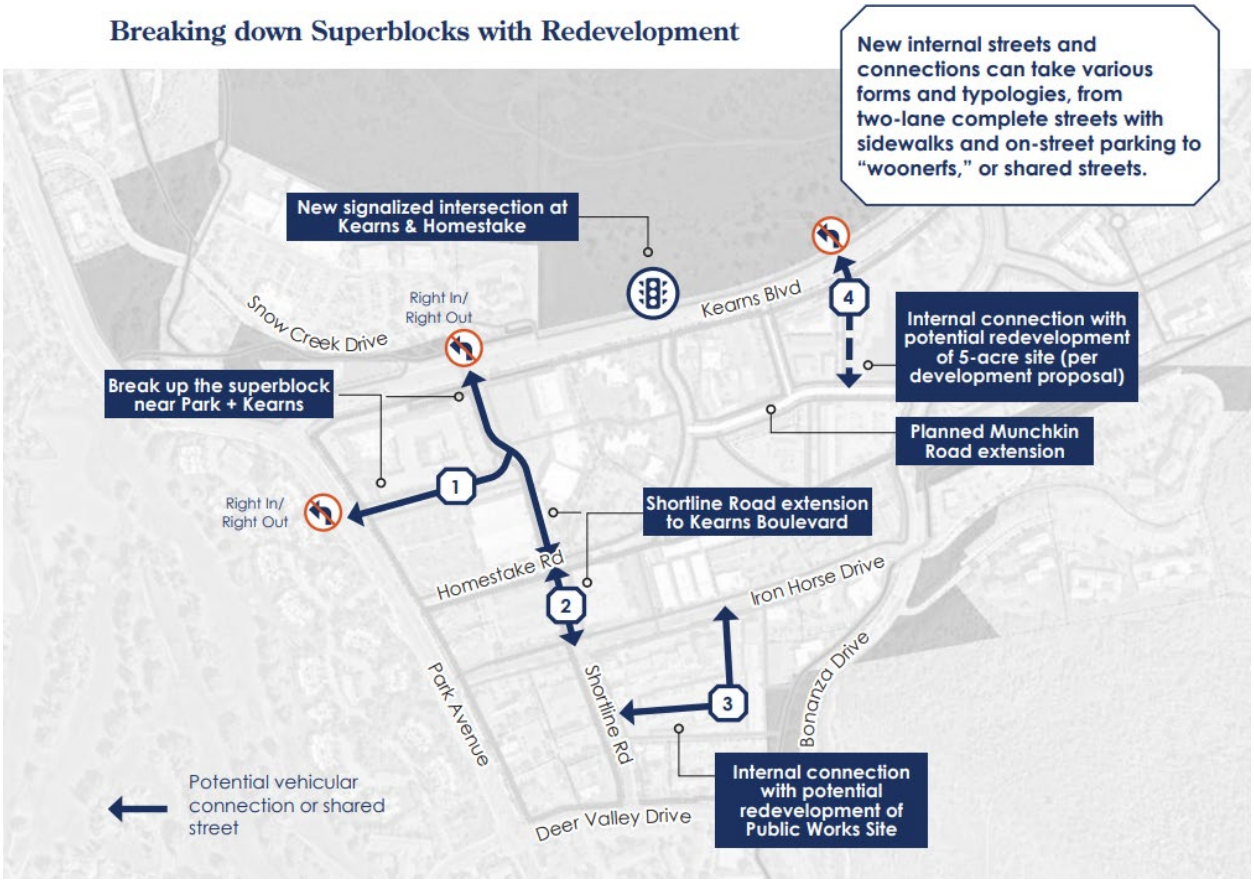
G. **TDM PLAN AGREEMENT.** A TDM Plan agreement shall be provided in a form acceptable to the City Attorney and shall include the TDM Plan. The parties to the agreement shall include the Owners and lessees of the project Site. A copy of the agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in enforcement action by the City unless a new TDM Plan is approved by the City within a reasonable timeframe, as determined by the Planning Director.

15-2.27-10 STREET SYSTEMS.

The street network has a significant influence on the overall connectivity of a place. In Bonanza Park, additional street connections are required to promote walkability and to create an interconnected system of blocks.

A. **ADDITIONAL CONNECTIONS.** New street connections**.** are required to ensure Bonanza Park is a walkable and safe neighborhood. Development located adjacent to one of the following areas shall incorporate new street connections.

1. Superblock between Park Ave, Kearns Boulevard, and Homestake Road. New east-west connections should be established.
2. Shortline Road. Shortline Road should be extended to connect from Deer Valley Drive to Homestake Road.
3. Shortline Road and Iron Horse Drive. A new connection to these roads should be integrated into redevelopment.
4. Park Avenue and Bonanza Drive. A new connection should be implemented to connect Munchkin Road and Kearns Boulevard.
5. Where required to improve pedestrian safety, a tunnel or bridge on Park Avenue or Kearns Boulevard is appropriate and shall meet requirements from the City Engineer, Pubic Works, and applicable state review agencies.



B. **STREET DESIGN.**

1. All new Streets shall meet Park City standards.
2. All new Streets shall integrate best management practices for stormwater runoff.
3. To the greatest extent practicable, development that is impacting an existing street shall upgrade the street design to meet code standards in place at the time of application.
4. Traffic calming measures, including intersection bump-outs, street trees, parklets, and on-street parking should be integrated into new or updated City streets.
5. Pedestrian infrastructure, including sidewalks and crosswalks shall be integrated into new or updated City streets.

15-2.27-11 OPEN SPACE AND TRAIL CONNECTIVITY

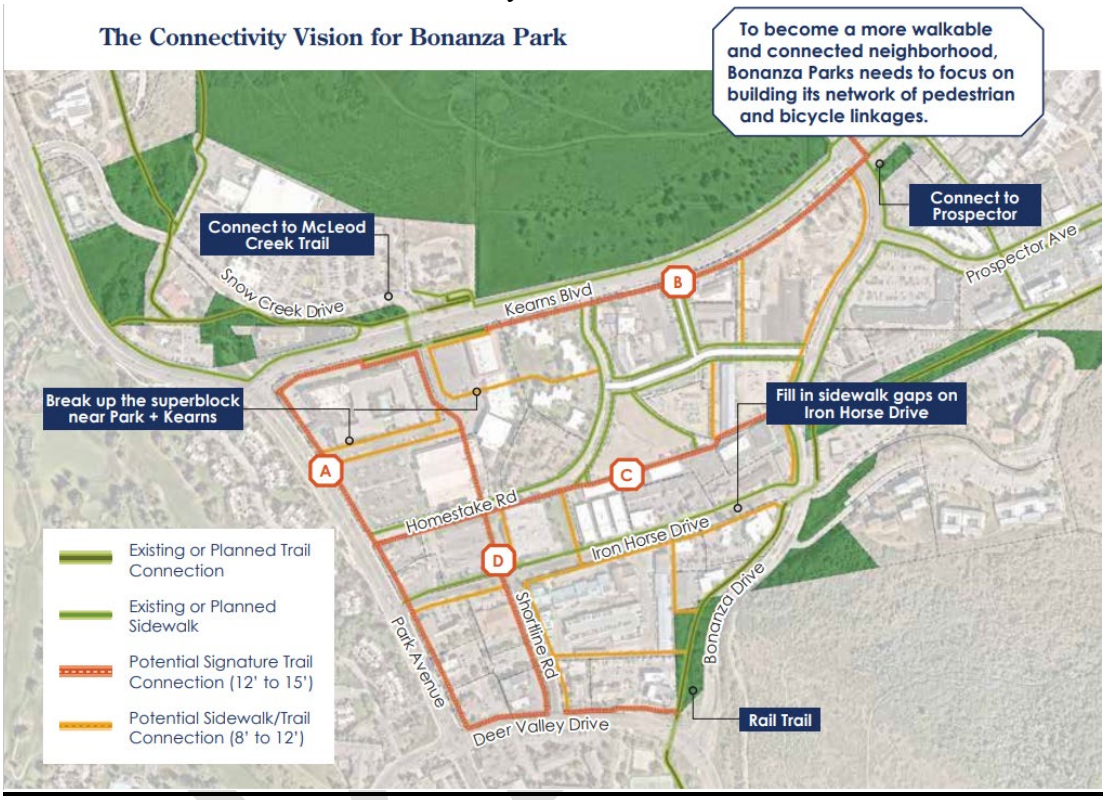
Establishing a network of pedestrian and bicycle linkages is critical to improve the overall connectivity of the Bonanza Park neighborhood. Similarly, additions of open space and green areas will improve the overall sense of community and opportunities for gathering in the neighborhood. All development within BPMX must have multi-modal connections and open space to improve the Bonanza Park's connectivity.

A. **OPEN SPACE AND PARKS.** Each development is required to have a minimum amount of open space. This space should be designed to integrate with the building design, as well as reinforce the ideas of community connection and openness in the Bonanza Park Small Area Plan.

1. The following open space typologies (also known as Green Community Space) are permitted in the BPMX District, and may be located in a Frontage Protection Zone, unless prohibited by this section.
    a. Pocket Park
    b. Linear greenspace with pedestrian and/or bicycle path.
    c. Public Courtyard.
    d. Plaza areas.
    e. Flexible Space.
    f. Community Garden.
    g. Green Roofs with publicly accessible amenity terrace. If this option is chosen, a deed restriction granting permanent public accessibility shall be required. This option cannot be located within the Frontage Protection Zone.

B. **TRAIL CONNECTIONS.** Integrating multi-modal transportation opportunities is critical in the Bonanza Park neighborhood. Development should support the goals

articulated in the Bonanza Park Small Area Plan, including the creation of new sidewalk and bicycle facilities. Development located adjacent to key roadways in Bonanza Park should integrate the following key trail connections. Key connections are at Park Ave, Kearns Blvd, Rail Trail, and Deer Valley Drive.



C. **VEGETATION PROTECTION.** The Property Owner must protect Significant Vegetation during any Development activity.

1. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.
2. Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist.
3. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Sections 15-3-3 and 15-5-5(N), and Title 14.

15-2.27-12 SUSTAINABILITY REQUIREMENTS

A. **APPLICABILITY.** All Development within the BMPX District should strive to support the City's Net Zero goals through the implementation of sustainable design, materials, and technologies in order to reduce short and long-term impacts on the environment.

B. **REQUIREMENTS.** All projects within the BPMX shall implement energy reducing measures including fixtures and appliances, energy efficient lighting, low-flow plumbing fixtures, sensors and timers that control water flow, lighting and temperature, and on-site Solar Energy Systems.

New buildings shall strive to obtain third party certification of the use of sustainable construction techniques and building materials. The following programs should be considered:

1. US Green Building Counsil's LEED program (includes commercial, lodging, multi-family, and existing buildings); or
2. Green Globes; or
3. Any nationally recognized and accepted program that offers accreditation equal to or great to the above options.

15-2.27-13 CONVENTIONAL CHAIN BUSINESSES

A. **APPLICABILITY.** This Section provides guidance on Conventional Chain Businesses in the BPMX District. New Development and major redevelopments inclusive of a business that meets the thresholds outlined in the Conventional Chain Business Definition in Section 15-15-1 must acquire an Administrative Conditional Use Permit, in addition to meeting the requirements outlined below. This section shall not apply to grocery stores.

B. **REQUIREMENTS.**

1. No Conditional Use Permit shall be issued in the BPMX District, unless approved by the Planning Department and Planning Commission, pursuant to Section 15-1-10.
2. In addition to the requirements listed in Section 15-1-10, the Planning Director and Planning Commission shall also consider whether the proposed Use meets the goals outlined in the Bonanza Park Small Area Plan, as defined below:
    a. The Conventional Chain Business will not create an oversaturation of similar uses within the BPMX District.
    b. The proposed business will diversify either retail and community services provision within the BPMX District and Park City, providing either basic necessities that provide for the daily needs of residents.
    c. The proposed business encourages innovation or a creative business idea.

d. The proposed business provides local entrepreneurs with an opportunity to offer distinct services or sell locally made products.

e. The proposed business offers affordable and needed services, meals, or products to the BPMX District or Park City community.

f. The proposed business creates unique recreational, entertainment, or cultural opportunities.

g. The proposed business offers services not currently found within Park City's municipal boundary.

h. The proposed business will be aesthetically compatible with the BPMX District character and adhere to the design guidelines within this Chapter, in addition to those outlined in Section 15-4 Supplemental Regulations and Section 15-5 Architectural Review.

i. The proposed business will be compatible with existing businesses.

15-2.27-14 CRITERIA FOR DRIVE-UP WINDOWS

Drive-up windows require special Conditional Use permit (CUP) to consider traffic impacts on surrounding Streets. The Applicant must demonstrate that at periods of peak operation of the drive-up window, the Business patrons will not obstruct driveways or Streets and will not interfere with the intended traffic circulation on the Site or in the Area.

15-2.27-15 SEXUALLY ORIENTED BUSINESSES

The purpose and objective of this Section is to establish reasonable and uniform regulations to prevent the concentration of Sexually Oriented Businesses or their location in Areas deleterious to the City, and to prevent inappropriate exposure of such Businesses to the community. This Section is to be construed as a regulation of time, place, and manner of the operation of these Businesses, consistent with the United States and Utah State Constitutions.

A. **LOCATION OF BUSINESSES, RESTRICTIONS.** Sexually Oriented Businesses, are Conditional Uses. No Sexually Oriented Business may be located:

1. within three hundred feet (300') of any school, day care facility, cemetery, public park, library, or religious institution;
2. within three hundred feet (300') of any residential zoning boundary; or
3. within three hundred feet (300') of any liquor store or other Sexually Oriented Business.

B. **MEASUREMENT OF DISTANCES.** For the purposes of this Section, distances are measured as follows:

1. The distance between any two (2) Sexually Oriented Businesses is measured in a straight line, without regard to intervening Structures or objects, from the closest exterior wall of the Structure in which each Business is located.

2. The distance between Sexually Oriented Businesses and any school, day care facility, public park, library, cemetery or religious institution is measured in a straight line, without regard to intervening Structures or objects, from the closest exterior wall of the Structure in which the Sexually Oriented Business is located, to the nearest Property Line of the premises of the school, day care facility, public park, library, cemetery, or religious institution.

3. The distance between Sexually Oriented Businesses and any residential zoning boundary is measured in a straight line, without regard to intervening Structures or objects, from the closest exterior wall of the Structure in which the Sexually Oriented Business is located, to the nearest Property Line of the residential zone.

C. **DEFINITIONS.** Terms involving Sexually Oriented Businesses which are not defined in this Chapter have the meanings set forth in the Municipal Code of Park City, Section 4-9-4.

15-2.27-16 CRITERIA FOR BED AND BREAKFAST INNS

A Bed and Breakfast Inn is an Allowed Use subject to an Administrative Permit. No permit may be issued unless the following criteria are met:

A. If the Use is in an Historic Structure, the Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
B. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
C. In Historic Structures, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
D. The rooms are available for Nightly Rental only.
E. An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.
F. Food service is for the benefit of overnight guests only.
G. No Kitchen is permitted within rental rooms.
H. Parking is on-Site at a rate of one (1) space per rentable room. The Planning Commission may waive the parking requirement for Historic Structures if the Applicant proves that:

   1. No on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and

   2. She Structure is not economically feasible to restore or maintain without the adaptive Use.

   3. The Use complies with Section 15-1-10, Conditional Use review.

15-2.27-17 GOODS AND USES TO BE WITHIN ENCLOSED BUILDINGS

A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.18-9(B)(3) for outdoor display of bicycles, kayaks, and canoes.

B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Permit. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

1. **OUTDOOR DINING**. Outdoor dining is subject to the following criteria:
    a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.
    b. The proposed seating Area does not impede pedestrian circulation.
    c. The proposed seating Area does not impede emergency Access or circulation.
    d. The proposed furniture is Compatible with the Streetscape.
    e. No music or noise is in excess of the City Noise Ordinance, Title 6.
    f. No Use after 10:00 p.m.
    g. No net increases in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.
2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS**. Outdoor grills and/or beverage service stations are subject to the following criteria:
    a. The Use is on private Property or leased public Property, and does not diminish parking or landscaping.
    b. The Use is only for the sale of food or beverages in a form suited for immediate consumption.
    c. The Use is Compatible with the neighborhood.
    d. The proposed service station does not impede pedestrian circulation.
    e. The proposed service station does not impede emergency Access or circulation.

f. Design of the service station is Compatible with the adjacent Buildings and Streetscape.

g. No violation of the City Noise Ordinance, Title 6.

h. Compliance with the City Sign Code, Title 12.

3. **OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes is subject to the following criteria:

   a. The Area of the proposed bicycle, kayak, motorized scooter, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.
   b. Bicycles, kayaks, and canoes may be hung on Buildings if sufficient Site Area is not available, provided the display does not impact or alter the architectural integrity or character of the Structure.
   c. No more than a total of fifteen (15) pieces of equipment may be displayed.
   d. Outdoor display is only allowed during Business hours.
   e. Additional outdoor bicycle storage Areas may be considered for rental bicycles, provided there are no or only minimal impacts on landscaped Areas, parking spaces, and pedestrian and emergency circulation.

4. **OUTDOOR EVENTS AND MUSIC**. Outdoor events and music requires an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

   a. Notification of adjacent Property Owners.

   b. No violation of the City Noise Ordinance, Title 6.

   c. Impacts on adjacent Residential Uses.

   d. Proposed plans for music, lighting, Structures, electrical signs, etc.

   e. Parking demand and impacts on neighboring Properties.

   f. Duration and hours of operation.

   g. Impacts on emergency Access and circulation.

5. **DISPLAY OF MERCHANDISE**. Display of outdoor merchandise is subject to the following criteria:

   a. The display is immediately available for purchase at the Business displaying the item.

   b. The merchandise is displayed on private Property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in

an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right-of-Way regardless if the Property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.

c. The display is prohibited from being permanently affixed to any Building. Temporary fixtures may not be affixed to any Historic Building in a manner that compromises the Historic integrity or Façade Easement of the Building as determined by the Planning Director.

d. The display does not diminish parking or landscaping.

e. The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.

f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.

15-2.27-18 SIGNS

Signs are allowed in the BPMX District as provided in the Park City Sign Code, Title 12.

15-2.27-20 RELATED PROVISIONS

A. Fences and Walls. Section 15-4-2.
B. Accessory Apartments. Section 15-4.
C. Satellite Receiving Antenna. Section 15-4-13.
D. Telecommunication Facility. Section 15-4-14.
E. Parking. Chapter 15-3.
F. Landscaping. Title 14; Sections 15-3-3 and 15-5-5(N).
G. Lighting. Sections 15-3-3 and 15-5-5(J).
H. Historic Preservation. Chapters 15-11 and 15-13.
I. Park City Sign Code. Title 12.
J. Architectural Review. Chapter 15-5.
K. Snow Storage. Section 15-3-3.
L. Parking Ratio Requirements. Section 15-3-6.

DRAFT

15-6.1-3 ZONING DISTRICTS AND USES

1. **ZONING DISTRICTS**. Affordable Master Planned Developments are Allowed in the following Zoning Districts:
    1. Residential Development
    2. Residential Development Medium
    3. Residential Medium
    4. Recreation Commercial
    5. General Commercial
    6. Bonanza Park Mixed Use District
    7. Light Industrial
    8. Community Transition
    9. Historic Commercial Business
    10. Historic Recreation Commercial, east of Park Avenue

2. **USES**. An Affordable Master Planned Development can only contain Uses that are Allowed or Conditional in the Zoning District in which it is located.

3. **COMMERCIAL USES**. An Affordable Master Planned Development may include up to 10,000 square feet of Commercial, Retail, Office, Public, and Quasi-public Uses.

DRAFT

15-4-4 SECONDARY LIVING QUARTERS

Secondary living quarters are a permitted Accessory Use in all districts except the HRL, HR-1, HR-2, and ROS, unless previously approved by a Master Planned Development. Any request for secondary living quarters within residential dwellings shall be reviewed and approved by the Planning Department. The following criteria must be established prior to issuance of Building Permit or Certificate of Occupancy issuance:

1. **SIZE.** The maximum size for secondary living quarters shall be 1,000 square feet. This amount shall be included in the total Building Floor Area square footage calculations for all Structures.
2. **UNIVERSAL DESIGN PRINCIPLES.** Must follow universal design principles to allow equal access by people of all ages and abilities. This including those aging-in-place and the American Disabilities Act. Methods include no-step entries, appropriate widths for hallways and doors, non-slip surfaces, etc.
3. **PARKING.** One (1) on-Site Parking Space for each Secondary Living Quarter shall be provided in addition to the underlying parking requirement. Tandem Parking is allowed.
4. **SINGLE UTILITY METERS.** The main dwelling and the Secondary Living Quarters shall be on the same utility meters.
5. **KITCHENS.** Secondary Living Quarters shall not contain full Kitchens, as defined in this Code.
6. **ACCESS.** The secondary quarters shall be designed to have direct Access into the main dwelling.
7. **NO SEPARATE LEASES.** The secondary quarters shall not be rented or leased separately from the main dwelling. Nightly Rentals and other seasonal rentals are prohibited to help residential bases grow for locals. Secondary living quarters are for the Use of the Owner of the main dwelling for guests, household help, relatives, and other similar Persons.

15-15-1 DEFINITIONS

For the purpose of the LMC, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth herein. Defined terms will appear as proper nouns throughout this Title. Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; "used" or "occupied" as applied to any land or Building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

AFFORDABLE HOUSING. Housing units that include a deed restriction and meet the requirements of the Park City Moderate Income Housing Plan.

ART/PLACEMAKING ELEMENTS. Elements that reflects the identity and character of an area, such as murals, lighting, and signage.

BIG-BOX STORE. Large retail establishment, usually part of a chain store. Can also be referred to as a hyperstore, supercenter, superstore, or megastore.

COMMUNITY BENEFIT. Specific programmatic or infrastructure improvements a development provides in exchange for additional height and/or density. Subject to the requirements of Section 15-2.27-7.

CONNECTIVITY IMPROVEMENTS. Such as new pedestrian paths or streets that create walkable and connected development patterns and break up existing superblocks or major improvements.

COTTAGE COURTS. Small clusters of detached homes arranged about a shared open space.

DENSITY BONUS. Zoning tool that permits developers to build more housing units, taller buildings, or more floor space than normally allowed in exchange for providing a defined Community Benefit.

GREEN COMMUNITY SPACE. Public spaces outdoors for public access.

1. **AMENITY TERRACE.** Rooftop that includes communal recreation or aesthetic uses, such as patios, balconies, lounges, etc.
2. **COMMUNITY GARDEN.** Publicly accessible garden space.
3. **FLEXIBLE SPACE.** Multi-use open space, utilized by the public. Can be used for individual enjoyment or for events.
4. **PLAZA AREA.** An open space for public use defined by surrounding buildings or streets.
5. **POCKET PARK.** Small park accessible to the general public.

6. **PUBLIC COURTYARD.** Publicly accessible open area between buildings and walls.

MIXED USE. A parcel, structure, or both that combined two (2) or more land uses, such as commercial, residential, hotel, or recreational spaces.

MOBILITY HUB. Resources utilized for multi-modal transit, often in the form of bus shelters (with light, seating, cover, and signage), bus pullouts, and access to last-mile connectivity, such as bike share or micro-mobility.

PARKING.

1. **Parking, Public**. A Parking Area or parking facility to be used by the public for fee or otherwise.
2. **Parking, Residential**. A Parking Area or Structure used exclusively for residential, non-commercial Uses.
3. **Parking, Shared**. The Development and Use of Parking Areas on two (2) or more separate Properties for joint Use by the businesses or residents on those Properties.
4. **Parking, Underground.** A Parking Area or Structure below grade, utilized by all land uses.

PEDESTRIAN CONNECTION. A pathway, sidewalk, or network of sidewalks and pathways designed to facilitate safe and accessible movement of people traveling by foot, including at-grade improvements as well as tunnels or bridges.

PUBLICLY ACCESSIBLE OUTDOOR COMMUNITY SPACE. Spaces suitable for year-round use, and of a high design quality with gathering spaces, seating areas, play structures, and public art.

SUSTAINABLE DEVELOPMENT. Development that incorporates best practices to minimize energy use. Park City has adopted net-zero goals, and sustainable development can help the community reach these goals.

TOWNHOME. A multi-story residential unit that shares one or more walls with a neighboring unit, but with a private entrance.

TRAFFIC CALMING. Transit planning to deliberately slow traffic in residential areas through methods speed bumps, bump-outs at intersections, on-street parking as part of a complete street design. Other methods include parklets, sidewalks, signage, and street trees.

TRANSIT HUB. A property utilized as a mass transit station or an interchange of multiple modes of transportation.

UNIVERSAL DESIGN PRINCIPLES. Principles through public and private spaces are designed to have equal access by people of all ages and abilities, with little or no need for adaptation or specialized design.

USE. The purpose or purposes for which land or Structures are occupied, maintained, arranged, designed, or intended.

1. **USE, INTENSITY OF**. The maximum number of residential units, or commercial, or industrial space within a specified land Area designated for that purpose.

WAYFINDING. Ways in which people orient themselves in physical space and navigate from place to place. Examples can include signs, symbols, landmarks, or pathways.

DRAFT

Alec Barton

From: Craig Elliott <celliott@elliottworkgroup.com>
Sent: Wednesday, February 12, 2025 3:23 PM
To: Rebecca Ward; Christin VanDine; Rick Shand; Sarah Hall; Bill Johnson; Laura Suesser; Henry Sigg; John Frontero
Cc: Carla LeHigh
Subject: [External] Re: Bonanza Park Mixed Use District
Attachments: 2025-02-12 BoPa Proposed Code CE Markup.pdf

Warning: Replies to this message will go to celliott@elliottworkgroup.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Planning Director and Commissioners:

I've attached a pdf file of the most up to date BPMX District proposed code language with my comments. I came down with the flu last Friday and was not able to review this information until today. I apologize for not providing sooner.

CRAIG ELLIOTT | AIA
1441 Ute Boulevard Suite 100 - Park City UT - 84098
Office: 435.649.0092 x301 | ELLIOTTWORKGROUP.COM

> On Dec 12, 2024, at 9:48 AM, Craig Elliott <celliott@elliottworkgroup.com> wrote:
>
> Planning Director and Commissioners:
>
> Thanks for listening to my overall comments last night about the Bonanza Park Mixed Use District. I've attached a pdf file of the hard copy left in chambers last night of the proposed code changes with comments for your review.
>
> I am happy to sit down to discuss if the comments prompt any questions.
>
> My cell number is (435)901-3150 feel free to call or text.
>
> **CRAIG ELLIOTT** | AIA
> 1441 Ute Boulevard Suite 100 - Park City UT - 84098
> Office: 435.649.0092 x301 | ELLIOTTWORKGROUP.COM

<Bonanza Park Mixed-Use Zoning District Code Amendments CE Markup.pdf>

15-1-6 ZONE DISTRICTS AND ZONE MAP

In order to carry out the purposes of the LMC, Zoning Districts have been established as set forth in LMC Chapter 15-2 and as identified on the Official Zoning Map. In interpreting the Official Zoning Map, the following standards shall apply:

1. The zoning boundary lines are intended to conform to existing Property boundary lines when not in a public Right-of-Way, or to follow the center line of public Rights-of-Way, including prescriptive Rights-of-Way, unless the lines are located by specific dimensions, in which case the dimensions shall control.
2. Where the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map.
3. There is no minimum Area or diversity of ownership requirement for a zone designation. Neither the size of a Zoning District nor the number of landowners within the district may be used as evidence of the illegality of a Zoning District or of the invalidity of a municipal decision.
4. All property within the City limits is subject to the City's Zoning Districts, including State or Federal property which may be exempt from the City's land use ordinance and jurisdiction. If such zoning is subsequently invalidated, no building permit, subdivision or approval for any development activity may be applied for until the City establishes a valid zoning for the property.

