



**PARK CITY PLANNING COMMISSION MEETING  
SUMMIT COUNTY, UTAH  
September 24, 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/87087333912>

**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 September 10, 2025

**3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES**

**4. PUBLIC COMMUNICATIONS**

**5. CONTINUATIONS**

- 5.A. **322 Main Street – Plat Amendment** – The Applicant Proposes to Combine One Lot and Two Partial Lots into One Lot for a Landmark Historic Site in the Historic Commercial Business Zoning District. PL-25-06637  
(A) Public Hearing; (B) Continued to Date Uncertain
- 5.B. **384 Woodside Avenue – Steep Slope Conditional Use Permit** – The Applicant Proposes to Construct a 2,465-Square-Foot Single-Family Dwelling on a Steep Slope in the Historic Residential-1 Zoning District. PL-25-06608  
(A) Public Hearing; (B) Continue to October 22, 2025
- 5.C. **368 Woodside Avenue – Steep Slope Conditional Use Permit** – The Applicant Proposes to Construct a 3,915-Square-Foot Single-Family Dwelling on a Steep Slope in the Historic Residential-1 Zoning District. PL-25-06609  
(A) Public Hearing; (B) Continue to October 22, 2025

**6. WORK SESSION**

- 6.A. **2110 Webster Drive – Plat Amendment** – The Applicant Proposes Amending the Thaynes Canyon Subdivision No. 2, Lot 42 to Create a Single-Family Dwelling Lot and a Recreation Open Space Lot in the Single-Family Zoning District. PL-25-06467 (25 mins.)
- 6.B. **Parcel PC-SS-121-X (Clark Ranch) – Zone Change, Subdivision Plat, Master Planned Development, Conditional Use Permit** – The Applicant Proposes a Zone Change from Recreation Open Space to Allow an Affordable Residential Development, to Create a Three-Lot Subdivision, and to Construct 201 Dwelling Units Under a Master Planned Development in the Sensitive Land Overlay. PL-25-06656, PL-25-06655, PL-25-06654, PL-25-06653 (60 mins.)

## 7. REGULAR AGENDA

- 7.A. **41 Red Cloud Trail – Conditional Use Permit** – The Applicant Proposes Constructing a 1,984-Square-Foot Private Pool in the Estate Zoning District and Sensitive Land Overlay. PL-25-06595 (10 mins.)  
(A) Public Hearing; (B) Action
- 7.B. **FEMA – Municipal Code Amendment** – Review and Consider the Proposed Changes to Chapter 11-16 Flood Damage of the Municipal Code of Park City. GI-25-00569 (30 mins.)  
(A) Public Hearing; (B) Possible Recommendation for City Council Consideration on October 16, 2025
- 7.C. **Continuations – Land Management Code Amendment** – The Planning Commission Will Consider Forwarding a Recommendation to the City Council Regarding Amendments to Land Management Code Section 15-1-12.5 *Continuations*. PL-25-06512 (20 mins.)  
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration

## 8. 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.gov](mailto:planning@parkcity.gov) 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  
SEPTEMBER 10, 2025**

**COMMISSIONERS IN ATTENDANCE:** Chair Christin Van Dine, Bill Johnson, John Frontero, Grant Tilson, Seth Beal, Rick Shand

**EX OFFICIO:** Rebecca Ward, Planning Director; Lillian Zollinger, Planner I; Meredith Covey, Planner II; Nan Larsen, Senior Planner; Sara Wineman, Housing and Development Coordinator; Mark Harrington, Senior City Attorney; Logan Jones, Trails and Open Space Coordinator

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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 Commissioner Henry Sigg.

**2. MINUTES APPROVAL**

**A. Consideration to Approve the Planning Commission Meeting Minutes from August 27, 2025.**

**MOTION:** Commissioner Shand moved to APPROVE the Meeting Minutes from August 27, 2025. The motion was seconded by Commissioner Frontero. The motion passed with the unanimous consent of the Commission.

**3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES**

There were no communications or disclosures.

Chair Van Dine reviewed the public comment guidelines. She asked those making a comment to state their full name for the record, sign in, and limit comments to three minutes or less. Comments should be directed to the Commission. Chair Van Dine asked those making comments to be civil and address matters related to the application.

**4. PUBLIC COMMUNICATIONS**

There were no public communications.

## 5. WORK SESSION

- A. Parcel PC-SS-121-X (Clark Ranch) – Zone Change, Subdivision Plat, Master Planned Development, Conditional Use Permit** – The Applicant Proposes a Zone Change from Recreation Open Space to Allow an Affordable Residential Development, to Create a Three-Lot Subdivision, and to Construct 201 Dwelling Units Under a Master Planned Development in the Sensitive Land Overlay. PL-25-06656, PL-25-06655, PL-25-06654, PL-25-06653.

Chair Van Dine reported that the Work Session item is related to Clark Ranch. She reminded those present that during the Work Session, there will not be public comment received. However, there will be opportunities in the future to provide public comment.

Planner I, Lillian Zollinger, presented the Staff Report and explained that Planner II, Meredith Covey, Senior Planner, Nan Larsen, and Housing and Development Coordinator, Sara Wineman, are present at the Planning Commission Meeting. In addition, there are representatives from Stereotomic and The Alexander Company. Planner Zollinger reported that the application is related to Clark Ranch, which is also known as Parcel PC-SS-121-X. This is an introductory Work Session for this proposal.

The applicant is requesting that a Subdivision and Rezone review take place this year. The Master Planned Development (“MPD”) and Conditional Use Permit (“CUP”) will come later on. Planner Zollinger reiterated that this is an introductory Work Session. Anyone who wishes to submit a public comment can do so by emailing [planning@parkcity.gov](mailto:planning@parkcity.gov). There will be public hearings held during the next several Planning Commission Meetings, including September 24, 2025, October 8, 2025, and November 12, 2025.

There will be a project introduction from the applicant first. After the applicant has shared some introductory information about the Clark Ranch proposal, Staff will review some information about the Subdivision process and requirements. Colin Cassaday explained that he is with The Alexander Company and is one of the Project Managers. One of the other Project Managers, Chris Day, is attending the Planning Commission Meeting virtually. Nathan Blei from Stereotomic is also present. Mr. Cassaday reviewed the project team: The Alexander Company, Stereotomic Architecture, Talisman Civil Consultants, New Star General Contractors, and Parr Brown Gee & Loveless.

In 2014, Park City purchased 344 acres of land known as Clark Ranch. In 2016, there was a COSAC report that recommended a portion of that site be withheld for other uses, such as affordable housing. There was a Feasibility Study conducted on the site in 2022. There was a request for proposal (“RFP”) from Park City asking for respondents to meet a certain number of goals, such as providing affordable housing, having a portion of rental housing, and having a portion of for-sale housing on the site. The Alexander Company responded to the RFP in 2024 and was chosen by the City to be the developer.

The plan has a mix of rental and ownership housing, with a proposal of 80% rental and 20% ownership. Mr. Cassaday explained that this was requested in the original RFP. Affordability and attainability are targeted, with the three rental buildings all being affordable. For the townhome portion, two options have been presented to the City at this point, but there are multiple options. He reported that all of the townhomes could be market-rate. In that case, the proceeds from those townhomes would help to fund the affordable portion of the project. Alternatively, the townhomes could be attainable, or there could be some mixture of the two. The affordability project is not targeted toward seasonal workers, but at full-time workers in Park City. The City would like to prioritize housing for municipal employees and frontline workers, so work is being done with the City. The intention is to prioritize multi-modal transportation and connections to transit.

Currently, there are 167 units of rental housing, 34 units of for-sale housing, and a number of shared amenities envisioned on the site. Mr. Cassaday reported that the affordability is targeted to be between 50 and 120 percent of the Area Median Income ("AMI"). Two of the buildings are being looked at for Low-Income Housing Tax Credit ("LIHTC") housing, which is a Federal program and would target people between 50 and 70% AMI. The third building could have something unique to Park City, which would be affordable housing for people with higher AMIs. The third building could address the missing middle in Park City. Mr. Cassaday shared an image that illustrates the different AMI percentages as well as the difference between affordable and attainable housing. He reiterated that the target is between 50 and 120% AMI, which is something that is missing in the current housing market. He shared examples of employees who may fall into those income levels.

Mr. Blei introduced himself and explained that he is filling in for Jarrett Moe from Stereotomic. He reported that there are three buildings envisioned, Building A, Building B, and Building C, as well as the townhomes. When the process first started, one of the key considerations was the terrain. An image was shared to illustrate the slopes. Mr. Blei explained that the green indicates slopes between 0% and 15% while yellow indicates slopes between 15% and 30%. In some areas, orange and red portions will need to be crossed, but keeping the development toward the lower half of the site is ideal. He clarified that the lower half of the site is flatter and easier to work with overall.

On the parcel, the average slope is approximately 20%. For comparison, Park City Heights ranges from 10% to 20%. At Kings Crown, the average slope is 40%. Mr. Blei shared another version of the Site Plan, which shows a surface parking lot in front of Building B, where the amenity space will be hosted. Additional images were shared for reference. Mr. Blei explained that when developing the buildings, it is important to think about how to minimize the amount of land disturbance. There is a desire to be efficient with the approach to the buildings. As a result, it makes sense to stack the residential units and amenity spaces on top of the parking. He noted that the design is informed by

the hillside topography. Mr. Blei discussed façade breaks before sharing example images and renderings that illustrate the visual impact of the project from different locations.

Additional renderings were reviewed by the Planning Commission. Mr. Blei reported that the current proposal keeps the building form fairly simple and low profile. When the development is seen from Highway 40, it will not be disruptive or distracting. The materials will be more natural as well, so the appearance is muted. Mr. Blei shared a diagram that depicts what the area will look like with the buildings cut into the site. There is a desire to balance the cut and fill. Across the three buildings, there are 167 units envisioned with a unit split of 60% one bedrooms and 40% two and three bedrooms.

Building A will have a full level of parking on the first level with two residential levels above. The third level will have a shared amenity area for residents as well. Building B will have the lower level as parking, but there will also be an amenity zone and leasing office. Above, there will be two levels of residential. Building C will have parking with two residential levels above. Preliminary plans for the townhomes were shared. These are proposed to be three levels, with one level for parking. The next level would be for living and the level above that would have the bedrooms. 34 townhomes are proposed.

Mr. Cassaday reported that there was a Work Session with the City Council back in January, and a few months ago, there were two-by-two meetings with Council Members to receive feedback on the project. The design continues to be refined to minimize impacts on the site and blend in with the topography. The entitlements and zoning applications were submitted recently and a Traffic Study has been ordered. It is anticipated that the Traffic Study will be completed by the end of the month. Various financial scenarios have been modeled and a tentative framework has been created.

Mr. Cassaday presented a high-level timeline to the Commission, which is as follows:

- November 2025: Entitlement Approvals;
- November 2025: Private Activity Bond Application;
- April 2026: LIHTC Application;
- August 2026: Construction Bids/Permits;
- September 2026: Financial Closing;
- September 2026: Construction Commencement; and
- September 2028: Construction Complete.

Information about The Alexander Company was shared. Mr. Cassaday reported that The Alexander Company is a Madison-based development firm that is family-owned. The company does work all across the country and specializes in affordable housing, adaptive reuse of historic projects, and urban infill projects. Staff next reviewed the Subdivision requirements. Planner Covey explained that the applicant is proposing three lots for development, not to disturb more than 10 acres. There will be two open space parcels.

All Clark Ranch acreage beyond the 10 acres is proposed to be protected under a conservation easement. The following questions were posed to the Commission:

- Is the Commission supportive of:
  - Combining the Preliminary and Final Subdivision?
  - Waiving the inclusion of all contiguous City-owned property?
  - Platting Development Pods to distinguish areas disturbed for the affordable housing project from those areas preserved as Open Space?
- Is additional information needed to evaluate the 10-acre development area and Open Space preservation?
- Does the Commission find that a park, playground, or recreation area will be required as part of the Subdivision review?

Commissioner Johnson asked to clarify the 10 acres. His understanding from when the City purchased the land was that it was to develop up to 10 acres, but he believes the proposal is to subdivide into three parcels, equaling 14.8 acres. Planning Director, Rebecca Ward, clarified that the Staff Report recommends the creation of limited pods within that, because the area proposed to be disturbed cannot exceed 10 acres. The way the lots are currently platted with the acreage does include some of the open space. That is an area that the Commission can work with the applicant on as far as the Subdivision revisions. Commissioner Johnson explained that he reviewed the Meeting Minutes from previous meetings and the intent was to develop up to 10 acres of the Clark Ranch. That meant if there was a Rezone, it would be the 10 acres, and the site should fit within those 10 acres. He asked that there be additional clarification provided at a future meeting.

Planner Zollinger asked if the Commission is interested in the Development Pods or in reducing it to the 10 acres. Commissioner Johnson stated that he is in favor of the Development Pods, but feels the entire project should be within the 10 acres. The Development Pods would be within the 10 acres. Commissioner John Frontero asked the applicant why the lots would exceed the 10 acres. Mr. Cassaday believed the RFP originally mentioned 10 to 12 acres. The design guidelines given to the architect were within the 10 to 12 acres mentioned. That was included in the Feasibility Study that was prepared. He believes the actual buildings are 9.87 acres, but he offered to look into this further and report back to Commissioners at a future Planning Commission Meeting.

Commissioner Johnson asked what the rationale would be to combine the Preliminary and Final Subdivision process. Planner Zollinger explained that it is more streamlined to combine the Preliminary and Final Subdivision. Some of the requirements of the Preliminary Plat require the applicant to reach out to different departments for coordination, but the applicant has already been in coordination with these departments and will continue to be throughout the process. Chair Van Dine asked if there was a preference. Director Ward reported that some plats have been combined in the past. The code requirements and standards remain the same, but it is a matter of process.

Commissioner Frontero believes that, based on the Staff Report, there is Staff support for combining the Preliminary and Final Subdivision, which was confirmed. Staff felt that the applicant is currently moving through the preliminary tasks. Planner Zollinger explained that all of the requirements of the Subdivision are required regardless of the process. Based on the information shared, there was general support for streamlining the process.

As for whether the Commission is supportive of waiving the inclusion of all contiguous City-owned property, there is some analysis outlined in the Staff Report. Planner Covey explained that the analysis is based on Land Management Code ("LMC") 15-7.1-5(B). It states that Subdivisions should include all contiguous holdings of the owner, unless specifically waived by the Planning Department and Planning Commission.

Commissioner Johnson asked about the estimated timeline for the conservation easement to be completed for the remainder of the acreage. Coordinator Wineman reported that the conservation easement will come before the City Council on October 16, 2025. She shared some information about the 10 acres called out in the easement.

Commissioner Frontero wanted to know if there would be any unintended consequences of waiving the inclusion of all contiguous City-owned property. Planner Zollinger was unable to answer that question. She explained that the intention is to mitigate potential impacts as much as possible. This is something that would streamline the process. All of the requirements of the code will need to be met prior to final action being taken.

Senior City Attorney, Mark Harrington, explained that it is helpful to look at the underlying intent. Usually, there is a desire to capture adjacent property to provide for orderly development. When there is no intent of further development in that additional adjacent area, it does not make sense to subdivide it. He shared some example scenarios with the Commission. From an intended purpose, Staff is comfortable with not including them in the Subdivision. If those are included, then it introduces the possibility of ownership expectation, which can sometimes cloud long-term management if it is not intended to be part of a Homeowners Association ("HOA"). In this case, it is meant to be separately preserved, subject to the open space management of the conservation easement. Based on the information provided, Commissioner Frontero expressed support for waiving the inclusion of all contiguous City-owned property. Other Commissioners agreed.

Planner Covey asked about the next question, which is related to platting Development Pods to distinguish areas disturbed for the affordable housing project from those areas preserved as open space. Director Ward clarified that this is being asked within the 10 acres. Commissioner Johnson expressed support for this within the 10 acres, as did the rest of the Planning Commission. The next question was posed, which asked whether additional information is needed to evaluate the 10-acre development area and open space preservation. Planner Covey believed clarification was desired by the Commission, which was confirmed. Commissioner Johnson stated that he has a list of

items he would like clarification on, but it sounds like Staff is working through some of the items. For example, sensitive lands analysis, grading and filling, retaining walls, and major steep slope disturbance. He also wondered whether there will be a soil investigation or a Geotechnical Report. There is also a desire to better understand the acreage.

Commissioner Frontero referenced the 40-acre open space lot mentioned in the Staff Report. Director Ward clarified that it is not proposed to be a lot, but a 40-acre parcel. That is in addition to the three lots. Planner Zollinger reported that the proposal is for three lots and two open space parcels. The last question from Staff was whether the Commission would find that a park, playground, or recreation area will be required as part of the Subdivision review. Commissioner Frontero would like to see a few different options from the applicant. Chair Van Dine would like to see information about planned connections to the current recreation areas. Some type of recreation area within the development would be beneficial if there is a desire to create a community feel similar to what is seen in Park City Heights. She would like different ideas to be presented to the Commission.

Commissioner Rick Shand agreed with the comments shared and noted that some common space where people can gather and create a sense of community is important. Commissioner Grant Tilson would like to see a recreation area be considered. Commissioner Seth Beal echoed the other comments. If the development is looking to attract full-time workers, there will need to be areas where families can recreate.

Commissioner Tilson asked how the access road would connect with the frontage road. Mr. Blei reported that work is being done with the City Engineer to determine how it will come together, but some different ideas have been considered. Commissioner Beal is interested in understanding how the traffic will work in and out. He is especially interested in minimizing traffic levels. If this is being designed for a local workforce, it is important to make sure the residents do not need to use their personal vehicles for every single trip.

Commissioner Frontero wanted to know if a bus stop is being considered on the site, which was confirmed. Mr. Cassaday would like to see a bus stop on the frontage road. There is currently a bus stop on Richardson Flat and it would make sense to extend that bus route down the frontage road. Commissioner Frontero asked if there is an estimated number of residents who will live in the project based on the unit count. Mr. Cassaday has that information, but does not have it available at the current time. He offered to share that information with the Commission during the next discussion on this project.

Commissioner Shand had a question about parking. He noted that most of the parking for the residents will be under Building A, Building B, and Building C. On the Site Plan, the surface parking is shown, which he assumes will be for guests and visitors. This was confirmed. Building B has the amenity zone and leasing office, so temporary visitors can park out front rather than utilize the building parking that is available for the residents.

Commissioner Johnson reported that the proposed building height is 34 feet with a 5.6-foot maximum for mechanical equipment. That means the total building height will be 39.6 feet. It was clarified that 34 feet is the building height from finished grade and the mechanical equipment will be above that. Commissioner Johnson asked about the roof form. Mr. Blei reported that a pitched roof across a 60-foot-wide building is tall and essentially adds an extra story to the peak. While it softens the edge of the building, it will make the building stand out approximately a story taller in terms of the visual impact. There are some benefits to the proposed roof form. For example, it addresses snow falling off the edges of the building. Keeping everything on top and draining internally is a better system for larger multi-family housing projects like the one that is proposed.

Chair Van Dine thanked the applicant representatives for their presentation. She added that the site visit that took place before the meeting was useful and provided context.

## **6. REGULAR AGENDA**

- A. General Plan –** The Planning Commission Will Review and Provide Input on the Draft 2025 General Plan and May Forward a Recommendation to the City Council for Consideration. PL-24-06358. For Project Information, Please Visit [www.engageparkcity.org/generalplan](http://www.engageparkcity.org/generalplan).

Director Ward presented the Staff Report and explained that this item relates to the General Plan. The consultant team is participating in the Planning Commission Meeting virtually. Jessica Garrow from Design Workshop introduced herself to the Commission. She reported that there will be a project overview, a discussion about the Draft General Plan adjustments that have been made, and a review of the updated plan framework. Marianne Stuck from Design Workshop is also attending the meeting virtually.

The General Plan process began in June 2024. There have been a number of different phases. During those phases, the existing conditions were explored, community engagement took place, and future land uses and planning themes were considered. The process is currently in Phase 5, which is the General Plan adoption. Engagement Windows information was shared. Ms. Garrow reported that there were a number of engagement opportunities for the community. The third and final engagement window is currently underway, where the Draft General Plan is being considered by the Planning Commission. There will be a review and potential recommendation to the City Council.

During the last engagement window, there have been several conversations with the Planning Commission. Ms. Garrow thanked the Commissioners for dedicating their time. In addition to meetings with the Planning Commission, there have also been meetings with the Historic Preservation Board. She reported that there have been technical meetings with Staff as well to ensure the language within the General Plan reflects existing policies.



There have been opportunities for community engagement through surveys and participation during the public meetings. The Planning Commission will now review the plan and consider a recommendation to the City Council. If the Commission recommends approval, then the City Council adoption process will take place later in the month.

There were Joint Work Sessions held between the City Council and Planning Commission to discuss the General Plan. A number of adjustments have been made, which include:

- Overall Document Content:
  - Update Implementation Plan timeframes: 1-3 years (near-term), 3-6 years (mid-term), 6-10 years (long-term);
  - Incorporate Health and Safety recommendations - strategy added under Community Character:
    - *"Update review criteria in the Land Management Code to ensure issues of public safety are adequately addressed by development."*
  - Add a note stating strategies are not in any order as per prioritization.
- Neighborhood Plans:
  - Define the difference between similar worded strategies for each neighborhood;
  - Update neighborhood resident and daily visitor stats;
  - Change the term "vacant" to "second home-owners and short-term rentals"; and
  - Bonanza Park Neighborhood updated to include key drivers from Small Area Plan.
- Node Types Map:
  - Update reference images for Quinn's Junction, Bonanza Park, and Resort Center;
  - Remove the parking lot reference in Old Town Node description (re-worded as "underutilized parcels"); and
  - Made Old Town Node smaller on the map.

The Plan Framework and Structure were reviewed. Ms. Garrow reported that the General Plan is a document that includes Vision and Mission Statements, Plan Themes and Focus Areas, Strategies, Neighborhood Plans, and the Future Land Use Node Types Map. There are also a number of appendices that address: Drivers and Trends, Community Engagement and Outreach, Current Initiatives, and the Implementation Plan.

Ms. Garrow shared the document with the Planning Commission and reviewed the layout of each theme. The Vision Statement reflects the long-term aspirations and values. It is interconnected with elements of the Mission Statements. Those translate the Vision Statement into actionable goals that can guide the strategies throughout the plan. Ms. Garrow summarized the Plan Themes included in the General Plan, which are:

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

The Land Use Node Types Map was highlighted. Ms. Garrow explained that it includes existing zoning to illustrate the current neighborhood character and anticipated development patterns in each neighborhood. It identifies specific node types, which are opportunities for context-sensitive development. It follows the preferred growth scenario that was identified during the community engagement process and responds to some of the ideas within the plan related to small-scale commercial uses, mixed-use development, increasing walkability, and decreasing vehicle dependency. Throughout the process, the importance of addressing transportation in Park City was emphasized. Ms. Garrow mentioned the identification of neighborhood mobility hubs to support first and last-mile mobility improvements and connections for the different neighborhoods.

Commissioner Shand thanked Design Workshop for condensing the Draft General Plan. Commissioner Frontero appreciated that the previous Planning Commission comments were taken into account and incorporated into the latest version of the plan. Chair Van Dine hopes the General Plan will be a usable document that will guide what is done over the next 10 years. Commissioner Shand referenced Page 35 and noted that at the last Joint Work Session, there was a discussion about some of the stock photographs that were used. He asked about the placeholder images. Ms. Garrow reported that the photographs are being finalized and will be incorporated ahead of Council consideration.

Ms. Stuck reported that there is a revised draft that includes the new images. She offered to share it with the Planning Commission. The updated images were reviewed. Ms. Garrow asked that Commissioners let them know if there are further adjustments desired. Commissioner Johnson liked the majority of the updated images, but was not sure about the Quinn's Junction Community Mixed-Use Node image. He asked that there be another option prepared for City Council consideration. Ms. Stuck confirmed this can be done.

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

Director Ward mentioned the Executive Summary and explained that it consolidates what is in the body of the plan. It is possible to update the Executive Summary so that it is a standalone document and not integrated as part of the General Plan. The Neighborhood Plans can be referenced rather than summarized in that document. She asked for Commissioner feedback on separating out the Executive Summary and making some updates to the document. Commissioners expressed support for the proposal. Commissioner Johnson liked the idea of retitling the document to Citizens' Summary.

Director Ward asked to review the updated format for the Mission Statement. In the line that states: “Increase walkable mixed-use centers identified in the Node Types Map,” she believes the input from the Joint Work Session was to add the word connectivity, so it reads: “Increase connectivity to walkable mixed-use centers identified in the Node Types Map.” To remove the Executive Summary, the Commission would need to forward a recommendation on the Draft Ordinance, removing Attachment 3. The Mission Statement modification would also need to be mentioned in a motion made by the Commission.

Director Ward added that Community Engagement and Current Initiatives have been separated from the Appendix as standalone reports. Those reports capture the process and what was done, but will not become a part of the document referenced by the Planning Commission moving forward. Commissioner Beal asked for clarification. Director Ward explained that the Appendix is part of the General Plan, but the Community Engagement Report and Current Initiatives Report are separated to keep the Appendix at a shorter length. These are summary documents that act as a record of the process.

**MOTION:** Commissioner Frontero moved to forward a POSITIVE RECOMMENDATION for City Council consideration for the Draft Ordinance to Adopt the General Plan, updating the Mission Statement to add the words “Connectivity To...” and removing Attachment 3, the Executive Summary. The motion was seconded by Commissioner Johnson. The motion passed with the unanimous consent of the Commission.

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

**B. Mid-Mountain Trailhead – Modification to a Conditional Use Permit –**  
The Applicant Proposes to Modify the Mid-Mountain Trailhead Conditional Use Permit to Reduce the Number of Parking Spaces from 29 to 23 Spaces to Accommodate a Pull-In Bus Stop. PL-25-06647.

Planner II, Virgil Lund, presented the Staff Report and explained that this is a Modification to a CUP for the Mid-Mountain Trailhead. He shared some background information. The Sommet Blanc CUP was approved on March 9, 2022. As part of that approval, the applicant was responsible for reconstructing the Mid-Mountain Trailhead improvements. The Planning Commission approved the Mid-Mountain Trailhead CUP, which was required, since it is a parking area with more than five spaces. That approval took place on June 26, 2024. On October 9, 2024, an extension was approved for one year because of some Rocky Mountain Power upgrades in the area. As a result of that extension, the trailhead must be constructed by October 15, 2025. Planner Lund shared a screenshot of the applicant plans that were approved by the Planning Commission.

The applicant proposes to modify the existing CUP to allow an additional bus stop at the trailhead. The Transportation Planning Department and the Trails and Open Space Department are working to provide transit access to trails. There would be an extension

of the 9 Purple Bus Line, which would allow hikers and bicyclists to access the Mid-Mountain Trailhead without having to walk up Marsac Avenue. An image of the applicant proposal was shared. The proposal will change the existing parking configuration and will decrease the number of parking spaces from 29 to 23. However, it would allow for a bus turnaround area and additional egress for the bus. The retaining walls would be extended on the right, and one tree would need to be removed. The Forestry Board approved the tree removal as long as the applicant helps to remove some of the dead and dying vegetation in the area to assist with wildfire mitigation.

The proposed modification complies with the Residential Development (“RD”) Zoning District requirements, parking area requirements, and the CUP criteria. The applicant proposes to modify Condition of Approval #4. The modified language would state:

- Condition of Approval #4: REDUS Park City, LLC, shall coordinate the installation and maintenance of a portable restroom facility at the Mid-Mountain Trailhead until such time as a plumbed facility is installed pursuant to the Guardsman Subdivision Conditions of Approval.

Planner Lund reiterated that the applicant is responsible for clearing out dead and dying trees in the surrounding area. Commissioner Johnson recalled that in 2022, there was a serious discussion about maximizing parking. There was also a discussion about the ability to park trailers. He pointed out that the Commission fought for the previous version of the parking configuration, and now it seems the proposal will result in less parking.

Director Ward clarified that there is a Condition of Approval associated with the Guardsman Subdivision that a portable restroom be installed next year. If the trailhead improvements are completed by October 15, 2025, as required, there will be a gap between the portable facility. For the Guardsman Subdivision, the developer is required to install a temporary portable restroom until the infrastructure is completed for the proposed three new single-family homes. Prior to the issuance of any Building Permits for those homes, the plumbed facility would need to be completed. Currently, between the Guardsman Subdivision and this proposal, there will be a bit of a gap. It was noted that the Trails and Open Space Department has committed to maintenance of the portable restroom facility once it is installed. There was discussion about the bus route.

Trails and Open Space Coordinator, Logan Jones, explained that the Guardsman Subdivision would extend the sewer lines and water lines in the area, making it feasible to plumb a restroom. As for the parking in the area, it will still be possible to pull in a trailer and park along the parallel stalls. He stressed the importance of allowing transit to access trails and recreational amenities. The 9 Purple Bus Line can serve the trailhead, which would bring far more people to the recreational space than the original 29 parking stalls could. Commissioner Johnson understands the idea of removing visitors from personal vehicles, especially at trailheads, but this trailhead is unique. It will be highly

used during the winter months. He asked if it would be possible to revert the area back to parking if the transit service does not continue for some reason, which was confirmed.

Commissioner Beal asked about bus use in the winter and summer months. Mr. Jones reported that the latest extension of the Purple Line has been popular. There will be a mid-season report shared with the City Council on September 25, 2025. Designing bus routes to service the recreational needs of the residents encourages ridership. The modification to this trailhead will make it possible to extend the bus to where the recreational need is. He looks forward to increasing the level of service in the area. Information was shared about snow levels and potential service during the winter months.

Commissioner Beal wants to better understand how the bus service would be used during the winter months. Mr. Jones explained that the trailhead terminates right where the road turns into a recreational amenity. The road is closed to public vehicles, so the public uses that road recreationally throughout the winter. There could be a service that is similar to what is available in the summer. On other days, people could be dropped off right where the road closes seasonally for the year. He explained that it is an area where people like to walk, ski, and sled. Chair Van Dine noted that even though some parking is being eliminated through the modification, this approach could encourage more transit use. That could reduce the number of parking spots taken up by visitors to the area.

Chair Van Dine opened the public hearing.

*Jade Whirley* gave his zip code as 84049 and explained that he lives in Brighton Estates. He did not see anywhere on the updated plan if there would be more 72-hour parking. When there is a lot of snow, there are times when the nearby residents have no other option but to park there. He supports the expansion of the bus, but wanted to know if the community will lose the option to have somewhere to park when the weather is bad.

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

Commissioner Frontero believes that exchanging six parking spaces for a bus to the trailhead makes sense. A lot of what the Planning Commission has been working on in recent years is multi-modal transportation and the introduction of a bus falls in line with that. He expressed support for the modification that is currently before the Commission.

Chair Van Dine asked Staff to respond to the public comment. Director Ward clarified that the Commission is looking at the use. She reported that the number of parking stalls will still increase, because there were approximately 15 noted in the last Staff Report. There will be an increase to 23 parking stalls, but this is less than the previous modification. Mr. Jones did not have information about the signage or the operation of the parking at this time. Commissioner Johnson asked about ADA parking spaces. It was noted that there were two ADA-compliant stalls on the original plan and now there is one.

The applicant representative, Doug Ogilvy, explained that the developer of this parking lot is the developer of Sommet Blanc, whereas the permanent restrooms will be provided by the developer of the Guardsman Subdivision. The modification provides clarification. It was suggested that the Condition of Approval #4 language be amended to state:

- The developer of the Guardsman Subdivision shall coordinate the installation and maintenance of a portable restroom facility at the Mid-Mountain Trailhead until such time as a plumbed facility is installed pursuant to the Guardsman Subdivision Conditions of Approval.

**MOTION:** Commissioner Johnson moved to APPROVE the Modification to the Mid-Mountain Trailhead CUP, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

**Findings of Fact:**

1. The Sommet Blanc CUP was approved by the Planning Commission on March 9, 2022, for the development of 49 residential units and a 3,600 square foot restaurant at 9300 Marsac Avenue near the Mid-Mountain Trailhead. Improvements to the Mid-Mountain Trailhead and Parking Area were required by the Planning Commission as a condition of the 2022 Sommet Blanc CUP approval.
2. On June 26, 2024, the Planning Commission approved the CUP for Parking Area improvements at the Mid-Mountain Trailhead.
3. On October 9, 2024, the Planning Commission approved an extension to allow additional time to construct the Parking Area improvements to accommodate UDOT review of a Conditional Access Permit and Rocky Mountain Power's undergrounding project that impacted the Parking Area.
  - a. The Planning Commission modified Condition of Approval 18:
    - i. *The Mid-Mountain Trailhead parking lot shall be constructed by 10/15/25 and no Certificate of Occupancy shall be issued for a Sommet Blanc unit until the Mid-Mountain Trailhead parking lot improvements are completed as approved by the Planning Commission on June 26, 2024.*
4. Since the extension approval, the City now operates the 9 Purple line to provide transit to trail access. The Trails and Open Space and Transportation Planning teams coordinated with the Applicant to evaluate potential accommodation of a bus turnaround to improve transit services to the Mid-Mountain Trailhead. As a result, the Applicant proposes modifying

the CUP to reduce the number of Parking Spaces from 29 to 23 to accommodate a transit stop and to extend the six-foot-tall retaining wall by 36 feet for a total length of 324 feet.

5. On August 13, 2025, the Planning Commission approved the Guardsman Subdivision to create three Lots for three Single-Family Dwellings, one Lot for the Park City Municipal water tank Site, and Open Space parcels for the common area and the Mid-Mountain Trailhead. The approved plat is undergoing a redline process to finalize for recordation with Summit County. Eventually, the Mid-Mountain Trailhead is proposed to be transferred to the Park City Municipal Corporation.
6. On April 24, 2025, the City Council adopted Ordinance No. 2025-05 approving the First Amendment to the Amended and Restated Development Agreement for the construction of seven residential units, including three Single-Family Dwelling units in the Guardsman Subdivision. As part of this amendment, approximately 310 acres and the Empire Pass, Mid-Mountain, and Daly Trailheads will eventually be transferred to the City.
7. The proposed modification complies with the Residential Development Zoning District requirements found in LMC Chapter 15-2.13.
  - a. Front Setback
    - i. Parking Areas are listed as a Front Setback exception in the RD Zoning District. The Proposed Parking Area is approximately 13 feet from the property line along Marsac Avenue.
  - b. Side Setback
    - i. The proposed Parking Area improvements are greater than 12 feet from any side property line.
  - c. Rear Setback
    - i. The proposed Parking Area improvements are greater than 15 feet from the rear property line.
  - d. Vegetation Protection
    - i. The Applicant proposes to remove seven trees with a diameter of 6 inches or greater.
    - ii. LMC § 15-5-5(N)(4)(i)(2) establishes exceptions where the Forestry Board and Planning Director may approve the removal of Significant Vegetation "if upon their review it is found that equivalent replacement is impossible, would be detrimental to the site's existing and/or proposed vegetation, or violates Chapter 11-21 Utah Wildland-Urban Interface Code."

- iii. On June 6, 2024, the Forestry Board reviewed the proposal and *determined* that the replacement of Significant Vegetation would be detrimental to the site's existing vegetation and approved the removal of seven trees with a diameter of six inches or greater.
  - iv. The proposed retaining wall expansion requires the removal of one *additional* tree greater than six inches in diameter.
  - v. On September 2, 2025, the Forestry Board reviewed the proposal to *remove* an additional tree and required the Applicant to clear out the dead and dying trees in the surrounding area of the retaining wall expansion.
8. The proposal, as conditioned, complies with LMC § 15-3-4 Specific Parking Area Standards for Parking Areas With 5 or More Spaces.
- a. All Parking Lots shall maintain the required Front and Side Setbacks as would be required for any Structure.
    - i. LMC § 15-15-1 defines Parking Area as "an unenclosed Area or Lot other than a Street used or designed for parking."
    - ii. The *Applicant* proposes a Parking Area at the Mid-Mountain Trailhead. Parking Areas are listed as a Front, Side and Rear Setback exception in the RD Zoning District.
  - b. A geotechnical report must be submitted to the City Engineer, providing recommendations on Parking Lot design and construction parameters. The City Engineer may approve minor spacing and width deviations.
    - i. On June 4, 2024, and September 2, 2025, the City Engineer reviewed the proposed plans. The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining wall expansion and Parking Area improvements at the Building Permit modification submittal.
9. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
- a. Size and Location of Site
    - i. The proposed Parking Area improvements will help pedestrian and vehicle safety at the Mid-Mountain Trailhead because of increased signage, one-way directional traffic, landscaping, trail signage, and pedestrians and users of the Parking Area will be located off Marsac Avenue and will be separated by a landscaped berm.
  - b. Traffic Capacity



- i. The proposed Parking Area improvements will help alleviate vehicular traffic and conflict surrounding the Mid-Mountain Trailhead by *removing* the need for parked cars to back into Marsac Avenue and by providing an additional bus stop for hikers and bikers to use public transit.
- c. Utility Capacity
  - i. The *Development* Review Committee reviewed the proposal on June 4, 2024, and September 2, 2025, and confirmed that the proposal conforms with their requirements.
- d. Emergency Vehicle Access
  - i. The Park City Fire District reviewed the proposal on June 4, 2024, and September 2, 2025, and confirmed the proposal conforms with their *requirements*.
- e. Off-Street Parking
  - i. The proposed Parking Area improvements will reduce the amount of Off-Street parking for recreational users from 29 to 23 Parking Spaces to accommodate a transit bus stop to support the transit to trails program and reduce the need for vehicular parking at trailheads.
- f. Internal Vehicular and Pedestrian Circulation System
  - i. The proposed Parking Area improvements will help pedestrian and vehicle safety at the Mid-Mountain Trailhead because of increased signage, one-way directional traffic, landscaping, trail signage, and *pedestrians* and users of the Parking Area will be located off Marsac Avenue and will be separated by a landscaped berm.
- g. Fencing, Screening, and Landscaping
  - i. The Applicant proposes to extend the six-foot retaining wall on the south *end* of the Site by 36 feet for a total length of 324 feet.
  - ii. Retaining walls greater than six feet in the RD Zoning District require an Administrative Conditional Use Permit (ACUP). On June 27, 2024, the Planning Director approved an ACUP for the retaining walls on the north end of the Site that are greater than six feet at the Mid-Mountain Trailhead.
- h. Structure Mass, Bulk, and Orientation
  - i. The total square footage for the proposed improvements will be approximately 19,000 square feet. Vegetation must be protected during development activity, and disturbed areas must be replaced to existing or improved conditions.
  - ii. The proposed Parking Area improvements will be similar in design to *other* Trailheads in Park City. On August 4, 2025, the Trails and Open Space Department approved the design for the modified Parking Area improvements.

- i. Useable Open Space
  - i. The proposed Parking Area will improve accessibility to the Open Space for the community.
- j. Signs and Lighting
  - i. Municipal Code of Park City § 12-8-1 lists exceptions from the Sign Code requirements: "Signs located inside open-air recreational facilities that are not oriented to public streets, such as signs in ski resorts, skateboard parks, and golf courses, are exempt from the requirements of this Title."
  - ii. The Applicant proposes a trailhead kiosk sign that is four feet wide by four feet tall and approximately eight feet tall and is not oriented to Marsac Avenue, similar to other kiosk signs at Park City trailheads.
  - iii. There will be six signs, approximately seven square feet each, oriented *towards* Marsac Avenue.
  - iv. The Sign Code states the following in § 12-8-1(A): "CITY SIGNS. Signs erected by or at the direction of the Park City Municipal Corporation are exempt from the requirements of this Title."
  - v. The Trails and Open Space and Engineering Departments require the *Applicant* to install entrance and exit signs, trail crossing warning signs, a stop sign at the Parking Area exit, and trail stop signs for trail users.
- k. Physical Design and Compatibility with Surrounding Structures
  - i. The Applicant proposes retaining walls greater than six feet along the hillside to stabilize the slope surrounding the Parking Area. The maximum height that the retaining walls will reach is 12 feet from Final Grade and will span the length of the Parking Area, approximately 324 feet across. The proposed retaining walls will be constructed of rocks.
  - ii. The design of the Parking Area will be graded to match the existing grade of Marsac Avenue and will be screened from Marsac Avenue with a low landscaped berm with small boulders approximately 3-5 feet in diameter to discourage parking within the landscaped area.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Structures
  - i. The Applicant will install a temporary portable toilet at the Mid-Mountain Trailhead.
- m. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas
  - i. The Applicant proposes to install one trash can and a recycling can that will *be* screened with existing vegetation on site.
- n. Expected Ownership

- i. Parcel PCA-S-98-SD-1A is owned by REDUS LLC. Under the terms of an approved exchange agreement between the City and REDUS, the City will eventually own the Mid-Mountain Trailhead Parking Area parcel.
- o. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slopes
  - i. The proposed Parking Area plans were evaluated as part of the Sommet Blanc MPD/CUP Approval. The Planning Commission *reviewed* the proposed location and plans for the Mid-Mountain Trailhead improvements attached as Exhibit X to the March 9, 2022, Planning Commission packet.
  - ii. Staff determined at that time, “The MPD Conclusion of Law #10 notes that the Flagstaff Annexation was not included in the Sensitive Lands *Overlay*. The MPD does not assert why this is, but it may be because at the time of annexation, the City and Applicant strategically chose specific development pods and donated the other acreage to preservation. Fourteen (14) technical reports were required and submitted with the annexation agreement that covered detailed reports of the area, including a mine soil mitigation plan, open space management plan, a trails master plan, historic preservation, and wildlife management plan (amongst others). Again, these plans were utilized to suggest the least sensitive areas for development while preserving 826 acres as Open Space. The 2004 Village at Empire Pass MPD Conclusion of Law #10 noted “The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD annexation; however, the locations of the development pods are based on Sensitive Lands principles.”
  - iii. The Applicant proposes retaining walls to stabilize the slope surrounding the Parking Area. The proposed retaining walls are appropriate for the site and necessary to stabilize the surrounding hillside for the Parking Area improvements. Condition of Approval 3 requires the Applicant to provide engineered plans and a *geotechnical* report to be reviewed by the Engineering Department prior to Building Permit issuance.
  - iv. The proposed Parking Area improvements do not conflict with any Physical Mine Hazards, and the property is outside the Soils *Ordinance* Boundary. No wetlands, ridgelines, stream corridors, or wildlife habitat will be impacted.
  - v. The Flagstaff technical report number 13, “Wildlife Management Plan,” does not mention the Mid-Mountain Trailhead as a Sensitive Wildlife Area. The Open Space Management plan does not specifically mention the Mid-

Mountain Trailhead, but it could be inferred that the “trailhead” mentioned is referring to the Mid-Mountain Trailhead. “Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and UPK will continue to work with UDOT in providing winter access to Wasatch County landowners.”

- vi. The proposal includes parallel parking stalls for vehicles with trailers. There are no additional technical reports that mention the Mid-Mountain Trailhead.
- p. General Plan
  - i. Goal 4 of the General Plan states: “Conserve a connected, healthy network of open space for continued access to and respect for the Natural *Setting*.” The proposed Parking Area improvements will increase access and connectivity in Open Space areas.
  - ii. Goal 9 of the General Plan states: “Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.” *The* proposed Parking Area improvements will provide residents and visitors with improved access to recreational opportunities.
- 10. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on August 27, 2025.
- 11. Staff mailed courtesy notice to property owners within 300 feet on August 27, 2024. The Park Record published courtesy notice on August 27, 2025.

#### **Conclusions of Law:**

- 1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.13 *Residential Development Zoning District*, 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.

**Conditions of Approval:**

1. All conditions of approval from June 24, 2024, Planning Commission Final Action Letter shall apply.
2. The Applicant shall clear out the dead and dying trees in the surrounding area of the retaining wall expansion.
3. The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining wall expansion and Parking Area improvements at Building Permit modification submittal.
4. The developer of the Guardsman Subdivision shall coordinate the installation and maintenance of a portable restroom facility at the Mid-Mountain Trailhead until such time as a plumbed facility is installed pursuant to the Guardsman Subdivision Conditions of Approval.

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

- C. 2291 Lucky John Drive – Conditional Use Permit** – The Applicant Requests a Conditional Use Permit for the Raising and Grazing of One Mini Horse and One Mini Donkey in the Single-Family Zoning District. PL-25-06585.

Planner Lund presented the Staff Report and explained that this is a CUP request for 2291 Lucky John Drive. He reported that 2291 Lucky John Drive is Lot 13 in the Holiday Ranchettes Subdivision. A code violation complaint was filed on November 4, 2024, for keeping animals without a CUP. That complaint was filed with the Building Department. An aerial image of the property was shared. The blue line shows the fence, and the red line shows an approximate location of the existing barn where the animals are kept.

The Holiday Ranchettes Covenants, Conditions, and Restrictions (“CC&Rs”) restrict to two horses per lot. Staff would recommend approval of one mini horse and one mini donkey to comply with the CC&Rs. The Single-Family Zoning District states that raising and grazing of horses requires a CUP. The LMC does not define horse or donkey, so as outlined in the Staff Report, the definitions are based on the Webster’s New Collegiate Dictionary. The proposal, as conditioned in the Draft Final Action Letter, complies with the CUP criteria and criteria for raising and grazing of horses. An image of the existing property was shared. Planner Lund reviewed some Conditions of Approval. He explained

that there are some related to the collection and storage of manure, compliance with the Noise Ordinance, and the submission of a Drainage and Runoff Management Plan.

The applicants, Jeffrey Phillips and Olga Phillips, reported that they have been in Park Meadows for the last six years. The home was purchased because it was approved for horses. There have been horses on this property dating back to the 80s and 90s, according to the former owner who sold the lot to them. Mr. Phillips was not aware that there was a separate CUP needed to have horses on the property. He has spoken to several others in the neighborhood and those neighbors had not heard of this requirement either. However, once he became aware, an application was submitted for the CUP.

Mr. Phillips reported that there was originally only a female horse and a female donkey on the property. It was a surprise when a year later, the female donkey gave birth to a baby. There are now two donkeys on the property. Ms. Phillips explained that she has a non-profit foundation and her goal has always been to take the animals to visit children. The baby donkey was not part of that plan and was completely unexpected.

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

Director Ward reported that written comments were received prior to the publication of the Meeting Materials Packet. Those are included as an exhibit. In addition, emails have been received since the publication of the Meeting Materials Packet. Those will be included as part of the Meeting Minutes and have been forwarded to the Commission.

The public hearing was closed.

Commissioner Johnson asked whether a donkey falls under the horse classification in the CC&Rs. Planner Lund reported that he did not find anything in the CC&Rs that defined a horse or donkey, which is similar to the LMC. Commissioner Johnson believed that a donkey was essentially being classified as a horse in this case, which was confirmed.

Commissioner Johnson explained that he reviewed the public comments that were submitted and has visited the property three times. He understands some of the concerns that have been expressed about the smell. Some visual buffering may need to be provided. He asked if additional landscaping along the eastern fence line has been considered. It looks like willows were planted along the fence line between the new house next to the property. Mr. Phillips confirmed that those willows were planted last year. He has thought about adding additional landscaping, but the HOA has a restriction about the percentage that can be on the lot and there are already a lot of trees on the site.

Commissioner Frontero noted that the Staff Report outlines the CC&Rs. He asked if the CC&Rs supersede the code with regard to animals. Planner Lund explained that the City does not enforce CC&Rs. Commissioner Frontero pointed out that the CC&Rs currently state two horses per lot. If that is followed, then there is an issue, because there are

currently three animals. Even if the Commission is comfortable qualifying a donkey as a horse in this case, there is still the issue of the number of animals currently on the property. Mr. Phillips reiterated that the baby donkey was completely unexpected. As far as he is aware, no one has complained to the HOA about the number of animals on the site. There is also a debate about whether the CC&Rs apply, because when they were originally signed into effect in 1974, they were to expire 50 years later, which is 2024.

Commissioner Johnson suggested that the Commission discuss waste removal. He asked if the applicants had reviewed the proposed Conditions of Approval, which was confirmed. Mr. Phillips reported that he has a licensed contractor who cleans the stalls, shovels the manure, and hauls it off on a trailer. He is working there every day. There were some inaccuracies in the public comment letters that were submitted.

Commissioner Johnson read the Condition of Approval language before he visited the site. When he visited, there were nine trash cans on the property. Those were out before 6:00 p.m. and remained out after 11:59 p.m. once emptied. Ms. Phillips explained that it is possible to comply with the Condition of Approval language that has been proposed. Mr. Phillips reported that he has hired individuals to take the cans to the street. Those are emptied on Wednesday mornings and are then brought back. As for the manure, that is taken away separately on a trailer that the landscaping company has.

Commissioner Johnson recognized that the neighborhood has historically had horses. However, that does not seem to be the case as much now. Mr. Phillips reported that there is another mini horse seven houses down on Lucky John Drive. Four or five houses of the 60 or 70 have horses on their properties. Commissioner Shand has lived in Park Meadows for over 30 years and Holiday Ranchettes is a special place. All of the lots there are at least an acre. He mentioned the CC&Rs that mention two horses.

Commissioner Frontero referenced Exhibit B: Applicant's Management Plan. The five points made in the exhibit are reasonable. He pointed out that donkeys can be loud, but the Management Plan does not mention noise. He asked if donkeys are louder than horses and whether there is a way to come into compliance with the Noise Ordinance. Mr. Phillips does not feel that donkeys are louder than horses. Both donkeys and horses become excited when new people are in the area, when they are getting fed, or when someone walks into the barn. There is minimal noise and it is normally due to excitement.

Commissioner Frontero asked if the animals are in the barn at 10:00 p.m. Ms. Phillips reported that the barn is open and the animals can go in and out as desired, but most of the time, the animals are sleeping in the barn together at that time. Mr. Phillips added that in the summer months, the animals are not in the barn as much, but in the winter months, the animals are in the barn more often. Commissioner Beal noted that one of the proposed Conditions of Approval relates to the Noise Ordinance. He pointed out that the Noise Ordinance is relatively strict in Park City and the sound of a donkey braying could be above the Noise Ordinance if it occurred frequently enough. That is something

that will need to be addressed in some manner. As for the various challenges of raising horses in a neighborhood setting, the plan submitted by the applicant seems reasonable.

When it comes to the CC&Rs, Commissioner Beal noted that it is not for the Planning Commission to determine whether that is in effect. He believes the Commission should make decisions based on the LMC and the LMC allows two horses per acre. As for the conditions that have been outlined, those need to be followed so that there are appropriate mitigation measures taken to address noise, waste, and so on. As far as the number of animals, the LMC states that the property could have four. Whatever the HOA has determined, which may or may not be in effect, is not for the Commission to consider. He does not have a problem with the number of animals, but feels it is important that there be clear Conditions of Approval so the property complies with other ordinances.

Commissioner Johnson asked if additional screening or landscaping had been considered. He wanted to know if there was anything that could be done to mitigate the impacts. Planner Lund explained that this can be added as a condition if the applicant is open to that. Mr. Phillips stated that they are in the middle of a remodel and are working with a local architectural firm in Park City. That seems like something that would come at the end of the project. He is willing to add trees to the front to mitigate the impacts. As for one of the public comments made about the pasture being in the front, that is the way the HOA approved it in 1985 and that is the way the property was when it was purchased.

Commissioner Shand wondered whether the trees are more of an HOA issue than a Planning Commission issue. The topic being discussed by the Commission is the number of animals, not the location of the pasture. Commissioner Johnson pointed out that this is a CUP application and the Commission needs to take into account the health, safety, and welfare of the general public. The additional landscaping could reduce visual impacts and noise. Commissioner Shand pointed out that additional landscaping would be subject to HOA approval. He asked what would happen if there is a Condition of Approval written, but the HOA does not allow the additional landscaping to be added to the property.

Attorney Harrington recommended that the Commission be clear about the adverse impact that is intended to be mitigated if there is a desire to add a condition related to additional vegetation. The Condition of Approval should clearly state what the Commission is attempting to mitigate with the requirement. If there is a condition imposed for additional landscaping, but the HOA does not allow additional landscaping to be added, the applicant can return to the Planning Commission to request a modification.

Commissioner Johnson believes an appropriate mitigation method would be requiring vegetative screening along the fence line. This would dampen noise, reduce visual impacts, and address potential odor impacts associated with the use. Chair Van Dine and Commissioner Tilson expressed support for the suggestion. Council Member Tilson noted that based on the LMC, the three animals would be allowed. The CC&Rs might supersede that, but from his perspective, those animals would be allowed based on the



language in the LMC. While Commissioner Tilson can understand the comments made by some of the residents, he pointed out that this use is allowed, based on the LMC.

Commissioner Frontero noted that the Planning Commission does not answer to HOAs but to the LMC. The LMC would allow four animals on the property. He asked the City Attorney if that is what the Commission should uphold. Attorney Harrington reported that the Commission can decide whether limiting it to two is necessary for mitigation, pursuant to the CUP criteria. Director Ward reported that the application was processed for two animals, which was based on the application that was initially received.

Commissioner Shand expressed support for the Conditions of Approval in the Draft Final Action Letter, but suggested that there be an additional condition related to screening. Planner Lund shared a Condition of Approval that he drafted based on Commissioner feedback. The Site Plan was shared and there was discussion about a new condition.

- Condition of Approval #4: To dampen noise, odor, and visual impacts, the Applicant shall install waterwise and Wildland Urban Interface compliant landscaping to screen the property along the fence line facing Lucky John Drive.

Commissioner Frontero pointed out that the applicant requested two animals in the application. He asked Staff if that is the question currently before the Commission. Director Ward confirmed that the applicant filed an application for two animals. The analysis that Staff conducted was based on the understanding that there were two animals on the property. Commissioner Frontero asked if it is possible to modify that to three animals. Mr. Phillips reported that it was modified for three animals, but this was after the analysis was completed by Staff. Commissioner Johnson asked if the item needs to be continued to address this matter. Planner Lund explained that it is possible to add a condition that the Animal Management Plan be updated to show three animals.

Commissioner Frontero believes the LMC is the document the Planning Commission should be following. As a result, it is appropriate for the applicant to request approval for three animals as part of the CUP. The HOA can be addressed by the applicant separately from this process. Commissioner Shand agreed with that position and asked if Condition of Approval 3(A) could be modified. Director Ward explained that the Draft Final Action Letter would need to be modified so the references to one mini donkey are updated to reflect two mini donkeys. The Planning Commission could direct Staff to update the Draft Final Action Letter to approve one horse and two mini donkeys. In addition, the Condition of Approval discussed earlier could be added. If the Commission finds that more information is needed to mitigate three animals, continuance would be recommended.

Commissioner Tilson asked if it is possible to make the language more general. Instead of approving specific animals and types, there could be language that mentions “up to the maximum limit of the LMC.” Commissioner Frontero pointed out that the code specifies a horse, so to approve this application, the animal types would need to be mentioned.

Commissioner Beal is comfortable with three animals, subject to the various mitigation measures that have been suggested, such as the additional landscaping.

There was discussion about Condition of Approval #4. It was amended to state:

- To dampen noise, odor, and visual impacts, the Applicant shall install waterwise and Wildland Urban Interface compliant landscaping to screen the property along the fence line parallel to Lucky John Drive along the stable. The existing perimeter landscaping buffer shall be maintained.

Commissioner Beal suggested removing references to the CC&Rs from the document, since those are not relevant to the Planning Commission decision on the application.

**MOTION:** Commissioner Shand moved to APPROVE the CUP at 2291 Lucky John Drive according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

**Findings of Fact:**

1. The Applicant requests a CUP for the raising and grazing of one mini horse and two mini donkeys on Lot 13 of the Holiday Ranchettes Subdivision (2291 Lucky John Drive). The Applicant has had the animals at this address for approximately three years.
2. The Holiday Ranchettes Subdivision was recorded on May 31, 1974 (Recorder Entry No. 123347).
3. On November 3, 2024, a code violation complaint form was filed with Code Enforcement for the keeping of animals at 2291 Lucky John Drive without a CUP or Animal Management Plan.
4. On June 17, 2025, the Applicant filed a CUP application for raising and grazing of one mini horse and one mini donkey and submitted an Animal Management Plan.
5. The Applicant applied for one mini horse and one mini donkey. On September 2, 2025, the Applicant indicated he has two mini donkeys. Staff recommends approval for the Applicant's request: one mini horse and two mini donkeys. Per the LMC, two horses are permitted per acre.
6. The Land Management Code establishes a CUP for raising and grazing of horses in the Single Family (SF) Zoning District Requirements. The Applicant proposes that this also include one mini-donkey.

