



Notice is hereby given that
The Snyderville Basin Planning Commission
will meet in regular session on **Tuesday, August 24, 2010,**
at the **Sheldon D. Richins Building (Library), 1885 W. Ute Blvd., Park City, UT**
(formerly 6505 N. Landmark Drive, Park City)

AGENDA

5:30 p.m. General Plan Subcommittee

1. Continued discussion of the Snyderville Basin General Plan updates.

6:00 p.m. Executive Session

1. Discussion of pending litigation.

6:40 p.m. Work Session *Public comment may or may not be taken.*

1. **Update** from Rocky Mountain Power regarding Summit Electrical Task Force. –Sean Lewis, County Planner

7:00 p.m. Regular Session *Public comment will be taken.*

1. **Public input** for items not on the agenda.
2. **Continued Discussion and Possible Recommendation** on proposed Specially Planned Area Silver Creek Village Center, Southeast Quadrant of Hwy. 40 and I-80. – Jennifer Strader, County Planner
3. **Public Hearing and Possible Recommendation** of proposed amendment changes to the Snyderville Basin Development Code concerning the approval process for a private kennel. – Jennifer Strader, County Planner
4. Approval of Minutes-July 3, 2010, work session

Agenda items may or may not be discussed in the order they are listed.

Commission Comments

Staff Items

Adjourn

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Susan Ovard in the Community Development Department at (435) 615-3126.

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WORK SESSION NOTES

SNYDERVILLE BASIN PLANNING COMMISSION

TUESDAY, JULY 13, 2010

SHELDON RICHINS BUILDING

6505 N. LANDMARK DRIVE, PARK CITY, UTAH

PRESENT: Kathy Kinsman—Chair, Julie Hooker—Vice Chair, A. Flint Decker, Bassam Salem, Jeff Smith, Mike Washington

STAFF: Don Sargent—Community Development Director, A.C. Caus—County Planner, Kimber Gabryszak—County Planner, Helen Strachan—Deputy County Attorney, Karen McLaws—Secretary

WORK SESSION

1. Discussion of Weilenmann Discovery CORE Rezone, on Kilby Road adjacent to Gorgoza, density and units – Kimber Gabryszak, County Planner

County Planner Kimber Gabryszak noted that, due to an error, the agenda does not indicate that public comment will be taken. However, this item was continued from June 8, at which time the agenda showed that public comment would be taken, and public comment will be taken this evening.

Chair Kinsman explained that the focus of the discussion this evening will be very narrow. The Planning Commission will only look at density and compatibility relative to this application tonight. Future public hearings will provide the opportunity to provide public input on such issues as traffic, environmental impacts, sensitive lands, wildlife, etc.

Planner Gabryszak provided background information regarding the proposed project, including a site overview, the earlier request for 207 units on just under 70 acres, updated plans for 145 units on the same acreage, and the remaining issues to be considered and discussed. She reviewed the Code criteria for compatibility and appropriateness. With regard to compatibility, she explained that, in the process of developing the CORE Code amendments, neighborhoods were assured that development would not be placed near them that would exceed twice their average density. She also explained that appropriateness refers to the style of units, and the developer should utilize home types similar to existing home types in the area.

Planner Gabryszak indicated the 1,000-foot buffer around the proposed Weilenmann project and reviewed the questions that arose as Staff and the Planning Commission tried to apply the compatibility criteria to this project. She provided examples of how application of the various calculation methods could affect potentially developable properties in the Snyderville Basin. Based on their analysis, Staff recommended that open space within the adjacent developments

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remain in the calculation, and large expanses of community-owned open space should not be included in the calculation. Staff suggested that an easily repeatable, across-the-board formula be established, and if an applicant believes other lots should be removed from the equation, they could make their argument to the Planning Commission in a public forum. She recalled that the issue of how to calculate density was discussed in several previous work sessions, and one option was to only remove major highways and community open space from the calculation, which would allow the applicant a potential density of 68.58 units. She explained that would be the maximum number of units the applicant could apply for and would not necessarily be the number of units that are approved. The applicant will be required to mitigate all the impacts of whatever number of units is eventually approved. Another option would be to add density to the larger properties under incentive zoning. However, Staff does not believe that is the best option, as it would take into account potential developments that have not even been proposed and does not address what currently exists. Staff recommended a methodology that would remove the larger or commercial parcels, using zoning as the cutoff, since lots that do not meet base zoning are not eligible for further subdivision. For instance, this is a 1 unit per 30-acre zone, and the property owner could get up to 1 unit per 15 acres if they cluster and provide open space and trail connections. If a parcel contains 30 acres, it could be subdivided into two lots, so the parcel would be considered developable. If a parcel does not have 30 acres, it can no longer be subdivided and would only be eligible for one unit. Since 30-acre lots or larger have potential for future development, they would be removed from the calculation, and lots under 30 acres would remain in the calculation, because they currently exist with the potential of only one unit of density and could not change in the future. Staff recommended this methodology because it would provide an increased potential density to allow applicants to offset the cost of affordable housing, would not provide an unreasonable amount of density, and would allow the development to be compatible with what is around it. She stated that, if the third option recommended by Staff were applied to the Weilenmann CORE Rezone, the applicants could get up to 119 units if they are able to mitigate all of the impacts of the development. Planner Gabryszak explained that this methodology is easily repeatable and could be applied to CORE rezones across the board. Applicants could also request that other property be removed from the calculation if they could justify their request to the Planning Commission.

