

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION**
CITY HALL, COUNCIL CHAMBERS
MAY 22, 2013



AGENDA

SITE VISIT – 5:00 PM – *No discussion or action will be taken on site.*

Echo Spur Subdivision – Please meet at the lobby of City Hall at 5:00 PM

MEETING CALLED TO ORDER - 5:30 PM

WORK SESSION – *Discussion items only, no action taken.*

FY 2012 Capital Improvement Project Plan – Discussion and Overview

ROLL CALL

ADOPTION OF MINUTES OF MAY 8, 2013

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

CONTINUATION(S) – *Public hearing and continuation as outlined below*

Land Management Code – Amendments to Chapter 2.1, Chapter 2.2, Chapter 2.3, and Chapter 2.16 regarding Building Height
Public hearing and continue to a date uncertain PL-13-01889

916 Empire Avenue – Steep Slope Conditional Use Permit
Public hearing and continue to July 10, 2013 PL-12-01533

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

1024 Norfolk Avenue – Steep Slope Conditional Use Permit
Public hearing and possible action PL-13-01853
Planner Astorga

488 Marsac Avenue – Conditional Use Permit
Public hearing and possible action PL-12-01765
Planner Grahm

Land Management Code – Amendments to add Chapter 2.25 for Bonanza Park Form-Based Code and an amendments of the official Park City zoning map to add the new Form-Based Code Character Zones including; mixed use center, resort gateway, neighborhood shopping, Iron Horse, and Neighborhood.
Public hearing and possible recommendation to City Council PL-13-01903
Planner Cattani

ADJOURN

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

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

WORK SESSION

Planning Commission Staff Report



Subject: FY 2014 Capital Improvement
Project Plan
Author: Matt Cassel, City Engineer
Date: May 22, 2013
Type of Item: Informational Item

Description

The City Engineer recommends that the Planning Commission review the 2014 Capital Improvement Project Plan for consistency with the General Plan.

Background

In previous years after the Capital Improvement Plan (CIP) Committee had completed their analysis and project prioritization and provided their final recommendation to the City Manager, the plan has been forwarded to the Planning Commission for review for consistency with the existing General Plan.

Process

Using a ranking system developed by the Budget Department, individual projects submitted by each department were ranked and scored by the committee members, the results were combined and a project prioritization list was created. The CIP Committee completed their analysis and project prioritization in late March and this list is attached as Exhibit A.

The ranking system included five criteria;

- ✓ **Criteria 1 – Objectives** - Meets the vision of a current City Council Goal/Priority (Weight 1.25),
- ✓ **Criteria 2 – Funding** – Source availability and competition for funds (Weight 1.5),
- ✓ **Criteria 3 – Necessity** – Project is a “need have” versus a “nice to have” (weight 1.25),
- ✓ **Criteria 4 – Investment** – Project has a positive history of prior investment suggesting additional support (Weight 1.00), and
- ✓ **Criteria 5 – Cost/Benefit Analysis** – Revenues (or savings) compared to costs (operating and capital) (Weight 1.00).

Department Review

This project has not gone through an interdepartmental review.

Public Input

No public input has been requested at the time of this report.

Recommendation

The City Engineer recommends that the Planning Commission review the 2014 Capital Improvement Project Plan for consistency with the General Plan.

Exhibit

Exhibit A – CIP Description Report

**FY 2014 Capital Improvement Plan
Project Descriptions**

Project Number	Project Name	Description
CP0001	Planning/Capital Analysis	Annual analysis of General Impact Fees to determine/justify formula, collection, use. Including GASB 34 planning and implementation.
CP0005	City Park Improvements	As Park City and surrounding areas continue to grow, there is a greater public demand for recreational uses. This project is a continuing effort to complete City Park. The funds will be used to improve and better accommodate the community
CP0006	Pavement Management Impl.	This project provides the funding necessary to properly maintain and prolong the useful life of City owned streets and parking lots. Annual maintenance projects include crack sealing, slurry sealing and overlays.
CP0007	Tunnel Improvements	Maintenance of two mine water source tunnels. Replacement of rotting timber with steel sets and cleanup of mine cave ins. Stabilization of sidewall shifting with split set of bolts and screening.
CP0008	Historical Incentive Grants	The historic preservation board continues to look at requests for matching grants for restoration work on a case-by-case basis. The program was modified this year to review grants requests all year long. Funding for this project
CP0009	Transit Coaches Replacement & Renewal	This program provides for the replacement of the existing transit fleet service expansions. Federal Transit Administration will be providing 80 percent of the purchase cost.
CP0010	Water Department service equipment	Replacement of vehicles and other water department service equipment that is on the timed depreciation schedule.
CP0017	ADA Implementation	Many of the City's buildings have restricted programs due to physical restraints of the buildings. An ADA compliance audit was conducted by the building department and phase one improvements have been made. Additional funds will be needed
CP0020	City-Wide Signs Phase I	Funded in FY02 - Continue to coordinate and install way-finding and directional signs throughout the City.
CP0026	Motor Change-out and Rebuild Program	In order to minimize the potential for water distribution interruptions all system pumps and motors are evaluated at least yearly with those indicating a problem taken out of service and either repaired or replaced. Funded by user fees.
CP0036	Traffic Calming	Over the last few years residents have expressed concerns with the speed and number of vehicles, safety of children and walkers. The interest of participation for traffic calming has come in from all areas of town. Funding covers traffic studies
CP0040	Water Department Deficiency Correction Projects	This project includes all aspects of daily maintenance, improvements to water system quantity and quality, and master plan projects.

**FY 2014 Capital Improvement Plan
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CP0041	Trails Master Plan Implementation	Rail Trail from Bonanza to kiosk, Round Valley Trails, Entryway Trail System including trailhead parking. Funds intended to provide a comprehensive system of bicycle, pedestrian, equestrian, cross-country skiing and hiking trails - both
CP0042	Gilmore Open Space Note	The City's property acquisitions often require improvements for the City's intended uses. Improvements typically include structural studies, restoration, environmental remediation, removal of debris, basic cleanup, landscaping, and
CP0046	Golf Course Improvements	This project encompasses all golf course related projects, enlarging tees, fairways, rebuilding greens, restroom upgrade, landscaping, the construction of a fence along the road and other operational maintenance.
CP0061	Economic Development	The project was created to provide "seed money "towards public/private partnership ideas. These expenditures are a result of the beginning stages of economic development plan.
CP0069	Judge Water Treatment Plant.	Funded by federal funds, user fees, bonds. This project will fund improvement necessary to meet EPA water quality mandates for the Judge Tunnel source. Federal funding will be utilized as available to complete this project.
CP0074	Equipment Replacement - Rolling Stock	This project finds the replacement of fleet vehicles based upon a predetermined schedule. The purpose of the project is to ensure the City has the funding to replace equipment that has reached the end of its useful life.
CP0075	Equipment Replacement - Computer	The computer replacement fund is set up to ensure funding to replace computer equipment and peripheral equipment including environmental climate control systems on a 3 to 4 year cycle. The average replacement cost per year approximates \$200
CP0081	OTIS Water Pipeline Replacement Projects	Water infrastructure projects as specified in OTIS. Funded by user fees.
CP0089	Public Art	This project is designed to fund public art as part of an "Arts Community Master Plan".
CP0091	Golf Maintenance Equipment Replacement	This option will move the funding of equipment from the operating line to a CIP account. This CIP will help insure adequate funding is available to meet replacement needs.
CP0097	Bonanza Drive Reconstruction	To accommodate new water lines, pedestrian enhancements, gutters, storm drains and landscaping. Possible UDOT small urban area funding.
CP0128	Quinn's Ice/Fields Phase II	Additional development of outdoor playing fields and support facilities
CP0136	County Vehicle Replacement Fund	Holding account for Regional Transit Revenue dedicated to vehicle replacement of county owned equipment.
CP0142	Racquet Club Program Equipment Replacement	For ongoing replacement of fitness equipment.
CP0146	Asset Management/Replacement Program	Money is dedicated to this account for asset replacement each year. Creation of schedule in FY 07 for Building replacement

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CP0150	Ice Facility Capital Replacement	For ongoing capital replacement at Quinn's Ice Facility. Funding provided by City and Basin per interlocal agreement.
CP0152	Parking Meter Replacement	For replacement of parking meters on Main St., parking vehicles, and handheld ticket writers. Funded by meter fee revenues.
CP0167	Skate Park Repairs	Re-paint fence and re-caulk the concrete joints.
CP0176	Deer Valley Drive Reconstruction	Total estimated project cost: \$2,000,000. Unfunded amount is the difference between \$1,000,000 in requested impact fees and local match (which is funded by Transfer from General Fund).
CP0178	Rockport Water, Pipeline, and Storage	This project will construct upgrades to the Mt. Regional Water Pump Station at Rockport and a new pump station and intake that will be owned and operated by WBWCD, all to deliver Park City's reserved water from Rockport and Smith Morehouse reservoirs. A
CP0191	Walkability Maintenance	This funding is provided for the purpose of ongoing maintenance of completed Walkability Projects.
CP0203	China Bridge Event Parking	Funding received from special events proceeded of China Bridge. These funds are used for improvements and capital asset replacement for China Bridge Parking Structure
CP0239	PC Heights Capacity Upgrade	Water Infrastructure related to the PC Heights development
CP0240	Quinn's Water Treatment Plant	Construction and expansion of the Quinn's Water Treatment Plan.
CP0250	Irrigation Controller Replacement	The Parks Dept. has a total of 38 irrigation controllers located throughout town at all City facilities including, City buildings, athletic fields, parks, school fields, etc. These electronic devices provide irrigation control to landscaped areas by rad
CP0256	Storm Water Improvements	This money would be to fix and repair any of our current storm water issues within the city.
CP0263	Lower Park Avenue RDA	The project entails planning, design, demolition, reconstruction of historic buildings, construction of new buildings, and possible land acquisition in the Lower Park, Woodside, platted Norfolk and Empire Avenues North of 13th Street within the Lower Pa
CP0264	Security Projects	The City Manager established the City Building Security Committee in 2008. The committee has made a number of recommendations that have been approved by the City Manager, that include upgrades to signage, replacement of camera systems, additions of camera systems, emergency phones, alarms, improved interior security, etc. Departments do not have line items for security and attempts to get them to budget for security have been unsuccessful. This project is a multi-year project to implement existing and future security recommendations. Executive, IT and Building Maintenance are partners in this project.

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Project Descriptions**

CP0266	Prospector Drain - Regulatory Project	This is likely project the City will need to do over the next several years. We are currently in negotiations with the EPA over the water come out of the Prospector Drain and going into the creek. EPA will likely require the City to build a small treatment facility that will address zinc and cadmium that is currently in the water. It is believed that the water contains zinc and cadmium because of historical mining activity.
CP0267	Soils Repository	Should we successfully complete the current negotiations with the EPA on the Multi-Party agreement then Park City would likely need to financially participate in a portion of the construction of a soils repository. These would be a one-time cost. Ongoing
CP0270	Downtown Enhancements Phase II	Replacement and improvements to downtown/Main street sidewalks, plazas and streetscaping
CP0273	Landscape Water Checks	Water incentives for smart water landscaping
CP0274	PC Heights Development Infrastructure (cap expansion component)	Water Infrastructure related to the PC Heights development
CP0275	Smart Irrigation Controllers	This is an incentive program designed to reduce water demand through the use of technology that adjusts watering amounts based on climatic conditions.
CP0276	Water Quality Study	This is for various water quality related studies and activities such as pipe cleaning, monitoring equipment installation, studies, and research opportunities.
CP0277	Rockport Capital Facilities Replacement	Water Infrastructure pipeline replacement and improvements
CP0278	Royal Street	This project is for the permanent design of Royal St failed section in 2013 and construction of retaining walls in summer of 2014
CP0286	Ironhorse Electronic Access Control	This CIP will provide for Electronic Access Control for the 72 doors at Ironhorse Public Works Facility. Costs are shared based upon proportional share of doors. Project will be phased over 3 years.
CP0287	Ironhorse Seasonal Housing	Seasonal housing (Dorm Style) for up to 16 seasonal transit employees to be constructed on Ironhorse Property. Rents will recapture op expenses, capital renewal, and initial capital.
CP0289	Ironhorse Transit Facility Asset Management	This CIP will fund ongoing Capital Renewal needs for the City's expanded Ironhorse Transit facility. This fund will provide for roof, parking garage, HVAC, lifts and equipment capital renewal. Summit County contributes its proportional share.
CP0280	Aquatics Equipment Replacement	There is no capital replacement fund for the two outdoor pools. This will be set up to build a fund balance for the eventual replacement of pool infrastructure and equipment. This year we had to use Asset Management Funds for several repair/replacement items.
CP0297	Parking Wayfinding	Wayfinding for Main Street parking resources. First year is for signage and consulting assistance with finding garage and internal garage circulation. Years 2 and 3 are for a smart system to indicate stalls available.
CP0298	Historic Preservation	1. National Register historic district study. 2. Intensive level surveys within National Register District. 3. Intensive level surveys of Landmark Buildings. 4. Intensive level surveys of significant buildings.

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CP0300	Irrigation Screening Facility	The irrigation screening facility will provide screening of water from the Weber River and the potential Round Valley Reservoir. The purpose of this facility is to screen fine particles and organic material prior to entering the irrigation system. Wit
CP0302	Deer Valley Drive - Water Infrastructure	This project will be a part of the road reconstruction project and will replace water infrastructure including a distribution and transmission mainline, several valve vaults, and a modification to a underground pump station. It is recommended that this
CP0304	Quinn's Water Treatment Plant Asset Replacement	With the addition of Quinns Junction Water Treatment Plant (QJWTP), a budget line item is required for asset management of this \$14,000,000 facility. This money will be used to replace valve, pumps, membranes, and other items to be replaced at the faci
CP0305	Quinn's Dewatering	A mechanical dewatering process addition at QJWTP will be required once Judge Tunnel water is treated at this facility. Judge water contains various constituents in particulate form which will be filtered out by the membranes at QJWTP creating a concen
CP0306	Open Space Acquisition	Additional Resort Community Tax fund Allocated toward open space acquisition
CP0307	Open Space Conservation Easement Monitoring Fund	Funds reserved for open space conservation easement monitoring
CP0308	Library Remodel	Library renovation and expansion. Funded in the lower Park RDA
CP0311	Senior Community Center	Improvements which will provide senior community services. Funded as part of the Lower Park RDA
New 14-01	Fleet Management Software	Procurement and implementation of fleet management software to replace Lucity software that has proven inadequate to provide Fleet Management with data and reporting necessary to meet stringent federal transit administration reporting requirements and analytical support required for sound fleet mgmt. Staff has worked closely with it on assessment of current system and all parties agree replacement is justified.
New 14-02	Transportation Plans & Studies	Funding for transportation/transit plan studies (e.g. short range transit development plan SR-224, corridor studies, mountain transportation plans). These plans & studies will determine required transit/transportation capital programs for future years.
New 14-03	Richardson Flat Road- Improvement	Obligation to improve Richardson Flat Road as set forth in Park City Heights Annexation Agreement development agreement and sales agreement.
New 14-04	Transit Facility Capital Renewal Account	This project will serve as a reserve account for capital assets owned and operated by park city transit. Annual contributions will ensure critical buildings will have a local funding source as they require renewal. Level of funds assume federal transit admin. grants are available when required. Funds will be used for Major capital items such as roofing, paint, siding, cameras, etc.
New 14-06	Deer Valley Dr. Phase II	Beautification & entry statement for Deer Valley from roundabout to DV Resort
New 14-15	Fitness in the Park	Installation of at least 8 pieces of fitness equipment located outside. Locations being considered are city park, or the farm trail.

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New 14-16	Cement Practice Walls	Practice walls can be used by various groups and individuals to practice ball sports against. These would be built to the specs of an outdoor handball court. Potential locations include sports complex or City Park
New 14-17	Dog Park Improvements	Looking to create a more attractive dog park at the Park City Sports Complex. This project may include additional shade, terrain, variations and obstacle course as well as landscape enhancements.
New 14-18	Recreation Software	The recreation department is looking to replace the current class software system that provides program registration, membership sales, facility and court booking, league scheduling and online services. This system is utilized by the PC MARC, the recreation and tennis departments, and to a lesser degree the HR, special Events and Parks departments. The services this software system provides are CORE City services. The current system is outdated, and the client/server system seems to be fading out industry-wide.
New 14-22	Network & Security Enhancements	This project funds upgrades to network communications gear in most City facilities and investment in security solutions; thus supporting efforts for changing security needs, growth, and higher network availability.
New 14-25	Website Remodel	The City website is in need of an upgrade. While visual enhancements will be a function of this project, the key changes will include improved mobile capabilities, content management and incorporation of new technologies.
New 14-30	Main Street Infrastructure Maintenance	These funds are to provide ongoing capital replacement of main street capital infrastructure

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MINUTES – MAY 8, 2013

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
May 8, 2013**

PRESENT: Nann Worel, Brooke Hontz, Stewart Gross, Mick Savage, Charlie Wintzer, Thomas Eddington, Francisco Astorga, Anya Grahn, Polly Samuels McLean

WORK SESSION ITEMS

1450/1460 Park Avenue - Conditional Use Permit (Application PL-13-01831)

1450/1460 Park Avenue - Plat Amendment (Application PL-13-01830)

Commissioner Thomas recused himself on the Park Avenue project due to a prior involvement with the project. Commissioner Thomas left the room.

Commissioner Hontz recused herself from the 1450/1460 Park Avenue discussion because she had submitted an RFP for this project. Commissioner Hontz left the room.

Craig Elliott with the Elliott Work Group represented Green Park Cohousing. Mr. Elliott presented a slide looking at properties on Park Avenue between Park Avenue and Sullivan adjacent to the ball fields at City Park. He stated that when Elliott Work Group works on a project and design concepts they initially do a context analysis. He walked the Planning Commission through the context of the site and the design concepts and finish with the submittal they have so far. Mr. Elliott felt it was important for the Commissioners to understand the thought process they went through to locate the building and the design of it.

Mr. Elliott stated that the property extends between Sullivan and Park Avenue. There are two historic homes on the lower part of the site. He noted that until he started working on this project he always thought Sullivan Road was a parking lot. Once they learned that it was a road it was important to understand how it works and functions and how this site fits into that context. Mr. Elliott stated that the two historic homes were shown in orange. There was another historic home to the north and two historic homes to the south. The farthest structure to the left was the 7-Eleven and City Park was on the right. The green area shown was the new construction project.

Mr. Elliott remarked that this project was in the HRM zone, even though there were historic homes on the entire area between the 7-Eleven and the Miners Hospital. Understanding the requirements within the HRM zone is important when doing a submittal for this type of project.

Mr. Elliott stated that the next part of their analysis was to look at the site and the existing development. He noted that the orange boxes represented condominiums with the exception of the re-construction and the 7-Eleven. He noted that there are five historic homes and 100-plus condominium units in the immediate adjacent area, most of which front onto Sullivan Road. The mass and scale of those buildings are significantly greater than the historic homes in the neighborhood. Mr. Elliott stated that this information helped them understand the massing, the actual construction and how it works.

Mr. Elliott stated that even though Park Avenue is a historic street in many ways, it is almost an arterial road because of the traffic load that comes through that area. Sullivan Road is much more of a neighborhood street and its primary intent is to service both the Park and the residential units

adjacent to it.

Mr. Elliott noted that the purple color represented the parking area. He stated that all of Sullivan Road, with the exception of this site on this block, is parking. Mr. Elliott pointed out that what remains on the block would be considered open space in this district. Properties are between a little under 5% open space to a little over 26% open space in those existing properties. He stated that this project is required to provide 60% open space per Code. Mr. Elliott noted that two driveways come in off of Park Avenue to the two historic homes.

Mr. Elliott explained that once they have all the information they apply the Code. However, more importantly, they needed to apply the principles of cohousing for this site. Mr. Elliott stated that ten units are proposed in this project. All ten units were spoken for and there is a waiting list. He noted that cohousing design is different. Ten owners come together to build and design their own place to live. Their goal is to live as a community. They generally require green and sustainable principles in their architecture and construction. They create gathering spaces to interact. They integrate into the community. A simple principle of cohousing is to park your car and walk from your car into the common areas of the project and interact with your neighbors before going into your unit. In addition, cohousing is an intergenerational type of living, and it includes everyone from small children to retirees.

Mr. Elliott provided an overlay of the 1929 Sanborn Map to how what was on the site historically. It showed peripheral structures in the center of the site towards the back. He had photographs showing sheds that went from the back of the house to Sullivan Road. Mr. Elliott indicated a darker L-shaped orange area on the map. He noted that the 1929 Sanborn map had an overlay. Underneath the overlay was one of the previous Sanborn maps. Mr. Elliott had seen the 1907 map. He noted that somewhere in between 1907 and 1929 something was on the property because you can see the image. Mr. Elliott provided a brief history of Sullivan Road and the subject property. He felt the thought that this property has always been a green, lush lawn area is out of context with the history of the site.

Mr. Elliott stated in designing cohousing they tried to create a massing of a new building that respects the two historic homes by allowing the visual to go in between those homes as they have for many years. The horseshoe shaped was responding to the massing of the larger buildings along Sullivan Road. They tried to keep those within the context of the larger structures that exist today along the entire block. Mr. Elliott remarked that the shape of the building as shown was designed in a way that represents what cohousing does. The center space of the horseshoe is the common area. Everyone comes from the parking on the perimeter on Sullivan Road, through the building through a walkway into the common space and then enter their units.

Mr. Elliott noted that the gray areas on the top represented three driveways and how they would work with the site. The two driveways were moved from the historic homes primarily for safety reasons. Mr. Elliott had requested the opportunity for parallel parking along Park Avenue but they had not heard positive comments from the City Engineer. He believed it was an interesting concept for providing additional parking spaces along Park Avenue and safer access than 90 degree parking in a driveway. Mr. Elliott stated that it was not a deal-killer on the project, but he felt it was appropriate. Mr. Elliott pointed out that the parking is very consistent with the remaining properties surrounding the site.

Mr. Elliott presented a 3-D representation of the project looking at it from the sky. He noted that the roofs are green roofs and they step back from the historic homes. In the context of the streetscape, the building in the center was the project they were proposing. Mr. Elliott explained how they tried to be consistent with the massing along the streetscape.

Mr. Elliott presented a slide of a required image in the historic district going through the HDDR process. It shows the sight line over the historic structures. Mr. Elliott reviewed the section drawings. They tried to step back from the historic homes with the massing and provide a gradual approach to the existing conditions and site parameters. Mr. Elliott identified the grade and height. He noted that the 3-D image was a massing model to help them understand the context of the site. They had shown trees between each of the breaks between the garages based on the thought that maybe long term on Sullivan, a tree could be placed wherever there is an opportunity for a green bulb-out, to create a sense of scale along the entire street. Mr. Elliott believed it was a way to improve Sullivan Road without having to do curb and gutter.

Mr. Elliott reviewed a slide from the perspective of looking at the project on the opposite side of Park Avenue, looking back at the two historic homes. Mr. Elliott noted that trees were shown as a goal to create a buffer for the horseshoe shaped common area. Mr. Elliott presented a slide from the interior perspective.

Mr. Elliott presented a slide of the overall context that dealt with some of the zoning issues. He noted that the zoning was created to encourage taking the accesses off of Park Avenue and moving them to Sullivan Road. Mr. Elliott stated that for this project the access was taken off of Park Avenue and moved to Sullivan Road. They tried to be consistent, but improve upon the concepts that already exist.

Chair Worel called for public comment.

Clark Baron stated that he owns one of the Struggler condominiums on the left of this project located at 1470 Park Avenue. Mr. Baron appreciated the work that the Park City Planning Commission has done to help maintain the historic look and feel of Park City. He understands that there is a lot of parking there now and that these condos were built prior to 2009. These projects all met the Code when they were constructed. Mr. Baron met with the Planning Department and reviewed the documents. They found them to be very professional and accurate. Mr. Baron agreed with the findings outlined in the Staff report. The Staff has done a good job identifying major issues with the project.

Mr. Baron commented on four concerns he had regarding the proposed project at 1450/1460 Park Avenue. The density of the project is concentrated on Sullivan Road. He felt this was excessive for the size of the lot. The Code requires 60% open space. This is not met by the project. He admitted that open space requirement was not met by previous project, but the Code has changed since then and it was changed to try to maintain as much open space as possible. Mr. Baron stated that Sullivan Road is the front yard for eight of the condos, yet it has minimal open space on that end of the project. With only four or five feet between the historic homes and the large multi-unit dwelling, he believed the density was too high.

Mr. Baron agreed with the Staff report that the addition should be subordinate to the historic structure. He did not believe the proposed plan complies with that requirement.

Mr. Baron stated that the design proposed is not consistent with the look and the feel of the historic lots in the neighborhood. A square box with a flat roof is very different in style from the surrounding buildings. Based on the Staff report, this project is not compatible with the surrounding structures in mass, scale, style and design.

Mr. Baron noted that the proposed plan shows that the historic structures are being raised approximately 2-feet higher than their present grade, and the bulk of the dwelling is also raised 3-feet above present grade. He believed this distracts from the look of the project and is not consistent with the Park City Design Guidelines for Historic Sites. Mr. Baron stated that the project has serious parking issues due to its design and scale. The only parking is off of Sullivan Road which is designed for limited access only. Having a main entrance, eight condo units and all six garages with separate driveways with cars backing on to Sullivan Road is limited access. Mr. Baron also questioned space for snow removal because it appears to be marginal. Access to the front doors of the condos will be through the building at that point. As noted, the driveways do not meet the Code.

Mr. Baron stated that if this project is approved, the visitors and residents to the Park will no longer have a tree-lined area back in there with smaller condos or little homes. They will see another large structure. Mr. Baron preferred to maintain a cottage type look since it is one of the few remaining historic areas. Mr. Baron urged the Planning Commission to follow the recommendations that were outlined in the Staff report and send this project back to the drawing board for major revisions and a significant reduction in scale and change in style to match the buildings in this historic neighborhood.

Mary Wintzer stated that she attended early meetings about cohousing and she was very excited about it. Since the City was partnering with this effort, she was surprised that it had gone off track a little with the areas where it does not comply. Ms. Wintzer understood that the goal of cohousing was to integrate into the community to create community. It is not to be separate or put off on the existing community. She noted that affordable housing has to comply with the LMC as much as possible. The City has spent months looking at the LMC and trying to correct some of the problems that exist in the slides Mr. Elliott presented this evening. Ms. Wintzer referred to Mr. Baron's comment that the existing buildings were built under the old Code. She noted that they were trying to improve on that and not repeat the same mistakes. Ms. Wintzer believed that if the City is partnering, they have an obligation to the citizenry to send the right message and help Mr. Elliott's team create a project that is more in line with the LMC. If the City believes in this project they should help reduce the number of units that have to be built by subsidizing this project. They should not send the wrong message to the design community, and the majority of citizens who follow the Code would not understand that a project that the City is partnering with does not have to follow the same rules. Ms. Wintzer supported the cohousing project but it needs some tweaking.

Jane Crane, a part-owner of one of the Struggler Condominiums, understood that a number of people supported the cohousing program. She believed parking was a huge issue with this design.

Ms. Crane asked the people who were in partner ownership of this project to stand. She asked how many of them only had one car.

Chair Worel asked Ms. Crane to direct her comments to the Planning Commission.

Ms. Crane reiterated that parking is a huge issue and there is a green space that juts out from the Park that happens to be right in front of this cohousing unit. People have to get off the sidewalk in the Park and come out on to the street. She agreed with the comments made by Mr. Baron and Ms. Wintzer. With the City being in partnership with this project she believed they needed to look at the size and make their best effort into making it more compatible with the rest of the area.

Audrey Hardy stated that she is part of the LLC of Green Park Cohousing and she plans on living there. She had read a book about green roofs and urban roof top gardening. She thought the green roofing on top of the building should be counted as green space in many urban setting it is the only room people have for gardening and green space. Ms. Hardy stated that the point of the green roofing on top is for environmental purposes as well as building community. It will insulate the building and it will help refresh the air.

Sara Werbelow, a member of the proposed cohousing community, stated that a lot of issues were raised that she would like to talk about, but this is a work session and she thought they would be able to dialogue about the plan before them this evening and come up with solutions. Ms. Werbelow stated that in terms of the height and density allowed on that particular site, they are not asking for a variance because they are within the allowed height per Code on that site. She noted that the project was under the allowed density for that particular site. Ms. Werbelow believed those were critical issues. She remarked that the intent is to work within the Code and to have a discussion to address any issues.

Ethel Preston stated that she was also in the LLC. Ms. Preston had noticed a very large condo on the other side of Park Avenue that has a flat roof. Therefore, the flat roof is not out of context in that area.

Darrel Finlayson, President of the Green Park Cohousing, asked Mr. Elliott for the slides of Sullivan Road. Mr. Finlayson stated that he currently lives in Wasatch Condominiums, which consists of four buildings. He has lived there for ten years. His personal experience with living on Sullivan Road in terms of traffic flow and parking is that there are 120 uncovered open parking spaces along Sullivan Road for City Park, as well as parking spaces available for all the other existing condominiums. In terms of safety, Mr. Finlayson noted that the posted speed limit on Sullivan Road is 10 miles per hour, which reflects the density of use in that area. Additionally, in the summer time speed bumps are put in, which reflects the City's goal of reducing the speed of traffic through that zone. Mr. Finlayson personally believed that having more parking consistent with the rest of the parking along that side of Sullivan will help influence the speed of the traffic. Mr. Finlayson pointed out that they were not building an addition. The new construction is a separate structure from the historic homes. He felt it was important to note that it was incorrectly referenced as an addition in the Staff report.

Dan Moss, an owner of a Struggler Condominium unit, shared the concerns expressed by Mr. Baron and Ms. Wintzer. He was relieved of some of those concerns when he saw the Staff report and how it identified some of the areas where the projects does not comply and some of the problems it represents. He encouraged the Commissioners to study the report carefully and address each concern raised in the Staff report to make sure compliance is met. His unit fronts Sullivan Road and he has watched the evolution of that road. Mr. Moss stated that it is already congested and there is

a shortage of parking. This particular construction would diminish what little parking is available and it would add to the current congestion. Mr. Moss was concerned that the general character of the area would be compromised by this high density housing project.

Chair Worel closed the public hearing.

Craig Elliott stated that he has worked on this property for two years and this was the first time he had the opportunity to give a presentation. He has had the opportunity to meet with the Staff and to respond to their review. Mr. Elliott remarked that the plan submitted was capable of being compliant within the ordinance. In response to the comments about the grade, Mr. Elliott explained that they are required to raise the historic buildings on this site because it is in a flood plain. He noted that the building to the south is within the height compliance generally accepted in the Historic District Guidelines. The building to the north is slightly above what is generally accepted, but it could be lowered within the 2-foot range. It would meet the criteria but it may not be the best solution for the project. Mr. Elliott stated that the site is also within the boundaries of the soils ordinance. Since there is no nearby repository, they would have to truck any soils from excavation to Tooele. That cost would be impossible for an affordable housing project to absorb. Mr. Elliott pointed out that the excavation from the foundations would be placed in the center of the site where nobody could see it. All the grading change was done within the requirements of the Code. Mr. Elliott noted that the project provides over 60% open space; 53% is on the ground and 10% is shown as green roofs. Mr. Elliott stated that he was prepared to discuss architecture and style or address other issues if the Planning Commission had questions.

Planner Astorga noted that because the Staff report was lengthy, it was separated into sections. Section 1 was specific Conditional Use Permit Review criteria specifically for the HRM District, as outlined on pages 8-10 of the Staff report. Section 2 addressed parking. The project must meet the parking requirement and a small portion of that section indicates the number of parking spaces they must provide. The Staff report contained the Staff findings. Section 3 was the Standard Conditional Use Review Criteria 1-15 as outlined on page 16 of the Staff report. Planner Astorga noted that this criteria is the standard that is used throughout and it is tied to the State Code. Section 4 addressed Special Requirements for Multi-Unit Dwelling as reflected on page 19 of the staff report. The Staff interpretation is that the project as submitted falls under a multi-unit dwelling. Cohousing is not listed as a use in the Code. Cohousing is considered a social component of how someone lives. Section 5 is the criteria in the Code for access off of Sullivan Road as outlined on page 20 of the Staff report.

Planner Astorga requested input from the Planning Commission on five discussion points. The first was compliance with the design guidelines. He noted that the applicant had submitted an application for HDDR, a CUP and a plat amendment. He explained that the Staff has the review and decision on the HDDR, Planning Commission has the final say on the CUP, and the City Council makes the final decision the plat amendment. Planner Astorga explained why the Planning Commission should not focus too heavily on the design guidelines. In the event an appeal is submitted, the appeal would be heard by the Historic Preservation Board as the body who reviews appeals of HDDR applications.

Planner Astorga noted that the second discussion point was compliance with the parking requirements. The third point related to the second point in terms of whether the Planning

Commission considers the parking area to be five or more spaces. Planner Astorga stated that the applicant disagreed with the Staff analysis that there are five or more spaces at the rear, based on specific criteria that was applied.

Planner Astorga pointed out that there could possibly be three conditional permits for review. The first is the use of a multi-unit building, the second would be limited access off of Sullivan Road, and the third would be a parking area containing five or more parking spaces.

Planner Astorga stated that the fourth discussion was the open space requirement. Per Code, multi-unit buildings require 60% open space; however, the Code is not specific as to whether or not a green roof could be counted as part of the open space requirement. Planner Astorga thought it was a gray area and he requested Planning Commission input.

Planner Astorga noted that the last discussion point was limited access on Sullivan Road. The Code indicates that specific criteria must be met before the Planning Commission could grant limited access off Sullivan Road. The Staff did not believe the applicant had met all of the criteria.

Commissioner Wintzer complimented Planner Astorga on a great Staff report and a good presentation. Regarding the design guidelines, Commissioner Wintzer was comfortable with the bulk of the building and the number of units. However, he had major concerns with the east elevation. He noted that the design guidelines talk about diminishing the visual effect of the garage and the automobile. Commissioner Wintzer pointed out that the back elevation is actually a front elevation because this property has two front yards. He was not in favor of the garages with cars parked in front. Commissioner Wintzer emphasized the importance of reworking the Sullivan Road access. He understood that other buildings in the area were not sensitive to design or use of land. There was nothing they could do about the existing buildings, but new buildings should be designed to be more compatible and more presentable. Commissioner Wintzer felt that a minimum, the City should be held to the same standards as all other developers.

Commissioner Wintzer needed to see a parking plan to adequately address the parking issue. He understood that there would be six cars parked in a garage and six cars parked behind those cars and a couple more on the side. He was unsure if stacking the cars meets the Code. At the bare minimum, each unit has to move one car to back out another car. Commissioner Wintzer stated that he is a neighbor to the Affordable Housing project on Deer Valley Drive. That project has limited parking and there is at least eight cars parked on the street every night from that project. Commissioner Wintzer believed the cohousing homeowners were the most sensitive to cars in town, but they would still have a minimum of one car per person. They will be parking in City Park and taking up the limited parking.

Commissioner Wintzer agreed with the comment that if this project is too big to accommodate the parking, and the City believes that cohousing or affordable housing is an important element, they need to make the land more affordable so the number of units can be reduced to make it fit. Commissioner Wintzer did not think they should downgrade the Code or the standards to achieve affordable housing units for one project because it would carry through to every other project on the street and held up as an example.

Commissioner Wintzer was unsure how to address the open space issue. He noted that one day the City Council gave direction for flat roofs in Old Town, but they did not follow through with guidelines regarding open space and what could be done with a flat roof. He personally believed a flat roof was an appropriate use, even though it is not historically compatible. The building is a separate structure from the historic homes and he thought Mr. Elliott did a great job separating the buildings. Commissioner Wintzer understood the argument Mr. Elliott made for raising the buildings.

Commissioner Wintzer agreed with the Staff report on the Sullivan Road access, but he was not convinced that putting the access on Park Avenue was a better solution. City Park is a jewel of the City and one of the most popular open spaces in town. It needs to be protected, but he still thought it was better to have the access off of Sullivan Road, especially with the historic houses in the front. He is a strong believer in the Code and when they do not honor the Code it weakens the Code. The biggest problem in old town is that everyone wants to do it because their neighbor did it.

Commissioner Wintzer thought there was a problem with snow storage on the site, primarily due to the size of the site. He also thought trash was a problem. Making the site as tight as it was proposed leaves no room for auxiliary uses. Commissioner Wintzer stated that he is a follower of the Code, but he also believes it is important to have these types of housing opportunities in the community to be a complete community. He was not willing to ignore the Code, but there are gives and gets that could make this project possible. However, the applicant needs to make that argument because he did not want it to appear that the Planning Commission ignored the Code to make this project work.

Planner Astorga stated that when he started working on this project he found out from the City Engineer that Sullivan Road is not a platted road. It was simply built as a way for people to get to the Park. If the Commissioners had questions, they could look to the City Engineer for answers. Planner Astorga clarified that the Staff did not disagree with Mr. Elliott's comment about a sea of parking. He would like to see an aerial photograph of all the parking spaces to find out which ones have been approved by the City. Planner Astorga stated that he would like to know how many are legal parking spaces and how many were asphalted over a weekend without permits or approvals. The Staff did not have time for that research and he encouraged Mr. Elliott to work with the Building Department to locate the site plans so they could do the exercise. Commissioner Wintzer pointed out that this was an existing condition and he thought the City needed to map Sullivan Road for future reference. He did not believe finding the information suggested by Planner Astorga would change the appearance of Sullivan Road. Planner Astorga clarified that he was only looking for site plans to see how many of the parking spaces for the existing condos were actually legal and approved.