15-2.27 BONANZA PARK MIXED USE (BPMX) DISTRICT

15-2.27-1 PURPOSE
15-2.27-2 USES
15-2.27-3 LOT AND SITE REQUIREMENTS
15-2.27-4 BUILDING HEIGHT
15-2.27-5 DESIGN GUIDELINES
15-2.27-6 PROJECT ENHANCEMENTS
15-2.27-7 PARKING REQUIREMENTS
15-2.27-8 TRANSPORTATION DEMAND MANAGEMENT
15-2.27-9 STREET SYSTEMS
15-2.27-10 OPEN SPACE AND TRAIL CONNECTIVITY
15-2.27-11 SUSTAINABILITY REQUIREMENTS
15-2.27-12 CONVENTIONAL CHAIN BUSINESSES
15-2.27-13 GOODS AND USES TO BE WITHIN ENCLOSED BUILDINGS
15-2.27-14 SIGNS
15-2.27-15 RELATED PROVISIONS

15-2.27-1 PURPOSE

The purpose of the Bonanza Park Mixed Use (BPMX) District is to:

1. ensure development in the Bonanza Park neighborhood implements the Bonanza Park Small Area Plan and provides opportunities for locally serving businesses and diverse housing options,
2. encourage the development of affordable, workforce, attainable, and market-rate long-term housing options,
3. create a vibrant Mixed-Use pedestrian-oriented neighborhood, with safe, comfortable access to parks, publicly accessible green spaces, and outdoor community spaces,
4. protect entry corridor views along the Bonanza Park Frontage Protection Zone,
5. allow increased height, decreased setbacks, and reduced open space, when development provides significant project enhancements,
6. establish a network of pedestrian and bicycle linkages throughout Bonanza Park,
7. ensure development implements Universal Design Principles and aspires to reach Park City's sustainability goals, reduce vehicle trips, and improve access to transit, and
8. incorporate public art and placemaking elements to inspire, awe, delight, and enliven public spaces, streets, and trails in the Bonanza Park neighborhood.

Define the Views that are expected to be protected and from what vantage point.

Define the word "significant".

Removal of "Hotel" and "Nightly Rental" will create at least two existing non-conforming properties in the District. It is not likely to encourage the property to redevelop in the manner desired by the change of zone.

15-2.27-2 USES

Uses in the BPMX District are limited to the following:

A. **ALLOWED USES.**

1. Bakery
2. Bank
3. Bar
4. Café
5. Child Care
6. Child Care Center
7. Child Care Family
8. Child Care, Family Group
9. Child Care, In-Home Babysitting
10. Commercial Use
11. Commercial Use, Support
12. Deli or Delicatessen
13. Dwelling, Multi-Unit
14. Essential Municipal and Public Utility Use, Facility, Service, and Structure
15. Food Hall
16. Green Community Space
17. Grocery Store
18. Gym
19. Home Occupation
20. Hospital, Limited Care Facility
21. Indoor Entertainment, Theater/Museum
22. Major Transit Stop
23. Mobility Hub
24. Office and Clinic, Medical and Veterinary Clinic
25. Office, General
26. Office, Medical
27. Office, Moderately Intensive
28. Plant and Nursery Stock production and sales
29. Public Art
30. Recreation Facility, Public
31. Restaurant
32. Retail and Service Commercial, Major
33. Retail and Service Commercial, Minor
34. Retail and Service Commercial, Personal Improvement
35. Transit Hub

B. **ADMINISTRATIVE CONDITIONAL USES.**

1. Fences and walls greater than six feet (6') in height from Final Grade
2. Food Truck Location
3. Outdoor Event Facility
4. Pet Services
5. Public Transit Amenity Area

This area is generally a good place for Chain Businesses. Sometimes Chain Business work as a draw that enhances the viability of a local business.

Has an analysis been done on the number of local businesses that exist and compared to the adult, working age, population of Park City? Our local business ownership has to be a very high percentage.

Is a business considered local if owned by someone from Salt Lake, or Snyderville Basin? Is a franchise owned by a local considered a chain business?

6. Temporary Improvement

C. **CONDITIONAL USES.**
1. Conventional Chain Business
2. Disabled Care
3. Elder Care
4. Flex Industrial
5. Group Care Facility
6. Hospital, General
7. Hotel, Boutique
8. Indoor Entertainment Facility
9. Passenger Tramway and Ski Base Facility
10. Public and Quasi-Public Institution, Church, and School
11. Recreation Facility, Private
12. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter
13. Service Station, Direct Fast Chargers
14. Telecommunication Antenna
15. Temporary Sales Trailer in conjunction with an active building permit for the Site

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

15-2.27-3 LOT AND SITE REQUIREMENTS

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has Frontage on a Street shown as a private or Public Street on the Streets Master Plan or Section 15-2.27-9, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development activity must comply with the following minimum standards:

A. **LOT SIZE**: No minimum lot size.

B. **DENSITY**: The following densities and square footage limitations apply within the BMPX District.

1. **Residential.** Minimum residential density 10-units per acre.

2. **Commercial.**

This number seems arbitrary. It might be better if the number was tied to the area of the site.

a. A single building is limited to no more than 15,000 square feet of commercial square footage. This limitation shall apply to commercial-only development and mixed-use development with a commercial component.

What is the goal of this area limitation? Is an office space or medical tenant a commercial tenant?

b. A single commercial tenant shall not occupy more than 5,000 square feet of commercial square footage, unless it meets one of the following exemptions:

1. Grocery Store,
2. US Post Office,

3. The use has received conditional use approval pursuant to Section 15-1-10 *Conditional Use Review Process*.

C. **OPEN SPACE**: The following Open Space requirements apply within the BPMX District.

1. At least 30% of the total Site Area shall be Open Space and may not be used for Streets, roads, driveways, or parking areas.

2. Projects that meet the requirements of Section 15-2.27-6 *Project Enhancements* may request a reduction to 20% Open Space for the total Site Area when satisfying parking requirements underground.

D. **[PRELIMINARY DRAFT – STREET TYPES TO BE DEFINED] STREETSCAPE SETBACKS**: Table 15.2-27-3(D) identifies the required Streetscape Setbacks in the BPMX District. Streetscape Setbacks are determined based on street type to prioritize pedestrian-friendly design and enhance walkability. Wider streets require greater setbacks to create comfortable, accessible spaces for pedestrians and bicyclists, while narrower streets allow for reduced setbacks that maintain a cohesive streetscape.



Table 15.2-27-3(D): MINIMUM STREETSCAPE SETBACK REQUIREMENTS		
Street Type	**Applicability/ Streets**	**Streetscape Setback**
X	Kearns Boulevard and Park Avenue	30 Feet

It makes sense to understand these setbacks with relation to the curb of a street. Street right-of-ways are almost always much larger than the street itself. This may result in a much larger setback than desired in a mixed-use neighborhood. Consider the setbacks of Main Street are essentially zero.

X	Bonanza Drive	25 Feet
X	Homestake Road, Iron Horse Drive, Prospector Avenue, Sidewinder Drive	20 Feet
X	Munchkin Road, Snow Creek Drive, Woodbine Way	18 Feet
Rail Trail	East-West connection	20 Feet

E. **SETBACKS:** The Frontage Protection Zone requires a minimum landscaped buffer Setback of thirty feet (30') in width abutting the Street. See Chapter 15.2.20. Setbacks that are not Frontage Protection Zone or Streetscape Setbacks are twenty-five feet (25'). Projects that meet the requirements of Section 15-2.27-6 *Project Enhancements* may request the Planning Commission grant a Setback reduction to twenty feet (20') for Setbacks that are not Streetscape Setbacks.

1. **SETBACK EXCEPTIONS:** The following setback exceptions apply within the BPMX District.

   a. The Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
   b. On Corner Lots, the Setback may be increased for pedestrian and bicycle connectivity and Sight Distance Triangle clearance.

F. **VERTICAL AND HORIZONTAL MIXED-USE:** The BPMX District shall implement both Vertical Mixed-Use and Horizontal Mixed-Use principles to ensure a variety of uses that promote a locally serving neighborhood.

1. **Vertical Mixed Use.** Vertical Mixed-Use development contains a range of uses within one building. Typically, lower floors contain active storefronts such as retail stores or restaurants while upper floors are residential and/or office. Vertical Mixed Use shall be required along Internal Roads within the BPMX District as defined in Section 15-2.27-3(D), unless otherwise approved by the Planning Commission.

2. **Horizontal Mixed Use.** Horizontal Mixed-Use development integrates distinct land uses, such as residential, commercial, and retail, within a multi-building development or larger area, with these uses arranged side by side rather than stacked vertically. Horizontal Mixed-Use is made up of single-use buildings within a complex or employ a single land use on an individual parcel. Horizontal Mixed Use is allowed along Kearns Boulevard, Park Avenue, and Deer Valley Drive, and Internal Roads within the BPMX District.

G. **PEDESTRIAN AMENITY GUIDELINES:** Pedestrian Amenity requirements aim to create thoughtfully designed and meaningful open spaces that emphasize human scale,

offer relief from the built environment, and enrich the pedestrian experience of the BPMX District. Pedestrian Amenities may include but are not limited to benches, outdoor seating, bike racks, shade structures, and Public Art.

1. **PLACEMENT.** Pedestrian Amenities should be along the Streetscape, open to the sky, and free of permanent enclosures. They must be versatile and adaptable, accommodating uses such as outdoor dining, outdoor vending, or public gathering areas.

2. **ACCESSIBILITY.** Pedestrian Amenities must contribute to an active Streetscape and promote interaction. Property owners can meet these requirements through physical or operational improvements to private property or enhancements to the public right-of-way.

3. **DESIGN GUIDELINES:**
    a. Street level Pedestrian Amenities shall be within 18 inches above or below the Existing Grade of the street or sidewalk, which abuts the space.
    b. Street level Pedestrian Amenities shall be open to the sky but may include temporary shade or similar structures.
    c. Street level Pedestrian Amenities shall consider all four corners of an intersection.
    d. Pedestrian Amenities shall face the street.
    e. Pedestrian Amenities shall be designed for use in all seasons.

H. **SNOW RELEASE.** The design of roofs shall address snow accumulation and ice/snow shedding. Entries, walkways and pedestrian areas shall be protected from ice/snow shedding. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

I. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road grade shall be placed on any Corner Lot within the Sight Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

15-2.27-4 BUILDING HEIGHT

No Structure shall be erected to a height greater than thirty-five feet (35') from Existing Grade. This is the Zoning District Building Height.

A. **FRONTAGE PROTECTION ZONE.**
    1. The maximum Building Height within the Frontage Protection Zone is thirty-five feet (35’) from Existing Grade. For buildings within the 30-foot to 50-foot protection

zone, each story above two stories must be stepped back ten feet (10'). Building Height exceptions within the Frontage Protection Zone are limited to:

a. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC), and must be stepped back from the Frontage Protection Zone Overlay building facades by at least fifteen feet (15').

b. Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building, and must be stepped back from the Frontage Protection Zone Overlay building facades by at least fifteen feet (15').

c. An Elevator Penthouse may extend up to eight feet (8') above the Zoning District Height and must be stepped back from the Frontage Protection Zone Overlay building facades by at least twenty feet (20').

This language is confusing.

B. **BUILDING HEIGHT EXCEPTIONS.** The following exceptions apply to the Zoning District Building Height outside of the Frontage Protection Zone:

1. A vertical stepback is required for any building developed within fifty feet (50') of the Frontage Protection Zone. These upper story setbacks shall be a minimum of ten feet (10') in depth.

2. If Project Enhancements are provided pursuant to Section 15-2.27-6, one (1) additional story, or a maximum of forty-five feet (45') from Existing Grade, may be granted pursuant to Section 15-2.27-6.

This is a bit confusing also. Is the stepback required on the area above 35'? It might be better to use a building height tool similar to the HCB which uses a 45 degree angle from a specific height until it intersects with the maxiumum height.

a. A ten-foot stepback shall be provided on perimeter façade planes that are forty-five feet (45') in Building Height with a Setback less than twenty feet (20') to mitigate the impact of Building Height on the pedestrian-scale neighborhood. The following features are permitted within areas where the building is stepped back:

i. Mechanical and ventilation equipment, provided the equipment is screened and does not exceed four feet (4') in height.

ii. Decorative or recreational features, including rooftop gardens, green roofs, planter boxes, and permanent amenities such as built-in grills. Rooftop guardrails shall be glass and posts shall be an unobtrusive material such as anodized aluminum. Guardrails and posts shall be the minimum height permitted by International Building Code standards. The following decorative or recreational features require an Administrative Conditional Use Permit: rooftop restaurants, bars, small open pergolas, play structures, sun shades, and hot tubs.

iii. Rooftop solar and photovoltaic panels, provided the equipment is installed in compliance with Section 15-5-5(G).

3. Affordable Master Planned Developments may be granted additional height up to forty-five feet (45) from Existing Grade pursuant to Chapter 15-6.1.
4. Gable, hip, Barrel, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.
5. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC), and must be stepped back from building facades by at least ten feet (10’).
6. Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building, and must be stepped back from building facades by at least ten feet (10’).
7. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height and must be stepped back from building facades by at least ten feet (10’).
8. Ski lift and tramway towers may extend above the Zone Height subject to a visual analysis and approval by the Planning Commission.

15-2.27-5 DESIGN GUIDELINES

To implement the Bonanza Park Small Area Plan, specific design guidelines for the BPMX District are adopted to ensure development is consistent with the neighborhood character while improving overall connectivity with greater Park City.

A. **APPLICABILITY.** These Design Guidelines shall apply to all development in the BPMX District. Prior to issuance of a Building permit for any Allowed or Conditional Use, the Planning Department must review the proposed plans for compliance with this Chapter and Chapter 15-1 *Architectural Review*. Where there is a conflict between the standards in this Chapter and Chapter 15-5, the requirements of this Chapter shall apply.

B. **BUILDING PLACEMENT AND ORIENTATION.**
   1. Incorporate open space into building placement. Open spaces can enhance the overall aesthetic by allowing for additional landscaping and greenery. Furthermore, these areas can be functional assets, enabling commercial businesses to expand their activities outdoors—such as offering outdoor dining or using the space for outdoor displays or merchandise sales. This approach balances visual appeal with practical business opportunities.
   2. On parcels greater than 30,000 square feet, the massing of the building should be broken into smaller volumes. Creative approaches to break up building mass and scale is encouraged. This could include separate buildings above grade or linked exterior walkways.
   3. Buildings should be oriented to the street to create a vibrant pedestrian experience. To the extent practicable, building facades should be parallel to the

Which streets? What about orientation to open space? What about building forms creating community gathering space?

adjacent street to orient access to public and private streets, pedestrian circulation, and gathering areas.

4. Maximizing solar exposure during winter months should be a consideration in designing public spaces and gathering areas. Development over two stories that is adjacent to major open spaces, such as parks or designated public amenities, shall perform a sun/shadow study of the effects of development on such spaces from autumn through spring.

How much of the Mountain(s) are required to be seen? Which Peaks? Are plantings considered when reviewing these views? This seems way too arbitrary.

5. **VANTAGE POINTS:** Development should preserve or enhance views of significant community features from prominent public vantage points within the BPMX District. There are twelve (12) vantage points from which the height, mass, and design of structures must be considered to preserve mountain views. If a development can be seen from more than one vantage point, the developer must provide three-dimensional renderings from each vantage point showing the impact of the development on mountain views.

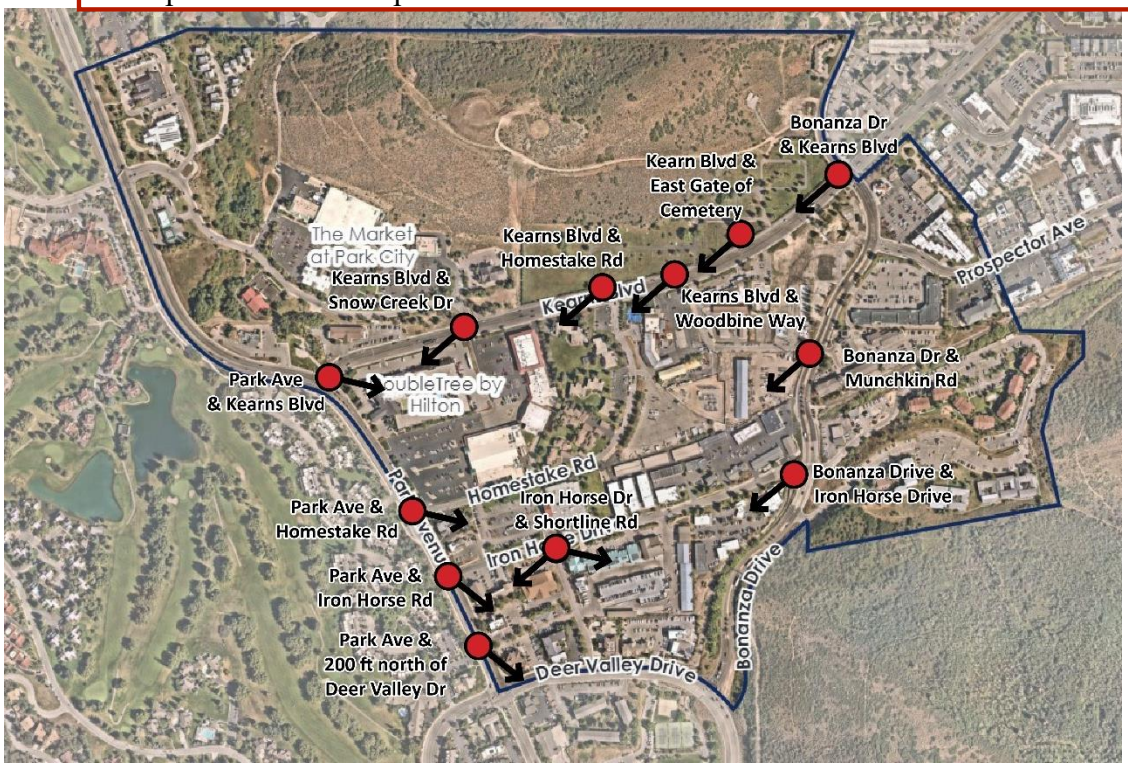


TABLE 15-2.27-5(B)(5): VANTAGE POINTS		
Location	**Coordinates**	**Bearing**
Bonanza Drive & Iron Horse Drive	40.659307 -111.501548	SW
Bonanza Drive & Munchkin Road	40.660805 -111.501397	SW

Iron Horse Drive & Shortline Road	40.658352 -111.505721	SW/SE
Kearns Boulevard & Bonanza Drive	40.662963 -111.500851	SW
Kearns Boulevard and East Gate of Cemetery	40.662276 -111.502057	SW
Kearns Boulevard & Woodbine Way	40.661699 -111.503442	SW
Kearns Boulevard & Homestake Road	40.661484 -111.504692	SW
Kearns Boulevard & Snow Creek Drive	40.661067 -111.507025	SW
Park Avenue & Kearns Boulevard	40.66037 -111.50953	SE
Park Avenue & Homestake Road	40.658714 -111.507893	SE
Park Avenue & Iron Horse Drive	40.657958 -111.507382	SE
Park Avenue 200 feet north of Deer Valley Drive	40.657007 -111.506802	SE

C. **BUILDING SCALE, ARTICULATION, AND FENESTRATION:** Buildings in the BPMX District should reflect the scale of uses and reinforce a pedestrian environment.

1. **BUILDING SCALE.**
   a. The perceived mass and scale of Development in the BPMX District shall be reduced by incorporating design elements that emphasize three or more of the following:

      i. Variation in roof forms or parapet heights.
      ii. Insets, projections, or other relief in the wall plane.
      iii. Architectural emphasis on building entries.
      iv. Arcades, porticos, or other forms of covered exterior circulation.
      v. Variations to window size or proportions.
      vi. Balconies.
      vii. Variation in color, texture, or materials as allowed in Chapter 15-5.

Define the word “large”.

   b. Building design should avoid blank walls and large undifferentiated expanses of wall surface exposed to public pedestrian Rights-of-Way, plazas, or parks.

c. Roof overhangs, projections, awnings, or canopies should contribute to the character of the building and create shadow patterns while aiding in protection of the structure and pedestrians.

d. Exceptions from the guidelines may be approved by the Planning Director for those areas of the building envelope that are not visible from adjacent development and public spaces.

2. **BUILDING ARTICULATION:**

a. **VERTICAL.**

If you have a three story building that is three ten foot floor to floor dimensions, that results in a the roof at 30' plus or minus. Does a parapet need to either recede or step forward 18"?

i. All buildings that are approved above thirty-five feet (35') in height shall include vertical articulation to help break up the mass of the building. This articulation shall occur every thirty feet (30') and shall be achieved through a façade change of at least eighteen inches (18") in depth, or through a material change.

ii. This shall apply to all building facades.

B. **HORIZONTAL.**

i. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the façade of the Structure so that no greater than seventy-five percent (75%) of the length of the Building Façade appears unbroken. Each shift shall be in the form of either a ten-foot (10') change in Building Façade alignment or a ten-foot (10') change in the Building Height, or a combined change in Building Façade and Building Height totaling ten feet (10').

ii. Structures that exceed 120 feet in length on any façade shall provide a prominent shift in the mass of the Structure at each 120-foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen-foot (15') change in Building Façade alignment or a fifteen-foot (15') change in the Building Height. A combination of both the Building Height and Building Façade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

iii. This shall apply to all building facades.

3. **BUILDING FENESTRATION**

i. Windows for non-residential and mixed-use buildings should be provided to create a direct relationship to the street.

Is this required of residential uses at the street level?

a. A minimum of 50% glazing is required on the ground level of all street-facing facades to create a strong relationship to the street.

40% seems like a very large amount of glazing.

b. A minimum of 40% glazing is required for second levels.

Is this for the first floor only? It seems odd in a Planning Document if it is for the whole building.

ii. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.

iii. Reflective, metallic, frosted, tinted, stained, and textured glass is prohibited.

iv. Balconies are permitted for all residential uses. These may be integrated into a vertical step-back. Railings for balconies should have a minimum of 30% transparency.

Area is not a good definition for breaks.. Distance would be a better definition. Main Street blocks are 400 lineal feet.

D. **SITE ACCESS AND ON-SITE PARKING.** Site access should be consolidated to the greatest extent practicable.

1. For sites that are larger than two (2) acres in size, integration of an alleyway or mid-block walkway is encouraged to support a pedestrian-oriented street design.

Stairs and Elevators?

2. Access between the on-site Use and Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g. sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).

This doesn't make sense. Get the cars into parking as quickly as possible.

3. On-site parking should be accessed from a street other than Park Avenue, Kearns Boulevard, Bonanza Drive, and Deer Valley Drive. If there is no access from an internal street, the main vehicular access point shall be from the shortest block length.

"Shortest Block Length" has no value. It should be from best location for traffic and distance from major intersections.

4. Additional vehicular access points on Park Avenue and Kearns Boulevard are discouraged and shall be minimized.
    a. Where parking is accessed from Park Avenue or Kearns Boulevard, the parking area, inclusive of drive aisles, shall be no more than 35% of the parcel width. Screening of parking areas is required, which may include low walls, landscaping, public art, public seating, multi-modal transportation infrastructure, and the like.

This is in contradiction with the Small Area Plan where there is street parking proposed.

5. All onsite parking shall be located behind the front-most wall of the Main Building.
6. When a parking garage is provided, underground parking is preferred. Where an above-grade garage is provided, it shall be located behind the Main Building and shall include architectural screening or artistic screening to minimize views of vehicles.
7. Any street-facing entry to a parking garage should be designed to reduce visibility. All ramps shall be integrated into the building's architecture.
8. Parking areas and loading zones should be located to minimize visual impacts from the public Street or pedestrian way.
9. Consider paving material change to define surface parking areas from the main vehicular travel lane.

E. **STREET LEVEL DESIGN.** Thought shall be given to street-level design throughout the BPMX District to encourage the overall walkability and vitality of the area. Street Level Design requirements shall apply to Internal Roads as identified in Section 15.2-27-3(D).

50' is too deep for a lobby in most residential buildings.

1. Buildings should have an active use on the ground level. Active uses support the vibrancy and usability of the public realm adjacent to a building and include retail establishments, retail services, daycare facilities, community meeting spaces, educational and medical uses, civic spaces (theaters, museums, etc.), restaurants, bars, art and craft studios, and other uses determined to be substantially similar by the Planning Commission. For buildings that are 100% residential, a lobby or other common space shall meet this requirement. The active use should extend at least fifty feet (50') inside the building.

Strike the word "main" as it is not likely a main entry on both elevations.

2. All buildings shall have at least one ~~main~~ entry on all street-facing facades. This entry should be easily seen from the street and adjacent pedestrian way.

20' is entirely arbitrary and makes very little sense.

3. On corner lots, two (2) entrances should be provided. At least one (1) of these entries should be located within twenty feet (20') of the corner.

This should be removed. It may not work for all retail spaces.

4. An internal airlock should be incorporated into all commercial, lodging, public, and mixed-use buildings.

F. **ARCHITECTURAL STYLES AND MATERIALS.** The limitations identified in Chapter 15-5 shall apply. In addition, the following standards apply:

F. This is a building code issue, not planning.

1. Building materials should convey a pedestrian scale and have proven durability in Park City's climate.

There are many quality materials that are sustainable, durable, and maintain their appearance that should be allowed.

2. Building materials shall be of a high-quality and reference both the history of the Bonanza Park area and materials currently found in the BPMX District. The use of wood, metal, glass, and stone is appropriate in this Zoning District.
3. Architecture that reflects corporate branding is not permitted. This shall not be construed to limit the ability to place signage on the property in accordance with the allowances and limitations of the Land Management Code.

G. **ROOFS.**

1. Flat roofs and low sloping roofs are preferred.
2. Snow shedding shall be considered in all roof design. Roofs shall be designed and insulated to ensure valleys, areas over wall top plates and other similar building spaces do not form ice dams and to minimize the need for heat tape.
3. Where roofs will drip onto pedestrian or other public areas, buildings shall provide a system of gutters, downspouts and permitted heat tape to direct and channel roof run-off into the project's landscape areas and to prevent ice build-up in pedestrian areas. In non-pedestrian or public areas, roofs may drip to swales that direct water to the natural or proposed landscape.
4. Eaves and fascia shall generally be responsive and proportional to the design of the building.
5. The limitations identified in Chapter 15-5 shall apply.