With regard to appropriateness, the intent of discussions by the affordable housing subcommittee was that townhomes would be considered compatible with a single-family neighborhood, whereas apartments would not be compatible. Planner Gabryszak summarized the most recent proposal submitted by the developer. Staff recommended that the Planning Commission discuss the calculation methods and options and provide feedback to Staff and the applicant. She explained that the Community Development Director would make the final determination and issue a formal letter based on the Planning Commission's recommendation. Staff recommended that the Planning Commission make a Code amendment in the future to be sure that the method of calculation is clear.

Commissioner Washington expressed concern that they are not emphasizing neighborhoods, actual living neighborhoods, regardless of what that neighborhood may be. He commented that a neighborhood is a place where people live and have common interests, not where a business

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exists. He believed that should be at the top of the decision process, not a mathematical formula about what should or should not be included. He stated that they need to think about the neighbors and the impacts on neighborhoods. He proposed that they look at lots within existing neighborhoods within the 1,000-foot boundary and determine what size they are. He stated that, to him, a lot is a parcel with infrastructure and access, not just a piece of raw land. He stated that a vacant lot with no infrastructure has no one living there to be impacted. Realistically, in the case of the proposed Weilenmann development, there is a huge open space buffer between any existing development to the west, and nothing will be built right next to it, so he would find it difficult to say that people are being dramatically impacted by the proposed development. Existing residents may not like what happens to their views or the density, but realistically, this is not next to existing lots and is not impactful in terms of density.

Commissioner Decker stated that he would support Commissioner Washington in wanting to have that conversation, although they may not agree.

Commissioner Smith stated that when the clause about not allowing more than double the density within 1,000 feet of a neighborhood was created, it was done because of comments from the public that they did not want a monstrosity built next to their neighborhood. In response, the Planning Commission agreed to not allow more than double the density of a neighborhood within 1,000 feet, specifically thinking of neighborhoods as houses on lots where people live. They were not talking about large, vacant tracts of land or highways. They were thinking of impacting human beings and made a promise to the community that they would not allow that to happen. He did not believe they should take into account larger, undeveloped parcels, because that is not a neighborhood. Surrounding development and subdivisions should be taken into account, because people live there in neighborhoods. He noted that the language specifically states that portion of the neighborhood within 1,000 feet, which should be taken into account as it exists. He explained that it will be necessary to approve higher densities if there is going to be workforce housing in the community, which is a commitment the County made to themselves and the public. In order to achieve that commitment, they will have to approve densities that are higher than they might like to approve.

Glen Lent, the applicant, reviewed his notes from the July 8, 2009, Planning Commission meeting at which the CORE Rezone was approved. He recalled that the Planning Commission originally proposed that, if a proposed CORE were surrounded on two or more sides by existing residential neighbors, the CORE should not exceed twice the average density of those neighborhoods within 1,000 feet. After further discussion at that meeting, the language was changed to include a 1,000-foot buffer surrounding the CORE, and the discussion focused on neighborhoods. He recalled that Staff presented proposed verbiage that evening, the Planning Commission talked about it, and Staff was given direction to apply the Planning Commission's verbal recommendations and discussion before passing it on to the Board of County Commissioners for approval. He believed the intent was lost in the translation when it went to the County Commission. If he believed in July 2008 that the intent was that he could only develop 60 units on this parcel, he would never have moved forward with the project, because he would have known that was not feasible. With regard to appropriateness, he recalled that the

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language discussed on July 8, 2009, was that the CORE development should utilize home types similar to existing home types within the neighborhoods within a distance of 1,000 feet. He questioned why that was defined if there are no home types within those neighborhoods. If they include parcels with no homes on them in the definition of existing neighborhoods, he did not understand why a developer would be required to have home types similar to the homes in those neighborhoods. He explained that he has a problem with trying to include Gorgoza in the calculation based on potential future uses. The intent as stated in the Code is existing residential neighborhoods, and the problem with trying to determine future uses is that zoning changes and is not static. There is no way to know what the density on the Gorgoza property might be 10 years from now.

Mr. Lent reviewed the goals, objectives, and policies in the General Plan relating to affordable housing. He noted that they are moving into the third year of the affordable housing element and questioned whether they are moving toward those goals, objectives, and policies. He discussed a number of ways in which affordable housing can be provided by the County and recalled that the County's choice was to incentivize developers to provide affordable housing through an increase in density and streamlining the processes for affordable housing. He reviewed the challenges a developer faces in trying to provide affordable housing, including finding a willing land seller, finding a location that meets all the Code criteria, controlling land through a lengthy entitlement process, finding an area with favorable neighborhood density with little community opposition, covering all expenses through market-rate units, and difficulty of finding financing for a marginal project. He reviewed the parcels that were deemed to be developable as CORE projects as CORE was developed and noted that a number of them are no longer available. He believed there might be 5 or maybe 10 parcels at the most that would be conceivable as CORE projects. Mr. Lent explained that not providing adequate density for a CORE project could put the developer at risk for bankruptcy, does not eliminate having to make the hard decision of where to put affordable housing, does not adequately allow for market rate units to subsidize workforce units, may prevent development of a feasible project, could reduce the quality of community amenities, would set a precedent for developers, may make it impossible to finance the project, and could go against the promise of providing affordable housing.