Commissioner Savage stated that this was an interesting discussion where they were trying to solve a heavily constrained problem. He noted that it could be approached from the point of view of content of the LMC, or from the point of view of context and how to implement this community benefit. He believed this cohousing facility was a community benefit because it can nucleate other good things to happen around the community. As a Commissioner and as a citizen, he supports that kind of activity. Commissioner Savage thought the context should drive their discussion.

Commissioner Savage did not have a solution for the parking and he thought it required more

detailed analysis and creative thinking, and he support Commissioner Wintzer's comments. Commissioner Savage stated that the idea of gives and gets as it relates to the open space requirement and green roofs was acceptable in his opinion. He drives Park Avenue every day and that neighborhood is a hodgepodge. Commissioner Savage remarked that a constructive attitude would be to find the right solution to allow this to be implemented in a way that helps people in the heart of Park City achieve their objective, rather than nit-picking the content.

Commissioner Gross thought it was a terrific project and Mr. Elliott did a great job of putting it together. If the project could comply with Code, it was something the Planning Commission should support. Commissioner Gross was unsure how the parking issue could be resolved. He commented on parking issues throughout Old Town and other affordable housing projects. He thought it was commendable that the Struggler Condos have 3 spaces per unit, but that was not possible on this site. Commissioner Gross stated that at a minimum they should try to achieve a one to one ratio for this cohousing project. He noted that Park Avenue is not a friendly street and being able to park on Sullivan Road would help make Park Avenue more walkable.

Commissioner Wintzer did not agree that parking on the street was the answer. Trying to reserve the parking for the units would be difficult, and the street is already over parked because there are cars everywhere. Parking is especially tight in the summer from Park users and they could not take away that parking.

Chair Worel stated that she loves the cohousing concept and she wanted to see it work in Park City. She shared the concerns of her fellow Commissioners regarding the LMC and finding a way to make the LMC work with this concept. Chair Worel asked if she was correct in understanding that seven units were required and ten were proposed.

Mr. Elliott replied that seven affordable units are required. Ten units are proposed on site to provide housing for the cohousing group, which is six less than what is allowed.

Chair Worel asked if all ten units were spoken for and purchased. Mr. Elliott answered yes. Chair Worel clarified that it would present a significant problem if the number of units was decreased. Chair Worel was comfortable using the green roofs as part of the open space; however, in looking at the plans it appears that a ladder would be the roof access. Mr. Elliott replied that it can be accessed from several different places. The areas that are all green have a step up over a terrace. The other terraces were not counted as green, even though green spaces are associated with them.

Commissioner Wintzer suggested that for the next presentation, the applicants submit a parking plan and color code what they intend to count for open space.

Chair Worel asked how people would access the green roof open space. Mr. Elliott indicated doors that would be used for access. It was called out as a ladder on the drawings but it could be stairs or something else. He noted that solar panels were not included in the open space calculation.

Commissioner Savage stated that his direction would be that the idea of counting the roof towards the green space calculation would be acceptable, particularly if the applicant can demonstrate that it

is a community benefit for the people who live in that project.

Planner Astorga asked for input from the Commissioners on the issue of five or more parking spaces. He presented a slide of the site and explained how the Staff determined the number of spaces. Based on the calculation, the Staff determined 8 spaces aside from the six garages, which triggers a CUP. The applicant disagreed with that determination.

Commissioner Wintzer agreed that it was eight parking spaces. Commissioner Gross clarified that it was all part of the same project, which made it difficult to split the parking. Commissioner Savage explained how it could be considered two separate parking areas. He believed the parking issue was again the question of interpretation. He reiterated that the discussion should be driven by the context of the design that adds value to the nature of the property and is compatible with an interpretation, rather than trying to figure out the interpretation.

Commissioner Wintzer stated that there was no room to improve the parking and he was seeing six garage doors and eight cars parked in front of them as the streetscape of this project. Mr. Elliott and Commissioner Wintzer discussed the parking. Mr. Elliott explained different parking options and how it could be accomplished.

Planner Astorga clarified that the requirement is ten parking space but it is not triggered because of the ten units. It is triggered because the two historic structures do not have a parking requirement, and four of the units trigger just one parking space because of their size, and the other four trigger 1.5 spaces for a total of 10 spaces.

Planner Astorga thought the Staff could work with the legal department on the gives and get, specifically address the limited access off Sullivan Road. He believed the Staff could also work with the applicant on fine-tuning this project. Planner Astorga noted that the Planning Department supports this type of use, but they have the responsibility to make findings for every criteria in the LMC for a CUP. Commissioner Wintzer appreciated the Staff's position. He noted that the role of the Planning Commission is to enforce the Code and to make sure the Staff has made the appropriate findings.

Commissioner Savage applauded Mr. Elliott and his team for the approach they have taken with this project.

2024 Sidewinder Drive – Discussion of Conditions of Approval for Conditional Use Permit for a church. (Application GI-12-00205)

Commissioner Gross was excused from the meeting for a short time due to another commitment.

Commissioners Hontz and Thomas returned.

Planner Evans stated that the Staff was seeking guidance from the Planning Commission regarding the condition use issues at 2024 Sidewinder Drive. He reported that the conditional use was issued in 1995 for a church. The zoning is General Commercial and a church is a conditional use within that District. It is unknown how the long church existed in that building. The upper portion has stayed intact as originally constructed. No building permits have been issued since 1995 at this

location on the second floor.

Planner Evans noted that the conditional use permit was issued with two conditions. The first was that the occupancy would be capped at 50 people or an elevator would have to be installed. The second condition required a two-year review of the CUP. Planner Evans stated that there is no evidence that the two-year review ever occurred.

Planner Evans stated that the new applicant wants to hold services at this location. There are 50 people or less at any given time; however, they are concerned about major religious holidays when more people may attend.

Planner Evans reported that during the initial review by the Building Department, it was determined that a stair chairlift at this location would be acceptable in lieu of an elevator. According to the Building Department an elevator in this building is not achievable on the interior. Retrofitting the existing building was not an easy option for the building owner, and the church would like to have services in excess of 50 people.

Planner Evans stated that under the existing square footage based on the criteria in the Building Code, the building occupancy would be capped at 175 based on the existing chairlift. Planner Evans noted that comments by the Chief Building Official indicate that during an emergency the elevator would be rendered inoperable. Therefore, the elevator is an ADA issue and not an emergency issue.

The Staff requested guidance from the Planning Commission to determine if the chairlift was in substantial compliance with the original conditional use permit.

Commissioner Hontz asked if a church was a conditional use in the zone under the current Code. Planner Evans answered yes.

Commissioner Thomas clarified that the Building Official had deemed this appropriate ingress and egress to comply with the Disabilities Act. Director Eddington replied that this was correct. The issue is that original CUP specified an elevator and the Staff wanted to confirm with the Planning Commission that a chairlift would meet the intent of the condition.

Commissioner Thomas noted that the chairlifts have become more efficient and viable. He was comfortable with the request.

Commissioner Wintzer asked if there was any way to revoke the original CUP and issue a new CUP that specified elevator or chairlift. Director Eddington stated that if the Planning Commission found that the chair stair lift system met the intent of an elevator to carry ADA persons up the stairwell, it would up to the Planning Director to find that it was in substantial compliance.

Commissions Savage and Worel were comfortable with the chairlift.

1024 Norfolk Avenue – Conditional Use Permit (Application PL-13-01853)

Planner Astorga reviewed the application for a Steep Slope Conditional Use Permit for construction

of a new single family dwelling over a re-platted lot of record. It was previously approved as a lot combination of 1-1/2 lots of record.

Planner Astorga reviewed exhibits that were provided by the applicant. He noted that this was a work session because an in-office issue with noticing prevented the Staff from scheduling this for a public hearing.

Planner Astorga noted that the applicant had provided significant information. After spending a lot of time reviewing the application the Staff found that it meets the various regulations outlined in Chapter 2.2 for the HR-1 District.

Planner Astorga requested that the Planning Commission focus on the streetscape elevation, and he believed the applicant had done a good job to reduce the appearance of the structure. It is a three story structure but the size was minimized from the street. Planner Astorga reviewed the model that was submitted as part of the streetscape elevation.

Planner Astorga noted that the applicant indicated the need for a height exception for tandem parking on the downhill lot. He reviewed the survey several times and did not find where they needed a height exception. He believed that was an error and that the applicant was in full compliance with the 27' height.

Jamie Thomas, the applicant was present to answer questions.

Planner Astorga requested input and direction from the Planning Commission regarding the Staff analysis and comments reflected in the Staff report. He noted that this item was publicly noticed for the May 22nd meeting.

Chair Worel called for public input. There were no comments.

Commissioner Hontz complimented the applicant on the packet they submitted. This was the first time the information has been clearly portrayed and additional information was provided that help them understand what the applicant is trying to accomplish on site. She suggested that the Staff use this application as an example for other applicants to utilize.

Commissioner Hontz referred to page 76 of the Staff report and asked how much room there would be to park in the driveway and the slope to get into the garage.

Planner Astorga indicated the distance from the property line. He noted that the setback is 10 feet. The driveway is lengthy because of how the road was built over the platted right-of-way. The slope would be 13.5 and 8.3 on the other side.

Commissioner Wintzer echoed Commissioner Hontz's regarding the packet. It was very interesting to read and it contained exceptional information. Commissioner Thomas echoed his fellow Commissioners. It is a clear and concise package and a model for other Steep Slope packages and future projects. The application is complete and appropriate. He liked how the plan relates to the existing fabric of the neighborhood.

Commissioner Savage concurred with all the previous comments.

Mr. Thomas clarified that the plan was originally designed by Peter Barnes and he should get the credit.

The Work Session was adjourned.

DRAFT

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
Bonanza Park Area and Form Based Code
May 8, 2013**

PRESENT: Nann Worel, Brooke Hontz, Stewart Gross, Jack Thomas, Thomas Eddington, Katie Cattan, Polly Samuels McLean

Commissioners Strachan and Savage were excused.

Commissioner Wintzer was recused.

WORK SESSION ITEMS

Discussion on Bonanza Park Area Plan and Form Based Code.

Planner Cattan reported that the objective this evening was to discuss the Bonanza Park District and the Bonanza Park Area Plan from January 2012. The Planning Commission would also be discussing Form Based Code. Planner Cattan noted that the Staff report contained a draft Form Based Code for the Commissioners to review prior to meeting with Gateway Planners at the next meeting.

Planner Cattan stated that Form Based Code is an implementation tool for the area plan, and they need to have policy discussions in order to get it right. Rather than address the 5-foot setback for snow storage that was proposed and the amendments to the Code, Planner Cattan preferred to have a high-level conversation about things that were mentioned in the Bonanza Park Area Plan and the layout of the Regulating Plan so the Staff could begin tweaking the plan based on Planning Commission input on policy.

Planner Cattan started with the Policy Discussion on page 396 of the Staff report. The first item was Local Businesses. She noted that originally they used the height incentive for deed restricting local businesses, such as an incubator space, and allowed one for one square footage bonuses. When the Planning Commission discussed Form Based Code on October 24, 2012, the Staff had second thoughts about deed restricting uses other than affordable housing, because if they fail, they could have a failed space for a long period of time. The Staff was asked to come back for further discussion on that matter.

Planner Cattan stated that another piece was limiting the amount of National retail in the District to keep it a locals place and support local businesses. She commented on a number of regulatory tools that could be utilized to accomplish that goal. The Staff report listed a number of tenant sizes currently in Bonanza Park. Planner Cattan remarked that within the Code they have required multiple tenants along street frontages. Within different zones they have limited the maximum square footage a business is allowed. A conditional use permit is required for any business beyond 20,000 square feet in certain districts, and it would have to come before the Planning Commission. Planner Cattan noted that a "no district" is a single tenant allowed to be greater than 40,000 square feet. She clarified that those were two tools implemented within the current Form Based Code.

The third tool to utilize is the Community Development Area. Director Eddington explained that the CDA is a modern day equivalent of the old RDA Redevelopment Area. The City is looking to

implement a CDA in Bonanza Park and to utilize in helping to move the Rocky Mountain substation, as well as other work in the area. There are opportunities to use the CDA to provide incentives. It can be used to provide infrastructure and/or other improvements, and it can be looked at in terms of commercial development opportunities. Director Eddington stated that the City Council would be looking at incentive opportunities in July and August.

Director Eddington noted that the Planning Commission has always talked about the gives and the gets when looking at development. He suggested that they could think of a CDA as opportunities to buy-down density or incentivize what they want to get. As they look at Bonanza Park, they should look at the opportunities. If something is not right or they do not want buildings going four or five stories tall, there are opportunities to buy that away if needed. Director Eddington pointed out that it was a policy discussion for the City Council and obviously there would need to be available funding. The Staff was unsure what the CDA would produce in Bonanza Park. They were having that analyzed and would probably not have an answer for a week or two.

Planner Cattan requested discussion on the direction they were heading in terms of limiting tenant size. For a large tenant, there would be a requirement for linear shops that wrap the tenant with a minimum depth of 50 feet. For example, a Target might be acceptable if other shops can be experienced on the way to the Target.

Director Eddington asked if the Planning Commission was comfortable with larger buildings. Planner Cattan clarified that any building over 20,000 square feet would require a conditional use permit. The maximum building size would be 40,000 square feet. She asked if they would also favor liner shops in front of large buildings.

Commissioner Thomas suggested that the Staff finish their presentation and allow time for public input before the Planning Commission made their comments.

Planner Cattan noted that two people with an interest in Bonanza Park had presentations regarding changes to the regulatory plan. She noted that the Staff report contained a submittal from Mark Fischer and Powder Corp., and a submittal from Wintzer-Wolfe Properties. Mark Fischer's representative would speak first followed by Wintzer-Wolfe.

Planner Cattan noted that the purpose of the presentations was to discuss the regulating plan to be adopted as a zoning change. When they were creating the regulating the plan the focus was at the community scale and making improvements for connectivity, circulation and the experience within the public realm. As they hear comments from individual property owners, Planner Cattan asked the Planning Commission to focus on the bigger picture of the entire Bonanza Park District and how it works together.

Commissioner Thomas understood that the Staff was asking the Planning Commission to consider this with an eye on the General Plan. That would mean that applications need to be looked at under the current General Plan because the updated General Plan was still unfinished. Planner Cattan stated that currently there is a supplement to the General Plan that was adopted for the Bonanza Park area. In addition, there is a draft Bonanza Park Area Plan. She explained that once the Bonanza Park Area Plan is adopted, it would replace the supplement to the General Plan as the guiding document. Planner Cattan remarked that the Bonanza Park Area Plan would need to be

adopted first prior to adopting a Form Based Code. The Regulating Plan, which is a map, would be adopted as a zone change with the Form Based Code. Therefore, future applications would have to comply with the zone change. Planner Cattan noted that the Regulatory Plan was reflective of the ten principles in the Bonanza Park Area Plan. She encouraged the Planning Commission to think about the ten principles within the Area Plan as a bigger picture of how the neighborhood works together.

Commissioner Thomas thought an even bigger picture was the General Plan because it is the guiding principle in the spirit of the direction taken. He asked if the Commissioner should look at this through the current General Plan or the contemplated General Plan. Director Eddington thought it was better to look at it in terms of the contemplated General Plan. However, he suggested that they focus more on the Bonanza Park Plan because it reflects the elements of the new General Plan.

Director Eddington believed the two presentations this evening look towards the future with regard to the new Bonanza Park and Form Based Code.

Craig Elliott with Elliott Work Group, representing the Fischer/Dejoria parcels, stated that he had been working with the Powder Corp. design representatives on a conceptual plan for Bonanza Park. Over the past few weeks they have had several internal reviews and meetings with four different design groups to discuss the implementation of this particular part of the Plan. Mr. Elliott noted that they primarily addressed the roadway in the district that Fischer, Dejoria and Powder Corp. owns or surrounds, and tried to relate the connections back to the original regulating plan.

Mr. Elliott stated that the owners have had concerns with the triangular shape of the park, as well as the traffic circulation patterns for both pedestrians and vehicles with all the points of intersection. They were also concerned about how to develop the first phases of a project that is essentially street-front urban type space, and create interesting spaces in the early parts of a project where people want to go before the entire project builds out.

Mr. Elliott presented a color code conceptual site plan. Their intent is to maintain the Park as a large scale park that would benefit the community. As they looked at the different parcels they used the same color sequences that were used in the regulating plan. The orange color represented mixed-use. Mr. Elliott stated that they looked at the Yard parcel that faces Kearns Boulevard a little differently and suggested that it might be better used as a Resort Gateway component. It would travel down to the corner of the Yarrow in future pieces to create a corner from Park Avenue and Kearns as the Resort Gateway.

Mr. Elliott pointed to the west end of the common green space where they were showing the opportunity for some type of civic facility or structure. Mr. Elliott referred to the transit center pocket plaza at the bottom. He believed the corner across from the Claimjumper should be low scale and public oriented. It could be in the form of a park, a transfer station for bus/car loading, etc.

Mr. Elliott indicated the Powder Corp. parcels that surround the mixed use areas in orange. They could see an opportunity to develop around the perimeter of the park area and to develop the park early in the project. That would set the tone for this District and allow it to spread out and grow organically from that area. It would allow open space, access, and views towards the mountains. The green areas showed pedestrian pathways and secondary connections. Different colors were

used on the roadways to show the types of roads being proposed in the Form Based Code. Mr. Elliott noted that the Plan shows a pathway that connects all the way through the Park. In some form the view from the Park would be through the Iron Horse District as a physical connection or visual connection to Bald Mountain.

Mr. Elliott believed this conceptual plan was a straightforward way to develop the area. It makes for a nice connection and it allows the opportunity to create a space people want to come to, and at the same time encourage the rest of development throughout the zone.

Mary Wintzer, representing Wintzer-Wolfe Properties, stated that they have always called the Iron Horse District the heart of Bonanza Park. It took over 25 years to create the District and they believe the vitality they created was recognized by Mark Fischer, John Paul and Rodman, and that was really the impetus for how the Bonanza Park idea came about.

Ms. Wintzer believed the conceptual plan they were presenting creates a more livable area that is in tune with the values along the Iron Horse corridor.

John Newell, with Peters Newell Architects, reviewed the conceptual plan he had prepared on behalf of Wintzer-Wolfe Properties. He noted that Wintzer-Wolfe hired his firm to look at their property and try to create a vision for the future. He was struck by the fact that the way the property was built out related to what the City was trying to do with the BoPa Ordinance and Form Based Code. Buildings were already built or were being built to the street edge with parking behind.

Mr. Newell presented a conceptual plan showing the existing building footprints, which includes a mix of uses ranging from art galleries to cafes to storage, as well as offices and retail. Mr. Newell was struck by the linear nature of the top portion of the property north of Iron Horse Drive. He later realized that it was an old rail yard where the trains came in coming off of what is now the Rail Trail, he looked for opportunities to make a historical reference to the past.

Mr. Newell felt there was an opportunity to use the existing buildings and do an adaptive re-use project. Using the eclectic nature they could add on to the buildings, increase the density and increase the height to create a more active place. He noted that they started with the railway park running east to west coming off the Rail Trail and had the idea to make it a linear park connected to the Rail Trail. They would try to come through the building on the west to create a leaner connection all the way through the project. As an evolution of that idea, they saw the opportunity to connect the south and the north and create a T-shape to have two linear parks.

Mr. Newell presented a slide showing opportunities for additional first floor space to create more density and more vitality. Another slide showed additional second floor space because it would not be hard to build on top of the existing buildings and create a variety of heights to achieve different views.

Mr. Newell addressed the automobile by putting vehicles behind the buildings and in underground parking garages that would access via secondary streets. If they could find a way to configure buildings and streets to allow access to parking garages, he believed it would work well and keep the automobiles separate.

Mr. Newell commented on discussions in some of the area plans about having a road going through the Wintzer-Wolfe Properties connecting them to the properties to the north. They felt the railway park concept was a stronger concept and more of a community asset. A road passing through would actually be a detriment to the community and what they were trying to achieve.

Ms. Wintzer stated that she was told by Staff that the road was placed there to create more commercial. She believed that if they did an economic study, they would find that more commercial is not needed. Her strong suit was to add more residential. They have always oriented their projects towards the sun and views, and they have always had open space and gardens. Ms. Wintzer thought it would be a great benefit to the community to have a north/south pedestrian bike connection. It would make BoPa more walkable, which is the main reason for proposing it. They also like the concept of trying to be more sustainable versus scraping the land and starting over.

Ms. Wintzer referred to page 388 outlining comments and questions from the Planning Commission and City Council members during the meeting on October 24, 2012. Before they make any decision, she hoped the Planning Commission and the City Council would be given the study tools they requested at that meeting so they could make the best decision for Bonanza Park.

Planner Cattan presented a layout of the two plans together. She showed what the draft Regulating Plan was like at this point. She identified the existing conditions within Bonanza Park and she had outlined the existing buildings. Planner Cattan identified the existing roads as they would be in the Form Based Code. The red showed primary A-type roads; (B) was more oriented towards parking and the automobile. The lighter color identified roads that do not exist but what the plan was requesting. The lighter red color would be A-types roads and the lighter blue color would be B-type roads. She noted that (A) was more oriented towards pedestrians and storefronts. The solid lines marked primary roads and the dotted lines marked secondary roads. All the roads are essential to making a great place happen and for connectivity and circulation. The dotted roads could come in as pedestrian pathways by the Code. Building would not be allowed on these areas to cross through in an effort to maintain the right-of-way for the future. They could be pedestrian pathways and they are not in the give/gets of additional height.

Planner Cattan stated that the sections shown in gray were the City properties within this District; the recycling center and the Public Works areas.

Planner Cattan presented the site plan suggestions from Wintzer-Wolfe and the site plan suggestions from Fischer/Powder Corp. She then presented a slide showing how the two fit together. Planner Cattan reviewed additional slides showing how it could fit into the Code. She noted that the majority of the Park sits on the Recycling Center property so it would be a City-owned park. A smaller portion along the southern edge is not owned by the City. She stated that the gives and gets go away in the location with the additional square footage for height by using the already existing City property.

Planner Cattan stated that if the Staff was given direction this evening to move forward with a regulating plan that plays off the two conceptual ideas, they would also want to enhance the pedestrian connectivity to the east and west throughout the District, as well as north and south, to bring back the idea of breaking up the mid-block for the pedestrian or an alleyway.

Chair Worel called for public input on the Regulatory Plan only. She noted that the full Form Based Code would be addressed in a public hearing on May 22nd.

Lee Whiting, and owner/occupant in the Claimjumper Condominiums, thought the aerial presented by the Elliott Work Group was great because they could actually see the livability of their neighborhood. Mr. Whiting stated that he lives with his two sons as do owners in 28 units in his development. Mr. Whiting clarified that his comments addressed some of the details that were put forth in print. He referred to table 7.4, Affordable Housing, and disagreed with the numbers based on the people who live there today. Mr. Whiting asked whether or not residential mixed-use makes sense at all or whether they already have a residential district with beautiful green space and established foliage. In terms of livability, traffic, parking, etc., Mr. Whiting stated that the neighborhood is currently unsafe for people to walk along the street on Homestake. Therefore, cutting roads through their property is not a great solution because it would take away from their already livable green space that they currently enjoy. Mr. Whiting noted that Claimjumper Condos are not deed-restricted. They enjoy square footages that range from 800 square foot to 1300 square feet. To convert them to affordable housing in its current model, does not make sense. When he was looking for affordable housing several years ago he found this non-deed restricted property that suited his personal needs for a family.

Mr. Whiting thought the commercial interests shown in both plans presented this evening make a lot of sense for overall commercial development, and it may make sense to expand in the westward direction. However, as they think about livability and the standards they enjoy in their community, the owners need to ask themselves what they are going to do when faced with increased traffic, noise, congestion, and more people walking through their yard. Mr. Whiting clarified that he is on the Board of the HOA, but he was representing himself and not speaking on behalf of the HOA this evening.

Doug Clyde stated that he was representing the Prospector Square Property Owners Association. Mr. Clyde had submitted a letter that was included in the Staff report. He noted that the Association has concerns with the relocation of the power stations. They were less concerned about the relocation, but if it is relocated, they want it to be the best looking power station in the Country. He hoped that platform would be adopted by the City Council as well as the Planning Commission. Mr. Clyde stated that the Owner Association was also concerned about the intersection of Bonanza Drive and Prospector Avenue because it is the entrance to Prospector Square. They understand that it is no longer a favored alternative, but they object to the potential impacts from having North Iron Horse re-routed through that intersection.

Mr. Clyde stated that relative to the BoPa Plan, the Prospector Square Property Owners Association sees an opportunity to be integrated into this plan. Prospector Square is already a built environment and it is a separate district with its own characteristics and its own entitlements. They are not incompatible with the BoPa Plan but they are different and they are significant and separate to the Square. Mr. Clyde stated that the Association has been talking with Staff about the possibility of a district for the Square that would be within the overall re-planning of the general BoPa Prospector Area. The General Plan talks about a BoPa and Prospector Square and all that area in the Region, and they believe this is a good opportunity to plan them both at the same.

Catterena Blais stated that she is also a Claimjumper owner. She has owned her property for 26

years and even though she has since moved, she has a direct interest. Ms. Blais supported Mr. Blais and his comments. She commented on the amount of tremendous work that has been done on the BoPa Plan and she commended everyone involved and their hours of consideration. Ms. Blais stated that from everything she had read and seen regarding the Bonanza Park Re-development Plan, it appears that residential is taking a back seat. She felt it was important to keep character based residential in the area. She was pleased to hear Mary Wintzer say that the commercial aspect was sufficient as it stands. Ms. Blais acknowledged that she does not have any experience in long range planning, but she knows when she sees empty commercial space all around Park City. However, trying to find affordable housing that is not deed restricted is a challenge. She encouraged the Planning Commission to consider what they can do to keep some type of residential character in the Bonanza Park area and not turn it into commercial/Light industrial, which is where it seems to be heading. Ms. Blais felt there was too much of a dysfunction between the upper end of Park City and the monetary base for real estate and affordable housing. There is very little in between. The Prospector area is about all they have at this point. She implored the Planning Commission to keep the middle class part of Park City viable.

Ms. Blais referred to the road plan and thought the section of suggested road that goes behind the Claimjumper property is detrimental. If they can increase pedestrian access and keep cars out of that section of the Bonanza Park Development area, they would be heading in the right direction. However, to carve it up with another road behind their property just to create a north-south access is denigrating to both the property and the general character of that area which has a lot of green and open space.

Michael Barille, a consultant to Powder Corp., stated that if they list things that the CDA might potentially be used to encourage, he would like to add infrastructure as one of those items. Mr. Barille commented on the issue of buildings that would line bigger commercial spaces and wrap around the corner into secondary streets. He supported the concept of those kinds of spaces, but he was concerned about the viability of those spaces and how they could attract a tenant user that would want to occupy that space. Mr. Barille suggested they spend time discussing that issue with the consultants on May 22nd and that the Staff ask them to bring examples of places where Form Based Code has been applied and there is already an operating district to see how it functions and what makes it successful. He also remembered a City Tour where the City had allowed commercial frontage on the existing alleyways in order to add vibrancy and to create a more walkable district. They could look to other similar communities to see if there is an existing program in place that has been successful.

Amy Dixon, a Claimjumper owner/occupant, stated that there are many people who are interested in purely residential parts of this development. She specifically said purely residential because mixed-use ends up looking like commercial. She asked the Planning Commission to keep that in mind as they continue with the planning. Ms. Dixon stated that a vibrancy is added when people live somewhere and it not only contributes to reasonably priced housing and walkable neighborhoods, but it also looks good for tourists who come to see more than just stores. It is important to keep the personality of being a town where people live. Ms. Dixon encourage the Planning Commission to keep the residential areas. She could see no point in adding streets for no reason, particularly when they would like to see less traffic, pollution and noise. Another road is not needed, especially the one proposed behind the Claimjumper. She also cautioned against really large commercial buildings because they end up looking like Kimball Junction. Ms. Dixon thanked the

Commissioners and Staff for their work.

Chair Worel closed the public hearing.

Planner Cattan requested feedback on the regulating plan, particularly the north-south layout of the Park. She noted that the traffic study identified difficulties with the Spur Park. There are bonuses on the fact that it sits on City property so it is not a give/get in terms of additional height in the District.

Director Eddington noted that the Staff had not done a thorough analysis on the Plan. It was included in the Staff report for the Commissioners to review and the Staff was looking for ideas and direction from the Planning Commission. Director Eddington pointed out that this Plan was different from the original plan.

Commissioner Hontz stated that she thought the triangular shape of the Park was unique because it reflects the historic nature of the train tracks and how that pod was shaped and used at one time. However, it never seemed reasonable for a number of reasons. One was the intersections and how traffic related to pedestrian traffic. People would always be crossing the road in various places to get to the Park. The three corners of the Park would be less usable, and the usable space was far less than in a round or rectangular shaped park. Commissioner Hontz was comfortable reconsidering the shape of the Park.

Commissioner Hontz stated that in looking at the Elliott Work Group exhibit and the amount of existing green with the Claimjumper and Homestake residential area, as well as across the street, the spaces are significantly larger than any green shown on the map. What they need to look at in Form Based Code is whether those spaces are going to be meaningful green and more than pedestrian pathways. They need to be spaces where people want to go and spend time. Commissioner Hontz the rectangular shape was a better direction and they needed to have more of that throughout the entire District.

Commissioner Thomas thought it was interesting to see the different concepts, particularly with regards to this area of Bonanza Park. He also liked the breakdown of smaller neighborhoods within the larger neighborhood. Commissioner Thomas had no issues with moving away from the triangular shaped park. Making it more rectangular and drifting to City-owned properties was logical. Commissioner Thomas had no major issues with the plans, but he felt there was a possibility for these two concepts to co-exist. He believed another neighborhood to the right could be linked and tied in, in some pedestrian way that enhances the entire greenbelt core. Commissioner Thomas was nervous about cutting three roads through a concept that he thought was intriguing and interesting on the Wintzer property. He stated that cutting the roads would destroy their concept. He understood the need to be sustainable and green, but they do have ease of access to their frontages from Iron Horse.

Commissioner Thomas stated that these neighborhoods have different needs, different economics and different geometry, and they need to respect those. In addition, the applicants have different ideas and purposes that need to be respected as well. Commissioner Thomas thought it was important to enhance how they could work together.

Commissioner Gross was comfortable with the new configuration of the Park. He suggested the possibility of trying to bring in another parcel to the south so it gets closer into the Iron Horse District

to have that connection. He recalled seeing a visual of a plaza early in the process with roads on either side and a walking plazas down the middle, but they have moved away from that concept.

Commissioner Gross stated that he is always concerned about the traffic on Bonanza. He thought the prospect of a secondary road around Einstein's would be difficult to do. Commissioner Gross remarked that they were running out of options in terms of where to put density. They have established a donut around the City and they do not want density on the outside of that donut. However, they need places to put density inside the donut where they have connectivity with the rest of the neighborhoods, whether it is Prospector or what exists on the other side of Park Avenue. Commissioner Gross did not think they were trying to make the neighborhoods storefronts and industrial. He pointed out that there will be a lot residential density within this 100 acres.

Chair Worel liked the concept of a rectangular park because it provides more opportunities to be creative. She also liked it when the Wintzer-Wolfe proposal was overlaid with the Elliott Bonanza Park conceptual site plan. Chair Worel believed there were opportunities to get the different areas to work well together.

Director Eddington asked if the Planning Commission had comments relative to the policy points outlined in the Staff report.

Commissioner Gross had an issue with the liner businesses fronting the larger buildings. Most businesses do not like having small strips in front of them. He has seen the concept used around the Country, but there are very few examples and he questioned whether it was really practical.

Chair Worel asked if a study has been done to show how many small retail spaces would be feasible. Planner Cattan answered no. Planner Cattan stated that the built-in difficulty is the intent is to keep it a local district and to keep it Park City and not Kimball Junction. Director Eddington noted that there is an understanding that the concept is challenging. Liner shops have been used in other areas and to make them viable it could take tax abatements or tax refunds or other economic incentives to encourage local shops to locate there. For that get there is a give and that give is economic. He believed that liner shops was a way to keep it local and to create the local neighborhood everyone wants.

Commissioner Thomas stated that it is a delicate balance and behind that balance is the notion of wanting to be a small town. It is difficult to support that notion if they allow bigger boxes and more cars. Commissioner Thomas thought it needed more study.

Commissioner Hontz supported Table 4.2 and Section 6.7 on page 397 of the Staff report. She also supported the suggestion during public comment to ask the consultants to provide examples of specific places where liner shops are used. Commissioner Hontz emphasized that the examples should not be from Texas or California.

Planner Cattan asked if Commissioner Hontz was also referencing the comments about keeping some areas residential only. Commissioner Hontz replied that she supported the residential concept. She believed one of the plans they saw this evening works better without the road and only pedestrian pathways because the focus was on residential. When they shift away from multi-use it makes more sense to encourage the pedestrian. She pointed out that if they are trying to get people out of their cars they should not make it easier to drive. Commissioner Hontz stated that

there are great benefits to seeing the Bonanza Park area change and evolve and improve. However, they need to avoid eliminating the middle strata of housing that is attainable. She did not want everything to be deed restricted and there needs to be room for different types of housing units. Commissioner Hontz recognized that they cannot have something for everyone in this District, but they need to make sure they do not take away the opportunities that currently exist.

Commissioner Thomas agreed. He noted that this is the area where density will happen and should happen and it should be in a central place.

Planner Cattan asked for comments regarding height.

Commissioner Thomas stated that the Planning Commission needs to stand in front of buildings that are four and five stories to get a sense of the height. Floating balloons no longer works because it does not provide a sense of mass and scale. He suggested that the Commissioners visit four and five story buildings before the meeting on May 22nd. It could be done individually or as a group, but is important to have a sense of volume, mass and scale before they have the discussion on height.

Planner Cattan thought some issues could be addressed prior to the field trip. One is that typically in the MPD section, an MPD is not allowed extra height because it has affordable housing. She noted that the priority of the City Council is to have affordable housing on site. If that is not feasible it then goes to off-site locations and in-lieu fees. Planner Cattan stated that she is always asked why the City is giving extra height within a mixed-use future district when extra height is not granted anywhere else to put in affordable housing. She felt one of the biggest challenges in the future would be to keep the local in Park City. Planner Cattan requested feedback on whether or not they would like the height of the initial affordable housing requirement to be within the envelope, and allow additional height for attainable housing; or if they just wanted to require it within the three story limit.

Commissioner Hontz thought the question was whether a four or five story building was keeping Park City Park City. Commissioner Thomas preferred to look at buildings before having the discussion.

Planner Cattan suggested that they schedule a site visit to look at buildings within Park City first, and then visit Salt Lake or other places outside of Park City.

The Work Session was adjourned.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
May 8, 2013

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Brooke Hontz, Stewart Gross Mick Savage, Jack Thomas, Charlie Wintzer

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Mathew Evans, Planner;
Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:55 p.m. and noted that all Commissioners were present except Commissioner Strachan who was excused. Commissioner Gross arrived later in the meeting.

ADOPTION OF MINUTES

April 24, 2013

Commissioner Hontz referred to page 117 of the Staff report, page 17 of the Minutes, and the Conditions of Approval regarding 9100 Marsac Avenue. Commissioner Hontz corrected Condition #8 to read, "Any temporary structure that exceeds 5,000 square feet shall not exceed 20 days and will require a Special Events Permit." The correction reflected the discussion on page 115 of the Staff report. Commissioner Hontz corrected the first sentence of Condition #5 to read, "The use shall not violate the City's: Health, Nuisance or Noise Ordinances."

Commissioner Hontz referred to page 116 of the Staff report, page 16 of the Minutes, the Condition #3 regarding 9100 Marsac Avenue, and revised the condition to read, "A maximum of fifteen (15) events which include temporary structures per year are allowed **for a maximum of 60 days.**"

MOTION: Commissioner Wintzer moved to APPROVE the minutes of April 24, 2013 as amended. Commissioner Thomas seconded the motion.

VOTE: The motion passed. Commissioner Savage abstained since he was absent on April 24th. Commissioner Gross was not present for the vote.

PUBLIC INPUT

Jim Tedford stated that during a previous meeting he submitted a request to the Planning Commission about initiating a few proposed changes to the Land Management Code. One of the

items he addressed was on the agenda this evening, but he had seen nothing regarding his other proposals for Chapter 11 – Historic Preservation. Mr. Tedford asked if those LMC items would be addressed and if so, when.

Director Eddington explained that the intent was to finish the LMC amendments regarding height and MPDs before bringing forth recommendations on other sections of the LMC. Those would be on the agenda at a later date.

Mr. Tedford noted that he had asked the Planning Commission to initiate his proposed changes. He asked if the Commissioners had that purview or if it needed to be done by Staff. He remarked that language in the LMC states that a citizen can request that the City, Planning Department, Planning Commission, City Council or the Historic Preservation Board initiate proposed changes to the Land Management Code.

Assistant City Attorney McLean stated that any citizen can ask the Board to initiate it, but the Board has the discretion of whether or not to direct the Staff to bring those changes.