H. **LANDSCAPING.**

1. Landscaping should complement the context and enhance the architecture of the building.
2. Stormwater best management practices should be considered in the landscape design.
3. Landscape materials should reflect the Park City climate.
4. For parcels in the Frontage Protection Zone, the first thirty feet (30') should include landscaping and pedestrian-focused infrastructure.
    a. Sidewalks, trails, bike paths, and the like are permitted in this area. These shall have a vegetative buffer from the edge of road pavement of at least three feet (3').
    b. Multi-modal infrastructure is permitted in this area, including bike racks, transit stops and shelters, wayfinding signage, seating, and the like. Mobility Hubs and Transit Hubs are also permitted in these areas, provided they do not exceed ten feet (10') to fourteen feet (14') in height.

I. **SERVICE AND MECHANICAL AREAS.**

Showing proposed locations for mechanical equipment makes sense but it is very difficult to know at the planning level the exact equipment and sizes.

1. Trash, recycling, and service areas should be designed as integrated components of the building and should be sited to minimize impacts to pedestrians. Facilities can be located in underground parking facilities when appropriate.
2. All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to mitigate visual impacts on nearby Properties and general public view. All mechanical equipment must be shown on the plans prepared for City review.
3. Service and delivery areas shall be located where least visible from general public view and shall not impede pedestrian or bicyclist connectivity.
4. The loading and unloading of goods must take place entirely on the Site. Loading and delivery areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for City review.
5. Shared delivery, service, trash, and recycling areas are encouraged.
6. All Structures must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for City review. Refuse storage must be Screened, enclosed, and properly ventilated.

Utility companies will most likely require this location as the current infrastructure is provided from these two streets

7. When possible, transformers and other utility boxes should be located where least visible from general public view.
    a. Location along Park and Kearns is highly discouraged.
    b. All transformers and other utility infrastructure should be screened through fencing, landscaping, low walls, art, and the like, as permitted by the relevant utility provider.
8. The undergrounding of utilities is preferred.

9. Mechanical equipment, ducts, and vents should be accommodated internally within the building and / or co-located on the roof. Screening of equipment on the roof is encouraged.

J. **ART INSTALLATIONS.**

1. Integration of public art is encouraged in all development in the BPMX Zoning District, including murals, sculptures, enhanced trails, gateways, crosswalks, wayfinding, interactive exhibits, and the like.
2. It shall be the responsibility of the property owner to maintain all art located on private property.
3. Art is specifically allowed in the Frontage Protection Zone but shall not impede pedestrian or bicyclist connectivity.
4. Art proposed to be displayed in the public realm may first be reviewed by the Public Arts Advisory Board.

15-2.27-6 PROJECT ENHANCEMENTS: Project Enhancements are intended to provide early project predictability and allow flexibility in selecting incentives to qualify for additional Building Height of up to forty-five feet (45') from Existing Grade outside of the Frontage Protection Zone and Setback and Open Space reductions in the BPMX District.

A. PURPOSE: Project Enhancements are intended to support locally serving development in the BPMX District through the provision of affordable, workforce, and attainable housing, increased mobility and alternative transit provisions, and increased on-site sustainability measures.

B. PROCEDURES: This will help create certainty in the project review process so Applicants can determine whether they qualify for a fourth story bonus (up to forty-five feet (45') from Existing Grade outside of the Frontage Protection Zone) and Setback and Open Space reductions by completing the following:

a. Applicants must submit a preliminary proposal outlining a rough site plan, volumetrics, ~~renderings,~~ and project description for Planning Commission review and input. The Planning Commission will forward a recommendation to the City Council for consideration.

i. Preliminary proposals should identify which measures have been selected for consideration. A minimum of three (3) site-specific enhancements shall be selected:

This is an interesting process and has the potential to be successful. I would strike the requirement of "renderings". It is not likely that a quality architect will be able to provide renderings of any true nature at this phase of the design process.

1. **HOUSING.** Inclusion of a mix of residential units that meet a range of community needs – affordable, workforce, attainable, senior housing, etc. and set a baseline average for Area Median Income. Provision of units should be based on the mix of owner-occupied and rental units from the most up-to-date Housing Needs Assessment.
2. **PARKING.** Provision of required parking underground.
3. **PARKING.** Development of a Shared Parking Agreement with adjacent developments to reduce vehicle trips and congestion within the BPMX District.
4. **MOBILITY.** Implementation of an on-site car share and long-term operations plan.
5. **MOBILITY.** Implementation of on-site and adjacent trail or pedestrian connectivity improvements as indicated in the Connectivity Vision for Bonanza Park like tunnels or bridges.
6. **SUSTAINABILITY.** Provision of long-term project operational plans to include waste reduction and landfill diversion, food waste collection and composting, green business operations, potential for local renewable energy development such as distributed solar with storage or thermal energy networks, design for greywater reuse, rainwater capture

or other water conservation features, green infrastructure such as bioswales, and building operational performance to achieve an Energy Star score of 90 or above, or to be designed and built to achieve 10 percent better than the most recent ASHRAE 90.1 standards.

7. **COMMUNITY-SERVING.** Inclusion of on-site childcare, senior facilities, or other Uses that serve the workforce or other community needs.
8. **COMMUNITY-SERVING.** Inclusion of restricted commercial spaces that provide reduced rental rates for local businesses.
9. **COMMUNITY-SERVING.** Long-term programming plan for activated publicly accessible outdoor spaces that provide for music, entertainment, and seasonal activation.

b. For projects providing four or more site-specific enhancements, including housing and underground parking, Applicants may request reductions in Setbacks and Open Space as outlined in Section 15-2.27-3.
c. The City Council shall review project enhancements proposals considering adherence to the standards outlined in Section 15-2.27-7(B) and either approve or deny the request. If approved, the Applicant could finalize their proposed plans.
d. Approved projects shall return to the Planning Commission for standard application processing.

C. **PROGRAM REVIEW AND AMENDMENTS.** The City Council has the discretion to review and update the Project Enhancements on a two-year schedule to assess the effectiveness of the program and enhancements implemented through successful projects. As part of this review, the Planning Department will identify evolving market conditions that may affect feasibility of specific criteria.

15-2.27-7 PARKING REQUIREMENTS

A. **APPLICABILITY.** All development within the BMPX District is subject to the following parking requirements in addition to requirements outlined in Chapter 15-3 Off-Street Parking.

B. **REQUIREMENT.** Off-Street parking within the BPMX District shall be provided for each land Use as listed in this Section, where parking ratio requirements supersede those in Chapter 15-3 Off-Street Parking.

1. **RESIDENTIAL USES**. Off-Street parking shall be provided for each land Use as listed in this Section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure. Specific Uses, and the related parking

ratio requirements are also shown below. Also refer to Section 15-15-1 *Definitions* for clarification of Uses.

Table 15-2.27-7(B)(1) RESIDENTIAL PARKING RATIO REQUIREMENTS	
USE	**PARKING RATIO (NUMBER SPACES)**
Multi-Unit Dwelling, Apartment/Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit

2. **NON-RESIDENTIAL USES**. In non-residential projects, or for non-residential space associated with primarily residential Structures, the following parking requirements shall apply. Also refer to LMC Section 15-15-1 *Definitions* for clarification of Uses. Uses may also qualify for additional parking via underground parking if proven project enhancements are provided.

Table 15-2.27-7(B)(2) NON-RESIDENTIAL PARKING RATIO REQUIREMENTS	
USES	**PARKING RATIO REQUIREMENTS (NUMBER SPACES)**
Auditorium and Assembly Hall	1 space per 5 seats
Bank	2 spaces per 1,000 sf of net leasable floor Area
Bar	3 spaces per each 1,000 sf of net leasable floor area
Café/Deli	2 spaces per 1,000 sf of net leasable floor Area
Child Care Center	1 space per on-duty staff per shift and 1 space per 6 children
Commercial Use	4 spaces per 1,000 sf of net leasable floor Area

Disabled Care Elder Care Group Care Facility	1 space per 2 bedrooms plus 1 space per employee per shift, or 2 spaces per 3 employees per shift, whichever is greater
Flex Industrial	1 space per 1,000 square feet of floor area and 1 space for every 2 employees in the largest shift
Hospital, Limited Care	1 space per 2 beds
Hotel, Boutique	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space
Indoor Entertainment, Theater	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area depending on type of facility
Offices, General	2 spaces per 1,000 sf of leasable floor Area
Office and Clinic, Medical and Veterinary Clinic	5 spaces per 1,000 sf of leasable floor Area
Public and Quasi-Public Institution, Church, School Public Utility Uses	1 space per 5 seats, or 2 spaces per 3 employees, or 1 space per 1,000 sf of floor Area, whichever is greater
Retail & Service Commercial, Minor, Personal Improvement	0 spaces required for buildings that have less than or equal to 3,000 sf net leasable floor area Above 3,000 sf net leasable floor area is 3 spaces per 1,000 sf of net leasable floor area
Retail & Service Commercial, Major	5 spaces per 1,000 sf of net leasable floor Area
Restaurant	0 spaces required for buildings that have less than or equal to 3,000 net leasable floor area Above 3,000 sf net leasable floor area is 3 spaces per each 1,000 sf of net leasable floor area
Restaurant, Outdoor Dining	Based on Site specific review at the time of CUP
Temporary Improvement	1 space per employee plus 1 guest space

Recreation Facility, Public Recreation Facility, Private	1 space per 4 seats or 3 spaces per 1,000 sf of floor Area, or 1 space per 3 persons rated capacity depending on type of facility
Temporary Improvement	1 space per employee plus 1 guest space

C. CALCULATION OF SPACES. If a project incorporates two Uses, the Use requiring a higher number of Parking Spaces shall govern. Whenever the calculation results in a fractional number, the number of spaces required must be rounded up to the next whole number.

D. PARKING MAXIMUMS. No more than one hundred percent (100%) of the minimum required parking may be provided for newly constructed non-residential, mixed-use, or Multi-Unit Dwelling developments of ten (10) or more units when the new development is within a one-quarter (¼) mile of a transit stop. When the parking requirement is zero Parking Spaces, a maximum of five (5) Parking Spaces may be provided. Exceptions to the maximum parking limit may be approved by the Planning Commission if found to be consistent with Section 15-2.27-1 and to further the City's goals for reducing single-occupancy vehicle trips.

E. SHARED PARKING. For both on-site parking and off-site parking, Shared Parking Spaces may be provided contingent upon a shared parking analysis being completed and a Shared Parking Agreement being executed, as approved by the Planning Commission.

1. The parking requirement for Mixed-Use projects may be lowered if the Applicant submits a shared parking opportunity analysis, approved by the Planning Commission, which results in a peak-parking-demand measure that is less than the Parking Requirement established by this Section for Residential and Non-Residential Uses.

F. PARKING REQUIREMENT ADJUSTMENT. A ten percent (10%) reduction in the number of required Parking Spaces is allowed to reduce or eliminate a public safety hazard or to bring substandard Parking Spaces into compliance with current City design standards subject to approval by the City Engineer.

G. UNDERGROUND PARKING. All development within the BMPX District is encouraged to provide underground parking to promote a vibrant pedestrian friendly environment that reduces car-pedestrian conflict. If 90% of required parking is provided on-site and underground, Setbacks for the underground parking structure may be reduced by the Planning Commission up to 50% outside of the Frontage Protection Zone if utilities can be accommodated.

H. ALTERNATIVE PARKING STRATEGIES. The following alternative parking strategies may be used to comply with the minimum Off-Street parking standards required by this Chapter.

1. **OFF-SITE PARKING**. Required Off-Street Parking Spaces may be provided Off-Site in compliance with the following:

   a. Required parking must be located within the City limits.

   b. Access between the on-Site Use(s) or the subject site and the Off-Site Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g., sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).

   c. A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the Off-Site parking spaces, guarantees the continued availability of the Off-Site Parking Spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the Off-Site Parking Spaces and the Owners and lessees of the subject Site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-Site parking reduction approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Planning Director.

2. **PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES**. For buildings or sites with multiple Uses, parking may be reduced. To calculate the parking requirement, calculate the sum of the minimum Off-Street parking requirements for the two Uses with the highest Off-Street parking requirement, and then multiply that sum by the number shown below for that combination of Uses.

Table 15-2.27-8(H)(2) PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES

FIRST USE	SECOND USE				
	MULTI-UNIT RESIDENTIAL	PUBLIC INTSITUTIONAL OR CIVIC	FOOD, BEVERAGE, BOUTIQUE HOTEL, RECREATION, OR ENTERTAINMENT	RETAIL	OTHER COMMERCIAL

Multi-Unit Dwelling[1]	NA				
Public Institutional, or Civic	10%	NA			
Food, Beverage, Boutique Hotel, Recreation or Entertainment[2]	15%	20%	NA		
Retail	15%	25%	25%	NA	
Other Commercial	20%	25%	25%	20%	NA

This percentage is low.

3. **ADDITIONAL ALTERNATIVE STRATEGIES.** After any reduction in the required number of Off-Street Parking Spaces under Section 15-2.27-7(H) is applied, the alternative strategies described below may be combined for an additional non-residential Use parking reduction of up to ten percent (10%).

    a. **DESIGNATED CAR SHARING PARKING.** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 Parking Spaces, for up to a maximum of three (3) designated car sharing spaces (i.e., one designated car sharing space = 2 Parking Spaces; two designated car sharing spaces = 3 Parking Spaces; and three designated car sharing spaces = 5 Parking Spaces).

    b. **ELECTRIC VEHICLE (EV) CHARGING STATIONS.** Electric Vehicle (EV) Charging Stations (i.e., spaces with approved charging infrastructure for Electric Vehicles consistent with Section 15-3-11) that are in addition to the EV Parking Spaces required to be provided pursuant to Section 15-3-11 shall count as two Parking Spaces, for up to a maximum of five (5) additional EV Parking Spaces.

[1] The parking reduction for developments with multi-unit residential shall apply only to the non-residential Use parking requirement.

[2] For mixed-use projects, 0 spaces shall be required for the first 3,000 sf of net leasable floor Area of "Retail & Service Commercial, Minor, Personal Service" and/or "Restaurants, Standard and Bar" Uses.

c. **UNDERGROUND PARKING.** When underground parking is provided, each two (2) underground Parking Spaces shall count as three (3) Parking Spaces toward satisfying the minimum required parking. This may allow for a reduction of up to five percent (5%) in the number of required Parking Spaces.

4. **PROXIMITY TO TRANSIT.** A fifteen percent (15%) reduction in the total number of required Parking Spaces for any development may be approved when the Site is within one thousand feet (1,000') unobstructed year-round walking distance of a Major Transit Stop.

This whole section seems off. Why not just have the City do a study and define the acceptable density in the code for the whole area

5. **CUMULATIVE PARKING REDUCTION.** No development may be granted a cumulative parking reduction greater than fifty percent (50%) for non-residential Uses or greater than twenty percent (20%) for residential Uses as provided in Sections 15-2.27-7(H)(1), (2), and (3), unless approved by the Planning Commission.

15-2.27-8 TRANSPORTATION DEMAND MANAGEMENT

A. **APPLICABILITY.** A Transportation Demand Management (TDM) Plan is required for all development projects \. Two (2) TDM Plan levels shall apply as described below.

1. **LEVEL 1 TDM PLAN.** A Level 1 TDM Plan is required for all development described below:

   a. Multi-Unit Dwellings: 10 - 44 Dwelling Units

2. **LEVEL 2 TDM PLAN.** A Level 2 TDM Plan is required for all projects that require a Traffic Impact Study (TIS) (i.e., development adds twenty-five (25) or more peak hour vehicle trips) as described below:

   a. Multi-Unit Dwellings: 45 Dwelling Units and greater

   b. Boutique Hotel: 40 – 75 rooms

   c. Retail: 3,000 square feet or greater

   d. Office: 3,000 square feet or greater

   e. Restaurant: 2,500 square feet or greater

B. **EXEMPT PROJECTS.** Projects exempt from TDM Plan requirements are:

1. Remodels or expansions of existing residential units that do not increase the total number of residential units;

2. Remodels or expansions of Commercial, Retail, Office, Hotel, or mixed-use projects involving no more than 500 square feet of commercial net leasable space or two (2) lodging rooms or units;

3. Any Boutique Hotel with fewer than ten (10) rooms;

4. Retail less than 3,000 square feet;
5. Office less than 3,000 square feet; and
6. Restaurant less than 2,500 square feet.

C. **TDM PLAN.** The Applicant shall submit a TDM Plan for review and approval by the Planning Commission. The TDM Plan shall document and demonstrate consistency with the requirements in this Section. The TDM Plan shall include, but is not limited to, the following:

1. Identification of the applicable TDM strategies to be implemented based on the size of the project and estimated number of trips generated.
2. Implementation plan for each TDM strategy, including timelines, responsibilities, and budget allocations.
3. Monitoring and evaluation plan, submitted annually to the Planning Department, to track the effectiveness of TDM strategies and adjust them as needed. At their discretion, the Planning Director may require additional Planning Commission review and modifications as needed.

D. **LEVEL 1 TDM PLAN REQUIRED COMPONENTS.** The following TDM trip reduction strategies are required for Level 1 TDM Plans:

1. Participation in an annual travel survey of residents and employees for the first four (4) years of building occupancy. Employers on Sites subject to an approved TDM Plan shall submit the survey results to the City.
2. Provide the following information to employees and/or residents on an annual basis:
    a. Carpooling/vanpooling information;
    b. Transit schedules and route information;
    c. Information on air pollution and alternatives to single-occupancy vehicle trips;
    d. Bicycle route and facility information, including local bicycle maps, locations of nearest outdoor bicycle parking or enclosed bicycle storage, locations of bicycle share locations, and bicycle safety information; and
    e. Information on walking and biking to work, pedestrian and bicycling safety, and all-weather walking shoes and traction devices for shoes and bicycle tires in winter/ice conditions.
3. One strategy from the Supplemental TDM Menu (see Section 15-2.27-8(F)).

E. **LEVEL 2 TDM PLAN REQUIRED COMPENENTS.** The following TDM trip reduction strategies are required for Level 2 TDM Plans:

1. All Level 1 required components.

2. Establishment of a TDM Coordinator to directly support commute programs, implement mobility programs, and develop transportation policies and initiatives.
3. Employee parking cash-out program.
4. Unbundle parking for residential Dwelling Units at minimum.
5. Two strategies from the Supplemental TDM Menu (see Section 15-2.27-7(F)).

F. **SUPPLEMENTAL TDM MENU.** Supplemental TDM strategies over and above the applicable Level 1 or Level 2 TDM Plan requirements may be implemented to reduce the amount of required Parking for non-residential Uses. When three (3) or more of the following strategies are provided in addition to the applicable Level 1 or Level 2 TDM Plan requirements, the Planning Commission may approve up to a twenty percent (20%) reduction in the required parking for non-residential Uses.

1. Alternative work schedules/flex-time.
2. Preferential Parking for carpool or vanpool vehicles.
3. Employee shower facilities.
4. Provision of on-Site or Off-Site multimodal transportation improvements at the discretion of the Planning Commission, such as:
    a. Pedestrian network improvements (e.g., providing sidewalks that are wider than the required minimum width),
    b. Construct or improve a bike facility (e.g., providing improved safety of bicycle facilities serving key transit nodes), or
    c. Construct transit-supportive treatments (e.g., traffic calming near transit stop, transit stop enhancements and amenities, etc.).
5. On-site child care facilities.
6. Facilities and equipment to encourage telecommuting (e.g., video-conferencing facilities and equipment).
7. Contributions to funds for local and regional facilities such as park-and-ride lots, multimodal transportation centers, satellite work centers, etc. as approved by the City Council.
8. On-Site amenities such as cafeterias, restaurants, automated teller machines, and other services that would eliminate the need for additional trips.
9. Transit incentives for employees such as additional pay for carpoolers, etc.
10. Plans for delivery of goods at off-peak times and/or plans and facilities for centralized deliveries of goods for multi-tenant facilities.

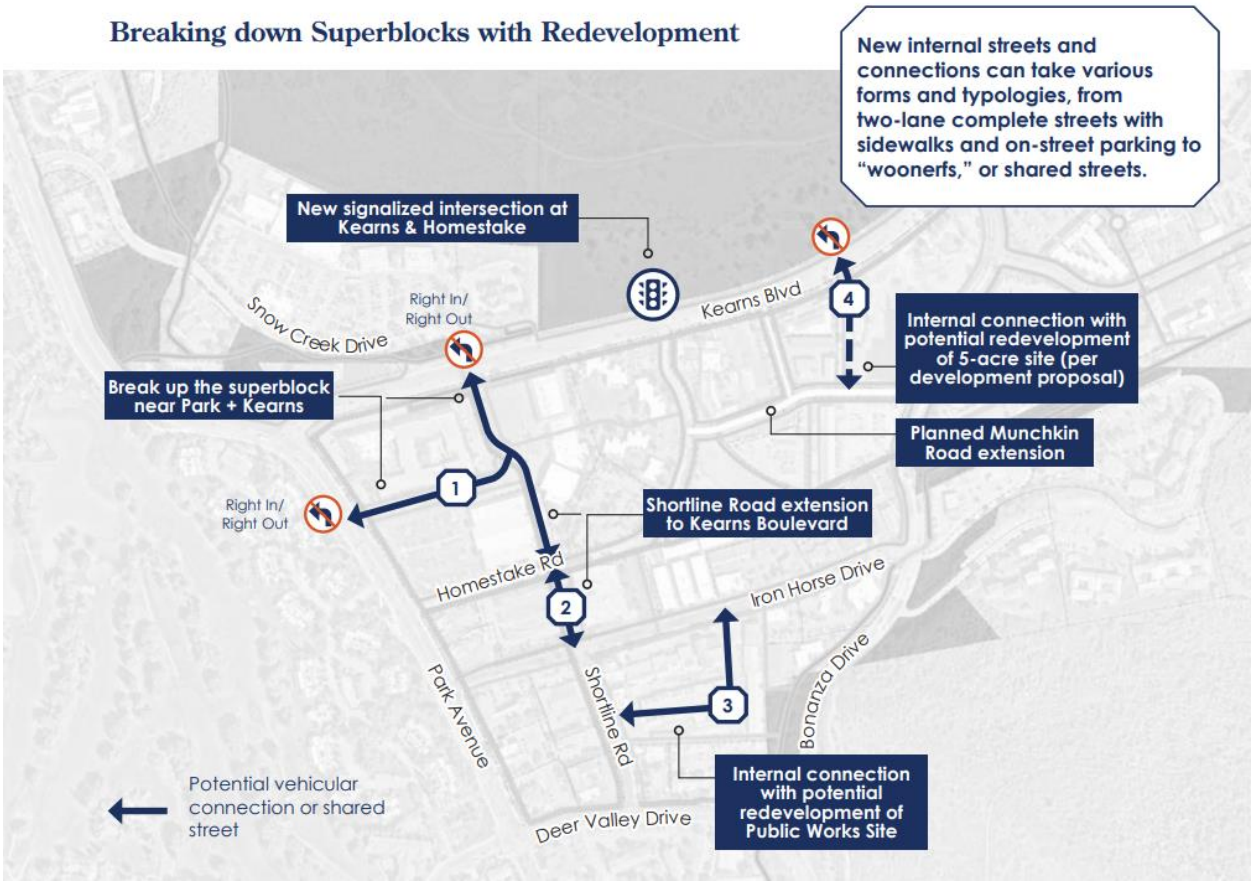
G. **TDM PLAN AGREEMENT.** A TDM Plan agreement shall be provided in a form acceptable to the City Attorney and shall include the TDM Plan. The parties to the agreement shall include the Owners and lessees of the project Site. A copy of the agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in enforcement action by the City unless a new TDM Plan is approved by the City within a reasonable timeframe, as determined by the Planning Director.

15-2.27-9 STREET SYSTEMS.

The street network has a significant influence on the overall connectivity of a place. In Bonanza Park, additional street connections are required to promote walkability and to create an interconnected system of blocks.

A. **ADDITIONAL CONNECTIONS.** New street connections are required to ensure Bonanza Park is a walkable and safe neighborhood. Development located adjacent to one of the following areas shall incorporate new street connections.

1. Superblock between Park Avenue, Kearns Boulevard, and Homestake Road. New east-west connections shall be established.
2. Shortline Road. Shortline Road shall be extended north-south to connect from Kears Boulevard to Deer Valley Drive.
3. Shortline Road and Iron Horse Drive. A new internal connection to these roads between Shortline Road and Bonanza Drive shall be integrated into redevelopment.
4. Kearns Boulevard and Munchkin Road. A new connection shall be implemented to connect Munchkin Road and Kearns Boulevard.
5. Where required to improve pedestrian safety, a tunnel or bridge on Park Avenue or Kearns Boulevard is appropriate and shall meet requirements from the City Engineer, Public Works, and applicable state review agencies.



B. **STREET DESIGN.**

1. All new Streets shall meet Park City standards.
2. All new Streets shall integrate best management practices for stormwater runoff.
3. To the greatest extent practicable, development that is impacting an existing street shall upgrade the street design to meet code standards in place at the time of application.
4. Pedestrian infrastructure, including sidewalks and crosswalks, shall be integrated into new or updated City streets.
5. Traffic calming measures, including intersection bump-outs, street trees, parklets, and on-street parking, should be integrated into new or updated City streets.

15-2.27-10 OPEN SPACE AND TRAIL CONNECTIVITY

Establishing a network of pedestrian and bicycle linkages is critical to improve the overall connectivity of the Bonanza Park neighborhood. Similarly, additions of open space and green areas will improve the overall sense of community and opportunities for gathering in the neighborhood. All development within BPMX must have multi-modal connections and open space to improve Bonanza Park's connectivity.

A. **OPEN SPACE AND PARKS.** Each development is required to have a minimum amount of open space. This space should be designed to integrate with the building design, as well as reinforce the ideas of community connection and openness in the Bonanza Park Small Area Plan.

1. The following open space typologies (also known as Green Community Space) are permitted in the BPMX District, and may be located in a Frontage Protection Zone, unless prohibited by this Section.

    a. Pocket Park.

    b. Linear greenspace with pedestrian and/or bicycle path.

    c. Public Courtyard.

    d. Plaza areas.