Mr. Lent suggested that Staff look at five parcels throughout the Snyderville Basin and apply their calculation to those parcels to see if they are feasible. He suggested subtracting the number of affordable units this development would provide from the goal of 250 and 805 to determine how many subdivisions would have to be approved to fulfill the goal. He stated that, as a resident, he would rather see three projects with decent density to meet the goal than to see 10 projects with lower densities that create sprawl. He believed that a parcel with a house on it should be included in the calculation, and a parcel without a house should not be included. That would prevent having to worry about future uses and size limitations. Vacant subdivision lots should also be included, because the use on those lots has already been determined. He believed there were two possible options for calculating density. Option A would be to assign density to non-residential uses, remove non-residential parcels, include lots of record with houses, and include lots in subdivisions. The other option, which he would prefer, would be to only include subdivision lots or lots of record with residences on them, eliminate lots without residences on

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them, and base the calculation on the weighted average size of the lots in the subdivision. He believed that would create an apples-to-apples comparison, eliminate subjectivity, and create an average density where each lot is counted. He noted that his property has a large open-space buffer surrounding it, which actually penalizes him because there are not a large number of units adjacent to the property. His intention is to do something good by providing a large area of open space, but he is being penalized for doing it and would actually be able to have higher density if he were to eliminate the open space. He suggested including the open space in the weighted average calculation for the subdivisions.

Mr. Lent presented a new proposal for the proposed CORE development and provided a history of the previous applications. He recalled that the original application was for 163 units on 23 acres. When it became apparent that a secondary access was needed, they purchased a 48-acre adjacent parcel, 40 acres of which would be preserved as open space. After a site visit, the units were reconfigured and the road re-routed to remove units from the viewshed and avoid some large pine trees. He reviewed the second proposal. He explained that they have determined that the demand for senior housing is not as high as they anticipated, and most of the senior units have been eliminated. He described the neighborhoods surrounding the proposed project and the housing types within each. He stated that his current proposal would include small, single-family homes, townhomes, and a small building of senior housing, duplexes, and row houses, and the architecture would be mountain oriented. He suggested that they could possibly mitigate some impacts by donating a flat area of land to a community park for Timberline, but he would have to check with them to see if that is something they would like. The current proposal would equate to 2.2 units per acre with 145 total units, and he noted that 2.2 units per acre is very close to the density in Timberline. He reviewed the trails in the area and the potential for trail connections through the proposed project. He noted that Fox Point has 251 total units, Canyon Creek Apartments contain 312 units, and Bear Hollow has 396 units. He reviewed the proposed community benefits. He stated that he would like to ask the Planning Commission what product type they would support as being compatible with surrounding uses, whether they would support the project, and if not, why. If they could not support the project, he suggested that the Planning Commission ask themselves when, where, and how they would get affordable housing, and how the County would satisfy the State and Federal mandates.

Chair Kinsman opened the floor to public comment. She reiterated that tonight they would focus only on density and appropriateness of unit types and requested that the public focus their comments on those issues.

Art Lang stated that he believed Option 1 was the most viable. He stated that the Code has a lot of subjective terminology, such as the definition of a neighborhood and whether open space should or should not be included, and now the question is how to judge and decided in an objective and defensible manner what should be allowed on the property. He had heard the Planning Commission decide that the current Code is not adequately written to be objective and defensible, so they have taken it upon themselves to rewrite it as soon as this is over. The attorneys have indicated that they have to live with the Code as it is written now, and since the application was submitted under the current Code, they need to come to some agreement as to

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what the density should be. Since they have to work within the constraints of the current Code, unless the applicant decides to withdraw his application and re-apply after the Code is re-written, he believed the best method would be Option 1, which involves taking out the highway, counting the remaining acreage, and dividing by the number of houses, and then do the arbitrary doubling, which he did not understand. He believed Option 1 was the most defensible and easiest to apply in the future. He did not believe Commissioner Washington's suggestion of defining neighborhoods as people and communities affected was defensible, and he suggested that it not be the basis for the Code revision, because Staff would have the same problem next time. He believed it was easier to draw the 1,000-foot circle, count the acreage, and subtract the number of houses out. He noted that Staff indicated in their presentation and notes that this was the most straightforward method in their opinion. Staff did talk about the intent of the Code being to mitigate impacts on people, and Mr. Lang stated that they got that knowledge and were reminded of that because of an e-mail that was included in the packet. Mr. Lang stated that the intent of the Code is not something Staff can work with. You can't figure out what people's intents are and can't go by e-mail as to what happened in the past. It has to be codified and has to be the law, and he did not think that helps much. The discussion by the subcommittee in the e-mail about the intent may be productive or useful, but when the Code is rewritten, then it is in poor judgment in his opinion. He stated that Staff recommends Option 3, but giving this applicant greater density would give future applicants to get even higher density and create an escalating density curve, so he would not encourage using that methodology. He referred to Mr. Lent's presentation in the packet and stated that it was somewhat threatening, which he did not believe was helpful in this case. Mr. Lang referred to the General Plan open houses and noted that the public said they wanted more open space and lower density, and the County is doing the opposite by wanting to incentivize and increase density throughout the County, even if it does get them out from under the requirement for workforce housing. Mr. Lang stated that he was disappointed to hear that people think zoning is dynamic and that it can be changed. He stated that the zoning has been Hillside Stewardship during the 30 years he has lived here, which would allow 3 homes on the applicant's property. Those are the rules the landowner has to live with, the rules other residents have to live with, and the rules that everyone who moved in there expected. He stated that this is the third or fourth time they have evolved with the Planning Commission and the County Commission in the last 30 years, and in each case, the powers in place at the time have said this was the last time they would even allow a grandfathered change to allow an increase in density in the community. Those people are gone, and the exemptions have occurred and the subdivisions got built. He stated that he counts on the zoning to be firm and consistent and does not consider it to be dynamic. He was disappointed to hear that some people consider it to be dynamic and hoped his government does not consider it that way. He stated that a friend of his checked, and over 700 homes in the Park City area are listed for under \$400,000, so there is no need for additional affordable housing, especially since the housing in the proposed subdivision would be over \$300,000. There are already hundreds of units available that meet those requirements.