Director Eddington was unsure which letter Mr. Tedford was referring to and the exact details. He offered to bring the letter to the next meeting for discussion so the Planning Commission could determine if it is a viable alternative to address the LMC.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioner Wintzer disclosed that he would be recusing himself from the Park Bonanza discussion. However, he obtained permission from the Legal Department to stay in the room and listen to the discussion.

Commissioners Thomas and Hontz recused themselves from the 1450/1460 Park Avenue projects under the CONTINUATIONS portion of the agenda. They had also recused themselves from the discussion during the work session.

The Planning Commission postponed voting on the Continuations for 1450/1460 Park Avenue until Commissioner Gross arrived since they lacked a quorum with the two recusals.

CONTINUATION(S) – Public Hearing and continuation to date specified.

Land Management Code – Amendments to Chapter 15-5-4(l) Lighting regarding changes to seasonal lighting (Application PL-13-01887)

Commissioner Hontz reported that after the last meeting a member of the public presented information about France and their national policy to turn off lights. Following that meeting, Commissioner Hontz researched the policy and found that starting July 1st, France has a National Law requiring businesses to turn off their exterior lighting between 1:00 a.m. and 7:00 a.m.

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Thomas moved to CONTINUE the Amendment to Chapter 15-5-4(l) regarding seasonal lighting to a date uncertain. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously. Commissioner Gross was not present.

916 Empire Avenue – Steep Slope Conditional Use Permit
(Application PL-12-01533)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Thomas moved to CONTINUE 916 Empire Avenue, Steep Slope CUP to May 22, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously. Commissioner Gross was not present.

1450/1460 Park Avenue Conditional Use Permit (Application PL-13-01831)
1450/1460 Park Avenue – Plat Amendment (Application PL-13-01830)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Savage moved to CONTINUE the CUP and the Plat Amendment for 1450/1460 Park Avenue to a date uncertain. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 2260 Jupiter View Drive, Parkview Condominiums – Amendment to Record of Survey Plat (Application PL-12-01568)

Planner Mathew Evans reviewed the application to amend the existing Parkview Condominiums Record of Survey Plat. The purpose of the application is two-fold. One is to correct several errors that exist on the current recorded plat. The second is to re-delineate a high water setback line that was recorded in the original plat.

Planner Evans noted that the Staff report contained significant information regarding Army Corps of Engineering permitting and the issues associated with the creek in the meander corridor. Planner Evans reported that when the original MPD was approved there was a trail dedication and the creek was straightened out, which moved the setback line somewhere between 10' to 20'. Since that time the owners of the Parkview Condominiums have contemplated extensions of decks and rear extensions of the buildings. As indicated in the Staff report, the original concept was to limit access

to the wetland area to keep it undisturbed and not to encroach on the 50-foot setback line. Planner Evans stated that the setback line has changed and there is substantial area between the creek and the buildings; and the owners would like to take advantage of the change and extend the decks.

Planner Evans stated that the applicants originally contemplated at-grade patios. However, that idea was abandoned based on the Staff's recommendation to keep the area as natural as possible.

The applicants were proposed the deck expansions, as well as expansions to the rear of some of the units that could be expanded and still meet setbacks.

Planner Evans noted that page 131 of the Staff report outlined the proposed deck extensions for the individual units.

The Staff was being asked to approve only the Plat Amendment. This proposal is not an increase in density and the MPD did not contemplate floor area ratio requirements. Because they were clearing up some of the discrepancies of the original plat, the actual square footage increases contemplated by the applicant equals out with the current proposal and what would be corrected in the plat amendment.

Planner Evans reported on a small reduction in the overall open space. The original open space was 75%. The requirement was 60%. Taking into consideration all the issues that have taken place from the time of the original approval until now, including the deck expansions, Planner Evans had calculated a 4% reduction in open space, reducing the overall open space to 71%. Most of the reduction was due to an increase in the parking, which the owners felt was necessary. The original approvals and requirements contemplated parking in front of the garages and parking in the garages. Since that time the homeowners have provided additional parking areas for visitors and guests.

Planner Evans referred to illustrations in the Staff report showing the main changes between how it was recorded originally and what is being proposed now.

The Staff recommended that the applicant be allowed to move forward with their proposal due to the fact that the high water mark changed, and that the change was a result of doing improvements to the creek as required by the MPD. Planner Evans stated that materials, elevations, etc. were Staff level approvals and were not being considered this evening. However, some of that information was provided to the Planning Commission so they could see what the applicant was actually proposing. Planner Evans presented an aerial overview of the area. He indicated the location of the creek and the affected units.

Planner Evans pointed out that there was a correction to the Staff report regarding the total number of units that would benefit from the deck extensions. He believed the applicant would speak to the discrepancy between the Staff report and the actual benefitted units.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Hontz referred to page 132, third paragraph, which cited concerns expressed by Staff regarding the landscape area between the existing units and the creek. She also had the same concerns and carefully reviewed the conditions of approval to make sure they accomplished the goals set forth in the third paragraph on page 132, as well as additional concerns she had. Commissioner Hontz was comfortable with the plan with revisions to some of the conditions as follows:

Condition #5 – Open Space areas are to remain free of structures **or development**, with an exception **only for the required gravel** stairway landings which shall not exceed the square footage minimum for each, as required by building code (approximately 36: x 36” or 6 feet by 6 feet for side-by-side stairways).

Condition #6 – There will be no hot tubs, gazebos, barbeques, **playgrounds, or any structures** or active recreation areas allowed within the open space area between the buildings and the creek. The originally contemplated **improvements within this area of the Parkview MPD are not allowed.**

Conditions #7 – Deck areas shown as on the plats are not to be converted to private living space **or enclosed**, nor are additional structures, etc. allowed within these or other opens space areas.

Commissioner Hontz asked if the Staff and the Commissioners were comfortable that the language in Condition #8 would address pesticides, herbicides, etc. that would be used within that area; or whether it needed to be addressed in a separate condition of approval.

Derek Howard, representing the Parkview Condominiums HOA, explained that there is no irrigation at all on the back area. There is no sod and all the vegetation is completely natural and native. The willow trees are dying off and since the creek was straightened the ground is basically dead. There are sumps inside the condos which go down 3-feet. The basements go down 4-feet. Going down as far as 7-feet the ground is dry. In order to grow anything they would have to run water irrigation. Mr. Howard stated that an attempt was made to put in natural bushes and they all died. They have also planted a number of trees and many did not survive because the ground is so dry. Regarding the landscape plan, Mr. Howard noted that all the soils have been removed and the entire area has been xeriscaped. The water consumption has been reduced over the last five years from 2.3 million gallons to 1.5 million gallons. Mr. Howard stated that if the City requires them to grow plants, they would be to put in a water system. He noted that the trees cannot exist without water and they drip feed each tree.

Director Eddington remarked that the Parkview HOA has done a nice job with landscaping. However, he thought adding Condition #9 would address Commissioner Hontz’s concerns moving into the future.

Condition #9 – No pesticides, herbicides, or other non-organic fertilizers shall be applied to this landscape area.

Commissioner Thomas referred to page 131 of the Staff report, second paragraph, third line, and corrected the (22) in parentheses to (72) to match the written language of “seventy-two parking spaces”.

MOTION: Commissioner Wintzer moved to forward a POSITIVE recommendation to the City Council for the Record of Survey Plat Amendment for the Parkview Condominiums at 2260 Jupiter View Drive, in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously. Commissioner Gross was not present for the vote.

Findings of Fact – Parkview Condominiums

1. The property is located at 2260 Jupiter View Drive within the Residential Development (RD) Master Planned Development Overlay (MPD) District.
2. The proposed plat records and memorializes the change to the wetland high water setback line from McLeod Creek by approximately 10-22 feet (eastward toward the creek) representing approximately 0.51 acres.
3. The Army Corps of Engineers has issued a LOMA Determination to the Parkview HOA which re-designated the property to show that all portions of the Parkview open space outside of the new McLeod Creek meander corridor to be “Zone X” which is a non-flood hazard designation.
4. None of the proposed rear expansions or deck extensions to the affected units are within the new flood designation or the McLeod Creek meander corridor designation.
5. The plat amendment fixes twelve (12) discrepancies of deck and basement areas noted on those units that were not constructed but were shown on the original plat, including showing basement square footages and decks for units that have neither a basement nor a deck.
6. The proposed changes to the plat will allow twenty-four (24) of the thirty-six (36) units within the Parkview Condominiums to extend their decks outward into the eastern portion of the site, and will allow fourteen (14) of those units to expand the square footage of their existing units by adding rear additions of approximately 500 square feet each, and decks from 187 to 310 square feet.
7. The proposed plat will not increase in the density above the original 36 recorded units.
8. The original Master Planned Development for Parkview did not contemplate a maximum FAR and does not prohibit an increase in unit or deck sizes. The only limiting factors to further development were the number of units, the established setback from the wetland high water mark, established height requirements and

other setback requirements.

9. There are 102 parking spaces provided where seventy-two (72) spaces are required.

10. The original amount of open space provided was 75% of the total site, the overall amount of open space provided after the deck and square footage additions to the habitual living space (and the 30 additional parking spaces) is approximately 71%. The open space requirement was 60% when the original approval for the Condominiums was granted, thus the required open space is still exceeded.

11. The proposed plat amendment will not cause any nonconformities or noncompliance with the Residential Development-Medium (RDM) District designation or the Parkview MPD as there is no increase in the total number of units, front and rear setbacks, or building height. All units exceed the minimum rear yard setback requirements (25 feet), with the closest unit to the rear property line being approximately sixty feet (60') feet away.

12. Although the proposed amendment will increase the habitable living spaces for 14 of the 36 units, the amended plat will not require additional parking as the Parkview HOA previously installed additional parking, and only two (2) spaces are required per unit.

13. The proposed amended plat will record a new sewer easement through the property as required by the Snyderville Basin Water Reclamation District.

14. The proposed additional square footage and deck extensions will occur within the Army Corps of Engineers FEMA flood zone "X" as delineated on the approved revised LOMA map.

15. The proposed condominium plat amendment does not require a revised MPD due to the fact that the proposed changes to the original approval of the Parkview MPD are in substantial compliance with the original approvals, and no new units are proposed, the amount of contemplated private space stays roughly the same, and the original open space proposed still exceeds the required amount of 60%.

Conclusions of Law – Parkview Condominiums

1. The proposed plat amendment to the record of survey is necessary to memorialize as-built conditions and correct existing discrepancies with the constructed units as compared to the original recorded plat.

2. The proposed plat amendment to the record of survey will reflect the Army Corps of Engineers acceptance of the changes to the high water mark.

3. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
6. There is Good Cause to approve the proposed plat amendment not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

Conditions of Approval – Parkview Condominiums

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All applicable original Conditions of Approval for the Parkview Condominiums shall apply.
4. All original notes on the Parkview Condominium Plat shall be noted on the amended plat.
5. Open space areas are to remain free of structures or development with an exception only for the required gravel stairway landings which will be gravel and shall not exceed the square footage minimum for each as required by building code (approximately 36"x36" or 6 feet by 6 feet for side-by-side stairways).
6. There will be no hot tubs, gazebos, barbeques, playgrounds, or any permanent structures or active recreation areas allowed within the open space area between the buildings and the creek. The originally contemplated improvements within this area of the Parkview MPD are not allowed.
7. Deck areas shown as on the plats are not to be converted to private living space or enclosed, nor are additional structures, etc. allowed within these or other opens space areas.
8. A revised landscape plan for the open space area between the existing units and the creek is required at the time of building permit submittal for the deck extensions.

Said landscape plan shall incorporate the reintroduction of native landscape materials within this area, and reduce the amount of sod-grass, especially near the creek.

9. No pesticides, herbicides, or other non-organic fertilizers shall be applied to this landscape area.

2. Land Management Code – Amendments to Chapter 2.1, Chapter 2.2, Chapter 2.3, and Chapter 2.16 regarding Building Height (Application PL-13-01889)

Planner Francisco Astorga noted that this item addressed LMC amendments to change some of the parameters of the building height in the HRL, HR1, HR2 and RC Districts. The Planning Commission has had significant work session discussions as reflected in the Minutes from those meetings and included in the Staff report. The Staff was before the Planning Commission this evening with recommended proposed changes for review and a possible recommendation to the City Council.

Planner Astorga reviewed the current height provisions: 1) The height must be within 27 feet of existing grade. This provision was unchanged. 2) Final grade must be within four (4) vertical feet of existing grade around the peripheral of the structure except for approved window wells and access to the structure. Planner Astorga reviewed highlighted changes to this provision. The current language addressing a maximum of three stories would be replaced with an internal height parameter. The 10-foot minimum horizontal step on the downhill façade would remain. The mandated roof pitch would also remain based on direction from the Planning Commission during the February work session. The height exception would also remain.

Planner Astorga noted that the 3-story language would be replaced with language regarding internal height that would vary on a specific roof pitch on the roof form, as indicated in the table on page 230 of the Staff report. The language was revised to read, "The internal height of a structure measured from the lowest point of the finished floor level to the highest exterior ridge point shall not exceed the number based on the following table". Planner Astorga explained that they would still achieve the mass and scale of three stories, without saying that the maximum is 3-stories. The Staff thought it was better to use a scale because otherwise people would try to capitalize on their wall height for their stories and then give the lowest roof pitch each time. Therefore, the Staff created an incentive of 1' foot of step per higher roof.

Planner Astorga explained that the logic for the internal height was wall height plus the roof height. The wall height was derived from 3-stories. A ten-foot story including a floor joist may not be doable, and that number was increased to 11 feet for a wall height of 33 feet. The Staff calculated what each roof height might be depending on the pitch of the roof to determine the varying height.

Commissioner Wintzer was unclear why the Staff thought a 9-foot or 10-foot story was not doable. Planner Astorga stated that the scenarios the Staff presented in January and February were based on 10-foot stories, which included a floor joist. The intent was to be more consistent with what the market might drive. He pointed out that the proposed change does not dictate how tall the story might be. It could be less or more and the applicant has the ability to work with the design. Planner

Astorga understood from previous comments that the Planning Commission thought the 10-foot story maximum was too small.

Commissioner Hontz thought believed that 10-feet was adequate and that 11-feet was a gift. However, she recognized that it did allow more flexibility. Commissioner Thomas was not concerned with whether it is 9, 10 or 11 feet on the interior. Commissioner Hontz was concerned that if someone takes the maximum internal height of 43', they would need to grub out again. She pointed out that the 27' would only keep it with the slope. However, internally, the house could continue to go further down. Planner Astorga noted that the internal measurement creates a split level. Commissioner Hontz was comfortable with split levels, but the question is how many splits. They were keeping down the height, but they also wanted to keep the structure from growing bigger side to side. She preferred the ten-foot story because it keeps the building from creeping down the slope too far.

Planner Astorga stated that based on the methodology selected for the scale, if they use the 10-foot measurement it would drop 3-feet from each internal height. Therefore, the internal height would range from 35' to 40'. Commissioner Hontz was more comfortable with those numbers. Commissioner Hontz stated that because the current Code does not allow stepping within the house, the current three-story solution works because it limits how far people are willing to go out and down the hill. Commissioner Hontz wanted to make sure that by allowing more flexibility in terms of steps within the interior, that they were not allowing creep up or down the hill.

Director Eddington asked if the Commissioners wanted to go to 10-foot floor plates and reduce the internal height by 3-feet each. Commissioners Hontz and Wintzer answered yes.

Commissioner Thomas was more concerned with the impact on footprint. They would still have the 27' maximum height from existing grade, but he was interested in knowing the relative difference in footprint between a 10-foot floor plate and an 11-foot floor plate.

Director Eddington did not believe the footprint would change either way because most people max out their footprint. He noted that the City has a formula for footprint for all of the historic zones. Commissioner Thomas stated that he was very comfortable with the 11-foot for interpretation as long as people are held to the 27' maximum height and the footprint could not creep up or down the hillside. Director Eddington clarified that it was a formula of lot size.

Commissioner Savage thought they should stay with the 11-foot floor plate as proposed. Chair Worel was comfortable with 11-feet as long as the footprint could be limited. Commissioner Wintzer was not opposed to 11-feet because people do build to the maximum. Commissioner Wintzer suggested that Planner Astorga include an illustration for clarification to show how it should be interpreted.

Commissioner Hontz asked for the definition of finished floor level? Commissioner Savage suggested that it could be defined as, the lowest point of the lowest finished floor level to the maximum vertical height of the structure. The Commissioners supported that definition. Commissioner Savage wanted to know how the number relates to not counting a basement if it is totally subterranean. Planner Astorga clarified that subterranean basements are counted. Commissioner

Savage clarified that regardless of whether or not the basement is buried, the lowest level of the lowest floor is Point A, and Point B is the highest point of the exterior.

Director Eddington clarified that the language indicates the lowest point of the finished floor level and/or any structural element is the lowest point. Commissioner Thomas gave a scenario to show how talking about structure complicates the issue. Commissioner Savage thought the confusing word was internal.

Planner Astorga remarked that the next proposed change was to add two provisions to the Existing Historic Structures. This portion of the Code states that historic structures are valid complying structures in terms of parking and other issues. Planner Astorga noted that the LMC defines a Historic Structure, but it does not include any additions to the structure. The Staff wanted to keep the regulation for valid complying and added Footprint and Height to the existing Code language for the three Historic Residential Districts and the RC District.

Director Eddington clarified that it was already understood that if a structure exists with an existing footprint or building height, it is existing non-complying. Planner Astorga believed that most of the historic structures comply with the building footprint.

Commissioner Hontz noted that someone could take away some of the property associated historically with the historic structure that makes it complying currently. Director Eddington clarified that a building could not violate the Code and be taken into non-compliance. However, he understood Commissioner Hontz's concern. If someone had more than a single Old Town lot they could split a portion of the land and put it on another property. He pointed out that the footprint would be limited to the 844 square feet or whatever it exists as and the building would never get bigger. Commissioner Hontz agreed that the structure could not be bigger, but splitting a portion of the property would allow a larger structure next door.

Planner Astorga stated that the Staff also tried to clean up the section regarding Building Height. A number of historic structures do not comply with the existing heights. One of the parameters is a 7:12 to 12:12 roof pitch. The Staff did not think it was appropriate to do a complete analysis on how a structure is legal non-conforming, when a similar clause in the Code addresses setbacks.

Commissioner Savage asked if complying and conforming were synonyms for purposes of the Code. Director Eddington explained that conforming is for a use and complying is for a structure. Commissioner Savage understood that a valid complying structure could be legal non-conforming.

Planner Astorga noted that the final proposed change was a roof pitch exception. He explained that periodically the Staff encounters a historic structure that may have a 5:12 or 4:12 roof pitch. The Staff felt it would be more appropriate if the addition that comes in for that structure would be held to the same type of roof pitch or possibly lower. Planner Astorga noted that currently the Code would not allow that because it specifies 7:12 to 12:12 roof pitch.

Planner Astorga stated that the Staff was proposing to add language for additions to historic structures, stating that through an HDDR review and compliance with the Historic District

Guidelines, the Planning Director has the ability to approve a roof pitch lesser than the one required in the Code.

Planner Astorga stated that the next question was how that would apply in the case of a split level and the maximum height. He noted that a secondary table was added for these types of exceptions.

Planner Astorga asked if the Planning Commission was comfortable adding the roof exception for additions to historic structures; and whether it would be appropriate to add the same type of scale for the maximum building height. Commissioner Thomas liked the idea because it would allow for a more appropriate design and more flexibility. The Commissioners concurred.

Commissioner Wintzer referred to the table on page 231 of the Staff report and corrected the 5:15 roof pitch to be a 5:12 roof pitch. Commissioner Thomas noted that 5:15 appears several times in the Staff report and it should be corrected throughout.

Commissioner Hontz referred to page 244 of the Staff report and asked what they would do about the 10-foot horizontal step that is referenced in conjunction with a third story, because people would now be able to have three stories. Planner Astorga replied that the provision is based on a 3-story building and it is mathematically impossible to have more than three stories. Commissioner Hontz did not believe it referenced what they were trying to accomplish now. She thought the language should be re-written relevant to where they want the 10-foot horizontal step to occur. Commissioner Thomas agreed that it was no longer clearly defined as the third story. Director Eddington suggested that it may need to be a numeric value.

The Commissioners were not comfortable forwarding a recommendation to the City Council without seeing the drafted verbiage regarding the roof pitch exception and associated illustrations.

Chair Worel opened the public hearing.

Ruth Meintsma, a resident at 505 Woodside, commented on the 3-story versus internal height issue and did not believe they were accomplishing what they intend to accomplish. Ms. Meintsma understood that they were first trying to accomplish visual height and mass from the exterior, and secondly to control the height and mass from stepping up the side of the hill with a 3-story limit. She thought the height limitation seemed complicated and she believed they would cause other issues. Ms. Meintsma presented a visual to support her concerns. Regarding the discussion about the lowest point of the lowest floor to the highest exterior to limit crawling up the hill, Ms. Meintsma pointed out that many houses in town have an exposed foundation way below the first floor. If they do not consider the exposed foundation and start from the bottom first floor and limit the interior, people will lift their house out of the ground and have an exposed foundation, which will significantly increase the visual mass. Ms. Meintsma stated that the interior measurement from the lowest floor was not accomplishing what they wanted. She believed that starting from grade would accomplish their goal and keep the structure from creeping up the hillside.

Ms. Meintsma commented on the different roof pitch options with different heights. She pointed out that a green roof is 33 feet and a 12:12 is 43 feet. No one will choose a green roof unless they are very environmentally conscientious, because people prefer an open ceiling roof. She believed the

proposed formula would discourage green roofs. Ms. Meintsma also thought it discourages a steeper pitch because with a 27' height limitation a steeper pitch would move the structure further underground. She noted that most people want to be above ground as much as possible for light and windows.

Ms. Meintsma suggested that there were different ways of controlling visual height and mass. She thought it would be better to control the height and visual and put a limitation on cubic dirt moved under the house. That would address both issues separately and in a more appropriate way than the interior number of floors. Ms. Meintsma was pleased that Commissioner Hontz mentioned the third floor, because in her opinion the 3-story step back did not work. She provided different scenarios to explain her point.

Ms. Meintsma thought there needed to be some way to encourage green roofs through some type of height limitation. She asked if a conditional use for a higher height could be used as a negotiating tool for green roofs. Ms. Meintsma pointed out that the advantages of a green roof. She believed everything needed to be thought through to be productive and to have the control the Commissioners wanted.

Commissioner Wintzer asked the Staff to consider Ms. Meintsma's comments and work it through a number of drawings.

MOTION: Commissioner Wintzer moved to CONTINUE the LMC Amendments regarding Building Height to May 22, 2013. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously. Commissioners Gross and Thomas were not present for the vote.

3. Land Management Code – Amendments to Chapter 2.1, Chapter 2.2, and Chapter 2.3 and Chapter 2.16 regarding underground parking structures. Amendments to Chapter 2.18 regarding Prospector Overlay. Amendments to Chapter 6 regarding Master Planned Developments. (Application PL-1301888)

Planner Whetstone stated that these were the remaining amendments of the 2012 annual update of the Land Management Code. This agenda item addressed three amendments. The first was to clarify the purpose and the applicability of the Master Planned Development review process throughout Park City. It was not specific to any one area, but it clarifies the language. The second was to clarify and add additional review criteria to the Master Planned Development Review process. This would apply to any Master Planned Development. The review criteria were clarified and updated to make references that are specific to the Code. The third amendment was to clarify the lots within the Prospector Square overlay in the General Commercial (GC zone) that are subject to zero lot line development. Planner Whetstone noted that added language clarifies the lots subject to exceptions in the overlay. One of those exceptions is to have a zero lot line development. Planner Whetstone stated that when the Prospector Square subdivision was amended, the Code was not also amended to identify that those lots are also allowed zero lot line development.

Planner Whetstone referred to the General Commercial Zones, Section 15-2.18-3 of the LMC, Lot and Site Requirements. This section addresses lot and site requirements and several changes were

made to this section of the Code. The first change is to clarify which lots in the Prospector Square Subdivision can have the zero lot development and which lots are exempt.

Planner Whetstone reviewed the redlined changes on page 281 of the Staff report and noted that Lot 44 should have never been listed as a lot that could have a zero lot line and; therefore, Lot 44 was added back in. The proposed amendment refers to the affected lots, which are the smaller lots within the Prospector Overlay.

Planner Whetstone stated that page 281 also talks about front yards, rear yards and side yard setbacks. The Staff added the reference that the Prospector Overlay allows reduced site requirements for designated Affected Lots, and referenced the LMC section where those are further described. Planner Whetstone clarified that the purpose of the change was an attempt to make the Code more user friendly.

Planner Whetstone stated that the next proposed change was to clarify the Purpose and the Applicability of Master Planned Developments, Section 15-6-1. The Planning Staff felt it was important to make the intent very clear in terms of where an MPD is required, where is it allowed but not required, and where they are not allowed.

Planner Whetstone noted that the Staff had removed any HRC, HCB reference. As proposed, Master Planned Developments are not required for large projects on property zoned HRC and HCB. A residential project of ten or more lots or a hotel with 15 residential unit equivalents, or any new commercial, retail office, public, quasi-public, or industrial project with more than 10,000 square feet or any project utilizing transfer of development rights, or other projects of those types would require a Master Planned Development, based on the new proposed language, unless the project is solely located in the HRL, HR-1, HR-2, HCB or HRC. Planner Whetstone pointed out that proposed language is similar to the existing language, with the exception that large projects in the HRM are required to be reviewed as a Master Planned Development. This is because this zone contains larger parcels that could have larger projects that should be reviewed as a Master planned Development.

Planner Whetstone referred to Section 15-6-2 and noted that the language in the existing Section B was deleted and replaced with (B) Allowed but not required. Planner Whetstone noted that the HR-2 zone is the transition between the back of the lots on Main Street and the east side of Park Avenue. The Staff felt that the projects that cross the zone line should continue to be reviewed as a Master Planned Development because the HR-2 zone was designed several years ago with that provision as a key component. MPDs are not required in the HR-2 but they can be used to address the different conditions and challenges with that type of development.

Planner Whetstone read language that was added to B (1), "Height exceptions will not be granted for Master Planned Developments that are within the HR-1, HR-2, HRC, HCB zones". The language references to the specific height review criteria under a different section in MPD Chapter of the Code that reiterates that language.

Planner Whetstone stated that "allowed but not required" has always been in the Code but without much clarity. She clarified that the Master Planned Development process is allowed but not

required is primarily for HR-1 zoned properties that are not part of the Park City survey. Language in this section refers to Affordable housing MPDs in a different section of the Code.

Planner Whetstone stated that the next proposed change addresses where MPDs are not allowed at all except as provided in A and B above and as described in LMC 15-6-7, which is MPDs for Affordable housing. Another exception is when it is specifically required by the City Council as part of an Annexation or Development Agreement.

Planner Whetstone noted that the second part of the changes to Master Planned Development Chapter includes additions and clarification of the review criteria and process. She explained that the Master Planned Development in general requires 60% open space. However, there has always been an exception for the GC zone and the Staff was proposing to add the LI zone. The exception also extends to the HRC and HCB only when they are combined with HR-1 and HR-2 properties, and the HRM. The minimum requirement for the excepted zones is 30%. These zones are located in more urban areas of the City.

Planner Whetstone noted that the revised language also clarifies that the Planning Commission may reduce the required open space to 30% for redevelopment of an existing development or developments, or if the MPD is for an infill site that is not subject to an existing MPD, and not in one of the previously mentioned zones. Planner Whetstone commented on project enhancements that must occur in order to reduce the open space from 60% to 30%.

Commissioner Hontz referred to language on page 287 of the Staff report, 1) a ten (10%) or more increase in Affordable Housing. She wanted to know 10% over what. Planner Whetstone replied that it was over what would be required by the development, and that would be decided by the Affordable Housing Resolution. Director Eddington stated that based on the current Affordable Housing Resolution the number was 15%.

Commissioner Hontz did not think the language as written was clear. Director Eddington suggested revising the language to state, "10% or more beyond the required Affordable Housing." Commissioner Hontz was comfortable with the revision.

Commissioner Hontz wanted to know who would determine the project cost. Director Eddington believed it was determined at the time of building permit. Planner Whetstone assumed Commissioner Hontz was talking about - 6) Public art equivalent at least 3% of the total project cost. She pointed out that the Planning Commission would be reviewing the MPD and they would be the ones making the decision regarding a reduction in open space. The applicant would have to submit that as part of their MPD application or it could be a conditions of approval to be determined at the building permit stage when costs are known.

Commissioner Savage noted that that the language says the enhancements may include but are not limited to, and then it lists very explicit items. If the enhancements are not limited to the list, he felt everything would be negotiable. Commissioner Savage encouraged the Staff to eliminate the percentage constraints of 50%, 10%, etc., because it is unclear where the numbers came from and it should be evaluated on a case by case basis. If they want flexibility to negotiate, they should not pre-constrain the nature of the give and get. For example, if they put "LEED Silver or equivalent" in

the LMC it may be obsolete in a year or two and the standards may be different, but it still remains in the Code. Commissioner Savage suggested language stating that the open space requirement could be reduced as low as 30% based upon the applicant's willingness to make concessions in these areas, but not give specific guidelines.

Commissioner Hontz stated that she was thinking of the value of open space and how it is designed based on what they have recently seen. She questioned whether it should be added in this section or to the open space definition. Commissioner Hontz remarked that if they were willing to reduce the open space to 30%, she was not willing to include any area in the minimum setbacks or required buffers as part of that 30%. Commissioner Hontz preferred to make it part of the open space definition because it would improve the value of other projects.

Commissioner Savage stated that whatever the definition of open space, he wanted to make sure that it gives the Planning Department and the Planning Commission the flexibility to negotiate the best outcome. Commissioner Hontz wanted the open space to be valuable and usable.

Planner Whetstone pointed out that the General Plan has a lot of information about open space and types of open space. The LMC would be updated once they get clarity from the General Plan. She noted that the Planning Commission has always had the ability to do this with guidance from the existing General Plan and the current definitions.

Commissioner Hontz recommended that they put the restriction of not including minimum setbacks and required buffers in the 30% open space in this section of the LMC. Commissioner Hontz proposed that they also consider excluding setbacks from the 60% open space calculation. She asked the Staff to consider what constitutes open space and what they see as not being valuable or meaningful open space. Planner Whetstone offered to draft the language Commissioner Hontz had suggested in this section of the MPD.

Commissioner Savage recommended that the Planning Commission continue the MPD section of the proposed amendments and direct Planner Whetstone to come back with a revised definition that would be consistent with the desired objectives. The Commissioners concurred. Director Eddington pointed out that the open space definitions in Section 15-15 were outdated and would not address their objectives.

Planner Whetstone clarified that the Commission's direction was that the enhancements should be more general and that the Commissioners were comfortable with that approach. Commissioner Hontz stated that if she could get open space with clarification and definition of what the value is, she would be willing to allow more freedom and flexibility with the enhancements.

Commissioner Savage thought this would build discretion and allow the capacity to consider a decrease in the requirement of open space in exchange for things the City/Planning Commission deems to be valuable. Rather than putting the constraints in the LMC section, it should be constrained in the definition. The definition would cause people to look at the list to see how they could get a reduction in open space.

Planner Whetstone reviewed the proposed changes in Section 15-6-5(F) Building Height. The existing language only said "Height" and the Staff changed it to "Building Height" for clarification. Another change added HRC and HCB as zoning districts where height exceptions would not be granted in an MPD. The remainder of the proposed changes clarified the existing language or were capitalizations and grammatical changes being administrative changes.

Planner Whetstone referred to the landscape and streetscape section of the MPDs. Instead of trying to redo the section that was recently approved for landscaping, this section refers to Chapter 5, Architectural Standards. Any MPD must have a landscape plan and has to comply with the criteria and requirements of Section 15-5-5, Landscaping. The Staff added that noxious weeds have to be removed in an MPD. They also added a Historic Mine Waste Mitigation plan for an MPD at the request of another City Department.

Planner noted that the Staff had cleaned up the required findings and added the finding that the MPD addresses and mitigates physical mine hazards as well as historic mine waste.

Planner Whetstone noted that the last changes were under 15-6-8, Resort Accessory Uses, to clarify that certain items listed on page 291 of the Staff report do not require the unit equivalents in a resort. They also clarified that circulation and hallways only apply to resort accessory uses and not for anything else.

Chair Worel opened the public hearing.

Jim Tedford referred to the letter he had submitted a month ago with suggested changes to the MPD section that he had asked the Planning Commission to include in the LMC amendments. His suggestion at the time was that a Master Planned Development process should be required in all zones except the HR-1, H-2, HRL, HRM, HCB and HRC. More importantly in Section B, The Master Planned Development process is not allowed in the HCB, HRC, HR-1, HR-2 or HRL, basically the historic districts.

Mr. Tedford believed the rationale for not allowing MPDs in these historic districts was summed up very well by Commissioner Strachan on November 28th. Mr. Tedford quoted Commissioner Strachan's comments from the minutes. "MPD applications are basically exceptions to the existing zoning and that is fine as long as it meets a certain criteria. He believed the idea works well in theory, however, the most controversial projects over the last ten years have all been MPDs. The reason for the controversy is that MPD projects are exceptions to the zoning they all agreed on. Commissioner Strachan believed that an MPD sets up the Planning Commission, the City and the public for controversy every time. They are controversial and they please no one. He thought there was a nice balance now where MPDs are allowed in certain zones. There have been few exceptions that did not come without a fight and he anticipated that there would be more. Commissioner Strachan could see no need to extend the use of the MPD tool. Rather than make exceptions to the zone, the logical approach is for an applicant to request a zone change if they cannot meet what is allowed in the zone."

Mr. Tedford stated that they cannot do much about past mistakes made by past Planning Commissions or past City Councils. However, they can make sure that all future Main Street

projects complement the existing historic qualities of our mountain community. The Park City LMC and the Historic District Design Guidelines determine what can or cannot be built. It is time to strengthen these laws and not weaken them by creating exceptions and including ambiguous language that will allow projects that do not belong on Main Street. It is a bad policy to create, delete or modify the Land Management Code to accommodate any one project. The question is whether they want to take the historic out of historic Main Street, which is one of the biggest attractions in Summit County.

Mr. Tedford stated that what happens with Historic Main Street begins with the Planning Commission this evening. The decisions they make will be passed on to the City Council and become new laws for Main Street. He felt it was too bad to see anything being weakened because they know from the past what can happen when there is too much flexibility. Main Street is a gem and he thought it behooved the Planning Commission to protect it the absolute best they can.

Craig Elliott, with Elliott Work Group, stated that he is a frequent consumer of the LMC and he was probably responsible for the majority of the MPDs that came through within the last ten years. Mr. Elliott applauded the Staff's approach to clarifying the Master Planned Development because it has always been unclear on where it can or cannot be applied. Mr. Elliott stated that the Master Planned Development is a great tool that allows for flexibility and allows the City to come together and provide better solutions than what the underlying Code can provide. He noted that a Code cannot provide every particular instance that occurs in City and that is why the Planning Commission works to improve it.

Mr. Elliott suggested that the HRC would be an important element to have an MPD because it always transitions in some form or fashion and every piece of property in the HRC has some quirk about it. Mr. Elliott thought it should be allowed as a use. He thought it was a good idea to restrict the height exceptions in the HRC zone, but allow the HRC to have an MPD to provide for better solutions is a smart tool and a change he thought they should consider. Mr. Elliott thought a discussion about the definition of open space was long overdue. It was talked about ten years ago in early presentations on MPDs. They went through the discussion and made determinations on urban open space versus Mountainside open space. He wanted to see that codified because it is the appropriate thing to do in different zones.

Mr. Melville, a resident at 527 Park Avenue, generally supported the proposed language for the Master Planned Development as stated in Chapter 6, Section 15-.6-.2, specifically with regard to paragraph B, that height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC and HCB zone districts. He believed this limitation was extremely important to help preserve the character of the historic core.

Hope Melville, an Old Town resident, referred to the proposed amendment to the LMC on page 282 of the Staff report, Section 15-6-1, regarding the statements of Purpose for MPDs. Ms. Melville noted that the amendment reinserts a provision in subsection K about encouraging economic diversification and development. She recalled that a similar provision was discussed and stricken by the Planning Commission during the November 28th meeting. She questioned why this proposed amendment was being reinserted.

Ms. Melville strongly agreed with the proposed amendments to LMC 15-6-2 and 16-6-5(F) which state that height exceptions for building height will be granted for MPDs within the HRC and HCB zones. She believed that prohibiting these height exceptions was consistent with many things in the Code, as well as the General Plan provision to preserve Park City's Historic Character and scale and the Land Management Code Purpose Statements to protect and enhance the City's historic character and for development in a manner that preserves the integrity of the historic districts and the unique urban scale of the original Park City. It is also consistent with the requirements of the design guidelines for the historic districts, which includes that the size, mass, scale and height of new structures be compatible with and follow the predominant pattern of neighboring historic sites and the neighborhood.

Ms. Melville stated that since some MPDs are always going to be allowed in the historic zones, when projects are in an HCB or HRC zone combined with an HR-1 and HR-2 zone, an MPD should be expressly required to comply with the historic district design guidelines. Ms. Melville pointed out that this requirement is in the Code for projects that are solely in the HRC zone or the HCB zone and there is no good reason not to require a similar provision for MPDs in historic districts. She thought that requirement should be added to the Code.

Chair Worel closed the public hearing.

Commissioner Wintzer referred to Purpose Statement K and noted that Ms. Melville was correct. The Planning Commission had taken it out and it was back with stronger language. Commissioner Hontz stated that she was comfortable removing it before and she had no problem removing it again.