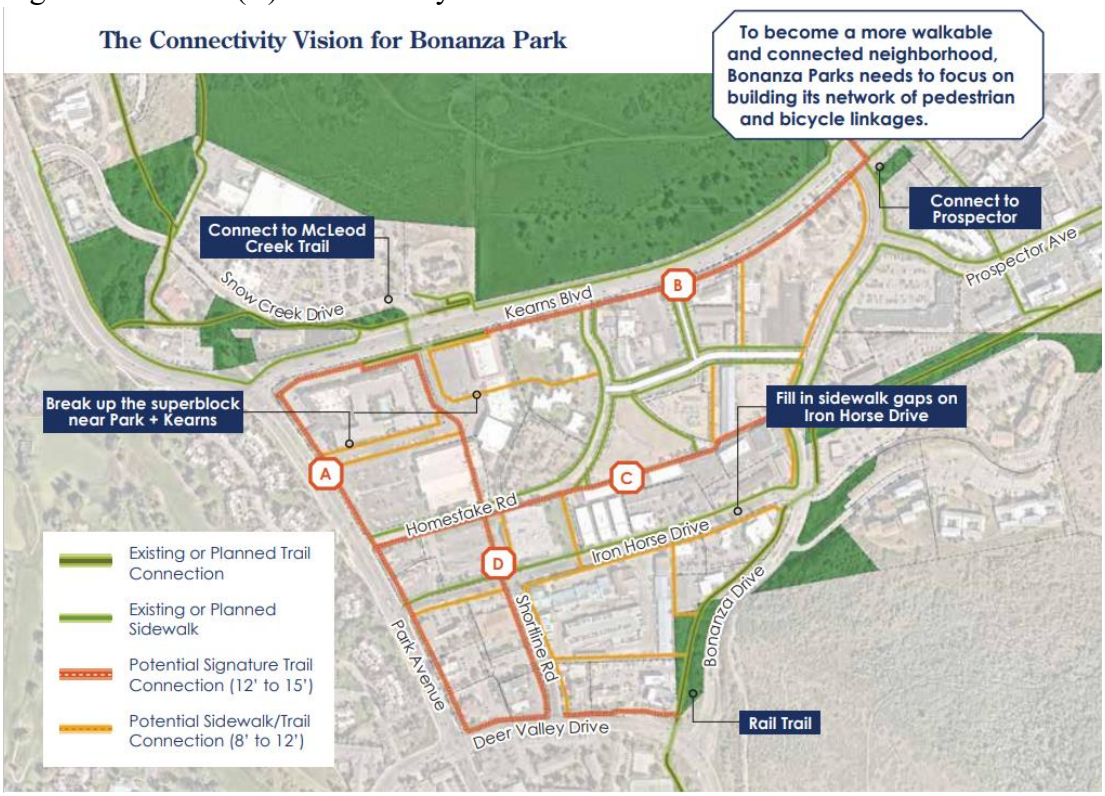
    e. Flexible Space.

    f. Community Garden.

    g. Green Roofs with publicly accessible amenity terrace. If this option is chosen, a deed restriction granting permanent public accessibility shall be required. An amenity terrace cannot be located within the Frontage Protection Zone.

B. **TRAIL CONNECTIONS.** Integrating multi-modal transportation opportunities is critical in the Bonanza Park neighborhood. Development should support the goals articulated in the Bonanza Park Small Area Plan, including the creation of new sidewalk and bicycle facilities. Development located adjacent to key roadways in Bonanza Park should integrate the following key trail connections. Key connections are at Park Avenue, Kearns Boulevard, Shortline Road extension, Rail Trail, and Deer Valley Drive as indicated in Figure 15-2.27-10(B) below.

Figure 15-2.27-10(B) Connectivity Vision For Bonanza Park



C. **VEGETATION PROTECTION.** The Property Owner must protect Significant Vegetation during any Development activity.

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

2. Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist.

3. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Sections 15-3-3 and 15-5-5(N), and Title 14.

15-2.27-11 SUSTAINABILITY REQUIREMENTS

A. **APPLICABILITY.** All Development within the BMPX District should strive to support the City's Net Zero goals through the implementation of sustainable design including active transportation considerations, low embodied carbon materials, waste reduction through comprehensive materials recover, and operational programming and technologies to reduce short- and long-term impacts on the environment.

B. **REQUIREMENTS.** All projects within the BPMX should strive to achieve a low Energy Use Intensity (EUI) per building type including improved insulation and thermal efficiency, EnergyStar and WaterSmart appliances and fixtures, energy efficient lighting, low-flow plumbing fixtures, sensors and timers that control water flow, lighting and temperature, and on-site Renewable Energy Systems.

New buildings should strive to obtain third party certification of the use of sustainable construction techniques and building materials. The following programs should be considered:

4. INSERT CITY RESOLUTION FOR NET ZERO BUILDINGS ONCE ADOPTED.

15-2.27-12 CONVENTIONAL CHAIN BUSINESSES

A. **APPLICABILITY. This Section provides guidance on Conventional Chain Businesses in the BPMX District.**

Existing businesses within the BPMX District that meet the definition of a Conventional Chain Business as of (INSERT DATE OF ADOPTION), will be issued a one-time Conditional Use Permit to memorialize existing conditions. Any amendments to this Permit will require a new application subject to the requirements of this Section.

New Development and redevelopments inclusive of a business that meets the thresholds outlined in the Conventional Chain Business Definition in Section 15-15-1 must acquire a Conditional Use Permit, in addition to meeting the requirements outlined below. This Section shall not apply to Grocery Stores, Banks, or Gyms as defined in Section 15-15-1.

B. **REQUIREMENTS.**

1. No Conditional Use Permit shall be issued in the BPMX District, unless approved by the Planning Commission pursuant to Section 15-1-10.
2. In addition to the requirements listed in Section 15-1-10, the Planning Commission shall also consider whether the proposed Use meets the goals outlined in the Bonanza Park Small Area Plan, as defined below:
    a. Conventional Chain Businesses cannot exceed 30% of the total commercial square footage within a single development.
    b. The Conventional Chain Business will not create an oversaturation of similar uses within the BPMX District.
    c. The proposed business will diversify retail and community services provisions within the BPMX District and Park City, providing basic necessities for the daily needs of residents.

d. The proposed business encourages innovation or a creative business idea.

e. The proposed business provides local entrepreneurs with an opportunity to offer distinct services or sell locally made products.

f. The proposed business offers affordable and needed services, meals, or products to the BPMX District or Park City community.

g. The proposed business creates unique recreational, entertainment, or cultural opportunities.

h. The proposed business offers services not currently found within Park City's municipal boundary.

i. The proposed business will be aesthetically compatible with the BPMX District character and adhere to the design guidelines within this Chapter, in addition to those outlined in Chapter 15-5 Architectural Review.

j. The proposed business will be compatible with existing businesses.

15-2.27-13 GOODS AND USES TO BE WITHIN ENCLOSED BUILDINGS

A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as a Conditional Use, all goods including food, beverage, and vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall-to-window ratio of thirty percent (30%). This Section does not preclude temporary sales in conjunction with a Special Event License, sidewalk sale, or seasonal plant sale.

B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Permit. The Applicant must submit the required Application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

1. **OUTDOOR DINING**. Outdoor dining is subject to the following criteria:

a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.

b. The proposed seating Area does not impede pedestrian circulation.

c. The proposed seating Area does not impede emergency Access or circulation.

d. The proposed furniture is Compatible with the Streetscape.

e. No music or noise is in excess of the City Noise Ordinance, Title 6.

f. No Use after 10:00 p.m.

g. No net increase in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.

2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS**. Outdoor grills and/or beverage service stations are subject to the following criteria:

   a. The Use is on private Property or leased public Property and does not diminish parking or landscaping.

   b. The Use is only for the sale of food or beverages in a form suited for immediate consumption.

   c. The Use is Compatible with the neighborhood.

   d. The Use does not impede pedestrian circulation.

   e. The Use does not impede emergency Access or circulation.

   f. Design of the outdoor grill or beverage service station is Compatible with the adjacent Buildings and Streetscape.

   g. No violation of the City Noise Ordinance, Title 6.

   h. Compliance with the City Sign Code, Title 12.

3. **OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes is subject to the following criteria:

   a. The Area of the proposed bicycle, kayak, motorized scooter, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.
   b. Bicycles, kayaks, and canoes may be hung on Buildings if sufficient Site Area is not available, provided the display does not impact or alter the architectural integrity or character of the Structure.
   c. No more than a total of fifteen (15) pieces of equipment may be displayed.
   d. Outdoor display is only allowed during Business hours.
   e. Additional outdoor bicycle storage Areas may be considered for rental bicycles, provided there are no or only minimal impacts on landscaped Areas, parking spaces, and pedestrian and emergency circulation.

4. **DISPLAY OF MERCHANDISE**. Display of outdoor merchandise is subject to the following criteria:

   a. The display is immediately available for purchase at the Business displaying the item.

   b. The merchandise is displayed on private Property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an alcove, recess, patio, or similar location that provides a physical separation

from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right-of-Way regardless of if the Property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.

c. The display is prohibited from being permanently affixed to any Building.

d. The display does not diminish parking or landscaping.

e. The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.

f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.

5. **OUTDOOR EVENTS AND MUSIC**. Outdoor events and music require an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

   a. Notification of adjacent Property Owners.

   b. No violation of the City Noise Ordinance, Title 6.

   c. Impacts on adjacent Residential Uses.

   d. Proposed plans for music, lighting, Structures, electrical signs, etc.

   e. Parking demand and impacts on neighboring Properties.

   f. Duration and hours of operation.

   g. Impacts on emergency Access and circulation

15-2.27-14 SIGNS

A. APPLICABILITY. Signs are allowed in the BPMX District as provided in the Park City Sign Code, Title 12. The following signs are prohibited in the Frontage Protection Overlay Zone (FPZ):

1. "A" Frame, Sandwich Board and Sidewalk or Curb Signs.
2. Permanent Banners and Pennants.

3. Billboards and Other Off-Premises Signs.
4. Moving/Variable Message Signs. Electronically controlled copy changes, or any other signs that move or use movement to emphasize text or images.
5. Neon and Neon Appearing Signs. Neon lights, similar gas-filled light tubes, and lighting made to appear as neon are prohibited, except when used for indirect illumination and in such a manner as to not be directly exposed to public view. This includes technology that simulates or mimics neon signs through the use of LED lights or other methods.
6. Portable and Wheeled Signs.
7. Signs Causing Direct Glare. A sign or illumination that causes any direct glare into or upon any public right-of-way, adjacent lot or building other than the building to which the sign may be accessory.
8. Signs Creating Optical Illusion. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
9. Signs Obstructing Egress. A sign which obstructs any window or door opening used as a means of ingress or egress, prevents free passage from one part of a roof to any other part, interferes with an opening required for ventilation or is attached to or obstructs any standpipe, fire escape or fire hydrant. A sign which obstructs the free movement of pedestrians on sidewalks, pedestrian malls, trails or any other public access way.
10. Signs on Parked Vehicles. Signs placed on or affixed to vehicles and/or trailers, including bicycles, which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or commercial service or activity, or direct people to a business or commercial activity located on the same or nearby property. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer for transportation.
11. Unsafe Signs. Any sign which: (1) Is structurally unsafe; (2) Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation; (3) Is not kept in good repair; (4) Is capable of causing electrical shocks to persons likely to come into contact with it; (5) In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official government regulatory or informational sign; (6) Creates an unsafe distraction for vehicle operators or pedestrians; (7) Obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare; (8) Is located on trees, rocks, light poles or utility poles, except where required by law; or (9) Is located so as to conflict with the clear and open view of devices placed by a public agency for controlling traffic or which obstructs a motorist's clear view of an intersecting road, alley or major driveway.

15-2.27-15 RELATED PROVISIONS

A. Fences and Walls. Section 15-4-2.
B. Satellite Receiving Antenna. Section 15-4-13.
C. Telecommunication Facility. Section 15-4-14.
D. Parking. Chapter 15-3.
E. Landscaping. Title 14; Sections 15-3-3 and 15-5-5(N).
F. Lighting. Sections 15-3-3 and 15-5-5(J).
G. Park City Sign Code. Title 12.
H. Architectural Review. Chapter 15-5.
I. Snow Storage. Section 15-3-3.

15-6.1-3 ZONING DISTRICTS AND USES

1. **ZONING DISTRICTS**. Affordable Master Planned Developments are Allowed in the following Zoning Districts:
    1. Residential Development
    2. Residential Development Medium
    3. Residential Medium
    4. Recreation Commercial
    5. General Commercial
    6. Bonanza Park Mixed Use District
    7. Light Industrial
    8. Community Transition
    9. Historic Commercial Business
    10. Historic Recreation Commercial, east of Park Avenue

2. **USES**. An Affordable Master Planned Development can only contain Uses that are Allowed or Conditional in the Zoning District in which it is located.

3. **COMMERCIAL USES**. An Affordable Master Planned Development may include up to 10,000 square feet of Commercial, Retail, Office, Public, and Quasi-public Uses.

15-4-4 SECONDARY LIVING QUARTERS

Secondary living quarters are a permitted Accessory Use in all districts except the HRL, HR-1, HR-2, and ROS, unless previously approved by a Master Planned Development. Any request for secondary living quarters within residential dwellings shall be reviewed and approved by the Planning Department. The following criteria must be established prior to issuance of Building Permit or Certificate of Occupancy issuance:

1. **SIZE.** The maximum size for secondary living quarters shall be 1,000 square feet. This amount shall be included in the total Building Floor Area square footage calculations for all Structures.
2. **UNIVERSAL DESIGN PRINCIPLES.** Must follow universal design principles to allow equal access by people of all ages and abilities. This including those aging-in-place and the American Disabilities Act. Methods include no-step entries, appropriate widths for hallways and doors, non-slip surfaces, etc.
3. **PARKING.** One (1) on-Site Parking Space for each Secondary Living Quarter shall be provided in addition to the underlying parking requirement. Tandem Parking is allowed.
4. **SINGLE UTILITY METERS.** The main dwelling and the Secondary Living Quarters shall be on the same utility meters.
5. **KITCHENS.** Secondary Living Quarters shall not contain full Kitchens, as defined in this Code.
6. **ACCESS.** The secondary quarters shall be designed to have direct Access into the main dwelling.
7. **NO SEPARATE LEASES.** The secondary quarters shall not be rented or leased separately from the main dwelling. Nightly Rentals and other seasonal rentals are prohibited to help residential bases grow for locals. Secondary living quarters are for the Use of the Owner of the main dwelling for guests, household help, relatives, and other similar Persons.

15-15-1 DEFINITIONS

For the purpose of the LMC, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth herein. Defined terms will appear as proper nouns throughout this Title. Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; "used" or "occupied" as applied to any land or Building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

[Existing Definitions in BLACK, proposed Definitions in Red]

AFFORDABLE HOUSING. Housing that is priced affordable to households with incomes at or below 80% of Area Median Income.

ART/PLACEMAKING ELEMENTS. Features that reflect the identity and character of an area, such as murals, statues, and sculptures. Dark sky-compliant lighting may be allowed. Signage is excluded to maintain adherence to the sign code.

ATTAINABLE HOUSING. Housing that is priced affordable to households with incomes between 81 and 150 percent of AMI.

BANK. A financial institution engaged in providing services such as accepting deposits, cashing checks, lending money, and offering financial products or services, including but not limited to savings and checking accounts, loans, mortgages, and investment advisory services. Ancillary uses may include ATM facilities, safe deposit boxes, etc.

CONNECTIVITY IMPROVEMENTS. Such as new pedestrian paths or streets that create walkable and connected development patterns and break up existing superblocks or major improvements like tunnels and bridges.

DENSITY BONUS. Zoning tool that permits developers to build more housing units, taller buildings, or more floor space than normally allowed in exchange for providing a defined Project Enhancement.

FLEX INDUSTRIAL. A zoning or land-use classification designed to accommodate a mix of light industrial, production, and commercial activities, often aimed at supporting locally-owned businesses that produce goods and services for the surrounding community. Flex industrial spaces are versatile, allowing for uses such as small-scale manufacturing, craft industries, and local production facilities (e.g., a brewery supplying beer to nearby businesses), while maintaining compatibility with neighborhood character. This classification also serves as a mechanism to preserve and grandfather in pre-existing industrial uses, ensuring their continued contribution to the local economy and community identity.

GREEN COMMUNITY SPACE. Public spaces outdoors for public access.

1. **AMENITY TERRACE.** Rooftop that includes communal recreation or aesthetic uses, such as patios, balconies, lounges, etc.
2. **COMMUNITY GARDEN.** Publicly accessible garden space.
3. **FLEXIBLE SPACE.** Multi-use open space, utilized by the public. Can be used for individual enjoyment or for events.
4. **PLAZA AREA.** An open space for public use defined by surrounding buildings or streets.
5. **POCKET PARK.** Small park accessible to the general public.
6. **PUBLIC COURTYARD.** Publicly accessible open area between buildings and walls.

GROCERY STORE. Medium to large commercial facility (typically 10,000–50,000 square feet) that provides essential access to food and goods, strategically located to support community needs, enhance accessibility, and contribute to local economic and social infrastructure.

GYM. A facility primarily designed and equipped for physical exercise, fitness training, or recreational activities, which may include, but is not limited to, weightlifting equipment, cardio machines, fitness classes, personal training services, and areas for sports or athletic activities. Ancillary uses may include locker rooms, saunas, retail sales of fitness-related merchandise, and food or beverage services.

HOTEL/HOTEL CONDOMINIUM/MOTEL. A Building containing lodging rooms for the occupancy of guests for compensation on a nightly basis that includes facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or services customarily associated with hotels, such as concierge services, shuttle services, room service, and daily maid service (collectively referred to as a "Hotel"). Lockout Units, Bed and Breakfast Inns, and Boarding Houses are not Hotels. Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument Hotel rooms may include a Lockout Unit.

1. Hotel, Major. A Hotel with more than fifteen (15) Hotel Rooms.
2. Hotel, Minor. A Hotel with fewer than sixteen (16) Hotel Rooms.
3. Hotel, Boutique. A Hotel with no more than 75 Hotel Rooms.

INDOOR ENTERTAINMENT FACILITY. An establishment or enterprise for the purpose of amusing or entertaining Persons for profit or non-profit and generally contained within a Structure. Such Uses include, but are not limited to, theater, playhouse, cinema, performing arts, planetarium, discovery center, museum, or bowling alley.

MAJOR OPEN SPACE. A substantial area of undeveloped land, often publicly accessible, preserved for purposes such as recreation, conservation, or enhancing visual appeal. Examples include large parks, nature preserves, or prominent greenway corridors within a community.

MAJOR TRANSIT STOP. A transit stop that is served by at least two fixed transit routes with frequency of service intervals of twenty (20) minutes or less during peak periods and includes a waiting shelter consistent with City standards.

MIXED USE. A parcel, structure, or both that combined two (2) or more land uses, such as commercial, residential, or recreational spaces.

MOBILITY HUB. Resources utilized for multi-modal transit, often in the form of bus shelters (with light, seating, cover, and signage), bus pullouts, and access to last-mile connectivity, such as bike share or micro-mobility.

MULTI-UNIT DWELLING. A Building containing four (4) or more Dwelling Units.

OUTDOOR USE OR EVENT. Any land Use, Business or activity that is not conducted entirely within an enclosed Building or Structure, not including outdoor recreation activities and those Uses customarily associated with indoor Uses, such as parking, drive-up windows, ATM's, gas pumps, playgrounds, and such. Outdoor Uses include outdoor dining; outdoor food and beverage service stations and carts; outdoor storage and display of bicycles, kayaks, and canoes; and outdoor events and music.

PARKING.

1. **Parking, Public**. A Parking Area or parking facility to be used by the public for fee or otherwise.
2. **Parking, Residential**. A Parking Area or Structure used exclusively for residential, non-commercial Uses.
3. **Parking, Shared**. The Development and Use of Parking Areas on two (2) or more separate Properties for joint Use by the businesses or residents on those Properties.
4. **Parking, Underground.** A Parking Area or Structure below grade, utilized by all land uses.

PEDESTRIAN AMENITY. An intentionally designed and meaningful open space that prioritizes human scale and enhances the pedestrian experience. Integrates nature and urban design, contributing to the appeal and functionality of commercial and mixed-use neighborhoods.

PEDESTRIAN CONNECTION. A pathway, sidewalk, or network of sidewalks and pathways designed to facilitate safe and accessible movement of people traveling by foot, including at-grade improvements as well as tunnels or bridges.

PROJECT ENHANCEMENT. Specific programmatic or infrastructure improvements a development provides in exchange for additional height and/or density. Subject to the requirements of Section 15-2.27-7.

PUBLICLY ACCESSIBLE OUTDOOR COMMUNITY SPACE. Space suitable for year-round use, and of a high design quality with gathering spaces, seating areas, play structures, and public art.

SUSTAINABLE DEVELOPMENT. Development that incorporates best practices to minimize energy use. Park City has adopted net-zero goals, and sustainable development can help the community reach these goals.

TRAFFIC CALMING. Transit planning to deliberately slow traffic in residential areas through methods speed bumps, bump-outs at intersections, on-street parking as part of a complete street design. Other methods include parklets, sidewalks, signage, and street trees.

TRANSIT HUB. A property utilized as a mass transit station or an interchange of multiple modes of transportation.

UNIVERSAL DESIGN PRINCIPLES. Principles through public and private spaces are designed to have equal access by people of all ages and abilities, with little or no need for adaptation or specialized design.

USE. The purpose or purposes for which land or Structures are occupied, maintained, arranged, designed, or intended.

1. **USE, INTENSITY OF.** The maximum number of residential units, or commercial, or industrial space within a specified land Area designated for that purpose.

WAYFINDING. Ways in which people orient themselves in physical space and navigate from place to place. Examples can include signs, symbols, landmarks, or pathways.

SNELL
& WILMER

Wade R. Budge, P.C.
Partner
O 801.257.1906 | F 801.257.1800
wbudge@swlaw.com

April 3, 2025

VIA E-MAIL <SARAH.HALL@PARKCITY.ORG>

Park City Planning Commission
c/o Sarah Hall, Chair
445 Marsac Avenue
Park City, UT 84060

Re: Bonanza Park Land Management Code Amendment - PL-24-06302

Dear Planning Commissioners:

This firm represents Wintzer-Wolfe Properties (WWP), the owners of approximately 8.2 acres within the city and this proposed new zoning district, the Bonanza Park Mixed Use district. As the largest private property in the proposed new district, we have identified several topics that we suggest require further consideration, analysis, and likely revision before any action should be taken on this proposed rezone.

As the planning commission considers its recommendation to the city council, we ask that the planning commission consider these important points:

1) Two Trail Segments.

The trail segment figure should be updated. Figure 15-2.27-10(B) depicts two problematic trails for WWP. These segments are also problematic for the community. The first is the trail segment labeled as segment "C" on the figure. That trail is behind the WWP property, including Windy Ridge and other businesses on the WWP property. Notably, that trail would have to be ALL located on the WWP property as the city's recently developed EngineHouse project is at a lower elevation and has a significant retaining wall ranging between 4 to 10 feet in height running near the property line. Similarly, a second north-south trail segment [shown on Figure 15-2.27-10(B) near the rail trail label, but NOT the rail trail] would run completely on the WWP property because according to the figure, the trail would not be located on the adjacent Park City-owned transit property.

In short, both trail segments are proposed to be exclusively on the WWP property and the adjoining city-owned properties are spared the responsibility to bear an exaction[1] for a public trail. We know some may argue that the trail will be located within the setbacks so there is no harm. This argument fails to account for several facts, some of which we will detail here:

- Both trails will be in the shadows of buildings (current and future) without any area provided for ice or snow removal or storage. Our client is familiar with what it takes to remove snow

[1] An exaction is a type of taking of private property. It can be lawful if there is a substantial nexus between the impact and take but where there is nothing now or in the future that is creating this demand we believe the trails are not merited or consistent with takings law.

in this area and the very long trail with no area for storage will make maintaining these trails very difficult, if not impossible, under the planned configuration.

- WWP has requested information on who would be responsible to build the depicted trails, particularly the two trail segments on the WWP land. WWP has not received an answer but under longstanding U.S. Supreme Court precedent, a city must show an individual property is creating the need for a trail before a property owner can be made to pay for it. This is even the case for trails in setbacks. Removing the two trail segments that cross the WWP land would obviate the issue and remove an improper burden from our client's land.

- Having a public trail located on private property, instead of being integrated into a public street, raises liability concerns. Is the city going to operate, maintain, and protect property owners from liability concerns arising during the use of the trail? If not, then properties will not want to redevelop as they will not want to take on the obligations associated with operating these public trails located entirely on private property. A better solution is to rely on the public streets for integrated uses or for the city to purchase land where it wants a public trail.

- The alley and shade effects have not been studied. Again, as mentioned above, there isn't adequate area to maintain such a long trail segment (nearly 1,000 feet alone on one area of the WWP property). If WWP is forced to accommodate all of the hoped for trail width on its property, then these trails will be in the shade of the buildings and the trail will feel more like an alley to be endured instead of a trail to be enjoyed.

- One of the segments is intended to connect to Bonanza but would have trail users emerge where there is no cross-walk, thereby encouraging jay walking.

2) Setback Changes

Setbacks should be reconsidered. Setbacks limit the buildable area of each parcel. A comparison of the proposed setback changes in the new BMPX zone to the setbacks in the existing Light Industrial and General Commercial zones reveals that as a whole, more land is devoted to setbacks in the proposed rezone. This change will make less land available for development and may slow redevelopment in this new zone. The below is our effort to synthesize these changes into one chart:

Setback	BPMX	LI	GC
Front	30' to 18'	30'	20' (may be reduced to 10' administratively) 30' FPZ
Side	25' (may be reduced to 20' by PC)	10'	10'
Rear	25' (may be reduced to 20' by PC)	10'	10'

The above chart shows side and rear setbacks will increase and front setbacks will be the same or worse under the new zone. The net effect is there would be less land available to develop. This should be reconsidered.

3) Open Space

Open space is important for the well-being of residents and community members. In the current zones, no open space is required in the General Commercial zone while Light Industrial zone requires 30% open space. The new BPMX zone requires 30% open space but the question remains, is a hodge podge of open space dotted among all parcels in the new zone going to be better than having the city acquire a single or a series of publicly owned and maintained open space areas? This is a question worthy of study and it should be noted that the current arrangement of imposing an open space requirement on every property in the zone it is likely this requirement will operate as a disincentive to redevelopment. The planning commission may want to consider removing or reducing the open space requirement in exchange for encouraging a meaningful open space amenity being developed by the city in the area. Such an amenity could jump-start redevelopment and create something that all could enjoy even those that are not planning to redevelop soon.

4) Parking

Parking is key for both commercial and residential uses, both in terms of current businesses and future businesses within redeveloped properties. The elimination of surface parking will result in redeveloped uses being pushed into structure parking with associated higher cost and resulting higher rents. While a centralized parking facility would be great for the neighborhood area, as there is with China Bridge for Main Street, if that is not possible it would be good to allow surface parking and other less expensive parking options. Our primary goal with this comment is to ensure that local businesses are able to afford rents and stay in our community. Structured parking will increase rent and change the nature of the tenants in this neighborhood.

5) Uses

We have prepared an enclosure listing all of the uses that will be removed from this new zoning district. We note that some of these uses that will be lost seem to be important to the area—including our properties. These possible lost uses include dog grooming businesses, some dining types, and other uses supportive of restaurants and commercial.