Julie Eckhausen, HOA president for Timberline, stated that she has made herself available to the developer, and he has yet to contact her, so she found it interesting that he said he would like to talk to Timberline. She found it interesting that Timberline is never shown as being within 1,000

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feet of this development, because it is the neighborhood next to the proposed development. She stated that their smallest lot is .5 acre, and many of the lots are .75 acre and up to 4 acres. She believed putting so many houses in such a tiny space with the proposed road access was ridiculous, especially since they have not even seen the impact of the Weilenmann School yet. She stated that even the construction traffic is unbelievable. Chair Kinsman reminded Ms. Eckhausen that they are not considering traffic impacts this evening; they are considering how to calculate density. Ms. Eckhausen stated that she was having a hard time with the idea of an area that is zoned for 4 or 5 lots being rezoned for 120 or 145 lots, which is a ridiculous amount. She noted that there is no public transportation to this site. She stated that large-parcel lots are part of the neighborhood and should not be removed from the density calculation and that the density is way too high for this area.

Bill Evans, a Timberline resident for 32 years, stated that he was interested to hear the applicant say that he did not want to do anything Timberline does not agree with. As far as density goes, he believed the school itself exceeds the density for the environment. Chair Kinsman explained that the Planning Commission is not allowed by law to consider the school or school impacts at all. Mr. Evans stated that the Hillside Stewardship Zone allows three or four homes on the acreage involved, which was not mentioned tonight, and he did not believe it was being considered. He believed that density is appropriate and is the density they have all expected. From his perspective, three or four homes on that acreage is quite adequate.

John Owen, Chair of the Administrative Control Board of the Timberline Special Service District, stated that people look for amenities when they move into a neighborhood, and open space is one thing they find to be of most value in Park City. That is why they keep voting for millions of dollars in bonds, to buy open space so they have neighborhoods people want to live in. He stated that removing open space from a neighborhood when calculating density did not make sense to him, because that is one of the highest valued amenities in a neighborhood in Park City. That calculation would hurt those who look for open space as an amenity, and having a CORE project come in would penalize them because they chose to live next to open space. He believed Option 1 would take that into consideration, and taking open space out of the calculation would be wrong. With regard to compatibility, he noted that Timberline is the closest neighborhood, and what is proposed is larger than their entire subdivision. He noted that Timberline does not have bluegrass lawns, curb and gutter, or pavement, which was a conscious decision of the community and is the nature they want. The developer is planning to include curb and gutter, heavy landscaping, and clubhouses for HOAs. He stated Timberline's HOA clubhouse consisted of someone's garage and a cooler of beer, and that is a neighborhood when talking about compatibility within the 1,000-foot buffer. With regard to the costs of development, part of that cost would pay for the workforce housing to have a clubhouse, which he found to be over the top, along with the curb and gutter and landscaping, when compared with a neighborhood that has none of those amenities. He asked the Planning Commission to look at Timberline, which is the most affected area for compatibility issues.

Becky Rambo stated that her house is on 3.5 acres and is closer to the proposed development than Timberline. She stated that, when they considered buying their home, one thing they

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considered was all the open space around them, and they went to the County to find out how it was currently zoned and what could possibly be built there. She stated that they banked on having maybe four or five houses within their viewshed and agreed that they need to keep this property as Hillside Stewardship.

Andrew McLean, representing the Summit Park Homeowners Association, stated that they do not have a problem with the existing zoning, but it was a shock to people to find out that a huge number of houses will be going in. He stated that Summit Park has been around for a long time, and some neighbors have been there for many years. One reason they move there is because they like the big open space, and having this suddenly put in after the fact is a shock to a lot of the people who live there. He asked about doubling as you go, maintaining that, if they double the density with this neighborhood, Gorgoza could double the density again if it is developed. Chair Kinsman explained that the Code would prohibit a second project that would increase the density in that manner. CORE projects stand on their own and do not set a precedent for adjacent projects.

George Vehalco, a resident of Timberline, agreed with the earlier comments. He recalled that an apology was made at the beginning of the meeting that no advertisement was made showing that there would be public input. He acknowledged that was accidental, but he knew of two people who did not come to the meeting because of that. Chair Kinsman explained that this is a work session, and taking public input is at the Planning Commission's discretion. There will be many opportunities to give input at public hearings. Mr. Vehalco reiterated the opinion of the neighborhood being the environment around the development and stated that he bought into Timberline because of the surroundings. He stated that what is in your neighborhood is what you can see from your house, and if you change that, you also change the neighborhood.

Chair Kinsman closed the public input.

Chair Kinsman reiterated that there would be many more opportunities for public hearings where the public can speak to all the issues related to this project should the applicant decide to go forward with it. She commented that it was unfortunate that people were not at the last Planning Commission meeting when the Planning Commission and Staff reviewed the open house findings and had a primer on affordable housing and the needs in the community. She believed that would have been worthwhile in addressing some of the comments heard this evening.