Planner Whetstone recalled that some of the Commissioners were not present when they discussed removing the language. She thought they had tabled a decision until all the Commissioners could have a say.

Commissioner Thomas was not uncomfortable with the purpose statement because if they allow an MPD in the districts it allows the flexibility to create the needed diversity. However, he felt that Item B on the same list, "insure neighborhood compatibility" could be strengthened by adding "historic" compatibility. Commissioner Thomas stated that as long as they have the restriction of no exceptions to maximum height, he was comfortable with Item K because they need the MPD access to help the vitality and renovation of change. Commissioner Thomas pointed out that like it or not, the community continues to evolve and change.

Planner Whetstone referred to the list of purpose statements and noted that "and" should be removed from the end of (I) and moved to the end of (J).

Commissioner Savage wanted to know if MPDs would be required if something happened to a large building on Main Street and it needed to be replaced. Planner Whetstone stated that if it is solely within the HCB or the HRC zone the MPD would not be allowed. If the use is an allowed use it would be approved administratively.

Director Eddington noted that the Staff was asked to research old minutes to find the history of MPDs. Based on that research the Staff found that the intent for the MPD was to design by Planning Commission and public input and not solely by numbers. MPDs exist for projects where numbers do not work and design needs to be incorporated.

The Commissioners were not sure they had agreed on all aspects of the amendments and they were not prepared to forward a recommendation to the City Council. Commissioner Savage noted that Mr. Tedford had made specific comments and requests related to the MPD in certain zones and he wanted to make sure they had an explicit response to his comments. Director Eddington understood that Mr. Tedford was asking that the Planning Commission not allow MPDs in any of the Historic Zones. Director Eddington recommended that the Planning Commission continue with the current language in the Code that when a building or project crosses the HCB or HRC and the residential HR-2 behind it, that project comes to the Planning Commission as an MPD for review. Commissioner Savage suggested that the Planning Commission continue their recommendation to the City Council until the Staff has the opportunity to review the letter Mr. Tedford submitted at an earlier meeting and specifically address his questions.

Director Eddington noted that the Staff would not be able to address Mr. Tedford's letter for a few months based on the time involved with the Form Based Code.

Commissioner Wintzer thought the Planning Commission should try to forward some of the recommendations to the City Council.

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council regarding the Land Management Code amendments to Chapter 2.18, General Commercial Zones, specifically LMC Section 15-2.18-3. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

Director Eddington believed that some of the clarifications of the Applicability of the MPD on pages 283 and 284 were very worthwhile. He emphasized that nothing was being changed; it was only clarifying the existing language.

Commissioner Hontz asked about Purpose (K). The majority of Commissioners preferred to leave Purpose (K) in the LMC. Commissioner Thomas noted that a modification was made to Purpose (B) to reference Historic Compatibility. Commissioner Hontz referred to (B) Allowed but not required, on page 284 of the Staff report, Item 1, and asked if this was the appropriate place to state that Height exceptions would not be granted, or if needed to be addressed as a separate item. She explained that it does not matter whether it is allowed or not required. What matters is going through the process. Planner Whetstone noted that it was also referenced in Section 15-6-5(F), Building Height, on page 287 of the Staff report. Director Eddington noted that Section 15-6-5(F) was specifically referenced in (B) Item 1.

Commissioner Hontz thought they were ready to forward a recommendation on the Building Height Exception. She requested that commas be added before and after but is not required on the first line of (B) Item 1 on page 284 of the Staff report.

Commissioner Savage referred to Item C on page 284, Not Allowed, and assumed that if they forward that as a recommendation, they would be answering Mr. Tedford's question in the negative.

Director Eddington replied that this was correct. Commissioner Savage wanted it clear that there would not be the opportunity to have another discussion on the contents of Mr. Tedford's letter. Commissioner Hontz remarked that they could still address other portions of Mr. Tedford's letter, but that portion would off the table.

Director Eddington referred to Section 15-6-5, Building Height, on pages 287 and 288, and noted that the proposed changes were clarifications, and minor corrections with capitalizations and adding no height exceptions for the Historic Zones. Director Eddington noted that changes to 15-6-5 (H) cleans up the language for requiring formal landscape plans. It references another section that addresses landscaping and clarifies botanical plant names and common plant names. Section 15-6-5(M) talks about Historic Mine Waste Mitigation pursuant to the new Environmental Regulatory recommendations.

Commissioner Hontz noted that the Commissioners had added the word "Historic" to Purpose Statement (B) on page 283. She asked if the word Historic should be added where appropriate in (G) on page 290 in order to make the finding in purpose statement (B). The language in (G) was changed to read, "Promotes Neighborhood Compatibility and Historic Compatibility where appropriate".

Director Eddington stated that in 15-6-8(G) Resort Accessory Uses, pages 290 and 291, the Staff verified back of house issues related to employee restrooms, locker rooms, dining areas. Assistant City Attorney McLean recommended that they add the word "employee" before locker rooms, break rooms and dining areas to avoid confusion. The language was revised to read, "Employee restrooms, employee locker rooms, employee break rooms and employee dining areas".

MOTION: Commissioner Wintzer moved to forward a POSITIVE Recommendation to the City Council on the amendments to the Land Management Code as amended, excluding Section 15-6-5 (D) - Open Space. Commissioner Thomas seconded the motion

VOTE: The motion passed unanimously.

The Commissioners adjourned the regular meeting and moved into Work Session to discuss Form Based Code. The work session discussion can be found in the Form Based Code Work Session Minutes dated May 8, 2013.

The Park City Planning Commission meeting adjourned at 9:30 p.m.

Approved by Planning Commission: _____

REGULAR AGENDA

Planning Commission Staff Report



Subject: 1024 Norfolk Avenue
Project #: PL-13-01853
Author: Francisco Astorga, Planner
Date: May 22, 2013
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit at 1024 Norfolk Avenue based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Applicant/Owner: Kathleen & Jamie Thomas
Location: 1024 Norfolk Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Construction of structures greater than 1,000 square feet on a steep slope requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit for new single family dwelling on a vacant lot of record.

Background

On April 2, 2013 the City received a completed application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 1024 Norfolk Avenue. The property is located in the Historic Residential (HR-1) District. The property, Lot 2 of the Thomas Subdivision, a Plat Amendment approved and recorded in 2004. The lot contains 2,813 square feet.

This application is a request for a Conditional Use Permit for construction of new single family dwelling. Because the total proposed structure square footage is greater than 1,000 square feet, and would be constructed on a slopes greater than thirty percent (30%), the applicant is required to file a Conditional Use Permit application for review by the Planning Commission, pursuant to Land Management Code (LMC) § 15-2.2-6.

A Historic District Design Review (HDDR) application is concurrently being reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.

Purpose

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

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

Analysis

A single family dwelling is an allowed use in the HR-1 District. The proposed structure is 3,397 square feet, which includes the 453 two (2) car tandem garage. The proposed upper floor is 996 square feet in size. Both the main and lower levels are 1,198 square feet in size. Staff made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Building Footprint	1,201 square feet maximum, (based on lot area)	1,198 square feet, <u>complies.</u>
Front/Rear Yard Setbacks	10 feet minimum, 20 feet total	10'-4" (front), <u>complies.</u> 15'-8" (rear), <u>complies.</u>
Side Yard Setbacks	3 feet minimum, 6 feet total	3'-9" (on both sides), <u>complies.</u>
Building Height	27 feet above existing grade, <u>maximum.</u>	Various heights all under 27 feet, <u>complies.</u>
Number of stories	A structure may have a maximum of three (3) stories	3 stories, <u>complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure	4 feet or less, <u>complies.</u>
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required for a for third story	<u>Complies.</u>
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	All roof forms contain a 7:12 roof pitch, <u>complies.</u>
Parking	2 parking spaces, minimum	2 interior spaces, <u>complies.</u>

LMC § 15-2.2-6 provides for development on steep sloping lots in excess of one thousand square feet (1,000 sq. ft.) within the HR-1 District, subject to the following criteria:

1. **Location of Development.** Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed structure is located towards the front of the lot while maintaining in excess of the minimum setback which reduces the amount of hard surface required for the driveway and allows floor levels to relate as closely as possible to existing topography. The structure is setback 10'-4" from the front lot line and approximately thirty feet (30') from the existing asphalt. The side yard widths vary along the depth of the building with significant two foot (2') and four foot (4') steps into the structure as the roof plane changes behind main ridge paralleling the street. The rear setback is 15'-8" to the building face taking advantage of side-yard solar access and locating a living room deck to the side of the proposed dwelling.

The proposed building coverage is 43%. The impermeable lot coverage of the proposal is 52%, which include the driveway, porch/entry, building footprint, and rear deck.

2. **Visual Analysis.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the proposed Access, and Building mass and design; and to identified the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities. **No unmitigated impacts.**

The applicant submitted a visual analysis, including a model, and renderings showing a contextual analysis of visual impacts, see Exhibit E.

The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view. The cross canyon view contains a back drop of three (3) story buildings. The building is located in a neighborhood of similar structures and is completely surrounded by developed lots. Lots across the street all contain recently completed single family dwellings. Lots to the rear, facing Woodside Avenue, are occupied by historic structures with contemporary upper level and rear additions.

3. **Access.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

The project will be accessed by a concrete slab on grade, combined driveway and pedestrian access from Norfolk Avenue. The driveway falls from the street allowing the building levels to closely follow the existing topography. The driveway is single vehicle width leading to a tandem garage.

The remainder of the front yard provides a landscape buffer. The pedestrian access path and steps changes to a deck at the approach to the front door reduces the need for and impacts of impervious paving.

4. **Terracing.** The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

Minor retaining is necessary around the proposed structure to provide for egress on the lower level as well as the rear patio. Limited retaining is also being requested around the driveway located in the front yard area. Both of these areas will meet the LMC development standards of retaining walls which range from four feet (4') to the maximum height of six feet (6') above final grade.

5. **Building Location.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The proposed structure is located towards the front of the lot while maintaining the minimum front yard setback. This reduces the amount of hard surface required for the driveway and allows floor levels to relate as closely as possible to existing topography. The plane of the façade lies between those of the immediate neighbors, more than two feet (2') behind the historic remodel at 1002 Norfolk and approximately one foot (1') in front of the new dwelling at 1034 Norfolk.

6. **Building Form and Scale.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The main ridge orients with the contours. The tandem garage solution chosen to minimize the impact of the garage door also provides an opportunity to use a narrow driveway and to quickly return to natural grade within the remaining landscaped front yard. The resulting shift in visual mass is assisted by the overhanging gable roof to the front which not only provides weather protection to both the garage and the front door but helps to redirect visual emphasis.

Behind the street front, the side walls step in, narrowing the built form and increasing the side yards. The tandem garage element creates the uppermost gable visible on the rear elevation and the roof then continues to slope down to the two story rearmost section. The corner behind and below the garage utilizes a covered deck on the second level and a patio below, taking advantage of the

opportunity for solar gain while de-emphasizing the overall height of the wall required to accommodate the garage.

- 7. Setbacks.** The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a “wall effect” along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

The proposed structure is setback 10’-4” from the front property line and approximately thirty feet (30’) from the edge of asphalt. The rear yard setback is 15’-8” rather than the often utilized minimum ten feet (10’).

- 8. Dwelling Volume.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in [LMC Chapter 2.2 – HR-1]. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed structure is both horizontally and vertically articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings in the area.

- 9. Building Height (Steep Slope).** The maximum Building Height in the HR-1 District is twenty-seven feet (27’). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure meets the twenty-seven feet (27’) maximum building height requirement measured from existing grade. Portions of the house are less than 27’ in height.

On the applicant’s write up to the CUP criteria, See Exhibit B, the applicant indicated that they needed “down-hill lot tandem garage height” exception specified on LMC § 15-2.2-5 as they believed that a portion of this garage was over the maximum height.

After careful examination of the roof plan overlaid on the topography (survey), known as the “roof over topo” height analysis, staff has concluded that this structure does not necessitate the required height exception as this roof form over the tandem garage is not higher than the maximum height of twenty-seven feet (27’) from existing grade.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in LMC § 15-1-18. Approval of the Historic District Design Guideline compliance is noticed separately and is a condition of building permit issuance.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that would have to be addressed during building permit review.

Public Input

No public input has been provided at the time of this report.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for 1024 Norfolk Avenue as conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur. The applicant would have to revise their plans.

Recommendation

Staff recommends the Planning Commission review a request for a Steep Slope Conditional Use Permit at 1024 Norfolk Avenue. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The property is located at 1024 Norfolk Avenue.
2. The property is located in the Historic Residential (HR-1) District.
3. The property, Lot 2 of the Thomas Subdivision.
4. The lot contains 2,813 square feet.
5. A single family dwelling is an allowed use in the HR-1 District.
6. The proposed structure is 3,397 square feet, which includes the 453 square foot tandem two (2) car garage.
7. The proposed upper floor is 996 square feet in size.
8. Both the main and lower levels are 1,198 square feet in size.
9. The proposed structure complies with the maximum building footprint outlined in the Land Management Code.
10. The proposed structure complies with the minimum front, rear, and side yard setbacks outlined in the Land Management Code.

11. The proposed structure complies with the maximum building height and its corresponding parameters outlined in the Land Management Code.
12. The proposed structure complies with the minimum required parking outlined in the Land Management Code.
13. The proposed structure is located towards the front of the lot while maintaining in excess of the minimum setback which reduces the amount of hard surface required for the driveway and allows floor levels to relate as closely as possible to existing topography.
14. The proposed building coverage is 43%.
15. The impermeable lot coverage of the proposal is 52%, which include the driveway, porch/entry, building footprint, and rear deck.
16. The applicant submitted a visual analysis, including a model, and renderings showing a contextual analysis of visual impacts.
17. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view.
18. The cross canyon view contains a back drop of three (3) story buildings.
19. The building is located in a neighborhood of similar structures and is completely surrounded by developed lots.
20. The project will be accessed by a concrete slab on grade, combined driveway and pedestrian access from Norfolk Avenue.
21. The driveway falls from the street allowing the building levels to closely follow the existing topography.
22. Minor retaining is necessary around the proposed structure to provide for egress on the lower level as well as the rear patio.
23. Limited retaining is also being requested around the driveway located in the front yard area.
24. The proposed structure is located towards the front of the lot while maintaining the minimum front yard setback.
25. The plane of the façade lies between those of the immediate neighbors, more than two feet (2') behind the historic remodel at 1002 Norfolk and approximately one foot (1') in front of the new dwelling at 1034 Norfolk.
26. The main ridge orients with the contours.
27. Behind the street front, the side walls step in, narrowing the built form and increasing the side yards.
28. The proposed structure is both horizontally and vertically articulated and broken into compatible massing components.
29. The design includes setback variations and lower building heights for portions of the structure.
30. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings in the area.
31. The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.
32. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).

2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the 2009 Design Guidelines for Historic Districts and Historic Sites.
7. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
8. If required by the Chief Building official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on May 8, 2014, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes made during the Historic District Design Review.
11. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade.

Exhibits

Exhibit A – Project Description

Exhibit B – Applicant's Steep Slope CUP Criteria Analysis

Exhibit C – Survey

Exhibit D – Proposed Plans

Exhibit E – Visual analysis, including a model and renderings

Exhibit A – Project Description

1024 Norfolk Avenue: Project Outline

The proposal is for a four bedroom single family home located on a vacant lot in the historic district (HR-1). The site is surrounded on all sides by existing single family homes.

The site lies on the east side of Norfolk Avenue. The Lot slopes down, away from the street. The Lot is 37.5 ft x 75 ft wide allowing a max building footprint of 1201 Sq Ft. The proposed footprint is 1198 Sq Ft.

The proposed structure has three stories overall with a single story representation to the street and two levels below and behind. The upper (street) level has a two car garage utilizing a tandem arrangement. This allows for a single width garage door. The upper level also houses the main entry/egress door, a small hall, a guest bedroom suite and stairs down to the main living level below. The second level contains the main living, kitchen and dining areas and the master suite. Two other bedrooms and a small family room are located on the lower level which gives access to the rear garden area. The mechanical room and laundry room are also located on this lower level.

Approximate Floor Areas:

Upper level: 996 SF gross including attic storage and two car garage. 328 SF net.

Second level 1198 SF gross, 1053 SF net

Lower level 1198 SF gross, 1056 SF net

Designed roof pitch 7:12,

(A shallower pitch at ‘secondary’ roof over the lower rear deck allows for passive solar heat and light gain)

Designed height 27 ft or less (ref elevations, sections and site plan with roof height analysis)

Except : The tandem garage arrangement causes the secondary ridge to penetrate the height limit (see elevations and sections) an exception is being requested per LMC 15-2.2-5.

Setbacks: the project meets or exceeds required setbacks.

Excavation and Grading: To the maximum extent possible, existing grades are maintained. Due to the steep fall between the road and the front façade, fill is required to access the driveway and main entry/egress door. (To further reduce the amount of hard surface in the front yard, a timber deck arrangement was chosen for the steps and path at the entry/egress. Below this pathway, natural grade is resumed as quickly as possible outside the stamped concrete driveway surface). For the remainder of the site outside the driveway, all final grade levels lie easily within four feet of existing grade.

A more detailed analysis follows with expanded descriptions, utilising specific references to the Steep Slope Design Criteria

Exhibit B – Applicant’s Steep Slope CUP Criteria Analysis

1024 Norfolk Steep Slope: Analysis

Average slope of lot is 24.3%. ($AS = \sum L \times I/A$). However, LMC requires Steep Slope CUP for lots where the steepest 15’ horizontal portion (including access to the lot) exceeds 30%. In this case the steepest portion of the lot approximates 35% slope

Conditional Use permit Applications shall be subject to the following criteria:

(1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.

The building is located at 1024 Norfolk Ave, a 37.5ft x 75ft Lot on the east side of the street, sloping downhill from the road. This property is the second of two lots created from three original 25” old town lots. The adjacent Lot to the North, 1030 Norfolk was previously the site of a large dilapidated utility building. This has been replaced by a recently completed four story single family dwelling with a two story representation to the street. The South side neighbor, 1002 Norfolk is a remodeled and extended historic home. Somewhat uniquely this historic remodel occupies a parcel with a 100 ft wide street frontage to Norfolk Avenue. It is 37.5 ft deep and wraps the corner of Norfolk and 10th street. This neighboring home thus presents a reduced 8” setback to the front lot line and a larger „rear setback“ to the subject property at 1024 Norfolk.

The proposed home, 1024 Norfolk, is located towards the front of the lot while maintaining in excess of the minimum setback. This reduces the amount of hard surface required for the driveway and allows floor levels to relate as closely as possible to existing topography. The home is setback ten feet four inches from the front Lot line, approximately thirty feet from the existing asphalt. The plane of the façade lies between those of the immediate neighbors, more than 2” behind the historic remodel at 1002 and approximately 1” in front of the new home at 1034 Norfolk.

Side-yard widths vary along the depth of the building with significant 2” and 4” steps as the roof plane changes behind main ridge paralleling the street. Side setbacks range from a minimum of three feet nine inches to seven feet nine inches. This mitigates the impact of snow shedding and allows the rare opportunity to maximize the benefits of solar gain.

The rear setback is fifteen feet eight inches to the building face. Taking advantage of side-yard solar access and locating a living room deck to the side of the proposed dwelling negates the need to extend further into the rear yard as is typical with a deck in old town. This mitigates visual impacts on the downhill rear neighbors and reduces potential shadowing effects on the neighbor to the north.

(2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

- (a) To determine potential impacts of the proposed Access, and Building mass and design; and
- (b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

All building elevations and a streetscape drawing have been provided. The building is not readily visible from the key Vantage Points defined in the code. The building is located in a neighborhood of similar structures and is completely surrounded by developed lots. The lot immediately adjacent (North) at 1030 Norfolk is occupied by a recently completed four story (two story elevation to the street) four thousand sq ft home. The adjacent Lot to the South is occupied by the remodeled and extended historic home at 1002 Norfolk. Lots across the street all contain recently completed single family homes. Lots to the rear, facing Woodside, are occupied by historic homes with contemporary upper level and rear additions.

(3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged.

The project will be accessed by a stamped concrete slab on grade, combined driveway and pedestrian access from Norfolk Avenue. The driveway falls from the street allowing the building levels to closely follow the existing topography. The driveway is single vehicle width leading to a tandem garage. The driveway is off centre to the South side. The remainder of the front yard provides a landscape buffer to the much wider driveway and larger home to the North. The pedestrian access path and steps changes to a timber deck at the approach to the front door reducing the need for and impacts of impervious paving. This also enables the modified grades to quickly return to existing levels using a minimum of retaining structures.

(4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.

Floor levels have been designed as far as possible to relate to existing ground levels. Minor grading may be required in order to control water runoff but existing grade will essentially remain unchanged except for the access to the building (see above). Consequently “terracing” is not anticipated. Small rock retaining walls are shown on the site plan.

Note: especially to the North side lot line “Natural Grade” is unclear due to the remaining impacts on existing grade of prior disturbance: the now removed, district boiler house that once occupied the lot immediately to the North directly impacting this parcel.

(5) **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.

See above item (1) Location, and (4) impact of prior disturbance on Natural grade.

(6) **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot’s existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.

The main ridge as viewed from the street side parallels (“orients with”) the contours. The tandem garage solution chosen to minimize the impact of the garage door also provides an opportunity to use a narrow driveway and to quickly return to natural grade within the remaining landscaped front yard. This return to grade allows for a window on the level below to be exposed on the façade. The resulting shift in visual mass is assisted by the overhanging gable roof to the front. This roof not only provides weather protection to both the garage and the front door but helps to redirect visual emphasis. The balanced asymmetry of the combined elements seeks to provide dynamic interest to the casual observer re-establishing emphasis on the perceived areas of habitable space behind and below. This is never easy where codes essentially mandate single story facades to street fronts on narrow lots.

Behind the street front, the side walls step in, narrowing the built form and increasing the side yards. The tandem garage element creates the uppermost gable visible on the rear elevation and the roof then continues to slope down to the two story rearmost section. Additional steps in

the building width mean that the furthest rear projection is only fourteen feet wide. The re-entrant corner behind and below the garage utilizes a covered deck on the second level and a patio below, taking advantage of the opportunity for solar gain while de-emphasizing the overall height of the wall required to accommodate the garage.

(7) **SETBACKS.** The Planning Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a “wall effect” along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.

As stated previously the front setback is 10’4” to front lot line. This is however almost thirty feet from the edge of asphalt. The facade lies between the front setbacks of the buildings either side. Moving the deck from the typical rear yard location to the increased depth South side-yard creates a rear yard setback of fifteen feet eight inches rather than the often utilized minimum ten feet.

(8) **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

A significant portion of the built volume lies below grade and is thus not apparent from the front. The street façade mediates between the houses either side; that is the visible upper two stories of the new house at 1030 Norfolk and the visible single story façade of the remodeled historic home at 1002. From the rear the building drops from three stories to two and the below grade section essentially becomes a walk out basement at grade level. Again, this mediates well between the now visible two story historic remodel to the South and the taller (4 story, 3 visible) house to the North.

(9) **BUILDING HEIGHT (STEEP SLOPE).** The Zone Height in the HR-1 District is twenty-seven feet (27’) and is restricted as stated above in Section 15-2.2-5. The Planning Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures.

The site plan shows roof over topo and our belief that this proposal complies in all but one respect. The rear-most portion of the roof of the tandem garage breaks the twenty seven foot height limit by approximately 16”. Please refer to the building section drawings where this condition is illustrated on the upper right of the drawing sheet. This is also shown on the rear elevation drawing by a dashed line on the higher gable ridge above the small window at the back of the garage. In addition the Street Elevation drawing clearly illustrates the proposed structure as having a lower main ridge than the structures either side.

When changes were made to the Land Management Code in 2009 this event was foreseen as a likely consequence of encouraging tandem garages on down hill lots. LMC 15-2.2-5 was changed to allow height exceptions for tandem garages up to 35” above grade. No such extreme request is being made. We believe 28’6” will suffice and ask indulgence of the Planning Commission in this regard.

Exhibit D – Proposed Plans

NORFOLK AVENUE
S 35 59 00 E

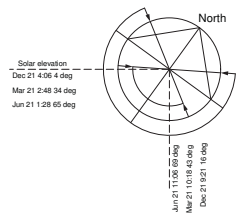
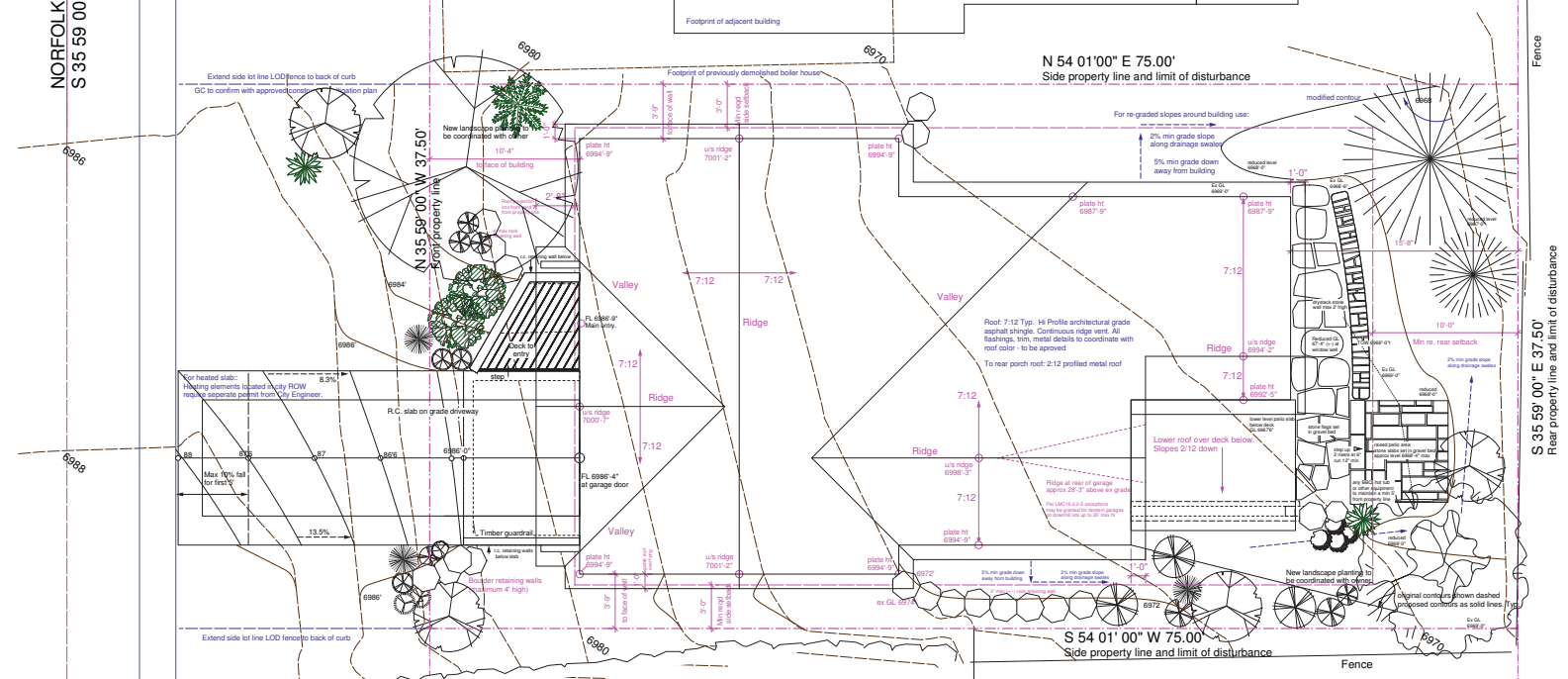
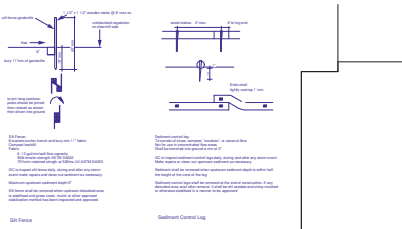
Slope analysis
using : $AS = \Sigma L x I / A$

Lot: average slope 24.3%

Approach area:
(side lot lines projected forward to CL of road)
 $127' x 2' / 939.5 = 27\%$
Ave slope from CL of street to rear of lot = 25%

Per Park City LMC: Measurement of slope in HR-1
is identified as steepest portion of lot measured over
fifteen feet horizontal distance.
For this lot this relates to a line from front of lot along
approximate CL of proposed driveway:
fall 54" over 15' = 35% slope

Drainage
Lot shall be graded to drain surface water
away from foundation walls. The grade shall fall
a minimum of 6 inches within the first 10 feet.
Where lot lines, walls, slopes or other physical
barriers prohibit 6 inches of fall within 10 feet,
the final grade shall slope away from the foundation
at a minimum slope of 5 percent and the water shall
be directed to drains or sewers to ensure drainage
away from the structure.
Sewers shall be sloped a minimum of 2 percent
when located within 10 feet of the building
foundation.
Impervious surfaces within 10 feet of the building
foundation shall be sloped a minimum of 2 percent
away from the building.
Rock retaining walls for grading
and planting beds top max ht 4' or
Grade slopes thus formed to be
less than 2 Vents to 1 Hor.



1024 Norfolk Avenue
Thomas Subdivision Lot 2, Block 9
Snyders Addition to the Park City Survey
Lot Area: 37.5' x 75' = 2812.5 SF
FP max = $0.9 \sqrt{2812.5 / 1875} \times 2812.5 \times 0.5$
FP max allowable = 1201 SF
Designed Footprint = 1198 SF

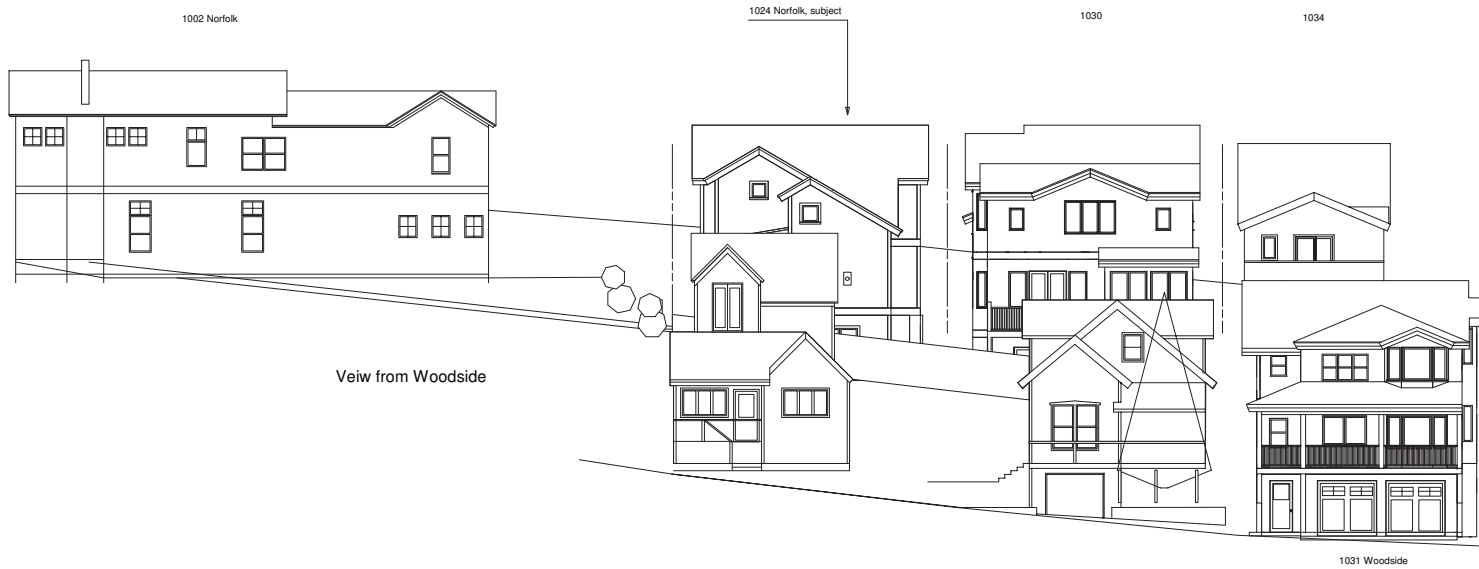
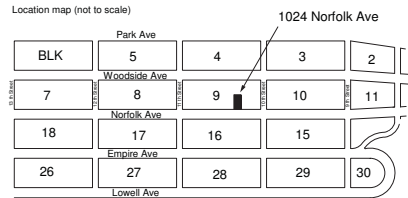
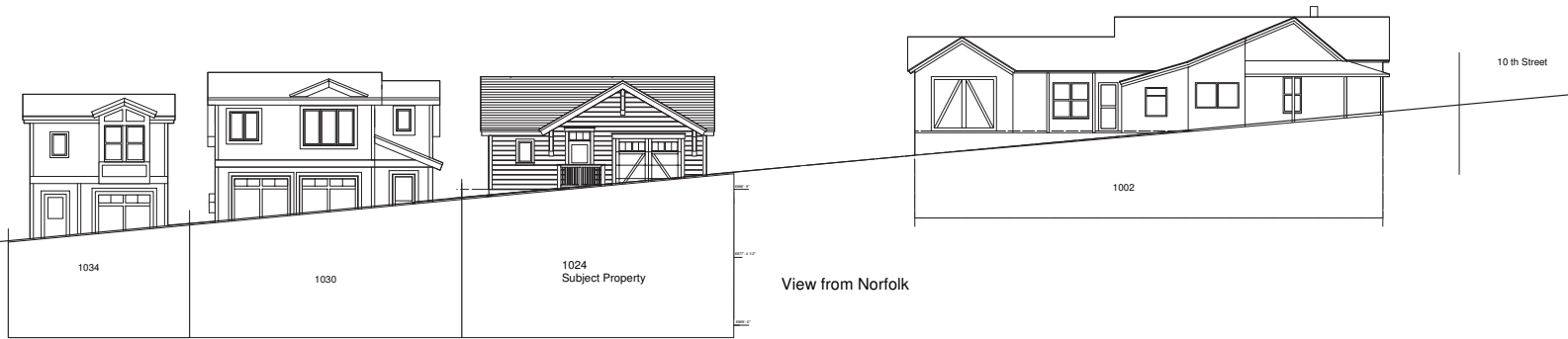
Gross floor area
Level 1 1198 SF
Level 2 1198 SF plus 88 sf covered deck
Level 3 996 SF includes 453 sf garage

1024 Norfolk Avenue
Thomas Residence

Site Plan
Building footprint and
Roof Plan

Feb 2013
Scale 1/4" : 1'-0"

Exhibit D – Proposed Plans

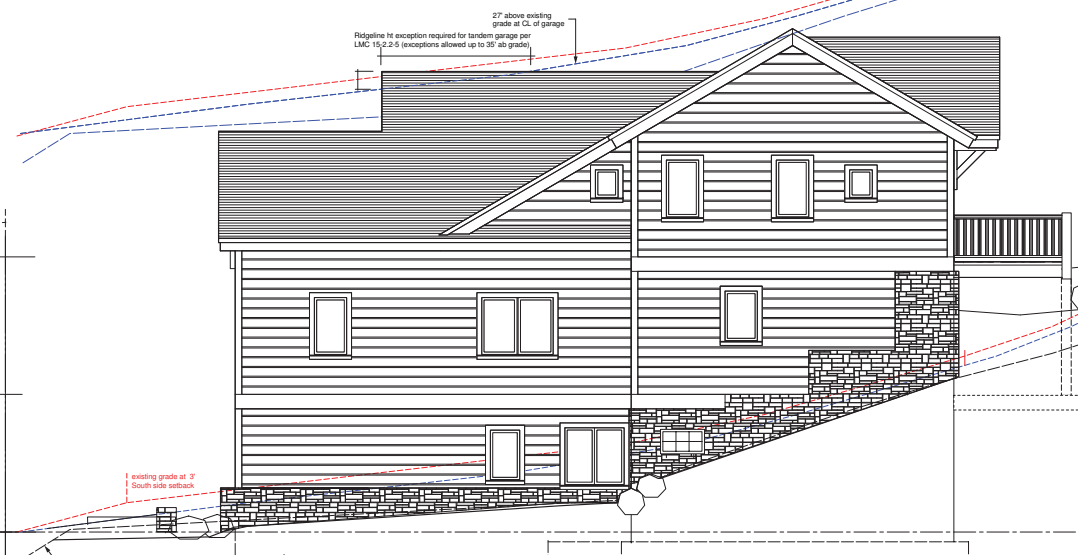
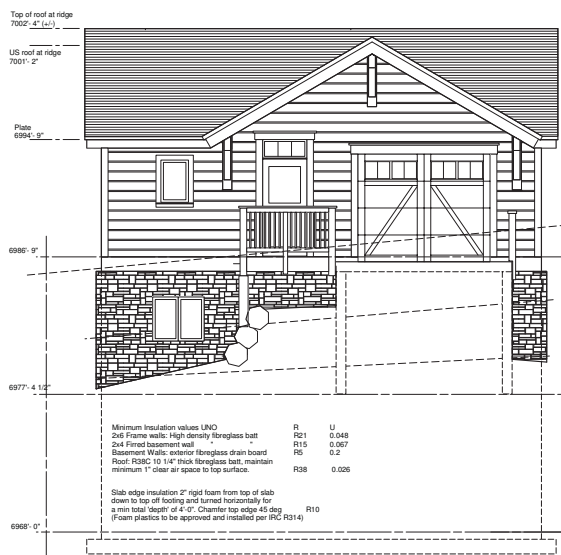


1024 Norfolk Avenue
Thomas Residence

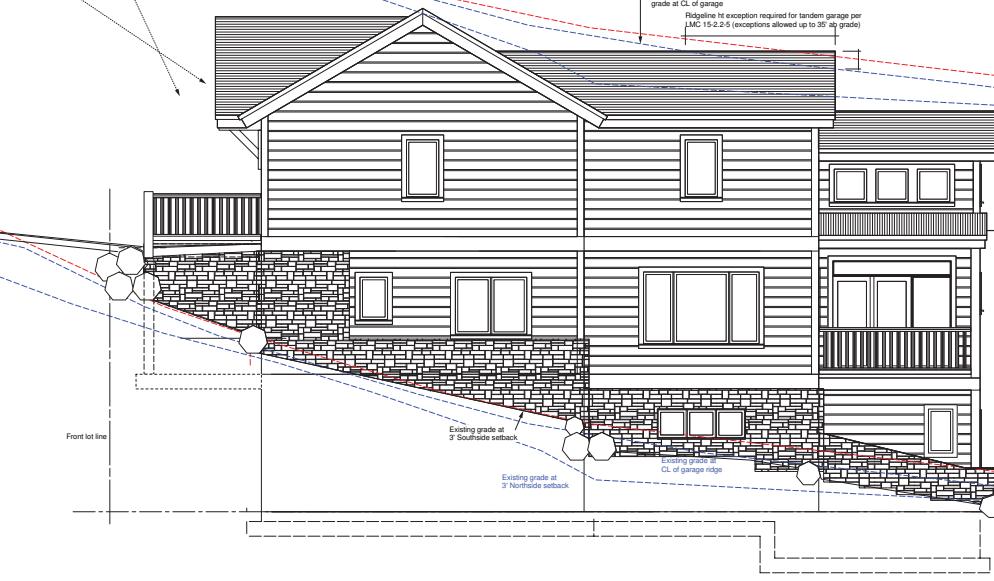
Street Elevation
Location Map

Oct 2012
Scale 1/8" = 1' (elev only)

Exhibit D – Proposed Plans



sun angle perp to this face
Mar 21 9:46 pm 34 deg alt
Jun 21 1:28 pm 65deg alt

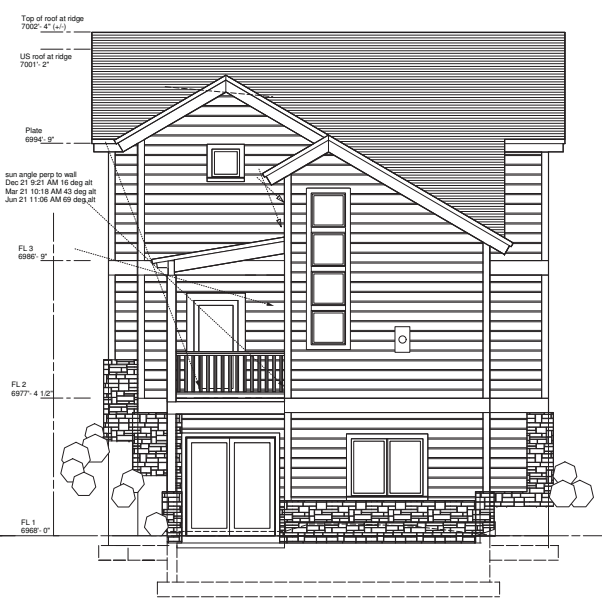


Exterior wood siding to be Western Red Cedar, clear grade, mixed grain, 1/2" x 8", drop lap with a saw toothed face. Provide sample panel, min. 2x2, for approval. Siding is to be installed by first applying corner and end trim and the cutting siding to fit tightly between trim. End joints to be set in butyl mastic at the back. Nailing to be stainless steel wood siding nails, with annular shank. Face nail with 2 7/8 per bearing. Pre-drill nail holes at ends of boards and all other areas subject to splitting. Nailing to be equally spaced in straight and plumb rows.