- a. LMC § 15-2.11-3 outlines the Setback requirements for Structures in the SF Zoning District.
  - i. Front Setback: 20 feet.
  - ii. Rear Setback: 15 feet.
  - iii. Side Setback: 12 feet.
    - 1. The barn is greater than 30 feet from all property lines.
- b. Land Management Code (LMC) § 15-2.11-2(B)(8) "Uses", states raising and grazing of horses requires a CUP in the SF Zoning District.
  - i. The Applicant is requesting a CUP for one mini horse and one mini donkey. LMC § 15-15-1 does not define "horse" or "donkey" but states that words not defined in the LMC shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.
  - ii. Horse: "a large solid-hoofed, herbivorous ungulate mammal (*Equus caballus*, family *Equidae*) domesticated since prehistoric times and used as a beast of burden, a draft animal, or for riding."
  - iii. Donkey: "The domestic ass (*Equus asinus*)."
  - iv. Similarities between horses and donkeys include:
    - 1. Both belong to the *Equidae* family.
    - 2. Both are herbivores and solid-hoofed ungulates.
  - v. Differences include:
    - 1. Donkeys are generally smaller in size.
    - 2. Donkeys have a distinct vocalization (a bray).
    - 3. They are separate species.
    - 4. Horses prefer fresh, lush grass, while donkeys more readily eat coarse plants and shrubs.
- c. LMC § 15-2.11-9 outlines criteria for raising and grazing of horses.
  - i. Any barn must be located a minimum of 75 feet from the nearest neighboring Dwelling Unit.
    - 1. The nearest neighboring Dwelling Unit is 94.56 feet north of the barn.
  - ii. There shall be a maximum of two horses per acre.
    - 1. Lot 13 is 2.32 acres. Per the LMC, two horses are permitted per acre.
  - iii. Terrain and Slope of the Property must be suitable for horses.
    - 1. The barn and fenced area for the animals are a flat area.
  - iv. The Applicant submitted an Animal Management Plan outlining waste removal/odors, drainage and runoff, bedding materials, flies, and feed/hay.

7. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).
  - a. Size and location of the Site
    - i. The SF Zoning District allows two horses per acre. Lot 13 is 2.32 acres.
  - b. Traffic considerations, including the capacity of the existing Streets in the Area
    - i. No additional traffic is generated from the proposed raising and grazing of the mini horse and mini donkey.
  - c. Utility capacity, including Storm Water run-off
    - i. The Development Review Committee (DRC) reviewed the proposal on August 5, 2025, and confirmed the proposal conforms with their requirements.
  - d. Emergency Vehicle Access
    - i. The Park City Fire District reviewed the proposal on August 5, 2025, and confirmed the proposal conforms to all emergency vehicle access requirements.
  - e. Location and amount of off-street parking
    - i. LMC § 15-3-6 does not require additional off-street Parking Spaces for the raising and grazing of horses. The existing parking for the Single-Family Dwelling (SFD) will not be impacted.
  - f. Internal vehicular and pedestrian circulation system
    - i. The internal vehicular and pedestrian circulation system will not be impacted by the proposed Use. There is a fenced area for the animals to graze outside the barn.
  - g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
    - i. The east, south, and west sides of the barn are screened by mature aspen and pine trees. The north side of the barn is not screened but there are wooden rail fences between the barn and the neighboring property to the north. The fenced area outside the barn for the animals to graze is approximately 730 square feet.
  - h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.
    - i. The barn is approximately 790 square feet and in the Front Yard.
  - i. Useable Open Space
    - i. The proposed Use does not impact any Open Space areas in the Holiday Ranchettes Subdivision.
  - j. Signs and Lighting

- i. No signs or exterior lighting are proposed with this application. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC § 15-5-5(J)) and Planning Department review and approval.
  - k. Physical Design and Compatibility with Surrounding Structures
    - i. The barn is approximately 790 square feet and 17 feet tall. The east, south, and west sides of the barn are screened by mature aspen and pine trees.
  - l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors
    - i. There are no mechanical factors associated with the proposed Use. Condition of Approval 1 requires adherence to Municipal Code of Park City Chapter 6-3 Noise.
  - m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas
    - i. No loading or unloading zones will be impacted by the proposed Use. All trash and recycling areas are located inside the barn.
  - n. Expected Ownership and Management
    - i. 2291 Lucky John Drive is under private ownership and the maintenance and care for the animals is the responsibility of the property owner.
  - o. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site
    - i. The barn is on a flat area, not within the Sensitive Land Overlay, and not in the Soils Ordinance Boundary. The property does not include physical mine hazards or historic mine waste.
  - p. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan
    - i. Goal 2.3 of the General Plan identifies Park Meadows as a “primary resident neighborhood.” The proposed Use is ancillary to the property’s primary Use as an SFD.
  - q. Radon mitigation; residential Conditional Uses shall include the installation of a basic radon remediation system that allows for the installation of a radon remediation air handler if or when radon mitigation is required for the space in accordance with residential building codes.
    - i. The barn is not a residential Structure and does not require a radon mitigation system.
8. The Development Review Committee reviewed the proposal on August 5, 2025, and confirmed the proposal conforms to their requirements.

9. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on August 27, 2025.
10. Staff mailed courtesy notice to property owners within 300 feet on August 27, 2025. The Park Record published courtesy notice on August 27, 2025.

**Conclusions of Law:**

1. The proposed CUP complies with the LMC requirements pursuant to Chapter 15-2.11 Single Family Zoning District 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.

**Conditions of Approval:**

1. The Applicant shall adhere to Municipal Code of Park City Chapter 6-3, Noise.
2. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC Section 15-5-5(J)) and Planning Department review and approval.
3. The Animal Management Plan shall include the following:
  - a. Grazing is limited to one mini horse and two mini donkeys for the property.
  - b. Compliance with the Noise Ordinance outlined in Municipal Code of Park City Chapter 6-3 is required at all times. Pursuant to Section 6-3-8(E) Animals, owning, keeping, possessing, or harboring any animal or animals that, by frequent or habitual noise making, violates Section 6-3-9 is prohibited. Section 6-3-9 establishes 50 dBA in residential areas from 10:00 PM – 6:00 AM and 55 dBA from 6:00 AM – 10:00 PM.
  - c. **Waste Removal and Odor Control:** Manure is required to be regularly collected and stored in enclosed containers within the barn and shall be removed from the property several times each week.

- i. Pursuant to Municipal Code of Park City Section 6-1-11, waste shall be collected and emptied curbside by the County or a licensed collector. Such receptacles must not be set out for collection prior to 6:00 PM of the day before collection. Empty receptacles shall be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:59 PM the day they are emptied.
  - d. **Drainage and Runoff:** The Applicant is responsible for submitting a drainage and runoff management plan for Engineering review within one week of this Conditional Use Permit issuance and shall make any required modifications to drainage and runoff within 30 days.
  - e. **Fly Control Measures:** Manure is required to be regularly collected and stored in enclosed containers within the barn and shall be removed from the property several times each week.
  - f. **Feed & Hay Storage:** Hay and grain shall be stored in sealed containers inside the barn to prevent spoilage and pest infestation.
4. To dampen noise, odor, and visual impacts, the Applicant shall install waterwise and Wildland Urban Interface compliant landscaping to screen the property along the fence line parallel to Lucky John Drive along the stable. The existing perimeter landscaping buffer shall be maintained.

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

## 7. ADJOURNMENT

It was noted that a majority of Commissioners will go to Palomino following the meeting.

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

The meeting adjourned at approximately 8:03 p.m.

Warning: Replies to this message will go to  
contact the helpdesk.

If you are unsure this is correct please

[CAUTION] This is an external email.

Virgil,

Thank you for taking my call. We are out of town and typing this email on my iPhone, so excuse any errors or typos.

My wife is the Trustee and I manage the property. In regards to the applicant asking for an animal permit, we are against this being approved by the City. The animals are neglected and the donkeys scream for hours on end with horrible decile levels at all hours of day and night. I don't think this is a place for these types of animals. If you want a farm, buy property out in the country and not in the center of town. The neighborhood and all the neighbors in the area have complained several times. When approved he will take the donkey out, walk onto our property and the droppings are left for us to tend to. This isn't the size of dogs pooping in the yards by any means. We all try to keep our lots up, but this lot next to us has become an eyesore. Donkeys, miniature horse, chickens and guessing an unauthorized chicken coop along with feeding ducks and other birds which then attracts bobcats, coyotes, among just a few predators that affect the Deer and Moose that use to bed in our backyard to give birth to their young. Now they are afraid to come down do to threats and noise.

I am Highly against this permit even being considered and the possibility of it being approved will cost the surrounding home owners quite a bit of value depreciation due to the smell and noise. But what we think of living in and around in the Park City area

If you have any questions, please do not hesitate to reach out.

Please keep my name out of this if possible. I don't trust him, his workers that are again parking in our driveway, that he allows to live in the Shed and also his motor home. Lots of suspicious activity going on over there as well. I have reported this to the drug enforcement with Park City Police, but never hear anything back.



## Planning Commission Staff Report



**Subject:** 322 Main Street  
**Application:** PL-25-06637  
**Author:** Lillian Zollinger, Planner III  
**Date:** September 24, 2025  
**Type of Item:** Plat Amendment

### Recommendation

(I) Open a Public Hearing; and (II) continue the public hearing and consideration of the 322 Main Street Plat Amendment to a date uncertain.

### Description

**Applicant:** Red Banjo Real Estate, LLC,  
represented by Megan Blosser, Alliance Engineering  
**Location:** 322 Main Street  
**Zoning District:** Historic Commercial Business  
**Adjacent Land Uses:** Commercial, Residential  
**Reason for Review:** The Planning Commission reviews Plat Amendments and takes Final Action.<sup>1</sup>

### Background

The Applicant requests the application be continued to pursue purchasing additional property to include for review in the proposed Plat.

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<sup>1</sup> LMC [§ 15-1-8\(H\)](#)

## Planning Department Staff Report



**Subject:** 384 Woodside Avenue  
**Applications:** PL-25-06608  
**Author:** Elissa Martin  
**Date:** September 24, 2025  
**Type of Item:** Steep Slope Conditional Use Permit

### Recommendation

Staff recommends the Commission please open a public hearing and continue the public hearing to October 22, 2025 to allow additional time for the Applicant to revise the Plans based on staff review and comments.

### Description

**Applicant:** Rob and Laura Beasley  
Represented by Jonathan DeGray

**Location:** 384 Woodside Avenue

**Zoning District:** Historic Residential-1

**Adjacent Land Uses:** Residential

**Reason for Review:** The Planning Commission reviews and takes Final Action on Steep Slope Conditional Use Permits.<sup>1</sup>

### Background

Staff approved the continuation because staff provided substantive comments to the Applicant, and they did not have sufficient time to address the comments prior to the public hearing. Staff had already noticed the item for a public hearing and as a result, recommends a public hearing and continuation.

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<sup>1</sup> LMC [§ 15-2.1-6\(A\)\(1\)](#)

## Planning Department Staff Report



**Subject:** 368 Woodside Avenue  
**Applications:** PL-25-06609  
**Author:** Elissa Martin  
**Date:** September 24, 2025  
**Type of Item:** Steep Slope Conditional Use Permit

### Recommendation

Staff recommends the Commission please open a public hearing and continue the public hearing to October 22, 2025 to allow additional time for the Applicant to revise the Plans based on staff review and comments.

### Description

**Applicant:** Rob and Laura Beasley  
Represented by Jonathan DeGray

**Location:** 384 Woodside Avenue

**Zoning District:** Historic Residential-1

**Adjacent Land Uses:** Residential

**Reason for Review:** The Planning Commission reviews and takes Final Action on Steep Slope Conditional Use Permits.<sup>1</sup>

### Background

Staff approved the continuation because staff provided substantive comments to the Applicant, and they did not have sufficient time to address the comments prior to the public hearing. Staff had already noticed the item for a public hearing and as a result, recommends a public hearing and continuation.

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<sup>1</sup> LMC [§ 15-2.1-6\(A\)\(1\)](#)

# Planning Commission Staff Report



**Subject:** Thaynes Canyon Subdivision No. 2 Lot 42  
**Application:** PL-25-06467  
**Author:** Elissa Martin, Planning Project Manager  
**Date:** September 24, 2025  
**Type of Item:** Work Session

## Recommendation

(I) Review the Applicant's updated proposal for the Thaynes Canyon Subdivision No. 2 Lot 42 Plat Amendment to subdivide Lot 42 into two Lots and (II) provide input to the Applicant.

## Description

**Applicant:** Michael Pfeiffer, Thaynes Canyon Tennis Club III  
**Representative:** Megan Blosser, Alliance Engineering  
**Location:** 2110 Webster Dr  
**Zoning District:** Single Family (SF)  
**Adjacent Land Uses:** Residential  
**Reason for Review:** The Planning Commission reviews and takes Final Action on Plat Amendments.<sup>1</sup>

CUP	Conditional Use Permit
C-R	Recreational Commercial (from 1970s)
LMC	Land Management Code
PUD	Planned Unit Development
R-D	Residential Development Zone
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](#).*

## Summary

Lot 42 of the Thaynes Canyon Subdivision No. 2 has been operating as a recreational Use (tennis courts) since the subdivision was originally developed in the mid-1970s. The Applicant proposes amending the Thaynes Canyon Subdivision No. 2 Plat to subdivide Lot 42 into two Lots, creating one 0.22-acre Lot and one 0.73-acre Lot to sell the

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<sup>1</sup> LMC [§ 15-7.1-2](#)

smaller Lot for the development of a Single-Family Dwelling (SFD) to raise funds for a major renovation of the tennis courts on Lot 42 (See Exhibit B and E).

### **Background**

The Planning Commission approved a CUP for the Thaynes Canyon Subdivision No. 2 Planned Unit Development (PUD) in 1975 (Exhibit C). The Thaynes Canyon Subdivision No. 2 Final Plat was recorded in March of 1976 (Recorder Entry No. 130671) (Exhibit D). The Subdivision is in the Single-Family (SF) Zoning District surrounded by the Park City Golf Course.



Figure 1: Thaynes Canyon Subdivision No. 2 shaded blue

While the tennis courts on Lot 42 had originally been managed by the Thaynes Canyon HOA, according to the Applicant, the HOA has been inactive for several years or even decades. The Applicant indicates that Declaration of Covenants has not been enforced since the HOA disbanded. The Declaration prohibits the further subdivision of any Lot. Today the tennis courts are owned by the Thaynes Canyon Tennis Club III, a Utah non-profit corporation, managed by a Governing Board. Funding for the maintenance and operations of the tennis courts is provided through new Membership fees and annual Membership Dues; the Board may approve Regular Membership for up to 60 members.



## Analysis

The Planning Commission reviewed the proposal to subdivide Lot 42 in a work session on May 14, 2025 ([Planning Commission Packet](#), Item 7A; [Minutes](#), p.3).

### **(I) At the May 14, 2025 Planning Commission Work Session, staff recommended denial of the proposal to subdivide Lot 42 based on the following:**

- The net density of the subdivision is four units per acre.
- The Lot size and net density were compliant with the C-R zoning at the time the Planning Commission approved the PUD Subdivision in 1975.
- Today, the Subdivision is zoned SF, which establishes a maximum density of three dwelling units per acre.
  - The existing density of the Thaynes Canyon Subdivision No. 2 exceeds today's maximum density.
  - Subdividing Lot 42 would increase the net density of the Subdivision even further.
  - The proposal to amend the Thaynes Canyon Subdivision No.2 cannot be approved because it exceeds the allowable density of the SF Zone and the application for Subdivision must meet the requirements of today's LMC.
- The average Lot size in the Thaynes Canyon Subdivision No. 2 is 10,018 square feet or 0.25 acre (not including Lot 42) and the Applicant proposes creating a 9,583-square-foot or 0.22-acre Lot.

During the work session, the Applicant provided their analysis of the proposal, explaining that they believe there are three ways to evaluate the density:

- 1) The net density of proposed Lot 42-A and Lot-42-B, as a stand-alone re-subdivision would be less than three units per acre, meeting the SF density requirement.
- 2) The net density of the overall subdivision, with one additional Lot would exceed the allowable density of the SF Zoning District.
- 3) Net density approved under the original 1975 PUD was much higher and possibly included golf course acreage from the original Development Plan and Treasure Mountain annexation.

The Planning Commission agreed with staff that the proposal to further amend the Subdivision to add a new Lot would exceed the density allowed today per the SF Zoning District requirements. One Commissioner noted that because Lot 42 was designated a tennis center, it was intentionally designed to be common area. However, the Commission was open to considering whether a SFD could be developed on Lot 42 without subdividing it if there was Good Cause.

The Planning Commission directed the Applicant to explore alternative options and return to the Planning Commission to further evaluate whether development of an SFD on Lot 42 would be consistent with the 1975 PUD.

**(II) Pursuant to LMC [§ 15-7.1-6](#) *Final Subdivision Plat*, the Planning Commission must find Good Cause to approve a Plat Amendment.**

The Applicant submitted an updated narrative (Exhibit B), proposing that the original 1975 PUD or Final Plat did not place a restriction on Lot 42 limiting future development to common or recreation Use, and therefore a SFD would be allowed on Lot 42 under the density of the 1975 PUD. The Applicant's proposal is to subdivide Lot 42 and place restrictions on the tennis court Lot to prohibit future residential development in perpetuity.

The Applicant describes the ways in which they believe a finding of Good Cause could be made for the Plat Amendment, based on the LMC definition of Good Cause:<sup>i</sup>

- Providing Public Amenities and Benefits. "...selling a portion [of Lot 42] will allow the club to reconstruct the existing community tennis courts—which are currently in “terrible disrepair.” This meets the code’s requirement to deliver a public amenity by replacing a failing facility with a revitalized one for the benefit of Park City’s residents.”.
- Resolving Existing Non-Conformities.” The tennis courts are not just deteriorated—they likely do not meet current safety, accessibility, and maintenance standards. Selling part of the property enables raising the funds to remedy these non-conformities...”.
- Promoting Sustainable, Excellent Design. “With raising the necessary funds, we can design long-lasting, low-maintenance courts, including city recommended low water usage design.”
- Preserving Neighborhood and Community Character. “The subdivision would respect existing lot sizes and neighborhood rhythm, and does not increase density, but rather reallocates underutilized open space and keeps this open space in perpetuity.”
- Addressing Density and Land Efficiency. “By subdividing only a portion of Lot 42, we are not increasing density in the neighborhood. Instead, we are enhancing underutilized land to support a pressing community need.”

While the Thaynes Canyon Subdivision No. 2 Plat does not contain plat notes that explicitly prohibit the Lot from being further subdivided or developed with an SFD, the intention was for the Lot to be used as a tennis club, as described in the 1976 Declaration of Protective Covenants for Thaynes Canyon Subdivision No. 2 (Exhibit F). The Protective Covenants prohibit “re-subdivision” of any Lot.

Staff requests input from the Planning Commission regarding two potential paths:

- 1) Does the Planning Commission find a basis to revisit whether the Applicant's proposal complies with the current zone's density limitation or whether, subject to a public hearing, the Commission may find Good Cause exists for the Plat

Amendment based on the Applicant's proposal that the Subdivision would be allowed pursuant to the original 1975 PUD approved density and the Good Cause justification bulleted above?

- 2) If the Planning Commission finds no basis to permit further subdivision of Lot 42, could an SFD be developed on Lot 42 as an accessory Use to the tennis courts, without subdividing the Lot?
  - a. Consistent with staff's original recommendation, development of a SFD would require amending the original CUP approved by the Planning Commission in 1975 for the PUD, to allow the residential Use on Lot 42, which was originally approved as a tennis center.

### **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 September 10, 2025. The *Park Record* published a courtesy notice on September 10, 2025.<sup>2</sup>

### **Public Input**

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

### **Exhibits**

- A: Proposed Plat
- B: Applicant's Good Cause Narrative
- C: 1975 Thaynes Canyon Subdivision No. 2 PUD Preliminary Plat
- D: 1976 Thaynes Canyon Subdivision No.2 Final Plat
- E: Existing Conditions Survey
- F: Declaration of Protective Covenants

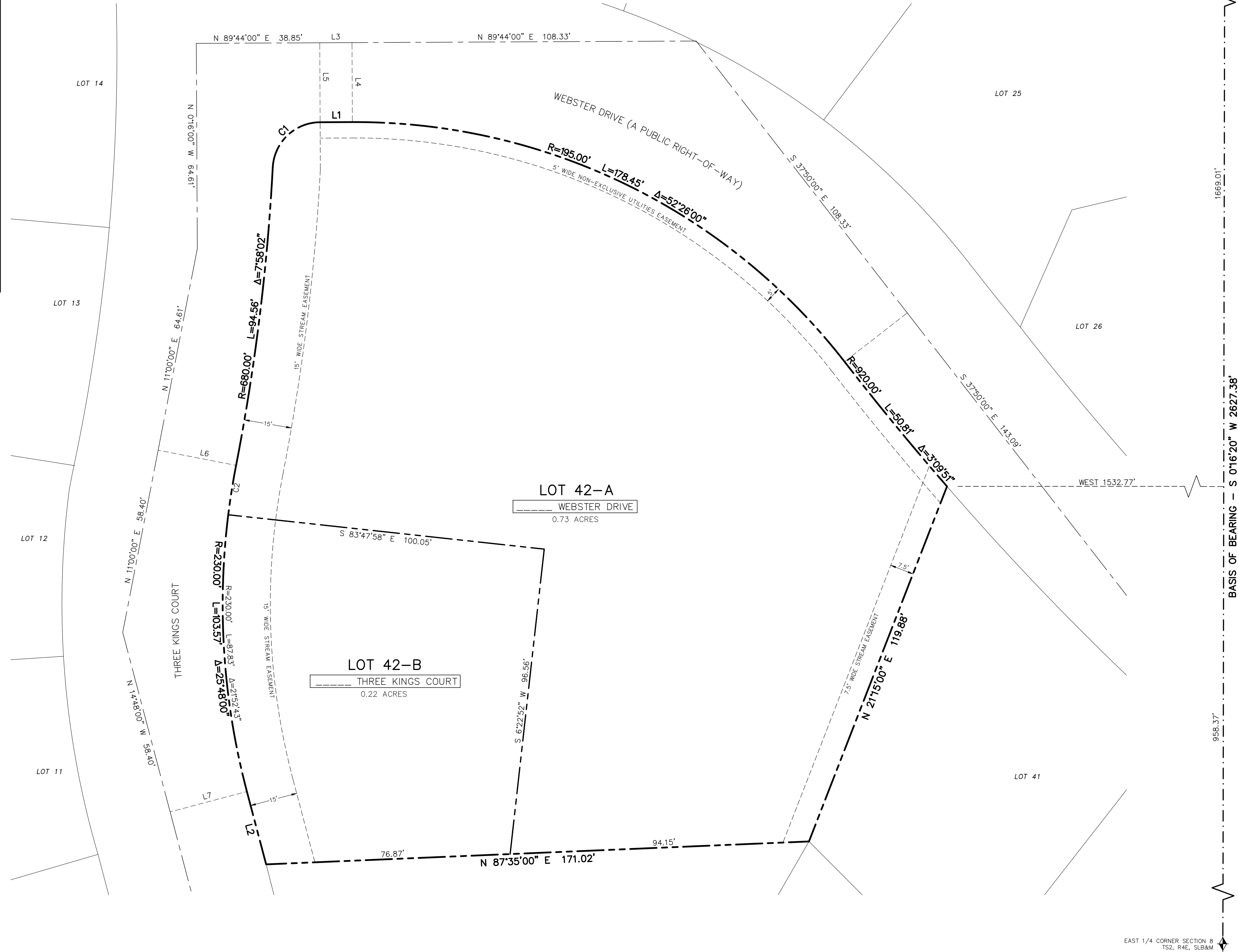
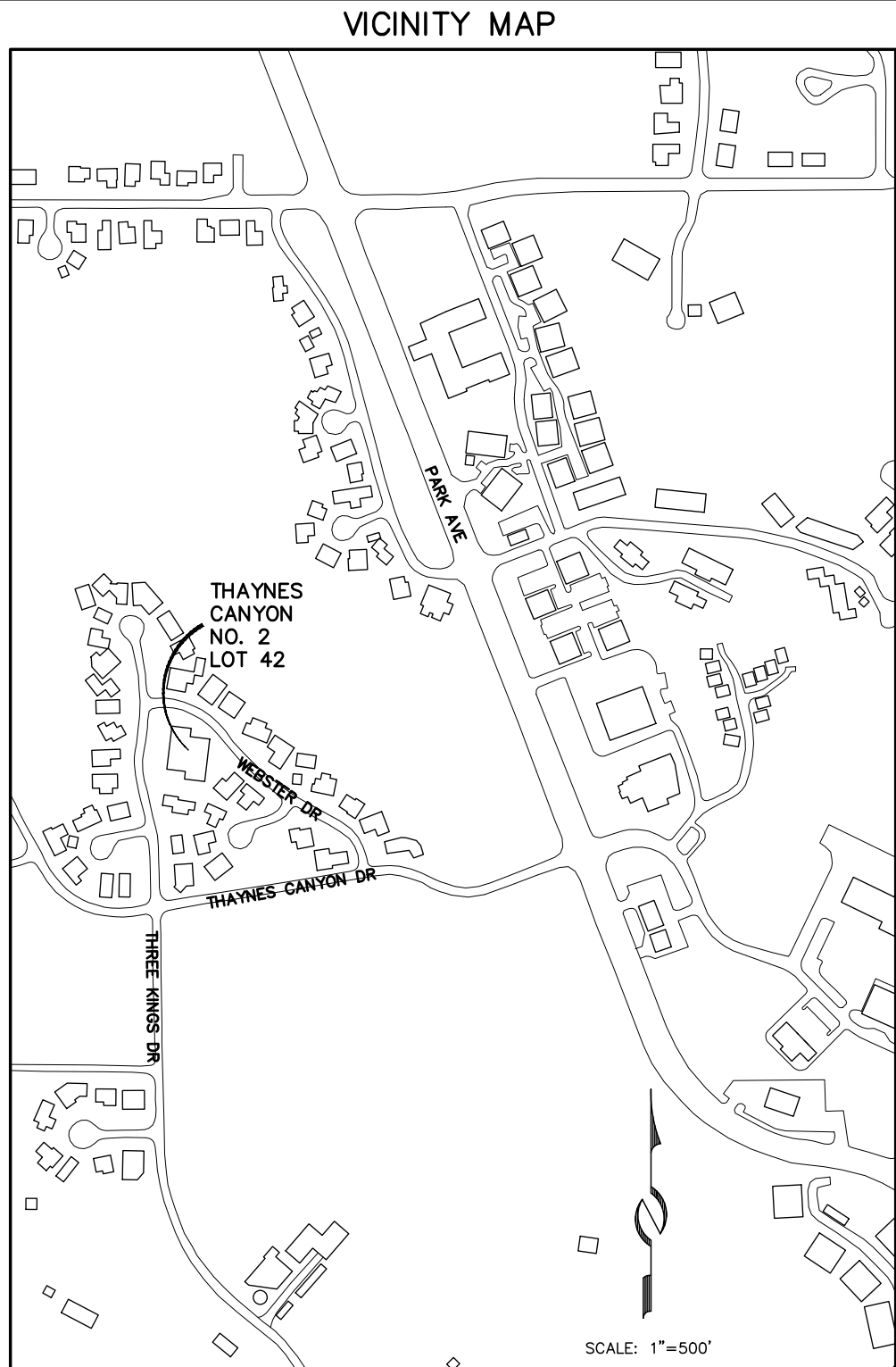
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<sup>i</sup> Good Cause is defined in LMC [§ 15-15-1](#) as *Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues 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.*

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<sup>2</sup> LMC [§ 15-1-21](#)





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 subdivision plot of the property described hereon, hereafter to be known as THAYNES CANYON SUBDIVISION NO. 2 LOT 42 AMENDED.

LEGAL DESCRIPTION

All of Lot 42, Thayne Canyon Subdivision No. 2, according to the official plot thereof, on file and of record in the Summit County Recorder's Office.

OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of Thayne Canyon Tennis Club III, having complied with the requirements, hereby consents to the recording of this subdivision plat amendment.

Thayne Canyon Tennis Club III

By: \_\_\_\_\_  
Mike Pfeiffer, Trustee

ACKNOWLEDGMENT

State of Utah :ss  
County of Summit

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, Mike Pfeiffer personally appeared before me, the undersigned Notary Public, in and for said County and State, being duly sworn, acknowledged to me that he is the Trustee of Thayne Canyon Tennis Club III, and that he signed the above Consent to Record for and on behalf of Thayne Canyon Tennis Club III, and that he acknowledged to me that he executed THAYNES CANYON SUBDIVISION NO. 2 LOT 42 AMENDED.

By: \_\_\_\_\_  
Notary Public

A Notary Public Commissioned in \_\_\_\_\_

Printed Name \_\_\_\_\_

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission No.: \_\_\_\_\_

NOTES

- This plat amendment is subject to the Conditions of Approval in the Final Action Letter dated the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and on file with the Planning Department (PL-25-\_\_\_\_\_).
- See Record of Survey S-\_\_\_\_\_ filed with Summit County, Utah on \_\_\_\_\_

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 89°44'00" E	10.15'
L2	N 14°48'00" W	23.70'
L3	N 89°44'00" E	10.15'
L4	S 0°16'00" E	25.00'
L5	S 0°16'00" E	25.00'
L6	S 79°00'37" E	25.00'
L7	N 75°12'16" E	25.00'

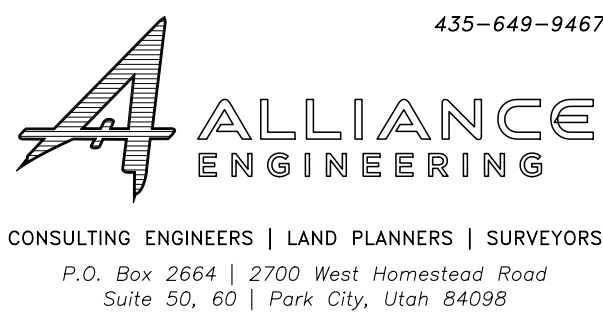
CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	15.00'	22.70'	86°42'27"
C2	230.00'	15.74'	3°55'17"

# THAYNES CANYON SUBDIVISION NO. 2

## LOT 42 AMENDED

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

3/13/2025 JOB NO.: 2-12-24 FILE: X:\ThayneCanyon\dwg\sr\plat2024\021224.dwg



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT  
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER  
RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2025  
BY \_\_\_\_\_

PLANNING COMMISSION  
APPROVED 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. \_\_\_\_\_

## **Update to Application by Thaynes Canyon Tennis Club III for Plat Amendment**

Thaynes Canyon Subdivision No. 2

Lot 42 Amended

September 11, 2025

Thaynes Canyon Subdivision No. 2 was recorded March 1, 1976, as Entry No. 130671 and is a 42-lot subdivision consisting of single-family homes and a community tennis court.

The tennis court will need extensive renovation to repair the deterioration that has occurred over the years. The tennis court is located on Lot 42, which is 0.95 acres, the largest lot in Thaynes Canyon No. 2. Based on our review, it does not appear that the original 1975 PUD or Final Plat did not place a restriction on Lot 42 limiting future development to a community recreation use only and therefore Lot 42 has a development right for an SFD within Thaynes Canyon 2.

This plat amendment proposes to create a single-family lot in the southerly portion of the current Lot 42 to be sold to finance the renovation of the tennis court and to establish a reserve fund for future maintenance. The single-family lot is proposed to be 0.22 acres, similar in size to the existing lots in the neighborhood, and the tennis court lot 0.73 acres.

Although this application is adding a lot to the neighborhood, it would not increase density of the 1975 Thaynes Canyon Subdivision No. 2 PUD, as a restriction will be put on the tennis court lot that will restrict the Lot for community recreation use AND not allow for residential development in perpetuity. The proposed lot lines and anticipated development are compatible with the neighborhood character and consistent with adjacent land uses.

Good Cause is defined in LMC § 15-15-1 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.*

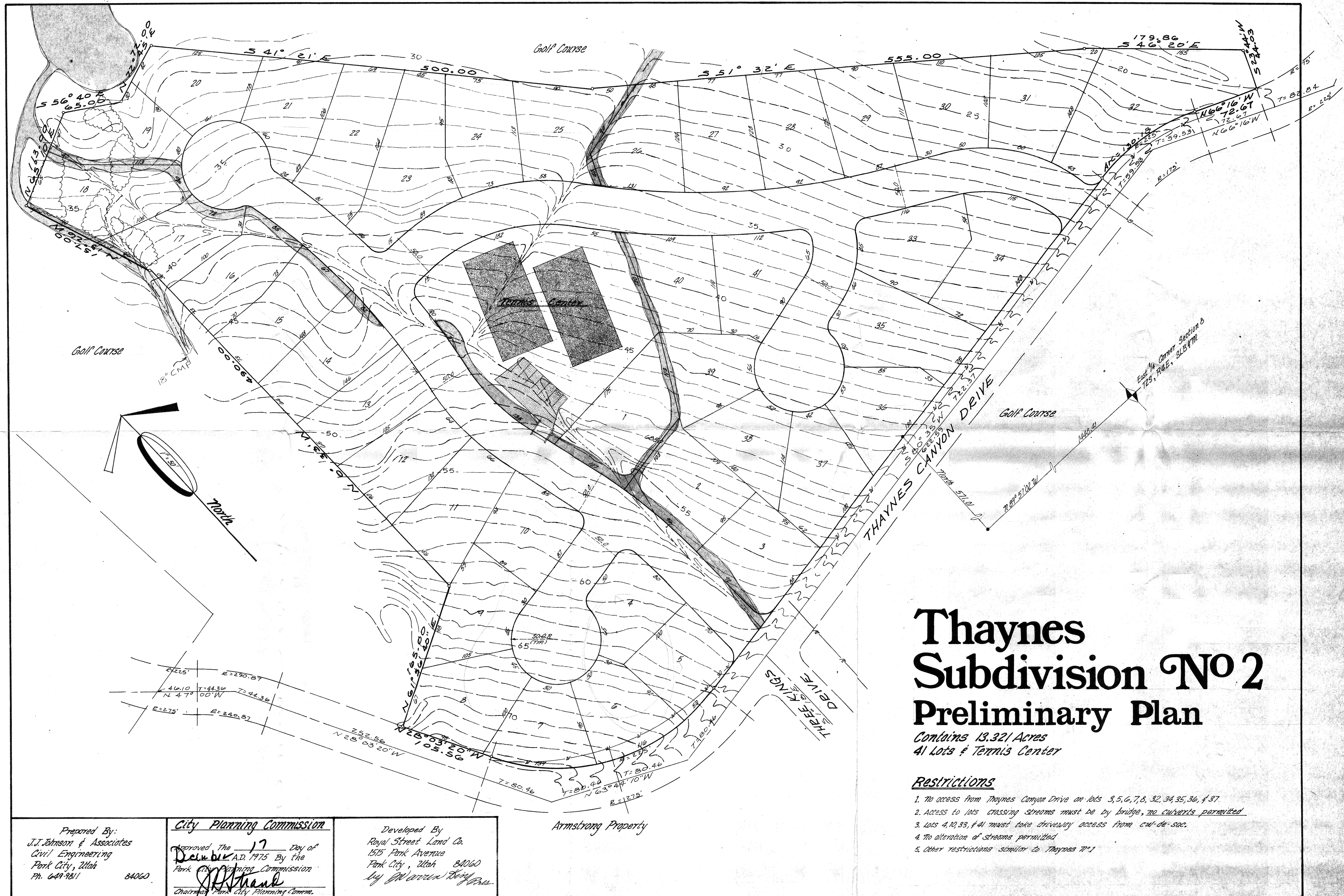
The following sets forth the Good Cause reasons for permitting the plat amendment and creating an additional lot:

- Providing Public Amenities and Benefits. While Lot 42 is presently open space and 2 tennis courts and pickleball courts, selling a portion will allow the club to reconstruct the existing community tennis courts—which are currently in “terrible disrepair.” This meets

the code's requirement to deliver a **public amenity** by replacing a failing facility with a revitalized one for the benefit of Park City's residents. LMC defines Good Cause as including "providing public amenities and benefits" and "resolving existing issues". In addition, having these courts available to members will reduce the amount of people using the public city courts.

- Resolving Existing Non-Conformities. The tennis courts are not just deteriorated—they likely do not meet current safety, accessibility, and maintenance standards. Selling part of the property enables raising the funds to **remedy these non-conformities**, aligning with code language that Good Cause includes "resolving existing issues and non-conformities".
- Promoting Sustainable, Excellent Design. With raising the necessary funds, we can design **long-lasting, low-maintenance courts**, including city recommended low water usage design. This aligns precisely with the code's intent to **promote excellent and sustainable design**.
- Preserving Neighborhood and Community Character. The subdivision would respect existing **lot sizes and neighborhood rhythm**, and does not increase density, but rather **reallocates underutilized open space and keeps this open space in perpetuity**. This furthers the policy of "preserving the character of the neighborhood and of Park City" and "furthering the health, safety, and welfare". [parkcity.org](http://parkcity.org)
- Addressing Density and Land Efficiency. By subdividing only a portion of Lot 42, we are **not increasing density** in the neighborhood. Instead, we are **enhancing underutilized land** to support a pressing community need. This satisfies the code's emphasis on addressing density in a thoughtful, minimal-impact way.







PLANNING COMMISSION REGULAR MEETING

JANUARY 21, 1976

7:40 P.M.

The meeting was called to order at 7:40 p.m. by acting chairman Burnis Watts. Members present were William Bertagnole, Ann Clark, Jerry Perrine and Bob Wells.

Motion to dispense with the minutes and approve as written.

PARK CITY INSTITUTE.

The Commission looked at the additional information they requested. After some discussion they determined that more detailed specifications on the buildings need to be turned into the Commission. It was also pointed out that the Commission members each want a copy of the agreement the U. of U. has with the property owner. Mr. Sloan indicated that a landscaping plan is being worked on and should be finished soon. The Commission determined that more discussion needs to be held concerning the proposal so they have set Wednesday, January 28, 1976 as a closed session on the matter. The meeting to start at 7:00 p.m. It will also be on the February agenda.

ROYAL STREET LAND COMPANY.

After very little discussion the Commission moved to approve this Conditional Use Permit. The motion was made by Jerry Perrine with Bob Wells seconding the motion. All members voted in favor of approval.

THAYNES CANYON SUBDIVISION #2.

A considerable amount of discussion was held concerning this development, the majority of which centered around possible problems related to the Golf Course and building placement.

After hearing from Warren King, Jack Johnson, and Merle Huseeth the Commission concluded that the proposal as presented should not present any abnormal conflicts. A motion was made by Jerry Perrine to approve this Conditional Use Permit application, it was seconded by Bob Wells. All members voted in favor of approval as presented.

SILVER TOWN CONDOS.

The Commission was concerned about parking for the units but after some discussion Bob Wells moved to approve this Conditional Use Permit for the purpose of nightly rentals. His motion was seconded by Ann Clark. All members voted in favor of approval.

APPROVED [Signature] DATE 12/17/75  
DENIED \_\_\_\_\_ DATE \_\_\_\_\_

DATE RECEIVED 12/2/75  
RECEIVED BY [Signature]  
FEE PAID 7.50 12/2/75  
(AMOUNT) (DATE)  
RECEIPT NUMBER # 7030

PARK CITY MUNICIPAL CORPORATION  
APPLICATION FOR CONDITIONAL USE PERMIT

OWNER OF PROPERTY - NAME: ROYAL STREET LAND COMPANY  
ADDRESS - [Redacted]  
CITY - Park City STATE - Utah ZIP - 84060  
TELEPHONE NUMBER - [Redacted]

AGENT OR LESSEE - NAME: J. Warren King  
ADDRESS - [Redacted]  
CITY - Park City STATE - Utah ZIP - 84060  
TELEPHONE NUMBER - [Redacted]

Application is hereby made to the Planning Commission of Park City, Utah for a Conditional Use Permit for operating a Planned Unit Development under the name of Thaynes Canyon (type of use as listed in applicable zoning)  
Subdivision No. 2 on property located at Thaynes Canyon Drive bounded by the 10th & 13th Fairways of which is currently (Business Name) (Street Address)  
the Golf Course  
zoned Recreational Commercial C-R. (Applicable Zone)

THE FOLLOWING DETAILED INFORMATION IS REQUIRED

1. State in detail the proposed use or uses of the property:  
Single Family Subdivision with a Tennis Center for the Lot Owners as shown on the Attached Plans.
2. Give the exact legal description of the property:  
See Attached Legal Description.
3. Explain fully, by specific facts, how your application will satisfy each of the following conditions which must be met before a Conditional Use Permit can be granted pursuant to Section 67-16-5 of the Revised Ordinance Park City:  
(a) That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community:  
The Single Family Subdivision is desirable for the location in which it is proposed. It would serve as an extension of the original Thaynes Canyon Subdivision and provide for a homogeneous neighborhood of single family homes interspersed within the back nine of the Golf Course.

- (b) That the proposed use will not, under the circumstances of the particular case, and the conditions which may be imposed, be detrimental to the health, safety, and general welfare of persons residing or working in the community, nor injurious to property or improvements in the community:

The nature of the proposed single family subdivision will not be detrimental to the health, safety, and general welfare of persons residing or working in the community, nor injurious to property or improvements in the community. The subdivision would provide needed lots for a certain segment of the population and would probably add to the property values in the community. It would provide for a more stable community since it is not using the zoning to anywhere near the maximum density allowed. The individual landscaping will in time eliminate the uncultivated weed patch now existing.

- (c) That the proposed use complies with the regulations and conditions specified in the current Zoning Ordinance which is:

The proposed single family subdivision conforms with the regulations and conditions in the current Zoning C-R Item 19 and also the proposed Zoning R-D.

4. Explain fully how you intend to provide Parking and Loading Space for this Conditional Use as required in Chapter 6 of the current Zoning Ordinance: The Covenants of the Subdivision will require a double car garage for each dwelling.

- (a) Number of parking spaces required for Guests Not Applicable

Maximum number of guests to be accommodated Not Applicable

Maximum number of employees and owners on site at any one time Not Applicable

- (b) If your parking spaces are located on other than your property, provide name, address, location of spaces, and a letter from the owner that these spaces are available on a year-by-year renewable basis. Any Conditional Use Permit granted will be terminated upon loss of your right to occupy such leased required parking which must be within 200 feet from the entrance to your property or business: Not Applicable

- (c) Include in your overall plans, required in Paragraph 8 of this application, the location of the parking spaces in relation to your intended use of this property:

5. Explain fully how you intend to provide Motor Vehicle Access for this Conditional Use as required in Chapter 7 of the current Zoning Ordinance:

- (a) Number of accesses required Not Applicable

- (b) Include in your overall plans, as required in Paragraph 8 of this application, the vehicle access in relation to your intended use of this property:

6. Three sets of Plans showing general surrounding area, specific site and building location, and building floor plans must accompany this application as follows:

Detailed Plans must be submitted on black and white or blue line prints for proposed major developments, new construction, additions and/or major alterations changing the exterior of existing structures to conform to the following requirements:

- (1) Plans must have enough detail to show clearly the nature of the request. Any information which will clarify the situation should be entered on the plan.

- (2) Plans shall be drawn large enough to show necessary details at one of the following scales:

1" = 8'	1" = 10'	1" = 20'	1" = 30'
1" = 40'	1" = 50'	1" = 60'	1" = 100'

- (3) Plans shall show the following information:

- (a) Note of scale used.
- (b) Direction of North.
- (c) Lot lines together with adjacent streets, roads, and right-of-ways.
- (d) Location of all existing structures on subject property.
- (e) Location of the proposed construction and improvements, including the location of all signs.
- (f) Motor vehicle access, including individual parking stalls, circular patterns, high back curb, gutter and sidewalk location.
- (g) Necessary explanatory notes.
- (h) Name, address, and telephone number of builder, owner, and any agent authorized by owner to represent owner at Planning Commission hearings.
- (i) Lot area, building area, and building coverage.
- (j) Overall site plan including immediate adjacent properties, streets, and right-of-ways.
- (k) Signatures authorization. (Owner must sign completed plans or send a letter of authorization for the person whose signature appears on the completed plans.)



(4) A Certified Survey of the property must be included.

(5) A colored rendering of the exterior of the proposed property in enough detail to show roofing, siding, trim, windows, stair cases, building materials, and site location landscaping.

7. A \$7.50 filing fee, made out to Park City Municipal Corporation, must accompany this application. There will be an additional \$10.00 fee for the cost of publication of a notice if the Planning Commission, in their discretion, calls a Public Hearing on this application.

December 2, 1975  
DATE

Royal Street Land Company  
by J. Warren King  
SIGNATURE OF APPLICANT Pres.

#### OWNER'S AFFIDAVIT

STATE OF UTAH )  
 )SS  
COUNTY OF SUMMIT )

I (we), Royal Street Land Company being first duly sworn, say that I (we) am (are) the owner(s) of the property involved in this application and have signed the attached plans personally or by authorized agent whose signature appears thereon; that the foregoing statements and answers herein contained and the answers, representations and statements in the attached plans and other exhibits do thoroughly, to the best of my (our) ability, present the argument in behalf of the application herewith submitted and that the statements and information above and herein referred to are in all respects true and correct to the best of my (our) knowledge and belief.

I (we) further designate the above named J. WARREN KING as my (our) authorized agent to represent me (us) at any hearing of this application.

Royal Street Land Company  
by J. Warren King  
OWNER(S) Pres.

SUBSCRIBED AND SWORN to before me this 2nd day of December 1975

Sharon J. Fleck  
NOTARY PUBLIC

#### LESSEE'S AFFIDAVIT

STATE OF UTAH )  
 )SS  
COUNTY OF SUMMIT )

I (we), \_\_\_\_\_ being first duly sworn, say that I (we) am (are) the lessee(s) of the property involved in this application and have signed the attached plans personally or by authorized agent whose signature appears thereon; that the foregoing statements and answers herein contained and the answers, representations and statements in the attached plans and other exhibits do thoroughly, to the best of my (our) ability, present the argument in behalf of the application herewith submitted and that the statements and information above and herein referred to are in all respects true and correct to the best of my (our) knowledge and belief.

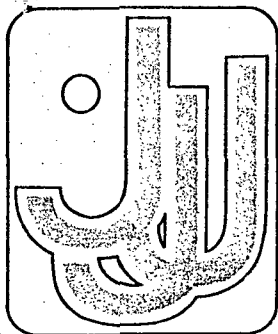
I (we) further designate the above named \_\_\_\_\_ as my (our) authorized agent to represent me (us) at any hearing of this application.

\_\_\_\_\_  
LESSEE(S)

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC





# J.J. Johnson & Associates

1515 Park Avenue, p.o. box 1661

Park City, Utah 84060

(801) 649-9811

July 18, 1975

## DESCRIPTION OF THE ENTIRE THAYNES CANYON CONDOMINIUM PARCEL

Beginning at a point North  $89^{\circ}57'02''$  West along the Section Line 891.345 feet and North 586.46 feet from the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence North  $66^{\circ}16'$  West 72.67 feet to a point of a 225.00 foot radius curve to the Left; thence Northwesterly along the Arc of said curve 130.18 feet to a point of tangency; thence South  $80^{\circ}35'$  West 722.37 feet to a point of a 225.00 foot radius curve to the Right; thence Northwesterly along the Arc of said curve 280.23 feet to a point of tangency; thence North  $28^{\circ}03'20''$  West 105.55 feet; thence North  $61^{\circ}56'40''$  East 165.00 feet; thence North  $0^{\circ}33'$  West 490.00 feet; thence North  $19^{\circ}26'$  West 157.00 feet; thence North  $65^{\circ}10'$  East 113.00 feet; thence South  $56^{\circ}40'$  East 65.00 feet; thence North  $72^{\circ}45'$  East 72.00 feet; thence South  $41^{\circ}21'$  East 500.00 feet; thence South  $51^{\circ}32'$  East 555.00 feet; thence South  $46^{\circ}20'$  East 179.86 feet; thence South  $23^{\circ}44'$  West 44.03 feet to the point of beginning.

Contains 13.321 Acres

JJ/lgl

SIGNED ORIG. @ CITY HALL

A G R E E M E N T

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1973, by and between ELMER G. STAHLER and JOYCE M. STAHLER, his wife (hereinafter designated "Stahles"), PARK CITY, a Utah municipal corporation (hereinafter designated "City"), and GREATER PARK CITY COMPANY, a Utah corporation (hereinafter designated "GPCC"),

WITNESSETH:

WHEREAS, GPCC has heretofore constructed and dedicated as a public street the street known as Payday Drive, which is situated in Park City, Summit County, Utah, at the location shown on Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, the parties desire to provide for possible enlargement of and connection to said Payday Drive, as hereinafter provided.

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged, it is agreed by and between the parties hereto as follows:

1. Stahles and GPCC agree that, concurrently with the execution and delivery hereof, they will execute a Quitclaim Deed in the form of Exhibit B attached hereto and by this reference made a part hereof.

2. City agrees that, promptly following the execution hereof, it will permit Stahles to make the following connections to Payday Drive:

- (a) A connection to the North side of Payday Drive which shall be directly across Payday Drive from the point of intersection of Thaynes Canyon Drive with Payday Drive. Said connection shall extend due North from said point, shall be fifty (50) feet in width, and each of the sidelines of said connection shall be due North of a sideline of Thaynes Canyon Drive at its point of intersection with Payday Drive. Said connection shall be limited to permit access to Payday Drive from not more than four (4) single-family residences to be constructed on property presently owned by LUIS, MACKAY and situated North and East of said intersection.
- (b) A connection to the North side of Payday Drive which shall be directly across Payday Drive from the point of intersection of Bonanza Court with Payday Drive. Said connection shall extend due North from said point, shall be fifty (50) feet in width, and each of the sidelines of said connection shall be due North of a sideline of Bonanza Court at its point of intersection with Payday Drive. Said connection shall be limited to permit access to Payday Drive from not more than ~~two~~ (X) 4 single-family residences to be constructed on property owned by Stahles and situated adjacent to the North side of Payday Drive.

3. Connections made pursuant to Paragraph 2 hereof shall, for a distance of at least twenty-six (26) feet from the point of intersection, be surfaced in a manner comparable to the present surfacing of Payday Drive. All costs in connection with the establishment and surfacing of said connections shall be borne by Stahles.

4. City agrees that it will not hereafter annex property adjacent to the North side of Payday Drive to the corporate limits of City or approve access to Payday Drive from any property North of Payday Drive (other than the connections and access permitted pursuant to Paragraph 2 hereof) until such time as Payday Drive has been widened to a minimum of sixty-six (66) feet in width, utilizing the additional property quitclaimed to City pursuant to Paragraph 1 hereof and such additional portion of Payday Drive has been surfaced to a standard at least equivalent to the present surfacing of Payday Drive.

5. This Agreement is and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, administrators, personal representatives, successors and assigns.

Dated the day and year first above written.

PARK CITY CORPORATION

ATTEST:

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Elmer G. Stahle

\_\_\_\_\_  
Joyce M. Stahle

GREATER PARK CITY COMPANY

By \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

QUITCLAIM DEED

For good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged, ELMER G. STAHL and JOYCE M. STAHL, his wife, and GREATER PARK CITY COMPANY, a Utah corporation (hereinafter collectively designated "Grantors"), hereby release, remise and forever quitclaim unto PARK CITY, a Utah municipal corporation, all of the right, title and interest of Grantors in and to the following described real property situated in Summit County, State of Utah:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1973.

\_\_\_\_\_  
Elmer G. Stahl

\_\_\_\_\_  
Joyce M. Stahl

GREATER PARK CITY COMPANY

By \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

EXHIBIT B

STATE OF )  
 : ss.  
COUNTY OF )

On the \_\_\_\_\_ day of \_\_\_\_\_, 1973, personally appeared before me ELMER G. STAHL and JOYCE M. STAHL, his wife, signers of the foregoing Quitclaim Deed, who duly acknowledged to me that they executed the same.

My Commission Expires: \_\_\_\_\_ Notary Public

Residing at:  
\_\_\_\_\_

STATE OF UTAH )  
 : ss.  
COUNTY OF SUMMIT )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1973, personally appeared before me J. WARREN KING, who, being by me duly sworn, did say that he is the President of GREATER PARK CITY COMPANY, a Utah corporation, and that the within and foregoing Quitclaim Deed was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said J. WARREN KING duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

My Commission Expires: \_\_\_\_\_ Notary Public

Residing at:  
\_\_\_\_\_

March 10, 1978

Mayor & City Council

In representing the homeowners of Thaynes Canyon Subdivisions #1 and #2, we have become concerned about the existing golf course.

Our concerns are these:

1. That the course may be sold to someone not wanting to continue its use as a golf course, but wanting to develop it into one or a number of subdivisions.
2. It has been reported to us that Mr. Ray Johnson desires to sell the course, but retains the driving range with the intent of subdividing. We feel that if this were to happen, the golf course would then be much less viable as a golf course and that such action would be the beginning of the end of the entire course.
3. The homes and lots that front on the course were sold at a premium price because of that frontage, and there seems to be little if anything assuring these owners that the course will remain in its present configuration.
4. That the city was concerned enough about preservation of open space to record documents to assure its continuation in the Holiday Ranch area, but have not done anything to assure the continued existence of the present course.
5. That with the demising of Greater Park City Company as it was three years ago, there seems to be a lack of concern for Greater Park City Company's planning efforts and little for any respect for the master plan created by that organization.



6. That portions of the golf course which were intended to remain as rough areas and view corridors are being considered for division into lots to be sold as home sites.

It is a well-known fact that the owners of golf course frontage lots pay a great portion in lot prices for a course's existence.

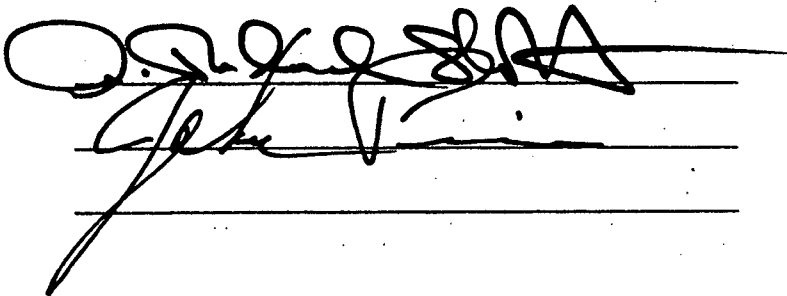
It therefore seems unreasonable that there hasn't been something done to assure the existing course's continued existence either by the initialed developer or the municipality.