In sum, we ask that the planning commission recommend changes to the proposed zoning district to improve the likelihood it will contribute to our community. Recommending removal of the two trail segments described will help ensure that the WWP's properties are not unfairly targeted for trail improvements that won't benefit the community but will damage existing and future uses on these properties. Other recommendations on setbacks, open space and parking requirements can help improve the functioning of businesses in this area and incentivize the redevelopment of areas of the zone. The primary focus should be on continuing actions to allow local businesses to stay in our community and provide incentives for redevelopment that addresses current and future community needs.

Sincerely,

SNELL & WILMER L.L.P.

Wade R. Budge, P.C.

WRB:dm

cc: Wintzer-Wolfe Properties
Rebecca Ward, Planning Director, rebecca.ward@parkcity.org
Mark Harrington, mark@parkcity.org

Permitted Uses Removed

LI	GC
Secondary Living Quarters	Secondary Living Quarters
Accessory Apartment[1]	Lockout Unit[1]
Nightly Rental	Accessory Apartment[2]
Agriculture	Nightly Rental
Office, Intensive	Conservation Activity
Parking Area or Structure with four (4) or fewer spaces	Agriculture
Food Truck Location[8]	Bed and Breakfast Inn
	Boarding House, Hostel
	Hotel, Minor
	Hotel, Major
	Office, Intensive
	Hospital, Limited Care Facility
	Parking Area or Structure with four (4) or fewer spaces
	Parking Area or Structure with five (5) or more spaces
	Food Truck Location[10]
	Public Transit Amenity Area[11]

Conditionally Permitted Uses Removed	
LI	**GC**
Raising, grazing of horses	Single Family Dwelling
Bed and Breakfast Inn	Duplex Dwelling
Boarding House, Hostel	Triplex Dwelling
Hotel, Minor	Timeshare Project and Conversion
Financial Institutions with Drive-Up Window[5]	Timeshare Sales Office, off-site within an enclosed Building
Retail and Service Commercial with Outdoor Storage	Private Residence Club Project and Conversion[8]
Retail and Service Commercial, Auto-Related	Financial Institution with a Drive-up Window[6]
Transportation Services	Retail and Service Commercial with Outdoor Storage
Retail Drive-Up Window[5]	Retail and Service Commercial, Auto Related
Service Station	Transportation Service
Restaurant, Outdoor Dining	Retail Drive-Up Window[6]
Restaurant, Drive-Up Window[5]	Service Station
Light Industrial Manufacturing and Assembly Facility	Restaurant and Cafe, Outdoor Dining[7]

Parking Area or Structure with five (5) or more spaces	Restaurant, Drive-up Window[6]
Passenger Tramway Station and Ski Base Facility	Sexually Oriented Businesses[8]
Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge	Hospital, General
Recreation Facility, Commercial	Light Industrial Manufacturing and Assembly
Commercial Stables, Riding Academy	Passenger Tramway and Ski Base Facility
Heliports	Ski tow rope, ski lift, ski run, and ski bridge
Commercial Parking Lot or Structure	Commercial Parking Lot or Structure
Household Pet, Boarding[6]	Recreation Facility, Commercial
Household Pet, Daycare[6]	Heliport
Household Pet, Grooming[6]	Household Pet, Boarding[7]
Commercial, Resort Support	Household Pet, Daycare[7]
	Household Pet, Grooming[7]
	Commercial, Resort Support

March 12, 2025 | Jamie Peters

User comment: The Homestake Condominiums were built in the early 1970s and will eventually need upgrades to maintain safe and viable housing. Nightly rentals are currently an Allowed Use. Currently all are either owner-occupied or rented long-term. but if there is a proposed prohibition on short-term rentals, both now and in the event of a future redevelopment, it would cause severe financial harm to the existing owners, reducing property values and limiting options for maintaining or redeveloping these units. This zoning change would unfairly target current homeowners by removing a longstanding property right, which would lead to a loss of property value & homeowner investment. Many long-term Homestake owners have their entire life savings invested in their homes. Please do not deprive them of rental flexibility. Homestake is an ageing property in need of future redevelopment to remain a viable part of Park City's housing stock. If the HOA ever seeks redevelopment the prohibiting of short-term rentals might make redevelopment financially impossible, leaving homeowners stuck in deteriorating buildings with no path forward. This is why any new zoning restrictions should apply only to new developments, not retroactively punish current owners. Rather than imposing a blanket prohibition on short-term rentals in Bonanza Park District, I would ask the Planning Commission to consider Grandfathering existing short-term rental rights for current units to prevent financial loss for longtime homeowners. Apply new short-term rental restrictions only to future developments so that new developers enter the market with full awareness of the limitations. I agree with some points in the staff report as other ways to control nightly rental problems like limiting the number of tenants who can stay in a nightly rental to avoid ‘party houses’, having a policy limiting investor-owned Nightly rentals and ownership of multiple Nightly Rental licenses.

April 9, 2025 | Jamie Peters

User comment: Park City Planning Commission April 9, 2025, Meeting Re: Proposed Removal of Nightly Rentals as a Permitted Use – Homestake Condominiums Dear Commissioners, My name is Jamie Peters, and I am an individual unit owner at the Homestake Condominiums. I am writing to share my personal concerns regarding the proposed changes to the Bonanza Park Mixed Use area, specifically the recommendation to remove nightly rentals as permitted use for the Homestake complex. This is my third public comment on this specific topic. I haven’t received any feedback—positive or negative—from the Commission, and I honestly don’t know whether my previous comments have been read or considered. I’m not trying to repeat myself unnecessarily, but I feel I need to continue participating until there is some indication of how the Staff or the

Commission is approaching this issue. If it's typical for public comments to be received without acknowledgment or response, that would be helpful to understand. As a resident taking time to engage in the process, it can be difficult not knowing whether these concerns are registering at all. Although Homestake currently prohibits short-term rentals, that restriction is not part of our recorded CC&Rs. It exists only in the HOA's rules and regulations, which can be changed at any time by the Board of Trustees. In contrast, nightly rentals are currently allowed under the City's zoning. If that zoning use is removed, future owners and Boards will permanently lose the ability to reconsider or change course, even if conditions or community needs evolve. As an aging, 50-year-old complex that is increasingly in need of reinvestment, Homestake may eventually require major renovation or full redevelopment to avoid life safety issues. Limiting permitted uses now—particularly one that may help support financing or future adaptive use—could significantly harm the long-term viability of the property. It may also reduce unit values and restrict redevelopment tools before there is even a plan on the table. To be clear, I do support the broader vision of the Bonanza Park plan. I think it's entirely appropriate and reasonable to restrict short-term rentals for new developments in the zone. Any developer entering into a new project would be fully aware of those limitations, and I agree with the City's goal to encourage workforce housing and build a livable, sustainable local community—where people can live, work, and play without needing to be multi-millionaires flying in from other parts of the world. That vision is admirable and necessary. But applying those same restrictions retroactively to long-established properties like Homestake—regardless of how they're being used today—is, in my view, unfair and damaging. The proposed Bonanza Park map also includes a significant trail access route running directly between two of Homestake's four buildings. This would have a real impact on current residents. If the City seeks to create public benefits on or adjacent to our property, I hope it will also consider maintaining flexibility for the property to evolve in the future—potentially including zoning incentives or exceptions tied to redevelopment. Park City frequently expresses frustration when state policy overrides local control. Similarly, the State of Utah resists when the federal government overreaches. Yet here, the City is proposing to take away a long-standing zoning right from private property owners. This top-down action seems to contradict the very principles of fairness and autonomy that the City often defends. I urge the Commission to preserve current zoning rights for existing properties like Homestake. Let's move forward thoughtfully and supporting the vision for Bonanza Park while also protecting the ability of long-standing properties to evolve and reinvest when the time comes. Thank you for your attention and your service to the community. Sincerely, Jamie Peters

May 14, 2025 | Jamie Peters

Dear Planning Commission and City Council,

I am writing to follow up on my public comment submissions regarding the proposed BPMX zone changes. I reviewed the Public Input file for tonight's meeting and noticed that my comments from March 12, 2025, and April 9, 2025, are not currently included.

I see that there are extensive comments from Craig Elliot (83 pages) and Wade Budge at Snell & Wilmer (6 pages).

Could my submissions please be added to the public input materials so that the Commission and Council can review them before considering the proposed BPMX zone changes?

Thank you for your time and help in ensuring all public comments are available.

Sincerely,

Jamie Peters

April 6, 2025

VIA EMAIL SARAH.HALL@PARKCITY.ORG

Park City Planning Commission
c/o Sarah Hall, Chair
445 Marsac Avenue
Park City, Utah 84060

Re: Bonanza Park Land Management Code Amendment – PL-24-06302

Dear Planning Commissioners:

We are writing as the owners of Right at Home, a retail store located at 1745 Bonanza Drive. By way of background, Right at Home is a furniture consignment store that offers both new and consigned furniture, home décor, lighting and gifts. The store has served the Park City community in its current location for over 23 years. We humbly consider ourselves to be a local mainstay. We also consistently support the community through fundraising for our local non-profits.

Our current business neighbors are varied. We have a glass-blowing business, a thriving restaurant, a clothing consignment store, a design firm, a bakery and a brewery. The diversity of these businesses makes the community interesting and eclectic.

The Bonanza Park Land Management Code Amendment referenced above has been brought to our attention. While we appreciate the efforts to better the Bonanza Park area, the Code Amendment as proposed will be devastating to small, locally owned businesses. The expenses associated with the proposed changes that will ultimately drastically increase our rent will put us out of business.

In a separate but simultaneous effort, Rebecca Ward brought the General Plan Update to our attention and invited us to participate. In making comments, we reviewed the background and the results of the survey conducted. Survey respondents were clear that a sense of community was important to them. In fact, it was the 5th most important value to residents. 33 percent of respondents said that locally focused retail, restaurants, shops and entertainment should be a future growth priority (ranked 3rd in all priorities). 26 percent said that locally focused retail was the type of business needed (2nd overall after childcare facilities).

In order for locally focused businesses to survive, the costs of doing business must be reasonable and not adversely impacted by government intervention. In the 4 years since we purchased Right at Home, our costs have gone up significantly. Some of those costs are coming from world events outside our control – rising insurance costs, tariffs, etc. However,

some of the rising costs may be attributed to well-intentioned Code changes that cost money.

Any changes considered in the Land Management Code Amendments need to be evaluated in the context of their potential impacts on local businesses. We can tell you unequivocally that the costs associated with the structured parking, as proposed, will put us out of business. Period. Further, an elimination of surface parking would drive a store like ours out. People bring items to consign to our store every day. They are sometimes quite large. Carrying these items down the stairs and out of a parking structure is impractical at best, but often simply impossible.

One of the reasons that we purchased Right at Home is a desire to be part of the community. Our family started coming to Park City in 1980 and we all relocated nearly 20 years ago to live here full-time. We love Park City for the local feel, the low number of chain stores and the relatively few large franchises. The Code Amendments, as currently proposed, will cause only those chain and franchise enterprises to survive. We ask that the Planning Commission consider the character that it wants to preserve in Park City before making a recommendation to the City Council.

Respectfully submitted,

Melissa O'Brien
Tina Pignatelli
Daniel Solander

Owners of Right at Home

CC via email:

Christin Van Dine
Rick Shand
Bill Johnson
Laura Suesser
Henry Sigg
John Frontero
Rebecca Ward
Mark Harrington

Goebel Anderson PC

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Mark L. Anderson
Timothy J. Curtis[1]
Jill L. Dunyon
Heidi G. Goebel[2]
Debra G. Griffiths Handley
Sam Meziani[3]
Jake M. Miller[4]
Amberly Page
Zachary E. Peterson
Ella S. Smith

1 Also licensed in Arizona
2 Also licensed in Colorado, Illinois, Indiana and New York
3 Also licensed in Wyoming
4 Also licensed in Washington

May 14, 2025

VIA E-MAIL

Park City Council
Council_mail@parkcity.org

Park City Planning Commission
Planning@parkcity.org

Re: Formal Objection to Proposed Nightly Rental Prohibition Under Bonanza Park Small Area Plan under the Bonanza Park Land Management Code Amendment, PL-24-06302

Dear City Council Members and Planning Commissioners:

This firm represents the Board of Directors of the Homestake Condominium Association, Inc., which, among other things, manages the common areas of the Homestake Condo Project that sits between Homestake Road and Kearns Boulevard. The Homestake Project dates back to the early 1970s and is made up of 42 one and two-bedroom units that are privately owned and predominantly owner-occupied. These two characteristics and the project's proximity to Old Town and the resorts makes Homestake unique in Park City.

Despite enforcing a minimum 30-day rental term, Homestake is currently zoned for short-term nightly rentals (sometimes referred to as STRs). Maintaining the ability to reduce that minimum term adds considerable value to the property. To date, Homestake's Owners have voted against STRs, but this issue is periodically revisited and may change as ownership changes along with the expansion of walkable corridors and increased transportation options that the Small Area Plan contemplates for the neighborhood. The possibility of allowing nightly rentals is a question that virtually all prospective buyers ask about when initially looking at Homestake and preserving this ability, whether or not it is exercised, is vital to Homestake's valuation and funding options.

As the Planning Commission considers its final recommendations to the City Council and the Council makes its decision on the proposed changes to the Land Management

Code, Homestake's Board asks both bodies to consider the following when deciding whether to remove Homestake's ability to conduct short-term nightly rentals:

I. Loss of Existing Rights Is, in Effect, a Regulatory Taking

The Homestake Condominiums is currently zoned to operate short-term nightly rentals. The proposed amendments to the Land Management Code for Bonanza Park Small Area includes language that would eliminate this right entirely, without compensation, transition period, or procedural recourse. While Homestake has chosen not to allow its units to be used as STRs, that is a voluntary self-regulation. By permanently stripping this right, the City will effectively take a legally permitted use without any justification. This step undermines Homestake's ability to self-regulate this right, especially when there has been no prior violations to justify such a penalty or articulated public need to justify the taking. Furthermore, even if the City were to provide a reasonable justification for the taking, which currently is not supported in the Feasibility study or planning department's staff report, a less restrictive approach should be considered before an all-out ban. This type of action suggests serious constitutional concerns under Utah and federal law that need to be addressed.

II. Eliminating STRs will Reduce Housing Options.

Under Zions' April 2025 Feasibility Analysis Study, the many design components that are being considered are intended, among other things, to "incentivize redevelopment" among existing property owners and one of the identified goals of the project is to develop housing options. Removing the right to conduct short-term leases reduces housing options rather than expanding them. Homestake and the handful of other similar developments in Bonanza Park should be able to continue STRs if it is appropriate for the development and the individual unit owner, especially when there is no findings that this right has been abused.

II. Homestake Is a Legacy Residential Community — Not a New Development

Zoning tools are best applied prospectively. Eliminating STRs would impact an established, fully developed 42-unit condominium complex. This change will devalue property values, hinder financing, and compromise the community's future, without being given the opportunity to utilize this meaningful benefit along with the City's broader goals. When considering future investment and new landowners in this area, the Planning Department suggested that allowing "limited nightly rentals" would be a "lever" to increase feasibility. Extending that same thought process to existing landowners who already have the right to conduct short-term nightly rentals should be preserved to increase the feasibility for this set of stakeholders since no true justification exists to eliminate it.

III. Homestake Represents 42 Units Out of ~2,000 Proposed

City projections indicate up to 2,462 new units could be developed under the plan. Homestake's 42 units comprise less than 2% of this number. Removing STR rights from Homestake will do little to support or hinder housing goals but could irreparably harm the Homestake community. Should Homestake's unit owners change the minimum term

and register with the City to conduct STRs, the City already has a mechanism in place to monitor the use.

IV. Focus New Zoning on City-Owned Parcels and Future Projects

If STRs are prohibited in the City's 5-acre parcel, it should apply to undeveloped properties or city-owned parcels rather than impact legacy communities. Developers of future projects can build with full awareness of the new regulations. Homestake's owners purchased knowing that it was zoned for nightly rentals which could be allowed with a vote of the Unit Owners.

V. Legal and Policy Considerations: Home Rule and Local Self-Determination

The Homestake Community has successfully governed the use of its owners, residents and guests for decades. Utah supports local governance and self-rule. There is no justification for removing a lawful use when no harm has been demonstrated.

VI. Land Value, Maintenance, and the Risk of Decline

Decreased Value = Decreased Financing Options

Homestake's buildings are over **50 years old**. It's owners are facing increasing repair needs that are not cosmetic — they include foundational, structural, and safety concerns. The ability to fund this work depends on our units holding enough value to support financing — whether through blanket borrowing by the Association, special assessments, or individual refinancing. Maintaining the units value so that they are comparable to similar developments is imperative.

Accordingly, losing rental rights lowers property values, which reduces our ability to obtain financing. That puts Homestake's Owners at risk of deferred maintenance — and a steady decline in livability, marketability, and insurability. That's when communities begin to fail.

VII. Conclusion: Let Homestake Continue to Govern Itself

Homestake does not currently intend to allow STRs however, there is no justification to eliminate it. Homestake asks that this right to self-regulate be left untouched. The Association requests to be exempt from the new zoning amendments that would prohibit STRs and encourages the City to focus zoning tools on future development, if at all. Thank you for your consideration.

Sincerely,

GOEBEL ANDERSON PC

Debra Griffiths Handley

Debra Griffiths Handley

GOEBEL ANDERSON PC
Park City Planning Commission / Park City Council
May 14, 2025

Cc: Board of Directors, Homestake Condo. Assn
Mayor Nann Worel
Rebecca Ward, Planning Director (Rebecca.ward@parkcity.org)
Park City Planning Department Staff
Mark Harrington (mark@parkcity.org)

From: Boal, Jason
To: Rebecca Ward
Cc: Budge, Wade
Subject: [External] BPMX Code Follow UP
Date: Tuesday, June 3, 2025 3:34:34 PM
Attachments: BPMX District Revisions 4908-4400-0572_3.docx

Warning: Replies to this message will go to jboal@swlaw.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Rebecca, below is information in response our call to discuss the BPMX Code on 5/27.

- We wanted to follow up on my 5/30 email asking about the revisions to the cross section on Iron Horse Dr. We would like the cross section to incorporate diagonal parking, as there appears to be room in the 55' ROW.
- We are still troubled by the north/south road segment south of Iron Horse Dr. We do not think this segmented is warranted. It is a shortcut, and it will be impossible to limit pedestrian use, particularly given the width.
- Attached is a further revision of the BPMX zone. We have included nightly rental uses in this proposal, as well as making edits you suggested in the exiting uses portion of the code.
- Finally, below are some examples of the commercial uses we identified.
    a. Retail and Service Commercial, Minor
        a. *A large scale Business engaged primarily in the sale or rental of goods, merchandise, or services with a high customer turnover and high parking demand. These establishments may have large interior showrooms or semi-truck loading docks. Examples of these Uses include large department, grocery, variety, drug, super stores. Fully-enclosed car washes are included.*
        b. Right At Home
        c. Good Earth Markets
        d. Park City Ski Boot
    b. Retail and Service Commercial, Personal Improvement

a. *A Business engaged in or offering courses and services for the enhancement of personal recreational interests, Business skills, vocational training, dance training, art and drama classes, public speaking, and similar Uses where the class or session meets as a group*
b. Billy's Barber Shop.
c. Julie Nester Gallery

c. Retail and Service Commercial, Major
   a. *A large scale Business engaged primarily in the sale or rental of goods, merchandise, or services with a high customer turnover and high parking demand. These establishments may have large interior showrooms or semi-truck loading docks. Examples of these Uses include large department, grocery, variety, drug, super stores. Fully-enclosed car washes are included.*
   b. Fresh Market
   c. Walgreens

d. Retail and Service Commercial, Auto-Related
   a. *An establishment primarily engaged in the sale or rental of goods, merchandise, and services related to the automobile, such a auto repair, auto body work, painting, detailing, auto and auto related equipment sales, with moderate to high volume of customer turnover and moderate to high parking demand. These Uses do not include auto dismantling, salvage, junk yards, and similar Uses. Self-service car washes are included.*
   b. Mercer Automotive

e. Cafe or Deli –
   a. *A Business that primarily sells*

beverages for on-Site consumption. May serve food prepared off-premises but does not have International Building Code (IBC) Commercial Kitchen facilities and generally does not employ hostesses, wait staff, bus staff, chefs, or other employees typically associated with a restaurant.

b. Wind Ridge Café, Windy Ridge Bakery

f. Restaurant, General –

a. *A Business in which food is prepared and sold for consumption.*
b. Boneyard Saloon
c. Yuma Ramen Restaurant

g. Office, General –

a. *A Business offering executive, administrative, professional, or clerical services performed with limited client visits and limited traffic generation; that generally employs fewer than three persons per one thousand square feet of Net Leasable Floor Area.*
b. Summit Sotheby's International Realty
c. Gardner & Boswell Construction

h. Office, Moderate Intensive

a. *A Business offering executive, administration, professional, or clerical services performed with a moderate level of client interaction and traffic generation; that generally employs fewer than five persons per one thousand square feet of Net Leasable Floor Area.*
i. Costantino Grandjacquet Architect

i. Office, Intensive

a. *Business offering executive, administrative, professional or*

clerical services performed with a high level of client interaction and a high level of traffic generation; that employs five or more persons per one thousand square feet of Net Leasable Floor Area.

b. 1260 Iron Horse Dr, Park City, UT 84060

Please let us know if you have any questions. We would like to schedule a follow up call to hear your thoughts about the proposed revisions.

Thank you!

Jason Boal, AICP
Urban Planner

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15-2.27 BONANZA PARK MIXED USE (BPMX) DISTRICT

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15-2.27-1 PURPOSE

The purpose of the Bonanza Park Mixed Use (BPMX) District is to:

1. ensure development in the Bonanza Park neighborhood implements the Bonanza Park Small Area Plan and provides opportunities for locally serving businesses and diverse housing options,
2. encourage the development of affordable, workforce, attainable, and market-rate long-term housing options,

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3. create a vibrant Mixed-Use pedestrian-oriented neighborhood, with safe, comfortable access to parks, publicly accessible green spaces, and outdoor community spaces,
4. protect entry corridor views along the Bonanza Park Frontage Protection Zone,
5. allow increased height and decreased setbacks when development provides project enhancements,
6. establish a network of pedestrian and bicycle linkages throughout Bonanza Park,
7. ensure development implements Universal Design Principles and aspires to reach Park City's sustainability goals, reduce vehicle trips, and improve access to transit, and
8. incorporate public art and placemaking elements to inspire, awe, delight, and enliven public spaces, streets, and trails in the Bonanza Park neighborhood.

15-2.27-2 USES

The BPMX District establishes mixed-use buildings to create walkable, human-scale development that is contextual and sensitive to its environments. Uses in the BPMX District are subject to Vertical Mixed Use and Horizontal Mixed Use requirements outlined in Section 15-2.27-4 and Street Level Design outlined in Section 15-2.27-6. Uses in the BPMX District are limited to the following:

A. **ALLOWED USES.**

1. Amphitheater
2. Bakery

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3. Bank
4. Bar
5. Café
6. Child Care
7. Child Care Center
8. Child Care, Family Group
9. Child Care, In-Home Babysitting
10. Commercial Use
11. Commercial Use, Support
12. Deli or Delicatessen
13. Direct Fast Chargers
14. Dwelling, Multi-Unit
15. Essential Municipal and Public Utility Use, Facility, Service, and Structure
16. Food Hall
17. Green Community Space
18. Grocery Store
19. Gym
20. Home Occupation
21. Hospital, Limited Care Facility
22. Indoor Entertainment, Theater/Museum
23. Major Transit Stop
24. Nightly Rental
25. Office and Clinic, Medical and Veterinary Clinic
26. Office, General

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27. Office, Medical
28. Office, Moderately Intensive
29. Plant and Nursery Stock production and sales
30. Public Art
31. Recreation Facility, Public
32. Restaurant
33. Retail and Service Commercial, Major
34. Retail and Service Commercial, Minor
35. Retail and Service Commercial, Personal Improvement
36. Transit Hub

B. **ADMINISTRATIVE CONDITIONAL USES.**

1. Fences and walls greater than six feet (6') in height from Final Grade
2. Food Truck Location
3. Outdoor Dining
4. Outdoor Event or Use
5. Pet Services
6. Public Transit Amenity Area
7. Temporary Improvement

C. **CONDITIONAL USES.**

1. Conventional Chain Business
2. Disabled Care
3. Elder Care
4. Flex Industrial

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5. Group Care Facility
6. Hospital, General
7. Hotel, Boutique
8. Indoor Entertainment Facility
9. Parking Area
10. Passenger Tramway
11. Public and Quasi-Public Institution, Church, and School
12. Recreation Facility, Private
13. Satellite Dish Antenna, greater than thirty-nine inches (39”) in diameter
14. Telecommunication Antenna
15. Temporary Sales Trailer in conjunction with an active building permit for the Site

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

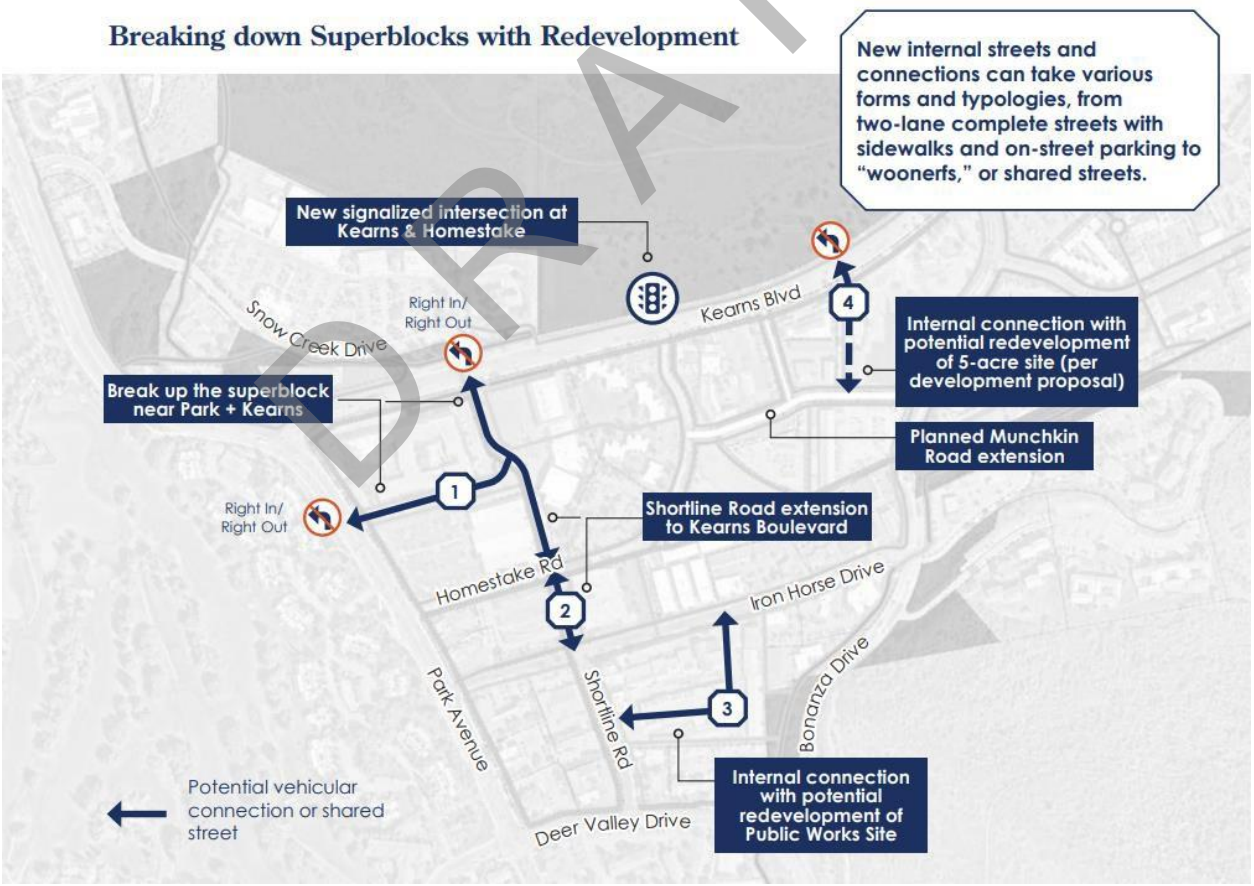
15-2.27-3 CONNECTIVITY IMPROVEMENTS.