Roof: 7:12 Typ. H Profile architectural grade asphalt shingle. Continuous ridge vent. All flashings, trim, metal details to coordinate with roof color, to be approved.
To rear porch roof: 2:12 profiled metal roof
Windows: Aluminum clad exterior wood windows by Window Glazed, low E insulating glass. Exterior finish color to be approved.

Exterior trim to be kiln dried "A" grade, clear Western Red Cedar, re-stain. Application may require pre-treating, spikes and bolting. Any exposed fasteners to be stainless steel. Stairs, decking, handrails, etc. to match tropical Cedar appearance. Posts and beams to be Douglas Fir or as indicated on framing drawings. Siding and trim to receive solid stain: minimum one full coat before installation and final surface coat color to be agreed.

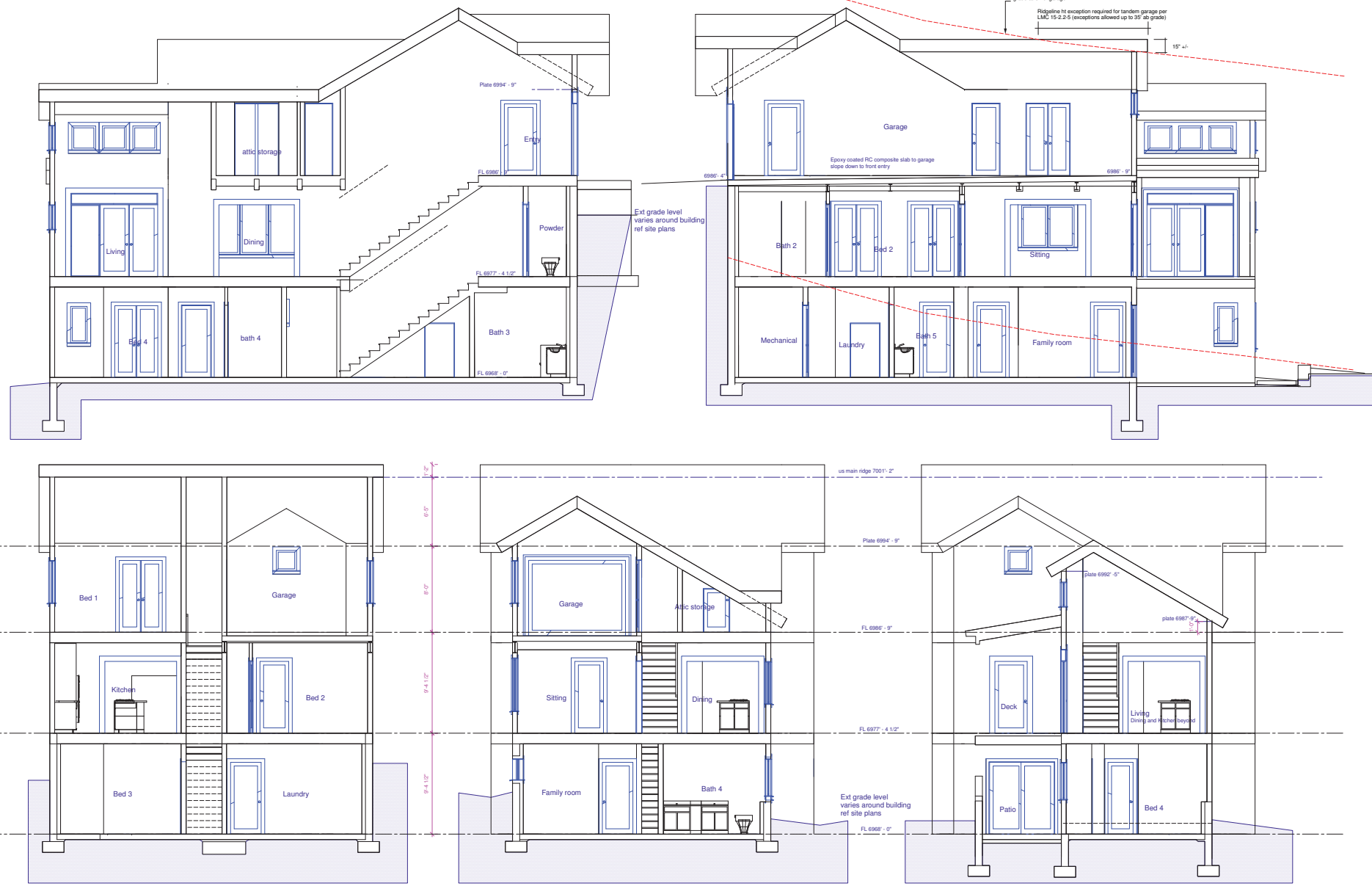
Natural rock veneer to approved sample installed accordance with IRC 703, (BC 1405.6):
4" stone, 1" bed grout space, wire ties @ 16"oc typ for max 2sq ft of stone per sq. 2"x 2" corrosion resistant wire mesh, 2" lapping nails @ 4"oc and bd nails @ 8"oc to T & B plates, 2 layers 1/8" asphalt building paper or equivalent, 1 1/2" OSB sheathing Studs @ 16" max.



sun angle perp to wall
Dec 21 10:21 AM 16 deg alt
Mar 21 10:18 AM 43 deg alt
Jun 21 11:26 AM 69 deg alt

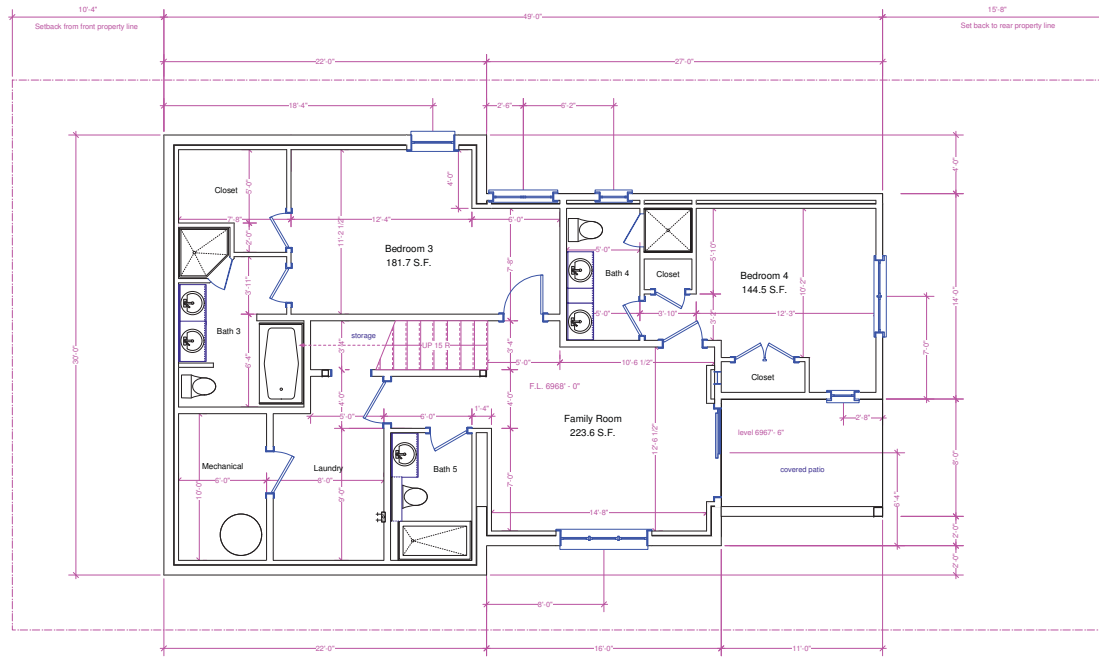
1024 Norfolk Avenue
Thomas Residence

Elevations
Feb 2013
Scale 1/4" = 1'-0"

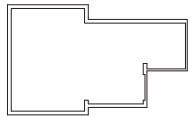


1024 Norfolk Avenue
Thomas Residence

Sections
Feb 2013
Scale 1/4" = 1'-0"



Lower level Plan
 Footprint and Gross Floor Area
 To outside face of exterior walls: 1198 SF
 (To inside face of outside walls: 1056 SF)

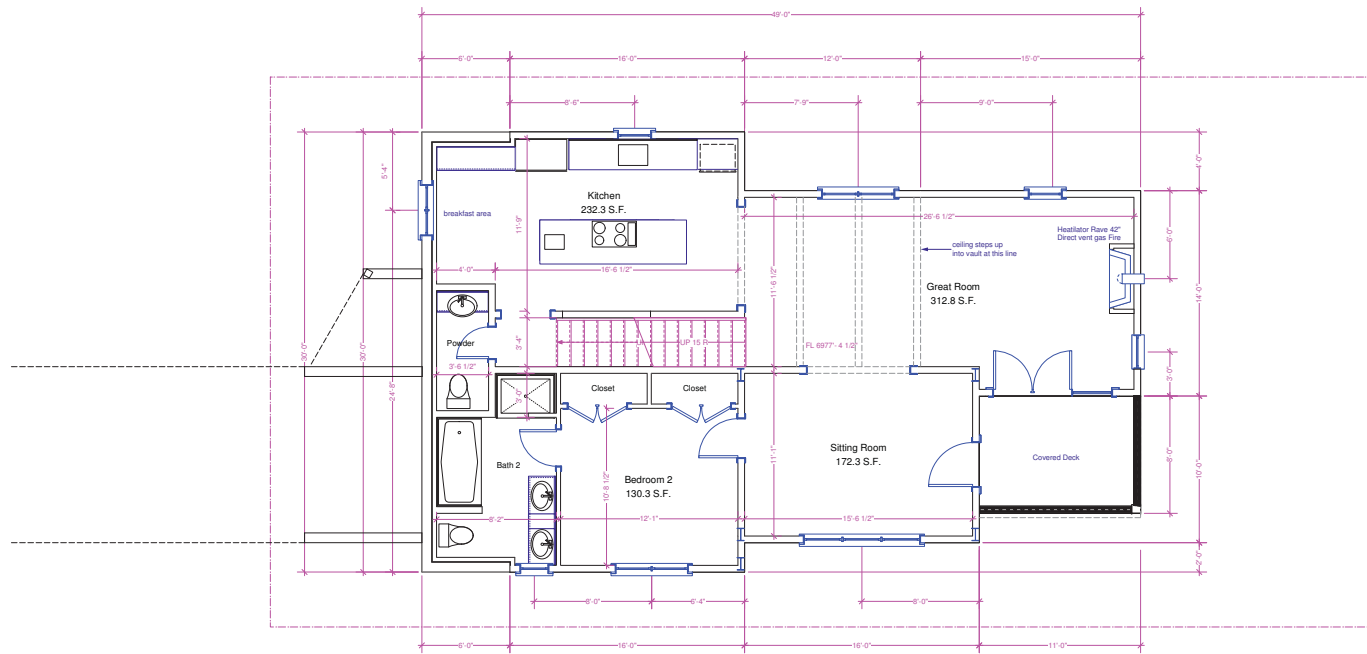


1024 Norfolk Avenue
 Thomas Residence

Level 1 Plan
 General Arrangement

Feb 2013

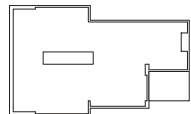
Scale 1/4" = 1'-0"



Main Living Level Plan
Footprint and Gross Floor Area
To outside face of exterior walls: 1198 SF

(To inside face of outside walls: 1053 SF)

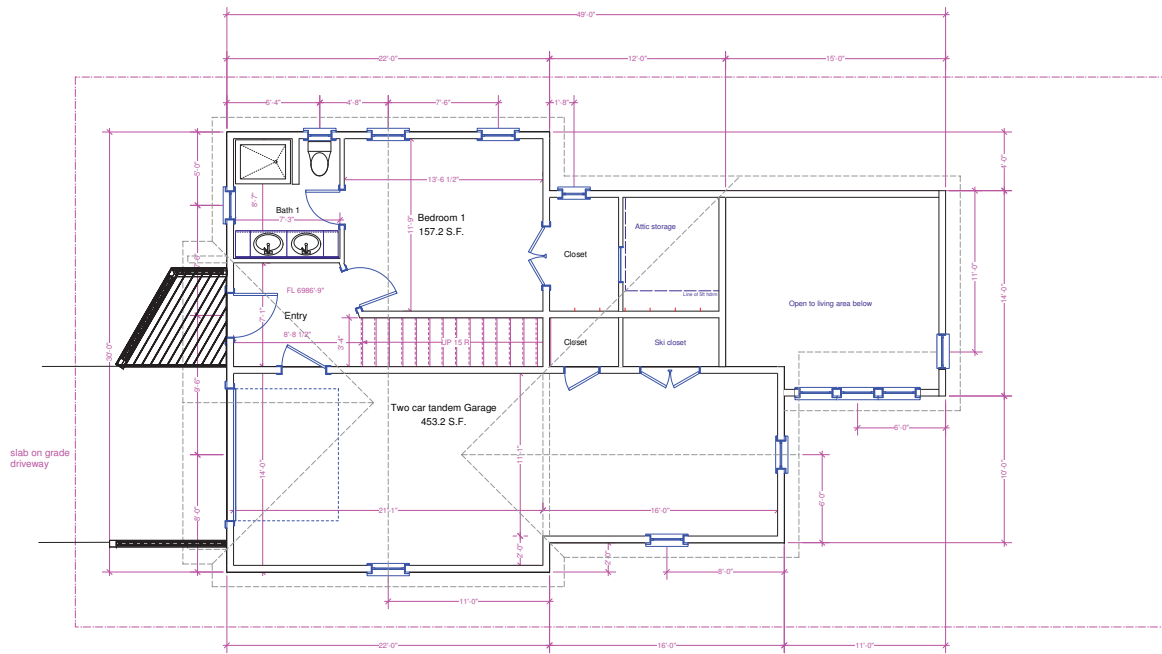
Covered porch 88 SF



1024 Norfolk Avenue
Thomas Residence

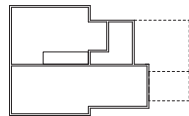
Level 2 Plan
General Arrangement

Feb 2013
Scale 1/4" = 1'-0"



Upper Level Plan
 Gross Floor Area
 To outside face of exterior walls: 996 SF

To inside face of outside walls:
 Habitable: 328 SF
 Storage: 90 SF
 Garage: 453 SF



1024 Norfolk Avenue
 Thomas Residence

Level 3 Plan
 General Arrangement

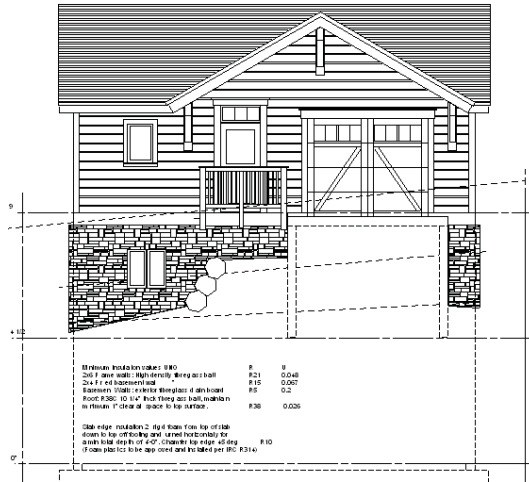
Feb 2013

Scale : 1/4" = 1'-0"

Exhibit E – Visual analysis



1024 Norfolk Avenue
Site Plan overlaid on aerial photo



1024 Norfolk Avenue
Front elevation and context photo



Exhibit E – Visual analysis

1024 Norfolk Avenue
Rear elevation and view from Park Ave.
(color suggestion only, to be confirmed)

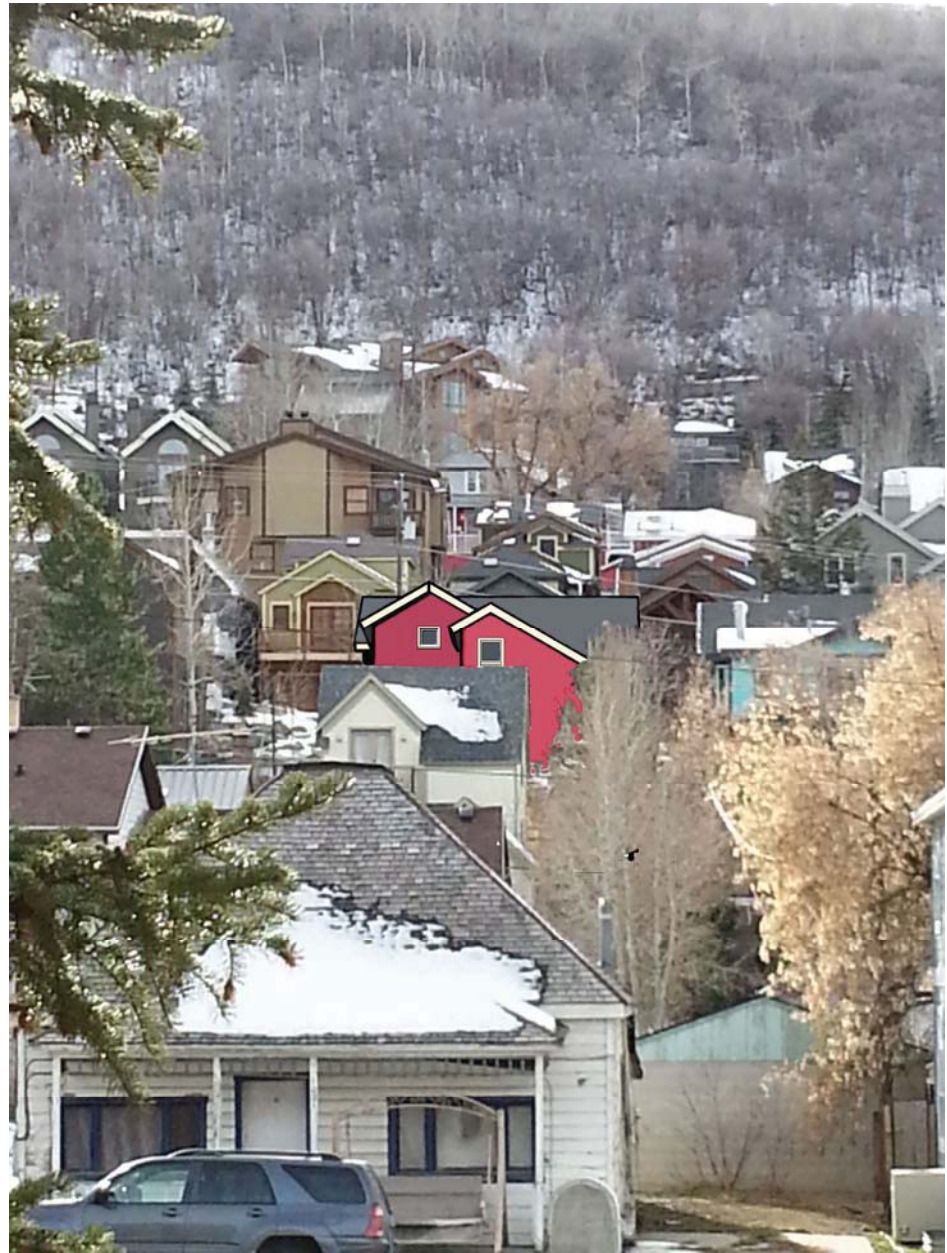
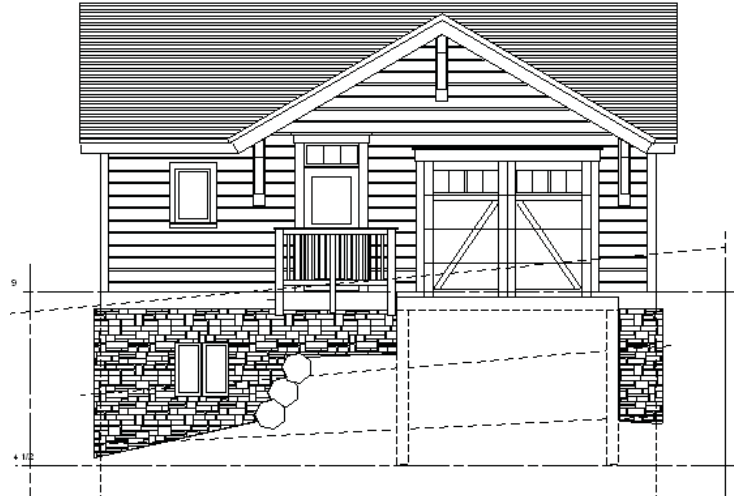


Exhibit E – Visual analysis



1024 Norfolk Avenue
Front elevation and massing models



Exhibit E – Visual analysis



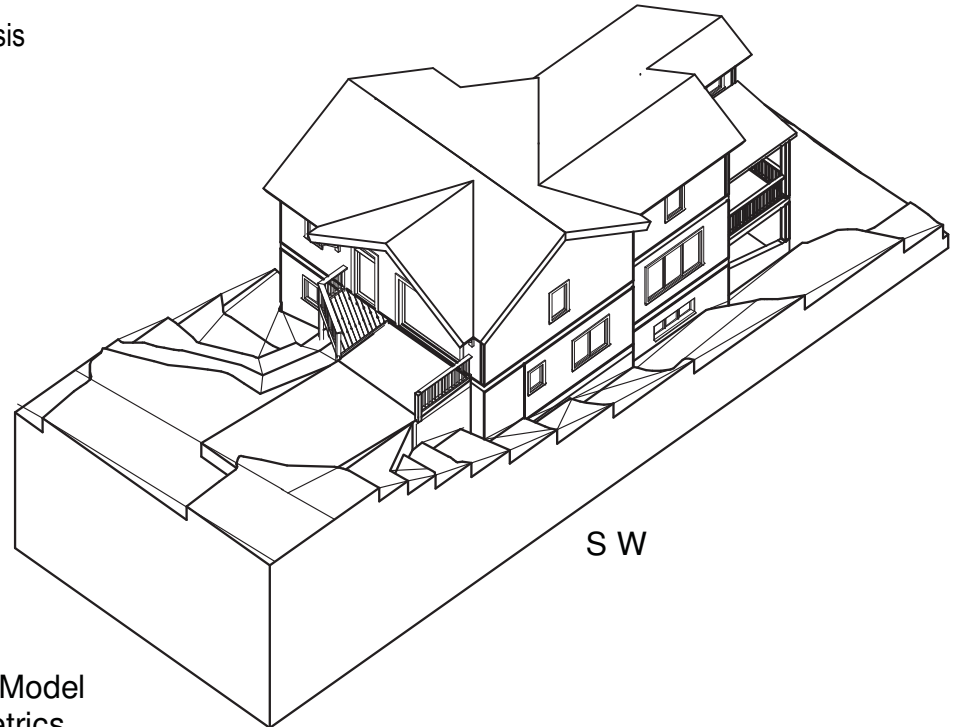
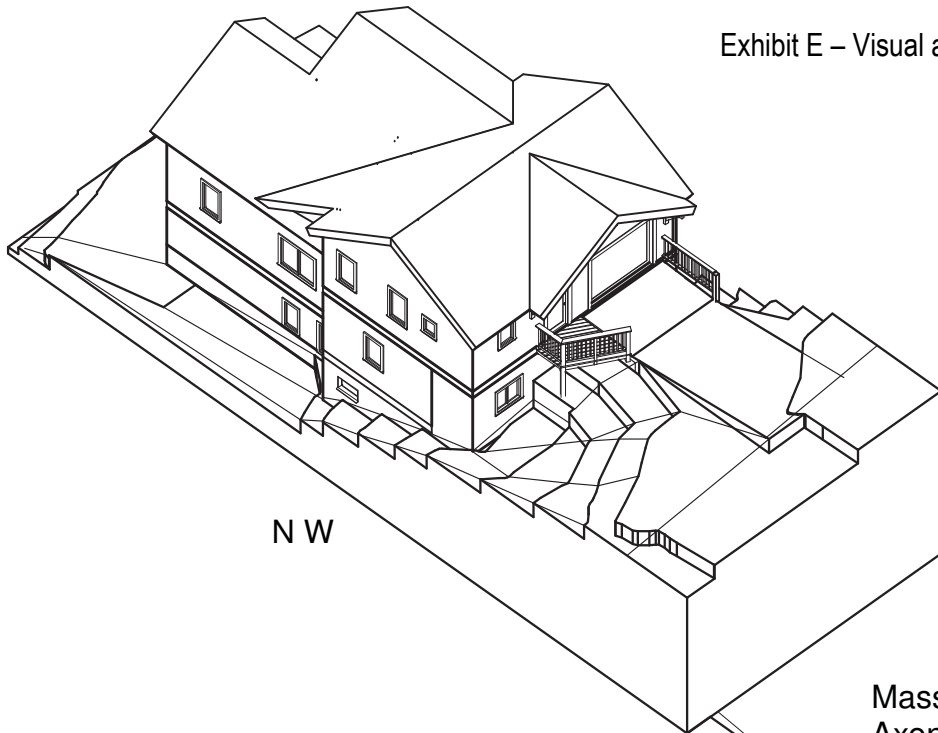
1024 Norfolk Avenue photo panorama
NB distortion increases away from center
(ends appear larger)

Exhibit E – Visual analysis

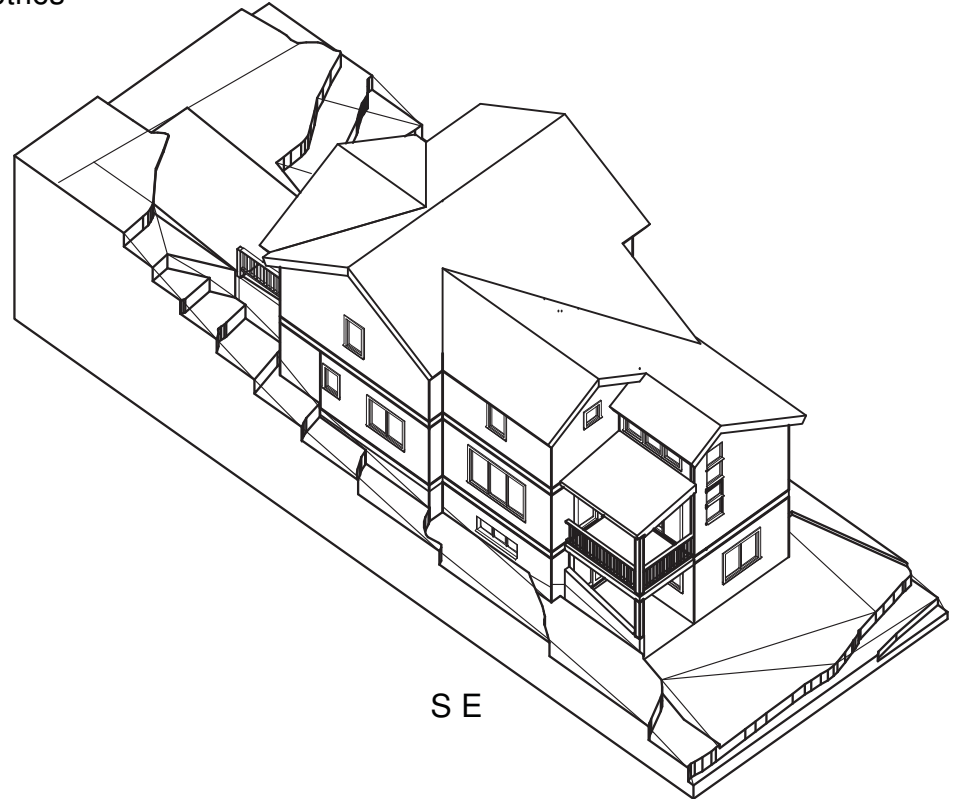
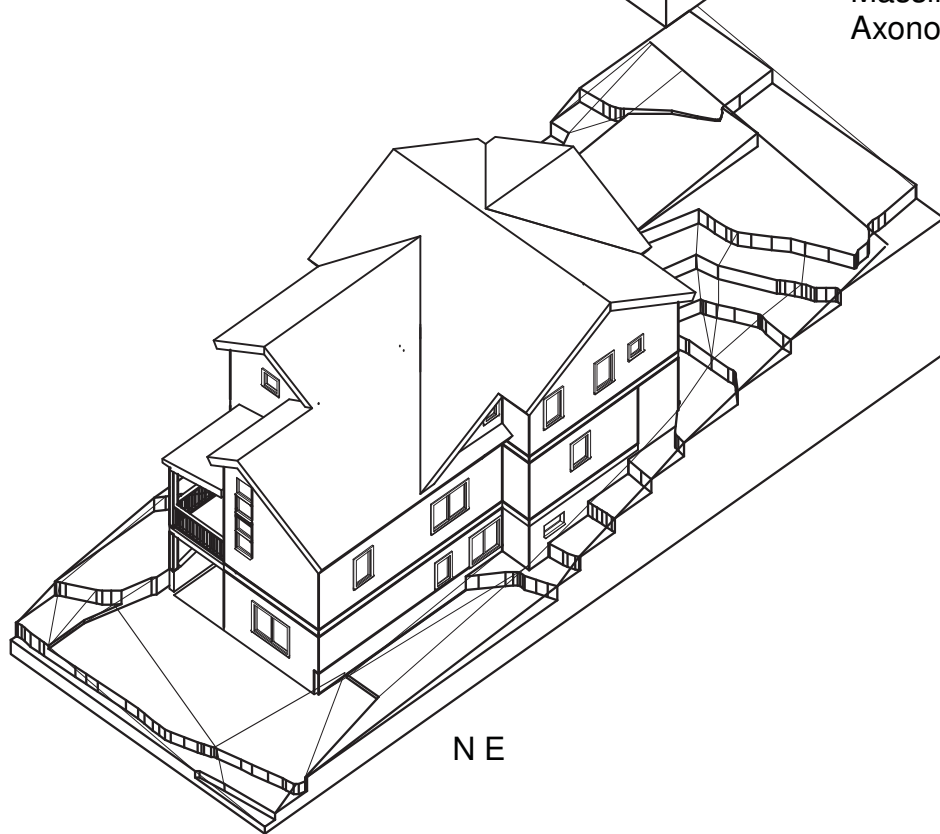


1024 Norfolk Avenue photo panorama
NB distortion increases towards center
(center appears larger)

Exhibit E – Visual analysis



Massing Model
Axonometrics





Planning Commission Staff Report

Subject: 488 Marsac Avenue- Conditional Use Permit for private driveway in a public ROW
Author: Kirsten Whetstone & Anya Grahn
Project Number: PL-12-01765
Date: May 22, 2013
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing, review the proposed CUP for a driveway in a public ROW (Fifth Street between Marsac and Ontario), and consider approving the CUP according to the findings of fact, conclusions of law, and conditions of approval outlined in this report.

Description

Applicant: Alexis Gevorgian, Owner
Location: 488 Marsac Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Historic and non-historic residential single family and Marsac Building (City Hall) on the east side of the street
Reason for Review: Conditional Use Permits require Planning Commission review and approval

Proposal

The owner of a vacant lot at 488 Marsac Avenue is requesting approval of a Conditional Use Permit (CUP) for construction of a driveway and backing area within a portion of the platted, un-built Fifth Street to access a proposed garage that will be located on the first floor of a proposed house to be located at 488 Marsac Avenue. Also included in the application is a request to include a portion of the front entry stairs within the platted un-built ROW.

The driveway is approximately fourteen feet (14') wide at its mouth along Marsac Avenue. From the southwest corner of the mouth, the driveway curves and enters the proposed garage at a width of twelve feet (12'). From the southeast corner of the garage entrance, the driveway extends three feet (3') north before widening eight feet (8') east to allow a backing area. The proposed driveway takes up approximately 400 square feet of the ROW. The additional back up area is required to allow front access to Marsac Avenue, a State Highway in this location. (See Exhibit A.)

The location of the driveway facilitates a side access garage minimizing visual impacts of a garage door on the Marsac Avenue streetscape. Safety concerns are also addressed by providing a small backup area within the driveway to allow a car to pull on to Marsac Avenue front end first. A Historic District Design Review (HDDR) application

and a Variance application for setbacks and parking are being reviewed concurrently with this CUP application. Variances to setbacks and parking are sought for relief from the claimed hardship caused by the location of built Marsac Avenue across the front of the lot (25' on the north property line to approximately 16' on the south) (see Exhibit A). Marsac Avenue is a State Highway (SR 224) in this location and is not owned by the City.

In order to approve this Conditional Use Permit (CUP) the LMC requires that the Planning Commission determine whether the proposal complies with the specific criteria described in Land Management Code Section 15-3-5- standards of review for the construction of private driveways within platted, un-built City streets.

Background

The property is located at 488 Marsac Avenue within the Historic Residential (HR-1) zoning district. Currently, the lot is vacant; however, the owner proposes to construct a three story house with a footprint of approximately 722 square feet (reduced from the allowable of 844 square feet for a standard old town lot, due to the location of Marsac Avenue across the front 25% of the lot). The owner proposes a single car, side entrance garage to be included in this footprint on the first floor. Two parking spaces are required per the LMC for a single family dwelling. The applicant has applied for a variance to be allowed to provide one parking space only. A second parking space is not being provided within the ROW, as only driveway and a backing area are proposed within the ROW. The property is not 30% or greater in slope and a Steep Slope Conditional Use permit is not required.

Currently, the neighboring property, 484 Marsac, to the south, utilizes this undeveloped lot at 488 Marsac for unsanctioned parking. The area is not paved and is not considered public parking at this time.