Commissioner Salem stated that as he read and re-read the language in the Code, the spirit was clearly to protect existing residential neighborhoods. As a resident, he does not want much development, but they have to protect the interests of landowners and their rights to develop. He noted that, just because land is not developed does not mean it is open space. He commented that there are only four types of land within the thousand-foot buffer, existing subdivisions, undeveloped parcels, deeded open space, and commercial and public uses. Since this is about protecting residents, he would automatically remove commercial and public uses and deeded open space from the calculation. He stated that this is really about existing subdivisions and undeveloped parcels. He proposed that the calculation include any existing subdivision lots that

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are touched by the 1,000-foot radius, including the full acreage of that lot in the calculation. For undeveloped parcels, he suggested using the technique proposed by Staff that, if the parcel is less than the acreage of the underlying zoning, it would be counted as a lot, because it could not be subdivided. If the lot is greater than the underlying zoning, it should not be included in the calculation. He commented that this would result in a weighted average, not of the entire neighborhood or open spaces in the neighborhood, but of all the platted lots within the 1,000-foot mark in the calculation. He commented that open space should be dealt with separately, as it is a separate requirement for the development that will be dealt with later. In order to do an apples-to-apples comparison, he would want to deal with the open space separately in the open space section. He was still somewhat uncertain about what to do with the freeway and ridgelines. The way the Code is currently written, there is no exception for being across from a freeway. He noted that Pinebrook is across the ridgeline from this project and cannot see this subdivision, and he suggested considering ridgelines to be a dividing line in the future. However, in the current Code that is not addressed, so he would argue for including neighborhoods over a ridgeline or across the freeway.

Commissioner Decker stated that he may not agree with the other Commissioners, but he believes current landowners, whether the lot is developed or not, have the dream of future use. He believed it was dangerous to get into not considering the full rights of the owner of a lot that is not developed. He stated that ever since they have been talking about CORE after it was in place with this applicant and other applicants, he has been in favor of lower density rather than higher density. That is why he asked for a scorecard, because he did not want to be in a meeting and lose perspective of what an applicant originally asked for, changes that have occurred during the process, and what the underlying zoning allows. He believed that helps him to keep perspective on what is happening. He believed the goals and aspirations of CORE to bring in affordable housing at a rate that is accelerated over time is one thing, but he also believed the current value of any parcel and the owner's perceived value of those parcels is like church and state. They are two different subjects, and he believed it was dangerous to make commentary that they should accept higher density because of the time the process has taken. He was particularly concerned by the applicant's comment that the current acquisition price of the land currently means he needs higher density. That is a function of the marketplace and the acquisition price. Regardless of CORE, if the acquisition price is not ready to work for the mass CORE allows it to work in, so be it. He stated that he was feeling much more comfortable now than he has in many months about the original spirit and language of CORE and what Staff presented in Option 1.

Commissioner Washington stated that his thoughts expressed earlier this evening have not changed, and he believed they were compatible with what Commissioner Salem described.

Commissioner Smith agreed with Commissioner Salem and acknowledged that Commissioner Salem has given a lot of thought to his consideration of the density calculation. He requested that the Planning Commission look at the applicant's second option sometime in the future to see what density could be achieved with that calculation. Commissioner Smith stated that he was not certain that senior housing fits in this proposal because it is so far off the beaten path, there is

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no transportation to the site, and it is not walkable to any commercial uses. He liked what the applicant had done with the massing and stated that he has learned while serving on the Planning Commission that density can increase when massing and clustering start to happen. He believed one of the solutions to high land prices is density, and density is not bad, especially when it provides 75% open space. He believed the general product type looked good. He believed the Code is clear that neighborhoods are neighborhoods. He encouraged the applicant to proceed and commented that he believed the density was about right. He verified with Staff that the applicant could not put dirt roads into the development. Planner Gabryszak offered to verify that with the County Engineer. Commissioner Smith also commented that they would also have a difficult time with no curb and gutter and street drainage in this day and age. If they were to try to build a development like Summit Park or Timberline at this time, it probably could not be built, and that is an important perspective.

Commissioner Hooker stated that she believed this was the first time she had not heard Commissioner Smith say they would have to approve densities that are higher than they might like in order to comply with CORE. She agreed with Commissioner Salem's method of calculating density. She agreed that senior housing did not seem to work in the proposed development and stated that she would like to see the applicant continue with the process.

Chair Kinsman stated that she had studied the staff reports and the Code and agreed with Commissioner Salem. She stated that she would include lots with houses on them. She explained that the Code language clearly says existing neighborhood, not potential future neighborhood, and that the density should be based on the portion of the neighborhood that is within the distance of 1,000 feet of the proposed CORE development. She reiterated that she would only include lots with a house on them except in the case of platted subdivisions, because it is an entitlement to have a unit on a lot within a platted subdivision. Chair Kinsman explained for the benefit of the public that zoning is not static. It changes over time, and CORE is a rezone process. The applicant's property is privately owned and is not dedicated open space. If people want to keep all undeveloped property in the Snyderville Basin undeveloped, they need to purchase it or otherwise protect it. The applicant's property is privately owned, he has a right to develop it, and he has made application to develop it under the CORE Rezone process. She stated that she likes the senior housing and believed there might be a need for affordable senior housing in the community. However, she was not certain that apartments would meet the Code requirement for appropriateness, because there are no apartments in the adjacent neighborhoods. She explained that the Planning Commission has visited the site, and perhaps another site visit could be arranged. They agreed that this is probably an appropriate piece of property for affordable housing, and she believed the applicant was moving in the right direction.

Planner Gabryszak requested clarification about how to deal with open space within the development. She noted that the proposed project contains open space, and 2.07 units per acre would include that open space. If they do not address open space in a platted subdivision, they might not be getting an accurate picture of the density. Chair Kinsman stated that she understood the applicant suggested taking that into account. Commissioner Salem explained that he recommended that open space be dealt with separately in order to compare apples to

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apples. They need to consider that 74% of the land will be retained for open space, leaving 26% to be subdivided to give the average of the lot size or acreage of the surrounding neighborhood. They can physically compare the acreage to existing lots or existing platted lots or lots of record with homes on them. He believed looking at large areas would be subjective and leave more to interpretation, and comparing lot sizes would be very clear. Chair Kinsman commented that she believed that was more in keeping with the actual language in the existing Code.