A. **NEW STREET CONNECTIONS.** The Street network has a significant influence on the overall connectivity of a place. New Street connections are required to promote walkability and to create an interconnected system in the BPMX District. Development located adjacent to one of the following areas shall incorporate new Street connections. The Planning Commission may reduce required Setbacks along new Street connections when an Applicant dedicates public Right-of-Way.

1. Superblock between Park Avenue, Kearns Boulevard, and Homestake Road. New east-west connections shall be established.

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2. Shortline Road. Shortline Road shall be extended north-south to connect from Kearns Boulevard to Deer Valley Drive.
3. Shortline Road and Iron Horse Drive. A new internal connection to these roads between Shortline Road and Bonanza Drive shall be integrated into redevelopment.
4. Kearns Boulevard and Munchkin Road. A new connection shall be implemented to connect Munchkin Road and Kearns Boulevard.
5. Where required to improve pedestrian safety, a tunnel or bridge on Park Avenue or Kearns Boulevard is appropriate and shall meet requirements from the City Engineer, Public Works, and applicable state review agencies.

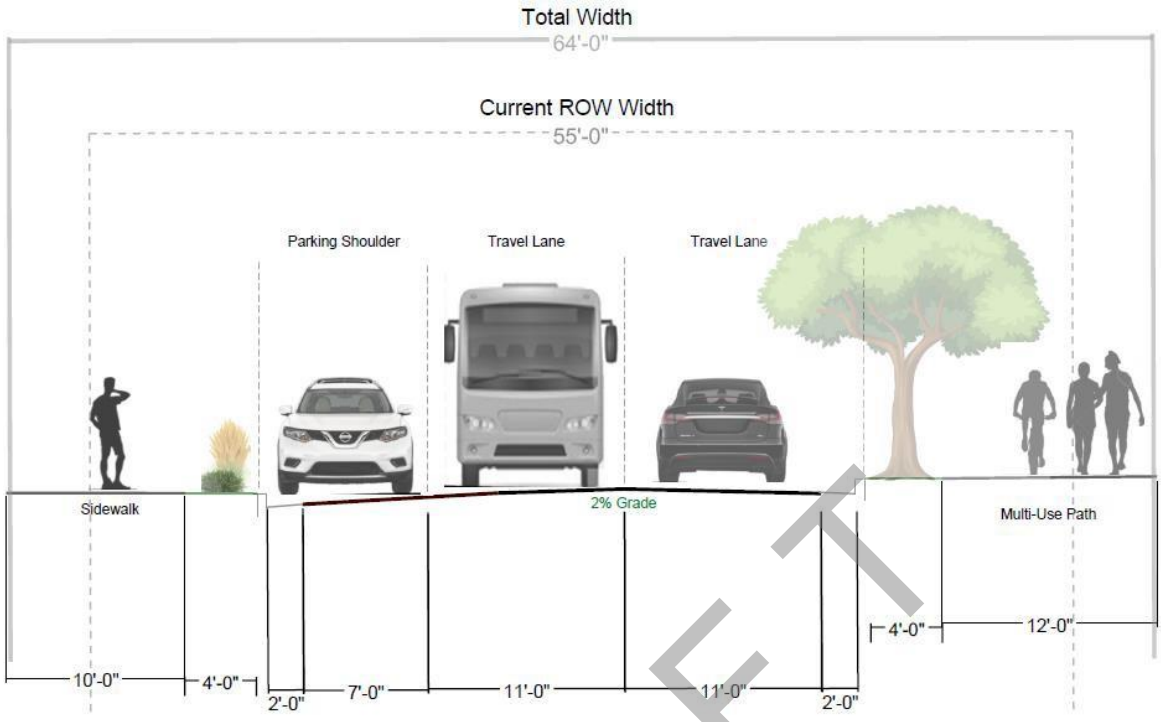


B. **STREET DESIGN.**

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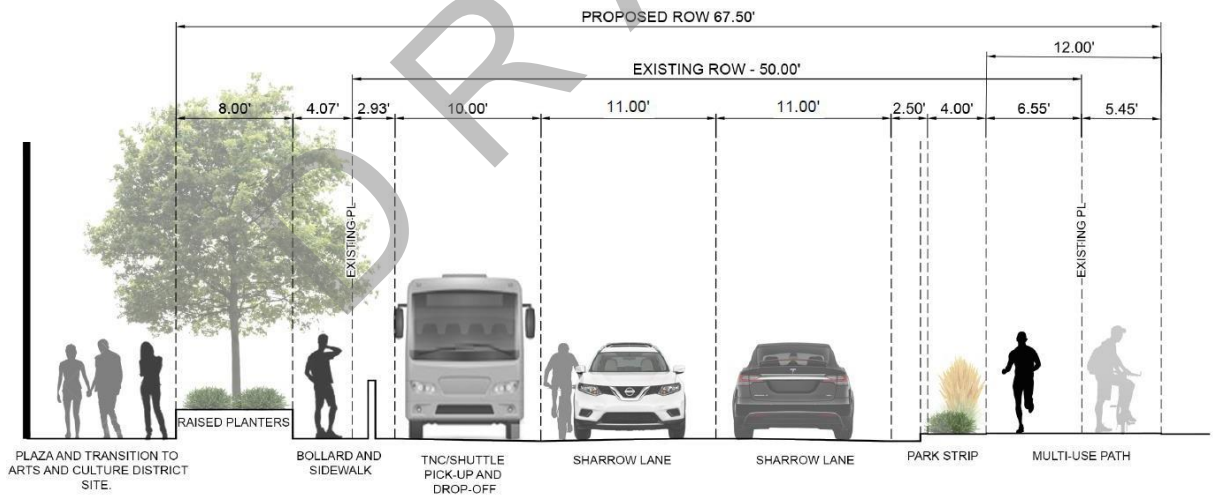
1. All new Streets shall meet Park City standards.
2. All new Streets shall integrate best management practices for stormwater runoff.
3. To the greatest extent practicable, development that is impacting an existing Street shall upgrade the Street to meet code standards in place at the time of application.
4. Pedestrian infrastructure, including sidewalks and crosswalks, shall be integrated into new or updated Streets.
5. Traffic calming measures, including intersection bump-outs, street trees, parklets, and on-street parking, shall be integrated into new or updated Streets.
6. Typical Bonanza Park Street cross sections are shown below:

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Iron Horse Cross Section

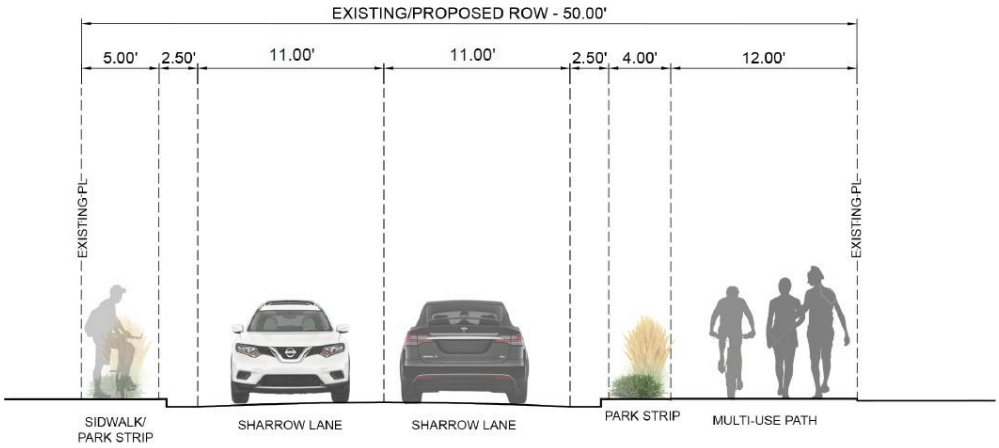
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MUNCHKIN ROAD (EAST)

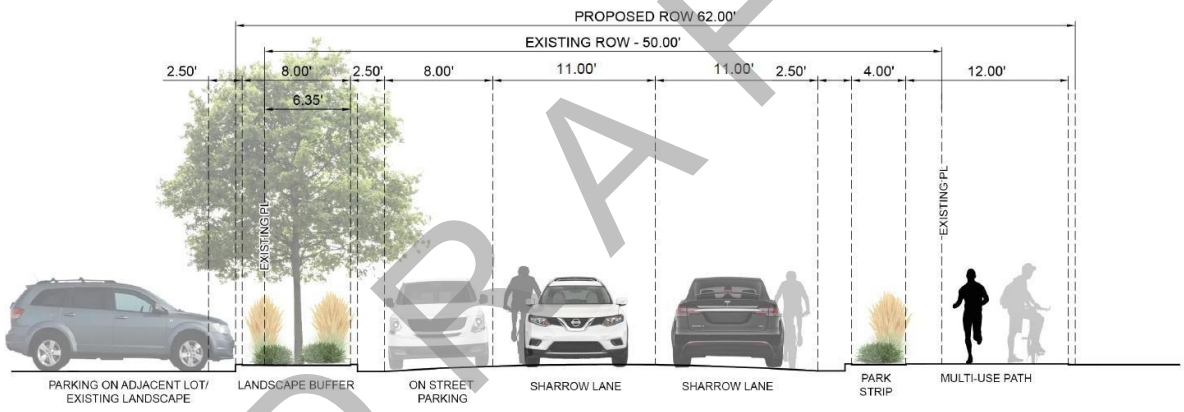
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MUNCHKIN ROAD (WEST)

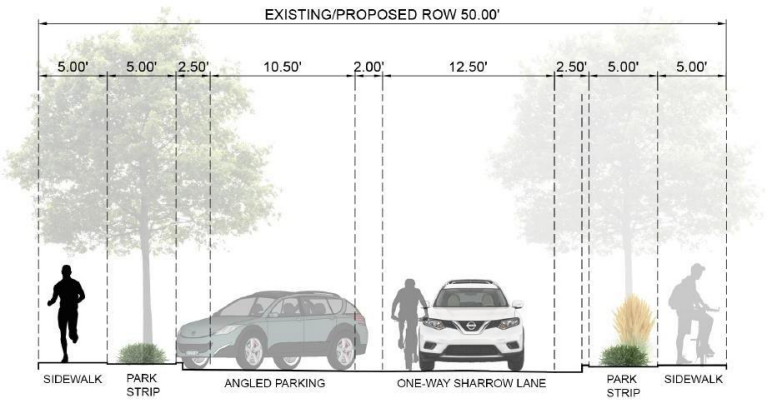
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HOMESTAKE ROAD (SOUTH)

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WOODBINE WAY

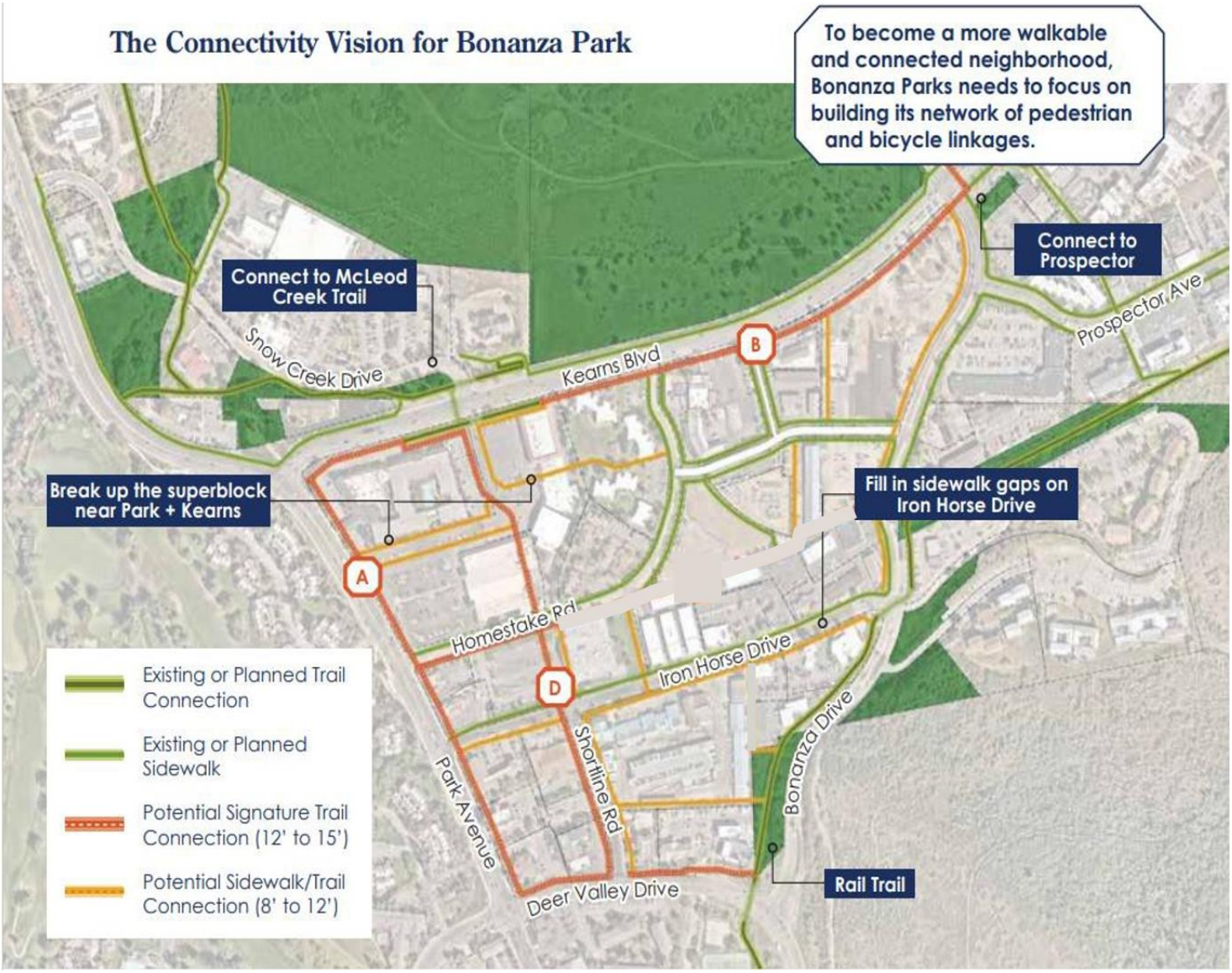
C. **SIDEWALK, TRAIL CONNECTIONS, AND SIGNATURE TRAILS.** Integrating multi-modal transportation is critical in the Bonanza Park neighborhood. To become a more walkable and connected neighborhood, the network of pedestrian and bicycle linkages must be established to connect with regional trails and improve the area's circulation. Development shall support the goals articulated in the Bonanza Park Small Area Plan, including the creation of new sidewalks, trail connections, and signature trails. Development should integrate the following key sidewalk, trail, and signature trail connections.

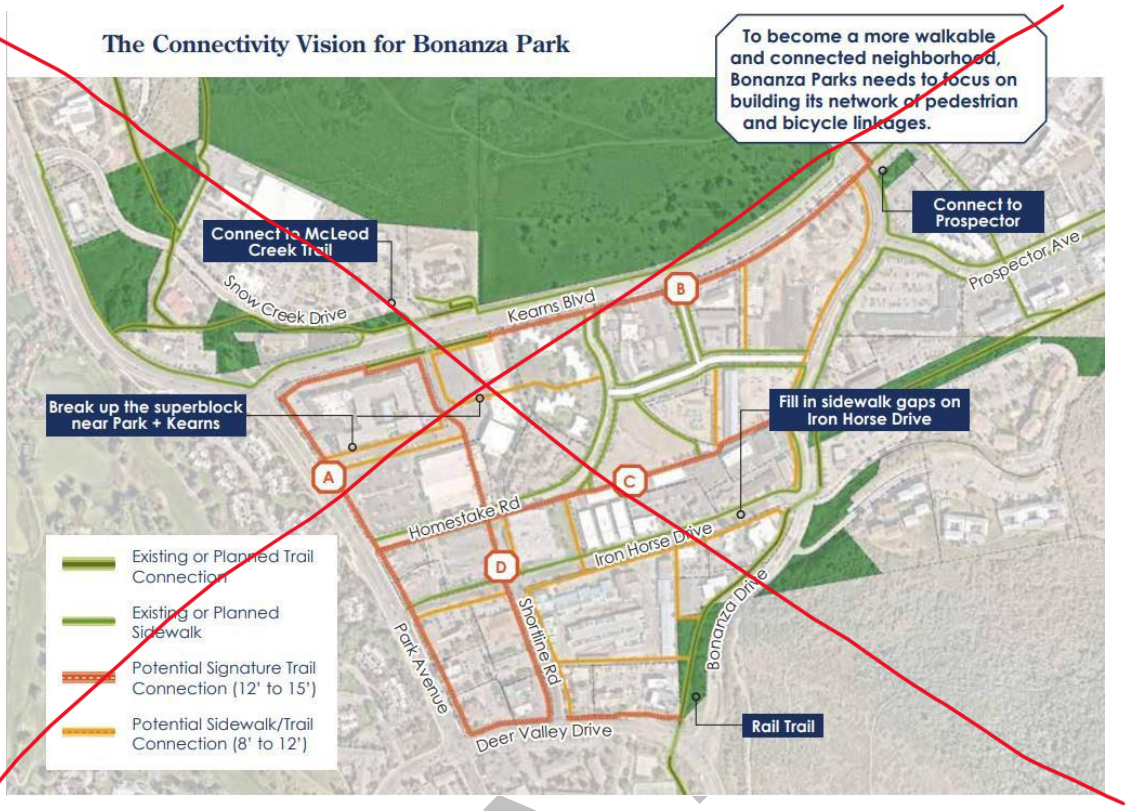
Figure 15-2.27-3(C) Connectivity Vision for Bonanza Park:

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164 (REVISED) Figure 15-2.27-3(C) Connectivity Vision for Bonanza Park:





D. **PERPETUAL PUBLIC ACCESS EASEMENT.** A perpetual public access easement shall be granted for sidewalk, trail, and signature trail connections on private property in a form approved by the City Attorney's Office.

1. The perpetual public access easement shall be recorded with Summit County and/or shown on the plat.
2. Establishment of a perpetual public access easement shall not require increased Setbacks. Sidewalk, trail, and signature trail connections may be within a Setback.
3. Sidewalk, trail, and signature trail connections may count toward Open Space.
4. The Developer shall at its sole cost and expense install the initial sidewalk and/or trail and/or signature trail connection, unless otherwise agreed to. The

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City, at its sole cost and expense, shall maintain, repair, and replace the sidewalk, trail, and/or signature trail connection within the easement area, unless otherwise agreed to.

E. **STREET, SIDEWALK, AND SIGNATURE TRAIL LANDSCAPING.**

1. Landscaping along streets, sidewalks, and signature trails shall conform with Chapter 14-1 *Trees/Landscaping on Public and Private Property*.

F. **STREETLIGHTS AND BANNERS.**

1. Installation of streetlights shall be required and placed by the Developer in accordance with Park City Standards.
2. The City may allow for the installation of banners on streetlights within the BPMX District pursuant to Chapter 12-11.

G. **EXISTING DEVELOPMENT CONNECTIVITY IMPROVEMENT INCENTIVES.** To enhance Bonanza Park Connectivity Improvements on existing sites, Applicants may submit a parking study showing that parking exceeds demand or request a parking reduction and submit a Transportation Demand Management Plan pursuant to Section 15-2.27-9 to reduce single-occupancy vehicles coming to the site. For existing development Connectivity Improvements, Applicants may request Planning Commission review of a Conditional Use to:

1. Replace existing parking to accommodate perpetual public access easements for sidewalk, trail, and signature trail improvements outlined in the Bonanza Park Small Area Plan.

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2. Replace existing parking to accommodate easements for the installation of transit improvements including a Major Transit Stop or Public Transit Amenity Area.
3. Replace existing parking with uses that improve or activate the space for those who arrive by transit, on foot, or by bike.
4. Convert surface-level parking into a Green Community Space or Publicly Accessible Outdoor Community Space.

15-2.27-4 LOT AND SITE REQUIREMENTS

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has Frontage on a Street shown as a private or Public Street on the Streets Master Plan or Section 15-2.27-3, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan or Section 15-2.27-3. All Development activity must comply with the following minimum standards:

A. **MASTER PLANNED DEVELOPMENT**: Where there is a conflict between the standards in this Section and Chapter 15-6 *Master Planned Development*, the requirements of this Section shall apply.
B. **LOT SIZE**: No minimum lot size.
C. **DENSITY**: The BPMX District is a volume-based District and Density is established by Setbacks, Height, Parking, Open Space, and Site design criteria. The following Density and square footage limitations apply.

1. **Residential.** Minimum residential Density 10 units per acre.
2. **Commercial.**

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a. A single building is limited to no more than 15,000 square feet of commercial square footage. This limitation shall apply to commercial-only development and mixed-use development with a commercial component.

b. A single commercial tenant shall not occupy more than 5,000 square feet of commercial square footage, unless it meets one of the following exemptions:

1. Grocery Store,
2. US Post Office,
3. The Use is outlined in Section 15-2.27-2 as Allowed or Conditional and has received Conditional Use approval by the Planning Commission pursuant to Section 15-1-10 *Conditional Use Review Process*.

D. **OPEN SPACE**: The following Open Space requirements apply within the BPMX District.

1. At least 30% of the total Site Area shall be Open Space and may not be used for Streets, driveways, or Parking Areas.
2. The following Open Space typologies (Green Community Spaces) are permitted in the BPMX District and may be in the Frontage Protection Zone:
   a. Pocket Park.
   b. Linear greenspace with pedestrian and/or bicycle path.
   c. Public Courtyard.
   d. Plaza areas.

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e. Flexible Space.

f. Community Garden.

E. **SETBACKS**:

1. The Frontage Protection Zone requires a minimum landscaped buffer Setback of thirty feet (30') in width abutting the Street. See Chapter 15-2.20.
2. Setbacks for Parcels two (2) acres or larger that are not Frontage Protection Zone Setbacks or Streetscape Setbacks are twenty-five feet (25').
3. Setbacks for Parcels smaller than two (2) acres that are not Frontage Protection Zone Setbacks or Streetscape Setbacks are fifteen feet (15').
4. Projects that meet the requirements of Section 15-2.27-7 *Project Enhancements* may request the Planning Commission grant a Setback reduction to eighteen feet (18') for Setbacks that are not Frontage Protection Zone.
5. The Planning Commission may consider increasing exterior Side Setbacks during Conditional Use review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
6. On Corner Lots, the Planning Commission may increase the Setback for pedestrian and bicycle connectivity and Sight Distance Triangle clearance.

F. **STREETSCAPE SETBACKS**: Table 15.2-27-4(F) identifies the required Streetscape Setbacks in the BPMX District. Streetscape Setbacks are

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determined based on Street type to prioritize pedestrian-friendly design and enhance walkability.

Table 15.2-27-4(F): MINIMUM STREETSCAPE SETBACK REQUIREMENTS

Street Type	Applicability/ Streets	Streetscape Setback
Frontage Protection Zone	Kearns Boulevard and Park Avenue	30 Feet
Internal Street	Bonanza Drive	25 Feet
Internal Street	Homestake Road and Iron Horse Drive	20 Feet
Internal Street	Munchkin Road and Woodbine Way	18 Feet
Rail Trail	East-west connection	20 Feet

G. **SETBACK EXCEPTIONS**: The following Setback exceptions apply within the BPMX District:

1. Bay and box windows not more than ten feet (10') wide projecting not more than two feet (2') in the Side Setback.

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2. Window wells and light wells projecting not more than four feet in the Setback.
3. Roof overhangs and eaves projecting not more than three feet in the Setback.
4. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
5. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Grade, provided there is at least a five foot (5') Setback from the Lot Line.
6. Awnings over a doorway or window extending not more than three feet (3') in the Side Setback.
7. Driveways leading to a garage or Parking Area.
8. Sidewalks, trails, or signature trails identified in Section 15-2.27-3(C).

H. **VERTICAL AND HORIZONTAL MIXED-USE:** The BPMX District shall implement both Vertical Mixed Use and Horizontal Mixed Use to ensure a variety of Uses that promote vibrancy and a locally serving neighborhood.

1. **Vertical Mixed Use.** Vertical Mixed Use Development contains a range of uses within one Building. Typically, lower floors contain active storefronts such as retail stores or restaurants while upper floors are residential and/or office. Vertical Mixed Use shall be required along Internal Roads within the BPMX District as defined in Section 15-2.27-4(E), unless approved by the Planning Commission.

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a. **Criteria for a Residential Development.** The Planning Commission may consider a fully Residential Development in a Vertical Mixed Use area when the criteria below are met:

1. All street-facing ground floors include an active use. For purposes of this Subsection, an active use may include any of the following:

   i. A lobby extending at least 50 feet into the interior of the building from the exterior wall;

   ii. A Public or Private Recreation Facility, provided the Facility includes at least 60% glazing along the street-facing façade;

   iii. Enclosed bicycle storage and/or bicycle repair stations, provided that this use or combination of uses includes exterior access to the street. Access may be restricted to tenants of the residential development; however, at least 60% glazing shall be provided along the street-facing façade;

   iv. A mail room, provided that this use includes at least 60% glazing along the street-facing façade;

   v. A community meeting space or educational or cultural facility, such as a meeting room, library, or art exhibit. Access may be restricted to tenants of the residential

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development; however, at least 60% glazing shall be provided along the street-facing façade;

vi. A mural or similar art installation covering no more than 20% of any street-facing façade;

vii. A public Pocket Park, Public Courtyard, Flexible Space, plaza, or landscaped area accessible from the public right-of-way;

viii. Any similar active use reviewed and approved by the Planning Commission that is compatible with the character of the area.