The Fifth Street Right of Way (ROW) to the north of 488 Marsac Avenue is undeveloped. The ROW is thirty feet (30') wide and, along its southern edge, abuts the lot at 488 Marsac. If a setback variance is granted by the Board of Adjustment, the house, as proposed, would be located on this shared lot line and the driveway and backing area will take up roughly twenty-two (22') feet of the width and nineteen feet of length of the ROW.

The remainder of the ROW will be landscaped per an approved landscape plan to be provided with the building permit application. Much of the first 50 feet of the ROW is currently landscaped by the adjacent property owner to the north, including lawn, irrigation, gardens, and a picnic table. The applicant proposes to provide additional landscaping and create a small pocket park for use by the neighborhood. Currently no utilities are located in this ROW and the trails and sidewalk plan does not call for City Stairs to be constructed in the ROW connecting Marsac Avenue to Ontario Avenue in this location.

The driveway would not preclude a City walkway/stairs connecting Marsac Ave to Ontario Ave in this location if it is needed in the future. The City trails coordinator indicated that it was unlikely that a walkway would be constructed in this location because it would take pedestrians to an unsafe location on Marsac Ave where they would have to continue along Marsac Ave without a sidewalk to the crosswalk at the Marsac round-about.

On August 16, 2012, the applicant submitted a pre-HDDR application for a Design Review Team review of the proposed single family house. The pre-application was reviewed by the Design Review Team on August 29, 2012. This applicant was encouraged to revise his design to be more in keeping with the Design Guidelines for Historic Districts and Historic Sites prior to submitting the final HDDR application. Moreover, to help influence the design, the applicant was informed that a Conditional Use Permit (CUP) would be required to construct a driveway within the platted, un-built Fifth Street ROW. The City Engineer was supportive of the use of the ROW to access the garage. The area consumed by the driveway and backing will be roughly 400 square feet. Additional area for backing is proposed due to traffic volumes on Marsac Ave. No parking will be provided on the driveway.

Following a staff decision on the HDDR application, which has not been submitted at this point, a final noticing and posting will occur for the construction of the proposed house. The applicant is waiting for final action by the BOA on the requested variances to the front and side setbacks as well as to the reduction from 2 parking spaces to one space, as well as final Planning Commission action on this Conditional Use Permit application, before finalizing the design. The current preliminary house design includes stairs to the main entry on the north side of the house. With or without the requested zero side set back a portion of the stairs is proposed to be located within the ROW, to the east of the driveway. The City Engineer has approved the driveway and stair location and requests an encroachment agreement for both the stairs and the driveway be submitted with the final design at the time of building permit application. If the side setback variance is not granted the proposed stairway will still be within the ROW/

The application was initially submitted on December 31, 2012, and deemed complete upon receipt of the survey, revised site plan and revised preliminary house on March 4, 2013. A variance application was submitted concurrently requesting a variance to allow 1 parking space on-site as well as variances to the front and north side setbacks.

Analysis

The Land Management Code (15-3-5) sets the following standards of review for the construction of private driveways within platted, un-built City streets.

(A) The driveway shall not exceed ten percent (10%) Slope.

Complies. The proposed driveway is 2.8% slope and does not exceed 10%.

(B) Adequate snow storage area along the downhill side and/or end of the driveway shall be provided.

Complies. There is adequate snow storage located on the landscaped area to the east end of the driveway, also within the ROW. There is also an additional landscape area to the north of the driveway that can be utilized for snow storage. The preliminary landscape plan identifies sufficient snow storage areas.

(C) The driveway must be paved with asphalt or concrete.

Complies. The driveway is proposed to be paved with decorative concrete pavers, which tend to be more porous in nature.

(D) The driveway must not pre-empt any existing physical parking which may occur in the platted Street. If the platted Street has been improved to provide Public Parking, then any driveway proposal must replace such parking with new Public Parking of equal or better convenience and construction.

Complies. The City Engineer has determined that there is no formal public parking within the Fifth Street ROW in this location and it is not a desirable location for public parking due to safety concerns with cars backing onto the State Highway. There are property owners on Marsac Avenue who regularly use a portion of the vacant lot for parking, and it appears that a portion of the paved head in parking for the property to the north is located on a portion of the ROW. The paving will not be impacted with construction of the proposed driveway for 488 Marsac Ave. The City Engineer has determined that the existing area is not considered “existing physical parking” in part because the area is not paved and in part because the grading was not permitted, and in part because this is not a desirable location for parking due to safety concerns.

(E) The driveway and related improvements such as any retaining walls shall be designed and built to minimize present and future conflicts with public utilities and stairs.

Complies. The driveway and related improvements are designed to minimize conflicts with utilities. The applicant agrees to relocate the existing traffic sign, or coordinate relocation of it with UDOT as necessary; the plans do not indicate the need for relocating utilities or retaining walls within the ROW for the driveway.

(F) The driveway construction requires a Conditional Use Permit, Section 15-1-10.

Complies. This application is for the Conditional Use Permit. The Planning Department and/or Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use, as conditioned, mitigates impacts of and addresses the following items:

(1) size and location of the Site;

No unmitigated impacts.

The Conditional Use Permit is for construction of a private driveway within a portion of platted, un-built Fifth Street. The driveway is approximately seventeen feet (17') in depth from Marsac Avenue and varies from fourteen feet (14') in width at its mouth on Marsac Avenue to twelve (12') in width in front of the proposed garage door. There is sufficient area to construct a useable driveway and off of Marsac Avenue. The location of the driveway facilitates a side access garage, and minimizes impacts of a garage within the historic district.

(2) traffic considerations including capacity of the existing Streets in the Area;
No unmitigated impacts.

The driveway will not affect the capacity of Marsac Avenue or other Streets in the Area. The neighbors unsanctioned use of the vacant lot at 488 Marsac Avenue will require them to park their cars either in their driveway or off-street at China Bridge. The driveway allows safer access onto Marsac Avenue as a driveway directly onto Marsac from the west side would require backing out onto Marsac.

(3) utility capacity;
No unmitigated impacts.

There are currently no utilities located on the ROW portion of the site. The proposed driveway would not preclude installation of utilities in the ROW in the future.

(4) emergency vehicle Access;
No unmitigated impacts.

The driveway is accessed from Marsac Avenue and there are no proposed changes to the current emergency vehicle access along Marsac Avenue.

(5) location and amount of off-Street parking;
No unmitigated impacts.

The neighbors currently use the vacant lot at 488 Marsac for unsanctioned parking. Thus, there will likely be two vehicles removed from this lot and forced to park either in the driveway at 484 Marsac or across the street at China Bridge.

(6) internal vehicular and pedestrian circulation system;
No unmitigated impacts.

The proposed driveway consumes an area roughly nineteen feet (19') wide and twenty-two feet (22') in length. The driveway will provide access to a single car garage. The application also requests an area within the ROW of sufficient area to provide for backing to allow cars to enter Marsac Avenue front first. A typical driveway on Marsac Avenue requires backing onto the street, despite the elevated traffic volumes that occur during peak times of the day (i.e. 5pm).

(7) fencing, Screening, and landscaping to separate the Use from adjoining Uses;

No unmitigated impacts.

The proposed driveway will require a landscape plan that includes the driveway area, backing area and the front of the proposed house at the time of the building permit application to help screen and mitigate the visual impact of the driveway and parking area. This is required by the Design Guidelines for Historic Districts and Historic Sites. There is a clump of trees that may need to be trimmed or removed and replaced with higher quality street trees as part of the final landscaping of the ROW area. Staff is suggesting a condition of approval that the entire ROW from Marsac to Ontario be included in the landscape plan.

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;

Not applicable.

There will be no Buildings constructed on the proposed ROW, only a driveway and a portion of the front staircase.

(9) usable Open Space;

No unmitigated impacts.

The driveway is sixteen feet (16') wide at Marsac Avenue and within the Fifth Street ROW. The driveway is approximately nineteen feet (19') in length across the south property line. A landscaped buffer between the driveway and the northern edge of the Fifth Street ROW property line is recommended by staff. The impacted areas of the ROW will be landscaped and maintained by the property owner. The remainder of the ROW will be cleaned up, removing dead vegetation, and planting additional drought tolerant trees and grasses.

(10) signs and lighting;

Not applicable.

There will be no Buildings constructed on the proposed ROW, only a driveway and a portion of the front stairs. If any lighting or signs are to be installed, they must be approved through an HDDR prior to installation.

(11) physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

No unmitigated impacts.

There will be no Buildings constructed on the proposed ROW, only a driveway and a portion of the stairs. The driveway design will be reviewed for scale, style, materials, detailing, and compatibility with the architecture of the house as part of the Historic Design Review.

(12) noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

No unmitigated impacts.

There will be no structure constructed on the proposed ROW, only a driveway and a portion of the stairs. There will be no noise, vibration, odors, steam or other mechanical factors that might affect people and Property off-site, as a result of the use of the ROW for a private driveway.

(13) control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

No unmitigated impacts.

Delivery and service vehicles will be able to use the driveway to service the house. Trash pickup is at the street from the houses along Marsac Avenue.

(14) expected Ownership and management of the project as primary residences,

Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities; and

No unmitigated impacts.

The City will maintain ownership of the ROW with an Encroachment Permit designating maintenance of the driveway as the responsibility of the 488 Marsac Avenue property owners. The property owners will also be responsible for the landscaping associated with the driveway, to include the area of the ROW for a distance of 53' from Marsac Avenue equivalent to the depth of the adjacent lots (75').

(15) within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site.

No unmitigated impacts.

The site is not within the Sensitive Lands Overlay. Given the proposed location of the house and topography, the driveway is in an appropriate location. The driveway design shall take into consideration storm water drainage and the utility plans shall identify how the storm water will be handled so as to not impact adjacent and downstream properties. The site is within the Park City Soils Ordinance boundary and staff recommends a condition of approval that a soils plan be submitted for approval by the City prior to issuance of a building permit to identify a plan for soils removal and/or remediation on site.

(G) An Encroachment Permit for the driveway is required.

Complies. The City Engineer has the authority to grant an Encroachment Permit for the driveway. The City Engineer has reviewed the proposal, visited the site, and provided input at the Development Review Committee meeting that an encroachment permit can be granted for the driveway, subject to approval of the Conditional Use Permit, and Historic District Design Review. The Staff recommends a condition of approval that the encroachment agreement be recorded prior to building permit issuance for the house.

(H) Private utilities, including snow melt devices, within the platted City Street require approval by the City Engineer.

Complies. Any private utilities and snowmelt devices are subject to an Encroachment Permit and approval by the City Engineer according to a standard snowmelt agreement review process conducted by the City Engineer.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time. A final utility plan, including storm water plan, will be required to be reviewed with the building permit and which shall have been approved by the City Engineer prior to issuance of a building permit. An Encroachment Agreement and Snow Melt Agreement with the City Engineer are required prior to issuance of a building permit. A final Historic District Design review and approval is required prior to issuance of a building permit. The landscape plan shall be reviewed with the HDDR.

Notice

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

Public Input

Staff has not received any public input on the proposed CUP at this time.

Alternatives

- The Planning Commission may approve the Conditional Use Permit as conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the Conditional Use Permit.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The property owners at 488 Marsac would not be able to provide a side access garage for the proposed house. The applicant could submit a request for a garage under the proposed house with access directly from Marsac Avenue.

Future Process

The Planning Commission takes final action on Conditional Use permit applications. Approval or denial of a conditional use permit may be appealed according to LMC Section 1-18. Prior to building permit issuance, approval of a Historic District Design Review application is required and any conditions of approval of the CUP must be met. Approval by the Board of Adjustment of a variance to the required parking, to allow one space instead of two, is a condition precedent to issuance of a building permit for the house and driveway as proposed in this application. Approval of a variance to the front and north side setback requires is also required prior to issuance of a building permit, unless the design is modified to meet the setbacks.

Recommendation

Staff recommends the Planning Commission conduct a public hearing, review the proposed CUP for a driveway in a platted, un-built City Right-Of-Way (Fifth Street), and consider approving the CUP according to the findings of fact, conclusions of law, and conditions of approval outlined in this report.

Findings of Fact

1. The property is located at 488 Marsac Avenue.
2. The zoning is Historic Residential (HR-1).
3. The lot at 488 Marsac Avenue is currently undeveloped.
4. The property is located on Lot 16, Block 55 of the Park City Survey. Lot 16 is .04

acres and contains approximately 1,742 square feet. It is adjacent to the platted and un-built right-of-way (ROW) for Fifth Street.

5. Fifth Street ROW to the north of 488 Marsac Avenue is un-built. The ROW is undeveloped and contains a clump of box elder trees, grasses and weeds.
6. The site is located within the City's Soils Ordinance boundary.
7. On August 16, 2012, the applicant submitted a pre-HDDR application for a house to be located on the undeveloped lot at 488 Marsac Avenue. The pre-application was reviewed by the Design Review Team on August 29, 2012. The applicant was encouraged to pursue the side facing garage design with access from Fifth Street to comply with the design guidelines and was also informed that a Conditional Use permit would be required to construct a driveway within the platted, un-built Fifth Street ROW. Revised plans were submitted in February, March and April at the request of Staff to meet the application requirements and comply with the design guidelines. A full HDDR application is required and has not yet been submitted.
8. The Design Guidelines encourage garages to be located above, below, or adjacent to the primary living space, its visual impact should be minimalized. The proposed garage is located beneath the front portion of the house, with a side entrance facing away from Marsac Avenue. The side access from the Fifth Street ROW minimizes impacts of the garage on the front façade and streetscape and maintains the character of the neighborhood.
9. The proposed staircase provides access to the main entry and porch, being one floor above the garage. This design change was encouraged by staff to better comply with the design guidelines.
10. The proposed driveway has a 2.8% slope. The property does not have a slope of 30% or greater and a Steep Slope conditional use permit is not required.
11. The driveway is approximately fourteen feet (14') wide at its mouth along Marsac Avenue. From the southwest corner of the mouth, the driveway curves and enters the proposed garage at a width of twelve feet (12'). From the southeast corner of the garage entrance, the driveway extends three feet (3') north before widening eight feet (8') east to allow a backing area. The proposed driveway takes up approximately 400 square feet of the ROW. The additional back up area is required to allow front access to Marsac Avenue, a State Highway in this location.
12. There is adequate area for snow storage to the east of the proposed driveway to be identified on the landscape plan and taken into consideration on the utility and storm water plan submitted with the building permit.
13. The driveway and related improvements are designed to minimize present and future conflicts with public utilities and existing Marsac Avenue.
14. The staff findings in the Analysis section of this report are incorporated herein.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code.
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The plan shall include a phasing, timing, staging, and coordination of construction with adjacent projects to address mitigation of neighborhood impacts due to the volume of construction in this neighborhood.
3. City Engineer review and approval of all construction, including grading, utility installation, public improvements and storm drainage plans, and all construction within the ROW, for compliance with City standards, is a condition precedent to building permit issuance.
4. Snyderville Basin Water Reclamation District review and approval of the utility plans for compliance with SBWRD standards and procedures, is a condition precedent to building permit issuance.
5. No building permits shall be issued for this project until the final plans for the proposed house are reviewed and approved by the Planning Department staff for compliance with the Design Guidelines for Historic Districts and Historic Sites.
6. A Historic District Design application shall be submitted prior to submittal of a building permit application.
7. A final landscape plan shall be submitted for approval by the Planning Department prior to issuance of a building permit for the house and driveway. The landscaping shall be complete prior to issuance of a final certificate of occupancy for the house. The landscape plan shall provide mitigation of the visual impacts of the driveway and mitigation for removal of any existing Significant Vegetation. Prior to removal of any trees, an arborist report shall be provided to the Planning Department for review. The arborist report shall include a recommendation regarding any Significant Vegetation proposed to be removed and appropriate mitigation for replacement vegetation.
8. An Encroachment Agreement for the driveway and portion of the entry stairs is a condition precedent to issuance of a Building Permit to be approved by the City Engineer as to content and by the City Attorney as to form. The Agreement shall include requirements for driveways, utilities, snowmelt system and maintenance of such items, including landscaping and retaining walls. Pervious paving/pavers are recommended in order to reduce the amount of run-off onto Marsac Avenue, with final materials to be determined by the City Engineer.
9. The driveway shall only be used for driveway access to the garage for 488 Marsac Avenue and for required backing area to allow access without having to back onto Marsac Avenue. No parking would be permitted within the ROW.
10. The applicant/property owner is responsible to maintain all landscaping associated with the driveway and within the ROW from the edge of Marsac Avenue to a depth equal to the rear lot line of 488 Marsac Avenue.
11. A soils plan is required to be submitted with the Building Permit application for review and approval by the City for compliance with the Park City Soils Ordinance prior to issuance of a building permit. The soils plan shall address removal of any soils from the site, including the ROW, and shall identify a certified soils receiving location. Soils remaining on site shall be capped in accordance with requirements of

the Soils Ordinance.

12. Approval of a variance to allow only one parking space for the proposed single family house to be constructed at 488 Marsac Avenue is a condition precedent to approval of a building permit for both the house and the driveway within the ROW.
13. The applicant stipulates to these conditions.

Exhibits

Exhibit A- Site plan, Survey of 488 Marsac, preliminary elevations

Exhibit B- Photo of site

PROJECT TITLE

CABIN

JOB ADDRESS:
488
MARSAC AVE.
PARK CITY, UT.
MR. & MRS.
ALEXIS GEORGIAN

221 E. GLENDALE BLD
SUITE # 230
GLENDALE CA 91207
PHONE (918) 265 3880
FAX (918) 265 3881

KAREN KAPURAN ARCHITECT



SHEET TITLE

SITE PLAN

JOB NO.	KA TEAH
DRAWN BY	KA
CHECKED BY	KA
REVISION	REV-0
DATE	02/22/12
PRINT DATE	SEE STAMP

SHEET NUMBER

A-11

OF-- SHEETS :--

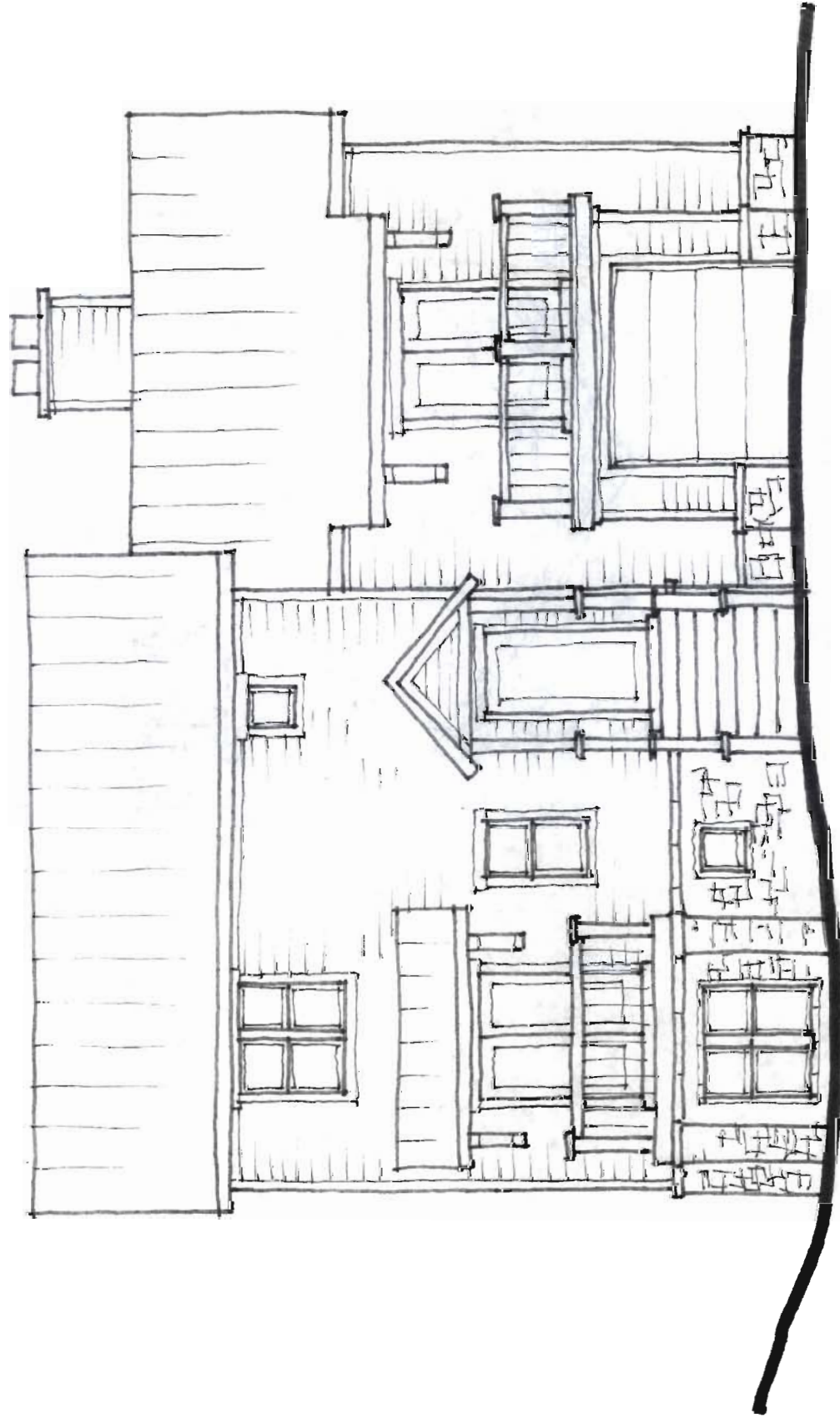
RECEIVED
DEC 31 2012
PARK CITY
PLANNING DEPT.



① SITE PLAN

SCALE 1/4" = 1'

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NORTH ELEVATION



WEST ELEVATION

PROJECT TITLE
CABIN

JOB ADDRESS:
**488
MARSAC AVE.
PARK CITY, UT.**

MR. & MRS.
ALEXIS GEORGIAN



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**KARREN
KHOURDAFAN**
ARCHITECT

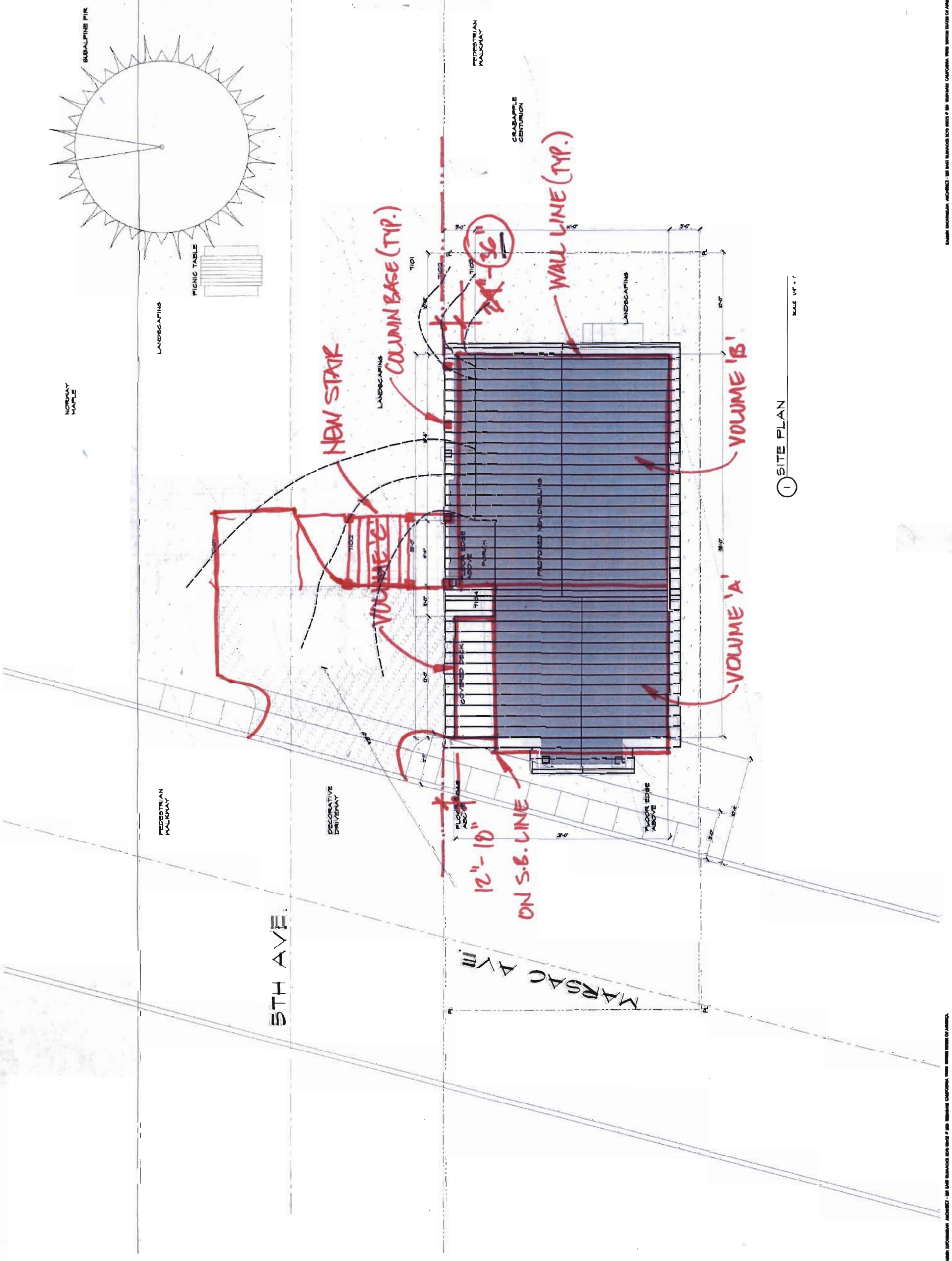
221 E. GLENDALE BLD
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SHEET TITLE
SITE PLAN

JOB NO.:	KA TEAM
DRAWN BY:	KA
CHECKED BY:	KA
REVISION:	REV-0
DATE:	02/22/12
PRINT DATE:	SEE STAMP

SHEET NUMBER
A-11

SHEETS 1 - 05



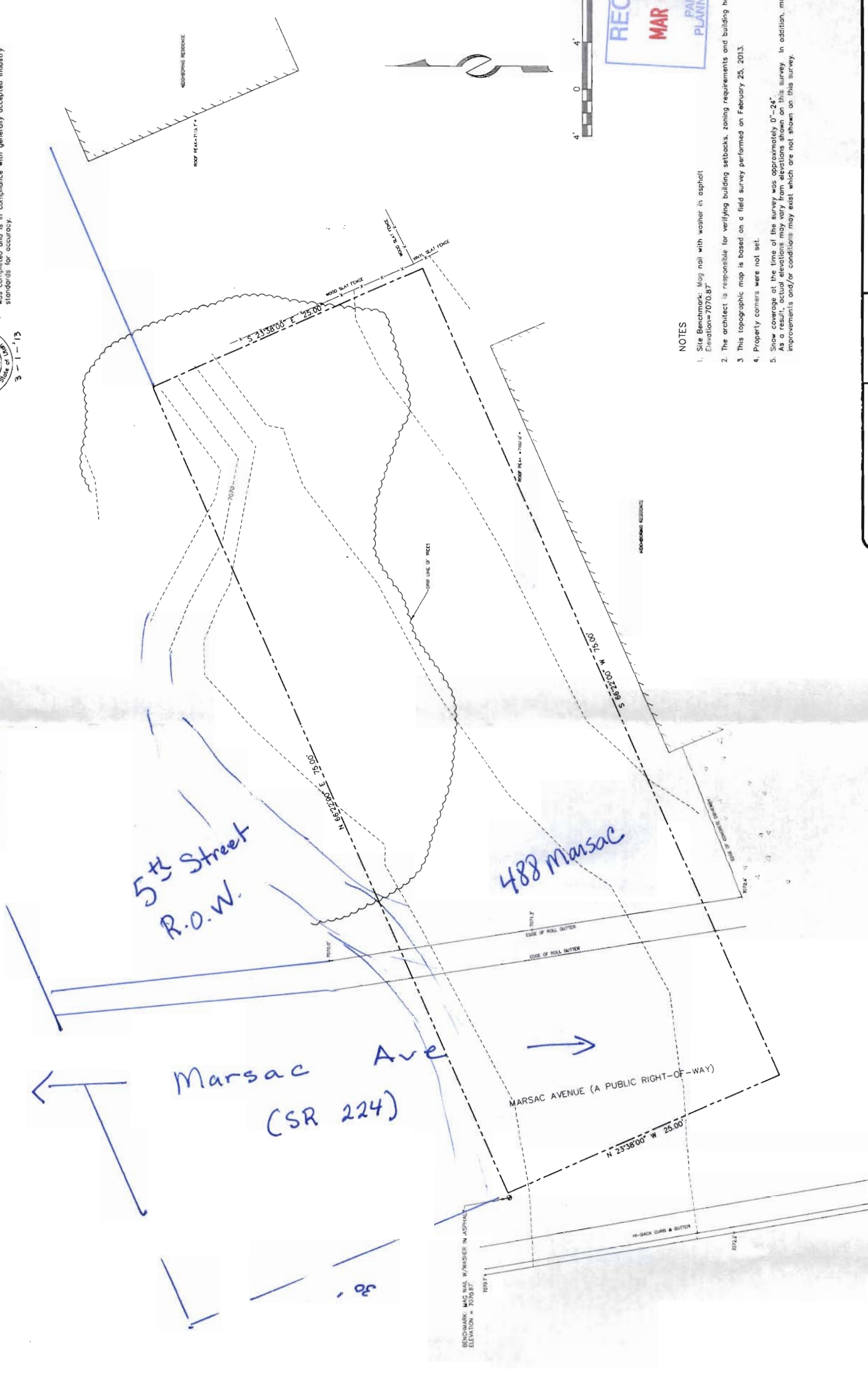
① SITE PLAN
SCALE 1/4" = 1'

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a true and correct copy of the original survey as shown on the work was completed and is in compliance with generally accepted industry standards for accuracy.



3-1-13
Marty Morrison



NOTES

1. Site Benchmarks: Mfg nail with washer in asphalt. Elevations=7070.87'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on February 25, 2013.
4. Property corners were not set.
5. Snow coverage at the time of the survey was approximately 0"-24". As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.

<p>(435) 642-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2814, Park City, Utah 84302-2814</p>	<p>STAFF: MARSHALL KING MARTY MORRISON</p>	<p>SHEET 1 OF 1</p>
	<p>EXISTING CONDITIONS AND TOPOGRAPHIC MAP 488 MARSAC AVENUE LOT 16, BLOCK 55, PARK CITY SURVEY</p> <p>FOR: AMG & ASSOCIATES, LLC JOB NO.: 3-2-13 FILE: X:\ParkCitySurvey\dwg\src\lppc2013\030213.dwg</p>	





Planning Commission Staff Report

Subject: Bonanza Park Form Based Code and Regulating Plan
Author: Katie Cattan, AICP Senior Planner
Department: Planning
Date: May 22nd, 2013
Type of Item: Legislative: Zone Change and Addition of Form Based Code to Land Management Code

Summary Recommendations:

The purpose of this meeting is to review the draft Form Based Code (FBC) and receive direction on requested discussion points influencing the draft FBC and FBC Regulating Plan.

Topic/Description:

The City hired Gateway Planning to draft a Form Based Code for the Bonanza Park District. If adopted, the draft FBC and Regulating Plan will replace the current zoning within the Bonanza Park District.

Background:

On March 22, 2012, the City Council awarded a contract to Gateway Planning to develop the Form Based Code for the Bonanza Park District. On April 5th & 6th, 2012, Gateway Planning hosted a series of stakeholder meetings for property owners, residents, and businesses within the Bonanza Park District to discuss future redevelopment in the area and introduce the concept of form based code. Gateway Planning returned to Park City to work with staff on refinement of the illustrative (site) plan based on the community input. An Open House was held on May 1, 2012. During the Open House, Gateway Planning and staff presented different options of the illustrative plan and introduced the concept of character zones within the District. The October 24, 2012 draft regulating plan was based on the feedback of the public, stakeholders, Planning Commission, and City Council during the prior two (2) visits.

On October 24, 2012, Gateway Planning presented the first draft of the FBC during a joint Planning Commission and City Council work session. Gateway Planning presented an overview of how Form Base Code is administered and provided examples of how the code is applied. The draft Bonanza Park FBC presented on October 24, 2012 was approximately 70% complete. The full document will be presented to Planning Commission during the May 22, 2013 meeting and a public hearing will be held. (Exhibit A)

On May 8th, 2013, the Planning Commission held a work session to discuss key policy questions regarding the Area Plan and the form based code. Specifically, the Planning Commission discussed (1) modifications to the Regulating Plan layout; (2) size of businesses and concern for big box business; and (3) height above three stories. The Planning Commission provided direction to staff supporting modifications in the

regulating plan layout and strategies to address larger store tenant space. The Planning Commission requested that the discussion on height not be considered until the commission had the opportunity to observe 3, 4, and 5 story buildings in the field.

The Planning Commission and City Council held a joint work session on May 9th, 2013 to outline the schedule for review of pending long-range planning documents including the Bonanza Park Area Plan and the General Plan. During the May 9th joint work session, the City Council and Planning Commission requested that a second joint meeting be held on May 16th to review many of the policy questions surrounding the enhanced options for height within the Bonanza Park Area Plan. There has been growing concern on how 4 and 5 story buildings may impact Park City's core value "Small Town". During the May 16, 2013 joint meeting, Staff is requesting direction on the enhanced option of height's applicability to: affordable housing; open space; transfer of development rights (TDR) credits; and net zero carbon buildings. Staff will review the direction given during the May 16, 2013 joint meeting within the staff presentation at Planning Commission on May 22, 2013.

Analysis

Understanding the relationship between the Area Plan, FBC and the Regulating Plan

Bonanza Park Area Plan: The draft Bonanza Park Area Plan was released in January 2012. It is the long range planning document for the Bonanza Park District. The Bonanza Park Area Plan outlines future principles that will be incorporated into the redevelopment of the area. It also outlines policy for the appropriate tools in which to achieve the desired outcomes. Cu The Bonanza Park Area Plan supports public/private partnership within redevelopment to achieve the 10 guiding principles. The Bonanza Park Area Plan will replace the existing Bonanza Park supplemental section to the existing General Plan.

Form Based Code: The Park City Planning Department recommends adoption of a Form Based Code (FBC) in the Bonanza Park District to create continuity of building form and the public realm throughout the district. Currently, the district lacks street and pedestrian connectivity and a defined neighborhood "sense of place". There is a hodgepodge of standalone commercial and residential development that does not flow like a traditional neighborhood. By adopting a FBC district wide, the district will evolve with niche neighborhoods of residential, mixed-use, and resort oriented areas with a strong sense of place due to pattern making within the public realm. Elements influenced by the FBC within the public realm include trails, sidewalks, bike lanes, pocket parks, and central gathering space. The aesthetic of the district and user experience will improve due to regulations guiding building form which influence the pedestrian experience. The FBC regulates the specific standards for the Character Zones, Street Designations, Open Space/Civic Space Designation, and Special Frontage Standards identified on the Regulating Plan.

Bonanza Park Regulating Plan: The Bonanza Park Regulating Plan will be adopted as an amendment to the official zoning map of Park City. The Regulating Plan will supersede the present General Commercial, Industrial, and Estate Zoning Districts within the Bonanza Park District. Within any area subject to the approved Regulating Plan, the FBC becomes the exclusive and mandatory regulation. The Regulating Plan establishes Character Zones, Street Designations, Open Space/Civic Space Designations, and Special Frontage Standards.

Prior to adopting the FBC, the Bonanza Park Area Plan must be adopted as a supplement section of the General Plan, replacing the existing 2006 Bonanza Park supplemental section. During a joint Planning Commission and City Council work session on May 9, 2013, staff was directed to prioritize edits to the Bonanza Park Area Plan. The Bonanza Park Area Plan is available online at <http://www.parkcity.org/index.aspx?page=773>.