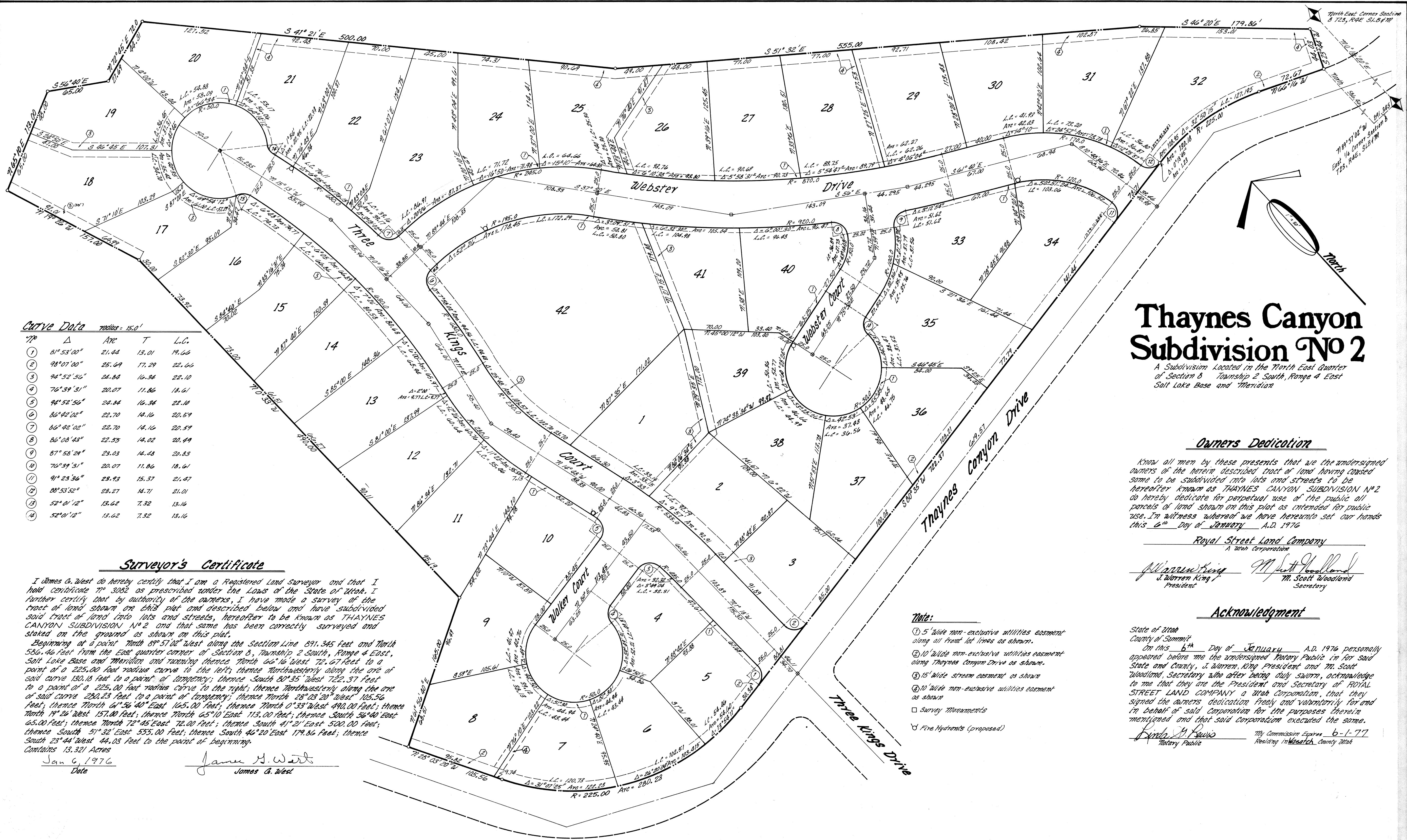
We suggest that the city initiate action to preserve the golf course not only for those of us living adjacent to it, but for all the present and future generations living in or visiting Park City.

If we as a group of homeowners can assist you in resolving this concern, please let us know.

Sincerely yours,

In behalf of the homeowners of Thaynes Canyon Subdivisions #1, and #2.





# Thaynes Canyon Subdivision No 2

A Subdivision Located in the North East Quarter of Section 8 Township 2 South Range 4 East Salt Lake Base and Meridian

## Owners Dedication

Know all men by these presents that we the undersigned owners of the herein described tract of land having caused same to be subdivided into lots and streets to be hereafter known as THAYNES CANYON SUBDIVISION No 2 do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use. In witness whereof we have hereunto set our hands this 6<sup>th</sup> day of January A.D. 1976

Royal Street Land Company

J. Warren King, President  
M. Scott Woodland, Secretary

## Acknowledgment

State of Utah County of Summit  
On this 6<sup>th</sup> day of January A.D. 1976 personally appeared before me the undersigned Henry Public in for said State and County, J. Warren King President and M. Scott Woodland, Secretary who after being duly sworn, acknowledge to me that they are the President and Secretary of ROYAL STREET LAND COMPANY a Utah Corporation, that they signed the owners dedication freely and voluntarily for and in behalf of said Corporation for the purposes therein mentioned and that said Corporation executed the same.

Henry Public, My Commission Expires 6-1-77  
Residing in Wasatch County Utah

## 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 below and have subdivided said tract of land into lots and streets, hereafter to be known as THAYNES CANYON SUBDIVISION No 2 and that same has been correctly surveyed and staked on the ground as shown on this plat.

Beginning at a point North 89°57'08" West along the Section Line 891.345 feet and North 58°46'46" East from the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian and thence North 66°16'16" West 72.67 feet to a point of a 225.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 130.18 feet to a point of tangency; thence South 80°35'12" West 722.87 feet to a point of a 225.00 foot radius curve to the right; thence Northwesterly along the arc of said curve 280.23 feet to a point of tangency; thence North 28°03'20" West 105.56 feet; thence North 61°36'40" East 165.00 feet; thence North 0°33'12" West 490.00 feet; thence North 19°26'12" West 157.00 feet; thence North 65°10'10" East 113.00 feet; thence South 56°40'40" East 65.00 feet; thence North 72°45'45" East 72.00 feet; thence South 41°21'21" East 500.00 feet; thence South 51°32'32" East 555.00 feet; thence South 46°20'20" East 179.86 feet; thence South 23°44'44" West 44.03 feet to the point of beginning.

Contains 13.321 Acres  
Jan 6, 1976  
Date  
James G. West  
James G. West

Prepared By: <b>J.J. Johnson &amp; Associates</b> Civil Engineering, Land Planning, Surveying 1515 Park Ave., p.o. box 1661 Park City, Utah 84060	City Planning Commission Approved & Accepted By The Park City Engineering Commission This 24 <sup>th</sup> Day of JAN A.D. 1976 <b>Burnis Watts</b> Chairman	Engineers Certificate Approved & Accepted By The Park City Engineering Department This 27 <sup>th</sup> Day of January A.D. 1976 <b>James A. Verbeke</b> Park City Engineer	Approval as to Form Approved As To Form This 29 <sup>th</sup> Day of JANUARY A.D. 1976 <b>Carl Sem</b> Park City Attorney	Certificate of Attest Attest This 13 <sup>th</sup> Day of February A.D. 1976 <b>Bruce C. Decker</b> Park City Recorder	Council Approval & Acceptance Approved & Accepted By The Park City Council This 13 <sup>th</sup> Day of February A.D. 1976 <b>Leon Uriarte</b> Mayor	130671 Recorded State of Utah County of Summit Recorded & Filed at the Request of: Summit County Title Date March 1, 1976 Time 3:15 Book Filed Page #2950 Fee \$ <b>Nanda Z. Springer</b> Summit County Recorder
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SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold certificate No. 4857264 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners, I have completed a survey of the property described on this existing conditions map in accordance with Section 17-23-20 and have verified all measurements.

LEGAL DESCRIPTION

All of Lot 42 Thaynes Canyon Subdivision No. 2, according to the official plot thereof and on file with the Summit County recorder's office.

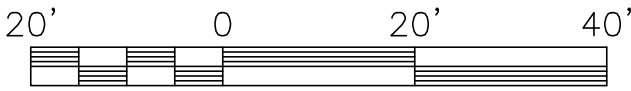
NOTES

1. Benchmark: Water meter = 6842.37' as shown hereon.  
2. See Thaynes Canyon Subdivision No. 2, recorded March 1, 1976 as Entry No. 130671 in the Summit County recorder's office.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 89°44'00" E	10.15'
L2	N 14°48'00" W	23.70'
L3	N 89°44'00" E	10.15'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	15.00'	22.70'	86°42'27"

LEGEND	
	EXISTING EVERGREEN TREE
	EXISTING ASPEN TREE
	EXISTING DECIDUOUS TREE
	EXISTING ASPHALT
	EXISTING CONCRETE
	EXISTING BRICK WALL



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

**STAFF:**  
ROB LOCK  
CHRIS GERVAIS  
CHANCE POULOS  
MEGAN BLOSSER

**DATE:** 02/20/2025

EXISTING CONDITIONS & TOPOGRAPHIC MAP  
THAYNES CANYON SUBDIVISION NO.2  
LOT 42

**FOR:** THAYNES CANYON TENNIS CLUB III  
**JOB NO.:** 2-12-24  
**FILE:** X:\ThaynesCanyon\dwg\srvt\topo2024\thaynes canyon lot 42.dwg

SHEET  
1  
OF  
1



FOR: \_\_\_\_\_  
DATE: \_\_\_\_\_  
BY: A  
ED: \_\_\_\_\_

DECLARATION OF  
PROTECTIVE COVENANTS FOR  
THAYNES CANYON SUBDIVISION NO. 2

THIS DECLARATION is made this 31<sup>st</sup> day of March, 1976  
by ROYAL STREET LAND COMPANY, a Utah corporation.

I. PURPOSE OF COVENANTS.

1.1 It is the intention of Royal Street Land Company, expressed by its execution of this instrument, that the property within Thaynes Canyon Subdivision No. 2 be developed and maintained as a highly desirable residential area. It is the purpose of these covenants that the present natural beauty, view and surrounding of Thaynes Canyon Subdivision No. 2 shall always be protected insofar as is possible in connection with the uses and structures permitted by this instrument. Royal Street Land Company hereby declares that the Property and every part thereof is held and shall be held, conveyed, devised, leased, rented, encumbered, used, occupied and improved and otherwise affected in any manner subject to the provisions of this Declaration, each and all of which provisions are hereby declared to be in furtherance of the general plan and scheme of ownership referred to herein and are further declared to be for the benefit of the Property and every part thereof and for the benefit of each owner thereof. All provisions hereof shall be deemed to run with the land as covenants running with the land or as equitable servitudes as the case may be, and shall constitute benefits and burdens to the Declarant, its successors and assigns, and to all parties hereafter owning any interest in the Property.

BOOK M79 PAGE 224

Entry No.	<u>131393</u>	Book	<u>M79</u>
RECORDED	<u>4-23-76</u>	at	<u>2:00PM</u> Page <u>224-241</u>
REQUEST of	<u>Summit County Title</u>		
FEE	<u>\$ 19.50</u>		
INDEXED	<u>WANDA Y. SPRIGGS, SUMMIT CO. RECORDER</u>		
	By <u>Wanda Y. Spriggs</u>		
	ABSTRACT		

## II. DEFINITIONS.

2.1 Declarant: "Declarant" means Royal Street Land Company, together with its successors and assigns.

2.2 Property: "Property" means that certain real property located in Summit County, Utah, described in Exhibit A attached hereto.

2.3 Building: "Building" means any building constructed on the property.

2.4 Lot: A "lot" shall mean any parcel of property shown as such on the recorded Subdivision plat.

2.5 Subdivision: "Subdivision" shall mean Thaynes Canyon Subdivision No. 2 as recorded in the records of Summit County.

## III. THAYNES CANYON HOMEOWNERS ASSOCIATION.

3.1 General Purposes and Powers: Thaynes Canyon No. 2 Homeowners Association ("Association") has been formed and incorporated as a Utah nonprofit corporation to be constituted and to perform functions as provided in this Declaration and to further the common interests of all owners of property which may be subject, in whole or in part, to any or all of the provisions, covenants, conditions and restrictions contained in this Declaration. The Association shall be obligated to and shall assume and perform all functions and obligations imposed on it or contemplated for it under this Declaration and any similar functions or obligations imposed on it or contemplated for it under any Supplemental or Amended Declaration with respect to any Property now or hereafter subject to this Declaration. The Association shall have all powers necessary or desirable to effectuate these purposes. It shall not engage in commercial, profit making activity.

3.2 Membership in Thaynes Canyon No. 2 Homeowners

Association: All persons who own or acquire the title in fee to any of the lands in the Subdivision (other than lands dedicated as public roads), by whatever means acquired, shall automatically become Members of the Association, in accordance with the Articles of Incorporation and By-Laws of said Association as presently in effect and as the same may be duly amended from time to time and also filed or recorded in the Summit County Records.

IV. ARCHITECTURAL COMMITTEE.

4.1 Architectural Committee: The Architectural Committee shall consist of three members. The Committee shall consist of two members selected by the Declarant with the one remaining membership being selected by the Thaynes Canyon No. 2 Homeowners Association. At such time as 90% of the lots are sold or in 5 years, whichever comes first, Declarant's memberships shall pass to the Homeowners Association. Said Architectural Committee shall have and exercise all of the powers, duties, and responsibilities set out in this instrument.

4.2 Approval by Architectural Committee: No improvements of any kind, including but not limited to dwelling houses, swimming pools, ponds, parking areas, fences, walls, tennis courts, garages, drives, bridges, antennae, flag poles, curbs and walks shall ever be erected, altered or permitted to remain on any lands within the Subdivision, nor shall any excavating, alteration of any stream, clearing, removal of trees or shrubs, or landscaping be done on any lands within the Subdivision, unless the complete plans and specifications therefor are approved by the Architectural Committee prior to the commencement of such work.

A fee of \$50 shall be paid to the Architectural Committee to cover costs and expenses of review. Improvements to be done after the initial improvements costing less than \$500 shall be submitted as directed to the Architectural Committee for approval but the fee of \$50 shall not be required. The Architectural Committee shall consider the materials to be used on the external features of said buildings or structures, including exterior colors, harmony of external design with existing structures within said subdivision, location with respect to topography and the adjacent golf course and finished grade elevations and harmony of landscaping with the natural setting and surrounding native trees, bushes and other vegetation. The complete architectural plans and specifications must be submitted in duplicate, must include at least four different elevation views. One complete copy of plans and specifications shall be signed for identification by the owner and left with the Architectural Committee. In the event the Architectural Committee fails to take any action within 45 days after complete plans for such work have been submitted to it, then all of such submitted plans shall be deemed to be approved. In the event the Architectural Committee shall disapprove any plans, the person submitting such plans may appeal the matter at the next annual or special meeting of the Members of the Association, where an affirmative vote of at least two-thirds of the membership shall be required to change the decision of the Architectural Committee.

4.3 Variances: Where circumstances, such as topography, hardship, location of property lines, location of trees, brush, streams or other matters require, the Architectural Committee may, by an affirmative vote of a majority of the members of the Architectural Committee, allow reasonable

variances as to any of the covenants and restrictions contained in this instrument, on such terms and conditions as it shall require.

4.4        General Requirements: The Architectural Committee shall exercise its best judgment to see that all improvements, construction, landscaping, and alterations on the lands within the Subdivision conform and harmonize with the natural surroundings and with existing structures as to external design, materials, color, siting, height, topography, grade and finished group elevation.

4.5        Preliminary Approvals: Persons who anticipate constructing improvements on lands within the Subdivision, whether they already own lands or are contemplating the purchase of such lands may submit preliminary sketches of such improvements to the Architectural Committee for informal and preliminary approval or disapproval. All preliminary sketches shall be submitted in duplicate and shall contain a proposed site plan together with sufficient general information on all aspects that will be required to be in the complete plans and specifications to allow the Architectural Committee to act intelligently on giving an informed and preliminary approval or disapproval. The Architectural Committee shall never be finally committed or bound by any preliminary or informal approval or disapproval until such time as complete plans are submitted and approved or disapproved.

4.6        Plans: The Architectural Committee shall disapprove any plans submitted to it which are not sufficient for it to exercise the judgment required of it by these covenants.

4.7        Architectural Committee Not Liable: The Architectural Committee shall not be liable in damages to any person submitting any plans for approval, or to the Association or to any owner or



owners of lands within the Subdivision, by reason of any action, failure to act, approval, disapproval, or failure to approve or disapprove, with regard to such plans. Any person acquiring the title to any Property in the Subdivision or any person submitting plans to the Architectural Committee for approval, by so doing shall be deemed to have agreed and covenanted that he or it will not bring any action or suit to recover damages against the Architectural Committee, its members as individuals, or its advisors, employees, or agents.

4.8      Written Records: The Architectural Committee shall keep and safeguard complete written records of all applications for approval submitted to it (including one set of all preliminary sketches and all architectural plans so submitted) and of all actions of approval or disapproval and all other actions taken by it under the provisions of this instrument which records shall be maintained for a minimum of five years after approval or disapproval.

4.9      Occupancy: No Building within the Property shall be occupied until and unless the owner of any Building shall first have obtained a written final inspection and approval from the Architectural Committee stating that the owner has completed the Building in accordance with, and complied with, all approved plans and is entitled to occupancy.

V.      GENERAL RESTRICTIONS ON ALL PROPERTY.

5.1      Zoning Regulations: No lands within the Subdivision shall ever be occupied or used by or for any Building or purpose or in any manner which is contrary to the zoning regulations applicable thereto validly in force from time to time.

5.2        No Mining, Drilling or Quarrying: No mining, quarrying, tunneling, excavating or drilling for any substances within the earth, including oil, gas, minerals, gravel, sand, rock, and earth, shall ever be permitted on the surface of the Property.

5.3        No Business Uses: The Lots within the Property except Lot 42, shall be used exclusively for residential living purposes, such purposes to be confined to approved residential Buildings within the Property. No Lots within the Property shall ever be occupied or used for any commercial or business purposes, provided, however, that Lot 42 may be used for the purpose of constructing and operating a tennis club and, provided, however, that nothing in this Paragraph 5.3 shall be deemed to prevent (a) Declarant or its duly authorized agent from using any Lot owned by Declarant as a sales office, sales model, property management office or rental office, or (b) any owner or his duly authorized agent from renting or leasing said owner's residential Building from time to time, subject to all of the provisions of this Declaration.

5.4        Restriction on Signs: With the exception of a sign no larger than three square feet identifying the architect and a sign of similar dimension identifying the prime contractor to be displayed only during the course of construction and a sign no larger than three square feet for the owner to advertise his home or lot for sale, no signs or advertising devices, including but without limitation, commercial, political, informational or directional signs or devices, shall be erected or maintained on any of the Property, except signs approved in writing by the Architectural Committee as to size, materials, color and location: (a) as necessary to identify ownership of the Lot and its

address; (b) as necessary to give directions; (c) as necessary to identify the aforementioned tennis club; (d) to advise of rules and regulations; (e) to caution or warn of danger; and (f) as may be required by law.

5.5      Restrictions on Animals: No animals or other pets shall be kept or allowed to remain on any of the Property unless and until written authorization is obtained from the Board of Trustees of the Association. The Board of Trustees, in its sole discretion, shall have the right to revoke such authorization at any time in its sole discretion and shall have the power to require any owner or lessee of lands in the Subdivision to remove any animal or other pet belonging to it which is not disciplined or which constitutes an undue annoyance to other owners or lessees of land in the Subdivision.

5.6      No Resubdivision: No Lot shall be resubdivided and no Building shall be constructed or allowed to remain on any tract that comprises less than one full lot.

5.7      Underground Utility Lines: All water, gas, electrical, telephone and other electronic pipes and lines and all other utility lines within the limits of the Property must be buried underground and may not be exposed above the surface of the ground.

5.8      Service Yards: All clothes lines, equipment, service yards or storage piles on any Lot in the Property shall be kept screened by approved planting or fencing so as to conceal them from the view of neighboring Lots, streets, access roads and areas surrounding the Property.

5.9      Maintenance of Property: All Property and all improvements on any Lot shall be kept and maintained by the owner thereof in clean, safe, attractive and sightly condition and in good repair.

5.10      No Noxious or Offensive Activity: No noxious or offensive activity shall be carried on upon any Property nor shall anything be done or placed on any Property which is or may become a nuisance or cause embarrassment, disturbance or annoyance to others.

5.11      No Hazardous Activities: No activities shall be conducted on any Property and no improvements constructed on any Property which are or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms shall be discharged upon any Property; and no open fires shall be lighted or permitted on any Property except in a contained barbecue unit while attended and in use for cooking purposes or within a safe and well-designed interior fireplace.

5.12      No Unsightliness: No unsightliness shall be permitted upon any of the Property. Without limiting the generality of the foregoing, (a) any unsightly structures, facilities, equipment, tools, boats, vehicles other than automobiles, objects and conditions shall be enclosed within an approved Building or appropriately screened from view, except equipment and tools when in actual use for maintenance or repairs; (b) no trailers, mobile homes, tractors, truck campers or trucks other than pickup trucks shall be kept or permitted to remain upon the Property; (c) no vehicle, boat or equipment shall be constructed, reconstructed, repaired or abandoned upon any of the Property; (d) no lumber, grass, shrub or tree clippings, plant waste, metals, bulk materials or scrap shall be kept, stored or allowed to accumulate on any of the Property, except in service yards meeting the requirements of Section 5.9; (e) refuse, garbage and trash shall be placed and kept at all times in a covered container and such container shall be kept within an enclosed structure or appropriately screened from view; (f) hanging,

drying or airing of clothing or household fabrics shall not be permitted within Buildings or on Lots if visible from Buildings, Lots or areas surrounding the Property.

5.13      No Annoying Lights, Sounds or Odors: No light shall be emitted from any Lot or Property which is unreasonably bright or causes unreasonable glare; no sound shall be emitted from any Lot or Property which is unreasonably loud or annoying including but without limitation, speakers, horns, whistles, bells or other sound devices, except security and fire alarm devices used exclusively to protect any of the Property or Buildings; and no odors shall be emitted from any Lot or Property which is noxious or offensive to others.

5.14      No Cesspools or Septic Tanks: No cesspools or septic tanks shall be permitted on any Property. Any other type of sewage disposal system shall be installed only after approval by the Architectural Committee and all governmental health authorities having jurisdiction.

5.15      Rules and Regulations: No owner shall violate the rules and regulations for the use of the Lots as adopted from time to time by the Association. No such rules or regulations shall be established which violate the intention or provisions of this Declaration or which shall unreasonably restrict the use of any Lot by the owner thereof.

5.16      Stream Crossings: Stream crossings for access to lots must be accomplished by the construction of single span bridges the design of which must be approved by the Architectural Committee in writing. Culverts for stream crossings are prohibited except under public dedicated roads.

VI. RESTRICTIONS ON LOTS.

6.1 Number and Location of Buildings: With the exception of Lot No. 42, no Buildings or structures shall be placed, erected, altered, or permitted to remain on any Lot other than one single family dwelling house, and one garage together with related nonresidential structures and improvements of the types described in Section 4.2 hereof. Each Lot must be improved with a garage with at least a two-car capacity at the time of construction of the dwelling house on the Lot.

The building sites for all such Buildings and structures shall be approved by the Architectural Committee. In approving or disapproving the building sites, the Architectural Committee shall take into consideration the locations with respect to topography and finished grade elevations and the effect thereof on the setting and surroundings of the Subdivision.

6.2 Residence Floor Area: The residence structure which may be constructed on a lot in the Property shall have a minimum living floor area, exclusive of garages, balconies, porches, and patios of 1,500 square feet.

6.3 Dwelling House to be Constructed First: With the exception of Lot No. 42, no garage or other structure shall be constructed on any Lot until after commencement of construction of the dwelling house on the same Lot except as otherwise specifically permitted by the Architectural Committee. All construction and alteration work shall be prosecuted diligently, and each Building, structure, or improvements which is commenced on any Lot shall be entirely completed within 18 months after commencement of construction.

6.4      Setbacks: All Buildings and structures on all Lots shall be setback at least 10 feet from the side and rear lot lines and a minimum of 20 feet from the front lot line. The "Front Lot Line" is defined to mean that Lot Line of a Lot abutting on a dedicated road. In the event a Lot abuts on more than one of such road, the owner or owners of such Lot shall be required to set back a minimum of 20 feet from each dedicated road.

6.5      Height Limitations: No building or structure shall be placed, erected, altered or permitted to remain on any Lot which exceeds a height of 30 feet measured vertically from the average finished grade elevation of the foundation of such building or structure.

6.6      Towers and Antennae: No Towers, and no exposed or outside radio, television or other electronic antennae, with the exception of television receiving antennae shall be allowed or permitted to remain on any lot.

6.7      Used or Temporary Structures: No used or previously erected or temporary house, structure, house trailer, mobile home, camper, or nonpermanent outbuilding shall ever be placed, erected, or allowed to remain on any Lot except during construction periods, and no dwelling house shall be occupied in any manner prior to its completion and approval in accordance with Section 4.9 hereof.

6.8      Fences: It is the general intention that all perimeter fencing within the Property have a continuity of appearance in keeping with the setting and surroundings of the Property. The term "perimeter fencing" is defined to mean fences along or near Lot lines or fencing not connected with

a Building or structure. All perimeter fencing shall be of a type specified by the Architectural Committee. No fence shall be allowed to be constructed or remain across a stream on the Property. Interior fences, screens or walls which are associated or connected with a Building or structure may be of such design, material and height as may be approved by the Architectural Committee.

6.9 Flashings and Roof Gutters: Flashing or roof gutters or other metal fittings on the exterior of Buildings shall be painted to match adjacent materials on Buildings.

6.10 Limitation on Driveway Access: Driveway access from Thaynes Canyon Drive to Lots 3, 5, 6, 7, 8, 32, 34, 35, 36 and 37 is specifically prohibited. Driveway access from Three Kings Court to Lots 4, 10 and 23 is specifically prohibited. Driveway access from Webster Drive to Lots 33 and 40 is specifically prohibited.

## VII ENFORCEMENT.

7.1 Enforcement and Remedies: The obligations, provisions, covenants, restrictions and conditions contained in this Declaration or any Supplemental or Amended Declaration with respect to the Association or Lots shall be enforceable by Declarant or by any owner of a Lot subject to this Declaration by a proceeding for a prohibitive or mandatory injunction. The obligations, provisions, covenants, restrictions and conditions contained in this Declaration or any supplemental or Amended Declaration with respect to a person or entity or property of a person or entity other than the Association or Declarant shall be enforceable by Declarant or the Association by a proceeding for a prohibitive or mandatory injunction. If court proceedings are instituted in connection with the rights of enforcement and remedies



provided in this Declaration, the prevailing party shall be entitled to recover its costs and expenses in connection therewith, including reasonable attorneys' fees.

7.2      Protection of Encumbrancer: No violation or breach of any provision, restriction, covenant or condition contained in this Declaration or any Supplemental or Amended Declaration and no action to enforce the same shall defeat, render invalid or impair the lien of any mortgage or deed of trust taken in good faith and for value and perfected by recording prior to the time of recording of an instrument giving notice of such violation or breach, or the title or interest of the holder thereof or the title acquired by any purchaser upon foreclosure of any such mortgage or deed of trust. Any such purchaser shall, however, take subject to this Declaration or any Supplemental or Amended Declaration except only that violations or breaches which occur prior to such foreclosure shall not be deemed breaches or violations hereof with respect to such purchaser, his heirs, personal representatives, successors and assigns.

7.3      Limited Liability: Neither Declarant, the Association, the Board of Trustees of the Association, the Architectural Committee nor any member, agent or employee of any of the same shall be liable to any party for any action or for any failure to act with respect to any matter if the action taken or failure to act was in good faith and without malice.

#### VIII.      GENERAL PROVISIONS.

8.1      Duration of Declaration: Any provision, covenant, condition or restriction contained in this Declaration or any Supplemental or Amended

Declaration which is subject to the common law rule sometimes referred to as the rule against perpetuities, shall continue and remain in full force and effect for the period of fifty years or until this Declaration is terminated as hereinafter provided, whichever first occurs. All other provisions, covenants, conditions and restrictions contained in this Declaration or in any Supplemental or Amended Declaration shall continue and remain in full force and effect until January 1, 2026 A.D., provided, however, that unless at least one year prior to said time of expiration, there is recorded an instrument directing the termination of this Declaration, executed by the owners of not less than two-thirds of the Lots then subject to this Declaration, said other provisions, covenants, conditions and restrictions shall continue automatically for an additional ten years and thereafter for successive periods of ten years unless, at least one year prior to the expiration of any such extended period of duration, this Declaration is terminated by recorded instrument directing termination signed by the owners of not less than two-thirds of the Lots then subject to this Declaration as aforesaid.

8.2 Amendment or Revocation: At any time while any provision, covenant, condition or restriction contained in this Declaration or any Supplemental or Amended Declaration is in force and effect, it may be amended or repealed by the recording of a written instrument specifying the amendment or the repeal, executed by the owners of not less than two-thirds of the Lots then subject to this Declaration. No such amendment or repeal shall be effective with respect to the holder or successor or assign of the holder of a mortgage or deed of trust recorded prior to recording of the

instrument specifying the amendment or repeal unless such holder executes the said instrument.

8.3        Severability: Invalidity or unenforceability of any provision of this Declaration or of any Supplemental or Amended Declaration in whole or in part shall not affect the validity or enforceability of any other provision or valid and enforceable part of a provision of this Declaration.

8.4        Captions: The captions and headings in this instrument are for convenience only and shall not be considered in construing any provision, restriction, covenant or condition contained in this Declaration.

8.5        No Waiver: Failure to enforce any provision, restriction, covenant or condition in this Declaration or in any Supplemental or Amended Declaration shall not operate as a waiver of any such provision, restriction, covenant or condition or of any other provision, restriction, covenant or condition.

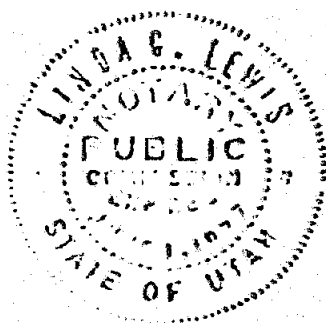
IN WITNESS WHEREOF, Royal Street Land Company has executed this Declaration the day and year first above written.

ROYAL STREET LAND COMPANY,  
a Utah Corporation

By J. Warren King  
J. Warren King, President

STATE OF UTAH                    )  
  : ss.  
COUNTY OF                    )

On the 31<sup>st</sup> day of March, 1976, personally  
appeared before me J. WARREN KING, who, being by me duly sworn did  
say that he is the President of ROYAL STREET LAND COMPANY, a Utah  
corporation, and that the within and foregoing Declaration of Protective  
Covenants for Thaynes Canyon Subdivision No. 2 was signed in behalf of  
said corporation by authority of the unanimous written consent of all of the  
Directors of its Board of Directors, and said J. WARREN KING duly  
acknowledged to me that said corporation executed the same and that the  
seal affixed is the seal of said corporation.



Linda G. Lewis  
Notary Public

Residing at Alpine City, Utah

EXHIBIT A  
TO DECLARATION OF PROTECTIVE COVENANTS  
FOR THAYNES CANYON SUBDIVISION No. 2

The land referred to in this report is situated in the County of Summit,  
State of Utah, and is described as follows:

Beginning at a point North  $89^{\circ}51'02''$  West along the section line 891.345 feet and North 586.46 feet from the East quarter corner of Section 8, Township 2, South, Range 4 East, Salt Lake Base and Meridian and running thence North  $66^{\circ}16'$  West 72.67 feet to a point of a 225.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 130.18 feet to a point of tangency; thence South  $80^{\circ}35'$  West 722.37 feet to a point of a 225.00 foot radius curve to the right; thence Northwesterly along the arc of said curve 280.23 feet to a point of tangency; thence North  $28^{\circ}03'20''$  West 105.56 feet; thence North  $61^{\circ}56'40''$  East 165.00 feet; thence North  $0^{\circ}33'$  West 490.00 feet; thence North  $19^{\circ}26'$  West 157.00 feet; thence North  $65^{\circ}10'$  East 113.00 feet; thence South  $56^{\circ}40'$  East 65.00 feet; thence North  $72^{\circ}45'$  East 72.00 feet; thence South  $41^{\circ}21'$  East 500.00 feet; thence South  $51^{\circ}32'$  East 555.00 feet; thence South  $46^{\circ}20'$  East 179.86 feet; thence South  $23^{\circ}44'$  West 44.03 feet to the point of beginning.

Contains 13.321 Acres.

Also known as Lots No. 1 through 42, Thaynes Canyon Subdivision No. 2 according to the official plat thereof. Said Subdivision was recorded in Summit County, Utah on March 1, 1976 as Document No. 130671.

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# Planning Commission Staff Report



**Subject:** Clark Ranch  
Affordable Housing Development  
**Application:** PL-25-06656 - Zone Change  
**Authors:** Planning Team  
Nan Larsen, Senior Planner  
Lillian Zollinger, Planner III  
Meredith Covey, Planner II  
**Date:** September 24, 2025  
**Type of Item:** Work Session with Public Input

## Disclosure

Park City Municipal Corporation owns the Clark Ranch property and authorized The Alexander Company to propose an affordable housing development on no more than ten acres through a public-private partnership.

## Recommendation

In preparation for a future public hearing, (I) review the Applicant's proposal to rezone Recreation and Open Space acreage within the Sensitive Land Overlay to Residential Development-Medium Density for an affordable housing development on no more than ten acres, (II) allow public input, and (III) provide input to the Applicant.

## Description

Applicant:	The Alexander Company, Inc. Representative, Chris Day
Location:	A portion of Parcel PC-SS-121-X, owned by Park City Municipal
Zoning District:	Recreation and Open Space Sensitive Land Overlay
Adjacent Land Uses:	Park City Heights, Trails, and Open Space
Reason for Review:	The Planning Commission reviews Zone Changes, conducts a public hearing, and makes a recommendation to the City Council for Final Action. <sup>1</sup>

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<sup>1</sup> LMC [§ 15-1-7](#) Amendments to the Land Management Code and Zoning Map

CUP	Conditional Use Permit
LMC	Land Management Code
MPD	Master Planned Development
ROS	Recreation and Open Space
SLO	Sensitive Land Overlay

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

## Background

Park City Municipal Corporation (PCMC) owns four parcels south of SR-248 that comprise the 344-acre Clark Ranch property in Quinn's Junction within the Recreation and Open Space (ROS) Zoning District and Sensitive Land Overlay (SLO) bisected by HWY 40.<sup>2</sup>



Figure 1: This map shows the properties within the Southeast Quinn's Junction area annexed into Park City in 2022. The Clark Ranch property is shown in dark green and is south of SR-248, bisected by HWY 40.

<sup>2</sup> Parcels PC-SS-91-X (~46 acres), PC-SS-121-X (~125 acres), PC-PP-26-X (~126 acres), and PC-PP-26-A-1-AX (~44 acres).



The Applicant proposes the Clark Ranch Subdivision within the portion of Clark Ranch directly west of HWY 40 and south of Park City Heights to create an area not to exceed ten acres, consisting of three development pods for an affordable housing project. The remaining Clark Ranch acreage is proposed to be protected Open Space through a conservation easement.



*Figure 2: Looking southeast. The area proposed within the Clark Ranch property for the affordable housing development. Park City Heights homes existing and under construction are in the foreground; HWY 40 is to the left.*

On December 17, 2014, the City purchased the Clark Ranch property, which was in unincorporated Summit County at the time, from the Florence J. Gillmor Estate.

On March 3, 2016, the Citizens Open Space Advisory Committee (“COSAC”) recommended to City Council parameters and values of the proposed preservation of the Clark Ranch property ([Packet, Work Session Item 4, p. 78](#), [Minutes p. 4](#)). The Committee unanimously recommended that up to ten acres in the northwest corner of the parcel adjacent to Park City Heights be excluded from the proposed conservation easement for senior or affordable housing and/or essential services, such as a fire station.



## Clark Ranch Parcels

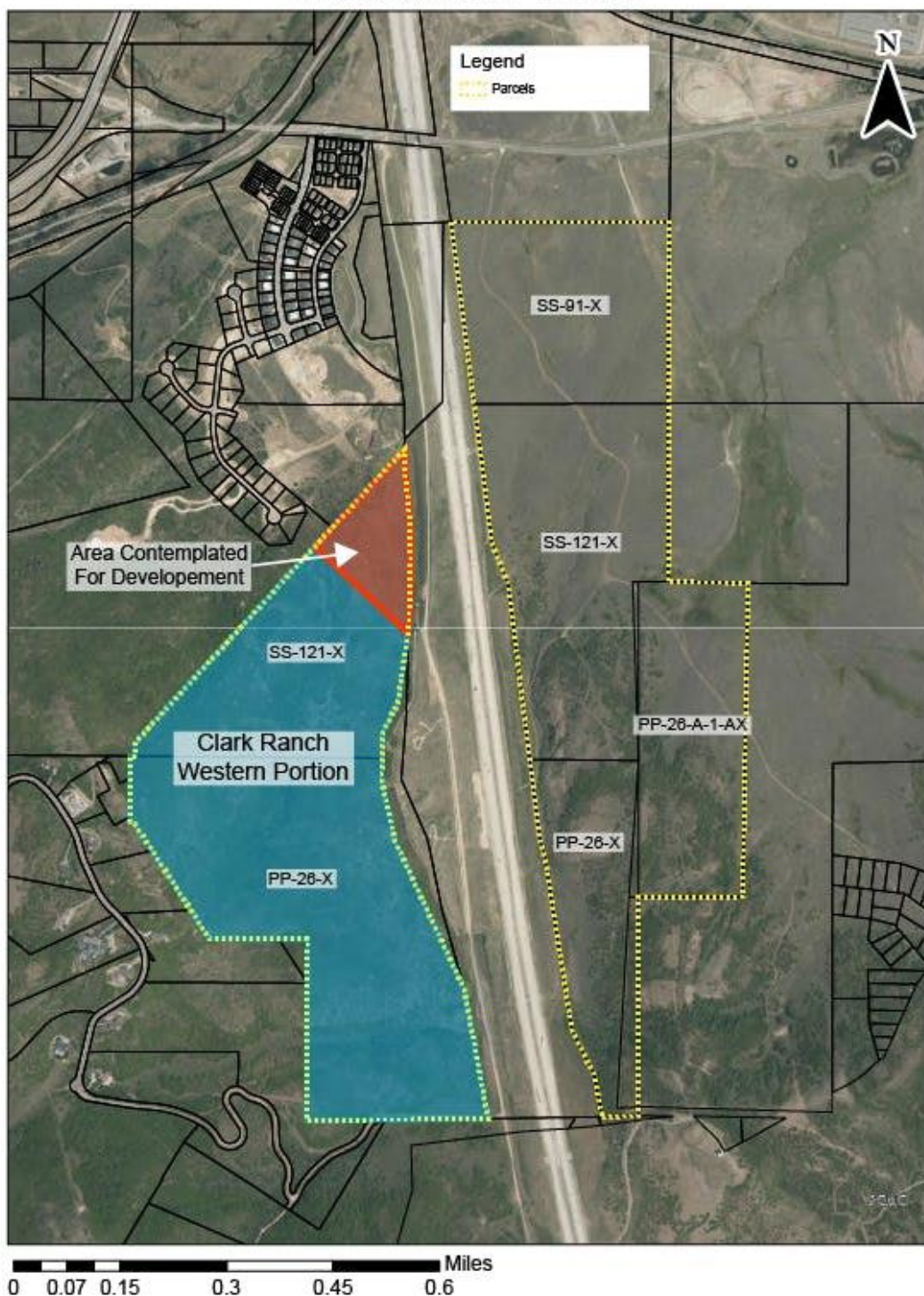


Figure 3: Map displaying the Clark Ranch parcels outlined in yellow, the western portion of Clark Ranch in blue, and the area proposed to be developed with affordable housing in red. This map was presented to City Council in 2020.

On June 16, 2022, the City Council approved [Ordinance No. 2022-18](#) annexing the property into Park City ([Staff Report p. 195](#), [Minutes p.10](#)). Ordinance No. 2022-18 acknowledged the City purchased the Clark Ranch property with Resort Communities

Tax open space funds with plans for a conservation easement and potential for limited non-open space uses. The annexation staff report included the following:

*The Clark Ranch property is owned by the City and the majority of the 344 acres will be protected open space pursuant to a conservation easement. Public trails are under construction with future expansion planned into 2023 to enhance the City's trail system and to interconnect with regional trails. Limited acreage may be designated by the City Council for non-open space uses, subject to future rezoning for uses beyond those outlined in the Recreation and Open Space Zoning District. The City Council directed the Housing Department to evaluate the feasibility and suitability of affordable housing on limited acreage in the Clark Ranch area. Any proposed uses beyond those outlined in the Recreation and Open Space Zoning District regulations will trigger public notice, a Planning Commission public hearing and recommendation to City Council, and a City Council public hearing and action.*

In 2022, the City conducted a Feasibility Study prepared by Stereotomic to evaluate infrastructure, site suitability, and community needs for ten acres within Clark Ranch. The [Feasibility Study](#) was presented to the City Council on November 2, 2023 ([Staff Report](#), [Minutes p. 2](#)) and was continued to December 5, 2023 for additional discussion ([Staff Report](#), [Minutes p. 2](#)). The Feasibility Study outlined low, medium, and high-density concepts for affordable housing. Concept 2, the medium density option, preferred by the City Council, proposed the development of 150-200 units, incorporating a mix of townhomes and Multi-Unit Dwellings with Open Space to balance housing development with open areas and green spaces. At City Council's direction, the City issued a Request for Proposals to identify a development partner and selected The Alexander Company on January 9, 2025 ([Staff Report](#), [Minutes p. 1](#)).



*Figure 4: Concept 2 rendering reviewed by City Council on January 9, 2023 from the Feasibility Study.*

On July 10, 2025, The Alexander Company presented three schematic design options to the City Council ([Staff Report](#), [Minutes, p. 14](#)). The City Council directed the developer to proceed with the planning process based on the medium density design.

On August 8, 2025, The Alexander Company submitted applications for a Zone Change, Subdivision, Master Planned Development (MPD), and Conditional Use Permit (CUP) for Planning Commission review. The Applicant proposes three Multi-Unit Dwellings each with a first-level shared garage structure and two levels of residential units above (167 units total) (Phase I) and 34 townhomes (Phase II).



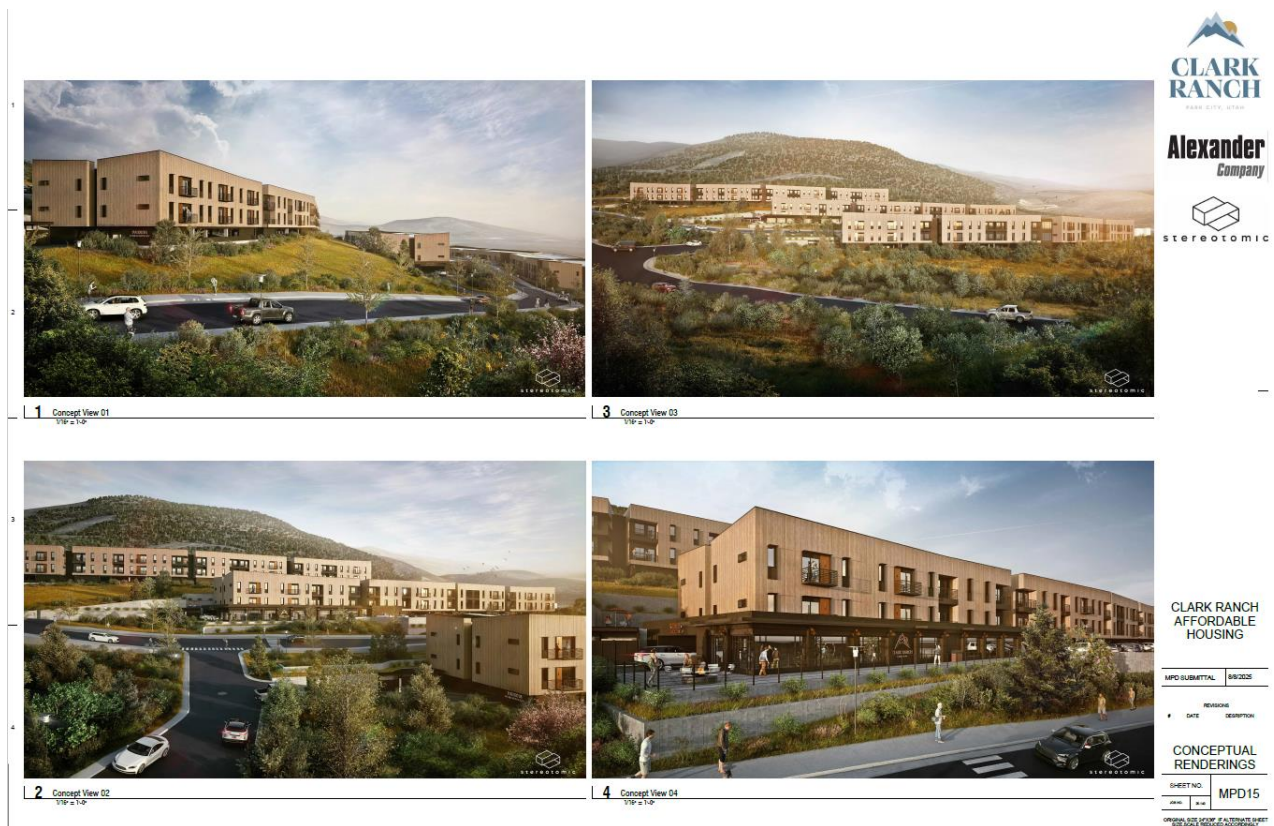


Figure 5: Conceptual Renderings of Multi-Unit Dwellings provided by the Applicant.



Figure 6: Looking southwest. Proposed development showing Phases I and II viewed across HWY 40 provided by the Applicant.

On September 4, 2025, the City Council discussed the unit mix with The Alexander Company ([Staff Report](#); [Audio](#)).

On September 10, 2025, the Planning Commission conducted a site visit, The Alexander Company provided a project overview, and the Planning Commission provided input on the proposed Subdivision review process ([Packet](#), Item 5.A, [Audio](#)):

- Clarification is needed on the ten-acre limitation.
- The preliminary and final subdivision reviews may be completed concurrently.
- The requirement to include all contiguous City-owned property in the Clark Ranch Subdivision is waived with the understanding that the remaining acreage is protected through a conservation easement.
- Creating development pods to clearly establish future limitations is recommended.
- The project should include a family-friendly gathering space for community or recreational use.

The Alexander Company requests the Planning Commission consider forwarding a recommendation to the City Council on the proposed rezone and taking final action on the Subdivision this year, with detailed review of the MPD and CUP applications for the Multi-Unit Dwellings (Phase I) and townhomes (Phase II) reviewed by the Planning Commission later.

Additional Planning Commission review and public hearings for the proposed rezone and Subdivision are scheduled for October 8, 2025 and November 12, 2025.

Staff requests Planning Commission input on the potential rezone not to exceed ten acres for the affordable housing development, with considerations outlined in the Analysis Section below. The Applicant's Open Space exhibit below outlines the proposed areas to be rezoned (white and gray) and Open Space acreage (yellow with red hatching) within 57 of the ~344 Clark Ranch acres:



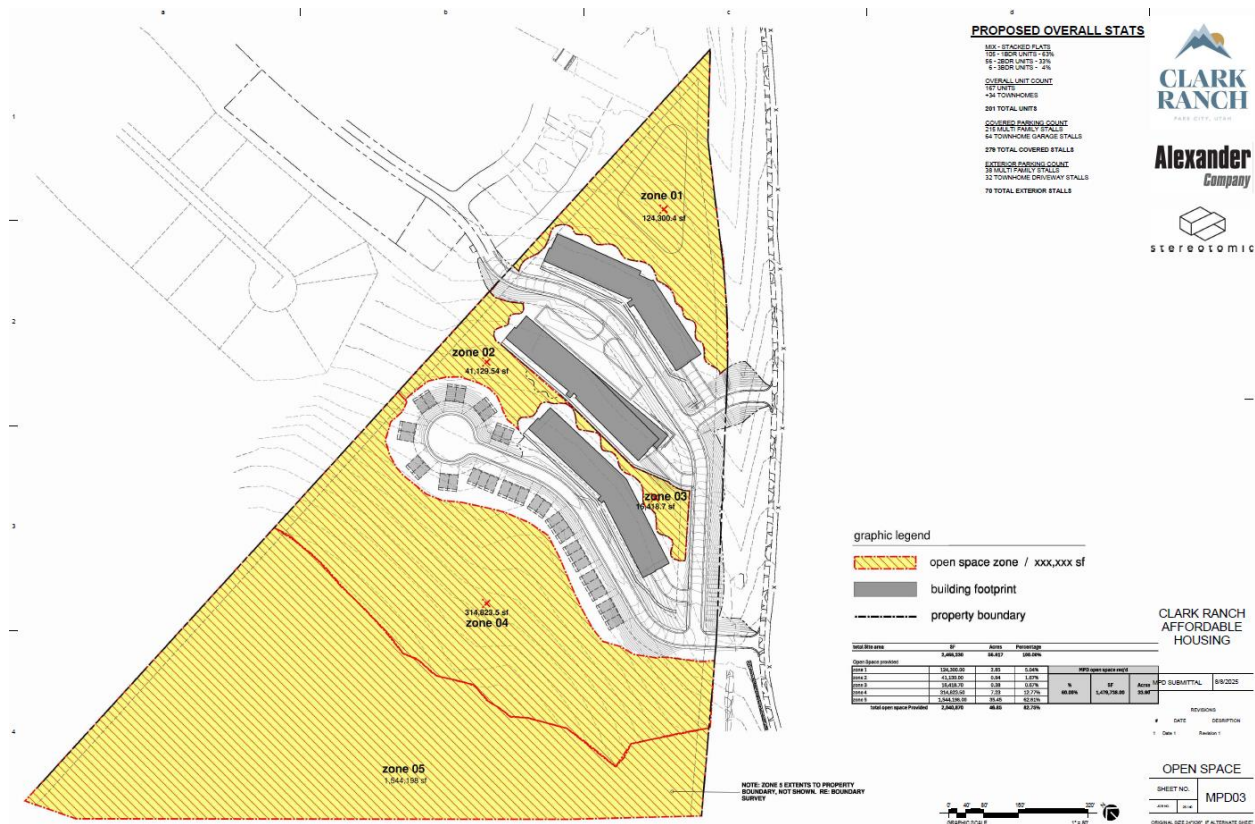


Figure 7: Applicant's Proposed Rezoned Area for Development in Gray/White Separated from Open Space (yellow with red hatching).

The Applicant's table from the above map, provided below, outlines areas protected as Open Space, totaling 46.85 acres, meaning 9.77 acres are proposed to be within the rezoned development pods:

Total Site Area	Square Feet	Acres	Percentage
	2,466,230	56.617	100.00%
Open Space Provided			
Zone 1	124,300.00	2.85	5.04%
Zone 2	41,130.00	0.94	1.67%
Zone 3	16,418.70	0.38	0.67%
Zone 4	314,823.50	7.23	12.77%
Zone 5	1,544,198.00	35.45	62.61%
<b>Total Open Space Provided</b>	<b>2,040,870</b>	<b>46.85</b>	<b>82.75%</b>

Figure 8: Applicant's Table Showing Open Space within the 56.617-acre Subdivision.

## **Analysis**

**(I) The 2025 Moderate Income Housing Plan establishes a goal and strategy to rezone limited acreage within Clark Ranch to provide higher density and reduced parking for the development of affordable and attainable housing.**

[The 2025 Update to the 2022 Moderate Income Housing Plan](#), the Housing Element of the General Plan, establishes the following:

GOAL II: Enact zoning changes and amend the Land Management Code to incentivize the development of affordable housing.

*State Strategy A: Rezone for densities necessary to facilitate production of moderate income housing.*<sup>3</sup>

- Rezone the City-owned land at Clark Ranch and Bonanza Park to provide higher density and reduced parking for the development of affordable and attainable housing.

The Applicant proposes constructing 167 affordable units in three Multi-Unit Dwellings and 34 market-rate townhomes, for a total of 201 units, or 20.1 units per acre within the ten-acre area proposed to be rezoned. The Applicant proposes a minimum of 62.1 Residential Unit Equivalents<sup>4</sup> (124,185 square feet) deed restricted affordable units in three Multi-Unit Dwellings. Approximately 38.25 Residential Unit Equivalents (76,500 square feet) are proposed to be market rate townhomes. This means approximately 60% of the Residential Unit Equivalents are proposed to be deed restricted affordable units. As part of the MPD process, the Planning Commission forwards a recommendation to the Housing Authority (City Council) on the Applicant's Housing Mitigation Plan for final review and action.

## **(II) The area proposed to be rezoned is within the Sensitive Land Overlay.**

The ten acres within the Clark Ranch property proposed to be rezoned are within the Sensitive Land Overlay (SLO). LMC [Section 15-2.21-1](#) outlines the purposes of the Sensitive Land Overlay:

- Require dedicated Open Space in aesthetically and environmentally sensitive areas.
- Encourage preservation of large expanses of Open Space and wildlife habitat.
- Cluster development while allowing a reasonable use of property.
- Prohibit development on Ridge Line Areas, Steep Slopes, and wetlands.
- Protect and preserve environmentally sensitive land.

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<sup>3</sup> Utah Code [Section 10-9a-403\(2\)\(b\)\(iii\)\(A\)](#)

<sup>4</sup> LMC [Section 15-15-1](#) defines "Residential Unit Equivalent:" For Multi-Unit Dwellings, Residential Unit Equivalents are calculated on the basis of one (1) Unit Equivalent per 2,000 square feet and portions of Unit Equivalents for additional square feet above or below 2,000. For example: 2,460 square feet of a Multi-Unit Dwelling equals 1.23 Residential Unit Equivalents.

LMC [Section 15-2.21-2\(A\)](#) requires the Applicant to submit a Sensitive Land Analysis identifying Steep Slopes (Exhibit C), Ridge Line Areas and Crest of Hills (Exhibit D), wetlands, Stream Corridors, Wildland interface, and wildlife habitat areas (to be reviewed in a future meeting). LMC [Section 15-2.21-3](#) requires a visual assessment from designated vantage points (Exhibit B, pages 17-19). Staff may also request a fire protection report, which the Applicant submitted to be reviewed in a future meeting. LMC [Section 15-2.21-2\(C\)](#) requires staff to review the Sensitive Land Analysis and prepare a report to the Planning Commission identifying those areas suitable for development.

As outlined in [the September 10, 2025 Planning Commission Staff Report](#), the property proposed to be developed is visible from designated vantage points and contains Steep Slopes that range from 15% to 30%. In compliance with the SLO regulations, the Applicant has not proposed any development pods within the Subdivision containing Very Steep Slopes. The proposed development is not near a Ridge Line Area and development is not proposed near wetlands or Stream Corridors. A fire protection report, including compliance with the Wildland Urban Interface code, as well as a wildlife habitat area study and plan for construction, will be required at the time of MPD and CUP review. As a result, the rezone could retain the Sensitive Land Overlay designation so that the future MPD and CUP are reviewed subject to the SLO regulations.

***Does the Planning Commission recommend the ten acres retain the Sensitive Land Overlay?***

**(III) The Applicant proposes rezoning up to ten acres Residential Development-Medium Density. The Planning Commission could consider a modified Affordable Residential Development-Medium Density Zoning District or an Affordable Housing Overlay.**

The purposes of the Residential Development-Medium Density (RDM) Zoning District are to:

- Allow continuation of medium Density residential and resort related housing in the newer residential areas of Park City.
- Encourage the clustering of residential units to preserve Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of construction and municipal services.
- Allow limited generated businesses and recreational activities that are Compatible with residential neighborhoods.
- Allow Development in accordance with the Sensitive Lands Ordinance.
- Provide opportunities for variation in architectural design and housing types.
- Promote pedestrian connections within Development and between adjacent areas.



- Minimize impacts of the automobile on architectural design.<sup>5</sup>

To address the limitations of a rezone for affordable housing, the Planning Commission could consider a modified Affordable Residential Development Medium Density Zoning District or an Affordable Housing Overlay.

**Uses** – Allowed Uses in the RDM Zoning District include Single-Family, Duplex, and Triplex Dwellings, and Multi-Unit Dwellings require a Conditional Use Permit and may be approved through an MPD. Private Recreation Facilities are a Conditional Use.<sup>6</sup>

The Planning Commission could consider an Affordable RDM Zoning District to limit potential future uses. For example, the RDM allows for uses that may not be compatible with the proposed affordable housing development, including Lockout Units, Nightly Rentals, Food Truck Locations, Enclosed Mobile Business Locations, Guest Houses, Bed and Breakfast Inns, Boarding Houses, Hotels, Private Residence Clubs, Commercial, Restaurants, Hospitals, Commercial Stables, and Riding Academies.

**Density** – Density for the RDM Zoning District is limited to five units per acre, or eight units per acre within an MPD. Development must be clustered to preserve common Open Space, and protect Sensitive Lands, view corridors, and prominent Ridge Line Areas. However, within the RDM Zoning District, Affordable Master Planned Developments (AMPDs) may be proposed<sup>7</sup> and density within an AMPD is volume based, determined by setbacks (which are reduced from the otherwise required 25-foot perimeter setback), building height (up to 45 feet), and Open Space requirements (20%).<sup>8</sup> An AMPD would enable a project far denser than the proposed 201 units.

As a result, the Commission could consider an Affordable RDM Zoning District to limit the density to no more than the proposed 20.1 units per acre with the requirement that at least 60% of the Residential Unit Equivalents be deed restricted affordable units.