Sean Lewis
County Planner

MEMORANDUM

Date: August 19, 2010
To: Snyderville Basin Planning Commission
From: Sean Lewis, County Planner
Chad Ambrose, Rocky Mountain Power
Re.: Rocky Mountain Power Summit/Wasatch Electrical Task Force

Staff has spent the past several months working with Rocky Mountain Power as part of the Summit Wasatch Electrical Task Force. The goal of this process is to develop a clear and documented plan for electrical infrastructure to serve the power needs of Summit and Wasatch counties through 2030.

Staff along with Chad Ambrose, Rocky Mountain Power Customer & Community Manager, will take a few moments during the Work Session portion of the meeting to review the progress of the task force and describe in more detail where the process will go from here.

Attached is a Memo from Rocky Mountain Power with some of the basic information for you to review prior to the meeting.

To: City Council, Planning Commission, Staff
From: Ted Knowlton, The Planning Center
Date: May 24, 2010
Re: Summit Wasatch Electrical Plan Update

This memo provides background on the Summit Wasatch Electrical Plan, including its purpose and goals, the planning process itself and the value of the expected products and outcome.

INTRODUCTION

Electrical power lines and substations are needed as a simple function of where growth occurs and how much power people use. Rocky Mountain Power is legally obligated to serve the electrical needs of residents and businesses in Summit and Wasatch counties. In the past, Rocky Mountain Power has planned new facilities based on growth patterns. There was often a "disconnect" between local government growth plans and electrical infrastructure plans which could often lead to surprised landowners and other key stakeholders. Sometimes local government's plans for new subdivisions, parks, or commercial development wouldn't fit well with the location of planned power lines and substations. Perhaps a transmission line would impact an important view shed or it was built close to single-unit homes; or it might affect the development potential of a key commercial site. This disconnect can be improved by having local government planners, community stakeholders and Rocky Mountain Power work together to ensure that plans for future development and power infrastructure interact well together.

GOALS OF THE SUMMIT WASATCH ELECTRICAL PLAN

The Summit Wasatch Electrical Plan is a new approach that coordinates efforts between key stakeholders, concerned citizens, local government planners and Rocky Mountain Power. This effort aims to identify community issues and concerns before new lines and substations are planned, permitted or constructed. Its scope is regional due to the fact that as power lines cross one jurisdictional boundary, they enter an adjacent jurisdiction. Joint planning is the most effective way to plan inter-jurisdictional infrastructure.

The task force leading this effort is made up of a broad range of stakeholders including city and county leaders, concerned citizens, planners, regional transportation and growth planners. An appendix is attached listing task force members.

The goal of this process is to develop a clear and documented plan for electrical infrastructure to serve the power needs of Summit and Wasatch counties through 2030. The plan will integrate local long-term development plans (beyond what has already been scoped by Rocky Mountain Power)

with electrical network planning and provide a mutually agreed upon blueprint to guide local government and Rocky Mountain Power as new infrastructure is built.

PROCESS OVERVIEW

The task force met together with Rocky Mountain Power and an independent facilitator, Ted Knowlton of the Planning Center, for eight months. The meetings progressed from gaining an understanding about Rocky Mountain Power's engineering, legal and regulatory requirements, local issues and concerns, establishing the task force's goals, to developing siting criteria, mapping preferred locations for future electrical infrastructure and discussing implementation options. The task force has controlled all recommendations and outcomes of this process and will determine the final outcomes.

The task force began with training in basic electrical concepts and industry requirements to become better prepared to make educated electrical infrastructure siting decisions. Members discussed clearance requirements and electrical capacity. They explored alternate generation options, energy efficiency and conservation programs. They discussed concerns and issues affecting their local jurisdictions. The task force also developed criteria that they consider essential considerations to locating new infrastructure.

Armed with this information, task force members brainstormed preferred locations for future infrastructure. In small groups they considered potential impacts as they mapped locations for new transmission lines and substations. The mapping process covered several phases, starting from brainstorming, through refinement, resulting in an agreed upon map of future infrastructure.

Their choice of preferred infrastructure locations reflects the rationale of the siting criteria, which can serve as guidelines for future infrastructure decisions. The task force recognizes that documented siting criteria will have greater value for future decision-making than a map that could become outdated.

The siting criteria and map will be included in a comprehensive document that they all agree can be used as a guide in coordinating future infrastructure within local planning efforts.

WHERE WE GO FROM HERE

The plan has the potential to improve predictability for landowners, residents, city leaders and staff and Rocky Mountain Power. Further, the plan may help ensure that infrastructure planning works between cities and valley wide, and not just within individual cities and townships.. Each jurisdiction must be able to rely on its neighbors to follow the plan to ensure reciprocal commitment among all the others. As the plan is finalized, the taskforce is exploring ways to improve the likelihood that these two benefits, predictability and inter-city coordination, are ongoing results. The taskforce is thus exploring mechanisms to ensure implementing parties pro-actively communicate with each other and that they keep the plan updated to ensure it continues to meet their local and regional planning needs.

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It is important to the task force that elected officials are aware of the purpose of this process, how it is being conducted and introduce the recommendations and their usefulness. Task force members working with Rocky Mountain Power are prepared to provide information to both residents and public officials through documents and presentations in order to better provide for their local infrastructure needs.

The Taskforce-led process involves one or two more meetings in September and October to review the plan and discuss options for ongoing implementation.