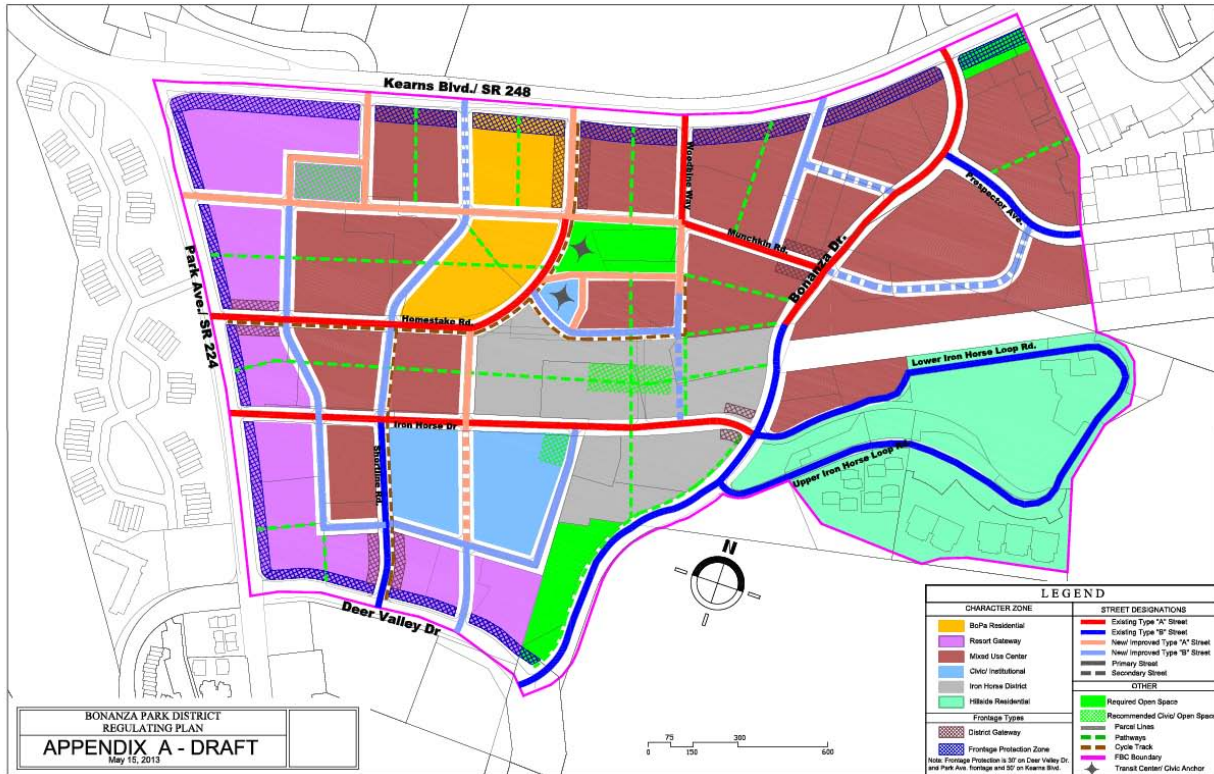
During the May 22, 2013 Planning Commission meeting, Gateway Planning will focus on the draft FBC and Regulating Plan. Direction provided during this meeting will assist Gateway Planning in edits of the draft FBC prior to their return in August 2013.

Regulating Plan

During the October 24, 2012 joint City Council and Planning Commission work session, concerns were raised regarding the changes to the street layout and pedestrian pathways introduced within the Bonanza Park Area Plan (January 2012) and the amended street layout and pedestrian pathways proposed regulating plan for the Form Based Code (October 2012). The concerns focused on the removal of the interior pedestrian pathways and the dual purpose they achieve in pedestrian connectivity and protecting view corridors.

Planning Commission discussed the layout of the regulating plan during the May 8, 2013 work session. During the work session property owners in the district presented requested modifications to the layout and character zone changes. Public comment from existing property owners included a repeated request to maintain existing residential as pure residential without a mixed use component and maintain the open space within existing residential developments.

Planning Commission directed staff to (1) amend the regulating plan to maintain existing residential – removing the mixed use component, (2) incorporate the suggested modifications of the property owners within the regulating plan, and (3) create increased, meaningful open space throughout the district. Staff has incorporated this direction into the draft regulating plan. The modified May 16, 2013 draft regulating plan is included as Exhibit B and shown below.



Character Zones

There are five (5) proposed character zones within the BoPa-FBC. They are as follows:

Mixed Use Center – This Character Zone is intended to accommodate a variety of higher intensity uses related to entertainment, resort services, employment offices, education, and urban residential. The goal of the zone is to create an area that sustains itself both on and off peak tourist times and establishes itself as a true center of Bonanza Park.

Resort Gateway – This Character Zone is intended to be the location for resort services and resort hotels along the major entrance corridors into Bonanza Park. As the gateway of the Park City when coming into town, or going to mountain facilities, the resort gateway zone identifies the preferred location within the Bonanza Park District to stay, dine and shop. The goal for this zone is to be an appropriate entryway to the City and the Bonanza Park area by expressing a resort character.

Neighborhood Residential – The Neighborhood Residential zone is intended to provide for a range of residential types including townhomes, duplexes, patio homes, garden apartments, etc.) that take advantage of the natural features within Bonanza Park. Development standards in this character zone emphasize shared common areas among medium density residential design.

Hillside Residential – Based on the May 8th Planning Commission direction, the Hillside Residential character zone will be added to character zones. This will include the residential condominiums on Iron Horse Loop. The area is characterized by steep slopes with high density residential.

Iron Horse Industrial Arts – This Character Zone is intended to foster a range of light industrial arts, services, and design elements, while continually transitioning into a local arts neighborhood with urban living in an eclectic lifestyle that is reflective of the industrial roots of this section of Bonanza Park. The goal is to provide urban residential neighborhood and maintain a place within the city limits for light industrial professional services.

Each Character Zone has regulations which are tailored to them to create a unique aesthetic for each character zone in the district. The Form Based Code regulates the following within each character zone:

- Uses (see table 4.1 in FBC Code)
- Building Placement
 - Build to Lines
 - Setbacks
 - Required minimum building frontage based on Street Type
- Building Height
 - Maximum Heights
 - Minimum Floor Heights
- Commercial Frontage Requirements
- Parking and Service Access
- Block Standards (Minimum/Maximum width and area)

Planning Commissioner Hontz raised concern for snow storage within the draft FBC. The first draft of the FBC identified a minimum build-to zone of zero (0) within some character zones. In response to snow storage, Staff requested that all street frontage have a required snow storage area of five (5) feet, increasing the build-to zone to a minimum of five (5) feet in all zones. This increases the setbacks from zero (0) to five (5) feet in all character zones.

The May 22nd, 2013, Planning Commission will focus on the following chart and the differences between the character zones.

Comparison of Character Zones					
	Mixed Use Center	Resort Gateway	Iron Horse	Neighborhood	Hillside Residential
Use	See table 4.1	See Table 4.1	See Table 4.1	See Table 4.1	TBD
Building Placement					
Build to Line					
Frontage Protection Zone					
Park Ave.	30' – 40'	30' – 40'	n/a	n/a	
Kearns Blvd.	50' – 75'	50' – 75'	n/a	50' - 75'	
Deer Valley Dr.	n/a	30' – 40'	n/a	n/a	
A Street	5' – 10'	5' - 15'	10' - 30'	10' - 30'	
B Street	5' – 15'	5' - 20'	10' - 30'	10' - 30'	
Setbacks					
Alley	5' min	5' min	5' min	5' min	
Side	0' min	0' min	0' min	0'	
Rear	5' min	5' min	5' min	5' min	
Building Frontage					
Type A or Civic Space	90% min	80% min	60% min	50% min	
Type B, Park Ave, and Kearns Blvd.	70% min	50% min	40% min	10% min	
Building Frontage Required along Alley	None	None	None	None	

	Mixed Use Center	Resort Gateway	Iron Horse	Neighborhood Residential	Hillside Residential
Principle Building Standards					
Building Maximum	3 stories and 35'	3 stories and 35'	3 stories and 35'	3 stories and 35'	
Enhanced Height Option Maximum	5 stories and 60' DISCUSSION	5 stories and 60' DISCUSSION	5 stories and 60' DISCUSSION	5 stories and 60' DISCUSSION	
First Floor Height	12' minimum commercial-ready	12' minimum commercial-ready	12' minimum commercial-ready	12' minimum commercial-ready	
	10' minimum non-commercial	10' minimum non-commercial	10' minimum non-commercial	10' minimum non-commercial	
Ground Floor Finish Level	12 inches max above sidewalk (commercial ready)	12 inches max above sidewalk (commercial ready)	12 inches max above sidewalk (commercial ready)	12 inches max above sidewalk (commercial ready)	
	18 inches max for residential buildings	18 inches max for residential buildings	18 inches max for residential buildings	18 inches max for residential buildings	
Upper Floor Heights	10' minimum	10' minimum	10' minimum	10' minimum	
Accessory Building Standards					
	Same as principal bldg.	Same as principal bldg.	Same as principal bldg.	Height 2 stories Max; See specific requirements	
Special Frontage Requirement					
Commercial Ready Frontage	applies	n/a	n/a	n/a	
Frontage Protection Zone	applies	applies	n/a	applies	

	Mixed Use Center	Resort Gateway	Iron Horse	Neighborhood Residential	Hillside Residential
Lot and Block Standards					
Lot Standards	No minimum or max	no minimum or max	2,000 sf minimum; no maximum	2,000 sf minimum; no maximum	
Block Standards	Shall meet the block standards as established in regulating plan	Shall meet the block standards as established in regulating plan	Shall meet the block standards as established in regulating plan	Shall meet the block standards as established in regulating plan	

Focus of Discussion for May 22, 2013 Planning Commission Meeting

Staff requests that the Planning Commission provide direction to staff on the first three (3) discussion points below.

1. Differentiation in Character Zones

During the October 24, 2012 joint work session, concern regarding differentiation between the Character zones was raised. Staff has begun working with Gateway Planning to make modifications to the character zones in order to create more diversity within the district. Gateway Planning will focus the discussion of creating different identity within the character zones during the May 22nd Planning Commission meeting. To prepare for this meeting staff recommends that Planning Commissioners spend time in the district prior to the meeting observing existing setbacks, height, layout, connectivity, and character of the proposed character zones. Discussion will focus on setting different standards within the various character zones. For instance, additional height allowances could be limited to specific areas of the district that are not within the entry corridor or are not within view corridors of the mountains.

Discussion Requested: Staff requests discussion and direction on the Character Zones including physical layout, height, and uses.

2. Regulating Plan

The Bonanza Park Regulating Plan will replace the existing zoning on the official Park City zoning map, once adopted. Staff had modified the regulating plan to incorporate the direction provided during the May 8, 2013 Planning Commission work session. Staff request discussion on the current draft regulating plan. (Exhibit B)

Discussion Requested: Staff requests discussion and direction on the regulating plan including the layout of character zones, open space, streets, and pathways.

3. Future Subdivisions and Lot Size

When one compares different mixed use areas and ponders what makes one authentic and the other a lack thereof, it is apparent that not only diversity in building form but also frontage, lot sizes, and evolution in build-out influence authenticity. Form based code attempts to reintroduce traditional building form, yet without minimum frontage requirements and minimum/maximum lot sizes, staff has concern for creating a truly authentic district over time. To assist in this effort staff has requested that Gateway Planning begin to articulate how the area could be further subdivided to create lot patterns within the districts. Minimum frontage requirements and minimum/maximum lot sizes have been included in the current draft.

Discussion Requested: Staff requests discussion and direction on future lot sizes within the character zones.

Next Steps:

Planning Commission review of the Bonanza Park Area Plan is a staff priority. The Bonanza Park Area Plan must be adopted prior to the creation of the Community Development Area (CDA). Staff plans to begin moving forward on the creation of a CDA in August of 2013. The following table outlines the future Planning Commission and City Council meetings for review of the Bonanza Park Area Plan which was agreed to at the May 9th joint meeting.

Review Calendar for PC and CC for BoPa Area Plan and FBC		
May 16 th	PC & CC	Joint policy discussion on enhanced options of Bonanza Park Area Plan
May 22 nd	PC	Form Based Code with Gateway Planning
June 12 th	PC	Bonanza Park Area Plan review #1
June 26 th	PC	Bonanza Park Area Plan review #2
July 10 th	PC	Bonanza Park Area Plan review #3. Recommendation to CC
July 25 th	CC	Bonanza Park Area Plan review & possible adoption by City Council
August 1 st	CC	Bonanza Park Area Plan adoption by City Council (if not adopted 7/25)

Street layout and Streets Master Plan

Prior to the adoption of the Form Based Code, the Streets Inventory that is part of the Traffic and Transportation Master Plan must be amended to reflect the future right-of-way recommendations in the Regulating Plan.

Affordable Housing Resolution

Prior to the adoption of the Form Based Code, City Council would need to amend the housing resolution to include an option within the Bonanza Park district to allow the attainable housing option presented within the Bonanza Park Area Plan and the draft BoPa-FBC.

Summary Recommendations:

Staff recommends that the Planning Commission review the draft Bonanza Park Form Based Code and the Bonanza Park Regulating Plan, and provide staff with direction on the requested discussion points.

Exhibits

Exhibit A – Draft Bonanza Park Form Based Code

Exhibit B – Draft Regulating Plan

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Title 15, Chapter 2.25 Bonanza Park Form-Based Code (BoPa-FBC)

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Comment [KC1]: Thomas comment: need photos and illustrations throughout.

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1.0 Introduction

This document provides the implementation tools that address the rules for new development and redevelopment consistent with the Bonanza Park Area Plan supplement to the General Plan. Excerpts from the Area Plan are used throughout the document to provide guidance to property owners, applicants, and developers on the vision for the area.

1.1 Purpose and Intent

The purpose of the Bonanza Park Form-Based Code (BP-FBC) is to implement the vision of improved connectivity through a pedestrian oriented, mixed-use neighborhood in which local residents live, work, and play, by:

- (a) Providing increased attainable housing opportunities;
- (b) Incentivizing community benefits;
- (c) Creating authenticity through placemaking, human scale, and individualized contemporary design; and
- (d) Promoting economic development.
- (e) Promoting environmental stewardship
- (~~d~~)f) Maintaining the connections to the Natural Setting

Comment [KC2]: Thomas Comment: Is this strongly defined later? Needs to be. Differentiation of buildings in terms of bldg. materials, heights, uses, etc.

Therefore, the goals of the Bonanza Park FBC are to provide a more functional and dense community through the use of recognized principles of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design, form, and the public realm.

1.2 Relationship to Adopted Plans

The Bonanza Park FBC implements the following planning principles for the Bonanza Park District, as follows:

- (a) Reconnect to the history of this locale.
- (b) Take a collaborative partnership approach to redevelopment between the City, property owners, local residents, and business owners within the district.
- (c) Actively promote inward migration into the redevelopment area rather than passively allowing outward migration and sprawl.
- (d) Protect view corridors and the connection to the mountains.
- (e) Improve internal circulation and enhance connectivity to the surrounding mobility systems.
- (f) Redevelop utilizing future-oriented, environmentally-conscious development practices.
- (g) Maintain the area as a commercial district with special emphasis on fostering economic development within the local resident population and existing businesses.
- (h) Establish the Bonanza Park District as a neighborhood where locals to live, work, and play.
- (i) Address the housing and social needs of the neighborhood's diverse population.
- (j) Create an authentic and lively district through design and attention to the public realm.

Comment [JN3]: Need PC agreement on the substantive distinctions between the goals and intent of the different character zones (Katie to clean up the spreadsheet and add images for clarity). In addition, get guidance on the appropriate names for the different character zones.

2.0 Components of the Code

2.1 **Regulating Plan:** The Bonanza Park District Regulating Plan (Appendix A) is hereby adopted as the official zoning map for the District. Within any area subject to the approved Regulating Plan, this BOPA-FBC becomes the exclusive and mandatory regulation.

- (a) Establishment of Character Zones

The Regulating Plan (Appendix A) establishes the following Character Zones.

Comment [KC4]: Not sure of the correct place for this, but I did not see the recommendations on character zones design explanation, recommended materials, and roof design. This may be the appropriate place to add the explanation of the character zones design.

- i. Mixed Use Center —The Mixed Use Center zone is intended to accommodate a variety of higher intensity uses related to entertainment, resort services, employment offices, education, and urban residential. The goal of the zone is to create an area that sustains itself both on and off peak tourist times and establishes itself as a true center of Bonanza Park. Development may include both larger scale projects that redevelop complete blocks and small scale, lot-by-lot, incremental redevelopment. Buildings in this Zone shall be characterized by development that represents the next generation Park City, which takes cues from Park City's past with appropriate scale, but begins a new paradigm of designing with contemporary, eco-conscious materials, solar orientation, and environmental best practices.
 - ii. Resort Gateway – The Resort Gateway zone is intended to be the location for resort services and boutique resort hotels along the major entrance corridors into Bonanza Park. As the gateway of the to Park City when coming-entering into town, or going to mountain facilities, the resort gateway zone identifies the preferred location within the Bonanza Park District to stay, dine and shop. The goal for this zone is to be an appropriate entryway to the City and the Bonanza Park area by expressing a primarily resort character. Future architectural style and design in this area should relate to the mountain resort character.
 - iii. Neighborhood Shopping – The Neighborhood Shopping zone is intended to serve the neighborhood-local shopping for Bonanza Park and surrounding areas with the necessary services and staples that any neighborhood requires. The goal is to provide services within walking distance from the district's urban residential, entertainment, resort tourism employment and other professional services in Bonanza Park. The goal is to encourage smaller scale, locally owned businesses and entrepreneurs. The buildings in this Zone should be designed similar to a traditional downtown area, with interactive storefronts on the first story and office/residential on the upper stories. Consistent with traditional urban form, symmetry and repetition is encouraged on the upper stories.
 - iv. Iron Horse ~~Industrial Arts~~ – The Iron Horse ~~Industrial Arts~~ zone is intended to foster a range of light industrial arts, services, and associated design elements, while continually transitioning into a local arts neighborhood with urban living in an eclectic lifestyle that is reflective of the industrial roots of this ~~section-area~~ of Bonanza Park. The goal is to provide-create an urban residential neighborhood and maintain a place within the city limits for light industrial professional services. The dominant architectural style is guided by the existing buildings along Iron Horse Drive that have a simple form. Materials are dominated by concrete block, metal siding, and metal roofs. The future design should be evolutionary, taking hints from the simple form with the introduction of new materials in adaptive reuse, additions, and new structures. Overall design should tie to the industrial past of the area and the railroad.
 - iv-v. Neighborhood – The Neighborhood zone is intended to provide for a range of urban higher density residential (live-work, townhomes, —duplexes, patio homes garden apartments, etc.) that also takes advantage of the natural features of Bonanza Park. Development standards in this character zone emphasize medium-higher density scale-urban residential uses and various residential building types.
- (b) **Street Designations** – The Streets within Bonanza Park shall be classified in three major ways. First, the *Street Cross Sections* shall address vehicular lane widths, number of lanes, pedestrian accommodation, street tree requirements, on-street parking, and

parkway and median standards (streetscape standards). These standards are laid out within the character zone itself. Second, *Street Type* designations shall classify the streets by their appropriate development context by denoting them on the Regulating Plan as Type “A” or Type “B” Streets. Lastly, *Street Priority* shall establish the phasing significance (primary and secondary) of different street segments within Bonanza Park. Refer to Section ~~7~~8.0 Street Design Standards for the detailed regulations.

- (c) **Open Space/Civic Space Designations** – Open Space and Civic Space within Bonanza Park shall be categorized as Required Open/Civic Space and Recommended Open/Civic Space. The detailed Open Space and Civic Space Standards for different open space types are included in Section ~~8~~9.0 of this Code. These standards include general character, typical size, frontage requirements, and typical uses.
- (d) **Special Frontage Standards** – The Special Frontage Standards establish exceptions and special conditions for all buildings along designated frontages. Special Frontage Standards shall ~~apply to~~ apply be applicable in addition to the underlying Character Zone standards.

2.2 **Development Standards:** The BOPA-FBC text portion of this Appendix enumerates the development standards with text and graphics for Character Zones, Frontage Types, building form, landscape, signage, and lighting.

2.3 Using This Document

The following basic steps should be followed to determine the uses and development standards applicable on property within the Bonanza Park District:

- i. Review the Table 3.1 to evaluate the applicability of the BOPA-FBC based on the scope of the proposed development.
- ii. Locate the subject property on the Bonanza Park Regulating Plan (Appendix E-1).
- iii. Identify:
 - i. ~~t~~he Character Zone in which the property is located;
 - ii. All Street Designation along all its street frontages;
 - iii. Any open space/civic space designations applicable to the property (required and recommended); and
 - iv. Any Special Frontage Requirements or special requirements that may be applicable to the subject property.
- iv. Review the Schedule of Uses by Character Zone as listed in Table 4.1 to determine allowed uses.
- v. Examine the corresponding zone standards in the Building Form and Development Standards in Section 5 to determine the applicable ~~B~~ase ~~d~~evelopment ~~s~~tandards and any Special Frontage standards.
- ~~v~~i. Refer to Section 6 for Building Design Standards based on the building type and Character Zone of the proposed development.
- ~~v~~vii. Refer to Section ~~6~~7 for Incentive Standards for development entitlement greater than established by Section 5
- ~~v~~viii. Refer to Section ~~7~~8 for Street Design Standards
- ~~v~~ix. Refer to Section ~~8~~9 for Open Space/Civic Space Standards.

~~ix-x.~~ Refer to Section ~~9-10~~ for Landscape Standards and Section ~~10-11~~ for Sustainability Standards.

The information listed ~~from in~~ the above ~~listed~~ ~~forementioned~~ steps explains where the building will sit on the lot, the limits on its three dimensional form, the range of uses, and the palette of materials that will cover it. For more specific dimensions and standards applicable to a particular property, consult with ~~C~~city ~~s~~Staff.

3.0 Administration

3.1 Applicability

- (a) The uses and buildings on all properties within the Bonanza Park Form-Based zoning classification shall conform exclusively to this Code unless specifically referenced otherwise in this Code. Table 3.1 shall determine the extent to which sections of the Form-Based Code apply to any proposed development based on the type and scope of the proposed development.
- (b) Provisions of this BOPA-FBC are activated by “shall” when required; “should” and/or “may” when optional.
- (c) Terms used throughout this Code are defined in *Section 12. Definitions*. For those terms not defined in *Section 12. Definitions*, Definitions in various sections of the Title 15 of the Park City Municipal Corporation Land Management Code shall apply. For terms not defined in either section, they shall be accorded commonly accepted meanings. In the event of conflict, the definitions of this Code shall take precedence.
- (d) Where in conflict, numerical metrics shall take precedence over graphic metrics.

3.2 Relationship to other city ordinances

- (a) For all property zoned as BOPA-FBC, the standards in this document shall supersede standards under:
 - i. Off-Street Parking under Title 15 Chapter 3 of the Land Management Code, as amended, except as specifically referenced herein.
 - ii. Supplemental Regulations under Title 15 Chapter 4 of the Land Management Code, as amended, except as specifically referenced herein.
 - iii. Subdivision Provisions and Procedures under Title 15 Chapter 7 of the Land Management Code, as amended, except as specifically referenced herein.
 - iv. Non-Conforming Uses and Non-Conforming Structures under Title 15 Chapter 9 of the Land Management Code, as amended, except as specifically referenced herein.
- (b) Development standards not addressed in this ordinance shall be governed by the Park City Municipal Corporation Land Management Code to the extent they are not in conflict with the intent or text of the BOPA-FBC Code.

3.3 Development Review Process

- (a) Administrative Review ~~versus Park City Planning Commission (PC) Review~~: Projects that clearly comply with all standards of this Code and projects that require Minor Modifications shall be processed administratively by the Planning Director or designee without Planning Commission review. The Planning Director shall be responsible for the following:
 - i. Reviewing site plan applications for compliance with the requirements of BOPA-FBC Code.
 - ii. Approving site plan applications that are in compliance with the requirements of the BOPA-FBC Code.
 - iii. Approving revisions to previously approved site plans that comply with this Code and all applicable city ordinances.
 - iv. Approving any minor modifications to the approved Regulating Plan and Code per Section 3.3 (b) and Table 3.2.

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- v. Forwarding any appeals to the decision of the Planning Director and/or major modifications to the [Planning Commission](#).



Table 3.1 Applicability Matrix

Code Section	Section 4: Schedule of Uses	Section 5: Build-to zones and setbacks	Section 5: Height	Section 5: Parking and Street Screen Standards	Section 6: Building Design Standards	Section 7: Street Design Standards	Section 8: Civic/Open Space Standards	Section 9: Landscape and Streetscape Standards	Section 10: Sustainability Standards
Type of Development									
Commercial (retail, office, restaurant), lodging, mixed use building, apartment/multi-family building (3 or more units per lot), and live-work buildings									
New Construction	X	X	X	X	X	X	X	X	X
Change of Use/Expansion of Use (without expansion of building and regardless of change in value)	X			X				X	
Any increase in value of improvements with NO increase in building area	X			X		X		X	
Repair, Maintenance, Alteration, and Enlargement Expansion of Building Area of Non-Complying Structures:									
<ul style="list-style-type: none"> Any Non-Complying Structure may be repaired, maintained, altered, or enlarged, provided that such repair, maintenance, alteration, or enlargement shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure. Standards in the BoPa FBC shall apply to the expansions only. 		X	X	X		X	X	X	X
<ul style="list-style-type: none"> 0% - 49% increase in building area regardless of increase in value Standards in applicable sections shall apply only to the expansions 	X	X	X	X		X	X	X	X
<ul style="list-style-type: none"> 50% or greater increase in building area AND less than both (i) 50% increase in value of improvements (ii) Any proposed improvements valued at \$150,000 or more (collective improvements within any continuous three (3) year period) Standards in applicable sections shall apply only to the expansions 	X	X	X	X		X	X	X	X
<ul style="list-style-type: none"> 50% or greater increase of building area AND more than either (i) 50% increase in value of improvements or (ii) Any proposed improvements valued at \$150,000 or more (collective improvements within any continuous three (3) year period) Standards in applicable sections shall apply to the site including retrofitting of the existing building and site if non-complying subject to Minor Modifications in Section 3.3 (b) and Table 3.2. 	X	X	X	X		X	X	X	X
Expansion of parking area only (not in conjunction with a building or use expansion)									
Up to 10 spaces				X					
11 or more additional spaces				X		X		X	X
Facade changes to existing buildings (regardless of value of improvements proposed)									
Addition of non-air conditioned space such as patios, porches, arcades, canopies, and outdoor seating areas (subject to Minor Modifications in Section 3.3 (b) and Table 3.2)		X	X						
Residential Buildings (single family attached and detached buildings)									
New construction	X	X	X	X	X	X	X	X	X
Change of Use (without expansion of building)	X			X					
Addition of non-air conditioned space such as patios, porches, arcades, canopies, private open space, recreational amenities and courtyards/forecourts (subject to Minor Modifications in Section 3.3 (b) and Table 3.2)		X	X		X				

	Code Section	Section 4: Schedule of Uses	Section 5: Build-to zones and setbacks	Section 5: Height	Section 5: Parking and Street Screen Standards	Section 6: Building Design Standards	Section 7: Street Design Standards	Section 8: Civic/Open Space Standards	Section 9: Landscape and Streetscape Standards	Section 10: Sustainability Standards
Type of Development										
Expansion of use/structure (new accessory building/structure on the lot)		X	X	X	X	X			X	

X- denotes required compliance with that section of the code

- (b) Minor Modifications to the BOPA-FBC: The Planning Director shall have the authority to approve a request for minor modifications to BOPA-FBC that:
- i. Does not materially change the circulation and building location on the site;
 - ii. Does not increase the building area permitted under this Code;
 - iii. Does not change the relationship between the buildings and the street;
 - iv. Does not allow greater height of any building as established in this Code; or
 - v. Change any required element of the Regulating Plan and the Code beyond the thresholds established in Table 3.2 below
 - vi. Any appeals to the decisions of the Planning Director on minor modifications shall be heard by the [Planning Commission](#).
- (c) Site Plan Required: A Site Plan shall be required per of the Land Management Code. The full list of required materials is included in the Bonanza Park FBC development application available from the City's Planning Department. In general, the following information is required, as applicable:
- i. Certified Survey
 - ii. Site Plan
 - iii. Building Plans and Elevations
 - iv. Landscape Plan
 - v. Description of Proposed Scope of Work
 - vi. Photographs of Site and Existing Conditions

~~(d) Major Modifications Review and PC Review: The Planning Commission shall review projects that request any Major Modifications to the standards in this Code or interpretation or discretionary judgment with respect to the project's compliance with standards.~~

~~(e) Exceptional Civic Design. The PC-Planning Commission may allow additional flexibility for projects of exceptional civic or environmental design. [Additional flexibility to the standards \(beyond the Minor Modifications permitted in Section 3.3\(b\) and Table 3.2\) in Section 5, including Building Form and Development Standards, Section 6. Building Design Standards, Section 8.0 Street Design Standards, Section 9.0. Open Space/Civic Space Standards, Section 10.0 Landscape and Streetscape Standards, and Section 11.0 Sustainability Standards.](#) In evaluating ~~Major Modification~~ Exception Civic Design requests and Conditional Use Permits, ~~The PC Planning Commission shall use the following criteria: is authorized to consider these major modifications to the Code, provided a project complies with the redevelopment vision for Bonanza Park:~~~~

- ~~i. The extent to which the application meets the vision for a vibrant mixed use neighborhood geared toward primary residents consistent with the Bonanza Park Plan;~~
- ~~ii. The extent to the application considers not only traffic circulation, but also considers multiple modes of transportation and implements the overall street network to support walkable mixed use;~~
- ~~iii. The extent to which the application creates or maintains the continuity of walkable streets with active uses, attractive streetscape, range of residential uses, and eclectic timeless architecture;~~
- ~~iv. The extent to which the application proposes a unique design solution with building design and architectural materials that can create a special destination within Bonanza Park;~~

Comment [KC5]: Major Modification to the zone must have criteria or be categorized as an amendment to the Code. Code amendment require PC recommendation and CC adoption.

- v. Whether the application implements Bonanza Park's vision for incremental evolution of lots and blocks into higher density while taking advantage of existing improvements; and
 - vi. The extent to which the application integrates usable and high quality civic and open space that adds value and becomes a focal point for the development.
 - vii. The extent to which the application integrates high efficiency of natural resources and contributes to Park City's goals of decreasing greenhouse gas (GHG) emissions.
- ~~(d)~~(f) Conditional Use Permit Review: The Conditional Use Permit review process outlined in LMC section 15-1-10 will be applied for all projects requiring Conditional Use Permit approval, unless a subsequent provision of the LMC specifically sets forth an administrative approval process for a specific Condition Use, in which case that section shall control. Noticing requirements outlined within LMC 15-1-10 apply.
- ~~(e)~~—Variances to Zoning Requirements: Any waiver of basic dimensional property development standards related to building heights or setbacks shall require a variance considered by the Board of Adjustment per Title 15 Chapter 10 of the Land Management Code.
- (g)
- ~~(f)~~—Appeals: Any decision by either the Planning Director or Planning Staff regarding the Application of the FBC to a Property may be appealed to the Planning Commission. Any decision by the Planning Commission regarding the application of the FBC to a Property may be appealed to the Board of Adjustment. Final Action by the Planning Commission on Conditional Use Permits involving City Development may be appealed to the Board of Adjustment at the City Council's request. All other Final Action by the Planning Commission concerning Conditional Use permits may be appealed to the City Council. Process and Scope of Appeals is outlined within LMC 15-1-18.

Table 3.2 Minor Modification Criteria

Standard	Minor Modification Allowed	Criteria
Regulating Plan Components		
Area/Boundary of Individual Character Zones	No more than a 15% change (increase or decrease) in the total area of any individual Character Zone (aggregate or per block)	<ul style="list-style-type: none"> Shall not eliminate any Character Zone Shall not change the overall boundary of the BOPA-FBC Zoning Boundary in the Regulating Plan 15% measurement shall be based on the total area of that specific Character Zone within the entire BOPA-FBC Zoning District
Location of any Primary Street	Location may be shifted no more than 100' in any direction	<ul style="list-style-type: none"> Shall maintain the connectivity intended by the Regulating Plan
Location of any trails/pedestrian paseo	<u>Location may be shifted within the block.</u>	<ul style="list-style-type: none"> <u>Shall maintain the mid-block pedestrian connectivity and view corridors intended by the Regulating Plan</u>
Area of any Required Civic/Open Space	May be reduced by no more than 10%	<ul style="list-style-type: none"> Shall maintain the frontages required by the Regulating Plan Area may be adjusted to accommodate any shifting of any Primary Streets only
Building Form and Development Standards		
<ul style="list-style-type: none"> Build to zones/setbacks 	No more than a 20% change in the maximum or minimum setback.	<ul style="list-style-type: none"> Changes to the build to zones and setbacks may only be due to: <ol style="list-style-type: none"> any changes to the street cross sections or changes in the width of a sidewalk or the need to accommodate existing buildings and structures on the lot that meet the overall intent and vision for redevelopment in Bonanza Park; or the need to accommodate snow storage beyond the area within the minimum setback; or the Need to accommodate other required modes of transportation (transit, bike, pedestrian), storm water drainage, water quality, or low impact development (LID) elements on the site; or the need to accommodate overhead or underground utilities and/or easements. In no case shall the sidewalk be less than 6 feet in width along Bonanza Drive and 5 feet in width along all other streets.
<ul style="list-style-type: none"> Building Frontage 	No more than a 15% reduction in the required building frontage along each block of a Type "A" Street and no more than a 25% reduction in the required building frontage along each block of a Type "B" Street.	<ul style="list-style-type: none"> Any reduction in the required building frontage shall be to address one of the following: <ol style="list-style-type: none"> To accommodate porte-cocheres for drop-off and pick-up or To accommodate existing buildings and site elements to be retained or To accommodate other required transit, bike-pedestrian related, storm water drainage, water quality, or light impact design elements on the site
	Deferment of Building Frontage requirements along certain streets (both Type "A" and Type "B" Streets)	<ul style="list-style-type: none"> Building frontage standards may be deferred along certain streets in order to accommodate phased development/redevelopment on the site in conjunction with a developers agreement or other official performance agreement or contract adopted between the developer/property owner and the city or public entity

Standard	Minor Modification Allowed	Criteria
<ul style="list-style-type: none"> Building Frontage 	Reduction of building frontage requirements for lots with frontage along two or more Type "A" Streets	<ul style="list-style-type: none"> Frontage requirement along <u>one</u> Type "A" Street frontage may be replaced with the corresponding standard for a Type "B" Street instead. In determining which Type "A" Street frontage may be changed to a Type "B" Street frontage, maintaining continuity of building frontages of adjoining blocks on both sides of the Type "A" designated streets shall be considered.
<ul style="list-style-type: none"> Street screen 	Waiver of street screen requirement along a Type "B" Street or Boulevard	<ul style="list-style-type: none"> Requirement for a street screen may only be waived along the Type "B" Street or along the frontage of any interim surface parking lot (off-street) that is intended to be in-filled with a parking structure. In no case shall any portion of the surface parking have frontage along a Type "A" Street without a required street screen In no case shall the (off-street) surface parking lot be located at a street intersection for a minimum depth of 20' along each street (regardless of the Street Type).
Streetscape standards	Street tree planting, street lighting, and other streetscape standards may be adjusted based on the development context and street cross section.	<ul style="list-style-type: none"> Any changes to the streetscape standards shall be based on specific development context such as vegetation, natural features, drainage, and fire access and is subject to approval by the City.
Build-to zones, setbacks, building frontage, parking location, street screen, driveways and access standards	Deferment of one or more of these standards	<ul style="list-style-type: none"> Any of these standards may be deferred in order to accommodate phased development/redevelopment on the site in conjunction with a phasing plan or other agreement with the city
Nonconforming Structures and/or Sites		
Nonconforming Structures or Sites	Allow changes to nonconforming structures or sites	 • Subject to this section, any changes to Nonconforming Structures and/or sites that are required to comply with all the provisions of the BOPA-FBC may be waived by the Planning Director if he/she finds that compliance cannot be achieved due to: <ul style="list-style-type: none"> i. The location of existing buildings or other improvements to be retained on the site; ii. The size or nature of the proposed building limits placement on the site; iii. Topography, protected trees, or critical environmental features; or iv. The location of pre-existing water quality or detention facilities. • A waiver from the requirements of this Code shall be to the minimum extent required based on the criteria of this subsection.
Nonconforming Structures or Sites	Allowing new development on sites with nonconforming structures and/or nonconforming sites	<ul style="list-style-type: none"> The standards in this Code may apply only to the portion of the site or lot being redeveloped with other standards deferred due to phased development.
Nonconforming Structures or Sites	Allow utilization of existing nonconforming structures or sites	<ul style="list-style-type: none"> Existing nonconforming structures or sites may be occupied or utilized as part of a phased redevelopment plan or other agreement with the city
Any other numerical standard in the code	A modification up to 10% (increase or decrease)	<ul style="list-style-type: none"> A small modification of a numerical standard is needed to accommodate existing conditions and context The proposed development still meets the intent of the Code.

3.4 **Plat Approval:** The applicant shall follow Title 15 Chapter 7 of the Land Management Code, for the plat approval subject to the requirements per this Code.

3.5 **Non-conforming Uses and Non-complying Structures:**

(a) Non-conforming Uses: Any non-conforming use that does not conform to the provisions of this code must comply with the regulations per Title 15 Chapter 9 of the Land Management Code. A Non-Conforming Use may not be moved, enlarged, altered, or occupy additional land, except as provided in this Title 15 Chapter 9 of the Land Management Code.

~~(b) Non-complying Structure: No non-complying structure may be moved, enlarged, or altered, except in the manner provided in this Section or unless required by law. Any non-complying structure that does not conform to the provisions of this code must comply with the regulations per Title 15 Chapter 9 of the Land Management Code. A Non-Complying Structure may not be moved, enlarged, or altered, except in the manner provided in Title 15 Chapter 9 of the Land Management Code.~~

~~i. Repair, Maintenance, Alteration, and Enlargement: Any Non-Complying Structure may be repaired, maintained, altered, or enlarged, provided that such repair, maintenance, alteration, or enlargement shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure.~~

~~ii. Moving: A Non-Complying Structure shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire Structure shall thereafter conform to the regulations of the zone in which it will be located.~~

~~iii. Damage or Destruction of Non-Complying Structure: If a Non-Complying Structure is allowed to deteriorate to a condition that the Structure is rendered uninhabitable and is not repaired or restored within six (6) months after written notice to the Property Owner that the Structure is uninhabitable and that the Non-Complying Structure or the Building that houses a Non-Complying Structure, is voluntarily razed or is required by law to be razed, the Structure shall not be restored unless it is restored to comply with the regulations of the zone in which it is located. If a Non-Complying Structure is involuntarily destroyed in whole or in part due to fire or other calamity and the Structure or Use has not been abandoned, the Structure may be restored to its original condition, provided such work is started within six months of such calamity, completed within eighteen (18) months of work commencement, and the intensity of Use is not increased.~~

~~(b)(c) Ordinary Repair and maintenance and structural safety. The owner may complete normal maintenance and incidental repair on a complying Structure that contains a Non-Conforming Use or on a Non-Complying Structure. This Section shall not be construed to authorize any violations of law nor to prevent the strengthening or restoration to a safe condition of a Structure in~~

[accordance with an order of the Building Official who declares a Structure to be unsafe and orders its restoration to a safe condition.](#)

- 3.6 **Amendments to the Code:** Amendments and changes to the Regulating Plan, text and property boundaries beyond those expressed permitted under this Code shall follow the requirements of Title 15 Chapter 1, subsection 7 of the Land Management Code.