**Building Height** – The RDM Zoning District establishes a maximum building height of 28 feet from Existing Grade.<sup>9</sup> Rezoning to the RDM would allow for a potential AMPD with up to 45 feet in building height by right. The Planning Commission may also consider building height exceptions through the MPD review.<sup>10</sup>

However, the Planning Commission could consider a modified Affordable RDM Zoning District to establish criteria for evaluation when considering building height exceptions that take into account the unique features of the site (Steep Slopes), minimization of visual impacts from designated vantage points, landscaping and buffering requirements, increased setbacks from adjacent properties, and compatibility considerations like

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<sup>5</sup> LMC [Section 15-2.14-1 Residential Development-Medium Density District Purpose](#)

<sup>6</sup> LMC [Section 15-2.14-2 Residential Development-Medium Density District Uses](#)

<sup>7</sup> LMC [Section 15-6.1-3 Affordable Master Planned Development Zoning District and Uses](#)

<sup>8</sup> LMC [Section 15-6.1-6 Affordable Master Planned Development Zoning District Density](#)

<sup>9</sup> LMC [Section 15-2.14-4 Residential Development-Medium Density Building Height](#)

<sup>10</sup> LMC [Section 15-6-5\(F\) Master Planned Development Requirements – Building Height](#)

breaking up massing into modules and variation in roof forms.

**(IV) The Planning Commission could consider a sunset clause that connects the proposed rezone to the affordable housing development.**

The Planning Commission could consider a sunset clause to the recommended rezone ordinance – if the MPD and CUP are not approved by the Planning Commission, or the project is not constructed, with a minimum of 60% Residential Unit Equivalents, then the rezone expires and reverts to Recreation and Open Space. This would mean that any future uses proposed beyond those outlined in the Recreation and Open Space Zoning District regulations would trigger a new rezone application with public notice, a Planning Commission public hearing and recommendation to City Council, and a City Council public hearing and action.

***Would the Planning Commission like to evaluate a sunset clause as part of the proposed rezone?***

**Department Review**

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.<sup>11</sup>

**Public Input**

Public input is attached as Exhibit F.

**Exhibits**

- A: Applicant's Narrative
- B: Proposed Plans
- C: Applicant's Slope Analysis
- D: Applicant's Ridge Line Analysis
- E: Applicant's Updated Development Pods
- F: Public Input

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<sup>11</sup> The Development Review Committee reviewed the proposal on August 19, 2025.

Clark Ranch  
Park City, Utah

## **Project Description – Master Plan Development (MPD)**

### **General Description**

The Alexander Company is proposing a new construction development on the Clark Ranch site. The project will comprise approximately 167 multi-family units and 34 townhome units, totaling 201 dwelling units. Garage and surface parking will be available, providing ample parking stalls for residents and guests.

The anticipated number of units in the Clark Ranch Development surpasses Park City's statutory threshold for the number of residential equivalents. Therefore, the development team is requesting the approval of the Master Plan Development Permit to progress this catalytic development.

### **How will the proposed use “fit in” with surrounding uses?**

The site is bounded to the north by Park City Heights, which is zoned as Community Transition and provides single-family housing. To the west, there are additional single-family structures that are designated under the Estate zoning code. To the south is vacant land that is beyond the municipality's boundaries. To the east is a continuation of the Recreation Open Zoning that is currently established on the applicant's portion of the Clark Ranch site.

As shown in the aerial images, site plans, and perspectives, the project thoughtfully groups 167 units into three distinct buildings, low on the site, minimizing site disturbance while maximizing housing opportunities for working families, teachers, and essential service providers who are being priced out of Park City.

By consolidating units into three volumes, we maintain open space, reduce infrastructure costs, and create a more efficient development footprint—without sprawl or unnecessary density clustering.

The upper portion of the developable area, and potentially the most visible portion of the site, provides the area for the townhome's typology with an increase in massing variability. This portion of the project allows for a more standard transition between similar single-family development types at a higher vantage point.

### **What type of service will it provide to Park City?**

The redevelopment of the Clark Ranch site will provide vital housing resources that the city needs to continue to support its current and future workforce and broader communities.

The additional units will also provide the city with an increased tax base to better support its established services.

**Is the proposed use consistent with the current zoning district and with the General Plan?**

The development team is simultaneously submitting a Zone Change Application in conjunction with this Conditional Use Permit. The team is requesting a rezone of a 10-acre pod from the project site's current status as Recreational Open Space to the Residential Development Medium-Density (RDM) District. Under that district, multi-family development is an allowed use under conditional approval.

The Clark Ranch redevelopment aligns with Park City's updated General Plan by advancing its goals for sustainable, compact, and walkable community design that reduces sprawl and preserves surrounding open space. The project incorporates a diverse mix of housing types, including affordable options, to support the city's commitment to socioeconomic diversity and local workforce retention. Additionally, it intends to integrate multimodal transportation connections, energy-efficient building practices, and accessible amenities, directly supporting the City's priorities for mobility, environmental stewardship, and community livability.

**Is the proposed use similar or compatible with other uses in the same area?**

The focus of this redevelopment is to provide housing to the Park City community. The development site is bordered by housing on two sides and a highway on the third. With proximity to open space and existing community resources, the redevelopment team believes that this use is compatible with its adjacent parcels.

**Is the proposed use suitable for the proposed site?**

The development team believes that the proposed site is suitable for the proposed multi-family and single-family development types. The design of this development intentionally avoids areas of steep slopes and conforms to the natural topography of the land.

Each of the three buildings is designed as a bent bar, conforming to the natural topography, as seen in the site plans and exterior elevations. This form eliminates the need for excessive retaining walls or extensive soil cutting, preserving the site's geological integrity and reducing construction costs. Rather than imposing onto the hillside, the buildings adapt to it—an act of restraint and respect that helps this project the landscape rather than atop it.

The townhome typology situates the lowest level on grade with the access road, with the main living occurring on the second level, providing on-grade patios as they match the existing topography.

**Will the proposed use emit noise, glare, dust, pollutants, and odor?**

In images provided in the exhibits, specifically with the perspectives and exterior elevations, you'll notice the clean roof lines and calm material palette. The facades are purposefully minimal, crafted with muted tones and natural textures to blend seamlessly into the surrounding high desert landscape.

By keeping the massing low and the architectural expression subdued, we strive to reduce Clark Ranch's impact on the expansive views and natural open spaces that define Park City's identity

The Clark Ranch redevelopment will help mitigate odor and pollution impacts in Park City by incorporating modern infrastructure and environmentally conscious design that reduces renters' reliance on older, higher-emission systems that are provided in older housing stock. By integrating green building standards, enhanced stormwater management, and strategic landscaping buffers, the project will improve local air quality and minimize nuisance odors for surrounding neighborhoods.

**What will be the hours of operation, and how many people will be employed?**

The leasing office is expected to be open during normal business hours (9:00 a.m. - 5:00 p.m.) on weekdays. There will be no other commercial activity on the property, except for emergency maintenance requests. The anticipated staff will range between two (2) to four (4) people, consisting of site management and site maintenance personnel.

**Are there other special issues that need to be mitigated?**

None that the development team is currently aware of. Thank you.





# Alexander Company



# CLARK RANCH AFFORDABLE HOUSING - PHASE I

## owner

The Alexander Company  
2450 Rimrock Rd. Ste. 100  
Madison, WI 53713  
(608) 268-8105  
contact: Chris Day

## architect

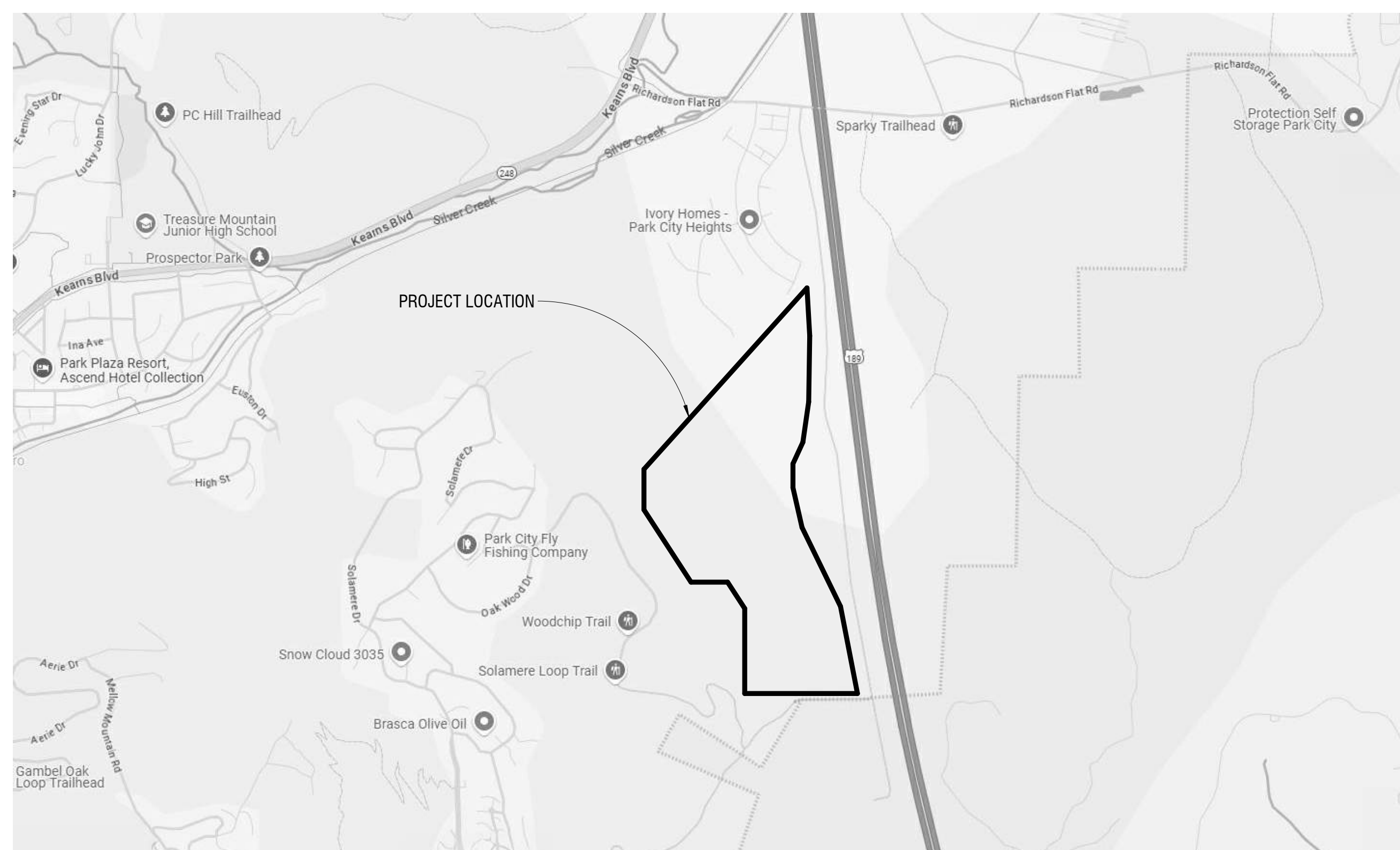
Stereotomic  
1526 W Ute Blvd STE 111  
Park City, UT 84098  
(801) 435-640-6850  
contact: Jarrett Moe

civil

Talisman  
1588 S Main St #200  
Salt Lake City, UT 84115  
(801) 743-1300  
contact: Dan Barque

landscape

Langvardt Design Group  
336 W Broadway Ste. 110  
Salt Lake City, UT 84101  
(801) 362-2339  
contact: Adam Castor



## Vicinity Map



MPD DRAWING INDEX	
Sheet Number	Sheet Name
Entitlements	
MPD00	COVER SHEET
MPD01	PROJECT STATISTICS
MPD02	ARCH SITE PLAN
MPD02.1	ROOF OVER TOPO PLAN
MPD03	OPEN SPACE
MPD04	BLDG A-FLOOR PLAN
MPD05	BLDG B-FLOOR PLANS
MPD06	BLDG C-FLOOR PLANS
MPD07	TYP UNIT PLANS
MPD08	TYP UNIT PLANS
MPD09	BLDG A - EXT. ELEV.
MPD10	BLDG B - EXT. ELEV.
MPD11	BLDG C - EXT. ELEV.
MPD12	BLDG & SITE SECT.
MPD13	VISUAL CONTEXTUAL ANALYSIS
MPD13.1	VISUAL CONTEXTUAL ANALYSIS
MPD14	VISUAL CONTEXTUAL ANALYSIS
MPD15	CONCEPTUAL RENDERINGS
MPD16	CONCEPTUAL RENDERINGS

# CLARK RANCH AFFORDABLE HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

## COVER SHEET

SHEET NO.		MPD00
JOB NO.	25.140	

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET  
SIZE,SCALE REDUCED ACCORDINGLY



1

2

3

4

CLARK RANCH - GENERAL DEVELOPMENT STATISTICS						
Density	Unit size (SF)	# of units		Units per acre		3.55
Parcels		acre			R.U.E. per acre	1.77
	PC-SS-121-X	2466230	56.62			
		0				
	Open Space		46.85		82.7%	
	Developed area		9.77		17.3%	
		2,466,230	56.62			
					56.617	
Units total						201
Parking total (req'd)						253
Parking Total (provided)						
Total F/A/R						0.08
Open Space						
Unit distribution						*PARKING PER MPD
MF / stacked flat Units		PC R.U.E.		SF subtotal		
1 bdr	619	105	32.4975	64995	63%	105.0
2 bdr	936	56	26.208	52416	34%	56.0
3 bdr	1129	6	3.387	6774	4%	9.0
bldg units		167	62.0925	124185		
bldg park required						170
bldg park provided						195
Surf park provided						34
Total Parking Provided						229
Parking Ratio (per unit)						1.37
Townhome / Duplex units (potential market rate)						
3+ bdr	2300	17	19.55	39100	50%	34
	0	0	0	0	0%	0
2 bdr	2200	17	18.7	37400	50%	34
Single Family Home	0	0	0	0	0%	0
bldg units		34	38.25	76500		
bldg park required						68
bldg park provided						72
Parking Ratio (per unit)						2.12
Total Residential	LOT 1	167	62.0925	124,185.00 SF	170	
	LOT 1+2	201	100.3425	76,500.00	68	
Commercial				5,000 SF	15	
Total SF		205,685				
Max F/A/R		site area				2,466,230
		building area				0.083
Total Parking, Req'd						253
Total Parking, Provided						349
Total Parking Ratio						1.74
Total F/A/R						0.08

total Site area	SF	Acres	Percentage
	2,466,230	56.617	100.00%
Open Space provided			
zone 1	124,300.00	2.85	5.04%
zone 2	41,130.00	0.94	1.67%
zone 3	16,418.70	0.38	0.67%
zone 4	314,823.50	7.23	12.77%
zone 5	1,544,198.00	35.45	62.61%
total open space Provided	2,040,870	46.85	82.75%

CLARK RANCH - ENTITLEMENT PARKING/BIKE									
Unit Distribution	Unit Size	Unit #'s	Min. Req'mnts		EV Chargers		Bike Parking		
			RM zone	MPD	Pre Wire	Install	Outdoor	1% large spaces (3'x10')	Indoor
1 Bdr	619	105	105	105	57.65	12.65	25	1	67
2 Bdr	936	56	56	56					
3 Bdr	1129	6	9	9					
Townhomes - 2 bdr	2180	17	34	34					
Townhomes - 3 bdr	2230	17	34	34					
Amenities/comm.	5000	1	15	15					
total required		201	253	253	58	13	25	1	3
Current Design									
Provided		349							
parking Ratio		1.7							
Delta			96	96					
* needs to qualify based on AMPD 15.6.1.-9d									

PROPOSED OVERALL STATS

MIX - STACKED FLATS  
105 - 1BDR UNITS - 63%  
56 - 2BDR UNITS - 33%  
6 - 3BDR UNITS - 4%

OVERALL UNIT COUNT  
167 UNITS  
+34 TOWNHOMES

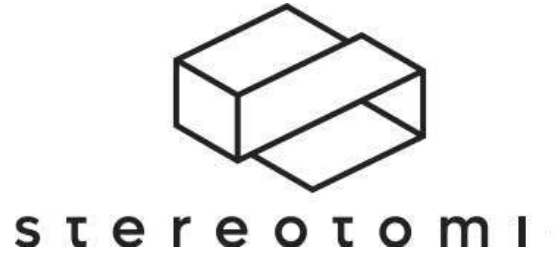
201 TOTAL UNITS

COVERED PARKING COUNT  
215 MULTI FAMILY STALLS  
64 TOWNHOME GARAGE STALLS

279 TOTAL COVERED STALLS

EXTERIOR PARKING COUNT  
38 MULTI FAMILY STALLS  
32 TOWNHOME DRIVEWAY STALLS

70 TOTAL EXTERIOR STALLS



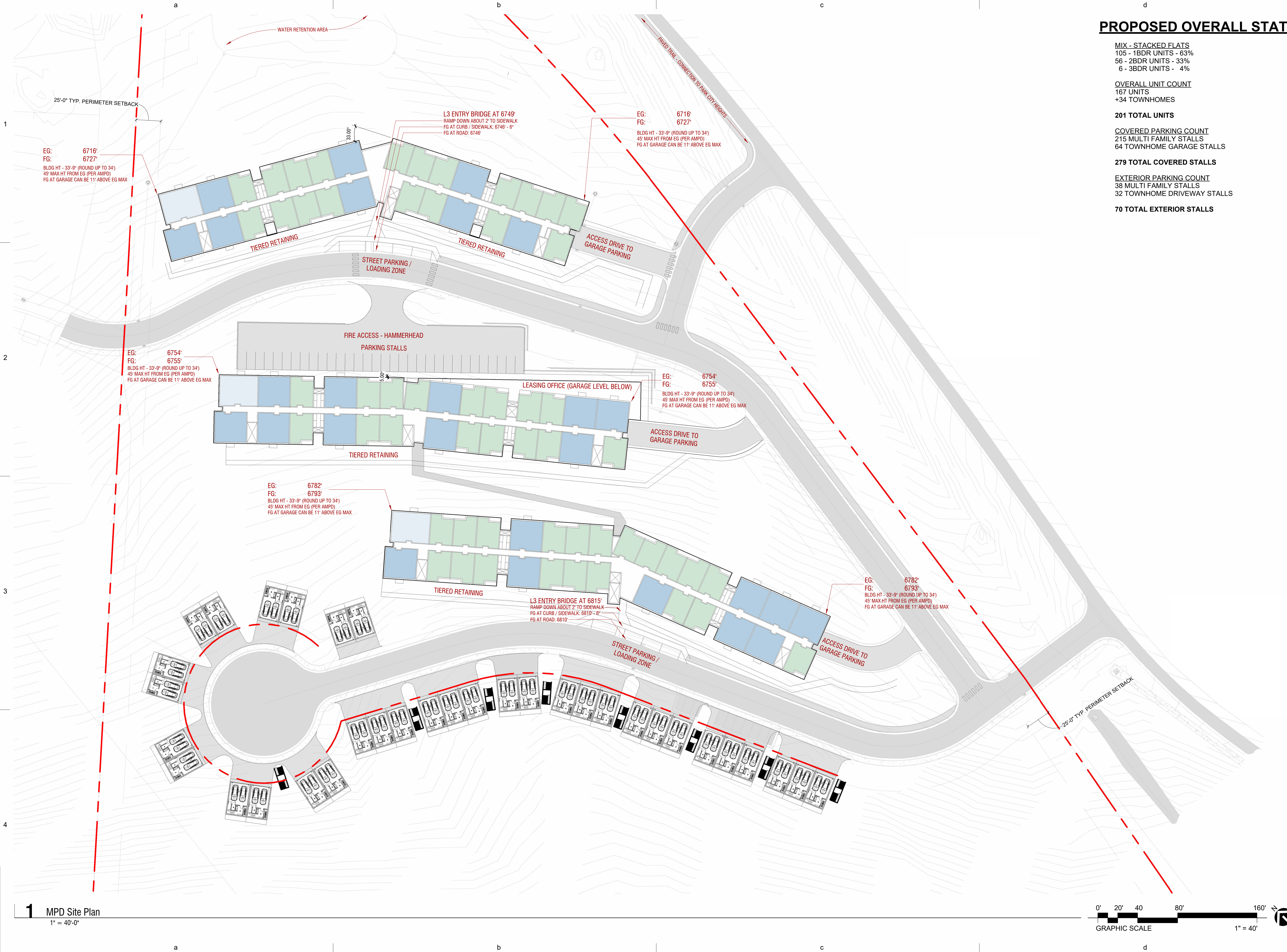
CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION
1	Date 1	Revision 1

PROJECT STATISTICS	
SHEET NO.	MPD01
JOB NO.	25.140





PROPOSED OVERALL STATS

MIX - STACKED FLATS  
105 - 1BDR UNITS - 63%  
56 - 2BDR UNITS - 33%  
6 - 3BDR UNITS - 4%

OVERALL UNIT COUNT  
167 UNITS  
+34 TOWNHOMES

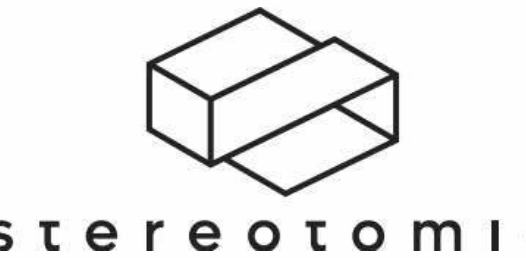
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279 TOTAL COVERED STALLS

EXTERIOR PARKING COUNT  
38 MULTI FAMILY STALLS  
32 TOWNHOME DRIVEWAY STALLS

70 TOTAL EXTERIOR STALLS



CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL 8/8/2025

REVISIONS		
#	DATE	DESCRIPTION
1	Date 1	Revision 1

ARCH SITE  
PLAN

SHEET NO. MPD02

JOB NO. 25.140

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET  
SIZE, SCALE REDUCED ACCORDINGLY



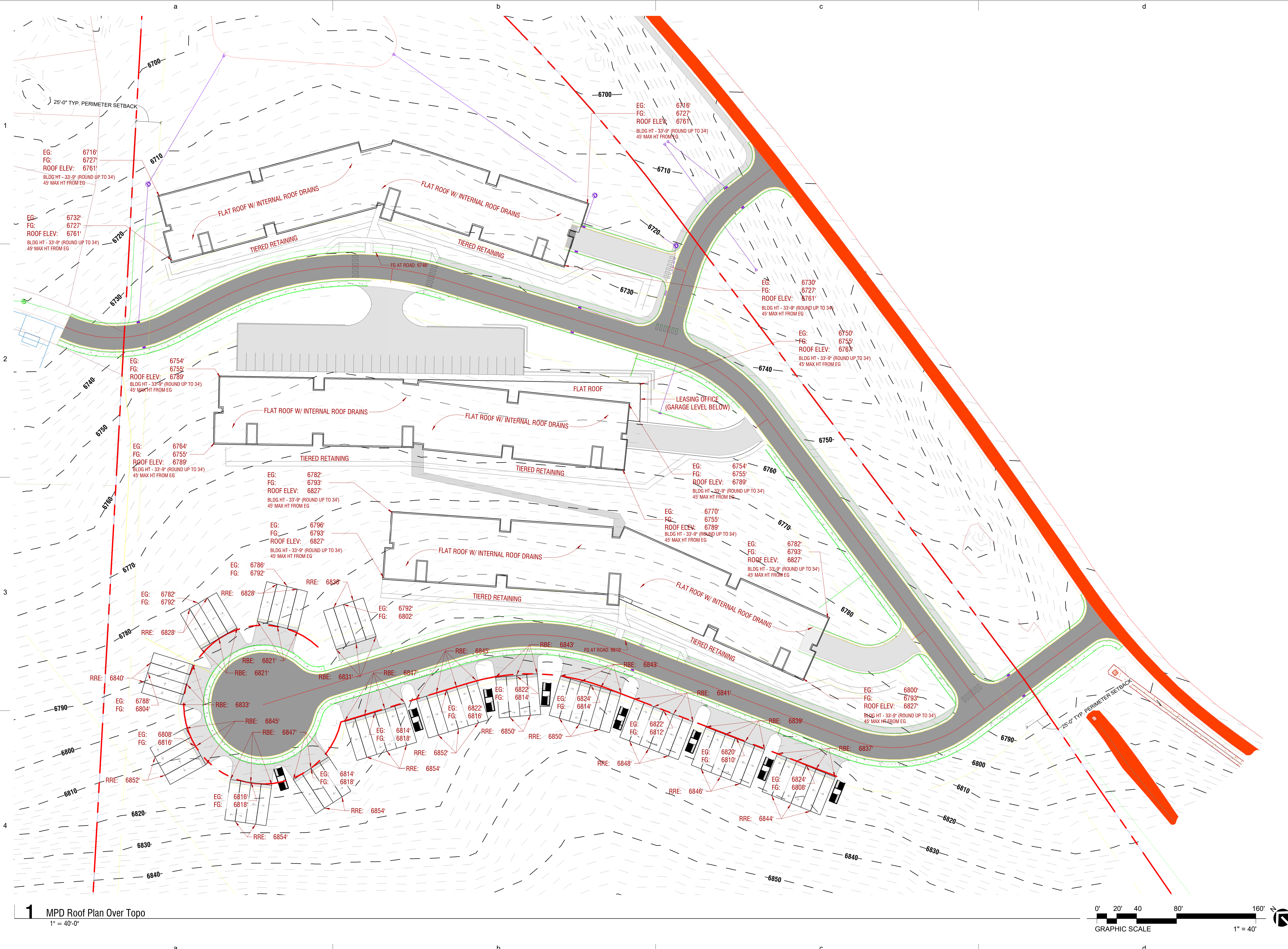
**CLARK RANCH  
AFFORDABLE  
HOUSING**

MPD SUBMITTAL 8/8/2025

REVISIONS		
#	DATE	DESCRIPTION
1	Date 1	Revision 1

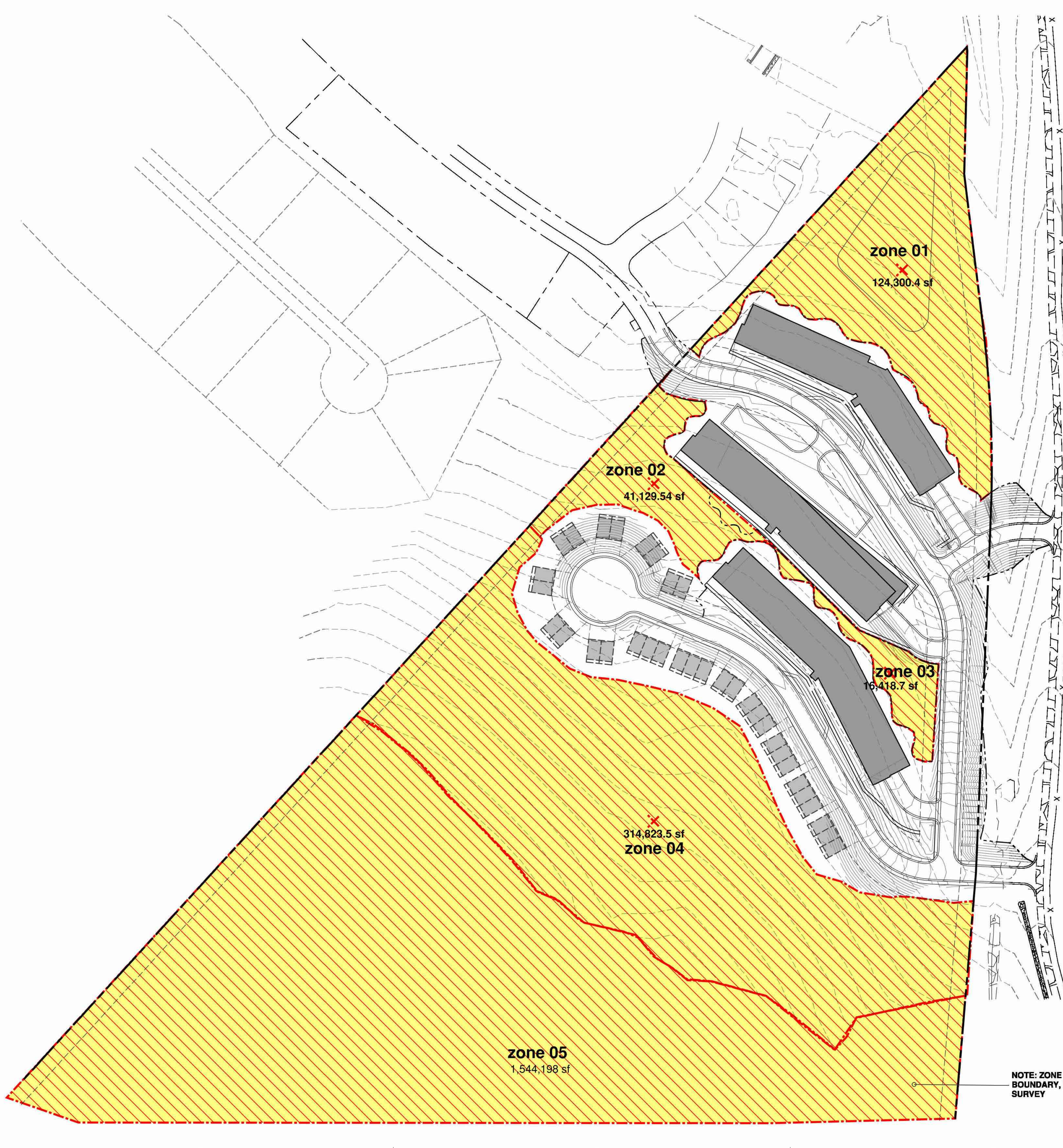
**ROOF OVER  
TOPO PLAN**

SHEET NO.		MPD02.1
JOB NO.	25.140	



**1** MPD Roof Plan Over Topo  
1" = 40'-0"





PROPOSED OVERALL STATS

MIX - STACKED FLATS  
105 - 1BDR UNITS - 63%  
56 - 2BDR UNITS - 33%  
6 - 3BDR UNITS - 4%

OVERALL UNIT COUNT  
167 UNITS  
+34 TOWNHOMES

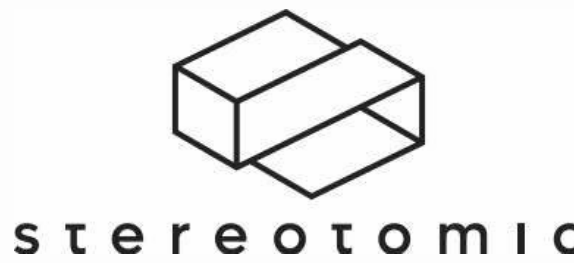
201 TOTAL UNITS

COVERED PARKING COUNT  
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64 TOWNHOME GARAGE STALLS

279 TOTAL COVERED STALLS

EXTERIOR PARKING COUNT  
38 MULTI FAMILY STALLS  
32 TOWNHOME DRIVEWAY STALLS

70 TOTAL EXTERIOR STALLS



graphic legend

- open space zone / xxx,xxx sf
- building footprint
- property boundary

total Site area		SF	Acres	Percentage
		2,466,230	56.617	100.00%
Open Space provided				
zone 1	124,300.00	2.85	5.04%	<div>MPD open space req'd</div> <div>%60.00%</div> <div>SF1,479,738.00</div> <div>Acres33.90</div>
zone 2	41,130.00	0.94	1.67%	
zone 3	16,418.70	0.38	0.67%	
zone 4	314,823.50	7.23	12.77%	
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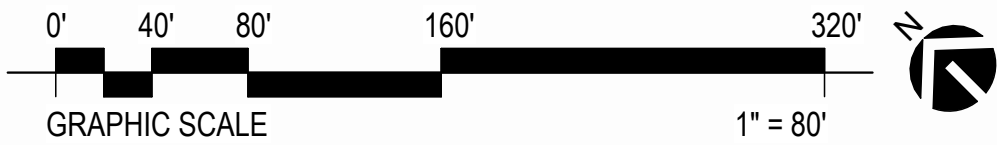
CLARK RANCH AFFORDABLE HOUSING

MPD SUBMITTAL 8/8/2025

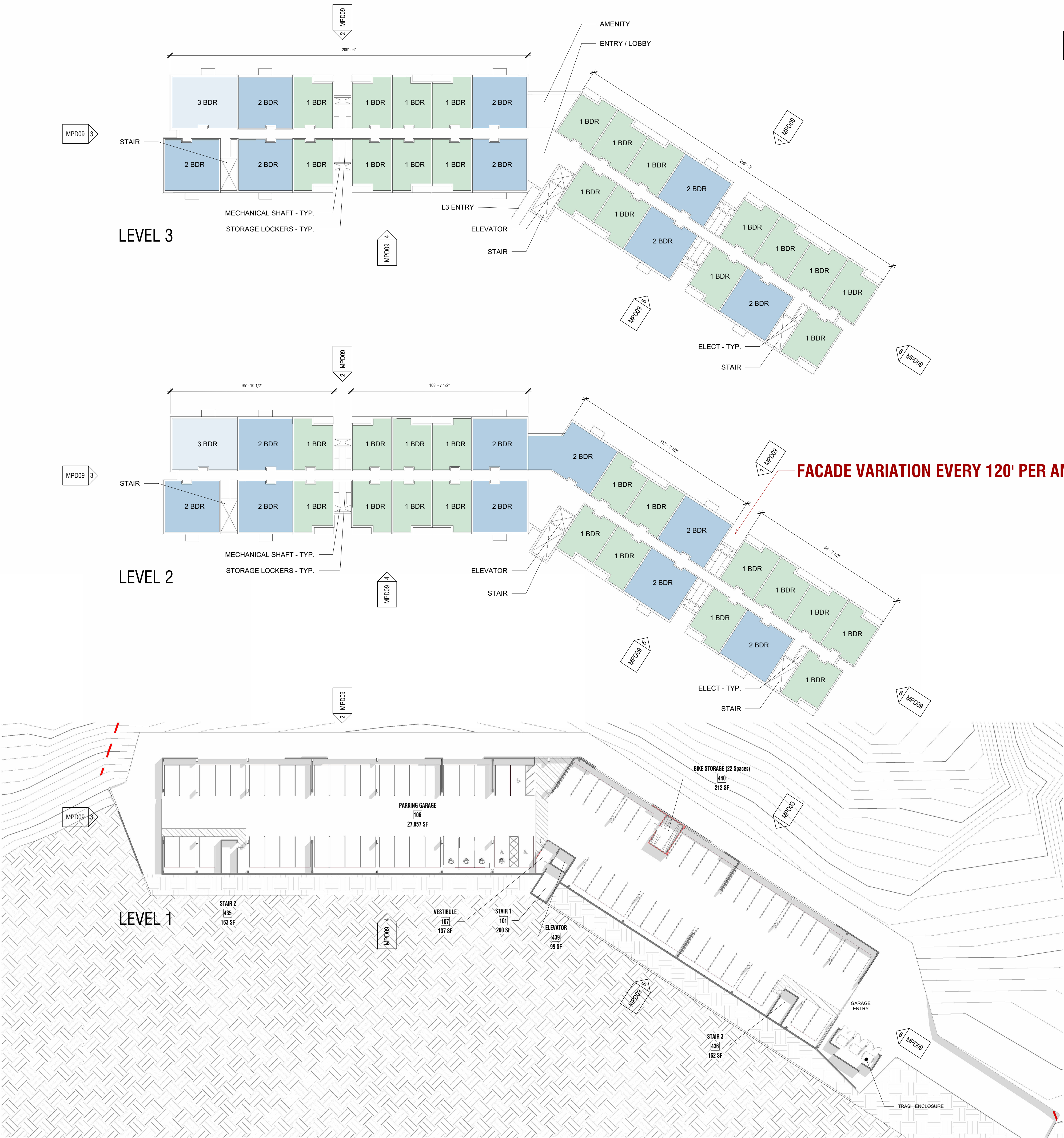
REVISIONS		
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1	Date 1	Revision 1

OPEN SPACE

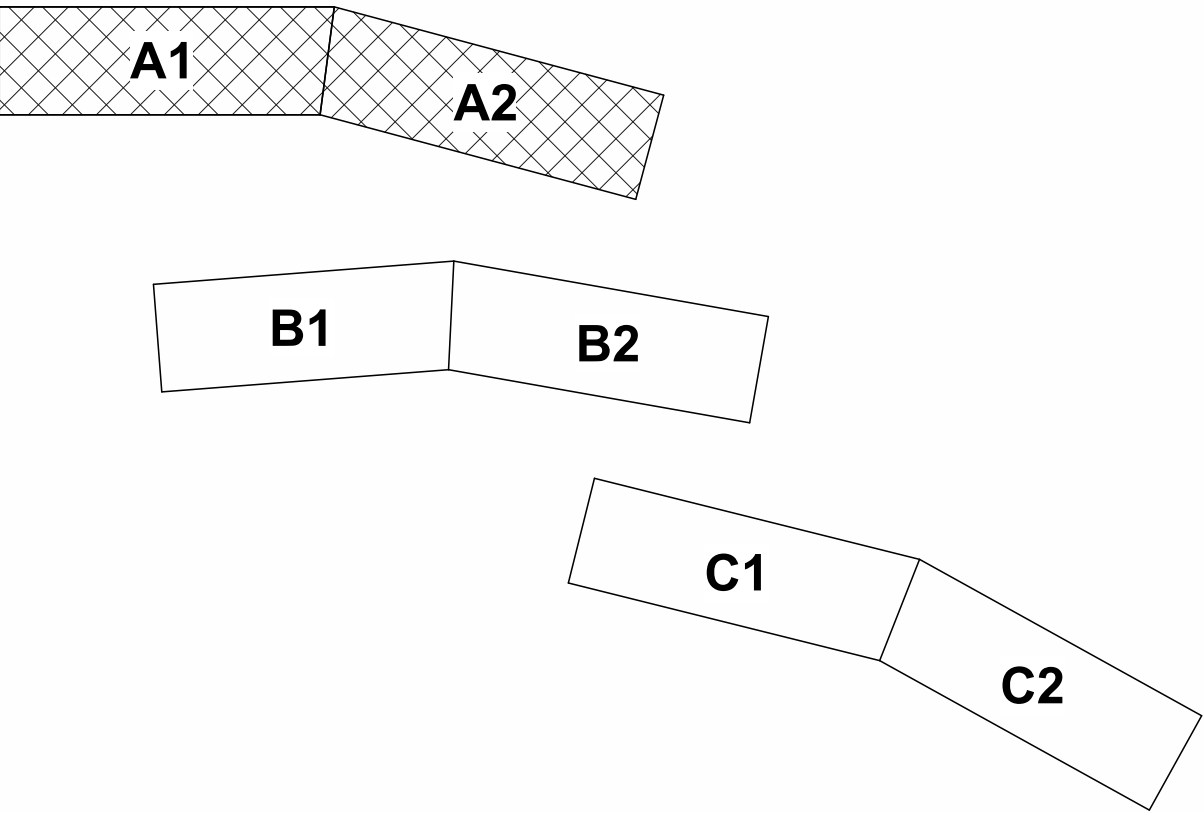
SHEET NO.		MPD03
JOB NO.	25.140	







KEY PLAN



BLDG A

MIX

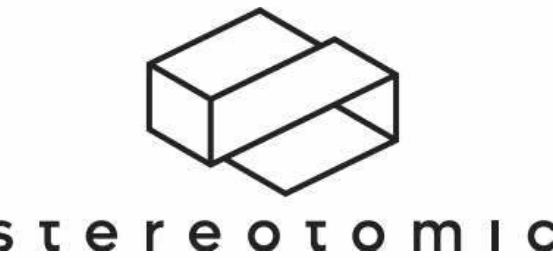
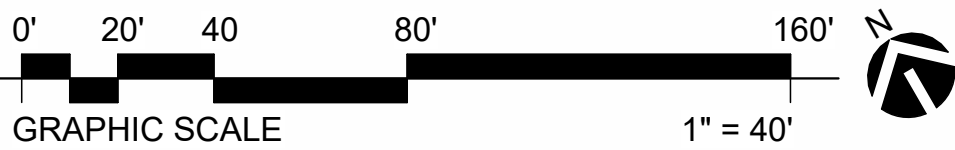
37 - 1BDR UNITS - 66%  
17 - 2BDR UNITS - 30%  
2 - 3BDR UNITS - 4%

OVERALL UNIT COUNT

56 UNITS - BUILDING A

Parking Schedule		
Level	Parking Type	Count
A - Level 01	Parking Space	75
A - Level 01	Parking Space - ADA	3
A - Level 01: 78		78
A - Level 03	Exterior Parking Space	4
A - Level 03: 4		4
B - Level 01 - Floor Plan	Exterior Parking Space	30
B - Level 01 - Floor Plan	Parking Space	55
B - Level 01 - Floor Plan	Parking Space - ADA	3
B - Level 01 - Floor Plan: 88		88
B - Level 01: 88	32 BIKE PARKING SPACES PROVIDED	
C - Level 01 - Floor Plan	Parking Space	76
C - Level 01 - Floor Plan	Parking Space - ADA	3
C - Level 01 - Floor Plan: 79		79
C - Level 03 - Floor Plan	Exterior Parking Space	4
C - Level 03 - Floor Plan: 4		4
Grand Total		253

14 TOTAL EV CHARGERS PROVIDED 78 TOTAL BIKE PARKING SPACES PROVIDED



CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL 8/8/2025

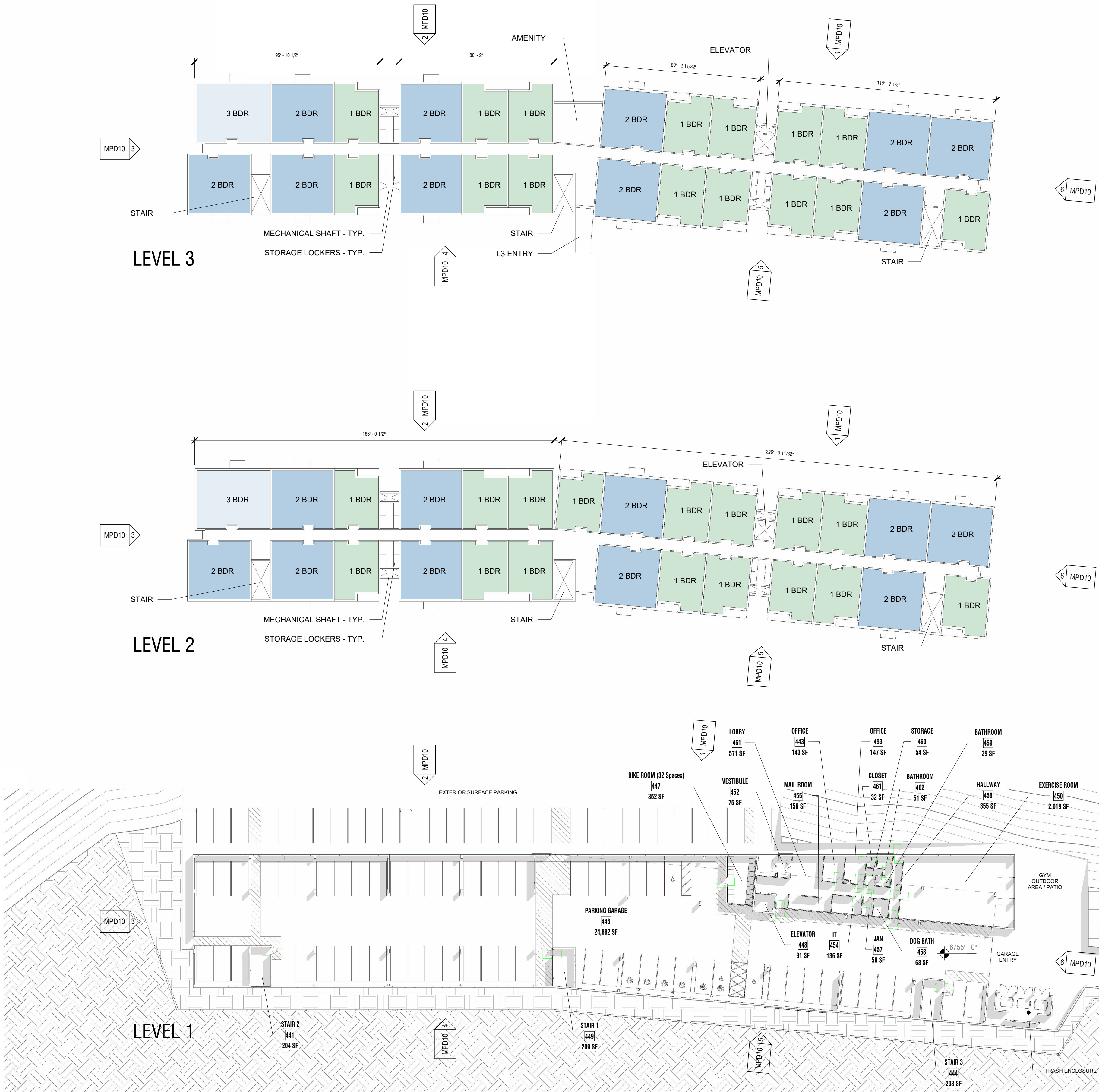
REVISIONS		
#	DATE	DESCRIPTION

BLDG A-FLOOR  
PLAN

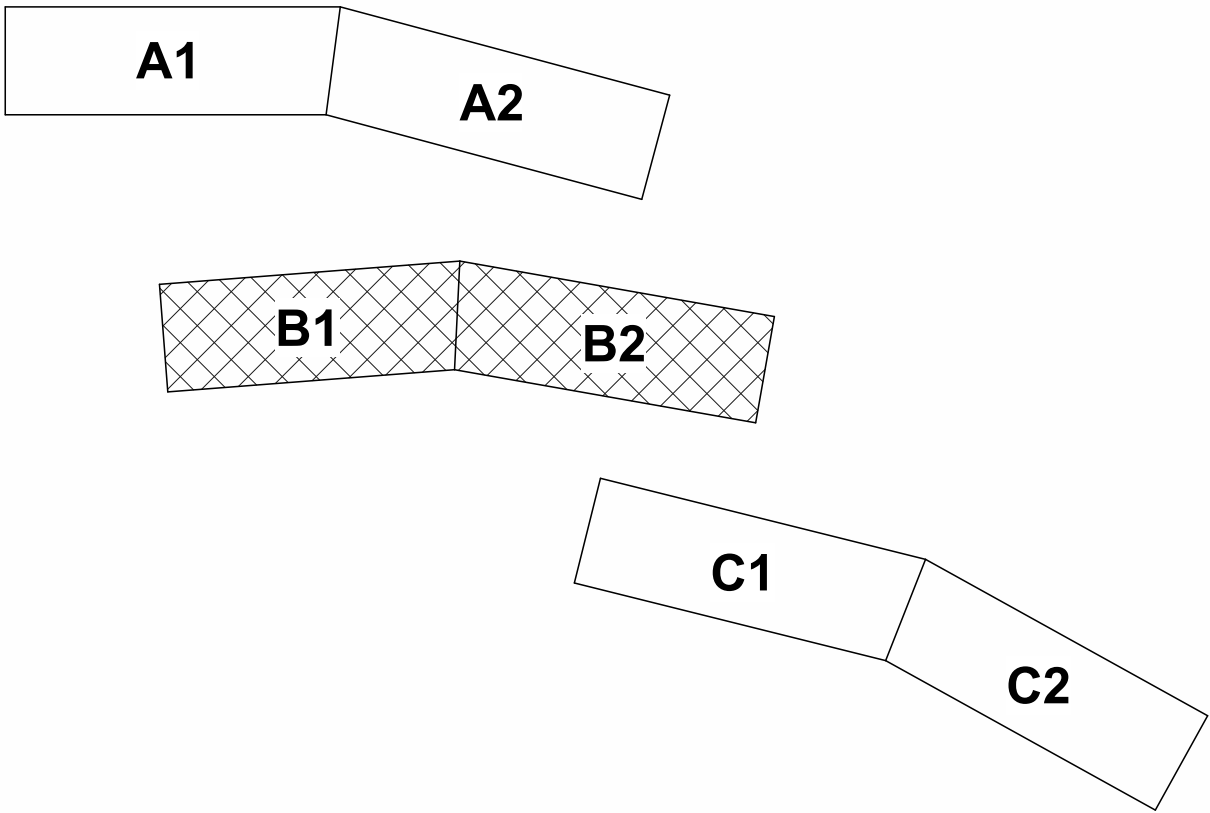
SHEET NO. MPD04

JOB NO. 25.140





KEY PLAN

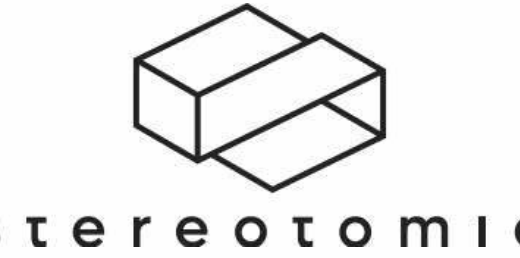


BLDG B MIX

31 - 1BDR UNITS - 58%  
20 - 2BDR UNITS - 38%  
2 - 3BDR UNITS - 4%

OVERALL UNIT COUNT  
53 UNITS - BUILDING B

Parking Schedule		
Level	Parking Type	Count
A - Level 01	Parking Space	75
A - Level 01	Parking Space - ADA	3
A - Level 01: 78	4 EV CHARGERS PROVIDED	22 BIKE PARKING SPACES PROVIDED
A - Level 03	Exterior Parking Space	4
A - Level 03: 4		4
B - Level 01 - Floor Plan	Exterior Parking Space	30
B - Level 01 - Floor Plan	Parking Space	55
B - Level 01 - Floor Plan	Parking Space - ADA	3
B - Level 01 - Floor Plan: 38	6 EV CHARGERS PROVIDED	32 BIKE PARKING SPACES PROVIDED
C - Level 01 - Floor Plan	Parking Space	75
C - Level 01 - Floor Plan	Parking Space - ADA	3
C - Level 01 - Floor Plan: 78	4 EV CHARGERS PROVIDED	22 BIKE PARKING SPACES PROVIDED
C - Level 03 - Floor Plan: 4	Exterior Parking Space	4
C - Level 03 - Floor Plan: 4		4
Grand Total		253
14 TOTAL EV CHARGERS PROVIDED		76 TOTAL BIKE PARKING SPACES PROVIDED



CLARK RANCH AFFORDABLE HOUSING

MPD SUBMITTAL	8/8/2025
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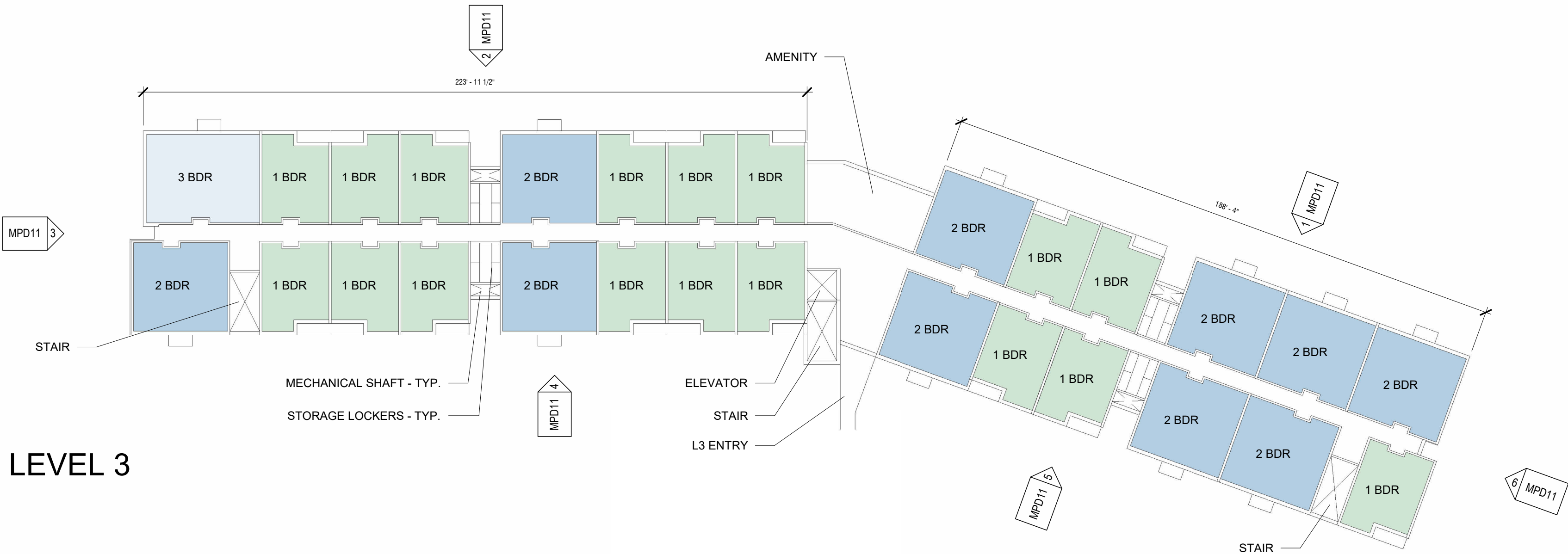
REVISIONS		
#	DATE	DESCRIPTION