FINAL PRODUCTS

The task force members will bring the shared plan to their individual jurisdictions, along with implementation tools for consideration. Final products may include:

1. Valley wide plan to meet future electrical infrastructure needs
2. Recommendations for preferred locations and alternatives for lines and substations
3. Template language for use in local General Plans
4. A menu of Implementation methods
5. A Toolbox of local planning best practices for electrical infrastructure planning

APPENDIX A

Task Force Members

- Allison Weyher – Francis Planning
- Bob Richins -- Henefer Planning
- Bob Dougherty – Park City Resident
- Bob Wells -- Deer Valley
- Brent Giles -- Park City Mountain Resort
- Chris Robinson -- Summit County Council
- Cindy Gooch – Coalville Planning
- Clifford Blonquist -- Summit County
- Diane Foster -- Summit County Commissioner
- Insa Riepen -- Recycle Utah
- Jacquelyn Mauer -- Park City Planning
- John Thomas -- UDOT
- Liza Simpson -- Park City Council
- Matt Cassel -- Park City Engineer
- Paul Kennard -- Wasatch County
- Rich Sonntag -- Promontory Development
- Rich Sprung -- Hideout Mayor
- Robert Whiteley – Coalville Engineer
- Roger Strand – Park City Resident
- Sayre Brennan -- Park City Planning
- Scott Kettle -- Kamas & Francis Engineer
- Sean Lewis -- Summit County
- Tami Stevenson -- Oakley Planning

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- Tom Eddington -- Park City Planning
- Chad Ambrose -- Rocky Mountain Power
- Greg Hansen – Rocky Mountain Power
- Jani Gamble – Rocky Mountain Power
- Ken Shortt – Rocky Mountain Power
- Mickey Beaver – Rocky Mountain Power
- Ted Knowlton – The Planning Center
- Demi Corbett - The Planning Center

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MEMORANDUM

To: Snyderville Basin Planning Commission
From: Jennifer Strader, County Planner *J.S.*
Date: August 18, 2010
Mtg Date: August 24, 2010
Re: Silver Creek Village Center Specially Planned Area

On July 27, 2010, the Snyderville Basin Planning Commission (SBPC) conducted a public hearing on the proposed Silver Creek Village Center Specially Planned Area. The SBPC continued the public hearing and possible recommendation to the August 10, 2010 meeting. The direction provided to the applicant was to return to the SBPC to further explain how the applicant feels their project is complying with the matrix criteria in order to justify their proposed density.

On August 10, 2010, the applicant began their presentation, but since time was limited, the SBPC asked them to return on August 24, 2010 to continue their presentation.

Staff will not be presenting any new information at the meeting; rather, the time will be turned over to the applicant for their presentation.

Please feel free to contact me should you have any questions. I can be reached at (435) 615-3152, or by e-mail, jstrader@co.summit.ut.us.

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Staff Report

To: Snyderville Basin Planning Commission
From: Jennifer Strader, County Planner JS
Report Date: August 17, 2010
Meeting Date: August 24, 2010
Type of Item: Public Hearing - Development Code Amendments
Future Routing: Summit County Council

EXECUTIVE SUMMARY: In response to a request from the Summit County Council (SCC), Staff is presenting potential amendments to the Snyderville Basin Development Code (Code) regarding the processing of kennel permits.

Staff recommends that the Snyderville Basin Planning Commission (SBPC) conduct a public hearing, discuss the proposal, and vote to recommend approval to the Summit County Council (SCC), recommend denial to the SCC, or continue the request.

A. Community Review

Public notice was published in *The Park Record*. As of the date of this report, Staff has not received any public comment.

B. Background

In May, 2010, Staff proposed amendments to the Code to add the word "private" to the definition of "kennel" in order to provide consistency between the Eastern Summit County Development Code and the Snyderville Basin Development Code and to comport with Animal Control's regulations. The SBPC voted to forward a positive recommendation to the SCC for this amendment. The SCC approved the amendment to the Snyderville Basin Development Code on May 26, 2010.

A kennel is currently defined as *"Any premises, except where accessory to an agricultural use, where domesticated animals, such as dogs and cats are boarded, trained, groomed, or bred for commercial or private use"*. The Use Chart in Chapter 2 of the Code requires that a kennel for commercial or private use for 4 or more dogs or cats obtain a Conditional Use Permit in the residential zone districts. Additionally, Animal Control requires property owners to obtain a kennel permits from their Department, which are currently conditioned upon approval from Planning.

C. Identification and Analysis of Issues

After the Code amendment was in effect, the SCC received inquiries from

property owners questioning whether or not they would be required to get a Conditional Use Permit if they had more than four (4) dogs for personal use. An example of this was a property owner, who had three dogs of her own, and her mother was moving in with her and had two (2) additional dogs. Between them, they would have a total of five (5) dogs for personal use which would require the approval of a Conditional Use Permit. The SCC directed Staff to amend both Codes so that the process for a private kennel is a Low Impact Permit, while the process for commercial kennels remains a Conditional Use Permit. Their reasoning for this was because they felt that the Conditional Use Permit process is too burdensome for a private kennel, and Animal Control has existing regulations in place that address potential health and safety issues.

Although Low Impact Permits are usually administrative approvals, Staff does have the discretion to schedule a public hearing before the SBPC if *"potential issues may arise or additional comment is needed or has been received from the community"*.

Staff presented this same amendment to the Eastern Summit County Planning Commission on August 4, 2010; they voted to delete the word "private" from the definition of "kennel" altogether because they too thought the Conditional Use Permit process was too burdensome and because of Animal Controls exiting regulations. However, a Conditional Use Permit is still required for commercial kennels.

D. Findings/Code Criteria and Compliance

Before an application for an amendment to the Code can be approved, the following findings must be met.

1. The amendment shall be consistent with the goals, objectives, and policies of the General Plan.

The proposed amendment is consistent with the goals, objectives, and policies of the General Plan.