2. A fully Residential Development may be exempt from Criteria 1 if all of the following are met:

i. At least 70% of the total square footage averages 80% AMI and is deed restricted.

ii. All residential units on any street-facing ground floor provide exterior access to the street and include at least two of the following:

1. A covered porch or stoop;
2. At least 60% glazing on the ground floor along the street-facing façade;
3. Uniform landscaping elements enhance the pedestrian experience and preserve views of the residential building (a semi-private yard or

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courtyard may be fenced with a maximum height of four feet).

iii. A fully Residential Development shall unbundle parking costs from the cost of rent or the cost of the unit. Affordable housing projects providing at least 70% of residential units averaging 80% AMI with deed restrictions that rely on grant, Low-Income Housing Tax Credits, or other funding, are exempt from this requirement if these projects can demonstrate that funding is contingent on providing a minimum amount of parking. In no case shall a project providing more than the minimum amount of required parking in Section 15-2.27-8 be exempt from this requirement.

2. **Horizontal Mixed Use.** Horizontal Mixed-Use Development integrates distinct land uses, such as residential, commercial, and retail, within a multi-building development or larger area, with these uses arranged side by side rather than stacked vertically. Horizontal Mixed-Use is made up of single-use buildings within a complex or employ a single land use on an individual Lot. Horizontal Mixed Use is allowed along Kearns Boulevard, Park Avenue, and Deer Valley Drive. Horizontal Mixed Use may be appropriate for internal plaza areas within projects. Horizontal Mixed Use is prohibited along Internal Streets within the BPMX District as defined in Section 15-2.27-4(E), unless otherwise approved by the Planning Commission.

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a. Commercial storefronts shall be prioritized along Internal Roads, including Iron Horse Drive, Short Line Road, Homestake Road, Munchkin Road, Woodbine Way, and project plazas to activate the pedestrian realm.

b. A minimum of 20% of the total project square footage shall be residential uses. A minimum of 20% of the total project square footage shall commercial, retail/service, office, and/or civic/institutional uses.

I. **SNOW RELEASE.** The design of roofs shall address snow accumulation and ice/snow shedding. Entries, walkways and pedestrian areas shall be protected from ice/snow shedding. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

J. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road grade shall be placed on any Corner Lot within the Sight Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

15-2.27-5 BUILDING HEIGHT

No Structure shall be erected to a height greater than thirty-five feet (35') from Existing Grade in the BPMX District, unless granted an exception in Section 15-2.27-7 *Project Enhancements*.

A. **FRONTAGE PROTECTION ZONE BUILDING HEIGHT.**

1. See Chapter 15-2.20 regarding the Frontage Protection Zone, which prohibits development within 30 feet (30') of Kearns Boulevard, Park Avenue,

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and Deer Valley Drive, and regulates Development within 30 feet (30') to 100 feet (100') from Kearns Boulevard, Park Avenue, and Deer Valley Drive.

2. The maximum Building Height within the Frontage Protection Zone 30-foot (30') to 100-foot (100') Setback is thirty-five feet (35') from Existing Grade.
3. Buildings within the 30-foot (30') to 50-foot (50') Frontage Protection Zone Setback must be stepped back ten feet (10') for each story above two stories.
4. Building Height exceptions within the Frontage Protection Zone Setback are limited to:

    a. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC) and must be stepped back from the Frontage Protection Zone Building facades by at least fifteen feet (15').
    b. Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building, and must be stepped back from the Frontage Protection Zone Building facades by at least fifteen feet (15').
    c. An Elevator Penthouse may extend up to eight feet (8') above the Zoning District Height and must be stepped back from the Frontage Protection Zone Building facades by at least twenty feet (20').

B. **BPMX DISTRICT BUILDING HEIGHT EXCEPTIONS.** The following exceptions apply to the BPMX District Building Height for Buildings that are not within the 30-foot (30') to 100-foot (100') Frontage Protection Zone Setback:

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1. A vertical stepback is required for any building developed within fifty feet (50') of the Frontage Protection Zone. These upper story setbacks shall be a minimum of ten feet (10') in depth.
2. If Project Enhancements are provided pursuant to Section 15-2.27-7, one (1) additional story, or a maximum of forty-five feet (45') from Existing Grade, may be granted pursuant to Section 15-2.27-7.
    a. A ten-foot (10') stepback shall be provided on building perimeter façade planes that are forty-five feet (45') in Building Height with a Setback of eighteen feet (18') or less to mitigate the impact of Building Height on the pedestrian-scale neighborhood. The following features are permitted within areas where the building is stepped back:
        i. Mechanical and ventilation equipment, provided the equipment is screened and does not exceed four feet (4') in height.
        ii. Decorative or recreational features, including rooftop gardens, green roofs, planter boxes, and permanent amenities such as built-in grills. Rooftop guardrails shall be glass and posts shall be an unobtrusive material such as anodized aluminum. Guardrails and posts shall be the minimum height permitted by International Building Code standards.
        iii. Rooftop solar and photovoltaic panels, provided the equipment is installed in compliance with Section 15-5-5(G).
3. Gable, hip, Barrel, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

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4. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC), and must be stepped back from building facades by at least ten feet (10').
5. Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building, and must be stepped back from building facades by at least ten feet (10').
6. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height and must be stepped back from building facades by at least ten feet (10').
7. Passenger Tramways may extend above the Zone Height subject to a visual analysis and approval by the Planning Commission.

15-2.27-6 DESIGN GUIDELINES

To implement the Bonanza Park Small Area Plan, specific design guidelines for the BPMX District are adopted to ensure development is consistent with the neighborhood character while improving overall connectivity with greater Park City.

A. **APPLICABILITY.** These Design Guidelines shall apply to all development in the BPMX District. Prior to issuance of a Building permit for any Allowed or Conditional Use, the Planning Department must review the proposed plans for compliance with this Chapter and Chapter 15-5 *Architectural Review*. Where there is a conflict between the standards in this Chapter and Chapter 15-5, the requirements of this Chapter shall apply.

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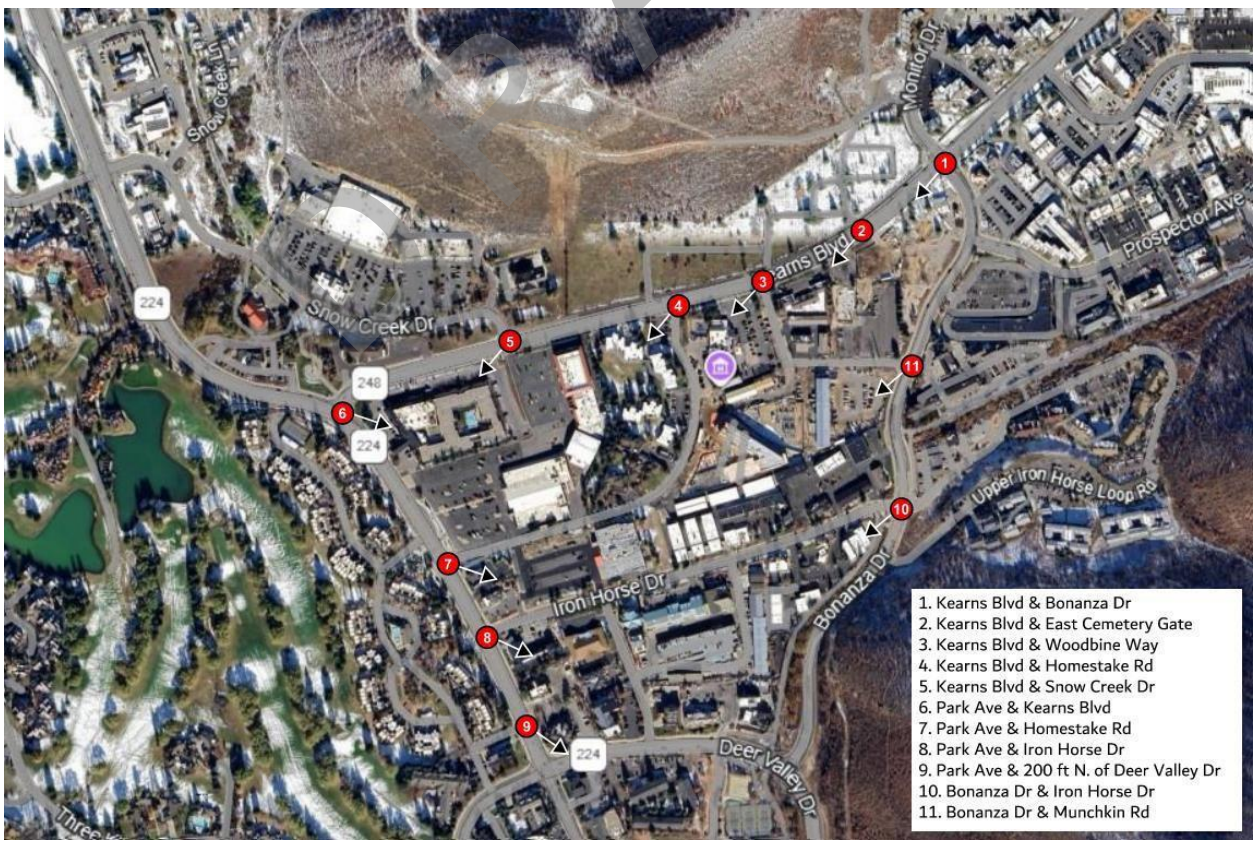
B. **BUILDING PLACEMENT AND ORIENTATION.**

1. Incorporate Open Space into building placement. Open Spaces can enhance the overall aesthetic by allowing for additional landscaping and greenery. Furthermore, these areas can be functional assets, enabling commercial businesses to expand their activities outdoors—such as offering outdoor dining or using the space for outdoor displays or merchandise sales. This approach balances visual appeal with practical business opportunities.
2. On parcels greater than 30,000 square feet, the massing of the building should be broken into smaller volumes. Creative approaches to break up building mass and scale is encouraged. This could include separate buildings above grade or linked exterior walkways.
3. Buildings should be oriented to the street to create a vibrant pedestrian experience. To the extent practicable, building facades should be parallel to the adjacent street to orient access to public and private streets, pedestrian circulation, and gathering areas.
4. Maximizing solar exposure during winter months should be a consideration in designing public spaces and gathering areas. Development over two stories that is adjacent to major open spaces, such as parks or designated public amenities, shall perform a sun/shadow study of the effects of development on such spaces from autumn through spring.

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5. **VANTAGE POINTS:** Development should preserve or enhance views of significant community features from prominent public vantage points within the BPMX District. There are eleven (11) vantage points from which the height, mass, and design of structures should be considered to preserve mountain views. If a development can be seen from more than one vantage point, the developer must provide three-dimensional renderings from each vantage point showing the impact of the development on mountain views. Renderings shall be based on a height of five feet (5') above the set reference markers shown in Figure and Table 15-2.27-5(B)(5): Vantage Points.

Figure 15-2.27-5(B)(5)



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	TABLE 15-2.27-5(B)(5): VANTAGE POINTS		
	Location	**Coordinates**	**Bearing**
1	Kearns Boulevard & Bonanza Drive	40.662963 -111.500851	SW
2	Kearns Boulevard & East Gate of Cemetery	40.662276 -111.502057	SW
3	Kearns Boulevard & Woodbine Way	40.661699 -111.503442	SW
4	Kearns Boulevard & Homestake Road	40.661484 -111.504692	SW
5	Kearns Boulevard & Snow Creek Drive	40.661067 -111.507025	SW
6	Park Avenue & Kearns Boulevard	40.66037 -111.50953	SE
7	Park Avenue & Homestake Road	40.658714 -111.507893	SE
8	Park Avenue & Iron Horse Drive	40.657958 -111.507382	SE
9	Park Avenue 200 feet north of Deer Valley Drive	40.657007 -111.506802	SE
10	Bonanza Drive & Iron Horse Drive	40.659307 -111.501548	SW

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11	Bonanza Drive & Munchkin Road	40.660805 -111.501397	SW

C. **BUILDING SCALE, ARTICULATION, AND FENESTRATION:** Buildings in the BPMX District should reflect the scale of uses and reinforce a pedestrian environment.

1. **BUILDING SCALE.**

a. The perceived mass and scale of Development in the BPMX District shall be reduced by incorporating design elements that emphasize three or more of the following:

i. Variation in roof forms or parapet heights.

ii. Insets, projections, or other relief in the wall plane.

iii. Architectural emphasis on building entries.

iv. Arcades, porticos, or other forms of covered exterior circulation.

v. Variations to window size or proportions.

vi. Balconies.

vii. Variation in color, texture, or materials as allowed in Chapter 15-5.

b. Building design should avoid blank walls and large undifferentiated expanses of wall surface exposed to public pedestrian Streets, sidewalks, trails, plazas, or parks.

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c. Roof overhangs, projections, awnings, or canopies should contribute to the character of the building and create shadow patterns while aiding in protection of the structure and pedestrians.

d. Exceptions from the guidelines may be approved by the Planning Director for those areas of the building envelope that are not visible from adjacent development and public spaces.

2. **BUILDING ARTICULATION:**

a. **VERTICAL**.

i. All buildings that are approved above thirty-five feet (35') in height shall include vertical articulation to help break up the mass of the building. This articulation shall occur every thirty feet (30') and shall be achieved through a façade change of at least eighteen inches (18") in depth, or through a material change.

ii. This shall apply to all building facades.

B. **HORIZONTAL.**

i. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the façade of the Structure so that no greater than seventy-five percent (75%) of the length of the Building Façade appears unbroken. Each shift shall be in the form of either a ten-foot (10') change in Building Façade alignment or a ten-foot (10') change in the

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Building Height, or a combined change in Building Façade and Building Height totaling ten feet (10').

ii. Structures that exceed 120 feet in length on any façade shall provide a prominent shift in the mass of the Structure at each 120-foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen-foot (15') change in Building Façade alignment or a fifteen-foot (15') change in the Building Height. A combination of both the Building Height and Building Façade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

iii. This shall apply to all building facades.

3. **BUILDING FENESTRATION**

i. Windows for non-residential and mixed-use buildings should be provided to create a direct relationship to the Street.

a. A minimum of 50% glazing is required on the ground level of all street-facing facades to create a strong relationship to the Street.

b. A minimum of 40% glazing is required for second levels.

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ii. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.

iii. Reflective, metallic, frosted, tinted, stained, and textured glass is prohibited.

iv. Balconies are permitted for all residential uses. These may be integrated into a vertical step-back. Railings for balconies should have a minimum of 30% transparency.

D. **SITE ACCESS AND ON-SITE PARKING.** Site access should be consolidated to the greatest extent practicable.

1. For sites that are larger than two (2) acres in size, integration of an alleyway or mid-block walkway is encouraged to support a pedestrian-oriented design.
2. Access between the on-site Use and Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g. sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).
3. On-site parking should be accessed from a Street other than Park Avenue , Kearns Boulevard, Bonanza Drive, and Deer Valley Drive. If there is no access from an Internal Street, the main vehicular access point shall be from the shortest block length.
4. Additional vehicular access points on Park Avenue and Kearns Boulevard are discouraged and shall be minimized.
    a. Where parking is accessed from Park Avenue or Kearns Boulevard, the parking area, inclusive of drive aisles, shall be no

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more than 35% of the parcel width. Screening of parking areas is required, which may include low walls, landscaping, public art, public seating, multi-modal transportation infrastructure, and the like.

5. All onsite parking shall be located behind the front-most wall of the Main Building.
6. When a parking garage is provided, underground parking is preferred. Where an above-grade garage is provided, it shall be located behind the Main Buildings and shall include architectural screening or artistic screening to minimize views of vehicles.
7. Any street-facing entry to a parking garage should be designed to reduce visibility. All ramps shall be integrated into the building's architecture.
8. Parking areas and loading zones should be located to minimize visual impacts from the public Street or pedestrian way.
9. Consider paving material change to define surface parking areas from the main vehicular travel lane.

E. **STREET LEVEL DESIGN.** Thought shall be given to street-level design throughout the BPMX District to encourage the overall walkability and vitality of the area. Street Level Design requirements shall apply to Internal Streets as identified in Section 15.2-27-3(E).

1. Unless otherwise approved in this Chapter, Buildings shall have an active use on the ground level. Active uses support the vibrancy and usability of the public realm adjacent to a building and include retail establishments,

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retail services, daycare facilities, community meeting spaces, educational and medical uses, civic spaces (theaters, museums, etc.), restaurants, bars, art and craft studios, Public Recreation Facilities, and other uses determined to be substantially similar by the Planning Commission. For buildings that are 100% residential, a lobby or other common space shall meet this requirement. The active use should extend at least fifty feet (50') inside the building. Active uses do not include Private Recreation Facilities, private clubs, and other similar exclusive uses.

2. All buildings shall have at least one main entry on all street-facing facades. This entry should be easily seen from the street and adjacent pedestrian way.
3. On corner lots, two (2) entrances should be provided. At least one (1) of these entries should be located within twenty feet (20') of the corner.
4. An internal airlock should be incorporated into all commercial, lodging, public, and mixed-use buildings.

F. **PEDESTRIAN AMENITY REQUIREMENTS.** Pedestrian Amenity requirements aim to create thoughtfully designed and meaningful Open Spaces that emphasize human scale, offer relief from the built environment, and enrich the pedestrian experience of the BPMX District.

1. **PLACEMENT.** Pedestrian Amenities shall be along the Streetscape, open to the sky, and free of permanent enclosures. They must be versatile and adaptable, accommodating such uses as outdoor dining, outdoor events, outdoor uses, or public gathering areas.

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2. **ACCESSIBILITY.** Pedestrian Amenities must contribute to an active Streetscape and promote interaction. Property owners can meet these requirements through physical or operational improvements to private property or enhancements to the public right-of-way.

3. **DESIGN GUIDELINES:**

A. Street-level Pedestrian Amenities shall be within 18 inches above or below the Existing Grade of the street or sidewalk, which abuts the space.

B. Street-level Pedestrian Amenities shall be open to the sky but may include temporary shade or similar structures.

C. Street-level Pedestrian Amenities shall consider all four corners of an intersection.

D. Pedestrian Amenities shall be designed for use in all seasons.

G. **ARCHITECTURAL STYLES AND MATERIALS.** The limitations identified in Chapter 15-5 shall apply. In addition, the following standards apply:

1. Building materials should convey a pedestrian scale and have proven durability in Park City's climate.
2. Building materials shall be of a high quality and reference both the history of the Bonanza Park area and materials currently found in the BPMX District. The use of wood, metal, glass, and stone is appropriate in this Zoning District.
3. Architecture that reflects corporate branding is not permitted. This shall not be construed to limit the ability to place signage on the property in

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accordance with the allowances and limitations of Section 15-2.27-13 and Title 12 *Sign Code***.**

H. **ROOFS.**

1. Flat roofs and low sloping roofs are preferred.
2. Snow shedding shall be considered in all roof design. Roofs shall be designed and insulated to ensure valleys, areas over wall top plates and other similar building spaces do not form ice dams and to minimize the need for heat tape.
3. Where roofs will drip onto pedestrian or other public areas, buildings shall provide a system of gutters, downspouts and permitted heat tape to direct and channel roof run-off into the project's landscape areas and to prevent ice build-up in pedestrian areas. In non-pedestrian or public areas, roofs may drip to swales that direct water to the natural or proposed landscape.
4. Eaves and fascia shall generally be responsive and proportional to the design of the building.
5. The limitations identified in Chapter 15-5 shall apply.

I. **LANDSCAPING**.

1. Landscaping should complement the context and enhance the architecture of the building.
2. Stormwater best management practices should be considered in the landscape design.
3. Landscape materials should reflect the Park City climate.

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4. For parcels in the Frontage Protection Zone, the first thirty feet (30') should include landscaping and pedestrian-focused infrastructure.
    a. Sidewalks, trails, bike paths, and the like are permitted in this area. These shall have a vegetative buffer from the edge of road pavement of at least three feet (3').
    b. Multi-modal infrastructure is permitted in this area, including bike racks, transit stops and shelters, wayfinding signage, seating, and the like. Public Transit Amenity Areas and Transit Hubs are also permitted in these areas, provided they do not exceed ten feet (10') to fourteen feet (14') in height.
5. The limitations of Section 15-5-5(N) *Water Wise Landscaping* shall apply.

J. **VEGETATION PROTECTION.** The Property Owner must protect or replace Significant Vegetation during any Development activity.

1. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.
2. Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist.
3. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Sections 15-3-3 and 15-5-5(N), and Title 14.

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K. **SERVICE AND MECHANICAL AREAS.**

1. Trash, recycling, and service areas should be designed as integrated components of the building and should be sited to minimize impacts to pedestrians. Facilities can be located in underground parking facilities when appropriate.
2. All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to mitigate visual impacts on nearby Properties and general public view. All mechanical equipment must be shown on the plans prepared for City review.
3. Service and delivery areas shall be located where least visible from general public view and shall not impede pedestrian or bicyclist connectivity.
4. The loading and unloading of goods must take place entirely on the Site. Loading and delivery areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for City review.
5. Shared delivery, service, trash, and recycling areas are encouraged.
6. All Structures must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for City review. Refuse storage must be Screened, enclosed, and properly ventilated.
7. When possible, transformers and other utility boxes should be located where least visible from general public view.
    a. Location along Park and Kearns is highly discouraged.

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b. All transformers and other utility infrastructure should be screened through fencing, landscaping, low walls, art, and the like, as permitted by the relevant utility provider.

8. The undergrounding of utilities is preferred.
9. Mechanical equipment, ducts, and vents should be accommodated internally within the building and/or co-located on the roof. Screening of equipment on the roof is encouraged.

L. **ART INSTALLATIONS.**

1. Integration of public art is encouraged in all development in the BPMX Zoning District, including murals, sculptures, enhanced trails, gateways, crosswalks, wayfinding, interactive exhibits, and the like.
2. It shall be the responsibility of the property owner to maintain all art located on private property.
3. Art is specifically allowed in the Frontage Protection Zone but shall not impede pedestrian or bicyclist connectivity.
4. Art proposed to be displayed in the public realm may first be reviewed by the Public Arts Advisory Board.

15-2.27-7 PROJECT ENHANCEMENTS: Project Enhancements are intended to provide early project predictability and allow flexibility in selecting incentives to qualify for additional Building Height of up to forty-five feet (45') from Existing Grade outside of the Frontage Protection Zone and Setback and Open Space reductions in the BPMX District.

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A. **PURPOSE:** Project Enhancements are intended to support a vibrant and locally serving development in the BPMX District through the provision of affordable, workforce, and attainable housing, increased mobility and alternative transit provisions, increased on-site sustainability measures, and community-serving components.

B. **PROCEDURES**: This will help create certainty in the project review process so Applicants can determine whether they qualify for a fourth story bonus (up to forty-five feet (45') from Existing Grade outside of the Frontage Protection Zone) and Setback reductions by completing the following:

1. Applicants must submit a preliminary proposal outlining a rough site plan, volumetrics, renderings, and project description for Planning Commission review and input. The Planning Commission will forward a recommendation to the City Council for consideration. Preliminary proposals should identify which measures have been selected for consideration

C. **INCREASED BUILDING HEIGHT**: A development providing project enhancements may be eligible for additional height up to 45 feet when:

1. The project provides two Tier A enhancements; or
2. The project provides one Tier A and at least two Tier B enhancements.

D. **DECREASED SETBACKS**: In addition to increased height, a project may qualify for reduced Setbacks if additional enhancements are provided:

1. The project provides two Tier A (and one is Housing) and at least one Tier B enhancement; or

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2. The project provides one Tier A (Housing) and at least four Tier B enhancements.

E. **TIER A**:

1. **HOUSING**. At least 25% of total project square footage is deed-restricted affordable at an average AMI of 60% or 35% of total square footage is deed-restricted at an average AMI of 80%. Inclusion of a mix of residential units that meets a range of community needs – workforce, affordable, attainable, senior housing, etc. and sets a baseline average of 60% AMI or 80% AMI or as otherwise established in the City's Affordable Housing Resolution. Provision of units should be based on the mix of owner-occupied and rental units from the most up-to-date Housing Needs Assessment. Housing must be provided on site and be deed restricted.

2. **PARKING**. The applicant requests a substantial parking reduction, submits an effective Transportation Demand Management Plan that reduces parking demand and single-occupancy vehicle trips, and provides at least 90% of the project parking underground.

3. **CRITICAL CONNECTIONS**. The applicant dedicates right-of-way outlined in Section 15-2.27-3.

F. **TIER B**:

1. **CAR SHARE PROGRAM FOR RESIDENTS.**

    i. **Car Share Parking and Use**: The applicant shall provide on-site car share parking in a location accessible to project

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residents that is mutually agreed upon by the developer and car share operator and approved by the Planning Commission.

ii. **Electric Vehicles**: At least half of the car share vehicles shall be electric vehicles. The developer shall install Electric Vehicle Charging Stations and at least one Direct Current Fast Charger for the electric car share vehicles. The developer shall ensure that electricity is provided to the Electric Vehicle Charging Stations and Direct Current Fast Charger. The property owner shall ensure that electricity is provided to the Electric Vehicle Charging Stations and Direct Current Fast Charger at no cost to the car share operator or user. The applicant is responsible for ensuring sufficient and continuous electricity supply to power the Electric Vehicle Charging Station and Direct Current Fast Charger and covering all costs associated with electricity usage during the term of the binding agreement.

iii. **Binding Agreement for Long-Term Use**: The applicant shall enter into a binding agreement with a car share operator outlining the location, operation, and maintenance of the car share vehicles within the development. The agreement shall clarify the roles and responsibilities of both parties, including gas, insurance, cleaning, maintenance, and monitoring.

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iv. **Annual Report**: The car share operator shall submit an annual report to the property owner and City regarding car share usage, maintenance, and operation.

v. **Timing and Compliance**: All car share infrastructure must be in place and operable prior to the issuance of a certificate of occupancy unless otherwise agreed upon.

2. **BIKE SHARE PROGRAM.**

i. **Infrastructure Provision**: The applicant shall provide adequate conduit, power supply, and site preparation for future bike share station installations in a location mutually agreed upon by the developer and bike share operator. The site should be visible, open, and accessible to the public, proximate to transit stops, pedestrian paths, or other active transportation corridors, and accessible for service vehicles for maintenance and operations.

ii. **Electricity Requirements**: The applicant shall ensure that electricity is provided to the bike share station at no cost to the bike share operator. The applicant is responsible for ensuring sufficient and continuous electricity supply to power the station and covering all costs associated with electricity usage during the term of the agreement.

iii. **Access Requirements**: The applicant must provide safe and convenient vehicular and pedestrian access to the bike share station, including connectivity to adjacent pathways, sidewalks,

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and transit facilities, as well as adequate lighting and wayfinding signage to enhance station visibility and usability.

iv. **License Agreement**: The applicant shall enter into a license agreement with the bike share operator outlining the location, operation, and maintenance of the bike share facilities within the development. The agreement shall clarify the roles and responsibilities of both parties.

v. **Capital and Operating Support**: As part of traffic and transportation mitigation measures, the applicant shall work with the bike share operator to compensate for the capital and operational expenses of the bike share station. This includes at least 12 bikeshare docks and eight e-bikes and associated station costs and contributing to annual operating expenses, which may include an annual maintenance fee per bike per year, unless otherwise agreed upon.

vi. **Timing and Compliance**: All bike share infrastructure and financial contributions must be in place prior to the issuance of a certificate of occupancy unless otherwise agreed upon.