BLDG B-FLOOR PLANS

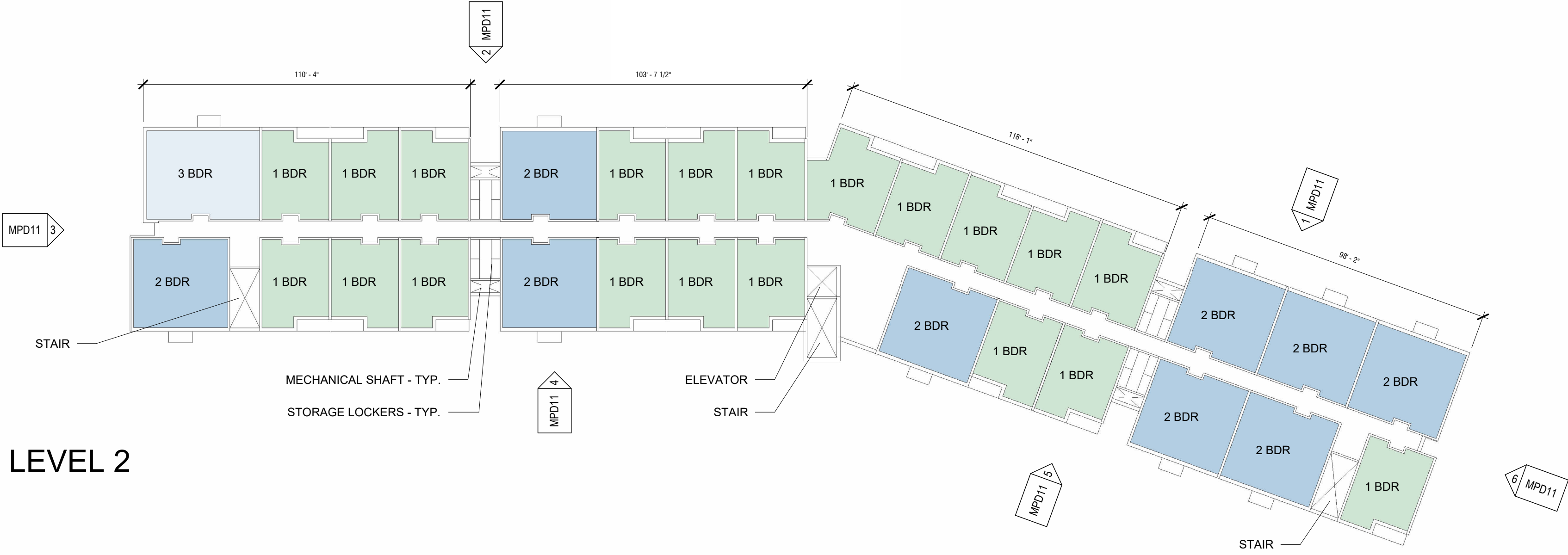
SHEET NO.		MPD05
JOB NO.	25.140	



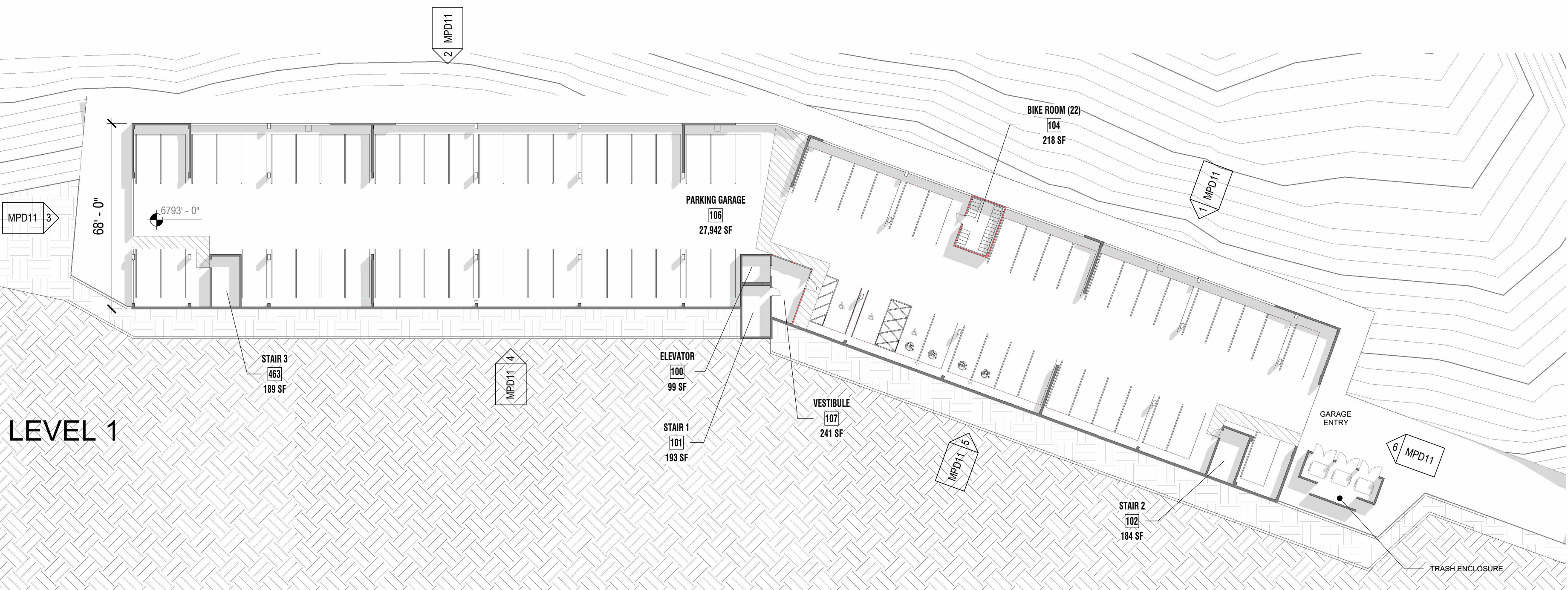




LEVEL 3

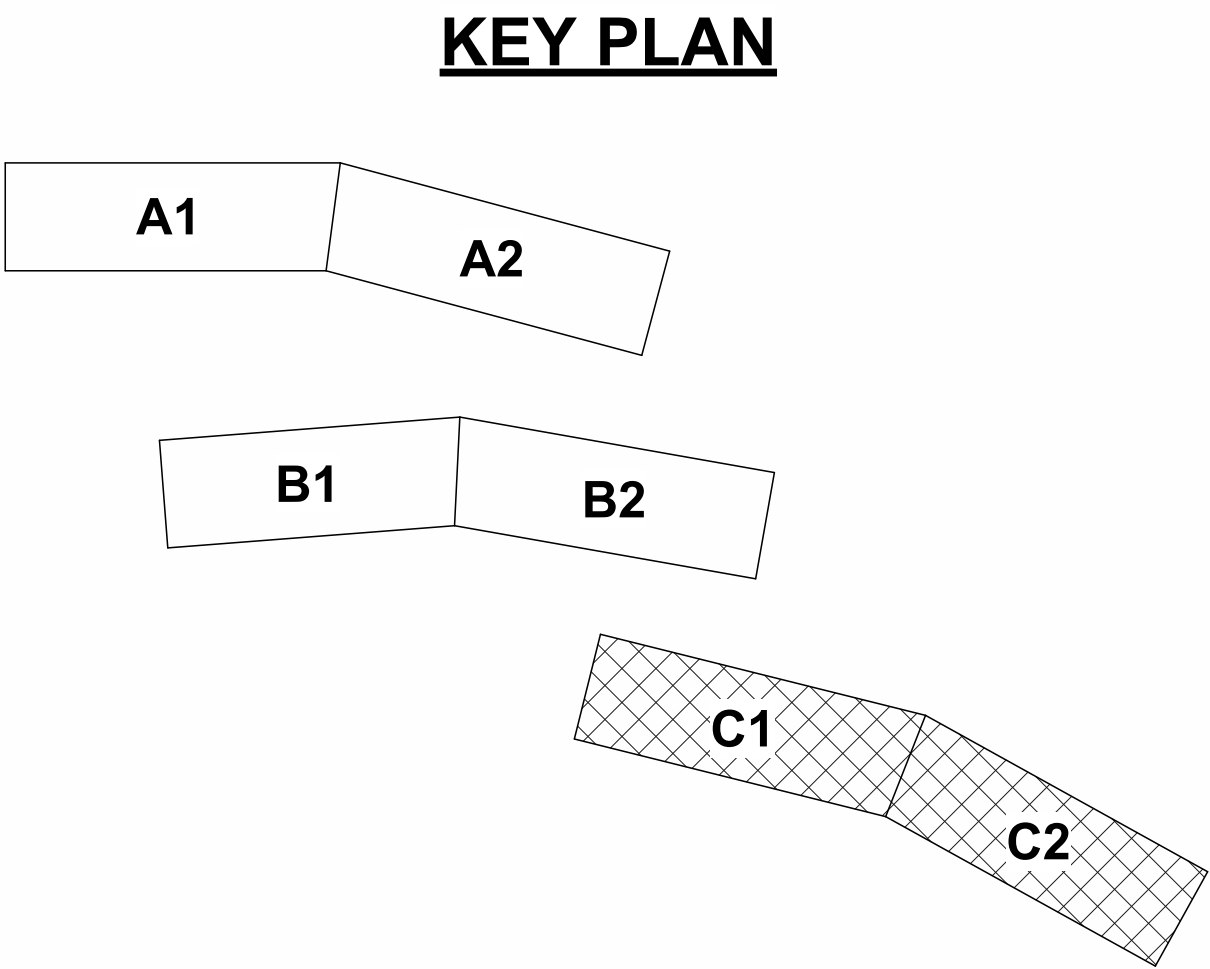


LEVEL 2



LEVEL 1

1 MPD Building C - Overall Floor Plans  
1" = 30'-0"



**BLDG C MIX**  
37 - 1BDR UNITS - 64%  
19 - 2BDR UNITS - 33%  
2 - 3BDR UNITS - 3%

**OVERALL UNIT COUNT**  
58 UNITS - BUILDING C

Parking Schedule		
Level	Parking Type	Count
A - Level 01	Parking Space	75
A - Level 01	Parking Space - ADA	3
A - Level 01: 76	EV CHARGERS PROVIDED	78
A - Level 02	Exterior Parking Space	4
A - Level 02: 4		4
B - Level 01 - Floor Plan	Exterior Parking Space	30
B - Level 01 - Floor Plan	Parking Space	55
B - Level 01 - Floor Plan	Parking Space - ADA	3
B - Level 01 - Floor Plan: 88	EV CHARGERS PROVIDED	88
B - Level 01 - Floor Plan: 88	EV CHARGERS PROVIDED	32 BIKE PARKING SPACES PROVIDED
C - Level 01 - Floor Plan	Parking Space	76
C - Level 01 - Floor Plan	Parking Space - ADA	3
C - Level 01 - Floor Plan: 79	EV CHARGERS PROVIDED	79
C - Level 01 - Floor Plan: 79	EV CHARGERS PROVIDED	22 BIKE PARKING SPACES PROVIDED
C - Level 03 - Floor Plan	Exterior Parking Space	4
C - Level 03 - Floor Plan: 4		4
Grand total		253
14 TOTAL EV CHARGERS PROVIDED		76 TOTAL BIKE PARKING SPACES PROVIDED



CLARK RANCH  
AFFORDABLE  
HOUSING

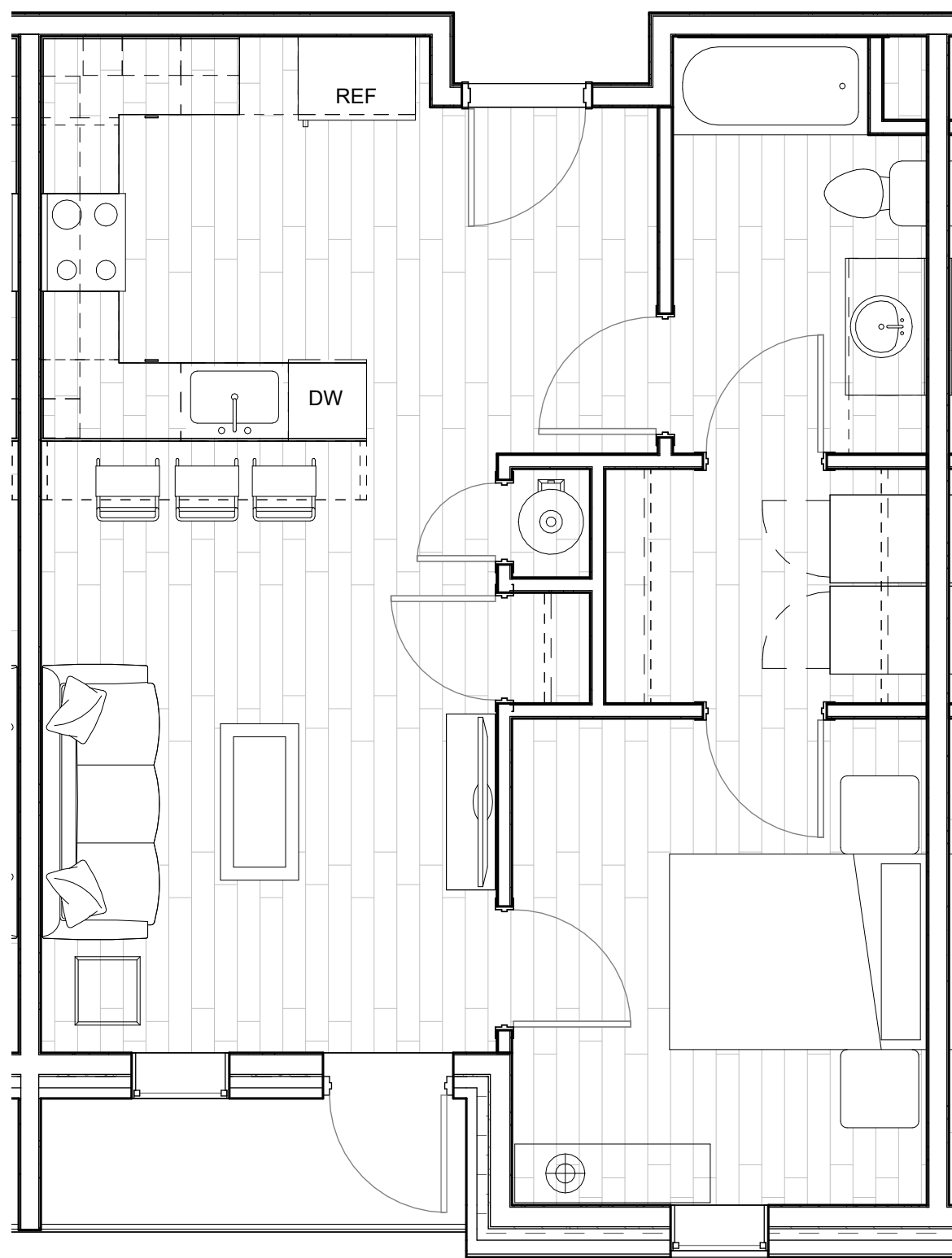
MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

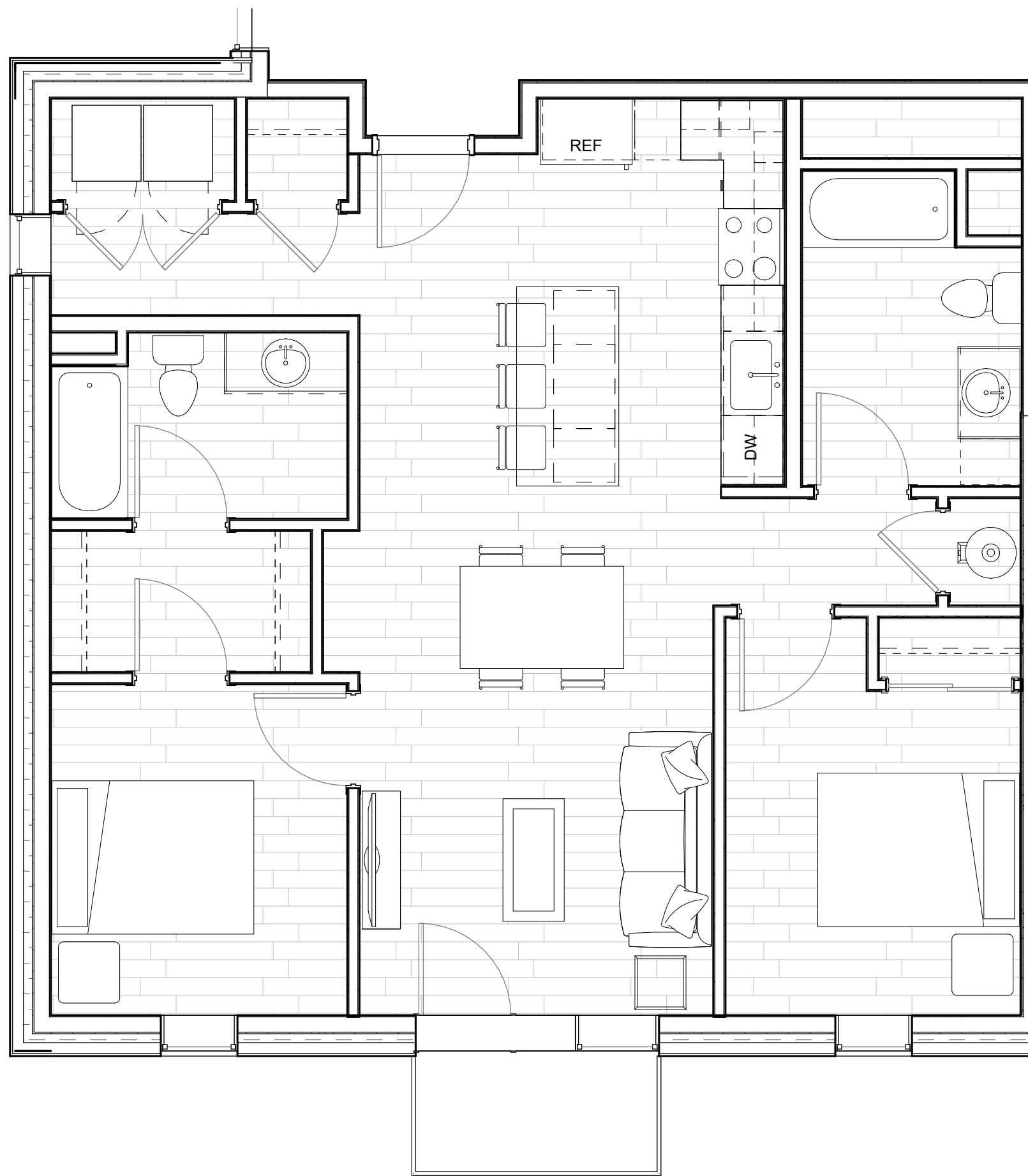
BLDG C-FLOOR  
PLANS

SHEET NO.		MPD06
JOB NO.	25.140	

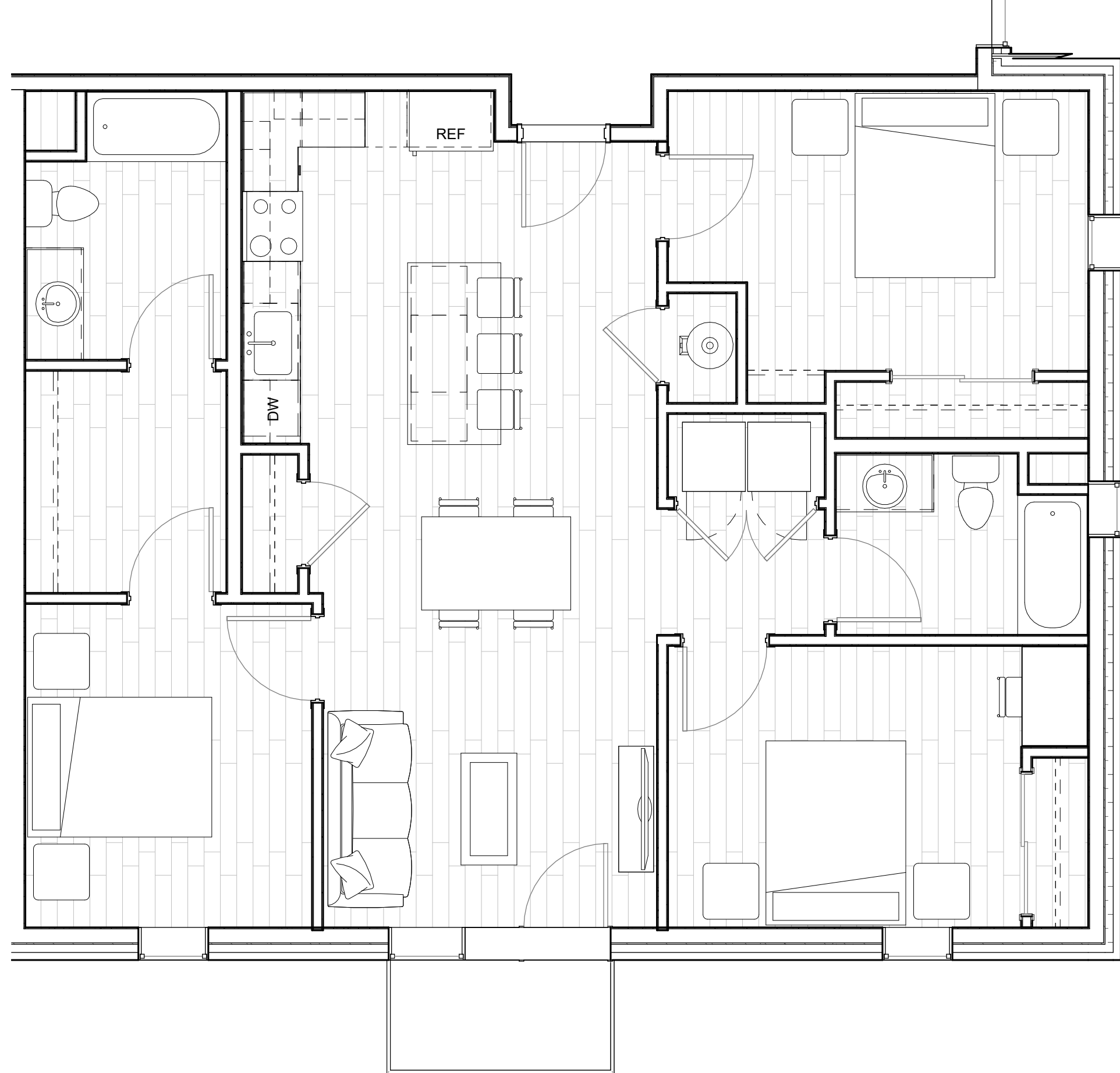




**1** Typical Unit Plan - 1 Bedroom (619 SF GROSS / 0.31 PC UE's)  
1/4" = 1'-0"



**2** Typical Unit Plan - 2 Bedroom (936 SF GROSS / 0.47 PC UE's)  
1/4" = 1'-0"



**3** Typical Unit Plan - 3 Bedroom (1,129 SF GROSS / 0.56 PC UE's)  
1/4" = 1'-0"

**CLARK RANCH  
AFFORDABLE  
HOUSING**

MPD SUBMITTAL	8/8/2025
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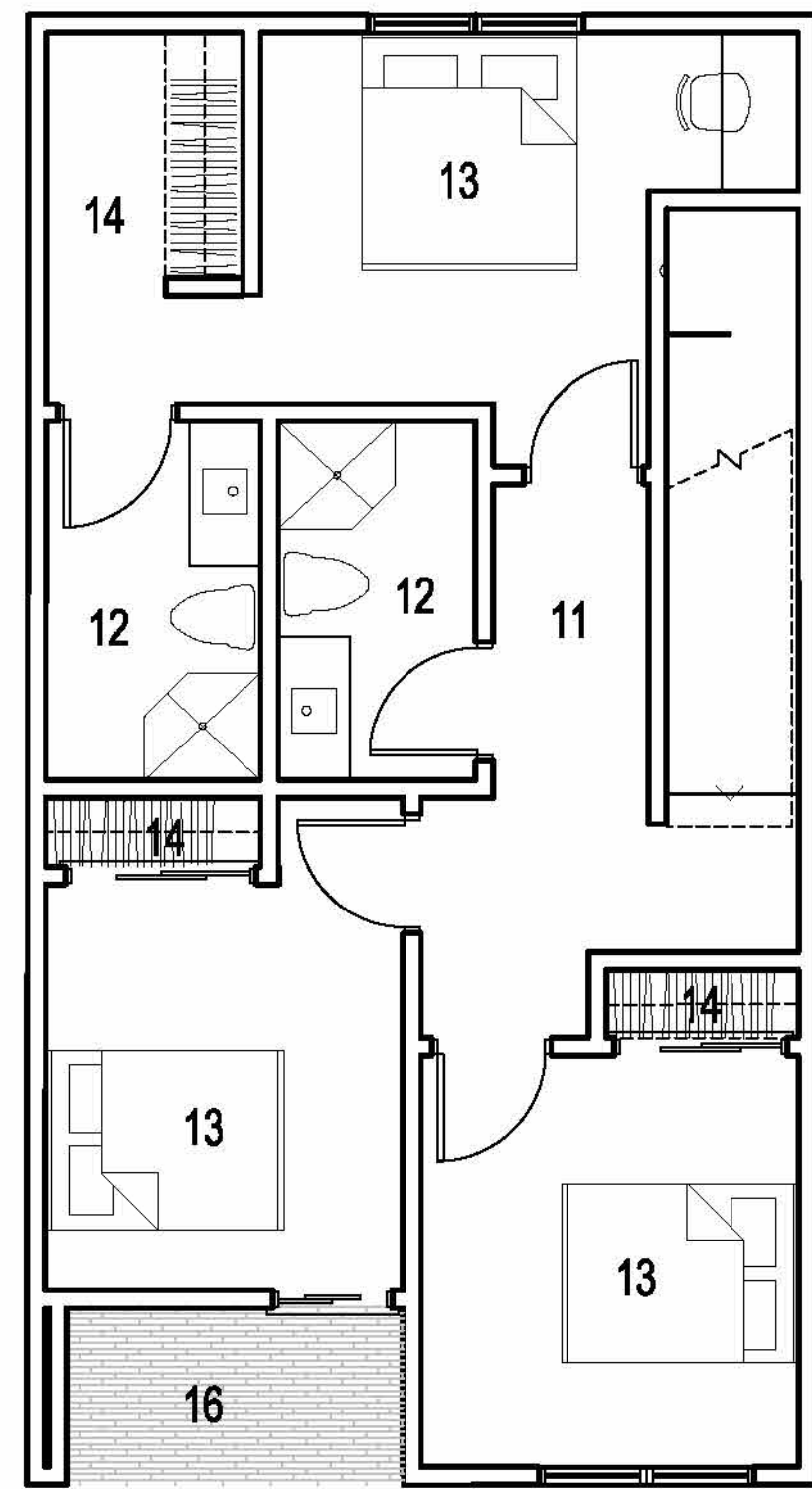
REVISIONS		
#	DATE	DESCRIPTION

**TYP.UNIT PLANS**

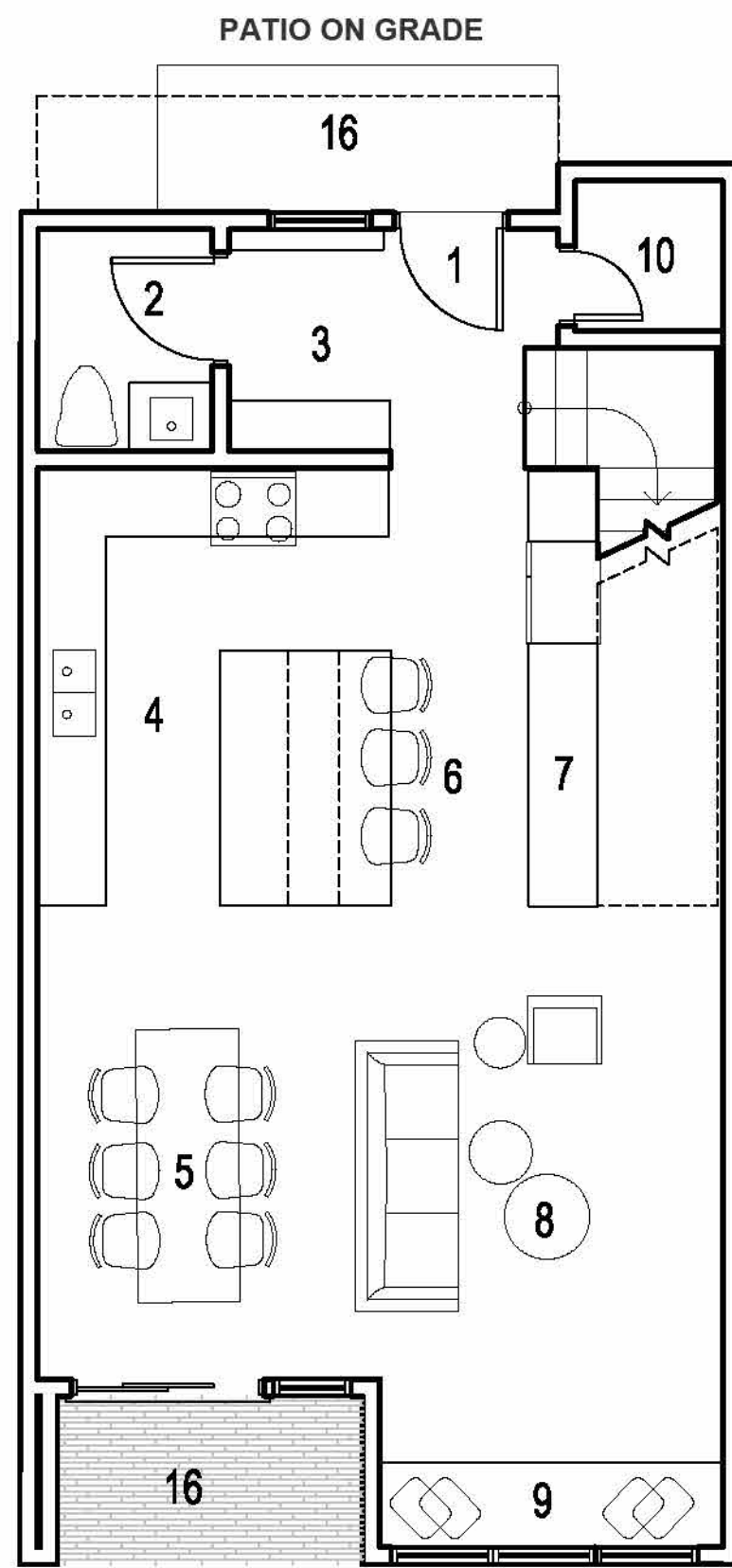
SHEET NO.		MPD07
JOB NO.	25.140	



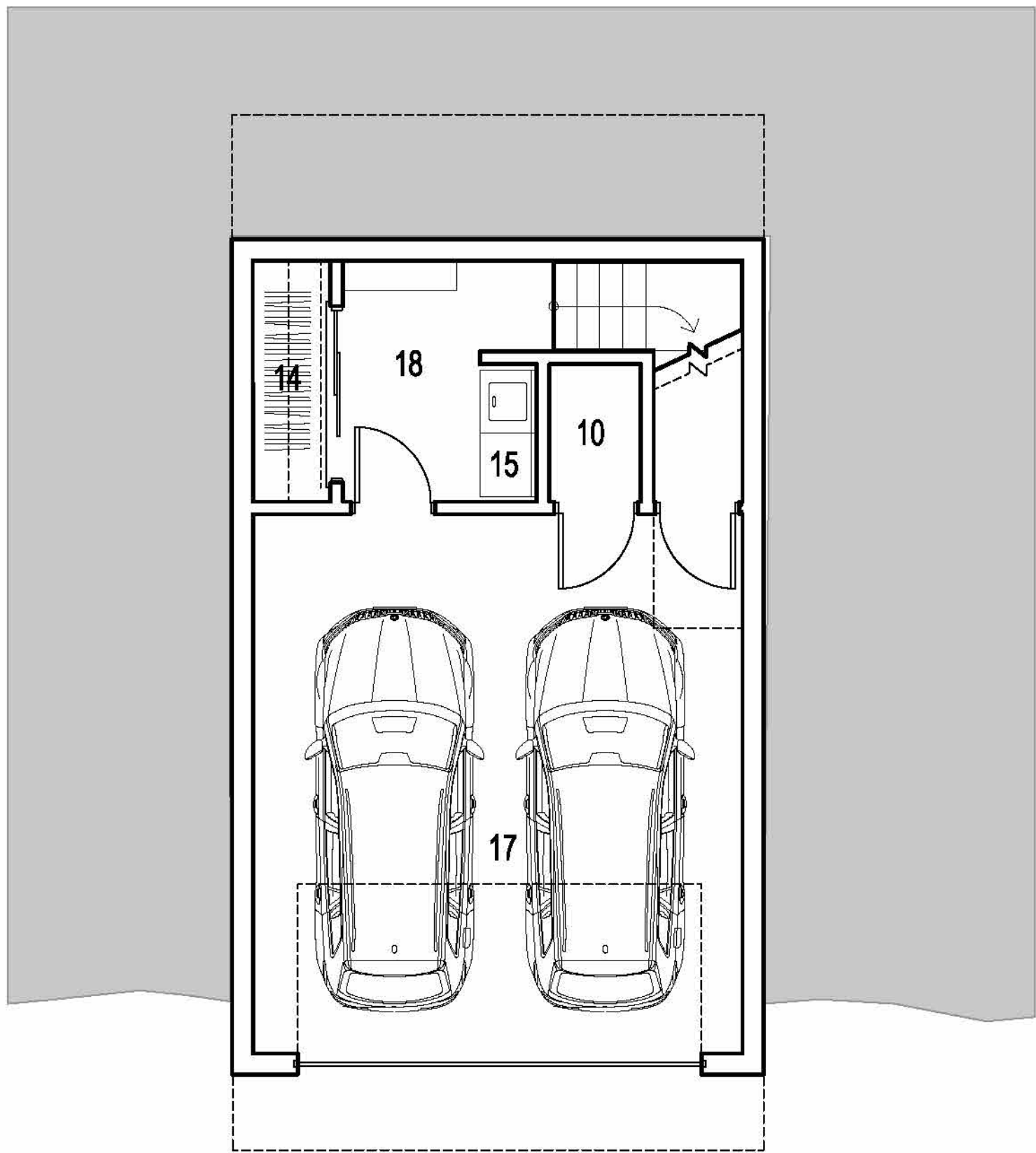
1. ENTRY
2. PDR ROOM
3. COATS
4. KITCHEN
5. DINING
6. BAR/BRKFST
7. PANTRY
8. LIVING ROOM
9. WINDOW SEAT
10. UTILITY/MECH
11. HALL
12. BATH
13. BEDROOM
14. CLOSET
15. LAUNDRY
16. DECK/PATIO
17. GARAGE
18. MUD ROOM



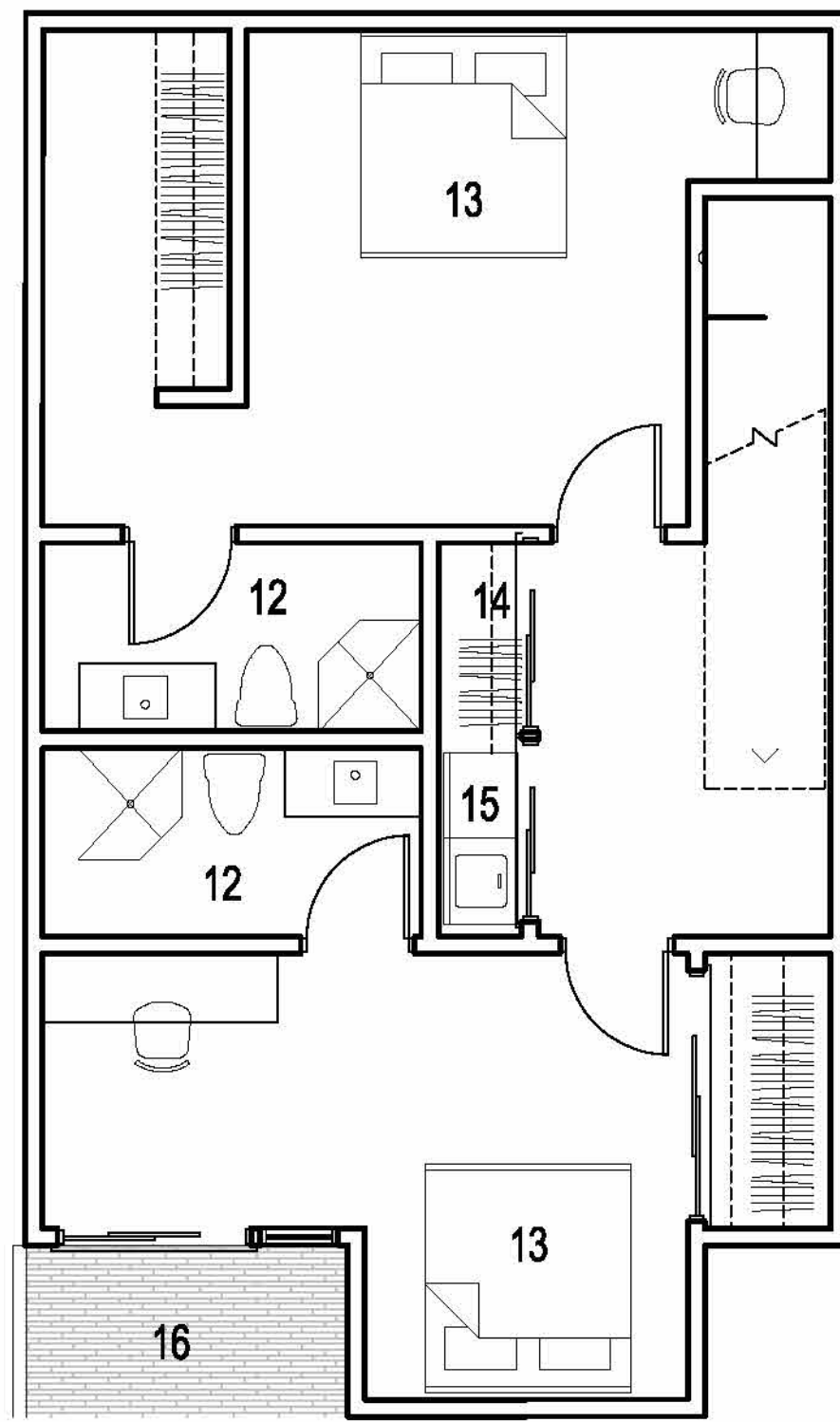
LEVEL 03  
3 BEDROOM UNIT EXAMPLE



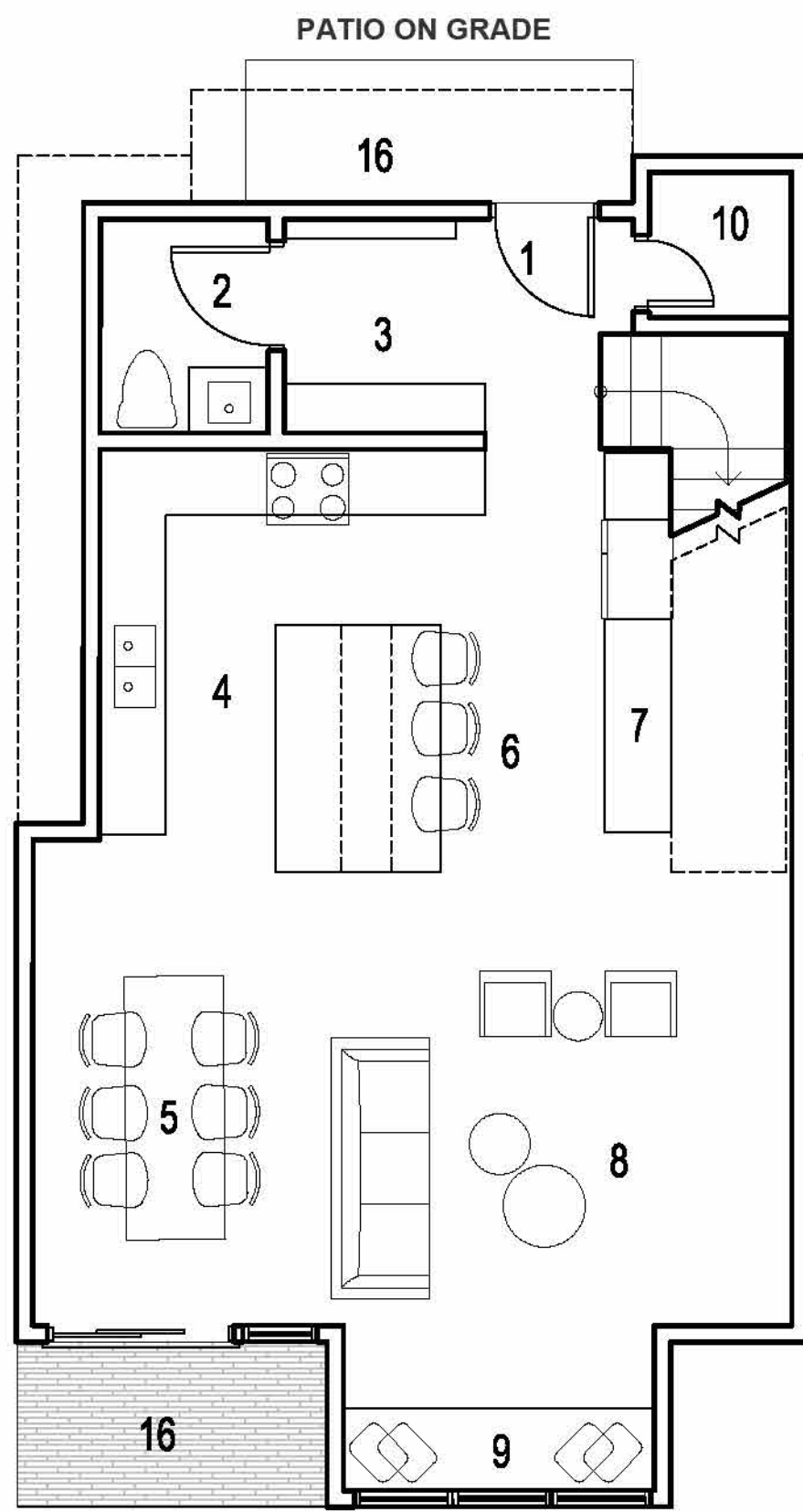
LEVEL 02



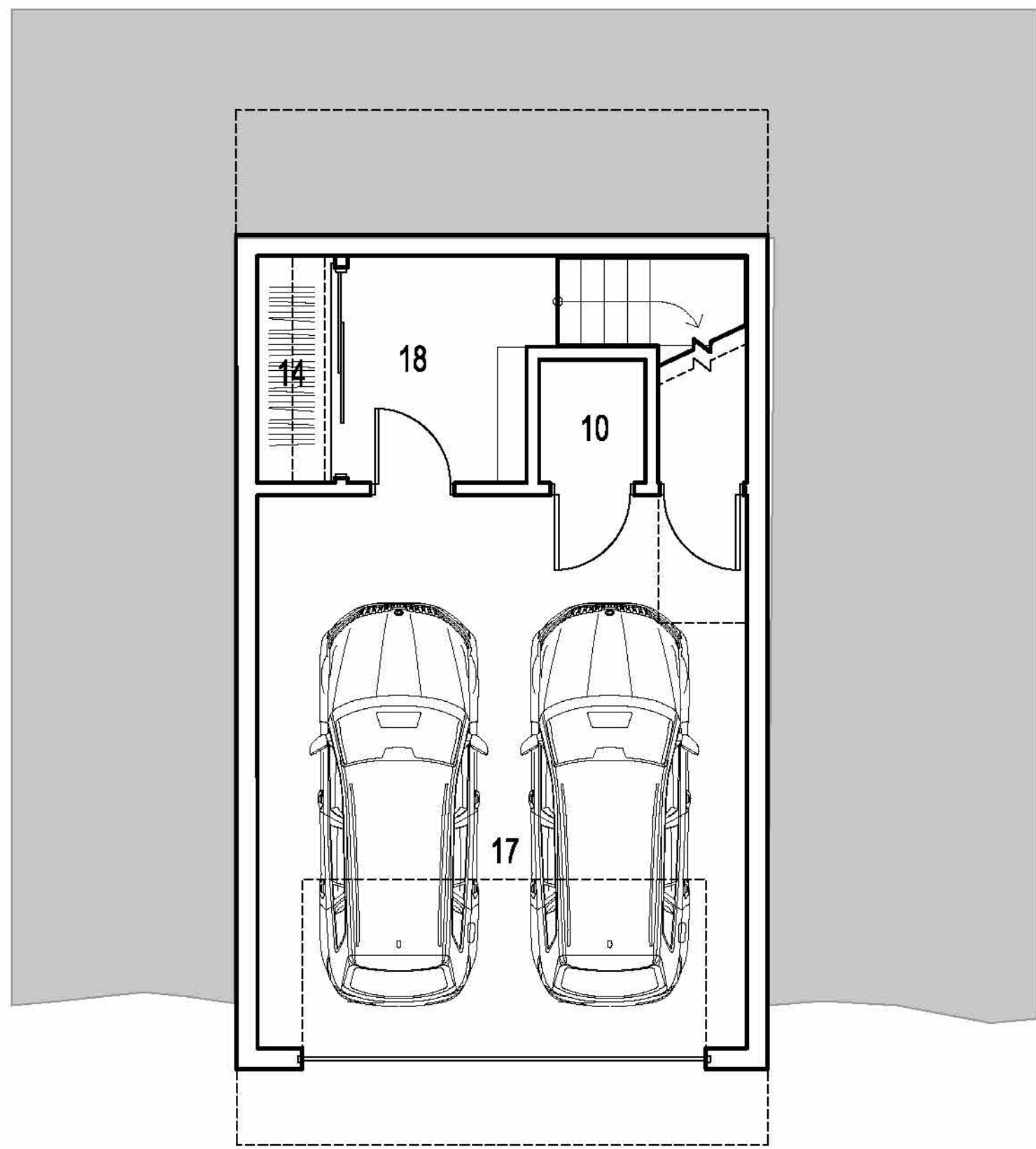
LEVEL 01 - STREET LEVEL  
(2,300 SF GROSS / 1.15 PC UE's)



LEVEL 03  
2 BEDROOM UNIT EXAMPLE



LEVEL 02



LEVEL 01 - STREET LEVEL  
(2,200 SF GROSS / 1.10 PC UE's)

CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

TYP.UNIT PLANS

SHEET NO.		MPD08
JOB NO.	25.140	

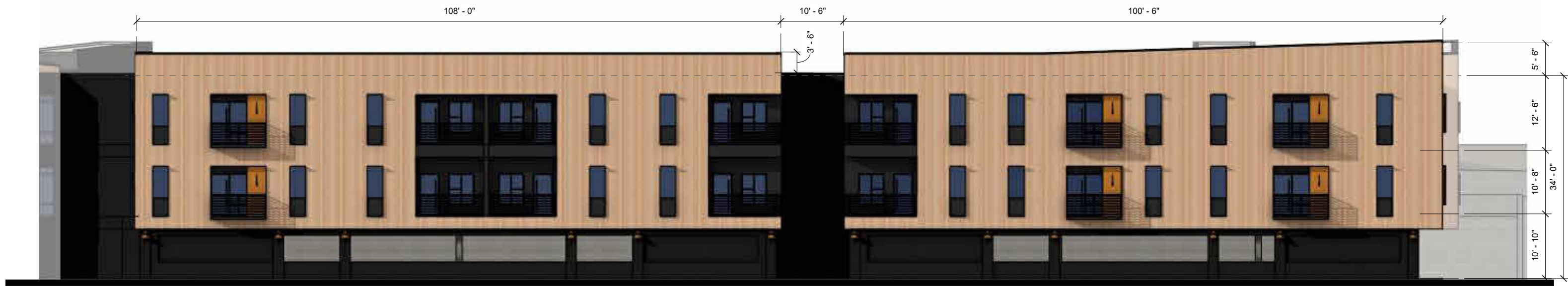


1



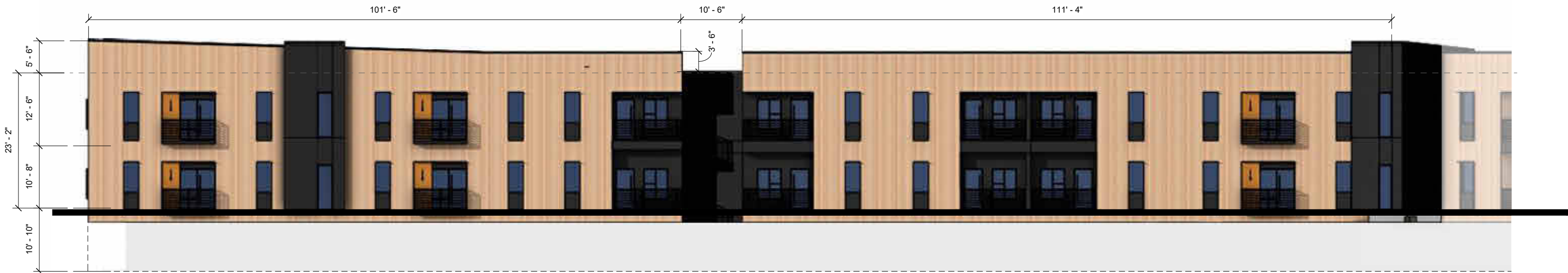
**1** MPD - BLDG A Elev 01  
1/16" = 1'-0"

2



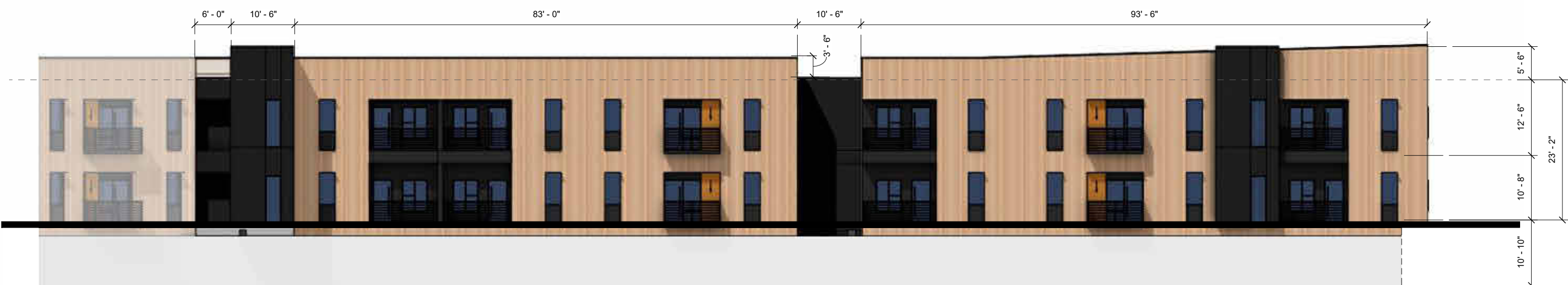
**2** MPD - BLDG A Elev 02  
1/16" = 1'-0"

3



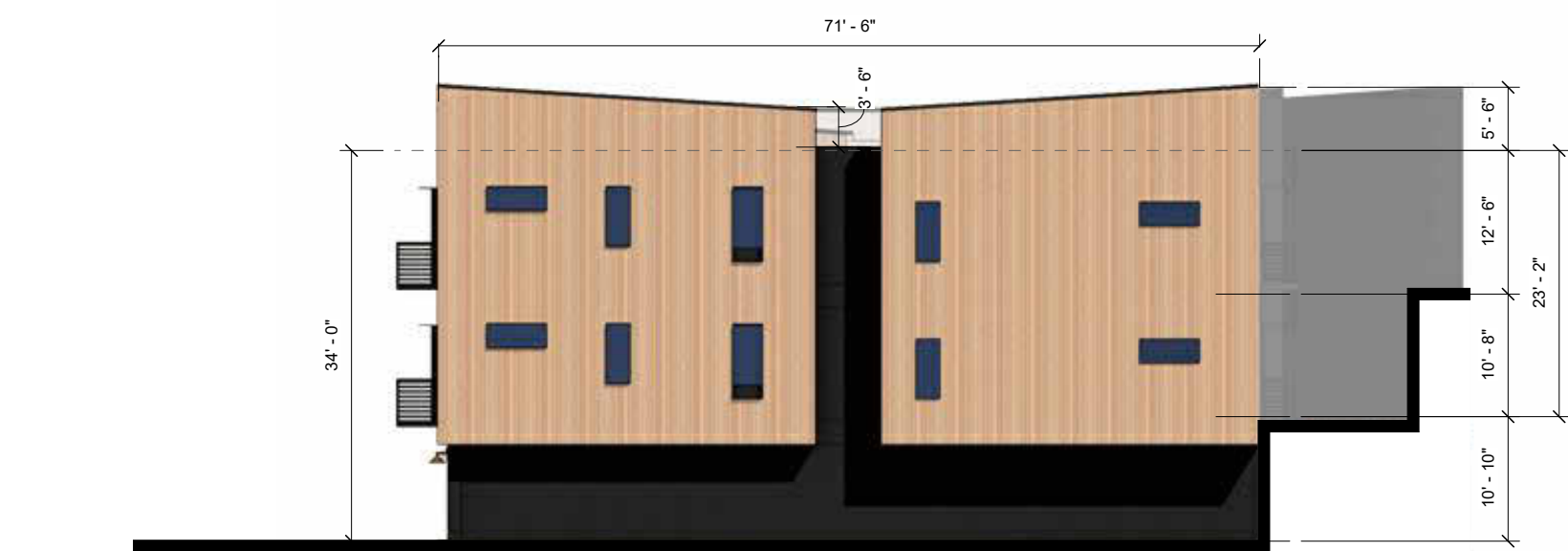
**4** MPD - BLDG A Elev 04  
1/16" = 1'-0"

4



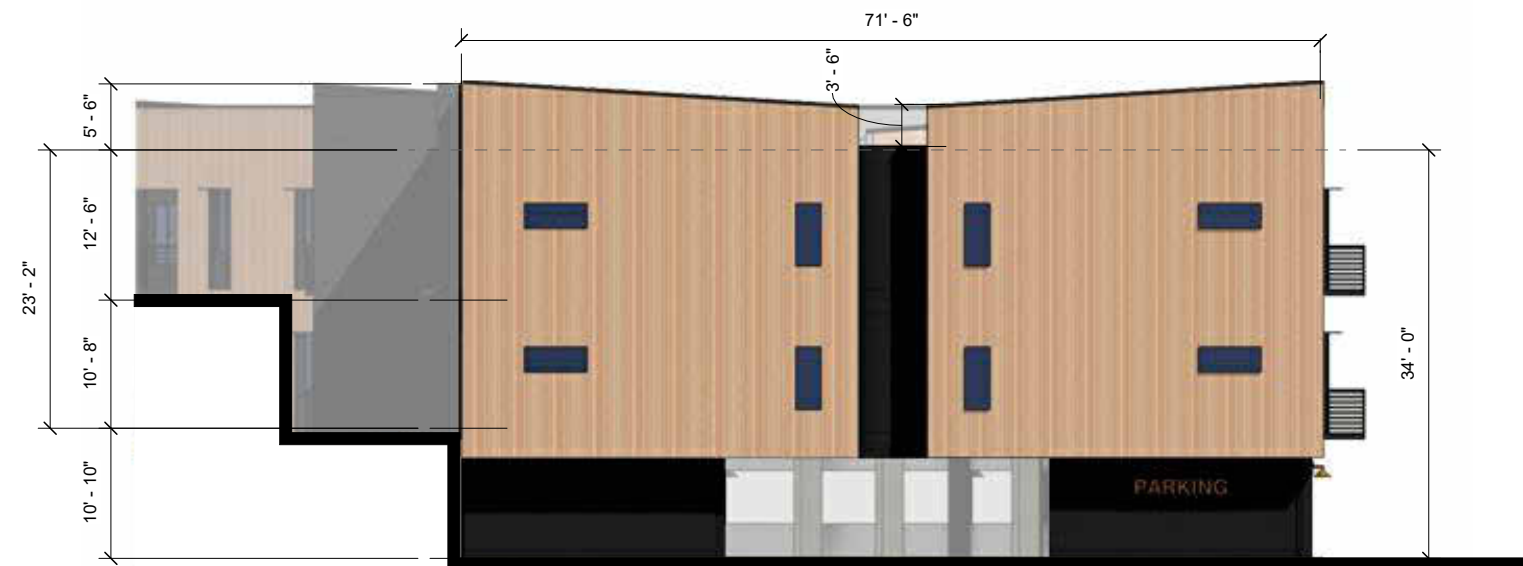
**5** MPD - BLDG A Elev 05  
1/16" = 1'-0"

c



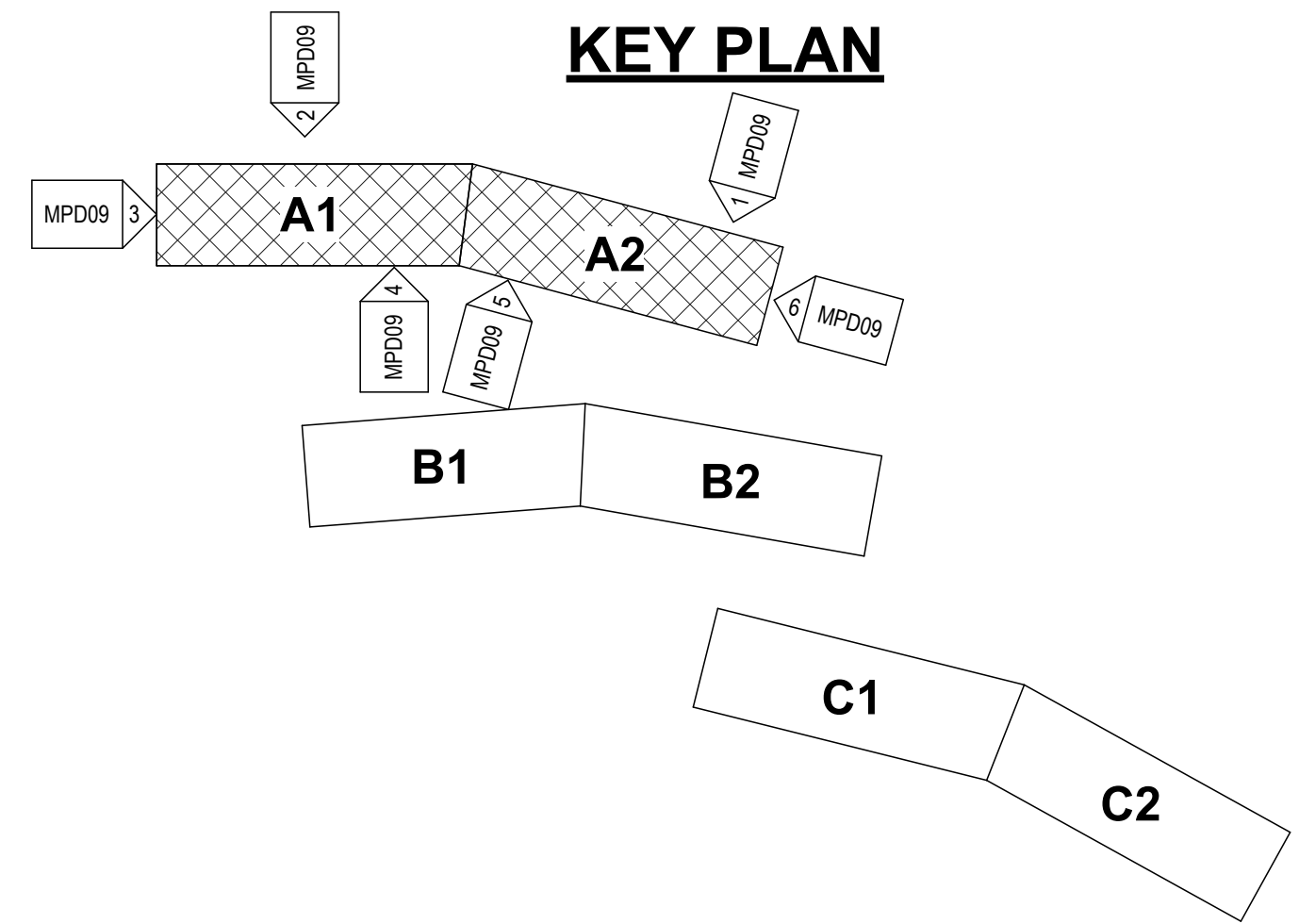
**3** MPD - BLDG A Elev 03  
1/16" = 1'-0"

c



**6** MPD - BLDG A Elev 06  
1/16" = 1'-0"

d





1



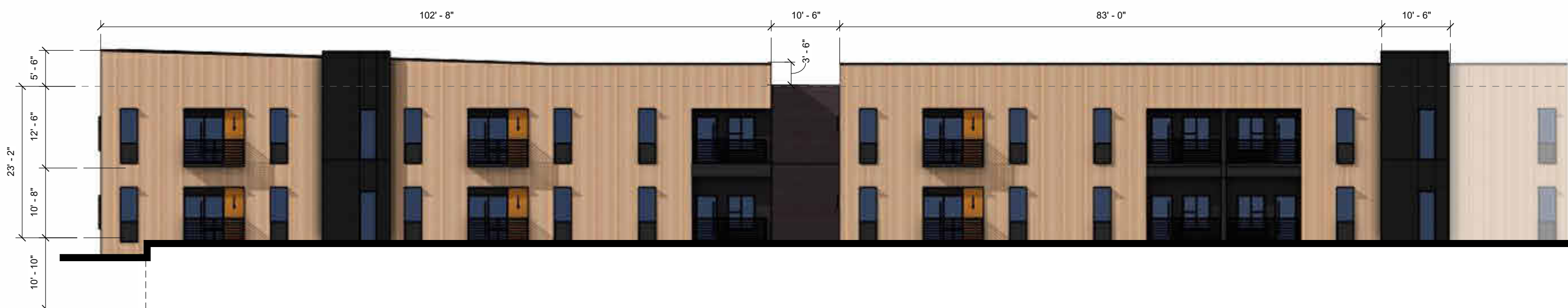
**1** MPD - BLDG B Elev 01  
1/16" = 1'-0"