2. The amendment shall not permit the use of land that is not consistent with the uses of properties nearby.

The use of kennels in the Code is not new; Staff is only proposing to amend the process for approval.

3. The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restrained.

The amendment is not adding any new uses to the Code. Kennels are currently allowed in all zone districts.

4. The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property.

Although the proposed amendment changes the type of permitting

process for a private kennel, restrictions are still in place to ensure that nearby property owners are not unduly affected. Animal Control has specific criteria in their Codes that regulate health, safety and welfare of existing property owners.

5. The amendment will not grant special favors or circumstances solely for one property owner or developer.

The amendment will result in a more streamlined development approval process for all property owners in the Basin that are seeking kennel permits.

6. The amendment will promote the public health, safety and welfare better than the existing regulations for which the amendment is intended to change.

The amendment will continue to promote the health, safety, and welfare of the citizens of the Basin.

E. Recommendation

Staff recommends that the SBPC conduct a public hearing on the proposed amendments to Sections 10-2-10 and Chapter 11 of the Code. Taking into consideration any public comment and Staff's analysis, Staff further recommends that the SBPC choose from one of the following options:

Option A

Vote to recommend approval of the amendment to Section 10-2-10 (Use Chart) of the Code, which changes the development process for approval for private kennels for four (4) or more dogs or cats from a Conditional Use Permit to a Low Impact Permit (EXHIBIT A), based upon the findings listed above.

Option B

Vote to recommend approval of an amendment to Section 10-2-10 (Use Chart) and Chapter 11 (Definitions) of the Code, which removes the word "private" from both the definition of "kennel" and the Use Chart (EXHIBIT B), based upon the following findings:

1. Animal Control has existing regulations in place that provide for the health, safety, and welfare of the general public as part of their kennel permitting.
2. Removing "private" from the definition of "kennel" is consistent with the Eastern Summit County Planning Commission's recommendation.

Option C

Vote to recommend denial of the proposed amendments, resulting in commercial and private kennels being subject to the Conditional Use Permit process, based upon specific findings articulated by the SBPC.

Option D

Vote to continue the proposed amendments to another meeting, with specific

direction provided to Staff on information necessary in order to render a decision.

EXHIBITS

- | Exhibit A: Proposed Language for Option A
- Exhibit B: Proposed Language for Option B

USE	RR	HS	MR	CC	SC	NC	Additional Reference
Home-based Businesses Class 1	A	A	A	A	*	*	Section 10-8-4
Home-based Businesses Class 2	L	L	*	*	*	*	Section 10-8-4
Horse Boarding, Private	L	L	L	L	*	L	
Horse Boarding, Commercial	C	C	C	C	*	C	
Horse Stables and Riding Academy, Commercial	C	C	C	C	*	C	
Hospitals	*	*	*	C	*	*	
Hotel, Motel or Inn with fewer than 16 rooms	*	*	C	C	*	C	
Hotel, Motel or Inn with 16 or more rooms	*	*	*	C	*	*	
Indoor Entertainment such as bowling alleys, skating rinks, movie theater, performing arts center	*	*	*	L	*	*	
Indoor Shooting Ranges				L	L		
Kennels for commercial use for 4 or more dogs or cats	C	C	C	L	L	C	
Kennels for private use for 4 or more dogs or cats	L	L	L	L	L	L	
Laundromat	*	*	*	L	*	C	
Logging Camp	*	C	C	*	*	*	
Manufacturing, custom	*	*	*	L	L	*	
Manufacturing, heavy	*	*	*	*	C	*	
Manufacturing, light	*	*	*	L	L	*	
Medical equipment supply	*	*	*	L	L	*	
Mining, Resource Extraction	*	C	C	*	*	*	
Nursery, Retail	*	*	*	C	*	*	
Nursery, Wholesale	C	C	C	C	C	C	
Nursing Home	C	*	*	C	*	C	

Deleted: or private

EXHIBIT A

USE	RR	HS	MR	CC	SC	NC	Additional Reference
Home-based Businesses Class 1	A	A	A	A	*	*	Section 10-8-4
Home-based Businesses Class 2	L	L	*	*	*	*	Section 10-8-4
Horse Boarding, Private	L	L	L	L	*	L	
Horse Boarding, Commercial	C	C	C	C	*	C	
Horse Stables and Riding Academy, Commercial	C	C	C	C	*	C	
Hospitals	*	*	*	C	*	*	
Hotel, Motel or Inn with fewer than 16 rooms	*	*	C	C	*	C	
Hotel, Motel or Inn with 16 or more rooms	*	*	*	C	*	*	
Indoor Entertainment such as bowling alleys, skating rinks, movie theater, performing arts center	*	*	*	L	*	*	
Indoor Shooting Ranges				L	L		
Kennels for commercial use for 4 or more dogs or cats	C	E	G	L	L	E	Deleted: or private
Laundromat							
Logging Camp	*	*	*	L	*	C	
Manufacturing, custom	*	C	C	*	*	*	
Manufacturing, heavy	*	*	*	L	L	*	
Manufacturing, light	*	*	*	*	C	*	
Medical equipment supply	*	*	*	L	L	*	
Mining, Resource Extraction	*	*	*	L	L	*	
Nursery, Retail	*	C	C	*	*	*	
Nursery, Wholesale	*	*	*	C	*	*	
Nursing Home	C	C	C	C	C	C	
	C	*	*	C	*	C	

EXHIBIT B

10-11-1.158 **Kennels:** Any premises, except where accessory to an agricultural use, where domesticated animals, such as dogs and cats, are boarded, trained, groomed or bred for commercial use.

Deleted: or private