3. **SIGNATURE TRAIL CONNECTION.** The applicant dedicates public access easements for a signature trail connection identified in Section 15-2.27-3.

4. **PUBLIC TRANSIT IMPROVEMENTS.** The applicant provides an on-site perpetual public access easement and/or encroachment agreement and constructs a Public Transit Improvement including a Major Transit Stop or

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Public Transit Amenity Area in a location and form to be approved by the City. The applicant shall enter into a long-term maintenance agreement with the City.

5. **SUSTAINABILITY PLAN**. The applicant constructs a project that meets the criteria of Section 15-2.27-10 and provides a long-term project operational plan to include waste reduction and landfill diversion, food waste collection and composting, green business operations, potential for local renewable energy development such as distributed solar with storage or thermal energy networks, design for greywater reuse, rainwater capture or other water conservation features, green infrastructure such as bioswales, and building operational performance to achieve an Energy Star score of 90 or above, or to be designed and built to achieve 10 percent better than the most recent ASHRAE 90.1 standards.
6. **CHILD CARE FACILITY**. The applicant constructs space for a child care facility that accommodates at least 25 children and executes a minimum ten-year lease with a certified child care provider offering a reduced rent at fifty percent (50%) or less the rent per square foot for the next least expensive commercial space within the development.
7. **LIMITATION ON CONVENTIONAL CHAIN BUSINESSES**. The applicant restricts Conventional Chain Businesses within the project and includes incubator spaces for local entrepreneurs.
8. **SIGNIFICANT ACTIVATED OUTDOOR PUBLIC SPACE.** The project exceeds the required 30% Open Space requirement and includes long-term

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programming plan for activated publicly accessible outdoor spaces that provide music, entertainment, and seasonal activation.

G. **CITY COUNCIL REVIEW**. The City Council shall review Project Enhancements proposals considering adherence to the standards outlined in this Section, hold a public hearing, and either approve or deny the request. Approved projects shall return to the Planning Commission for standard application processing.

H. **PROGRAM REVIEW AND AMENDMENTS.** The City Council has the discretion to review and update the Project Enhancements on a two-year schedule to assess the effectiveness of the program and enhancements implemented through successful projects. As part of this review, the Planning Department will identify evolving market conditions that may affect feasibility of specific criteria.

15-2.27-8 PARKING REQUIREMENTS

A. **APPLICABILITY.** All Development within the BMPX District is subject to the following parking requirements in addition to requirements outlined in Chapter 15-3 *Off-Street Parking*. Where there is a conflict between the standards in this Chapter and Chapter 15-3, the requirements of this Chapter shall apply.

B. **REQUIREMENT.** Off-Street parking within the BPMX District shall be provided for each land Use as listed in this Section, where parking ratio requirements supersede those in Chapter 15-3 Off-Street Parking.

1. **RESIDENTIAL USES**. Off-Street parking shall be provided for each land Use as listed in this Section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure.

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Specific Uses, and the related parking ratio requirements are also shown below. Also refer to Section 15-15-1 *Definitions* for clarification of Uses.

Table 15-2.27-8(B)(1) RESIDENTIAL PARKING RATIO REQUIREMENTS	
USE	**PARKING RATIO (NUMBER SPACES)**
Multi-Unit Dwelling, Apartment/Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
Multi-Unit Dwelling, Apartment/Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit

2. **NON-RESIDENTIAL USES**. In non-residential projects, or for non-residential space associated with primarily residential Structures, the following parking requirements shall apply. Also refer to LMC Section 15-15-1 *Definitions* for clarification of Uses.

Table 15-2.27-8(B)(2) NON-RESIDENTIAL PARKING RATIO REQUIREMENTS

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USES	**PARKING RATIO REQUIREMENTS (NUMBER SPACES)**
Auditorium and Assembly Hall	1 space per 5 seats
Bank	2 spaces per 1,000 sf of net leasable floor Area
Bar	3 spaces per 1,000 sf of net leasable floor area
Café/Deli	2 spaces per 1,000 sf of net leasable floor Area
Child Care Center	1 space per on-duty staff per shift and 1 space per 6 children
Commercial Use	4 spaces per 1,000 sf of net leasable floor Area
Disabled Care Elder Care Group Care Facility	1 space per 2 bedrooms plus 1 space per employee per shift, or 2 spaces per 3 employees per shift, whichever is greater
Grocery	3 spaces per 1,000 sf of net leasable floor Area
Flex Industrial	1 space per 1,000 square feet of floor area and 1 space for every 2 employees in the largest shift

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Hospital, Limited Care	1 space per 2 beds
Hotel, Boutique	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space
Indoor Entertainment, Theater	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area, depending on type of facility
Offices, General	2 spaces per 1,000 sf of leasable floor Area
Office and Clinic, Medical and Veterinary Clinic	5 spaces per 1,000 sf of leasable floor Area
Public and Quasi-Public Institution, Church, School Public Utility Uses	1 space per 5 seats, or 2 spaces per 3 employees, or 1 space per 1,000 sf of floor Area, whichever is greater
Retail & Service Commercial, Minor, Personal Improvement	0 spaces required for buildings that have less than or equal to 3,000 sf net leasable floor area Above 3,000 sf net leasable floor area is 3 spaces per 1,000 sf of net leasable floor area
Retail & Service Commercial, Major	5 spaces per 1,000 sf of net leasable floor Area
Restaurant	0 spaces required for buildings that have less than or equal to 3,000 net leasable floor area

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	Above 3,000 sf net leasable floor area is 3 spaces per each 1,000 sf of net leasable floor area
Restaurant, Outdoor Dining	Based on Site specific review at the time of CUP
Recreation Facility, Public Recreation Facility, Private	1 space per 4 seats or 3 spaces per 1,000 sf of floor Area, or 1 space per 3 persons rated capacity, depending on type of facility
Temporary Improvement	1 space per employee plus 1 guest space

C. **CALCULATION OF SPACES**. If a project incorporates two Uses, the Use requiring a higher number of Parking Spaces shall govern. Whenever the calculation results in a fractional number, the number of spaces required shall be rounded up to the next whole number.

D. **PARKING MAXIMUMS.** No more than one hundred percent (100%) of the minimum required parking may be provided for newly constructed non-residential, mixed-use, or Multi-Unit Dwelling developments of ten (10) or more units when the new development is within a one-quarter (¼) mile of a transit stop. When the parking requirement is zero Parking Spaces, a maximum of five (5) Parking Spaces may be provided. Exceptions to the maximum parking limit may be approved by the Planning Commission if found to be consistent with Section

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15-2.27-1 and to further the City's goals for reducing single-occupancy vehicle trips.

E. **SHARED PARKING.** For both on-site parking and off-site parking, Shared Parking Spaces may be provided contingent upon a shared parking analysis being completed and a Shared Parking Agreement being executed, as approved by the Planning Commission.

1. The parking requirement for Mixed-Use projects may be lowered if the Applicant submits a shared parking opportunity analysis, approved by the Planning Commission, which results in a peak-parking-demand measure that is less than the Parking Requirement established by this Section for Residential and Non-Residential Uses.

F. **PARKING REQUIREMENT ADJUSTMENT.** A ten percent (10%) reduction in the number of required Parking Spaces is allowed to reduce or eliminate a public safety hazard or to bring substandard Parking Spaces into compliance with current City design standards subject to approval by the City Engineer.

G. **UNDERGROUND PARKING.** All development within the BMPX District is encouraged to provide underground parking to promote a vibrant pedestrian friendly environment that reduces car-pedestrian conflict. If 90% of required parking is provided on-site and underground, Setbacks for the underground parking structure may be reduced by the Planning Commission up to 50% outside of the Frontage Protection Zone if utilities can be accommodated.

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H. **ALTERNATIVE PARKING STRATEGIES.** The following alternative parking strategies may be used to comply with the minimum Off-Street parking standards required by this Chapter.

1. **OFF-SITE PARKING**. Required Off-Street Parking Spaces may be provided Off-Site in compliance with the following:

   a. Required parking must be located within the City limits.

   b. Access between the on-Site Use(s) or the subject site and the Off-Site Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g., sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).

   c. A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the Off-Site parking spaces, guarantees the continued availability of the Off-Site Parking Spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the Off-Site Parking Spaces and the Owners and lessees of the subject Site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-Site parking reduction

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approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Planning Director.

2. **PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES**. For buildings or sites with multiple Uses, parking may be reduced. To calculate the parking requirement, calculate the sum of the minimum Off-Street parking requirements for the two Uses with the highest Off-Street parking requirement, and then multiply that sum by the number shown below for that combination of Uses.

Table 15-2.27-8(H)(2) PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES

FIRST USE	SECOND USE				
	MULTI-UNIT RESIDENTIAL	PUBLIC INTSITUTIONAL OR CIVIC	FOOD, BEVERAGE, BOUTIQUE HOTEL, RECREATION, OR ENTERTAINMENT	RETAIL	OTHER COMMERCIAL
Multi-Unit Dwelling[1]	NA				

[1] The parking reduction for developments with multi-unit residential shall apply only to the non-residential Use parking requirement.

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Public Institutional, or Civic	10%	NA			
Food, Beverage, Boutique Hotel, Recreation or Entertainment[2]	15%	20%	NA		
Retail	15%	25%	25%	NA	
Other Commercial	20%	25%	25%	20%	NA

3. **ADDITIONAL ALTERNATIVE STRATEGIES.** After any reduction in the required number of Off-Street Parking Spaces under Section 15-2.27-8(H) is applied, the alternative strategies described below may be combined for an additional non-residential Use parking reduction of up to ten percent (10%).

   a. **DESIGNATED CAR SHARING PARKING.** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 Parking Spaces, for up to a maximum

[2] For mixed-use projects, 0 spaces shall be required for the first 3,000 sf of net leasable floor Area of "Retail & Service Commercial, Minor, Personal Service" and/or "Restaurants, Standard and Bar" Uses.

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of three (3) designated car sharing spaces (i.e., one designated car sharing space = 2 Parking Spaces; two designated car sharing spaces = 3 Parking Spaces; and three designated car sharing spaces = 5 Parking Spaces).

b. **ELECTRIC VEHICLE CHARGING STATIONS**. Electric Vehicle Charging Stations and Direct Current Fast Chargers (i.e., spaces with approved charging infrastructure for Electric Vehicles consistent with Section 15-3-11) that are in addition to the Electric Vehicle Parking Spaces required to be provided pursuant to Section 15-3-11 shall count as two Parking Spaces, for up to a maximum of five (5) additional Electric Vehicle Parking Spaces.

c. **UNDERGROUND PARKING.** When underground parking is provided, each two (2) underground Parking Spaces shall count as three (3) Parking Spaces toward satisfying the minimum required parking. This may allow for a reduction of up to five percent (5%) in the number of required Parking Spaces.

4. **PROXIMITY TO TRANSIT.** A fifteen percent (15%) reduction in the total number of required Parking Spaces for any development may be approved when the Site is within one thousand feet (1,000') unobstructed year-round walking distance of a Major Transit Stop.

5. **CUMULATIVE PARKING REDUCTION**. No development may be granted a cumulative parking reduction greater than fifty percent (50%) for non-residential Uses or greater than twenty percent (20%) for residential Uses as

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provided in Sections 15-2.27-8(H)(1), (2), and (3), unless approved by the Planning Commission.

15-2.27-9 TRANSPORTATION DEMAND MANAGEMENT

A. **APPLICABILITY.** A Transportation Demand Management (TDM) Plan is required for all development projects. Two (2) TDM Plan levels shall apply as described below.

1. **LEVEL 1 TDM PLAN.** A Level 1 TDM Plan is required for all development described below:
    a. Multi-Unit Dwellings: 10 - 44 Dwelling Units
    b. Boutique Hotel: 10 – 39 rooms
2. **LEVEL 2 TDM PLAN.** A Level 2 TDM Plan is required for all projects that require a Traffic Impact Study (TIS) (i.e., development adds twenty-five (25) or more peak hour vehicle trips) as described below:
    a. Multi-Unit Dwellings: 45 Dwelling Units and greater
    b. Boutique Hotel: 40 – 75 rooms
    c. Commercial: 3,000 square feet or greater
    d. Office: 3,000 square feet or greater
    e. Restaurant: 2,500 square feet or greater

B. **EXEMPT PROJECTS.** Projects exempt from TDM Plan requirements are:

1. Remodels or expansions of existing residential units that do not increase the total number of residential units;

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2. Remodels or expansions of Commercial, Retail, Office, Hotel, or mixed-use projects involving no more than 500 square feet of commercial net leasable space or two (2) lodging rooms or units;
3. Any Boutique Hotel with fewer than ten (10) rooms;
4. Retail less than 3,000 square feet;
5. Office less than 3,000 square feet; and
6. Restaurant less than 2,500 square feet.

C. **TDM PLAN.** The Applicant shall submit a TDM Plan for review and approval by the Planning Commission. The TDM Plan shall document and demonstrate consistency with the requirements in this Section. The TDM Plan shall include, but is not limited to, the following:

1. Identification of the applicable TDM strategies to be implemented based on the size of the project and estimated number of trips generated.
2. Implementation plan for each TDM strategy, including timelines, responsibilities, and budget allocations.
3. Monitoring and evaluation plan, submitted annually to the Planning Department, to track the effectiveness of TDM strategies and adjust them as needed. At their discretion, the Planning Director may require additional Planning Commission review and modifications as needed.

D. **LEVEL 1 TDM PLAN REQUIRED COMPONENTS.** The following TDM trip reduction strategies are required for Level 1 TDM Plans:

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1. Participation in an annual travel survey of residents and employees for the first four (4) years of building occupancy. Employers on Sites subject to an approved TDM Plan shall submit the survey results to the City.
2. Provide the following information to employees and/or residents on an annual basis:
    a. Carpooling/vanpooling information;
    b. Transit schedules and route information;
    c. Information on air pollution and alternatives to single-occupancy vehicle trips;
    d. Bicycle route and facility information, including local bicycle maps, locations of nearest outdoor bicycle parking or enclosed bicycle storage, locations of bicycle share locations, and bicycle safety information; and
    e. Information on walking and biking to work, pedestrian and bicycling safety, and all-weather walking shoes and traction devices for shoes and bicycle tires in winter/ice conditions.
3. One strategy from the Supplemental TDM Menu (see Section 15-2.27-8(F)).

E. **LEVEL 2 TDM PLAN REQUIRED COMPONENTS.** The following TDM trip reduction strategies are required for Level 2 TDM Plans:

1. All Level 1 required components.

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2. Establishment of a TDM Coordinator to directly support commute programs, implement mobility programs, and develop transportation policies and initiatives.
3. Employee parking cash-out program.
4. Unbundle parking for residential Dwelling Units at minimum.
5. Two strategies from the Supplemental TDM Menu (see Section 15-2.27-9(F)).

F. **SUPPLEMENTAL TDM MENU.** Supplemental TDM strategies over and above the applicable Level 1 or Level 2 TDM Plan requirements may be implemented to reduce the amount of required Parking for non-residential Uses. When three (3) or more of the following strategies are provided in addition to the applicable Level 1 or Level 2 TDM Plan requirements, the Planning Commission may approve up to a twenty percent (20%) reduction in the required parking for non-residential Uses.

1. Alternative work schedules/flex-time.
2. Preferential Parking for carpool or vanpool vehicles.
3. Employee shower facilities.
4. Provision of on-Site or Off-Site multimodal transportation improvements at the discretion of the Planning Commission, such as:
    a. Pedestrian network improvements (e.g., providing sidewalks that are wider than the required minimum width),
    b. Construct or improve a bike facility (e.g., providing improved safety of bicycle facilities serving key transit nodes), or

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c. Construct transit-supportive treatments (e.g., traffic calming near transit stop, transit stop enhancements and amenities, etc.).

5. On-site child care facilities.
6. Facilities and equipment to encourage telecommuting (e.g., video-conferencing facilities and equipment).
7. Contributions to funds for local and regional facilities such as park-and-ride lots, multimodal transportation centers, satellite work centers, etc. as approved by the City Council.
8. On-Site amenities such as cafeterias, restaurants, automated teller machines, and other services that would eliminate the need for additional trips.
9. Transit incentives for employees such as additional pay for carpoolers, etc.
10. Plans for delivery of goods at off-peak times and/or plans and facilities for centralized deliveries of goods for multi-tenant facilities.

G. **TDM PLAN AGREEMENT.** A TDM Plan agreement shall be provided in a form acceptable to the City Attorney and shall include the TDM Plan. The parties to the agreement shall include the Owners and lessees of the project Site. A copy of the agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in enforcement action by the City unless a new TDM Plan is

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approved by the City within a reasonable timeframe, as determined by the Planning Director.

15-2.27-10 SUSTAINABILITY REQUIREMENTS

A. **APPLICABILITY.** All Development within the BMPX District should strive to support the City's Net Zero goals through the implementation of sustainable design including active transportation considerations, low embodied carbon materials, waste reduction through comprehensive materials recover, and operational programming and technologies to reduce short- and long-term impacts on the environment.

B. **REQUIREMENTS.** All projects within the BPMX should strive to achieve a low Energy Use Intensity (EUI) per building type including improved insulation and thermal efficiency, EnergyStar and WaterSmart appliances and fixtures, energy efficient lighting, low-flow plumbing fixtures, sensors and timers that control water flow, lighting and temperature, and on-site Renewable Energy Systems.

New buildings should strive to obtain third party certification of the use of sustainable construction techniques and building materials. The following programs should be considered [INSERT CITY REOLUTION FOR NET ZERO BUILDINGS ONCE ADOPTED].

15-2.27-11 CONVENTIONAL CHAIN BUSINESSES

A. **APPLICABILITY.** This Section provides guidance on Conventional Chain Businesses in the BPMX District.

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Existing businesses within the BPMX District that meet the definition of a Conventional Chain Business as of (INSERT DATE OF ADOPTION), will be issued a one-time Conditional Use Permit to memorialize existing conditions. Any amendments to this Permit will require a new application subject to the requirements of this Section.

New Development and redevelopments inclusive of a business that meets the thresholds outlined in the Conventional Chain Business Definition in Section 15-15-1 must acquire a Conditional Use Permit, in addition to meeting the requirements outlined below. This Section shall not apply to Grocery Stores, Banks, or Gyms as defined in Section 15-15-1.

B. **REQUIREMENTS.**

1. No Conditional Use Permit shall be issued in the BPMX District, unless approved by the Planning Commission pursuant to Section 15-1-10.
2. In addition to the requirements listed in Section 15-1-10, the Planning Commission shall also consider whether the proposed Use meets the goals outlined in the Bonanza Park Small Area Plan, as defined below:
    a. Conventional Chain Businesses cannot exceed 30% of the total commercial square footage within a single development.
    b. The Conventional Chain Business will not create an oversaturation of similar uses within the BPMX District. For the purposes of this Subsection, “oversaturation” is defined as more than two Conventional Chain Businesses of a similar use type.

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c. The proposed business will diversify retail and community services provisions within the BPMX District and Park City, providing basic necessities for the daily needs of residents.

d. The proposed business encourages innovation or a creative business idea. To this end, a Conventional Chain Business seeking a Conditional Use Permit shall demonstrate innovation or creativity in at least one of the following areas:

1. The development or sale of products and services;
2. Employee work schedules;
3. Transportation of employees to the workplace;
4. Established working relationships with a community nonprofit, organization, or institution demonstrating a commitment to serving an unfulfilled need in the neighborhood or City.

e. The proposed business provides local entrepreneurs with an opportunity to offer distinct services or sell locally made products.

f. The proposed business offers affordable and needed services, meals, or products to the BPMX District or Park City community.

g. The proposed business creates unique recreational, entertainment, or cultural opportunities.

h. The proposed business offers services not currently found within Park City's municipal boundary.

i. The proposed business will be aesthetically compatible with the BPMX District character and adhere to the design guidelines within this

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Chapter, in addition to those outlined in Chapter 15-5 *Architectural Review*.

j. The proposed business will be compatible with Allowed and Conditional Uses for the BPMX District in Section 15-2.27-3.

15-2.27-12 GOODS AND USES TO BE WITHIN ENCLOSED BUILDINGS

A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as a Conditional Use, all goods including food, beverage, and vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall-to-window ratio of thirty percent (30%). This Section does not preclude temporary sales in conjunction with a Special Event License, sidewalk sale, or seasonal plant sale.

B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Permit. The Applicant must submit the required Application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

1. **OUTDOOR DINING**. Outdoor dining is subject to the following criteria:
   a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.
   b. The proposed seating Area does not impede pedestrian circulation.
   c. The proposed seating Area does not impede emergency Access or circulation.

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d. The proposed furniture is Compatible with the Streetscape.

e. No music or noise is in excess of the City Noise Ordinance, Title 6.

f. No Use after 10:00 p.m.

g. No net increase in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.

2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS**. Outdoor grills and/or beverage service stations are subject to the following criteria:

a. The Use is on private Property or leased public Property and does not diminish parking or landscaping.

b. The Use is only for the sale of food or beverages in a form suited for immediate consumption.

c. The Use is Compatible with the neighborhood.

d. The Use does not impede pedestrian circulation.

e. The Use does not impede emergency Access or circulation.

f. Design of the outdoor grill or beverage service station is Compatible with the adjacent Buildings and Streetscape.

g. No violation of the City Noise Ordinance, Title 6.

h. Compliance with the City Sign Code, Title 12.

3. **OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes is subject to the following criteria:

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a. The Area of the proposed bicycle, kayak, motorized scooter, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.

b. Bicycles, kayaks, and canoes may be hung on Buildings if sufficient Site Area is not available, provided the display does not impact or alter the architectural integrity or character of the Structure.

c. No more than a total of fifteen (15) pieces of equipment may be displayed.

d. Outdoor display is only allowed during Business hours.

e. Additional outdoor bicycle storage Areas may be considered for rental bicycles, provided there are no or only minimal impacts on landscaped Areas, parking spaces, and pedestrian and emergency circulation.

4. **DISPLAY OF MERCHANDISE**. Display of outdoor merchandise is subject to the following criteria:

a. The display is immediately available for purchase at the Business displaying the item.

b. The merchandise is displayed on private Property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right-of-Way regardless of if the Property Line extends into the public sidewalk. An item of merchandise may be displayed on

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commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.

c. The display is prohibited from being permanently affixed to any Building.

d. The display does not diminish parking or landscaping.

e. The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.

f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.

5. **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

a. Notification of adjacent Property Owners.

b. No violation of the City Noise Ordinance, Title 6.

c. Impacts on adjacent Residential Uses.

d. Proposed plans for music, lighting, Structures, electrical signs, etc.

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e. Parking demand and impacts on neighboring Properties.

f. Duration and hours of operation.

g. Impacts on emergency Access and circulation

15-2.27-13 SIGNS

A. APPLICABILITY. Signs are allowed in the BPMX District as provided in Title 12 *Sign Code*. The following signs are prohibited in the Frontage Protection Overlay Zone (FPZ):

1. "A" Frame, Sandwich Board and Sidewalk or Curb Signs.
2. Permanent Banners and Pennants.
3. Billboards and Other Off-Premises Signs.
4. Moving/Variable Message Signs. Electronically controlled copy changes, or any other signs that move or use movement to emphasize text or images.
5. Neon and Neon Appearing Signs. Neon lights, similar gas-filled light tubes, and lighting made to appear as neon are prohibited, except when used for indirect illumination and in such a manner as to not be directly exposed to public view. This includes technology that simulates or mimics neon signs through the use of LED lights or other methods.
6. Portable and Wheeled Signs.
7. Signs Causing Direct Glare. A sign or illumination that causes any direct glare into or upon any public right-of-way, adjacent lot or building other than the building to which the sign may be accessory.

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8. Signs Creating Optical Illusion. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.

9. Signs Obstructing Egress. A sign which obstructs any window or door opening used as a means of ingress or egress, prevents free passage from one part of a roof to any other part, interferes with an opening required for ventilation or is attached to or obstructs any standpipe, fire escape or fire hydrant. A sign which obstructs the free movement of pedestrians on sidewalks, pedestrian malls, trails or any other public access way.

10. Signs on Parked Vehicles. Signs placed on or affixed to vehicles and/or trailers, including bicycles, which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or commercial service or activity, or direct people to a business or commercial activity located on the same or nearby property. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer for transportation.

11. Unsafe Signs. Any sign which: (1) Is structurally unsafe; (2) Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation; (3) Is not kept in good repair; (4) Is capable of causing electrical shocks to persons likely to come into contact with it; (5) In any other way obstructs the view of, may be confused with or purports to be an

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official traffic sign, signal or device or any other official government regulatory or informational sign; (6) Creates an unsafe distraction for vehicle operators or pedestrians; (7) Obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare; (8) Is located on trees, rocks, light poles or utility poles, except where required by law; or (9) Is located so as to conflict with the clear and open view of devices placed by a public agency for controlling traffic or which obstructs a motorist's clear view of an intersecting road, alley or major driveway.

15-2.27-14 EXISTING USES

Notwithstanding any contrary provisions in this Section 15-2.27 Bonanza Park Mixed Use District, and Section 15-9 Non-Conforming Uses and Non-Complying Structures, the following existing uses, so long as continued on existing parcels, existing as of the date of adoption of Section 15-2.27, shall be allowed as permitted uses, each a specified existing use, in the BPMX District:

a. Retail and Service Commercial, Minor
b. Retail and Service Commercial, Personal Improvement
c. Retail and Service Commercial, Major
d. Retail and Service Commercial, Auto-Related
e. Cafe or Deli
f. Restaurant, General
g. Office, General
h. Office, Moderate Intensive
i. Office, Intensive

The specified existing use as described in this 15-2.27-14, as the structure including such specified existing use is upgraded within the same parcel, from time to time, including remodeling to comply with federal, state and local laws, ordinances and regulations, shall be considered a permitted use in the BPMX District. The intent of this 15-2.27-14 is that the specified existing use, as existing as of the date of this ordinance, and as described in this 15-2.27-14 may continue notwithstanding the adoption of this ordinance; as such, the specified existing use as described in this 15-2.27-14 shall be exempt from the provisions found in Sections 15-2.27-1 through 15-2.27-13. The dimensional standards of the zoning

district in existence at the time of adoption of the BPMX District shall be applicable to the specified existing uses located on parcels within the BPMX District. Existing use of the parcels of property under such designation shall enjoy all the rights, protections and benefits of any other permitted use in the BPMX District as if specifically identified as a permitted use in the BPMX District text, including the right to modify, reconstruct or construct structures associated with such permitted use.