2



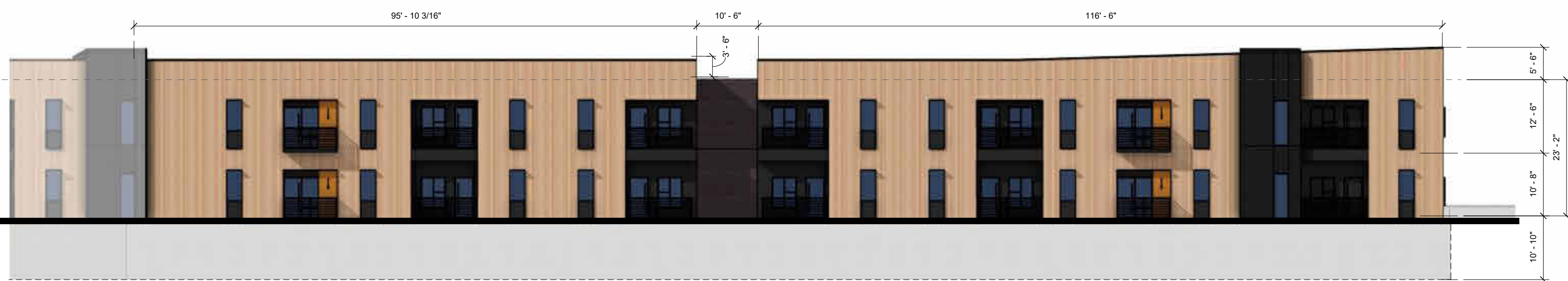
**2** MPD - BLDG B Elev 02  
1/16" = 1'-0"

3



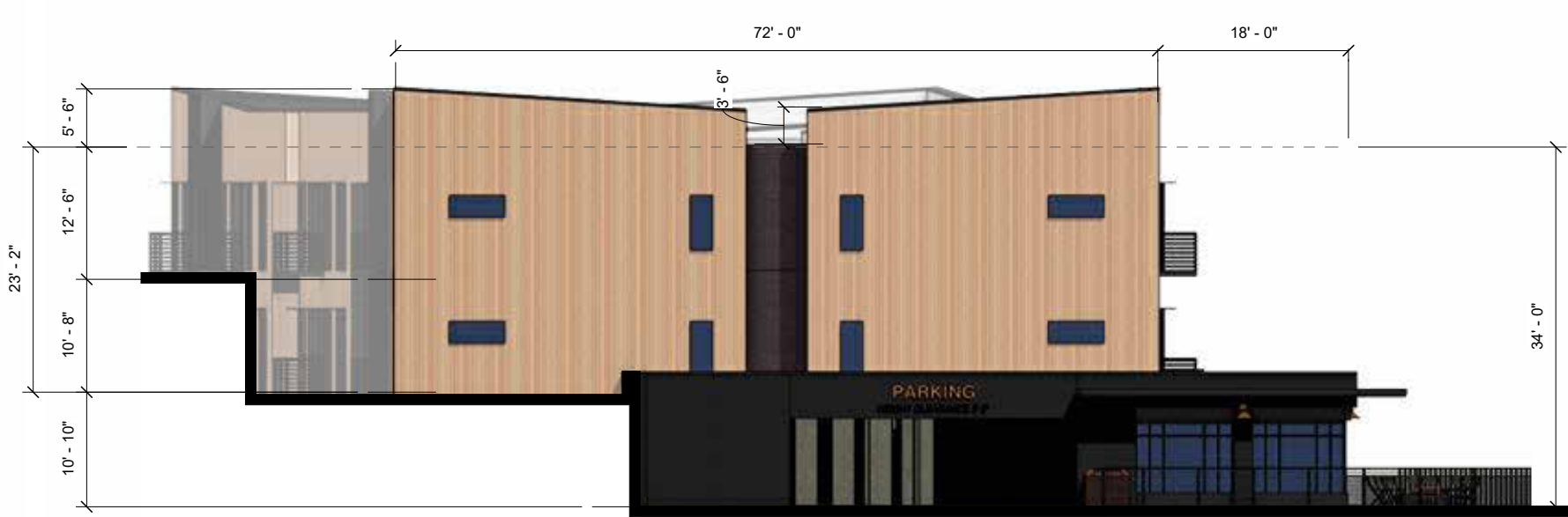
**4** MPD - BLDG B Elev 04  
1/16" = 1'-0"

4



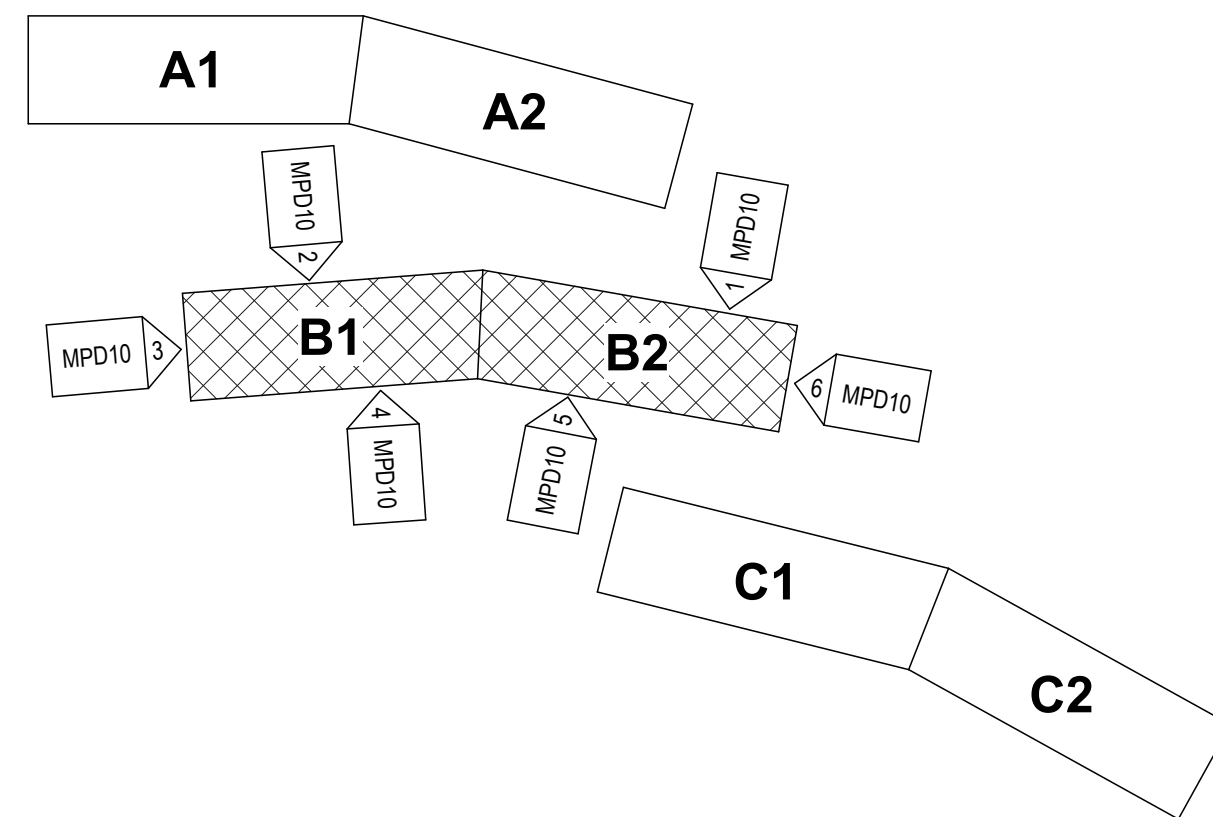
**5** MPD - BLDG B Elev 05  
1/16" = 1'-0"

c



**6** MPD - BLDG B Elev 06  
1/16" = 1'-0"

## KEY PLAN



**Alexander**  
*Company*



CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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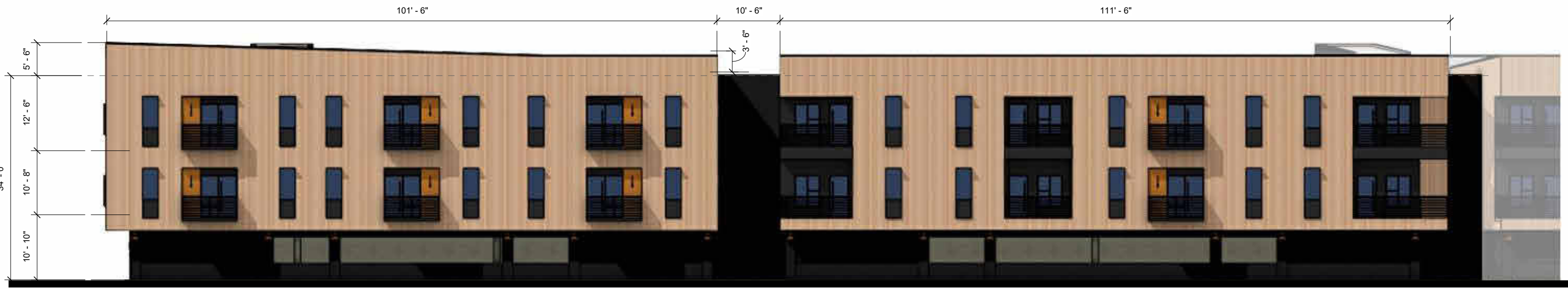
REVISIONS		
#	DATE	DESCRIPTION

BLDG B - EXT.  
ELEV.

SHEET NO.		MPD10
JOB NO.	25.140	

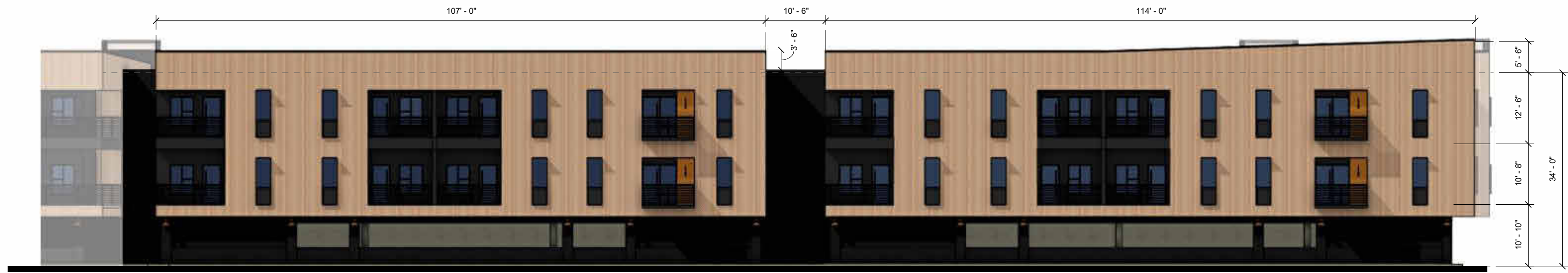


1



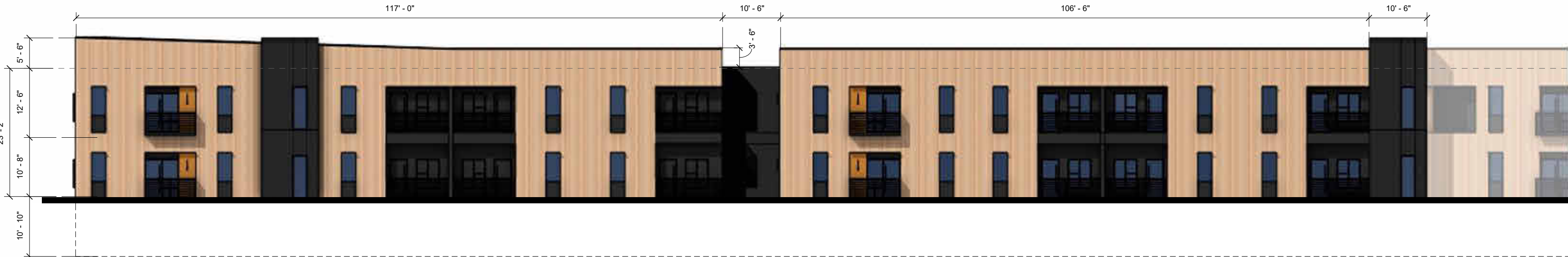
**1** MPD - BLDG C Elev 01  
1/16" = 1'-0"

2



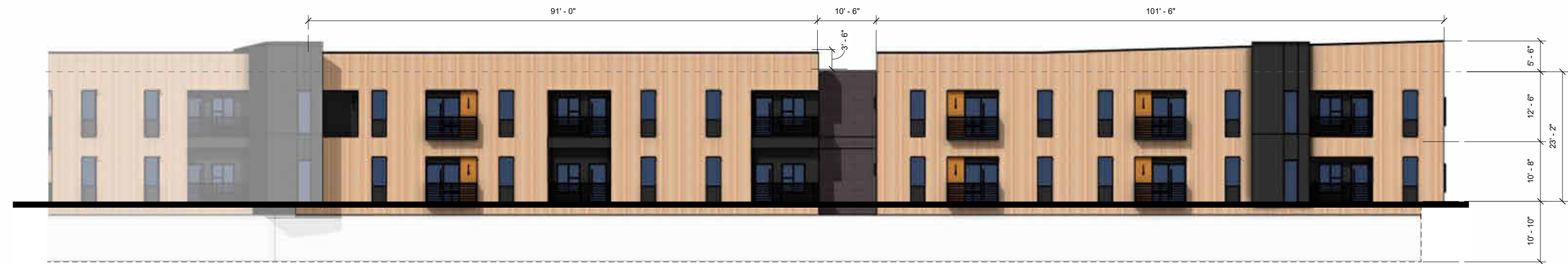
**2** MPD - BLDG C Elev 02  
1/16" = 1'-0"

3



**4** MPD - BLDG C Elev 04  
1/16" = 1'-0"

4



**5** MPD - BLDG C Elev 05  
1/16" = 1'-0"

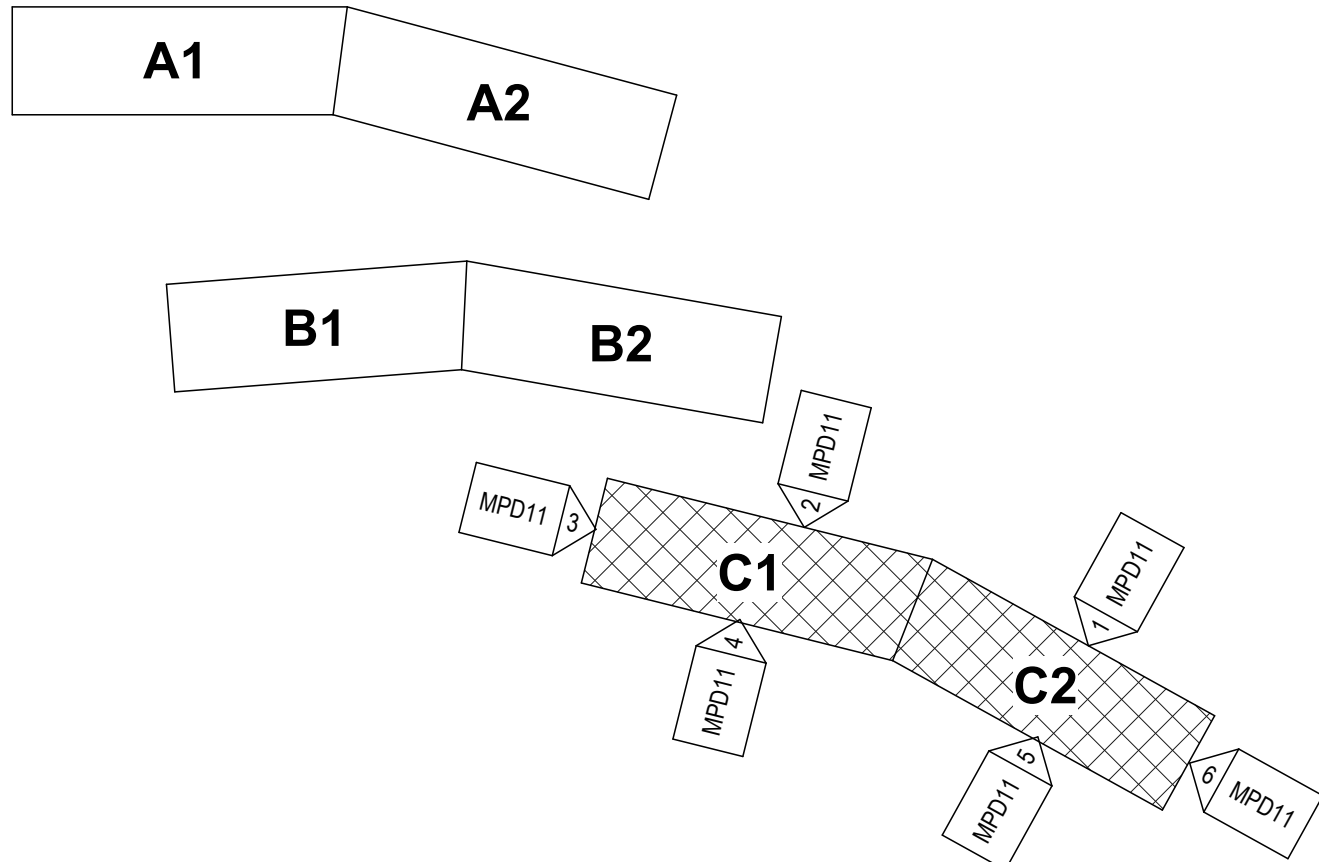
a

b

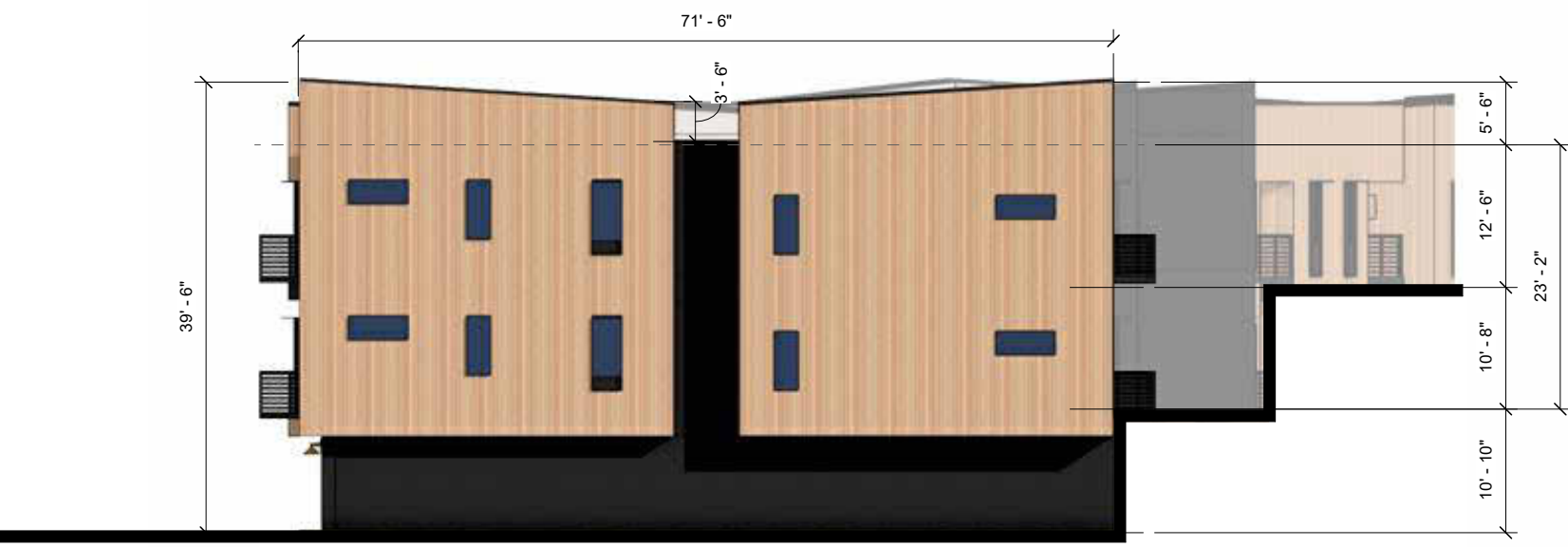
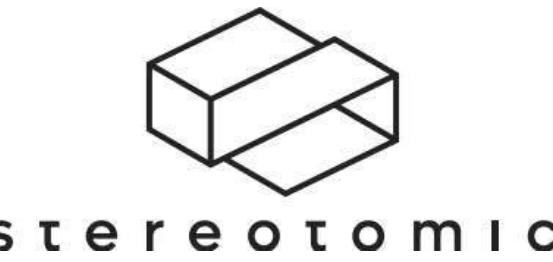
c

d

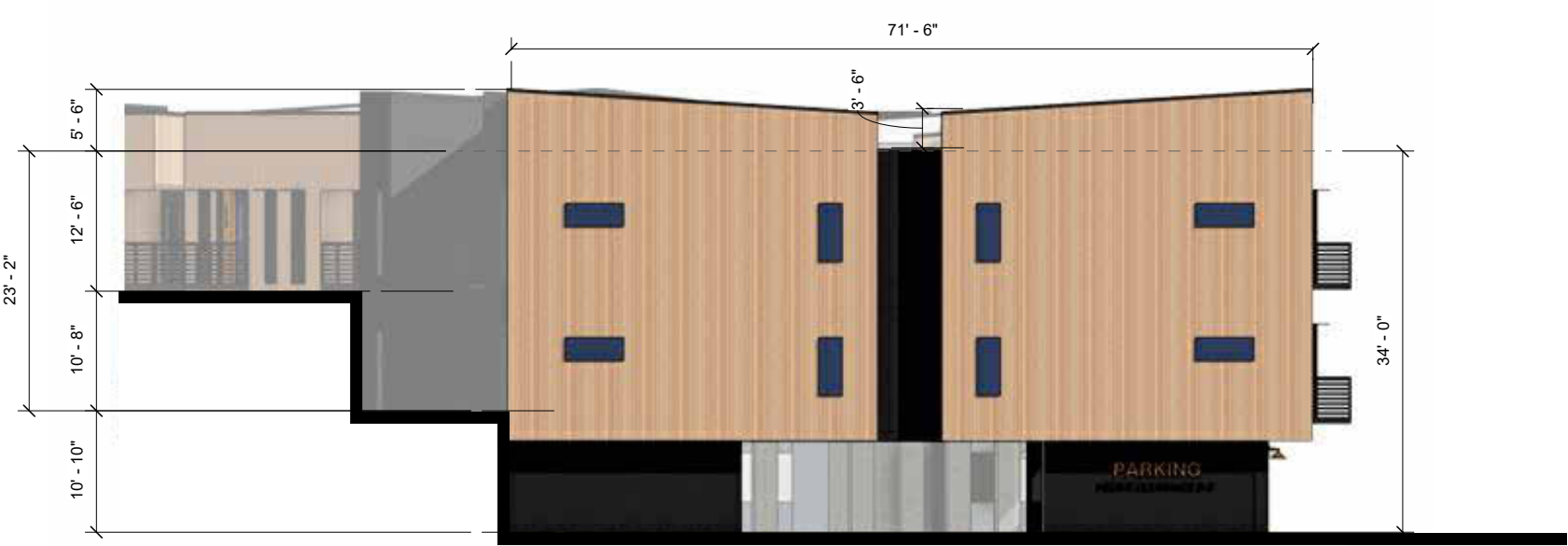
## KEY PLAN



**Alexander**  
*Company*



**3** MPD - BLDG C Elev 03  
1/16" = 1'-0"



**6** MPD - BLDG C Elev 06  
1/16" = 1'-0"

## CLARK RANCH AFFORDABLE HOUSING

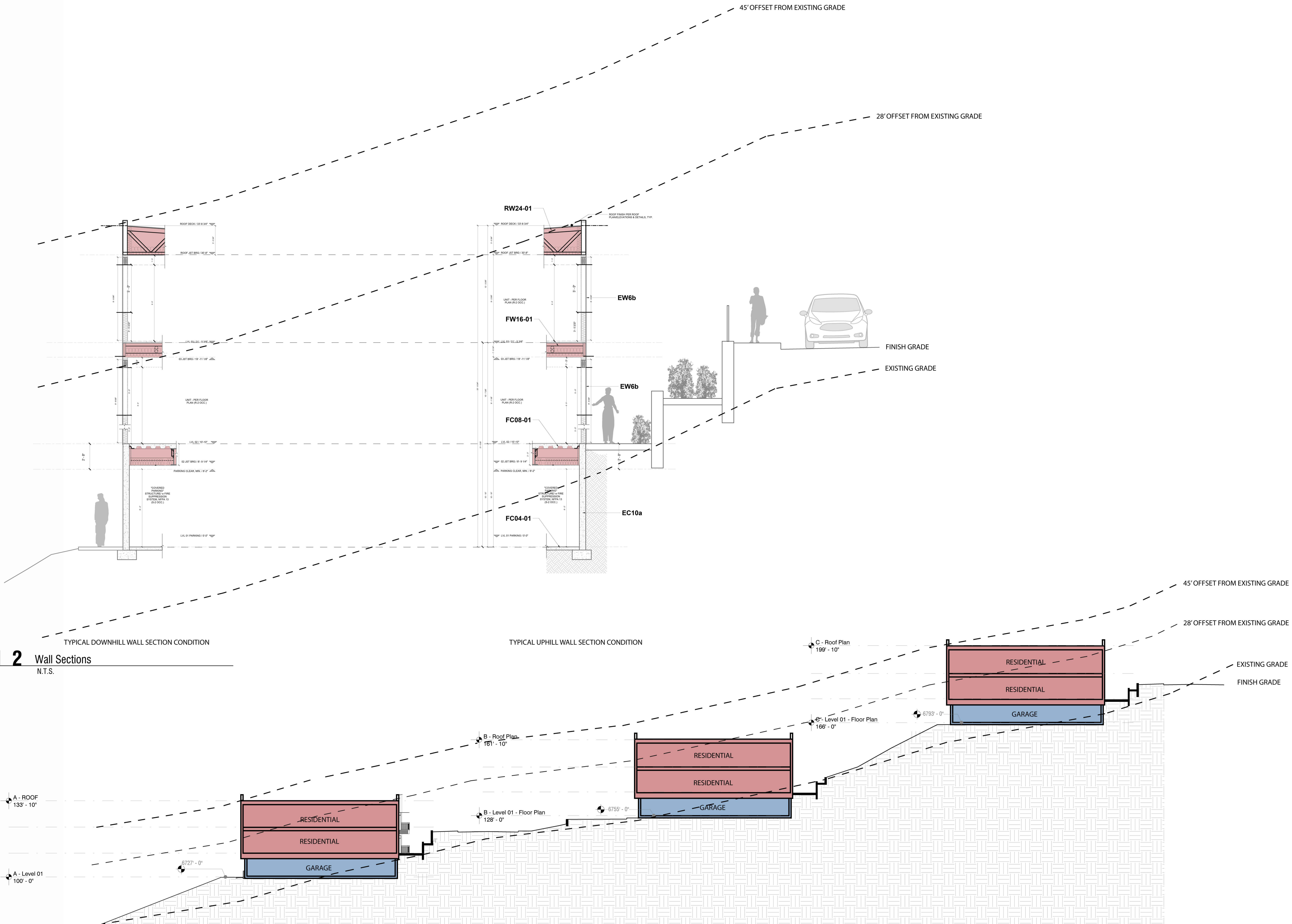
MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

## BLDG C - EXT. ELEV.

SHEET NO.		MPD11
JOB NO.	25.140	





CLARK RANCH  
AFFORDABLE  
HOUSING

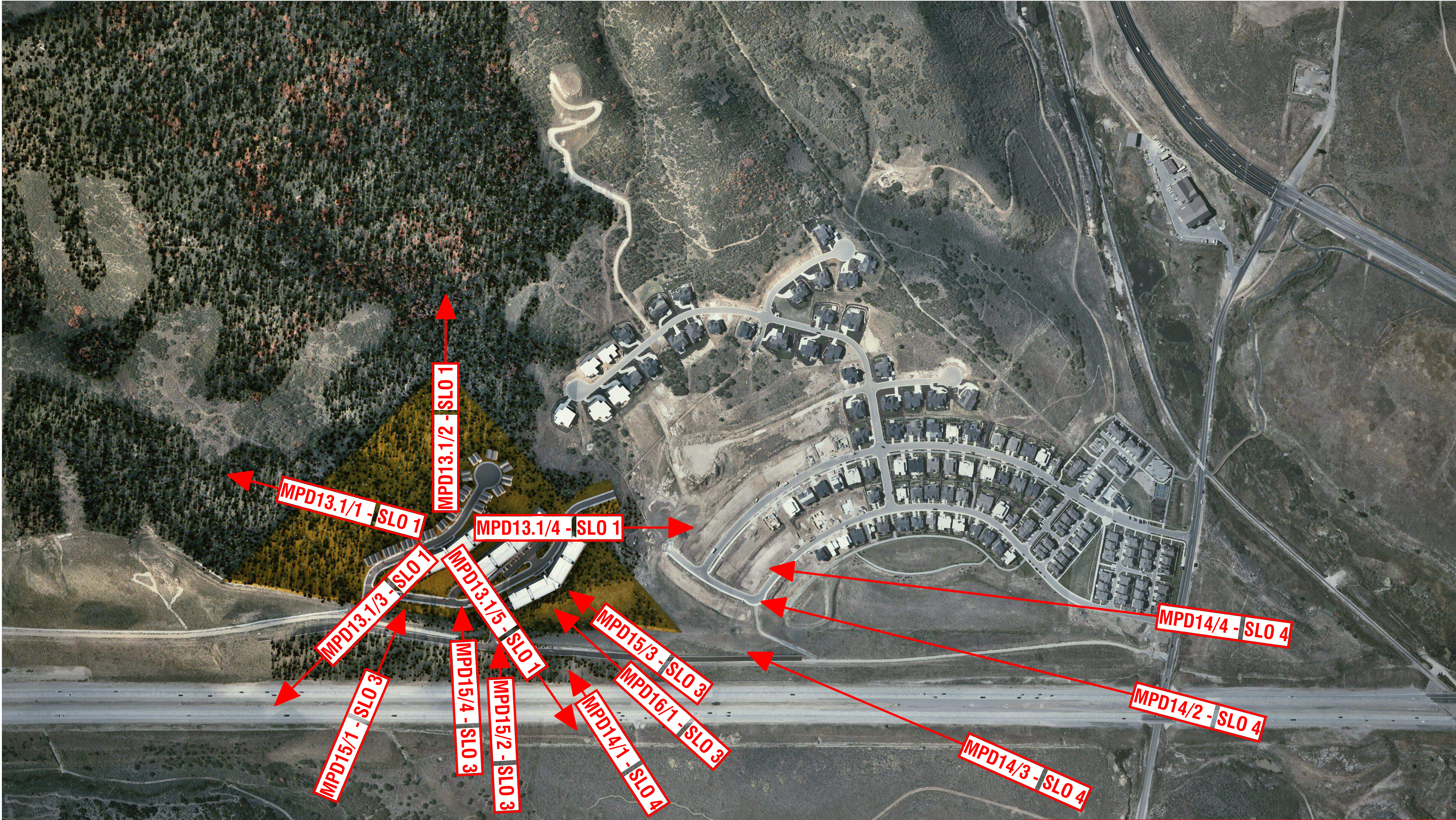
MPD SUBMITTAL	8/8/2025
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#	DATE	REVISIONS DESCRIPTION
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BLDG & SITE  
SECT.

SHEET NO.	MPD12
JOB NO.	25.140





**\*FOR SLO 2 VIEWS SEE ELEVATIONS ON MDP09-MPD11**

**1** Context View Map  
1/16" = 1'-0"



CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

**VISUAL  
CONTEXTUAL  
ANALYSIS**

SHEET NO.		MPD13
JOB NO.	25.140	





1 SLO 1 - Existing View - Looking Southwest  
1/16" = 1'-0"



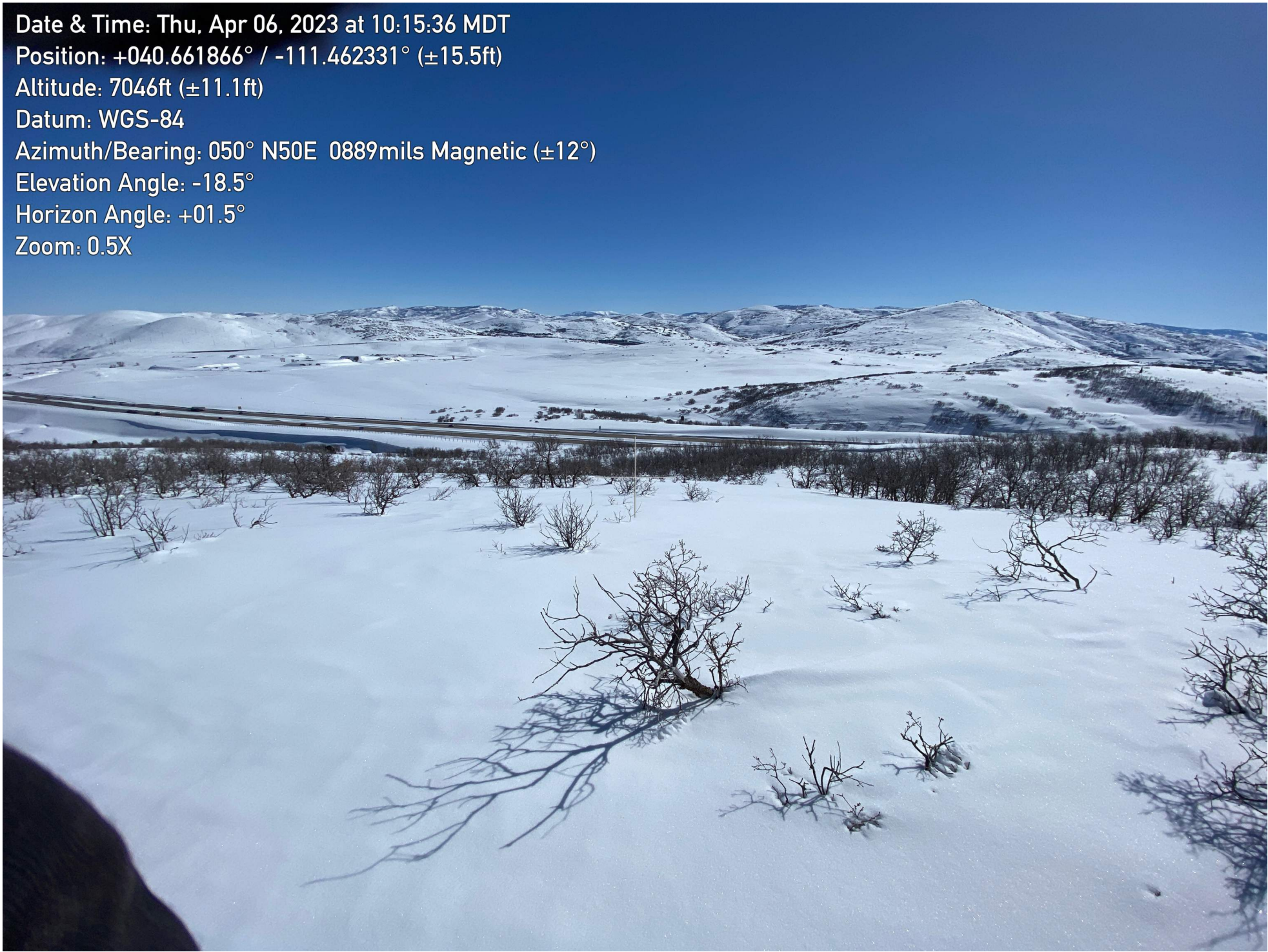
2 SLO 1 - Existing View - Looking West  
1/16" = 1'-0"



3 SLO 1 - Existing View - Looking Southeast  
1/16" = 1'-0"



4 SLO 1 - Existing View - Looking North  
1/16" = 1'-0"



Date & Time: Thu, Apr 06, 2023 at 10:15:36 MDT  
Position: +040.661866° / -111.462331° (±15.5ft)  
Altitude: 7046ft (±11.1ft)  
Datum: WGS-84  
Azimuth/Bearing: 050° N50E 0889mils Magnetic (±12°)  
Elevation Angle: -18.5°  
Horizon Angle: +01.5°  
Zoom: 0.5X

5 SLO Existing View - Looking Northeast  
1/16" = 1'-0"

**CLARK RANCH  
AFFORDABLE  
HOUSING**

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

**VISUAL  
CONTEXTUAL  
ANALYSIS**

SHEET NO.		MPD13.1
JOB NO.	25.140	





1 Context View 01  
1/16" = 1'-0"



2 Context View 02  
1/16" = 1'-0"



3 Context View 03  
1/16" = 1'-0"



4 Context View 04  
1/16" = 1'-0"

CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

VISUAL  
CONTEXTUAL  
ANALYSIS

SHEET NO.		MPD14
JOB NO.	25.140	





1 Concept View 01  
1/16" = 1'-0"



3 Concept View 03  
1/16" = 1'-0"



2 Concept View 02  
1/16" = 1'-0"



4 Concept View 04  
1/16" = 1'-0"

CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

CONCEPTUAL  
RENDERINGS

SHEET NO.		MPD15
JOB NO.	25.140	

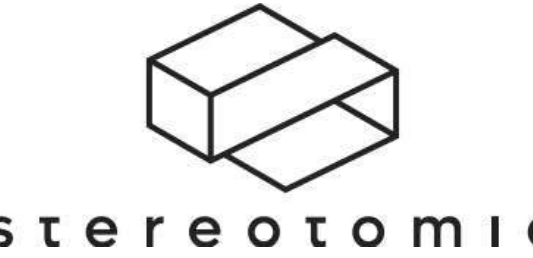




**1** Concept View 05  
1/16" = 1'-0"



**2** Concept View 06  
1/16" = 1'-0"



CLARK RANCH  
AFFORDABLE  
HOUSING

MPD SUBMITTAL	8/8/2025
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REVISIONS		
#	DATE	DESCRIPTION

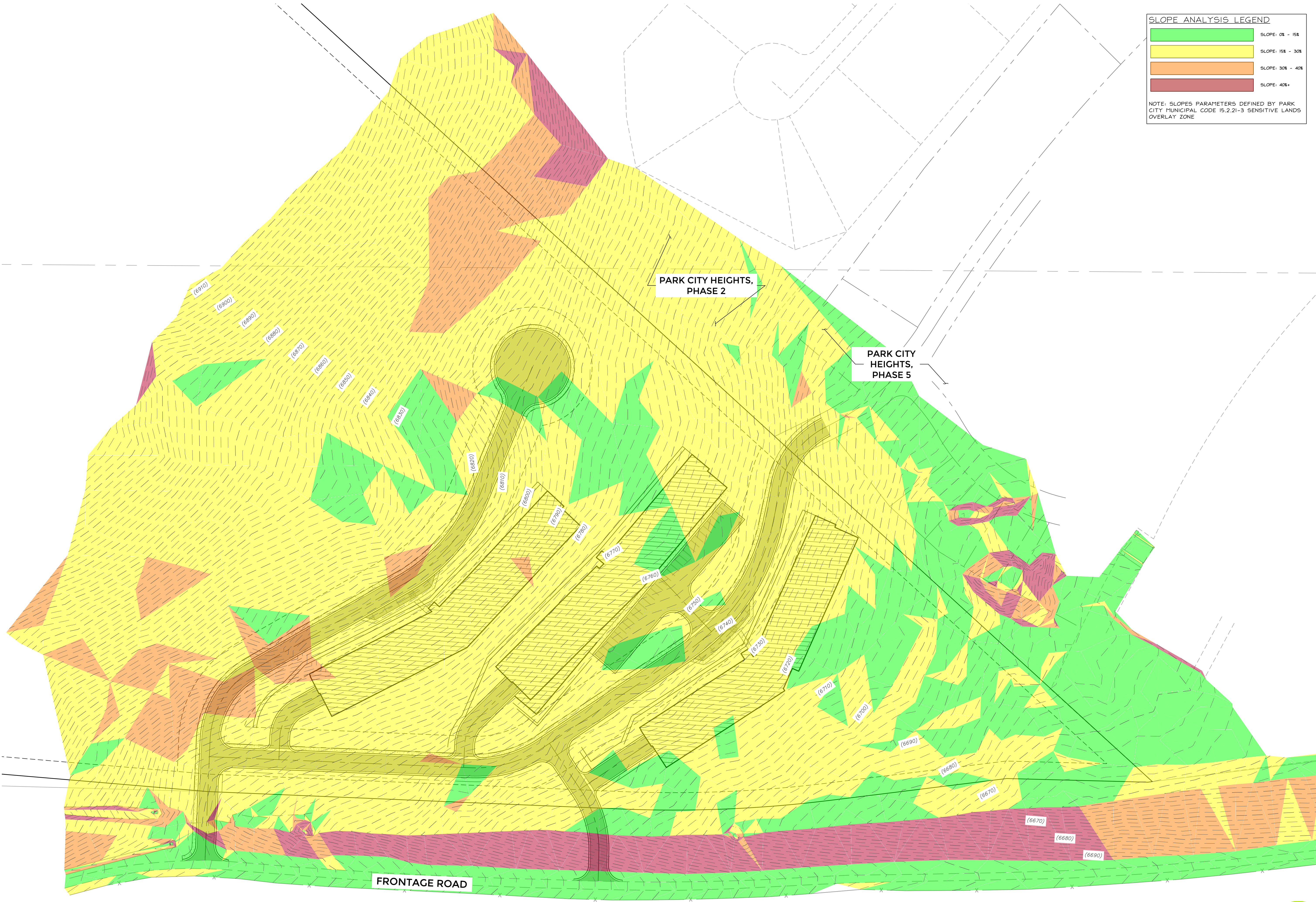
CONCEPTUAL  
RENDERINGS

SHEET NO.		MPD16
JOB NO.	25.140	



DATE: 8/7/2025 10:53 AM

PATH: N:\23-038 - Clark Ranch\Code\p\CD002 - Slope Analysis.dwg



**SLOPE ANALYSIS LEGEND**

	SLOPE: 0% - 15%
	SLOPE: 15% - 30%
	SLOPE: 30% - 40%
	SLOPE: 40%+

NOTE: SLOPES PARAMETERS DEFINED BY PARK CITY MUNICIPAL CODE 15.2.21-3 SENSITIVE LANDS OVERLAY ZONE

**TALISMAN**  
CIVIL CONSULTANTS  
1588 SOUTH MAIN STREET  
SUITE 200  
SALT LAKE CITY, UT 84115  
801.743.1300

**CLARK RANCH**  
**SLOPE ANALYSIS EXHIBIT**

TCC JOB NUMBER: 23-038

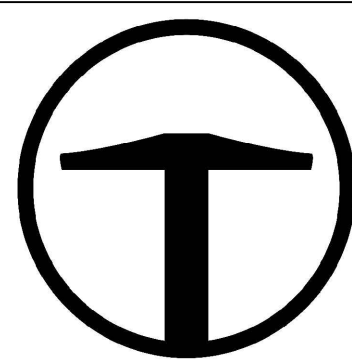
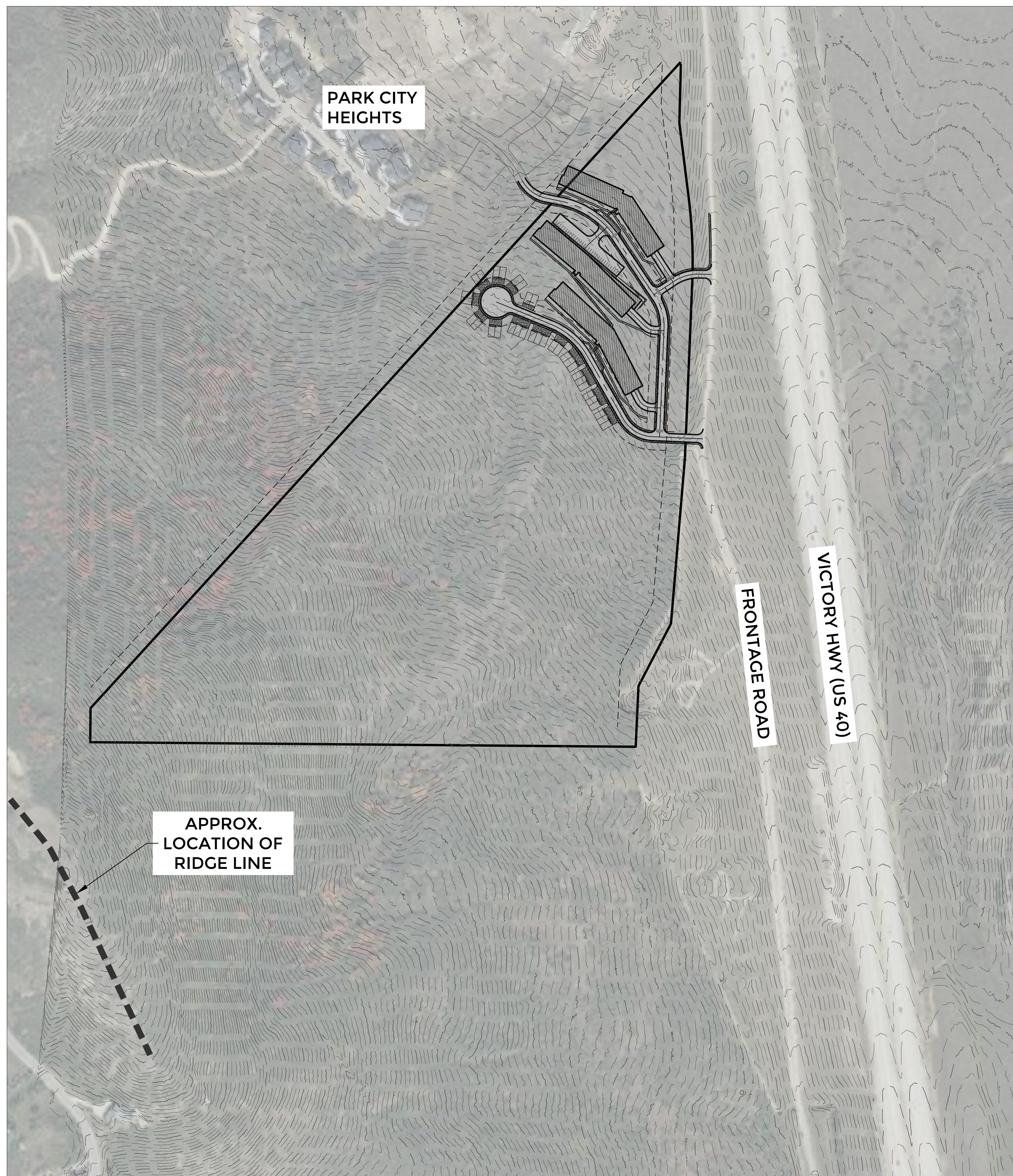
DATE: 08-08-2025

**SCALE**  
HORIZONTAL: 1" = 60'  
0 15' 30' 60' 90'

SHEET NUMBER  
**ET02**  
1 OF 1







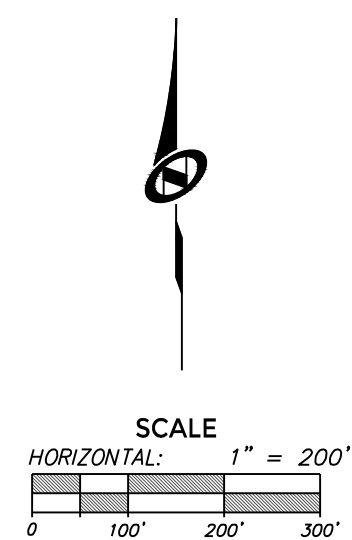
**TALISMAN**  
CIVIL CONSULTANTS  
1588 SOUTH MAIN STREET  
SUITE 200  
SALT LAKE CITY, UT 84115  
801.743.1300

[illegible]

**CLARK RANCH**  
**RIDGE LINE EXHIBIT**

TCC JOB NUMBER: 23-038

DATE: 08-08-2025



SHEET NUMBER

ET01



CLARK RANCH AFFORDABLE HOUSING  
PRELIMINARY LAND DESIGNATION -DRAFT  
SEPTEMBER 17, 2025

	units	UE Eq.	SF	ACRES	%	Notes
Project Total	201	100.3425	200,685		100.00%	
Lot 1	167	62.0925	124185		61.88%	Affordable Component
Bldg A	56	20.5365	41073		20.47%	
Bldg B	53	20.0835	40167		20.01%	
Bldg C	58	21.4725	42945		21.40%	
Lot 2	34	38.25	76500		38.12%	Variable Component
					0.00%	
Total Developed Area			435600	10.00	100.00%	
Density				10.03		UE per acre of developable area
Parking (per MPD)		Req'd	Provided		Ratio	
Lot 1		170	229		1.37	
Lot 2		68	72		2.12	
		253	349		1.74	
Total Open Space		102,882	2,36		23.62%	see lot diagram
open space zone 1		12,200	0.28		2.80%	
open space zone 2		21,063	0.48		4.84%	
open space zone 3		33,256	0.76		7.63%	
open space zone 4		36,363	0.83		8.35%	

developed open  
space zone 1

developed open  
space zone 2

stormwater retention basin area / dedicated  
R.O.S. open space)

developed open  
space zone 3

development boundary - 10.0 acres

developed open  
space zone 4

R.O.S. Dedicated  
open space



## Lillian Zollinger

---

**From:** Rebecca Ward <rebecca.ward@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 10:15 AM  
**To:** Grant Tilson; Christin VanDine; John Frontero; Henry Sigg; Rick Shand; Bill Johnson; Seth Beal  
**Cc:** Mark Harrington; Heather Sneddon; Meredith Covey; Nannette Larsen; Lillian Zollinger  
**Subject:** RE: [External] Clark Ranch Question and Thanks

Thank you for forwarding, Grant. Commissioners, please see the email below submitted for public comment regarding the proposed Clark Ranch project.

---

**From:** Grant Tilson <grant.tilson@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 9:54 AM  
**To:** Rebecca Ward <rebecca.ward@parkcity.gov>  
**Subject:** Fw: [External] Clark Ranch Question and Thanks

Hi Rebecca,

I received this public comment addressed only to me. I'm not sure if the other commissioners received the same comment. Forwarding so it can be included/sent to everyone if it wasn't already.

Grant

---

**From:** Jeffrey Iannaccone <[REDACTED]>  
**Sent:** Tuesday, September 9, 2025 1:23:17 PM  
**To:** Grant Tilson <[grant.tilson@parkcity.gov](mailto:grant.tilson@parkcity.gov)>  
**Subject:** [External] Clark Ranch Question and Thanks

Warning: Replies to this message will go to [REDACTED]. If you are unsure this is correct please contact the helpdesk.

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**[CAUTION]** This is an external email.

Good afternoon, Grant,

My name is Jeff and I live in Park City Heights ([REDACTED]).

First off, thank you for your service to Park City. My family and I have had several military moves along the way, and we're unbelievably grateful to finally settle down and raise two young boys in such an amazing town. You and your colleagues play a critical role in making and keeping Park City amazing, thank you for your hard work.

I'm reaching out regarding the construction in Clark Ranch. Admittedly, I am way out of my league on the technicalities involved in getting this apartment complex approved.



Although I disagree with most of the developer's narrative in Exhibit A, and their application as a whole, I'll only address one specific area that greatly affects my family's home. The frontage road. Please forgive me if this is not within your current scope; however, I felt getting my thoughts to you sooner rather than later makes sense.

Based on the applicant's slope analysis, it seems that the frontage road slope exceeds 30 degrees (and most portions greater than 40 degrees) in our backyard. Would LMC 15-2.21-4(D) apply? I know there's mention of a street "crossing" a steep slope in this section, but would it still apply as the road sits directly on top of and actually touches the steep slope?

This frontage road will significantly hamper our view. Additionally, this section of road looks like it will provide a safety hazard for drivers and the occupants of the home that sits on the corner of Stella and Piper. To speak frankly, a car slide off in their backyard could result in the upended car sitting in their living room. I imagine hefty safety measures will take place to mitigate these risks; however, that would also increase the negative visual aspects of this road.

As I'm sure you are aware, construction dirt has already been added to the slopes of the frontage road (it began in June). It greatly concerns me that building preparation and construction has already commenced before you, the decision makers, have had the opportunity to explore this application. I can't be certain of when the slope survey was conducted, but it does seem like the construction happened first, and the slope study was conducted second.

I know that you are extremely busy and I can't begin to tell you how much I appreciate your attention to not only the one specific item that I've pointed out, but the entire Clark Ranch Project as a whole.

Please let me know if there's anyway that I can help as you work towards a decision on Clark Ranch and the frontage road.

Sincerely,

Jeff Iannaccone  
[REDACTED]



## Lillian Zollinger

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**From:** Meredith Covey <meredith.covey@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 5:20 PM  
**To:** Lillian Zollinger  
**Subject:** FW: [External] Clark Ranch Concerns

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**From:** planning <planning@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 4:21 PM  
**To:** Meredith Covey <meredith.covey@parkcity.gov>; Nannette Larsen <Nannette.Larsen@parkcity.gov>; Rebecca Ward <rebecca.ward@parkcity.gov>  
**Subject:** FW: [External] Clark Ranch Concerns

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**From:** Christin VanDine <[christin.VanDine@parkcity.gov](mailto:christin.VanDine@parkcity.gov)>  
**Sent:** Wednesday, September 10, 2025 3:07 PM  
**To:** planning <[planning@parkcity.gov](mailto:planning@parkcity.gov)>  
**Subject:** Fwd: [External] Clark Ranch Concerns

Sent from my iPad

Begin forwarded message:

**From:** Sue Gould [REDACTED]  
**Date:** September 9, 2025 at 2:26:52 PM MDT  
**To:** Bill Johnson <[bill.johnson@parkcity.gov](mailto:bill.johnson@parkcity.gov)>, Christin VanDine <[christin.VanDine@parkcity.gov](mailto:christin.VanDine@parkcity.gov)>, Grant Tilson <[grant.tilson@parkcity.gov](mailto:grant.tilson@parkcity.gov)>, Henry Sigg <[henry.sigg@parkcity.gov](mailto:henry.sigg@parkcity.gov)>, John Frontero <[john.frontero@parkcity.gov](mailto:john.frontero@parkcity.gov)>, Rick Shand <[rick.shand@parkcity.gov](mailto:rick.shand@parkcity.gov)>, Seth Beal <[seth.beal@parkcity.gov](mailto:seth.beal@parkcity.gov)>  
**Subject:** [External] Clark Ranch Concerns

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[CAUTION] This is an external email.

To the members of the the Park City Planning Commission:

I believe you have a meeting scheduled for tomorrow to discuss the Clark Ranch project, as well as conduct a site visit. As a resident of Park City Heights (PCH) I have a







## Lillian Zollinger

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**From:** Meredith Covey <meredith.covey@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 5:21 PM  
**To:** Lillian Zollinger  
**Subject:** FW: [External] Public Comment Submission

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**From:** public\_comments <Public\_Comments@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 4:44 PM  
**To:** Meredith Covey <meredith.covey@parkcity.gov>; Nannette Larsen <Nannette.Larsen@parkcity.gov>; Rebecca Ward <rebecca.ward@parkcity.gov>  
**Subject:** FW: [External] Public Comment Submission

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**From:** No Reply <noreply@civicplus.com>  
**Sent:** Wednesday, September 10, 2025 1:50 PM  
**To:** public\_comments <Public\_Comments@parkcity.gov>  
**Subject:** [External] Public Comment Submission

Warning: Replies to this message will go to [010f0199352deae1-b0430354-1563-40a2-88b2-8dfef894b090-000000@us-east-2.amazonaws.com](mailto:010f0199352deae1-b0430354-1563-40a2-88b2-8dfef894b090-000000@us-east-2.amazonaws.com). If you are unsure this is correct please contact the helpdesk.

**[CAUTION]** This is an external email.

Submitted by: Lance Lucey  
Email Address: [REDACTED]

Commented on event: <https://parkcityut.portal.civicclerk.com/event/2350/overview>  
If you are having trouble viewing the URL above, cut and paste the string into your browser window.

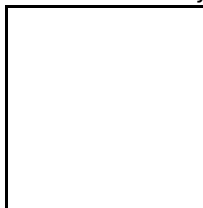
User comment: To the Park City Planning Commission, As tax-paying residents of Park City Heights, we are writing to formally object to the Clark Ranch development as currently proposed. While we support affordable housing, the Clark Ranch site and plan violate the Park City Land Management Code (LMC), are fiscally irresponsible, and threaten the viability of our neighborhood and the city's long-term interests. I. Technical Code Violations and Site Constraints • Disturbance Area Exceeds Code Limits: The staff report for September 10 shows three development lots totaling approximately 14 acres (4.36 + 4.59 + 5.13), even though materials describe "no more than 10 acres." Please clarify what binding mechanism (plat note/easement) actually caps disturbance to 10 acres and how this complies with SLO clustering/preservation intent (LMC 15-2.21-1). • Benching/Terracing Prohibited: If pads or roads require "stepped" grading to create buildable sites, that conflicts with LMC 15-2.21-4(C): "Benching or terracing to provide additional or larger Building Sites is prohibited." Please publish grading cross-sections and confirm compliance. • Roads on Steep Slopes: LMC 15-2.21-4(D) prohibits streets/roads from crossing slopes ≥30% (except for a short ≤100' crossing, and only if the Planning Director and City Engineer find no significant visual/environmental/safety impacts). Identify any segments that cross ≥30% and the findings supporting them. • Street Layout and Sensitive Lands Review: At Final Subdivision Plat, the Commission must give "particular attention to the arrangement, location, and width of Streets and their relation to drainage, erosion, topography, and natural features," plus the General Plan and any Sensitive Lands Analysis (LMC 15-7.1-6). • Frontage Road and Access Issues: The project's dependency on a costly new frontage road (design: \$725,000; construction: \$5M+) is not fiscally responsible and creates risk of future cut-



through traffic via Park City Heights. If vehicular interconnection is limited, ensure strong bike/ped connections consistent with Complete Streets and the Trails Master Plan (LMC 15-7.1-6, 15-2.21-4(D)).

- **Zoning and Use of Public Funds:** The parcel is not yet rezoned; there are unresolved questions about using public bond funds for private development, which may require a buyback or decoupling (see LMC and city bond policy).
- II. **Cost Analysis and Fiscal Responsibility**
- **Frontage Road and Road Study Costs:** The cost of the frontage road alone is in excess of \$5 million, and the road study is \$725,000—both before a single unit is built. These costs are multiples higher than what was required for the Engine House project, which had a city subsidy of \$100,000 per unit. Clark Ranch’s per-unit subsidy will far exceed that, especially when factoring in the steep hillside construction, ongoing maintenance, and lack of existing infrastructure.
- **Topography and Site Challenges:** The site’s average slopes are 17–25 degrees, which will drive up construction and long-term maintenance costs. These costs are not present at Studio Crossing, which is on a much more buildable site.
- **Comparison to Studio Crossing:** Studio Crossing (Quinn’s Junction) is city-owned, closer to transit, jobs, schools, and services, and already has much of the needed infrastructure in place. It is flatter, less environmentally sensitive, and would avoid the massive costs and neighborhood disruption associated with Clark Ranch. The city’s own residents have repeatedly asked for a side-by-side analysis of Studio Crossing and Clark Ranch, but this has not been done.
- **Public Transportation:** The increased cost of providing public transit service to this remote site will run into the hundreds of thousands of dollars per year, adding a significant ongoing financial burden for the city and taxpayers—costs that would be far lower at more centrally located alternatives like Studio Crossing.
- **Value for Taxpayers:** We should maximize units and outcomes per public dollar in places with existing or planned infrastructure. Studio Crossing would deliver more homes, faster, for less money, with safer access and better daily-life outcomes for residents.
- III. **Design, Density, and Neighborhood Impacts**
- **Unit Mix Not Family-Friendly:** The current plan is 63% one-bedroom, 33% two-bedroom, and only 4% three-bedroom units (105 1BR, 56 2BR, 6 3BR out of 167 units), making it unlikely to serve families long-term as claimed.
- **No Affordable Ownership Opportunities:** The original plan called for affordable housing with purchasing opportunities, but now it is all apartments with no path to ownership for working families.
- **Design Out of Character:** The plans show three apartment blocks of three-story buildings with large surface parking lots, which are not compatible with the surrounding neighborhood and will negatively impact property values.
- **Parking and Traffic:** The project provides 1.37 parking spaces per unit for multifamily and 2.12 per townhome, with a total of 349 spaces for 201 units, which will increase congestion on Richardson Flat and 248/Kearns, plus potential future cut-throughs through our neighborhood.
- **Environmental and Open Space Impacts:** The project will destroy open space and wildlife habitat currently used for hiking and biking, with no clear plan for conservation or trail integration.
- **Isolation from Services and Transit:** The site is car-dependent and lacks walkable access to jobs, groceries, schools, and transit, undermining the city’s own affordability and sustainability goals.
- IV. **Alternatives and Constructive Request**
- **Better Alternatives Ignored – Studio Crossing is the Superior Site:** Studio Crossing is city-owned, closer to transit, jobs, schools, and services, and already has much of the needed infrastructure in place. It is flatter, less environmentally sensitive, and would avoid the massive costs and neighborhood disruption associated with Clark Ranch. I specifically request that Studio Crossing (Quinn’s Junction area) be included as one of the alternative sites in any side-by-side analysis, given its proximity to services, planned transit, and dramatically lower infrastructure costs. I respectfully request:
  - That the City not push this project through quickly without first providing a transparent, side-by-side analysis of other potential locations, including Studio Crossing.
  - Pause all further action on the Clark Ranch site until this analysis is completed and made available for public review and comment.
  - Direct staff to conduct a formal, side-by-side analysis of alternative city-owned parcels—including Studio Crossing—with public engagement, covering cost, access, transit, services, environmental impacts, and delivery timelines.
  - Provide clear answers on the legal, zoning, and funding questions raised above.
  - Explain how the current plan complies with LMC 15-2.21-1, 15-2.21-4(C), 15-2.21-4(D), and 15-7.1-6, and publish all required findings and cross-sections. We are not asking to reduce the number of affordable homes. We are asking you to keep the homes but move the map to a location that makes sense for residents, taxpayers, and the future of Park City. Incidentally, and as I’m sure you know, sunk costs should not factor into decisions about the best path forward; only future costs, benefits, and alternatives are relevant when determining the most financially responsible course of action. We respectfully request that the City pause any further action on the Clark Ranch project until a thorough, side-by-side analysis of other potential locations—such as Studio Crossing—can be completed and reviewed. If, after this transparent process, Clark Ranch is shown by the data to be the best option, that outcome will be clear

to all involved. Sincerely, Sophia and Lance Lucey





## Lillian Zollinger

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**From:** Meredith Covey <meredith.covey@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 5:21 PM  
**To:** Lillian Zollinger  
**Subject:** FW: [External] Clark Ranch Project Comments

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**From:** planning <planning@parkcity.gov>  
**Sent:** Wednesday, September 10, 2025 4:21 PM  
**To:** Meredith Covey <meredith.covey@parkcity.gov>; Nannette Larsen <Nannette.Larsen@parkcity.gov>; Rebecca Ward <rebecca.ward@parkcity.gov>  
**Subject:** FW: [External] Clark Ranch Project Comments

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**From:** Christin VanDine <[christin.VanDine@parkcity.gov](mailto:christin.VanDine@parkcity.gov)>  
**Sent:** Wednesday, September 10, 2025 3:08 PM  
**To:** planning <[planning@parkcity.gov](mailto:planning@parkcity.gov)>  
**Subject:** Fwd: [External] Clark Ranch Project Comments

Sent from my iPad

Begin forwarded message:

**From:** Nicolas Marin <[REDACTED]>  
**Date:** September 9, 2025 at 4:55:22 PM MDT  
**To:** Bill Johnson <[bill.johnson@parkcity.gov](mailto:bill.johnson@parkcity.gov)>, Christin VanDine <[christin.VanDine@parkcity.gov](mailto:christin.VanDine@parkcity.gov)>, Grant Tilson <[grant.tilson@parkcity.gov](mailto:grant.tilson@parkcity.gov)>, Henry Sigg <[henry.sigg@parkcity.gov](mailto:henry.sigg@parkcity.gov)>, John Frontero <[john.frontero@parkcity.gov](mailto:john.frontero@parkcity.gov)>, Rick Shand <[rick.shand@parkcity.gov](mailto:rick.shand@parkcity.gov)>, Seth Beal <[seth.beal@parkcity.gov](mailto:seth.beal@parkcity.gov)>, Nann Worel <[nann.worel@parkcity.gov](mailto:nann.worel@parkcity.gov)>, Bill Ciraco <[bill.ciraco@parkcity.gov](mailto:bill.ciraco@parkcity.gov)>, Ryan Dickey <[ryan.dickey@parkcity.gov](mailto:ryan.dickey@parkcity.gov)>, Ed Parigian <[ed.parigian@parkcity.gov](mailto:ed.parigian@parkcity.gov)>, Jeremy Rubell <[jeremy.rubell@parkcity.gov](mailto:jeremy.rubell@parkcity.gov)>, Tana Toly <[tana.toly@parkcity.gov](mailto:tana.toly@parkcity.gov)>  
**Subject:** [External] Clark Ranch Project Comments

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[CAUTION] This is an external email.

To the members of the Park City Planning Commission and City Council members:



My name is Nicolas Marin and I am a full-time resident in the Park City Heights neighborhood. My home is located at the corner of Stella & Ledger.

It's my understanding that the Planning Commission has a site visit and that the Clark Ranch Project is scheduled to be discussed at the Planning Commission meeting on Thursday.

First and foremost, I want to begin by expressing my strong support for Park City's commitment to affordable and workforce housing. Our community needs homes that teachers, service workers, first responders, resort staff and hospitality staff can actually afford, and I appreciate the City's ongoing efforts to meet that goal.

However, I believe that the proposed location of the Clark Ranch project doesn't fulfill this commitment to affordable housing and to the vision of protecting open spaces for multiple reasons.

Following is a list of reasons why the Planning Commission and Park City should rethink this project.

### **1. Challenging Topography & Cost Overruns**

- The proposed site features steep slopes—averaging 17° to 25°—which significantly drive up construction costs.
- Feasibility estimates show the new frontage road alone could cost around **\$5 million** (compared to the initial estimate 1.3 million), with other infrastructure—streets, utilities, retaining walls—adding another **\$8.6 million**.

The project has not started yet and the construction costs are already far above what was initially projected. The West-side hillside parcel is simply not the most cost-effective or fiscally responsible choice given available alternatives.

### **2. More Suitable Alternatives Exist on the East Side**

- The feasibility study only evaluated the western hillside and did not assess the **flat, developable east side of U.S. 40**—land that may offer far simpler and cheaper development options.
- Building on the east side could save taxpayer dollars, preserve open space, and deliver more units faster.

The city should explore east-side options or other flatter, less expensive sites before proceeding here. A feasibility study should have been completed for the east side portion of the parcel prior to moving forward with this project.

### **3. Traffic Concerns & Infrastructure Strain: Without Transit Integration, Clark Ranch Will Increase Traffic Congestion**

- A top concern among Park City Heights residents is increased traffic, especially through SR-248 and Richardson Flat Road, both existing chokepoints.



- **During peak commute times, traffic already backs up from the traffic light on 248 to our neighborhood. The right turning lane towards US 40 is too short.**
- As currently proposed, there are **no plans** to add a bus stop near the Clark Ranch site. This means employees and residents would likely drive to town, relying on already congested roads—particularly Richardson Flat Road and SR-248. It's highly doubtful that staff members or employees would walk all the way down from the Clark Project to the bus stop at the entrance of Park City Heights (especially since they will have to walk back up).
- The lack of public transit access directly undermines any potential relief value the Park & Ride improvements might offer, and contributes to increased traffic volume on narrow and overburdened arterial routes.

Without strong mitigation strategies or widening of Richardson flat, and updated analysis, this project risks exacerbating traffic concerns and reducing safety and quality of life for nearby residents.

#### **4. Impact on Open Space & Slippery Slope of Development**

- The city acquired the 344-acre Clark Ranch property in 2014 as open space, and much of it is intended to remain so under a conservation easement
- Expanding development or opening new roads could unintentionally pave the way for future growth—on state school land, lands owned by the Larry H. Miller Company, or other areas beyond the current parcel
- This not only contradicts conservation goals but risks eroding public trust in land preservation.
- **You will see during your site visit that Ivory has spread soil everywhere on the open tracts of Park City Heights and destroyed open spaces already without a plan for replanting.**

Approving this project—and its associated road infrastructure—could undermine long-term open-space protection.

#### **5. Lack of a conceptual plan for the proposed front road:**

The Clark Ranch document in the Planning Commission packet for the upcoming meeting includes no rendering of the proposed roadway connection from Richardson Flat Road (as seen on the attached pictures). Without a clear depiction of its alignment, grading, or intersections, residents and commissioners cannot fully evaluate traffic, environmental, or financial impacts. This lack of transparency is unacceptable given that the road is estimated to cost millions and will directly affect both Park City Heights and Richardson Flat. Until the public is provided with full design renderings and a circulation plan, any approval of this project is premature

#### **Alternative locations:**



## **1. East side of US 40.**

If the Richardson Flat Park & Ride were improved with direct ramp access from U.S. 40 and enhanced public transit service, with additional parking as recently discussed by Park City, placing the Clark Ranch project on the **east side of U.S. 40** would make much more sense—both from transit efficiency and traffic mitigation standpoints.

While we acknowledge the city's efforts to improve transit infrastructure—such as proposals for a direct SR-40 interchange to the Richardson Flat Park & Ride and enhanced bus services—these benefits are significantly undermined by the decision to locate the Clark Ranch project west of U.S. 40. Without a nearby bus stop or transit link, all residents and employees at Clark Ranch must rely on private vehicles, driving additional traffic onto already crowded roads like Richardson Flat Road and SR-248. Instead, siting the project east of U.S. 40—near a future improved Park & Ride facility—would immediately leverage transit investments, reduce vehicle dependency, ease congestion, and align development with the city's long-term transportation goals.

## **2. Studio crossing:**

Placing affordable and workforce housing at Studio Crossing makes practical, economic, and transportation sense. Residents would live steps from the new shops, services, and employers planned for the district, which means everyday needs can be met without long car trips—and the dollars earned and spent would circulate locally to strengthen those businesses. The location also improves transit access: it's significantly easier to reach the existing bus stop at the bottom of Park City Heights from Studio Crossing. In short, Studio Crossing concentrates housing near jobs and retail, reduces vehicle miles traveled, supports small businesses with steady foot traffic, and ties directly into transit that already works—delivering more value per public dollar while aligning with the city's mobility and sustainability goals.

Here's our community's request:

- Commission a feasibility study for parcels **east of U.S. 40**.
- Commission a feasibility study for **Studio Crossing**.
- Publish a **side-by-side comparison** of all three options (including the current Clark Ranch concept), detailing **total cost, per-unit cost, unit yield, timeline, and required infrastructure**.

Thank you for your time and consideration.

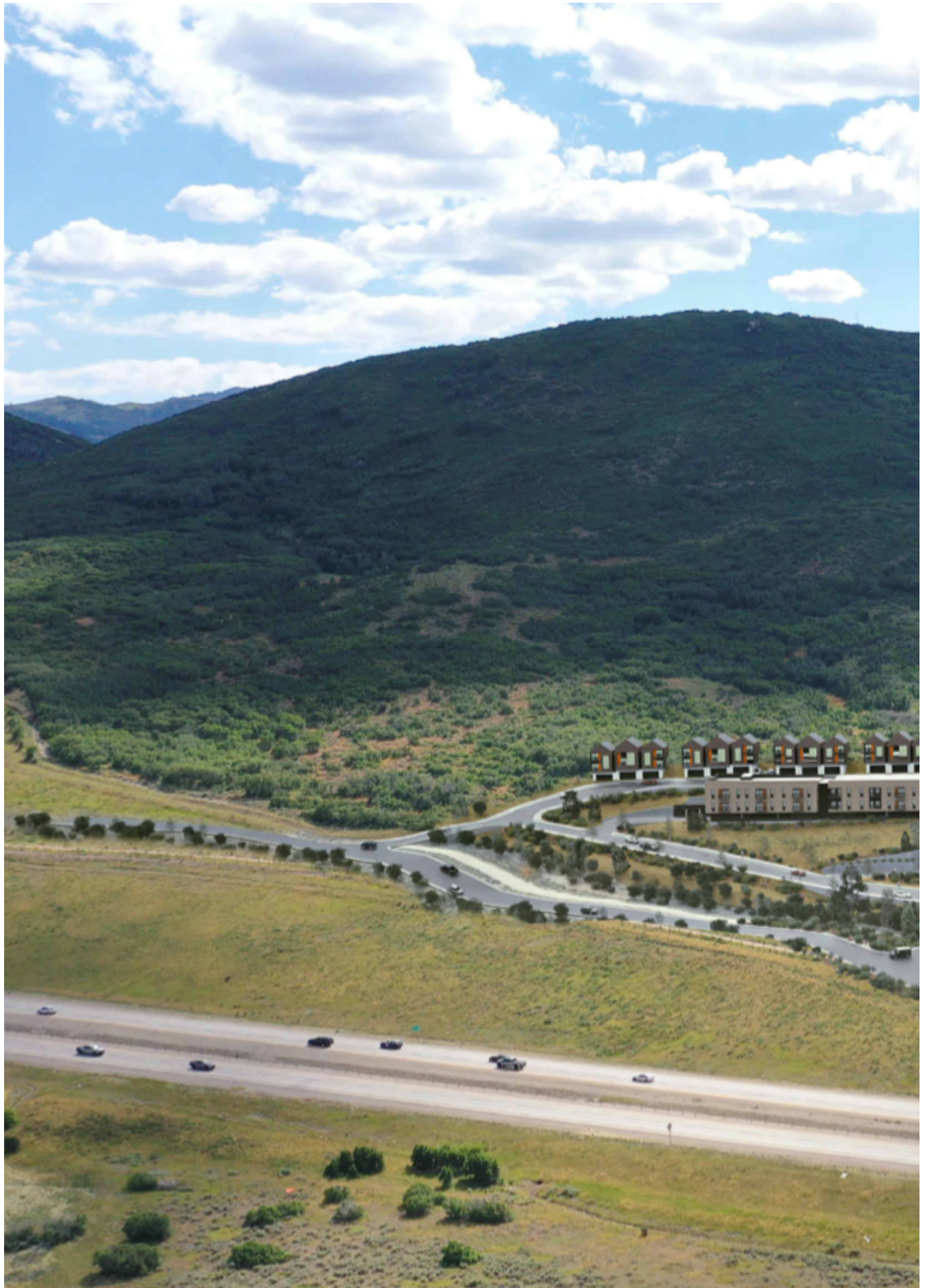
Nicolas Marin  
Park City Height Resident



**No visual concept of**









## Lillian Zollinger

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**From:** Meredith Covey <meredith.covey@parkcity.gov>  
**Sent:** Tuesday, September 16, 2025 9:26 AM  
**To:** Lillian Zollinger  
**Subject:** FW: [External] Clark Ranch Development - Formal Objection, Technical Code Violations, Cost Analysis, and Request for Transparent Alternatives Review

---

**From:** planning <planning@parkcity.gov>  
**Sent:** Thursday, September 11, 2025 9:15 AM  
**To:** Meredith Covey <meredith.covey@parkcity.gov>; Nannette Larsen <Nannette.Larsen@parkcity.gov>; Rebecca Ward <rebecca.ward@parkcity.gov>  
**Subject:** FW: [External] Clark Ranch Development - Formal Objection, Technical Code Violations, Cost Analysis, and Request for Transparent Alternatives Review

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**From:** Lance Lucey <[REDACTED]>  
**Sent:** Wednesday, September 10, 2025 5:47 PM  
**To:** planning <[planning@parkcity.gov](mailto:planning@parkcity.gov)>  
**Subject:** [External] Clark Ranch Development - Formal Objection, Technical Code Violations, Cost Analysis, and Request for Transparent Alternatives Review

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**[CAUTION]** This is an external email.

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To the Park City Planning Commission,

As tax-paying residents of Park City Heights, we are writing to formally object to the Clark Ranch development as currently proposed. While we support affordable housing, the Clark Ranch site and plan violate the Park City Land Management Code (LMC), are fiscally irresponsible, and threaten the viability of our neighborhood and the city's long-term interests.

### I. Technical Code Violations and Site Constraints

- **Disturbance Area Exceeds Code Limits:** The staff report for September 10 shows three development lots totaling approximately 14 acres (4.36 + 4.59 + 5.13), even though materials describe "no more than 10 acres." Please



clarify what binding mechanism (plat note/easement) actually caps disturbance to 10 acres and how this complies with SLO clustering/preservation intent (LMC 15-2.21-1).

- **Benching/Terracing Prohibited:** If pads or roads require “stepped” grading to create buildable sites, that conflicts with LMC 15-2.21-4(C): “Benching or terracing to provide additional or larger Building Sites is prohibited.” Please publish grading cross-sections and confirm compliance.
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- **Zoning and Use of Public Funds:** The parcel is not yet rezoned; there are unresolved questions about using public bond funds for private development, which may require a buyback or decoupling (see LMC and city bond policy).

## II. Cost Analysis and Fiscal Responsibility

- **Frontage Road and Road Study Costs:** The cost of the frontage road alone is in excess of \$5 million, and the road study is \$725,000—both before a single unit is built. These costs are multiples higher than what was required for the Engine House project, which had a city subsidy of \$100,000 per unit. Clark Ranch’s per-unit subsidy will far exceed that, especially when factoring in the steep hillside construction, ongoing maintenance, and lack of existing infrastructure.
- **Topography and Site Challenges:** The site’s average slopes are 17–25 degrees, which will drive up construction and long-term maintenance costs. These costs are not present at Studio Crossing, which is on a much more buildable site.
- **Comparison to Studio Crossing:** Studio Crossing (Quinn’s Junction) is city-owned, closer to transit, jobs, schools, and services, and already has much of the needed infrastructure in place. It is flatter, less environmentally sensitive, and would avoid the massive costs and neighborhood disruption associated with Clark Ranch. The city’s own residents have repeatedly asked for a side-by-side analysis of Studio Crossing and Clark Ranch, but this has not been done.
- **Public Transportation:** The increased cost of providing public transit service to this remote site will run into the hundreds of thousands of dollars per year, adding a significant ongoing financial burden for the city and taxpayers—costs that would be far lower at more centrally located alternatives like Studio Crossing.
- **Value for Taxpayers:** We should maximize units and outcomes per public dollar in places with existing or planned infrastructure. Studio Crossing would deliver more homes, faster, for less money, with safer access and better daily-life outcomes for residents.

## III. Design, Density, and Neighborhood Impacts

- **Unit Mix Not Family-Friendly:** The current plan is 63% one-bedroom, 33% two-bedroom, and only 4% three-bedroom units (105 1BR, 56 2BR, 6 3BR out of 167 units), making it unlikely to serve families long-term as claimed.
- **No Affordable Ownership Opportunities:** The original plan called for affordable housing with purchasing opportunities, but now it is all apartments with no path to ownership for working families.
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- **Parking and Traffic:** The project provides 1.37 parking spaces per unit for multifamily and 2.12 per townhome, with a total of 349 spaces for 201 units, which will increase congestion on Richardson Flat and 248/Kearns, plus potential future cut-throughs through our neighborhood.



- **Environmental and Open Space Impacts:** The project will destroy open space and wildlife habitat currently used for hiking and biking, with no clear plan for conservation or trail integration.
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#### IV. Alternatives and Constructive Request

- **Better Alternatives Ignored – Studio Crossing is the Superior Site:** Studio Crossing is city-owned, closer to transit, jobs, schools, and services, and already has much of the needed infrastructure in place. It is flatter, less environmentally sensitive, and would avoid the massive costs and neighborhood disruption associated with Clark Ranch. I specifically request that Studio Crossing (Quinn's Junction area) be included as one of the alternative sites in any side-by-side analysis, given its proximity to services, planned transit, and dramatically lower infrastructure costs.

#### I respectfully request:

- That the City not push this project through quickly without first providing a transparent, side-by-side analysis of other potential locations, including Studio Crossing.
- Pause all further action on the Clark Ranch site until this analysis is completed and made available for public review and comment.
- Direct staff to conduct a formal, side-by-side analysis of alternative city-owned parcels—including Studio Crossing—with public engagement, covering cost, access, transit, services, environmental impacts, and delivery timelines.
- Provide clear answers on the legal, zoning, and funding questions raised above.
- Explain how the current plan complies with LMC 15-2.21-1, 15-2.21-4(C), 15-2.21-4(D), and 15-7.1-6, and publish all required findings and cross-sections.

We are not asking to reduce the number of affordable homes. We are asking you to keep the homes but move the map to a location that makes sense for residents, taxpayers, and the future of Park City.

Incidentally, and as I'm sure you know, sunk costs should not factor into decisions about the best path forward; only future costs, benefits, and alternatives are relevant when determining the most financially responsible course of action.

We respectfully request that the City pause any further action on the Clark Ranch project until a thorough, side-by-side analysis of other potential locations—such as Studio Crossing—can be completed and reviewed. If, after this transparent process, Clark Ranch is shown by the data to be the best option, that outcome will be clear to all involved.



Sincerely, Sophia and Lance Lucey



# Planning Commission Staff Report



**Subject:** 41 Red Cloud Trail  
**Application:** PL-25-06595  
**Author:** Virgil Lund, Planner II  
**Date:** September 24, 2025  
**Type of Item:** Conditional Use Permit

## Recommendation

(I) Review the Conditional Use Permit (CUP) for a 1,984-square-foot private outdoor pool at 41 Red Cloud Trail, (II) conduct a public hearing, and (III) consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter (Exhibit A).

## Description

**Applicant:** Castle Walls 1, LLC  
**Location:** 41 Red Cloud Trail  
**Zoning District:** Estate, Sensitive Land Overlay  
**Adjacent Land Uses:** Single-Family Dwellings, Resort Open Space  
**Reason for Review:** The Planning Commission reviews and takes Final Action on Conditional Use Permits.<sup>1</sup>

CUP	Conditional Use Permit
DRC	Development Review Committee
LMC	Land Management Code
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](#).*

## Background

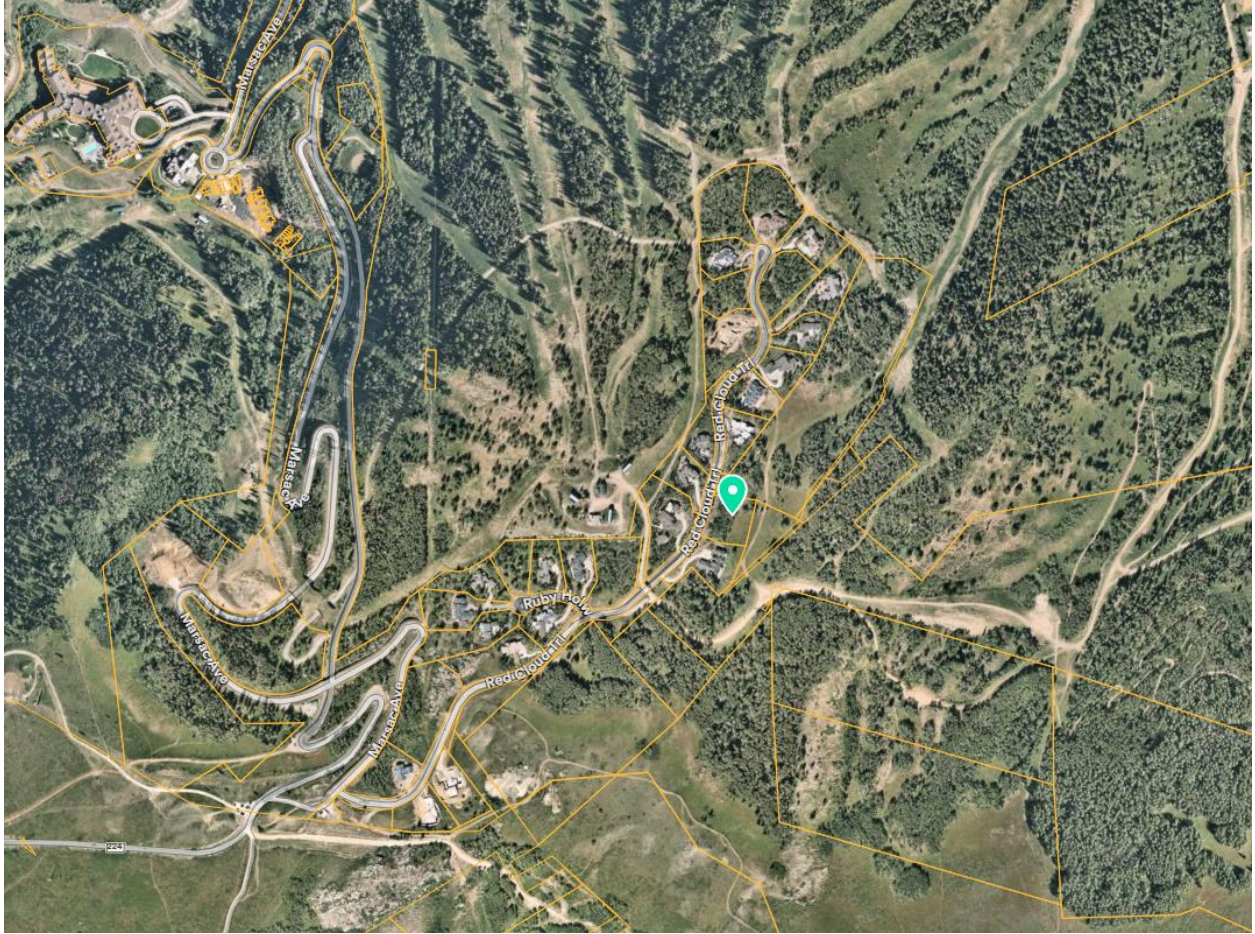
On August 11, 2004, the Planning Commission approved the Master Planned Development (MPD) for 30 Single-Family Dwellings (SFDs) for Red Cloud.

On November 11, 2004, the City Council adopted Ordinance No. [04-56](#) approving the Red Cloud Subdivision for the 30 SFDs. 41 Red Cloud Trail is Lot 29 of the Red Cloud Subdivision.

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<sup>1</sup> LMC [§ 15-1-8](#)





*Figure 1: 41 Red Cloud Trail.*

On November 15, 2023, the Building Department issued permit number 23-1499 for the construction of a SFD on Lot 29.



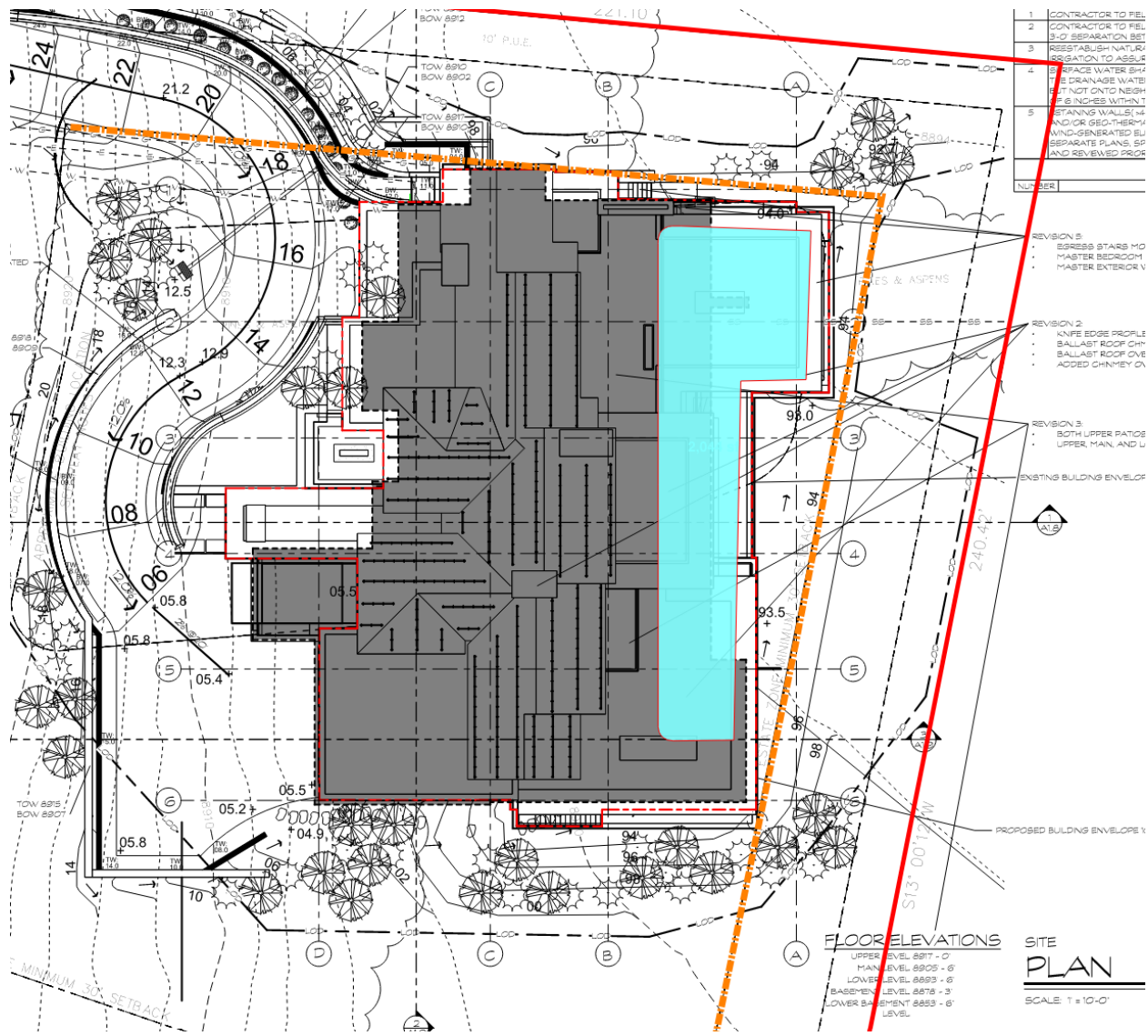


Figure 2: Applicant's Site Plan. Proposed Pool in Blue, 30-Foot Setback in Orange, and Property Lines Shown in Red.

## Analysis

(I) The proposed outdoor pool complies with the Estate (E) Zoning District requirements outlined in LMC Chapter 15-2.11.

The Estate Zoning District requires a 30-foot Front, Side, and Rear Setback.

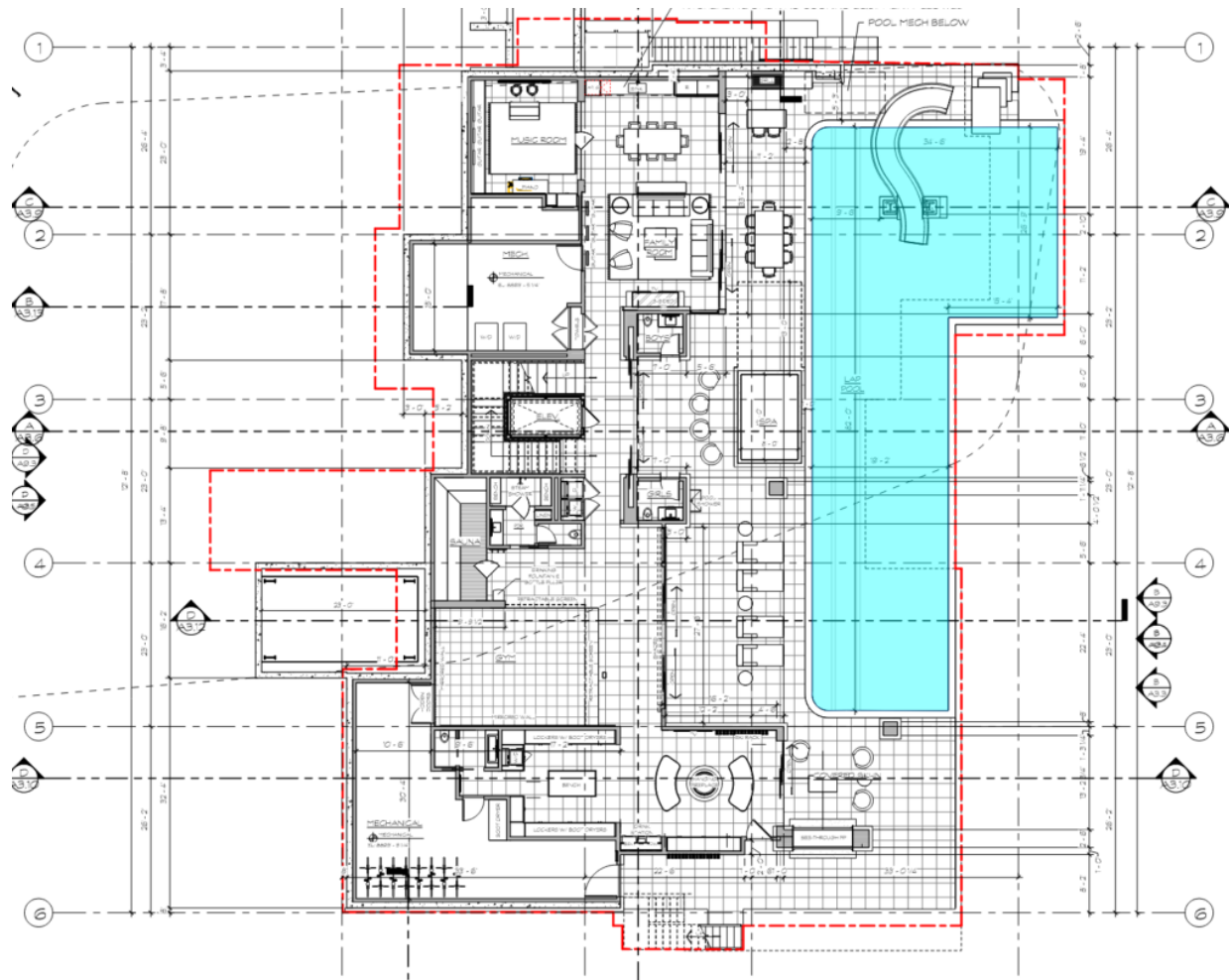
**Complies:** The proposed pool is greater than 35 feet from all property lines – it is 38 feet from the rear Lot line, 39 feet from the north side Lot line, and greater than 100 feet from the front and south side Lot lines (see Figure 2 above).

**Vegetation Protection:** LMC [§ 15-2.11-10](#) states: “The Property Owner must protect Significant Vegetation during any Development activity.” The Applicant’s proposal does not impact any Significant Vegetation.



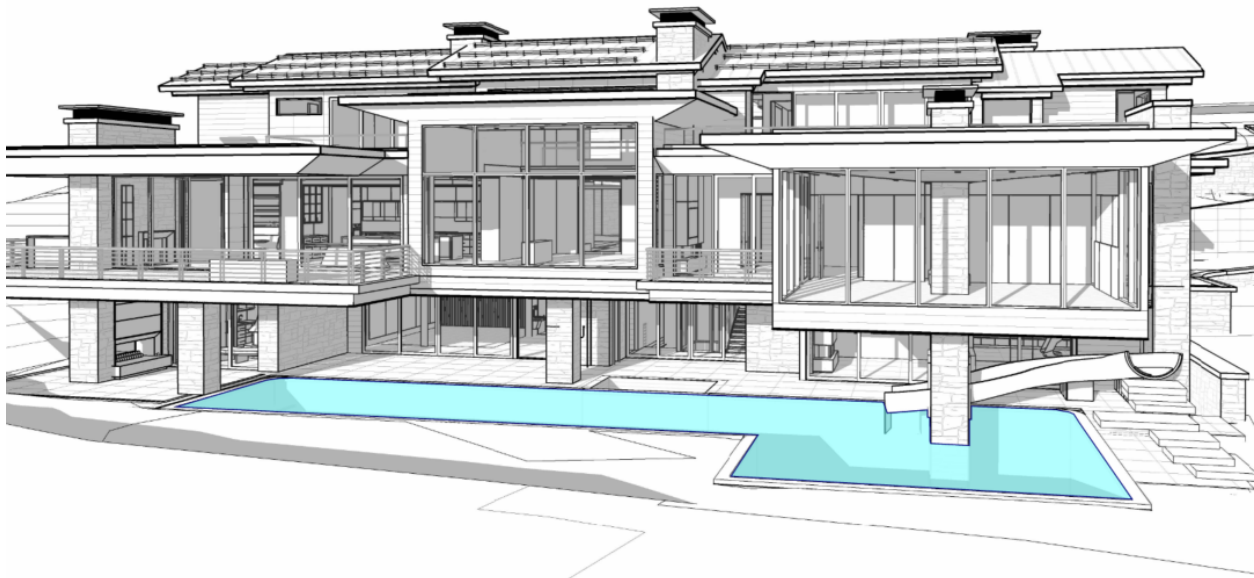
**(II) The proposed outdoor pool complies with the Red Cloud Subdivision Plat requirements.**

Plat note #3 under the “Building Approval Process” restricts total limits of disturbance to no more than 20 feet beyond the outside walls of the building. The proposed pool is underneath the cantilevered main level of the SFD and is within the total limits of disturbance for Lot 29.



*Figure 3: Proposed pool highlighted in blue.*





*Figure 4: Applicant's rendering of proposed pool.*

**(III) The proposed outdoor pool complies with the Sensitive Land Overlay (SLO) requirements in LMC Chapter 15-2.21.**

The Subdivision, MPD approval and platting of the Lots considered SLO principles, such as Steep Slopes, proximity to Open Space and wetlands, Ridge Lines, and visual analysis. The proposed outdoor pool is not near wetlands or Ridge Lines and is not visible from any designated vantage points. The proposed outdoor pool is on a slope between 10 and 20 percent and is not within 50 feet of Very Steep Slopes.

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

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.

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. LMC [§ 15-1-10](#).

CUP Review Criteria	Analysis of Proposal
Size and location of the Site	<b>Complies:</b> 41 Red Cloud Trail is Lot 29 of the Red Cloud



	<p>Subdivision. The Lot is 1.21 acres, and the proposed pool is approximately 1,984 square feet, located adjacent to the SFD.</p>
Traffic considerations including capacity of the existing Streets in the Area	<p><b>Complies:</b> The Transportation Impact Study <a href="#">Guidelines</a> state that a study is required when a proposed development or redevelopment will generate 25 or more net new vehicle trips during the weekday AM or PM peak hour or other analysis hour at the discretion of Park City staff.</p> <p>The proposed outdoor pool will not generate any additional traffic beyond the property's primary Use as a SFD. The outdoor pool will be used by the property owner and their guests.</p>
Utility capacity, including Storm Water run-off	<p><b>Complies:</b> The Development Review Committee (DRC) reviewed the proposal on July 15, 2025, and confirmed the proposal conforms with their requirements.</p>
Emergency vehicle Access	<p><b>Complies:</b> The DRC reviewed the proposal on July 15, 2025, and confirmed the proposal conforms with their requirements.</p>
Location and amount of off-Street parking	<p><b>Complies:</b> LMC <a href="#">§ 15-3-6(A)</a> requires two Off-Street Parking Spaces per Dwelling Unit for an SFD.</p> <p>LMC <a href="#">§ 15-3-6(B)</a> requires one Off-Street Parking Space per four persons maximum rated capacity for a Private Recreation Facility.</p> <p>The Applicant states the capacity for the pool would be between 20 to 25 people, requiring approximately 6.5 Parking Spaces.</p> <p>LMC <a href="#">§ 15-3-4(A)(1)</a> requires double car garages to be at least 20 feet wide by 20 feet deep.</p> <p>The Applicant can park four vehicles in the SFD's attached garage, which measures 48 feet wide by 23 feet deep. An additional six vehicles can be parked in the driveway, for a total of eight Off-Street Parking Spaces.</p>

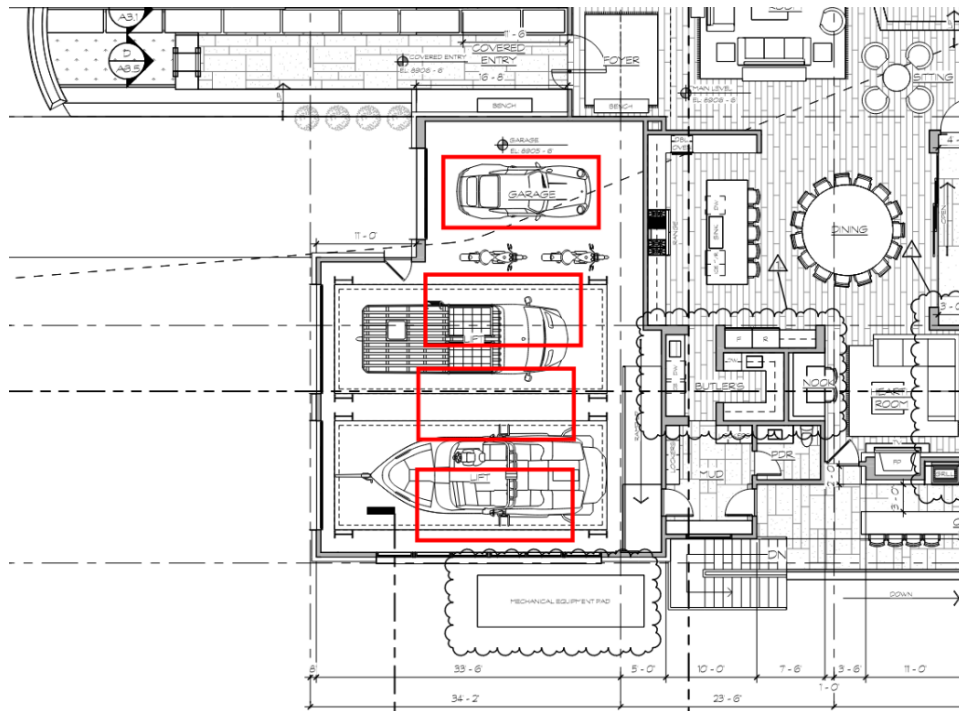


Figure 5: Off-Street Parking Spaces (measuring 9' x 18' per LMC § 15-3-3(F)) in the garage, shown in red.

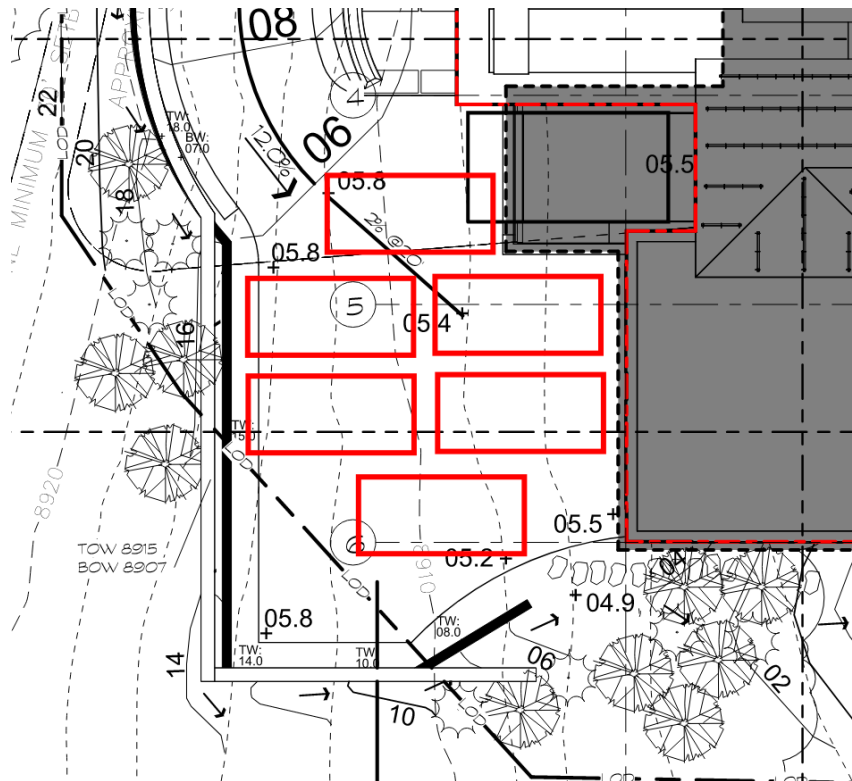


Figure 6: Off-Street Parking Spaces in driveway shown in red.



Internal vehicular and pedestrian circulation system	<b>Complies:</b> The proposed outdoor pool does not change the Lot's vehicle or pedestrian circulation.
Fencing, Screening, and landscaping to separate the Use from adjoining Uses	<b>Complies:</b> The proposed outdoor pool will be screened by the SFD, and the Applicant's landscape plan shows evergreen and deciduous trees surrounding the pool on the north, south, and east side.
Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots	<b>Complies:</b> The proposed outdoor pool is in the backyard of the SFD and is not visible from neighboring properties.
Useable Open Space	<b>Complies:</b> The proposed outdoor pool does not decrease the amount of Open Space for the Red Cloud Subdivision.
Signs and Lighting	<b>Complies:</b> No signs or exterior lighting are proposed with this application. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC § <a href="#">15-5-5(J)</a> ) and Planning Department review and approval (Condition of Approval 4).
Physical Design and Compatibility with Surrounding Structures	<b>Complies:</b> The proposed pool is in-ground, surrounded on three sides by the SFD, and is not visible from neighboring properties.
Noise, Vibration, Odors, Steam, or Other Mechanical Factors	<b>Complies:</b> Condition of Approval 3 requires adherence to Municipal Code of Park City <a href="#">Chapter 6-3 Noise</a> .
Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas	<b>Complies:</b> Vehicles for service and maintenance of the outdoor pool will access the property from the private driveway and Red Cloud Trail. No additional trash or recycling areas are proposed. All trash and recycling areas are inside the SFD.
Expected Ownership and Management	<b>Complies:</b> 41 Red Cloud Trail is under private ownership and the proposed outdoor pool is for the use of the owner and guests.
Within and Adjoining the Site, Environmentally Sensitive	<b>See Analysis Section III above.</b>

Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site	
Reviewed for Consistency with the Goals and Objectives of the Park City General Plan	<b>Complies:</b> Goal 7 of the General Plan states that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and recreation. <sup>2</sup>

**(V) The Development Review Committee reviewed the proposal on July 15, 2025 and confirmed the proposal conforms to their requirements.<sup>3</sup>**

### **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 September 10, 2025. Staff mailed courtesy notice to property owners within 300 feet on September 10, 2025. The *Park Record* published courtesy notice on September 10, 2025.<sup>4</sup>

### **Public Input**

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

### **Alternatives**

The Planning Commission may:

- Approve the CUP for an outdoor pool.
- Deny the CUP for an outdoor pool 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

B: Proposed Plans

<sup>2</sup> Park City General Plan, Volume 1 [P. 70](#)

<sup>3</sup> 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).

<sup>4</sup> LMC [§ 15-1-21](#)





## Planning Department

September 24, 2025

Terry Way  
41 Red Cloud Trail

CC: Castle Walls 1, LLC

### NOTICE OF PLANNING COMMISSION ACTION

#### Description

Address: 41 Red Cloud Trail

Zoning District: Estate, Sensitive Land Overlay

Application: Conditional Use Permit

Project Number: PL-25-06595

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: September 24, 2025

Project Summary: The Applicant proposes constructing a 1,984-square-foot private outdoor pool at 41 Red Cloud Trail for private use by the property owner.

#### Action Taken

On September 24, 2025, the Planning Commission conducted a public hearing and approved the private Recreation Facility according to the following findings of fact, conclusions of law, and conditions of approval.

#### Findings of Fact

1. On August 11, 2004, the Planning Commission approved the Master Planned Development (MPD) for 30 Single-Family Dwellings (SFDs) for Red Cloud.
2. On November 11, 2004, the City Council adopted Ordinance 04-56 approving the Red Cloud Subdivision for the 30 SFDs.
3. 41 Red Cloud Trail is Lot 29 of the Red Cloud Subdivision.
4. On November 15, 2023, the Building Department issued permit number 23-1499 for the construction of a SFD on Lot 29.
5. The proposed outdoor pool complies with the Estate (E) Zoning District requirements outlined in LMC Chapter 15-2.11.



## Planning Department

6. The Estate Zoning District requires a 30-foot Front, Side, and Rear Setback.
  - a. The proposed pool is greater than 35 feet from all property lines - it is 38 feet from the rear Lot line, 39 feet from the north side Lot line, and greater than 100 feet from the front and south side Lot lines.
7. LMC § 15-2.11-10 states: "The Property Owner must protect Significant Vegetation during any Development activity."
  - a. The Applicant's proposal does not impact any Significant Vegetation.
8. The proposed outdoor pool complies with the Red Cloud Subdivision Plat requirements.
  - a. Plat note #3 under the "Building Approval Process" restricts total limits of disturbance cannot to no more than 20 feet beyond the outside walls of the building.
  - b. The proposed pool is underneath the cantilevered main level of the SFD and is within the total limits of disturbance for Lot 29.
9. The proposed outdoor pool complies with the Sensitive Land Overlay (SLO) requirements found in LMC Chapter 15-2.21.
  - a. The Subdivision, MPD approval and platting of the Lots considered SLO principles, such as Steep Slopes, proximity to Open Space and wetlands, Ridge Lines, and visual analysis. The proposed outdoor pool is not near wetlands or Ridge Lines and is not visible from any designated vantage points. The proposed outdoor pool is on a slope between 10 and 20 percent and is not within 50 feet of Very Steep Slopes.
10. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).
  - a. Size and location of the Site
    - i. 41 Red Cloud Trail is Lot 29 of the Red Cloud Subdivision. The Lot is 1.21 acres, and the proposed pool is approximately 1,984 square feet, located adjacent to the SFD.
  - b. Traffic considerations including capacity of the existing Streets in the Area
    - i. The Transportation Impact Study Guidelines state that a study is required when a proposed development or redevelopment will generate 25 or more net new vehicle trips during the weekday AM or PM peak hour or other analysis hour at the discretion of Park City staff.





## Planning Department

- ii. The proposed outdoor pool will not generate any additional traffic beyond the property's primary Use as a SFD. The outdoor pool will be used by the property owner and their guests.
- c. Utility capacity, including Storm Water run-off
  - i. The Development Review Committee (DRC) reviewed the proposal on July 15, 2025, and confirmed the proposal conforms with their requirements.
- d. Emergency vehicle Access
  - i. The DRC reviewed the proposal on July 15, 2025, and confirmed the proposal conforms with their requirements.
- e. Location and amount of off-Street parking
  - i. LMC § 15-3-6(A) requires two Off-Street Parking Spaces per Dwelling Unit for an SFD.
  - ii. LMC § 15-3-6(B) requires one Off-Street Parking Space per four persons maximum rated capacity for a Private Recreation Facility.
  - iii. The Applicant states the capacity for the pool would be between 20 to 25 people, requiring approximately 6.5 Parking Spaces.
  - iv. LMC § 15-3-4(A)(1) requires double car garages to be at least 20 feet wide by 20 feet deep.
  - v. The Applicant can park four vehicles in the SFD's attached garage, which measures 48 feet wide by 23 feet deep. An additional six vehicles can be parked in the driveway, for a total of eight Off-Street Parking Spaces.
- f. Internal vehicular and pedestrian circulation system
  - i. The proposed outdoor pool does not change the Lot's vehicle or pedestrian circulation.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses.
  - i. The proposed outdoor pool will be screened by the SFD, and the Applicant's landscape plan shows evergreen and deciduous trees surrounding the pool on the north, south, and east side.
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
  - i. The proposed outdoor pool is in the backyard of the SFD and is not visible from neighboring properties.
- i. Useable Open Space



## Planning Department

- i. The proposed outdoor pool does not decrease the amount of Open Space for the Red Cloud Subdivision.
  - j. Signs and Lighting
    - i. No signs or exterior lighting are proposed with this application. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC § 15-5-5(J)) and Planning Department review and approval.
  - k. Physical Design and Compatibility with Surrounding Structures
    - i. The proposed pool is in-ground, surrounded on three sides by the SFD, and is not visible from neighboring properties.
  - l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors
    - i. The Applicant must adhere to the Noise Ordinance.
  - m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas
    - i. Vehicles for service and maintenance of the outdoor pool will access the property from the private driveway and Red Cloud Trail. No additional trash or recycling areas are proposed. All trash and recycling areas are inside the SFD.
  - n. Expected Ownership and Management
    - i. 41 Red Cloud Trail is under private ownership and the proposed outdoor pool is for the use of the owner and guests.
  - o. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site
    - i. See Finding of Fact 8.
  - p. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan
    - i. Goal 7 of the General Plan states that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and recreation.
11. The Development Review Committee reviewed the proposal on July 15, 2025 and confirmed the proposal conforms to their requirements.
12. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on September 10, 2025.





## Planning Department

13. Staff mailed courtesy notice to property owners within 300 feet on September 10, 2025. The Park Record published courtesy notice on September 10, 2025.

### Conclusions of Law

1. The proposed pool complies with the LMC requirements pursuant to Chapter 15-2.11 *Estate Zoning District*, Chapter 15-2.21 *Sensitive Land Overlay*, 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.

### Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the final plans dated June 24, 2025, submitted to the Planning Department and reviewed September 24, 2025, by the Planning Commission.
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 Municipal Code of Park City Chapter 6-3, Noise.
4. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC Section 15-5-5(J)) and Planning Department review and approval.
5. The Applicant shall coordinate pool drainage with the Snyderville Basin Water Reclamation District at the building permit phase.
6. The pool cannot be rented out separately from the property's primary Use of a Single-Family Dwelling.

If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email [virgil.lund@parkcity.gov](mailto:virgil.lund@parkcity.gov).

Sincerely,

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Christin Van Dine



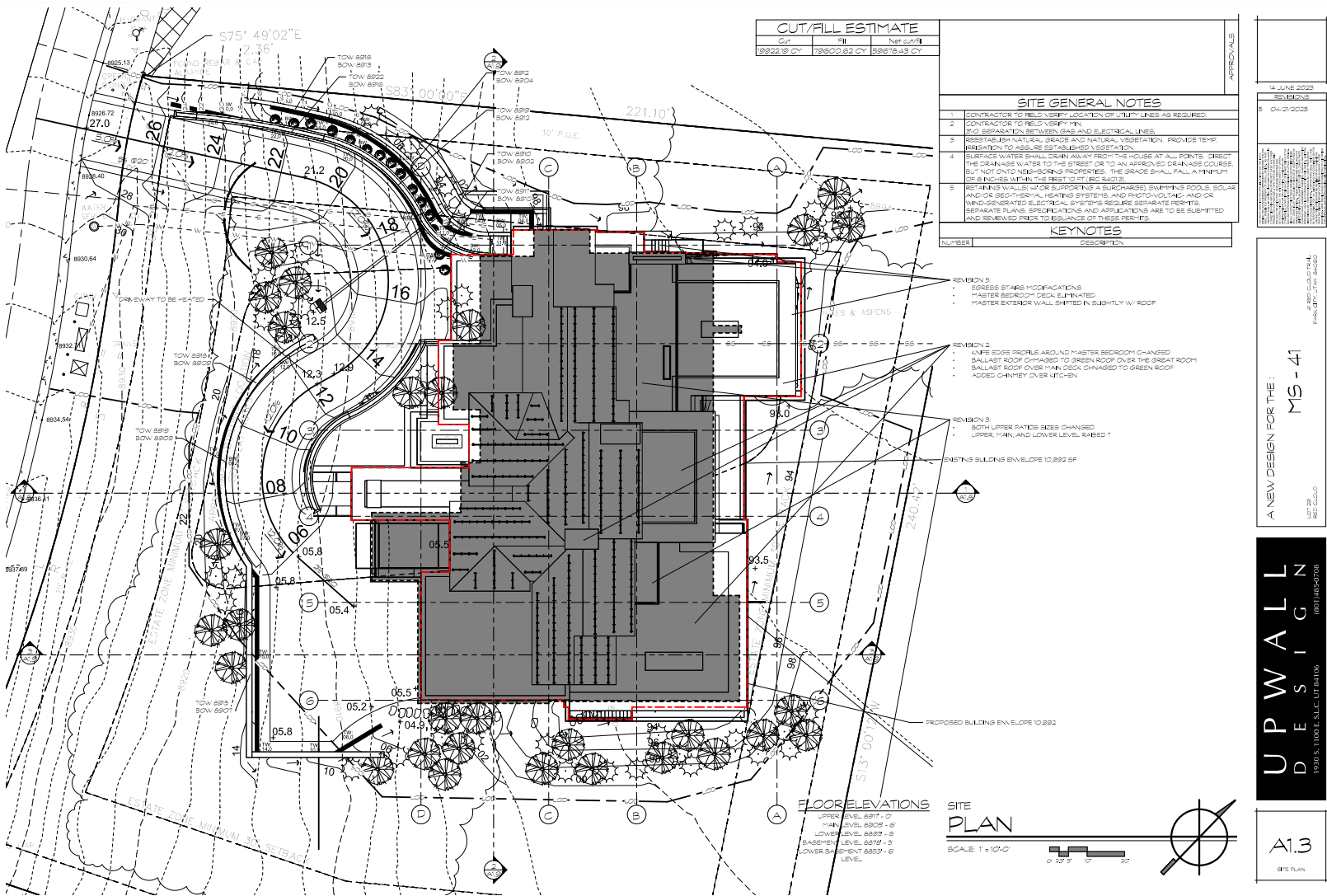
## Planning Department

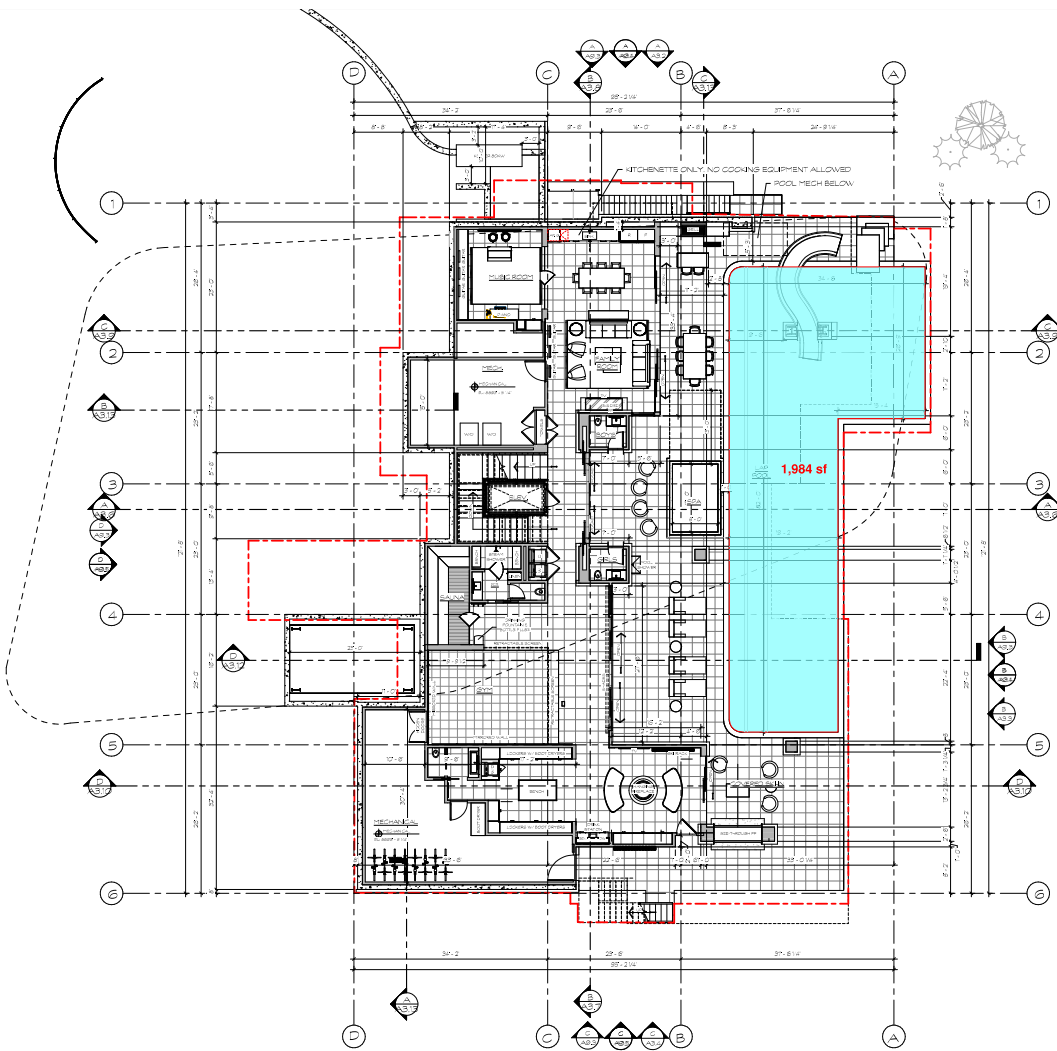
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Planning Commission Chair

CC: Virgil Lund

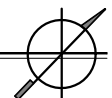
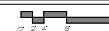






LOWER LEVEL  
PLAN

SCALE: 1/8" = 1'-0"



APPROVALS	

4-JUNE-2022	
S.E. LITZKE	
1	08-07-2024
2	04-21-2022

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A NEW DESIGN FOR THE:	
MS - 41	

UP WALL	
DESIGN	

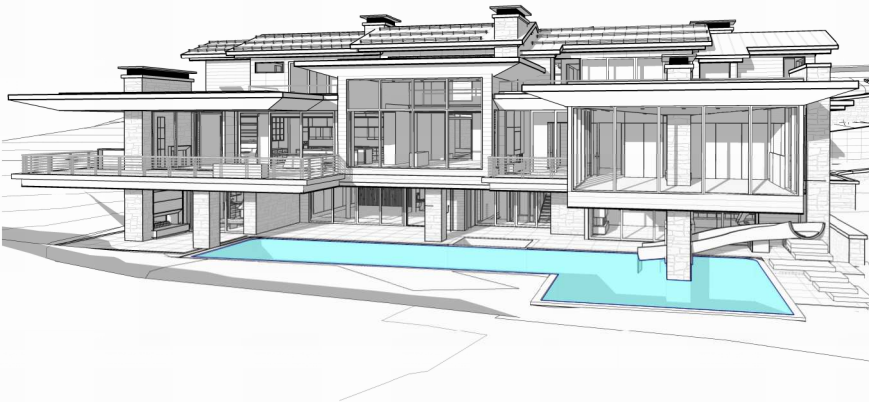
A2.2	
1/8" LOWER LEVEL PLAN	



MS - 41

LOT 29  
RED CLOUD

41 RED CLOUD TRAIL  
PARK CITY, UTAH 84060



14 JUNE 2023	
REVISIONS	
2	02/27/2024
3	06/07/2024
4	05/17/2024
5	04/21/2025

A NEW DESIGN FOR THE:

LOT 28  
RED CLOUD

MS - 41

41 RED CLOUD TRAIL  
PARK CITY, UTAH 84050

UP WALL  
DESIGN  
1930 S. 1100 E. S.L.C. UT 84106  
(801)485-0708

OT-1

APPROVALS	

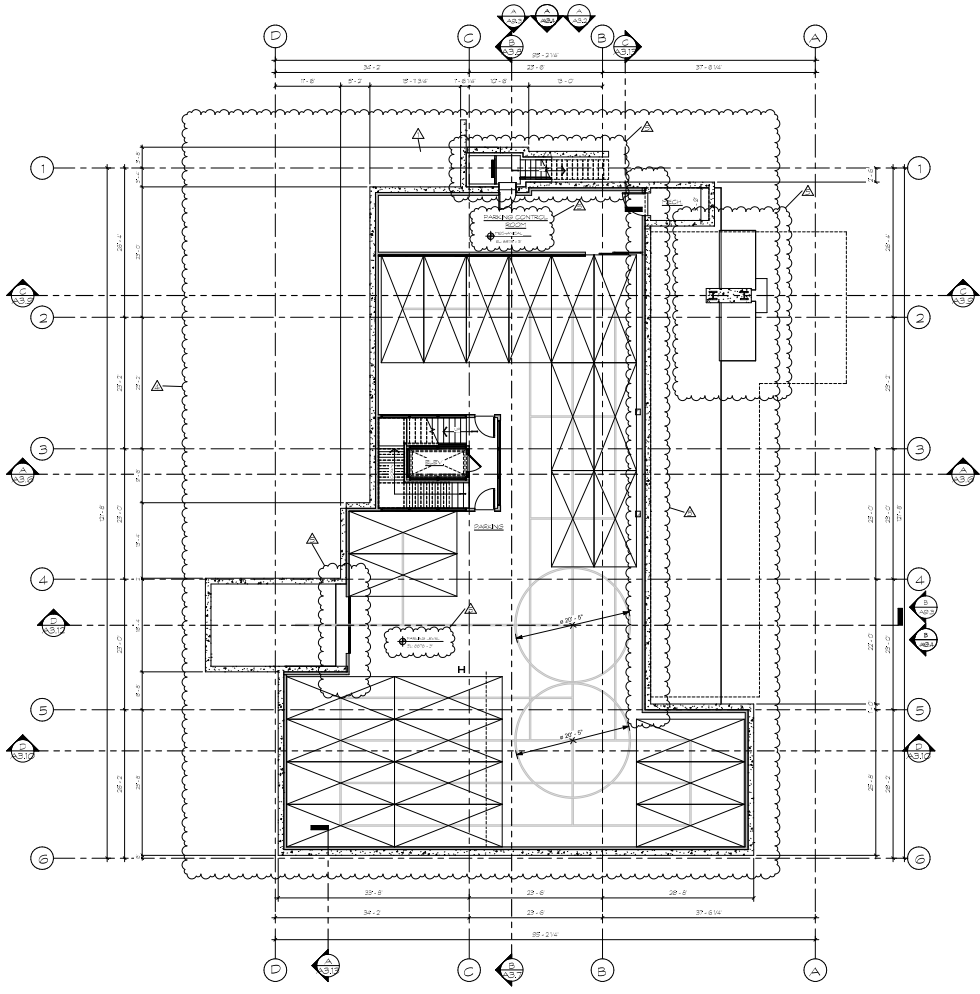
4-JUNE-2023	SEALING
07/28/2024	
08/07/2024	
04/21/2025	

A NEW DESIGN FOR THE:  
**MS-41**  
 1330 S. 100TH ST. L.C. UT 84106  
 (801)485-9708

**UP WALL**  
 DESIGN

**A2.1**  
 1st BASEMENT LEVEL  
 PLAN

BASEMENT LEVEL  
**PLAN**  
 SCALE 1/8" = 1'-0"





# Planning Commission Staff Report



**Subject:** Proposed Changes to Chapter 11-16 Flood Damage  
**Application:** GI-25-00569  
**Author:** John Robertson, City Engineer  
**Type of Item:** Land Management Code Amendment

## Recommendation

Review the proposed updates to Park City Municipal Code Chapter 11-16 Flood Damage, conduct a public hearing, and consider recommending the code updates to City Council for approval.

## Description

**Applicant:** John Robertson  
Park City Municipal Corporation City Engineer

**Sections Amended:** Chapter 11-16 Flood Damage

**Reason for Review:** The Planning Commission is to forward a recommendation to the City Council, and the City Council takes Final Action on Land Management Code Amendments (LMC §15-1-7).

FEMA Federal Emergency Management Agency  
NFIP National Flood Insurance Program

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

## Summary

Chapter 11-16 Flood Damage (Code) was adopted by the City to become compliant with Title 44, Chapter 1 of the Code of Federal Regulations and, therefore, eligible to participate in the NFIP. Over the last several years, FEMA has significantly updated the NFIP. To stay compliant with NFIP and remain eligible for federal insurance coverage, the City needs to update this municipal code chapter to match these changes. Remaining compliant with the NFIP allows property owners, renters, and businesses in high-risk flood zones to get flood insurance at lower premiums in areas that most insurance companies will not cover or require very high premiums.

## Analysis

Park City Municipal Corporation participates in the NFIP. As such, it is required to periodically update sections of the Code to stay in compliance with federal regulations, which allows property owners to receive flood damage insurance coverage under the

program as needed.

The provisions in Chapter 11-16 apply to properties in flood hazard areas, which are defined as “*land in the floodplain within a community that is subject to a one percent or greater chance of flooding in any given year.*”

The proposed code amendment:

- Adds four additional sections of code
  - 11-16-13 Stop Work Order
  - 11-16-14 Penalties for Noncompliance
  - 11-16-17 Requirements to Submit New Technical Data
  - 11-16-21 Substantial Improvement and Substantial Damage
- Updates language for clarification, new definitions, or additional requirements in eight existing code sections.
  - 11-16-15 Designation of Floodplain Administrator
  - 11-16-16 Duties and Responsibilities of the Floodplain Administrator
  - 11-16-18 Permit Procedures
  - 11-16-19 Appeals and Variance Procedures
  - 11-16-22 Specific Standards
  - 11-16-24 Standards for Areas of Shallow Flooding (AO/AH Zones)
  - 11-16-25 Floodways
  - 11-16-26 Definitions

Exhibit A highlights that the proposed amendment includes additional definitions, minor additions, deletions, or clarifications to ensure compliance with the overarching NFIP.

Several sections and definitions were added or modified with this amendment that are important to highlight:

#### Freeboard:

The Code now includes the definition of Freeboard. Freeboard is an additional height above a Base Flood Elevation used in floodplain management to account for unknown factors like culvert and bridge openings and urbanization effects that could increase flood heights. This term and its definition are standard in federal regulations related to floodplain management.

The Current Code allows for 1 ft. of freeboard. The new regulations require that the finished floor elevation of a structure be 2 ft. above the Base Flood Elevation. This requirement provides better protection for a structure during a flood event by minimizing the potential for damage.

#### Penalties for Noncompliance:

This added section states that no construction or land alteration may occur without complying with this Chapter and other laws. Violations may lead to penalties under applicable federal, state, and local laws.



#### Requirements to Submit New Technical Data:

Property owners or developers must notify FEMA by submitting a Letter of Map Revision (LOMR) within six months of project completion if they have received a Conditional LOMR (CLOMR) to alter watercourses, floodplain boundaries, or modify the Base Flood Elevation. They are responsible for preparing supporting technical data, paying fees, and submitting required applications and supporting documents for the CLOMR or LOMR to FEMA, and providing additional data if requested. The Floodplain Administrator is not required to sign a Community Acknowledgement Form until the project complies with all relevant laws and regulations.

#### Substantial Improvement and Substantial Damage:

Under the NFIP, structures within a floodway that have been substantially damaged and require substantial improvement will be held to the "50% rule": "when cost of repairs or improvements equals or exceeds 50% of the building's pre-event market value. If a building is deemed substantially damaged, or if a property undergoes a substantial improvement, it must be brought into compliance with current flood-resistant building standards, such as elevating the lowest floor above the BFE.

#### Best Available Data:

In special flood hazard areas that lack specific BFEs or floodway data, communities are encouraged to use the most accurate and reliable flood data they can find, from sources like FEMA, USGS, Flood Insurance Studies, or other local studies. The primary purpose is to identify flood hazard zones and establish appropriate elevation requirements for new or improved structures, using the best information available.

#### 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 September 5, 2025. The *Park Record* published courtesy notice on September 10, 2025.<sup>1</sup>

#### Public Input

Staff did not receive any public input prior to the report being published.

#### Exhibits

- A: Chapter 11-16 Flood Damage highlighted changes
- B: Draft Ordinance No. 2025-XX

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<sup>1</sup> LMC [§ 15-1-21](#)

## 11-16 Flood Damage

### 11-16-1 Statutory Authorization

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### 11-16-21 Substantial Improvement and Substantial Damage Determination

### 11-16-22 Specific Standards

### 11-16-23 Standards for Subdivision Proposals

### 11-16-24 Standards for Areas of Shallow Flooding (AO/AH Zones)

### 11-16-25 Floodways

### 11-16-26 Definitions

## **11-16-1 Statutory Authorization**

~~Consistent with Utah Code Ann. § 10-3-701, local governments adopt ordinances designed to promote the public health, safety and general welfare of its citizenry. The National Flood Insurance Program (NFIP), regulated by Title 44, Chapter I, of the Code of Federal Regulations (C.F.R.), is a federal program managed by the Federal Emergency Management Agency (FEMA) that provides primary flood insurance in exchange for communities adopting floodplain management standards to reduce future flood risk. Under the National Flood Insurance Act of 1968, communities must adopt and implement local floodplain management regulations that contribute to protecting lives and reducing the risk of New Construction and Substantial Improvements from future flooding to participate in the NFIP. Additionally, Utah Code § 10-9a-505 allows municipalities to enact ordinances regulating land use and development in floodplains in order to protect life and prevent the loss of and damage to real property.~~

### **11-16-2 Findings of Fact**

- 1.A.** The flood hazard areas of Park City are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.



- ~~2.B.~~ These flood losses are created by the cumulative effect of obstructions in floodplains, which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately flood-proofed, elevated, or otherwise protected from flood damage.

#### 11-16-3 Statement of Purpose

It is the purpose of this Chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- ~~1.A.~~ To protect human life and health;
- ~~2.B.~~ To minimize expenditure of public money for costly flood control projects;
- ~~3.C.~~ To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- ~~4.D.~~ To minimize prolonged business interruptions;
- ~~5.E.~~ To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
- ~~6.F.~~ To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- ~~7.G.~~ To ~~insure~~ensure that potential buyers are notified that property is in an area of special flood hazard; and
- ~~8.H.~~ To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

#### 11-16-4 Methods of Reducing Flood Losses

In order to accomplish its purpose, this Chapter uses the following methods:

- ~~1.A.~~ Restrict or prohibit uses which are dangerous to health, safety, or property in times of flood or cause excessive increases in flood heights or velocities;
- ~~2.B.~~ Require that uses vulnerable to floods, including facilities, ~~which that~~ serve such uses, be protected against flood damage at the time of initial construction;
- ~~3.C.~~ Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- ~~D.~~ Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained;-
- ~~4.E.~~ Control filling, grading, dredging, and other development which may increase flood damage; and
- ~~5.F.~~ Prevent or regulate the construction of flood barriers ~~which that~~ will unnaturally divert flood waters or ~~which that~~ may increase flood hazards in other areas.

#### 11-16-5 Lands to Which This Chapter Applies

This Chapter shall apply to all areas of special flood hazard identified by FEMA as well as areas of documented flood risk supported using Best Available Data within the jurisdiction of Park City, Utah.

#### 11-16-6 Basis for Establishing the Areas of Special Flood Hazard

- A. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Summit County, Utah", dated March 23, 2021, with accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary Maps (FIRM and FBFM). Park City automatically adopts any revisions thereto to include any updated and effective FEMA Flood Insurance Study, Flood Insurance Rate Maps, and are hereby adopted by reference and declared to be a part of this Chapter.
- B. Park City has elected to adopt Best Available Data to regulate floodplain development in addition to utilizing the effective FIRMs, FIS, and FBFM. Where Best Available Data contradicts the FIRMs, FIS, or the FBFM, the more restrictive data shall be utilized.

#### 11-16-7 Establishment of Development Permit

A floodplain development permit, preliminary plat approval, site plan approval, or a building permit, shall be required to ensure conformance with the provisions of this Chapter.

#### 11-16-8 Compliance

No structure or land within City limits shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Chapter and other applicable regulations.

#### 11-16-9 Abrogation and Greater Restrictions

This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and other Titles or Chapters of this Code, another ordinance, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### 11-16-10 Interpretation

In the interpretation and application of this Chapter, all provisions shall be:

- 1.A. Considered as minimum requirement;
- 2.B. Liberally construed in favor of the governing body; and
- 3.C. Deemed neither to limit nor repeal any other powers granted under State statutes.

#### 11-16-11 Warning and Disclaimer of Liability

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of Park City, or any officer or employee thereof for any flood damages that result from the reliance on this Chapter or any administrative decision lawfully made thereunder.

#### 11-16-12 Severability

If any section, provision, or portion of this Chapter is adjudgedjudged unconstitutional or invalid by a court, the remainder of the Chapter shall not be affected.

#### 11-16-13 Stop Work Order



[Violations of this ordinance shall result in a Stop Work Order pursuant to Section 11-2-4.](#)

#### **11-16-14 Penalties for Noncompliance**

[No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. Violation of the provisions of this Chapter by failure to comply with any of its requirements \(including violations of conditions and safeguards established in connection with conditions\) shall incur penalties in accordance with this Code, State law, and Federal laws and regulations.](#)

#### **11-16-~~13~~15 Designation of the Floodplain Administrator**

The ~~Park City~~, City Engineer [of Park City Municipal Corporation](#) is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Chapter and other appropriate sections of ~~44-CFR~~[Title 44 of the Code of Federal Regulations](#) (National Flood Insurance Program Regulations) pertaining to floodplain management.

#### **11-16-~~14~~16 Duties and Responsibilities of the Floodplain Administrator**

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- ~~1.A.~~ Maintain and hold open for public inspection records pertaining to the provisions of this Chapter.
- ~~2.B.~~ Review permit applications to determine whether [the](#) proposed building site, including the placement of manufactured homes, [New Construction, Substantial Improvements, or other development](#), will be reasonably safe from flooding.
- ~~3.C.~~ Review, approve or deny all applications for development permits required by adoption of this Chapter. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State, and local government agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. [§ 1334](#)) from which prior approval is required.
- ~~4.D.~~ Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
- ~~5.E.~~ [Notify](#), ~~in~~ riverine situations, [notify](#) adjacent communities and the State Coordinating Agency, which is the State of Utah Department of Public Safety Emergency Management Division, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency, [and any other required jurisdictional agencies](#).
- ~~6.~~ ~~Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.~~
- ~~7.F.~~ When ~~base flood elevation~~[Base Flood Elevation](#) data has not been provided in accordance with Section 11-16-~~56~~, the Floodplain Administrator shall obtain, review and reasonably utilize any ~~base flood elevation~~[Base Flood Elevation](#) data and floodway data available from a Federal, State or other ~~sources~~[sources](#), in order to administer the provisions of Section 11-16-~~17~~[20](#), General Standards.

~~8.G.~~ When a regulatory floodway has not been designated, the Floodplain Administrator must require that no ~~new construction, substantial improvements~~ New Construction, Substantial Improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the ~~water surface elevation of the base flood~~ Base Flood Elevation more than one foot plus two feet of Freeboard at any point within the community.

~~9.H.~~ Under the provisions of 44 ~~CFR~~ C.F.R. Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community applicant first applies for and receives approval of a conditional FIRM revision through FEMA (Conditional Letter of Map Revision (CLOMR)).

I. In addition to utilizing the effective FIRMs, FIS, Flood Boundary and Floodway Map, all permit reviews will utilize Best Available Data.

#### **11-16-17 Requirement to Submit New Technical Data**

A. The property owner or developer shall notify FEMA by submission of a Letter of Map Revision (LOMR) within six months of project completion when an applicant has obtained a CLOMR from FEMA or when development altered a watercourse, modified floodplain boundaries, or modified Base Flood Elevation.

B. The property owner or developer shall be responsible for preparing technical data to support the CLOMR or LOMR application and paying any processing or application fees to FEMA. The property owner or developer is responsible for submitting the CLOMR and LOMR to FEMA and shall provide all necessary data to FEMA if requested during the review process to ensure the CLOMR or LOMR is issued.

C. The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this Chapter and all applicable state, federal, and local laws.

#### **11-16-~~15~~18 Permit Procedures**

~~1.~~ Applications for a development permit shall be presented to the Floodplain Administrator ~~on forms furnished by him/her~~ and ~~may~~ must include, but ~~are~~ not ~~be~~ limited to, the following, if relevant: a certificate from a registered professional engineer verifying the floodproofed structure meets the floodproofing criteria in Section 11-16-22, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures and improvements, (including the placement of manufactured homes,), proposed landscape alterations, and the location of the foregoing in relation to areas of special flood hazard. The applicant must also provide the base flood elevation, as determined by a registered professional engineer for both before and after their proposed development. Additionally, At the following information is required:

~~1.~~ Elevation (in relation to mean sea level) of City's discretion, the lowest floor (including basement) of all new and substantially improved structures;



- 2.—Elevation (in relation to mean sea level) to which any nonresidential structure shall be floodproofed;
- 3.—A certificate from City may charge a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Section 11-16-18(2);
- 4.A. ~~Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result~~ fee for issuance of proposed floodplain development; permits per the City's approved fee schedule.
- B. ~~Maintain~~ Copies of all floodplain development permits and the associated documents shall become the property of Park City and a permanent record.
- 5.C. ~~The Floodplain Administrator shall maintain~~ a record of all such information in accordance with Section 11-16-~~14~~16(A).
- 2.D. Approval or denial of a development permit by the Floodplain Administrator ~~shall be is~~ based on all of the provisions of this Chapter ~~and including, but not limited to,~~ the following relevant factors:
  1. The danger to life and property due to flooding or erosion damage;
  2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  3. The danger that materials may be swept onto other lands to the injury of others;
  4. The compatibility of the proposed use with existing and anticipated development;
  5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  6. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets ~~and,~~ bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
  7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
  8. The necessity to the facility of a waterfront location, where applicable;
  9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  10. The relationship of the proposed use to the comprehensive plan for that area.

#### **11-16-~~16~~19 Appeal and Variance Procedures**

- 1.—~~The Board of Appeals as established by the Land Management Code shall hear and render judgement on requests for variances from the requirements of this Chapter.~~
- ~~The Board of Appeals shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made in the enforcement or administration of this Chapter.~~
- ~~Any person or persons aggrieved by the decision of the Board of Appeals City Council may appeal such decision in the courts of competent jurisdiction within thirty (30) days.~~

- ~~—The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.~~
- A. Any person or entity may appeal a final decision of the City administering or interpreting the contents of this Chapter as applied to a Parcel or Property that the person or entity owns, leases, or in which they hold some other beneficial interest by filing an appeal with the City Recorder for a hearing ~~following the procedures outlined in Utah Code § 10-9a-703(2) or before a Land Use Hearing Officer following the procedures for appeals to a Land Use Hearing Officer outlined in Section 15-1-18 of this Code.~~
- ~~—Any person or entity desiring a waiver or modification of the requirements of this Chapter as applied to a Parcel or Property that a person or entity owns, leases, or in which they hold some other beneficial interest may apply to the Board of Adjustment for a variance from the terms of this Chapter following the process outlined in Section 15-10-8 of this Code.~~
- B. In reviewing variance requests under this Chapter, the Board of Adjustment will substitute the words “Title 11, Chapter 16” for “Land Management Code” in Section 15-10-8 of this Code. In addition to the conditions found in Section 15-10-8(C), the Board of Adjustment will consider the following when deciding variance requests:
1. Federal regulations regarding variances ~~and~~ exceptions set forth in 44 C.F.R. § 60.6, or a successor provision.
  2. The factors specified in Section 11-16-18(D)(1)–(10).
- ~~2.C. Notwithstanding the other requirements of this Section, variances may be issued by the Floodplain Administrator for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.~~~~for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Chapter.~~
3. ~~Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section 11-16-15 (2A–J) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.~~
  4. ~~Upon consideration of the factors noted above and the intent of this Chapter, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Chapter (Section 11-16-3 Statement of Purpose).~~
  5. ~~Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.~~
  6. ~~Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.~~
  7. ~~Prerequisites for granting variances:~~



1. ~~Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~
2. ~~Variances shall only be issued upon:~~
  1. ~~showing a good and sufficient cause;~~
  2. ~~a determination that failure to grant the variance would result in exceptional hardship to the applicant; and~~
  3. ~~a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~
- 3.D. ~~Any applicant~~Any person or entity to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the ~~base flood elevation~~,Base Flood Elevation and that the cost of flood insurance ~~will~~may be ~~commensurate with~~greater because of the increased risk resulting from the reduced lowest floor elevation.
8. ~~Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:~~
  1. ~~the criteria outlined in Section 11-16-16 (1)-(9) are met; and~~
  2. ~~the structure or other development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.~~
- E. ~~The Floodplain Administrator may request that technical aspects of any appeal or variance request be decided by a technical panel of qualified experts. Determining what constitutes technical aspects will be determined by the Floodplain Administrator.~~
  1. ~~The panel will consist of, unless otherwise agreed to by the applicant and City:~~
    - a. ~~one expert designated by the City;~~
    - b. ~~one expert designated by the land use applicant; and~~
    - c. ~~one expert chosen jointly by the City's designated expert and the land use applicant's designated expert.~~
  2. ~~No member of the panel may be associated with the application that is the subject of the appeal.~~
  3. ~~The land use applicant shall pay:~~
    - a. ~~½half of the cost of the panel; and~~
    - b. ~~any fees per the City's approved fee schedule.~~
  4. ~~Upon consideration of the requirements and the intent of this Chapter, the technical panel may attach conditions to the granting of variances deemed necessary to further the purpose and objectives of this Chapter.~~

## **11-16-1720 General Standards**

In all areas of special flood hazards, the following provisions are required for all ~~new construction and substantial improvements~~New Construction and Substantial Improvements:

- ~~1.A.~~ Shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- ~~2.B.~~ Shall be constructed by methods and practices that minimize flood damage;
- ~~3.C.~~ Shall be constructed with materials resistant to flood damage;
- ~~4.D.~~ Shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- ~~5.E.~~ All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- ~~6.F.~~ New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and;
- ~~7.G.~~ On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### **11-16-21 Substantial Improvement and Substantial Damage Determination**

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures that have experienced flood damage, the Floodplain Administrator, in coordination with the applicable city staff, shall:

- A. Use assessed value or allow the applicant to obtain an appraisal prepared by a qualified independent appraiser of the building or structure (not of land and building) before the Start of Construction of the proposed work. In the case of repair, the assessed or appraised value of the building or structure shall be the assessed value before the damage occurred and before any repairs are made.
- B. Compare the cost to perform the improvement, or the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the assessed or appraised value of the building or structure.
- C. Determine and document whether the proposed work constitutes Substantial Improvement or repair of Substantial Damage.
- D. The Substantial Improvement regulations apply to all of the work that is proposed as the improvement, even if multiple permits are issued. Therefore, the determination of the cost of the improvement should consider all costs of all phases of the work before issuance of the first permit.
- E. Notify the applicant that if it is determined that the work constitutes a Substantial Improvement or repair of Substantial Damage, and that compliance with this Chapter is required.

#### **11-16-~~1822~~ Specific Standards**



In all areas of special flood hazards where ~~base flood elevation~~ Base Flood Elevation data has been provided as set forth in ~~(i) Section 11-16-6, (ii) Section 11-16-14(G), or (iii) Section 11-16-18(C),,~~ the following provisions are required:

~~1.A.~~ Residential Construction ~~new.~~ New construction and ~~substantial improvement~~ Substantial Improvement of any residential structure shall have the lowest floor (including basement) elevated to or above the ~~base flood elevation~~ Base Flood Elevation plus a minimum of two feet of Freeboard. A registered professional engineer, architect, or land surveyor shall submit a ~~certification statement~~ to the Floodplain Administrator confirming that the ~~standard of this subsection as proposed in Section 11-16-15(1A), is satisfied~~ project meets the above elevation requirements.

~~2.B.~~ Nonresidential Construction ~~new.~~ New construction and ~~substantial improvements~~ Substantial Improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the ~~base flood level~~ Base Flood Elevation plus a minimum of two feet of Freeboard or, together with attendant utility and sanitary facilities, be designed so that below the ~~base flood level~~ Base Flood Elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

~~3.C.~~ Enclosures ~~new.~~ New construction and ~~substantial improvements~~ Substantial Improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of all openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

~~D.~~ Crawlspace. New Construction and Substantial Improvements built on a crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in FEMA's National Flood Insurance Program (NFIP) Technical Bulletins 1, 2, and 11, which include but are not limited to the following:

1. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed

in areas with flood velocities greater than five feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer.

2. The crawlspace is an enclosed area below the Base Flood Elevation and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one foot above the LAG.
3. The crawlspace enclosure must have proper openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of one square inch of flood opening is required per one square foot of the enclosed area subject to flooding.
4. Portions of the building below the Base Flood Elevation must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the Base Flood Elevation. Ductwork, in particular, must either be placed above the Base Flood Elevation or sealed from floodwaters.
5. Any building utility systems within the crawlspace must be elevated above the Base Flood Elevation or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
6. The interior grade of a crawlspace below the Base Flood Elevation must not be more than 2 feet below the LAG.
7. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed four feet at any point.
8. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
9. Buildings with below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the LAG.

#### 4.E. ~~Manufactured Homes~~

1. ~~Require that all~~All manufactured homes ~~to be~~ placed within Zone A on ~~a community's~~the City's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
2. ~~Require that manufactured~~Manufactured homes ~~that are~~ placed or substantially improved within Zones A1-30, AH, and AE on the ~~community's~~City's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on



which a manufactured home has incurred "~~substantial damage~~Substantial Damage" as a result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the ~~base flood elevation~~Base Flood Elevation and must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

3. ~~Require that manufactured~~Manufactured homes ~~be~~ placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the ~~community's FIRM that are not subject to the provisions of paragraph (4) of this section~~City's FIRM must be elevated so that either:

- ~~1.a.~~ the lowest floor of the manufactured home is at or above the ~~base flood elevation~~Base Flood Elevation, or

- ~~2.b.~~ the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

~~5.F.~~ Recreational Vehicles - ~~Require that recreational~~Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the ~~community's~~City's FIRM must either:

1. be on the site for fewer than 180 consecutive days,
2. be fully licensed and ready for highway use, or
3. meet the permit requirements of Section 11-16-~~15~~18(A), and the elevation and anchoring requirements for "manufactured homes" in ~~paragraph (4)~~subsection (E) of this ~~section.~~Section.

~~3.~~ A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

#### **11-16-~~19~~23 Standards for Subdivision Proposals**

~~1.A.~~ All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with ~~Sections 11-16-3, -4~~this Chapter.

~~2.B.~~ All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of ~~Sections 11-16-7, -15, -17, -18, -19, and -20 of~~this Chapter...

~~3.C.~~ Base ~~flood elevation~~Flood Elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which ~~is~~are greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Section 11-16-6, or Section 11-16-~~14~~(~~16~~) (F) of this Chapter.

~~4.D.~~ All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

- ~~5.E.~~ All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

#### **11-16-2024 Standards for Areas of Shallow Flooding (AO/AH Zones)**

Located within the areas of special flood hazard established in Section 11-16-6; are areas designated as areas of shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- ~~1.A.~~ All ~~new construction~~New Construction and ~~substantial improvements~~Substantial Improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the ~~community's FIRM~~City's FIRM plus a minimum of two feet of Freeboard (at least two feet if no depth number is specified).
- ~~2.B.~~ All ~~new construction~~New Construction and ~~substantial improvements~~Substantial Improvements of non-residential structures; must:
1. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the ~~community's~~City's FIRM (at least two feet if no depth number is specified); or;
  2. together with attendant utility and sanitary facilities, be designed so that below the ~~base flood level~~Base Flood Elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
- ~~3.C.~~ A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, ~~as proposed are satisfied at the time of development permit application~~ in accordance with Section 11-16-~~15(A)~~18, are satisfied.
- ~~4.D.~~ ~~Require~~Demonstrate via two-dimensional hydraulic modeling within Zones AH or AO ~~that~~ adequate drainage paths exist around structures on slopes; to guide flood waters around and away from proposed structures.

#### **11-16-~~21~~25 Floodways**

~~Floodways--located~~Located within areas of special flood hazard established in Section 11-16-6; are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply in floodways:

- ~~1.A.~~ Encroachments are prohibited, including fill, ~~new construction, substantial improvements~~New Construction, Substantial Improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice by a registered professional engineer that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.



~~2.B.~~ If Section 11-16-~~20(1)6~~ above is satisfied, all ~~new construction~~New Construction and ~~substantial improvements~~Substantial Improvements shall comply with all applicable flood hazard reduction provisions of Sections 11-16-~~17, -18, -19, 20, 22, and, 23.~~

~~3.C.~~ Under the provisions of 44 C.F.R. Chapter 1, Section ~~C.F.R. §~~ 65.12, of the National Flood Insurance Regulations, ~~a community~~the City may permit encroachments within the adopted regulatory floodway that would result in an increase in ~~base flood elevations~~Base Flood Elevations, provided that the ~~community~~applicant first applies for and receives a ~~conditional FIRM~~CLOMR and floodway revision through FEMA ~~in which the applicant's property is removed from the floodway.~~

## **11-16-~~22-26~~ Definitions**

~~The following definitions apply in this Chapter:~~As used in this Chapter, the capitalized terms shall have the meanings stated below or as defined in 44 C.F.R. Part 59, unless the context clearly requires some other meaning:

~~**ALLUVIAL FAN FLOODING**—means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.~~

~~**APEX**—means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.~~

~~A.~~ **AREA OF SHALLOW FLOODING**—~~means a.~~ A designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent ~~chance~~ or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

~~B.~~ **AREA OF SPECIAL FLOOD HAZARD**—~~is the.~~ The land in the floodplain within a community ~~is~~ subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

~~C.~~ **BASE FLOOD**—~~means the.~~ The flood having a one percent chance of being equaled or exceeded in any given year.

~~D.~~ **BASE FLOOD ELEVATION (BFE)**~~is the.~~ The elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1-A30, AR, AR/A, AR/A1-A30, AR/AH, AR/AO, V1-12w30, and VE. ~~ater surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.~~

- E. **BASEMENT**~~—means any.~~ Any area of the building, ~~including any sunken or sunken portion of a room,~~ having its floor ~~sub-grade~~ (below ground level) (subgrade) on all sides.
- F. **BEST AVAILABLE DATA.** Existing flood hazard information adopted by a community and reflected on an effective FIRM, FBFM, and/or within an FIS report; or draft or preliminary flood hazard information supplied by FEMA or from another acceptable source. Other sources may include, but are not limited to, the state, other federal agencies, or local studies prepared by a ~~licensed civil engineer~~ **registered professional engineer**, the more restrictive of which would be reasonably used by the community.
- G. **BREAKAWAY WALL.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
- H. **CLOMR (CONDITIONAL LETTER OF MAP REVISION).** FEMA's comment on a proposed project that would, upon construction, affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations, and/or the Special Flood Hazard Area. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be recognized by FEMA.
- I. **CRITICAL FEATURE**~~—means an.~~ An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- J. **DEVELOPMENT**~~—means any.~~ Any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
- K. **ELEVATED BUILDING**~~—means a.~~ A non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.
- L. **EXISTING CONSTRUCTION**~~—means for.~~ For the purposes of determining rates, structures for which the ~~"start~~Start of ~~construction"~~Construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
- M. **EXISTING MANUFACTURED HOME PARK OR SUBDIVISION**~~—means a.~~ A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation



of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**N. EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION**—Means ~~the.~~ The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**O. FEMA.** The Federal Emergency Management Agency.

**P. FHBM (FLOOD HAZARD BOUNDARY MAP).** An older, less detailed, preliminary flood map that was used to make limited flood insurance available before a detailed flood study and FIRM were completed.

**Q. FIRM (FLOOD INSURANCE RATE MAP) .** An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**R. FIS (FLOOD INSURANCE STUDY).** The official report provided by FEMA. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

**S. FLOOD OR FLOODING.** A general and temporary condition of partial or complete inundation of 2 or more acres of normally dry land area o of 2 or more properties (at least 1 of which is the policyholders property) from:

– Overflow of inland or tidal waves; or

-Unusual and rapid accumulation of runoff of surface waters from any source; or

Mudflow; or

Collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.

**A:** normally dry land areas from: (1) the overflow of inland or tidal waters or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

———— **FLOOD INSURANCE RATE MAP (FIRM)**—means

———— **FIRM** . An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

———— **FIS FLOOD INSURANCE STUDY**—is the. The official report provided by the Federal Emergency Management AgencyFEMA. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

**B.T. FLOOD PROOFING.** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**U. FLOOD PROTECTION SYSTEM.** Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a

"special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are ~~those~~ constructed in conformance with sound engineering standards.

- V. **FLOOD ZONE AH.** Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base Flood Elevations derived from detailed analyses are shown at selected intervals within these zones by FEMA.
- W. **FLOOD ZONE AO.** A high-risk area where the chance of shallow flooding is at least 1% annually. In these zones, water typically flows over sloping ground as "sheet flow," and the average flood depth is expected to be between one and three feet. This zone is designated as a Special Flood Hazard Area by FEMA.
- X. **FLOODPLAIN OR FLOOD-PRONE AREA** ~~means any.~~ Any land area susceptible to being inundated by water from any source (see definition of flooding).
- Y. **FLOODPLAIN MANAGEMENT** ~~means the.~~ The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- Z. **FLOODPLAIN MANAGEMENT REGULATIONS** ~~means zoning.~~ Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such ~~federal,~~ state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- AA. **FLOODWAY (REGULATORY FLOODWAY)** ~~means the.~~ The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- BB. **FREEBOARD.** A factor of safety usually expressed in feet above Base Flood Elevation level in determining the level at which a structure's lowest floor must be elevated or flood proofed for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.
- CC. **FUNCTIONALLY DEPENDENT USE** ~~means a.~~ A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- DD. **HIGHEST ADJACENT GRADE** ~~means the.~~ The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- E.E. **HISTORIC STRUCTURE** ~~means any.~~ Any structure that is:



1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory or historic places (the Park City Historic Sites Inventory per Land Management Code Section 15-11-10) in communities with historic preservation programs that have been certified either:
  - 1.a. by an approved state program as determined by the Secretary of the Interior; or
  - 2.b. directly by the Secretary of the Interior in states without approved programs.

**FF. LAG (LOWEST ADJACENT GRADE).** The lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.

**DD.GG. ~~LEVEE~~** ~~means a.~~ A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

~~**LEVEE SYSTEM** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.~~

**E.HH. ~~LOMR (LETTER OF MAP REVISION).~~** FEMA's modification or revision to an entire or portion of the effective FIRM, Flood Boundary and Floodway Map, or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations, or the Special Flood Hazard Area.

**II. ~~LOWEST FLOOR~~** ~~means the.~~ The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor,; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood insurance Program regulations.

**JJ. ~~MANUFACTURED (MOBILE) HOME~~** ~~means a.~~ A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**KK. ~~MANUFACTURED HOME PARK OR SUBDIVISION~~** ~~means a.~~ A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

- LL. MEAN SEA LEVEL** ~~means, for.~~ For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, [North American Datum \(NAVD\) of 1988](#), or other datum, to which ~~base flood elevations~~ [Base Flood Elevations](#) shown on a community's Flood Insurance Rate Map are referenced.
- MM. NEW CONSTRUCTION** ~~means, for.~~ For the purpose of determining insurance rates, structures for which the ~~"start~~Start of ~~construction"~~Construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, ~~"new construction"~~New Construction means structures for which the ~~"start~~Start of ~~construction"~~Construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- NN. NEW MANUFACTURED HOME PARK OR SUBDIVISION** ~~means a.~~ A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- OO. RECREATIONAL VEHICLE** ~~means a.~~ A vehicle which is:
1. built on a single chassis;
  2. 400 square feet or less when measured at the largest horizontal projections;
  3. designed to be self-propelled or permanently towable by a light-duty truck; and
  4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- PP. START OF CONSTRUCTION** ~~-(for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the.~~ The date the building permit was issued [for a New Construction, Substantial Damage, or Substantial Improvement](#), provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a ~~substantial improvement~~Substantial Improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- QQ. STRUCTURE** ~~means a.~~ A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.



**RR. SUBSTANTIAL DAMAGE** ~~--means damage.~~ **Damage** of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the ~~marketassessed~~ value of the structure before the damage occurred. ~~This term also applies to structures which have incurred any damage that equals or exceeds 50 percent of the structure's assessed value regardless of the actual repair work performed.~~

~~At the City's discretion, they may track the cumulative damages for a structure over the course of time and when the cumulative damages exceed 50 percent of the structure's assessed value, regardless of the actual repair work performed, the structure may be defined as Substantially Damaged.~~

~~When a structure or building has been determined as Substantially Damaged, any work or repair on said structure or building will be considered as Substantial Improvement and will be required to meet the development requirements set forth within this ordinance for Substantial Improvement.~~

**SS. SUBSTANTIAL IMPROVEMENT** ~~--means any.~~ **Any** reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the ~~marketassessed~~ value of the structure ~~(not of the structure and land value combined)~~ before ~~"startStart of construction"~~ **Construction** of the improvement. This includes structures which have incurred ~~"substantial damage",~~ **Substantial Damage**, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or
2. Any alteration of a ~~"historic structure",~~ **Historic Structure**, provided that the alteration will not preclude the structure's continued designation as a ~~"historic structure."~~ **Historic Structure**.

~~**VARIANCE** --is a grant of relief to a person from the requirement of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)~~

**TT. VIOLATION** ~~--means the.~~ **The** failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in ~~Section 44 C.F.R. §~~ 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

**UU. WATER SURFACE ELEVATION** ~~--means the.~~ **The** height, in relation to the ~~National Geodetic~~ **North American** Vertical Datum (**NGVDNAVD**) of ~~1929~~ **1988** (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**Ordinance No. 2025-XX**

**AN ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE FOUND IN TITLE 11, CHAPTER 16 OF THE PARK CITY CODE, IMPELMENTING NEW REGULATIONS FOR FLOOD DAMAGE PREVENTION IN THE AREAS OF SPECIAL FLOOD HAZARD**

WHEREAS, Utah Code § 10-9a-505 allows municipalities to enact ordinances regulating land use and development in flood plains to protect lives and prevent the loss of and damage to real property.

WHEREAS, due to specific areas within city limits falling within a special flood hazard area, the City Council of Park City previously elected to join the National Flood Insurance Program (NFIP), a voluntary program administered by the Federal Emergency Management Agency (FEMA) that provides federal flood insurance coverage for parcels within a special flood hazard area.

WHEREAS, as part of its participation in the NFIP, the City must adopt and enforce its own Flood Damage Prevention Ordinance and the NFIP's requirements and regulations.

WHEREAS, FEMA regularly updates the NFIP to reflect changes in flood risk due to factors like climate change, incorporation of new technologies, and scientific understanding that improves technical guidance and regulatory compliance for state and local communities, property owners, and insurance agents.

WHEREAS, due to recent substantial federal regulatory changes, this ordinance must be updated to remain current with NFIP federal regulations and legislation.

**BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, THAT:**

SECTION 1. AMENDMENTS TO TITLE 11, CHAPTER 16. Title 11, Chapter 16 of the Park City Code, referred to as the Flood Damage Prevention Ordinance, is hereby amended as shown in Attachment A.



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

**PASSED AND ADOPTED** this 24 day of October, 2025.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Mayor Nann Worel

Attest:

\_\_\_\_\_  
Michelle Kellogg, City Recorder

Approved as to form:

\_\_\_\_\_  
City Attorney's Office

# Planning Commission Staff Report



**Subject:** Land Management Code Amendments  
Continuations  
**Application:** PL-25-06512  
**Authors:** Virgil Lund, Planner II  
Alec Barton, Senior Planner  
**Date:** September 24, 2025  
**Type of Item:** Legislative – Land Management Code Amendments

## Recommendation

(I) Review proposed amendments to Land Management Code (LMC) Section [15-1-12.5](#), (II) conduct a public hearing, and (III) consider forwarding a positive recommendation to the City Council for consideration.

## Description

**Applicant:** Planning Department

**Location:** All Zoning Districts within City Limits

**Zoning District:** All Zoning Districts within City Limits

**Reason for Review:** The Planning Commission makes recommendations to the City Council regarding Land Management Code Amendments.<sup>1</sup>

LMC            Land Management Code

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

## Summary

LMC § 15-1-12.5 was adopted by [Ordinance 2017-04](#) on February 16, 2017 and governs continuations of items on the Planning Commission agenda. Following several recent requests from Applicants to continue items to a later date that had been publicly noticed and published in the packet for Final Action, the Commission requested evaluation of this code to see if updates may help with application review efficiency.

Staff recommends the Planning Commission consider forwarding a positive recommendation to the City Council to consider updates to this section of code.

## Background

On July 9, 2025, the Planning Commission conducted a work session for the proposed LMC amendments. The Commission supports amending LMC § 15-1-12.5 to clarify the

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<sup>1</sup> LMC [§ 15-1-7](#)



standards and timeline for an Applicant to request continuation of an item. The Planning Commission requested allowing for flexibility in the case of emergencies, with a final decision from the Planning Commission chair, and allowing staff to continue items when a request for continuation is made at least seven days prior to a scheduled public hearing ([Agenda Item](#) 5.A, [Minutes](#) p. 3-6).

See the [July 9, 2025](#), Planning Commission Staff Report for background on LMC [§ 15-1-12.5](#) and information on staff's research into other communities' continuation requirements.

### **Analysis**

#### **(I) The Proposed LMC Amendment Includes Revisions to LMC § 15-1.12-5 Continuations.**

LMC [§ 15-1.12-5](#) states:

*“Planning Staff shall have the authority to approve an applicant's request for a continuance for an item scheduled for a public hearing or an item scheduled for an appeal, up to two (2) times, so long as the request for the continuance is made in writing and is received by Planning Staff at least five (5) business days prior to the scheduled public hearing or appeal. If Planning Staff does not have the authority to continue an item, the Board, Commission or Council will determine if there is a sufficient reason to continue the item on the scheduled date. If it is determined there is not sufficient reason to continue the item, the item will remain on the agenda and be considered.”*

Based on the Commission's direction from the July 9, 2025, work session, staff proposes the following code amendment:

#### **15-1-12.5 Continuations**

Planning Staff shall have the authority to approve an applicant's request for a continuance for an item scheduled for a public hearing or an item scheduled for an appeal, up to two (2) times, so long as the request for the continuance is made in writing, **is for a reasonable cause**, and is received by Planning Staff at least ~~five (5)~~ **seven (7)** business days prior to the scheduled public hearing or appeal. If Planning Staff does not have the authority to continue an item, the Board, Commission or ~~Council~~ **Land Use Appeal Authority** will determine if there is a **reasonable cause** ~~sufficient reason~~ to continue the item on the scheduled date. If it is determined there is not

~~sufficient reason~~ **reasonable cause** to continue the item, the item will remain on the agenda and be considered.

**Justifications which the Planning Staff or Commission may find reasonable cause include, but are not limited to: demonstrated travel or work disruption beyond the applicant's control; illness of the applicant, representative, or family; other demonstrated emergency circumstances; the need for additional time to respond to recent public, staff or third party/Development Review Committee input; or other circumstances justifying additional time in order to ensure due process.**

The Planning Commission considered but did not recommend assessing a separate continuation fee, requiring a finding of Good Cause for continuations, and establishing a deadline for an applicant to submit requested materials when the Planning Commission requests continuation of an item. Accordingly, staff does not recommend updating the code to include these requirements.

Staff is consolidating a series of code amendments for Council consideration, including updates to the LMC to comply with changes to state code related to building permit reviews, public notices, and annexations. As a result, if the Commission is supportive of these amendments, staff will incorporate these into a draft ordinance that includes the pending amendments for efficiency of Commission and Council review.

#### **Department Review**

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