4.0 Schedule of Permitted Uses

4.1 Applicability: Due to the emphasis on urban form over land uses in the BOPA-FBC District, general use categories have been identified by Character Zone. Uses that are not listed in the following schedule (Table 4.1), but that are substantially similar, may be permitted upon approval of the Planning Director or his/her designee, subject to appeal to the City Council Planning Commission pursuant to LMC 15-1-18.

P= Permitted by right
 NP= Not Permitted
 P/C = Permitted with Specific Criteria as established in Table 4.2
 P/A = Permitted Accessory Use
 P/A/C = Permitted Accessory Use with Specific Criteria as established in Table 4.2
 P/C/CUP = Permitted with Specific Criteria in Table 4.2 and with a Conditional Use Permit
 P/CUP = Permitted with a Conditional Use Permit

Comment [KC6]: What is the difference between NA and NP. Unless there is a reason to have both, please remove NA.

Table 4.1 – Schedule of Uses					
Character Zone	Mixed use Center	Resort Gateway	Neighborhood Shopping	Iron Horse Industrial Arts	Neighborhood
Land Use					
Commercial Uses (Office, Retail, Sales and Service Uses)					
Retail Sales or Service (personal service uses) with <u>no drive-through window or drive-in service</u> (includes alcohol sales) including retail and service commercial, minor, retail and service commercial, personal improvement, retail and service commercial, major, plant and nursery stock production and sales, and commercial resort support. Excluded from this category are retail sales and service establishments <u>geared towards that cater to</u> the automobile	P	P	P	P	NP
<u>Auto-related Sales or Service establishments</u> <u>Retail and Service Commercial, Auto-related</u>	NP	NP	P/C	P/C	NP
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive-through window or drive-in service</u>	P	P	P	P	NP
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc. <u>including office general, office moderate intensive, and office intensive</u>	P	P	P	P	NP
Research laboratory headquarters, laboratories and associated facilities	P	P	P	P	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with <u>no drive through window or drive in service including café or deli, restaurant general</u> Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages (with food service).	P	P	P	P	P* (less than 1,500 sq.ft.)
Bars and/or drinking establishment	P	P	P	P	NP
<u>Neighborhood Bakery, Café, or Coffee shop that is less than 1,500sqft</u>	P	P	P	P	P
<u>Pet and animal sales or service (incl. vet clinic)</u>	P	P	P	P	NP
Any permitted use with a <u>drive-up-through window or drive-in service including Financial Institution, gasoline service station, restaurant, or retail</u> <u>Drive-up Window</u> .	NP	P/C/CUP	NP	P/C/CUP	NP
Arts, Entertainment, and Recreation Uses					
Amusement or theme park establishment (indoor) including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	NP
Amusement or theme park establishment (outdoor) including miniature golf, go-cart tracks, <u>or Outdoor Entertainment Facility</u> , etc.	P/CUP	P/CUP	P/CUP	P/CUP	NP
Art galleries	P	P	P	P	NP

Table 4.1 – Schedule of Uses

Character Zone	Mixed use Center	Resort Gateway	Neighborhood Shopping	Iron Horse Industrial-Arts	Neighborhood
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	P	P	P	P	NP
Games arcade establishments	P	P	P	P	NP
Theater, cinema, dance, or music establishment	P	P	P	P	NP
Museums and other special purpose recreational institutions	P	P	P	P	NP
Fitness, recreational sports, gym, or athletic club <u>Recreation facility, Commercial</u>	P	P	P	P	NP
<u>Recreation facility, Public</u>	P	P	P	P	P
<u>Recreation Facility, Private</u>	P/A	P/A	P/A	P/A	P/A
Parks, greens, plazas, squares, and playgrounds (public and private)	P	P	P	P	NP
<u>Passenger Tramway and Ski Base Facility</u>	P	P	P	P	NP
<u>Ski Tow Rope, ski lift, ski run, and ski bridge</u>	P	P	P	P	NP
Educational, Public Administration, Health Care and Other Institutional Uses					
Business associations and professional membership organizations	P	P	P	P	NP
Child day care and preschools <u>Care, In Home</u>	NP-PP	NP-PP	NPPP	P	NP
<u>Child Care, Family</u>	NPP	NPP	NPP	P	P
<u>Child Care, Family Group</u>	NP-P	NPP	NPP	P	P
<u>Child Care Center</u>	P	P	P	P	P
Schools, libraries, and community halls	P	P	P	P	NP
Universities and Colleges	P	P	P	P	NP
Technical, trade, and specialty schools	P	P	P	P	NP
Hospitals and nursing establishments <u>limited care facility, general</u>	P	P	P	P	NP
<u>Office and Clinic, Medical (includes veterinary care)</u>	P	P	P	P	NP
Civic uses	P	P	P	P	NP
Social and fraternal organizations	P	P	P	P	NP
Social services and philanthropic organizations	P	P	P	P	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP
Religious Institutions	P	P	P	P	NP
Funeral homes	P	P	P	P	NP
Residential Uses					
Home Occupations	P/A	P/A	P/A	P/A	P/A
Multi-family residential (3 or more units in one structure)					
Ground floor	P/C	P	P	P/C	P
Upper floors	P	P	P	P	P
Residential Lofts	P/C	P	P	P/C	P
Single-family residential attached dwelling unit (Townhomes)	P/C	P	NP	P/C	P
Duplex or Triplex	P/C	P	P	P/C	P
Accessory residential unit	NA-NP	NA-NP	NA-NP	P	P
Live-work unit	P	P	P	P	P
<u>College Dormitory</u>	P	P	P	P	P
Light Industrial Manufacturing and Assembly, transportation, communication, and utility Uses					
Cottage Manufacturing uses	NP	NP	NP	P	NP


Comment [KC7]: Thomas: PC

Comment [KC8]: Thomas: PC

Comment [KC9]: Thomas: PC

Comment [KC10]: Thomas: PC

Table 4.1 – Schedule of Uses

Character Zone	Mixed use Center	Resort Gateway	Neighborhood Shopping	Iron Horse Industrial-Arts	Neighborhood
Miscellaneous <u>light industrial</u> manufacturing and assembly (included in this category are jewelry, silverware, equipment, electronics, personal metal goods, flatware, dolls, toys, games, musical instruments, office supplies, and signs.)	<u>NP</u>	NP	NP	P	<u>NP</u>
Wholesale trade establishment	NP	NP	NP	P	<u>NP</u>
<u>Transportation Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>
Warehouse and storage services	NP	NP	NP	P	<u>NP</u>
Publishing (newspaper, books, periodicals, software)	P	P	P	P	<u>NP</u>
Motion picture and sound recording	P	P	P	P	<u>NP</u>
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc)	P	P	P	P	<u>NP</u>
Information services and data processing	P	P	P	P	<u>NP</u>
Utilities and utility services (electric, natural gas, alternative) (includes power station)	NP	NP	NP	P	<u>NP</u>
Other Uses					
Nightly rentals (not to exceed 20% of the total units (including lockouts and accessory dwelling units) within each residential property)	P	P	P	P	<u>P</u>
Hotels	<u>NP</u>	P	NP	NP	<u>NP</u>
<u>Timeshare Project and Conversion</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Timeshare Sales Office, off-site within and enclosed Building</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Private Residence Club Project and Conversion</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Parking, surface (<u>primary use of property</u>) with five (5) or more spaces	P/C	P/C	P/C	P/C	<u>P/C</u>
Parking, surface with four (4) or less spaces (<u>accessory use of property</u>)	P	P	P	P	<u>P</u>
Parking, structured	P	P	P	P	<u>P</u>
Private attached garage	NP	NP	NP	P	<u>P</u>
Private detached garage	NP	NP	NP	P	<u>P</u>
Sales from kiosks (for food vendors only - other city ordinances may apply)	P	P	P	P	<u>NP</u>
<u>Temporary Improvement</u>	<u>P/A</u>	<u>P/A</u>	<u>P/A</u>	<u>P/A</u>	<u>P/A</u>
<u>Accessory Building and Use</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>
<u>Heliport</u>	<u>P/A</u>	<u>P/A</u>	<u>P/A</u>	<u>P/A</u>	<u>NP</u>
<u>Veterinary clinic</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>
Community garden	P/C	P/C	P/C	P/C	<u>P/C</u>
<u>Urban Agriculture</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Outdoor Storage relating to retail service commercial</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>NP</u>
Incidental Outdoor Display (subject to )	P/A	P/A	P/A	P/A	<u>NP</u>
Antennas including cell, accessory, and mounted on top of buildings.	P/A	P/A	P/A	P/A	<u>P/A</u>
Wind energy equipment	P/A/C	P/A/C	P/A/C	P/A/C	<u>P/A/C</u>
Solar energy equipment	P/A/C	P/A/C	P/A/C	P/A/C	<u>P/A/C</u>
Special Event <u>or Outdoor Event</u>	P/CUP	P/CUP	P/CUP	P/CUP	<u>P/CUP</u>
Sexually-Oriented Business (shall meet standards in 15-2.18-7 of the LMC)	NP	NP	NP	P/CUP	<u>NP</u>
<u>Any ground floor, single-tenant space greater than 15,000 sq.ft. and less than 20,000 sq.ft. Any ground floor, single-</u>	<u>P/CP/CUP</u>	<u>P/C/CUPP/CUP</u>	<u>P/CP/CUP</u>	<u>P/CNP</u>	<u>NP</u>

Comment [KC11]: Thomas: ?

Comment [PSM12]: This will have to be further defined.

Comment [KC13]: Thomas: here. In bopa?

Table 4.1 – Schedule of Uses

Character Zone	Mixed use Center	Resort Gateway	Neighborhood Shopping	Iron Horse Industrial-Arts	Neighborhood
tenant space greater than _____ feet					
Any ground floor, single-tenant space greater than 20,000 sq.ft. and less than 40,000 sq.ft.	P/C/CUP	NP	P/C/CUP	P/C/CUP	NP
Any ground floor, single-tenant space greater than 40,000 sq.ft.	NP	NP	NP	NP	NP

P= Permitted by right NP=Not Permitted P/C= Permitted with Specific Criteria as established in Table 4.2 P/A= Permitted Accessory Use NA=Not applicable
 P/A/C= Permitted Accessory Use with Specific Criteria as established in Table 4.2 P/C/CUP= Permitted with Specific Criteria in Table 4.2 and with a Conditional Use Permit P/CUP= Permitted with a Conditional Use Permit

4.2 **Additional Design Criteria for Certain Uses-Criteria:** All uses listed as P/C in Table 4.1 shall also meet the following standards in Table 4.2

Table 4.2 – Use Criteria

Use	District Permitted	Location & Design Criteria
Non-Residential Uses		
Auto-related Sales and Service	Neighborhood Shopping, Iron Horse Industrial Arts	<ul style="list-style-type: none"> • Gas pumps, canopies, and/or service bays shall not be located along any Type "A" Street frontage. • Gas pumps, canopies, and/or service bays shall meet the following standards along Type "B" Streets: <ul style="list-style-type: none"> ○ Drive-through lanes, auto service bays, and gas station canopies shall be hidden behind a 3' high Street Screen along Type "B" Street frontages. The Street Screen shall be made up of: <ul style="list-style-type: none"> i. the same material as the principal building or ii. a living screen <u>minimum 4' in width</u> or iii. a combination of the two. ○ No more than 50% of a lot's frontage along a Type "B" Street may be dedicated to frontage of drive through lanes, canopies, service bays, and other auto-related site elements. ○ Any automobile related retail sales or service use of a site or property with frontage on a Type "A" or "B" Street shall also have a building with a pedestrian entrance at a Type "A" Street and/or Type "B" Street. ○ Drive through access (driveways) may be from a Type "A" Street only if the lot has no access to any Type "B" Street • No outdoor storage of vehicles or other products sold shall be permitted along Type "A" Streets. Outdoor storage of vehicles and/or other products sold shall be screened with a required street screen along Type "B" Streets (see Section 9 for standards).
Any use with a drive-through-up window or drive-drive-up service (including banks and financial institutions; cleaning and pressing shop; funeral homes and mortuaries; retail store; restaurant)	Resort Gateway, Iron Horse Industrial Arts	<ul style="list-style-type: none"> • Drive through facilities shall meet the following standards in addition to a CUP requirement: <ul style="list-style-type: none"> ○ Drive-through lanes, auto service bays, and gas station canopies shall be hidden behind a 3' high Street Screen along Type "B" Street frontages. The Street Screen shall be made up of: <ul style="list-style-type: none"> i. the same material as the principal building or ii. a living screen <u>minimum 4' in width</u> or iii. a combination of the two. ○ No more than 50% of a lot's frontage along a Type "B" Street may be dedicated to frontage of drive through lanes, canopies, service bays, and other auto-related site elements. ○ Any automobile related retail sales or service use of a site or property with frontage on a Type "A" or "B" Street shall also have a building with a pedestrian entrance at a Type "A" Street and/or Type "B" Street. ○ Drive through access (driveways) may be from a Type "A" Street only if the lot has no access to any Type "B" Street ○ The applicant must demonstrate that at periods of peak operation of the drive-up window, the Business patrons will not obstruct driveways or Streets and will not interfere with the intended traffic circulation on the Site or in the Area.
Residential Uses		
Multi-family residential (Ground Floor), Residential Lofts, Duplex or Triplex, and Single-family residential attached dwelling unit (Townhomes)	Mixed Use Center, Iron Horse Industrial Arts	<ul style="list-style-type: none"> • Ground Floors of frontages designated as Required Commercial Frontage shall not be occupied by residential, office or institutional uses to a minimum depth of 50' from the front building façade line.

Comment [KC14]: Thomas: I think not strict enough in defining what is expected.

Comment [KC15]: Thomas: DRIVE UP/ Drive in or DRIVE THROUGH? Need to be consistent. Do a search to locate all and keep consistent.

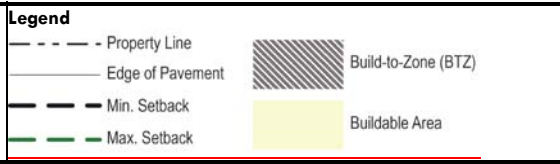
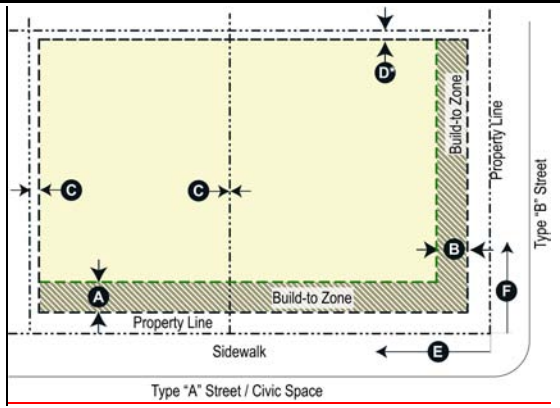
Table 4.2 – Use Criteria

Use	District Permitted	Location & Design Criteria
Other Uses		
Parking, surface (primary use of property)	All Zones	<ul style="list-style-type: none"> • <u>New</u> surface parking lots as the only use of property shall only be permitted as an interim use of property (<u>Five (5)</u> years increments) • Applications for new surface lots shall include in-fill building concepts on the lot • New surface parking shall be set back a minimum of 30' from the edge of the right-of-way of Type "A" Streets. • New surface parking shall not be located at any street intersection for <u>a</u> minimum of 30' along each street.
<u>Outdoor Storage relating to retail service commercial</u>	<u>Mixed Use Center, Resort Gateway, Neighborhood Shopping, Iron Horse</u>	<ul style="list-style-type: none"> • <u>Outdoor Storage shall not be along a Type "A" Street.</u> • <u>Outdoor Storage must be located entirely on private property and shall not be placed within the public right-of-way.</u> • <u>Structural or vegetative screening shall be used for any outdoor storage. Structural materials shall be of the same materials used in the construction of the primary building.</u>
Community Garden	All Zones	<ul style="list-style-type: none"> • Shall be no larger than 1.0 acre. • Gardens shall be enclosed by a fence on all open sides. • Fences should be installed straight and plumb, with <u>appropriate</u> vertical supports at a minimum of 8' on center. Chicken wire, if used, should be continuously supported along all edges. • Fencing Materials: <ul style="list-style-type: none"> ○ <u>Permitted</u>: pressure treated wood (must be painted or stained medium to dark color), chicken wire, wrought iron, painted galvanized steel ○ <u>Not permitted</u>: chain link, <u>barbed</u> wire, vinyl, un-painted/stained pressure treated wood, plywood
Antennas including cell, accessory and mounted (Excluded from this category are freestanding and commercial antennas and equipment buildings)	All Zones	<ul style="list-style-type: none"> • Antennas shall be permitted on rooftops. • Antennas shall be screened entirely with a screen of same color as the principal building. • Antennas shall not be visible from any adjacent Type "A" Street.
Rain water harvesting equipment	All Zones	<ul style="list-style-type: none"> • Rain water harvesting equipment may not be installed along Type "A" Streets. • On all other frontages, they shall be screened with a Street Screen at least as high as the equipment being screened <u>and meet the applicable setback requirements of the Character Zone.</u>
Utility equipment (includes electrical transformers, gas meters, etc)	All Zones	<ul style="list-style-type: none"> • Utility equipment shall not be installed with frontage on Type "A" Streets. • On all other frontages, they shall be screened with a Street Screen at least as high as the equipment being screened.
<u>Any ground floor, single-tenant space greater than 15,000 sq.ft. and less than 20,000 sq.ft.</u>	<u>Mixed Use Center, Resort Gateway, Neighborhood Shopping, and Iron Horse</u>	<ul style="list-style-type: none"> • <u>Shall meet the design standards for liner buildings in Section 6.0 of this Code</u>
<u>Any ground floor, single-tenant space greater than 20,000 sq.ft. and less than 40,000 sq.ft.</u>	<u>Mixed Use Center, Neighborhood Shopping, and Iron Horse</u>	<ul style="list-style-type: none"> • <u>Shall meet the design standards for liner buildings in Section 6.0 of this Code</u>

Mixed Use Center Character Zone

5. Building Form and Development Standards
5.1 Mixed Use Center

(a) Building Placement



(i) **Build-to Zone (BTZ)**
(Distance from property line to edge of the zone)

Park Ave./SR 224 (See Special Frontage Requirements)	30' (min.) – 40' (max.)	
Kearns Blvd./SR 248 (See Special Frontage Requirements)	50' (min.) – 75' (max.)	
Type "A" Street / Civic Space	0'-5' (min.) - 5'-10' (max.) (see Note 6)	A
Type "B" Street	0'-5' (min.) – 10'-15' (max.) (see Note 6)	B
Alley	NA (see below for min. setback)	

(ii) **Setbacks**

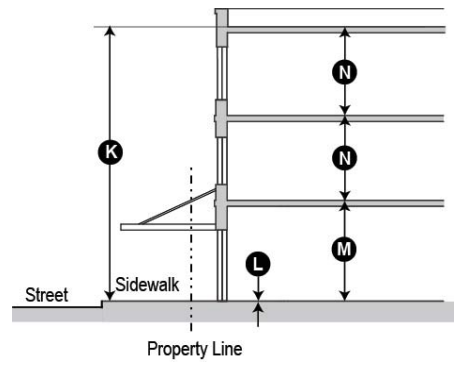
Alley	5' min.	C
Side	0' min.; (see Note 1)	D
Rear	5' min. (see Note 1)	D*

(iii) **Building Frontage**

Building Frontage required along Type "A" Street/Civic Space BTZ	90% (min.) (see Note 2)	E
Building Frontage required along Type "B", Park Ave, and Kearns Blvd. BTZs	70% (min.) (see Note 2)	F
Building Frontage required along Alley	None Required	

Building frontage requirements for lots with frontage along two or more Type "A" Streets may be modified based on a minor modification to reduce the frontage requirement along one Type "A" Street frontage. In such cases, the standard for one of the Type "A" Streets may be replaced by the required Type "B" Street standard.

(b) Building Height



(i) **Principal Building Standards**

Building maximum	3 stories and 35' (see Notes 4, 5, and 8, and 9) (Additional building height may be permitted per Section 6-7 of this Code)	K
First floor to floor height	10'-2' (min.) for all commercial/mixed use buildings or any building with any Required Commercial or Commercial Ready Frontage designation 10' (min.) for all other buildings and frontages (see Note 3)	M
Ground floor finish level	12 inches max. above sidewalk (for ground floors of commercial/mixed use buildings or any building with Required Commercial or Commercial Ready Frontage designation) 18" (min.) above sidewalk for residential buildings (see Note 7)	L
Upper floor(s) height (floor to floor)	10' min.	N

Comment [KC16]: Thomas: Min or Max?

(ii) **Accessory Building Standards**

Accessory buildings shall meet the standards for Principal Building standards in the Mixed Use Center Zone.

(c) **Commercial Frontage Special Frontage Requirements**

- (i) **Required Commercial Frontage:**
- Ground floors of all buildings with Required Commercial Frontage designation on the Regulating Plan shall not be occupied by parking, residential, office, or institutional uses up to a minimum depth of 50' from the front building façade line.
 - Required Commercial Ready Frontage:** Ground floors of all buildings with Required Commercial Ready Frontage designation on the Regulating Plan shall be built to Commercial Ready Standards.
- (ii) **Frontage Protection Zone (FPZ):** A Frontage Protection Zone of 30' depth along Park Avenue and Deer Valley Drive and 50' along Kearns Blvd shall be established per the Regulating Plan. All Development Activities and Uses within the Frontage Protection Zone must be consistent with the underlying character zone of the FRC and the requirements of the FBZ zoning district within the LMC Chapter 2.20. No parking, buildings, signage, or other structures shall be located within any FPZ. However, landscaping, trails, and other streetscape elements such as lighting, street furniture, transit stop improvements and similar improvements may be located within this FPZ.

Comment [KC17]: If we haven't specified anywhere else, I would also add Parking to the list.

(d) **Lot and Block Standards**

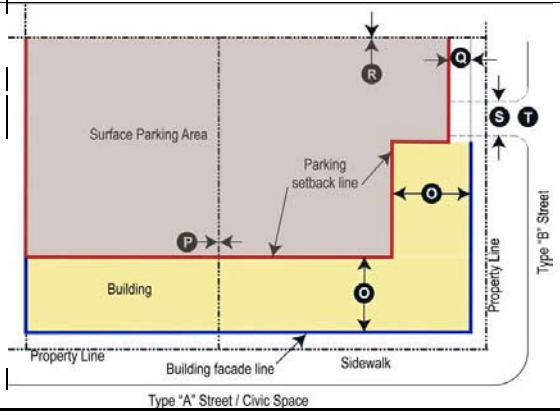
- (i) **Lot Standards:** No minimum or maximum lot size
- (ii) **Block Standards:** Shall meet the block standards as established in the Regulating Plan.

Mixed Use Center Character Zone

(iii)

(e) Parking & Service Access

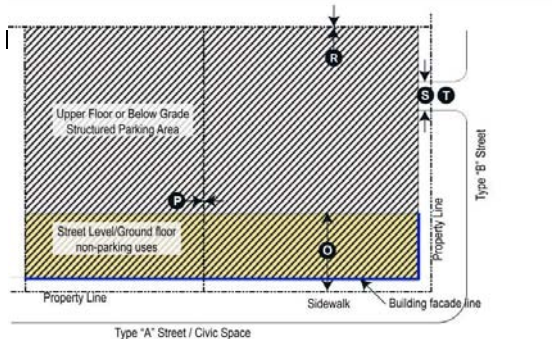
(i) Surface Parking Setbacks



Park Ave./Kearns Blvd.	Shall be located 5' (min.) behind the property line (Street screen req'd; see Section 9.10.0)	
Type "A" Street Setback	Shall be located behind the principal building	O
Type "B" Street Setback	Shall be located either behind the principal building or a min. of 3' behind the building façade line along that street only (Street screen req'd; see Section 10.0)	O Q
Alley Setback	Shall be located 5' (min.) behind the property line	

Side and Rear setbacks	0' (see #2)	P R
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(ii) Structured Parking (Above Grade Parking) or Below-Grade Parking Setbacks



Park Ave./Kearns Blvd.	Shall be located 5' (min.) behind the property line	
Type "A" Street Setback	Min. of 30' from the property line	O
Type "B" Street/Alley setback	May be built up to the building façade line along each street	

Side and rear setback 0' min. (see Note 1)

P R

Partially Below Grade Parking

May be built up to the building façade line along Park Ave., Kearns Blvd., Type "B" Streets and Alleys only.

Below Grade Parking Setbacks

May be built up to the property line along all frontages.

(iii) Required Off-Street Parking Spaces

- Parking Ratios for Non-residential uses and ground floor Commercial Ready area shall be a minimum of 4 spaces per 1,000 sq.ft.
- Parking Ratios for Residential uses shall be a minimum of 2 spaces per dwelling unit.
- Bicycle Parking: Bicycle parking shall be provided at a minimum of 10% of all required automobile spaces.
- Location of Bicycle Parking: For retail and commercial ready buildings, min. 75% of all required bicycle parking shall be located along Type "A" Streets and within 50 feet of a primary building entrance.
- Required off-street parking spaces may be reduced per Section 6Z.
- All standards for off-street parking with the exception of Parking Ratios for all uses shall meet the standards in Chapter 3 of the LMC.

(iv) Driveways and Service Access

Parking driveway width 24' max. (at the throat)

S

Driveways and off-street loading and unloading may be located with access from or frontage along a Type "A" Street only if the property has no access to either a Type "B" or Alley or shared/joint access easement to an adjoining property with access to a Type "B" Street or Alley.

T

Shared driveways, mutual access easements or cross access easements shall be required to adjoining properties when driveway and service access is off a Type "A" Street.

Service and loading/unloading areas shall be screened per Section 9.10.0.

(f) Encroachments

Type "A" Street / Civic Space	50% of the depth of the sidewalk or 10' (whichever is less)
Type "B" Street	50% of the depth of the sidewalk or 10' (whichever is less)
Alley	Encroachments allowed over any required setbacks No encroachments permitted over the property line or Alley R-O-W
Rear and side	Encroachments allowed over any required setbacks No encroachments permitted over the property line

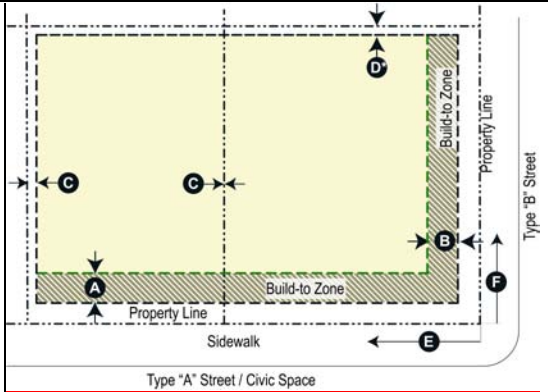
Canopies, awnings, galleries, and balconies may encroach over the BTZ and setback areas per standards established in this character district as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane.

Comment [KC18]: Can we create allowance for fully below grade parking to have no setbacks.

Resort Gateway Character Zone

5.2 Resort Gateway

(a) Building Placement



Legend

Property Line	Build-to-Zone (BTZ)
Edge of Pavement	Buildable Area
Min. Setback	
Max. Setback	

(i) Build-to Zone (BTZ)
(Distance from property line to edge of the zone)

Park Ave. and Deer Valley Dr./SR 224 (See Special Frontage Requirements)	30' (min.) – 40' (max.)	
Kearns Blvd./SR 248 (See Special Frontage Requirements)	50' (min.) – 75' (max.)	
Type "A" Street / Civic Space	0'-5' (min.) - 10'-15' (max.) (see Note 6)	A
Type "B" Street	0'-5' (min.) – 10'-20' (max.) (see Note 6)	B
Alley	NA (see below for min. setback)	

(iv) Setbacks

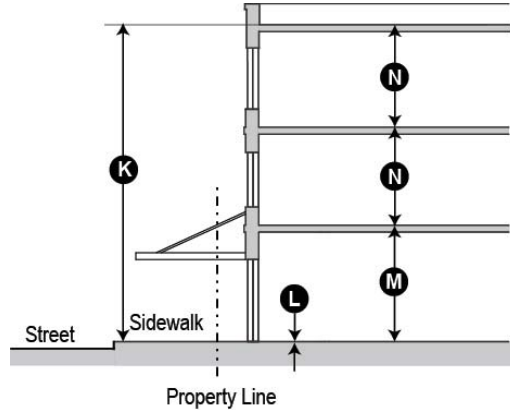
Alley	5' min.	C
Side	0' min.; (see Note 1)	D
Rear	5' min. (see Note 1)	D*

(v) Building Frontage

Building Frontage required along Type "A" Street/Civic Space BTZ	80% (min.) (see Note 2)	E
Building Frontage required along Type "B", Park Ave, Deer Valley Dr. and Kearns Blvd. BTZs	50% (min.) (See Note 2)	F
Building Frontage required along Alley	None Required	

Building frontage requirements for lots with frontage along two or more Type "A" Streets may be modified based on a minor modification to reduce the frontage requirement along one Type "A" Street frontage. In such cases, the standard for one of the Type "A" Streets may be replaced by the required Type "B" Street standard.

(b) Building Height



(iii) Principal Building Standards

Building maximum	3 stories and 35' (see Notes 4, 5, and 8 and 9) (Additional building height may be permitted per Section 6-7 of this Code)	K
First floor to floor height	15'2" (min.) for all commercial/mixed use buildings or any building with Commercial Ready Frontage designation 10' (min.) for all other buildings and frontages (see Note 3)	M
Ground floor finish level	12 inches max. above sidewalk (for ground floors of commercial/mixed use buildings or any building with Commercial Ready Frontage designation) 18" (min.) above sidewalk for residential buildings (see Note 7)	L
Upper floor(s) height	10' min.	N

Comment [KC19]: Thomas: Min or max

(iv) Accessory Building Standards

Accessory buildings shall meet the standards for Principal Building standards in the Resort Gateway Zone.

(c) Special Frontage Requirements

- i. Frontage Protection Zone (FPZ): A Frontage Protection Zone of 30' depth along Park Avenue and Deer Valley Drive and 50' along Kearns Blvd shall be established per the Regulating Plan. All Development Activities and Uses within the Frontage Protection Zone must be consistent with the underlying character zone of the FBC and the requirements of the FBZ zoning district within the LMC Chapter 2.20. No parking, buildings, signage, or other structures shall be located within any FPZ. However, landscaping, trails, and other streetscape elements such as lighting, street furniture, transit stop improvements and similar improvements may be located within this FPZ.

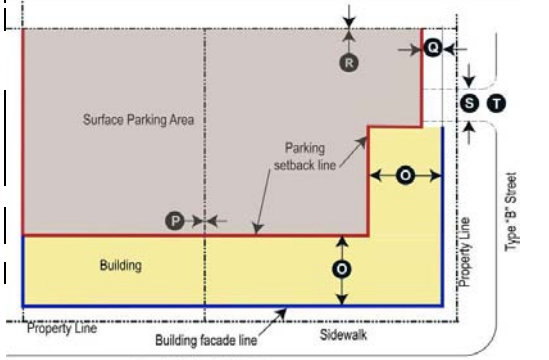
(d) Lot and Block Standards

- i. Lot Standards: No minimum or maximum lot size
- ii. Block Standards: Shall meet the block standards as established in the Regulating Plan.

Resort Gateway Character Zone

(e) Parking & Service Access

(i) Surface Parking Setbacks



May be built up to the building façade line along Park Ave., Kearns Blvd., Deer Valley Dr., Type "B" Streets and Alleys only.

Below Grade Parking Setbacks

May be built up to the property line along all frontages.

(iii) Required Off-Street Parking Spaces

- Parking Ratios for Non-residential uses and ground floor Commercial Ready area shall be a minimum of four (4) spaces per 1,000 sq.ft.
- Parking Ratios for Residential uses shall be a minimum of two (2) spaces per dwelling unit.
- Bicycle Parking: Bicycle parking shall be provided at a minimum of ten (10) percent +0% of all required automobile spaces.
- Location of Bicycle Parking: For retail and commercial ready buildings, min. seventy-five (75) percent-5% of all required bicycle parking shall be located along Type "A" Streets and within fifty (50) feet of a primary building entrance.
- Required off-street parking spaces may be reduced per Section 6Z.
- All standards for off-street parking with the exception of Parking Ratios for all uses shall meet the standards in Chapter 3 of the LMC.

Comment [KC21]: Thomas: We had discussed parking maximums as well. Please cap parking in all applicable sections. Plan to discuss on the May 22nd meeting. Minimums vs. Maximums. We will raise a discussion in the staff report.

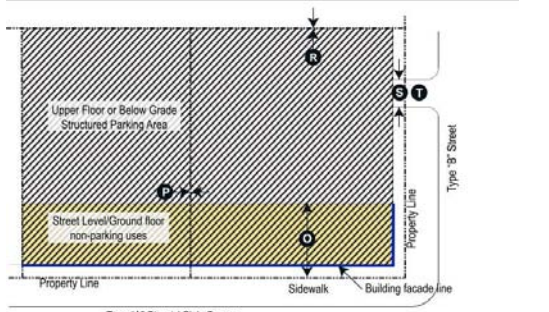
(iv) Driveways and Service Access

Parking driveway width	24' max. (at the throat)	S
Driveways and off-street loading and unloading may be located with access from or frontage along a Type "A" Street only if the property has no access to either a Type "B" or Alley or shared/joint access easement to an adjoining property with access to a Type "B" Street or Alley.		T
Shared driveways, mutual access easements or cross access easements shall be required to adjoining properties when driveway and service access is off a Type "A" Street.		
Service and loading/unloading areas shall be screened per Section <u>9I.0</u> .		

Park Ave., Kearns Blvd, and Deer Valley Dr	Shall be located <u>5-five (5) feet</u> (min.) behind the property line (Street Screen req'd; see Section <u>9I.0.0</u>)	
Type "A" Street Setback	Shall be located behind the principal building	O
Type "B" Street Setback	Shall be located either behind the principal building <u>or</u> a min. of <u>three (3) feet</u> behind the building façade line along that street only (Street screen req'd; see Section <u>10.0</u>)	O Q
Alley Setback	Shall be located <u>five (5) feet</u> (min.) behind the property line	

Side and Rear setbacks	0' (see Note 1)	P R
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(ii) Structured Parking (Above Grade) or Below-Grade-Parking Setbacks



(f) Encroachments

Type "A" Street / Civic Space	50% of the depth of the sidewalk or 10' (whichever is less)
Type "B" Street	50% of the depth of the sidewalk or 10' (whichever is less)
Alley	Encroachments allowed over any required setbacks No encroachments permitted over the property line or Alley R-O-W
Rear and side	Encroachments allowed over any required setbacks No encroachments permitted over the property line
Canopies, awnings, galleries, and balconies may encroach over the BTZ and setback areas per standards established in this character district as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane.	

Park Ave., Kearns Blvd, and Deer Valley Dr	Shall be <u>at or behind the building façade line along that street</u> located <u>five (5) feet (min.) behind the property line</u>	
Type "A" Street Setback	Min. of <u>thirty (30) feet</u> from the property line	O
Type "B" Street /Alley setback	May be built up to the building façade line along each street	
Side and rear setback	0' min. (see Note 1)	P R

Comment [KC20]: No parking in the Frontage protection zone. Please read Section 2.20 of our code. This component of our code is very important to reinforce the Natural Setting of PC. The FPZ will be maintained.

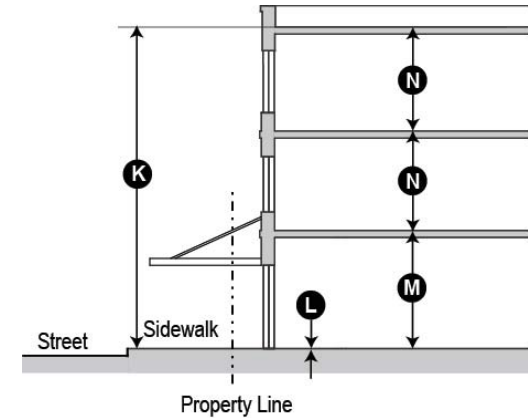
Partially Below Grade Parking



Neighborhood Shopping Character Zone

5.3 Neighborhood Shopping

(b) Building Height



(i) Principal Building Standards

Building maximum	3 stories and 35' (see Notes 4, 5, end-8 and 9) (Additional building height may be permitted per Section 6-7 of this Code)	K
First floor to floor height	15'2" (min.) for all commercial/mixed use buildings or any building with Commercial-Ready-Frontage designation 10' (min.) for all other buildings end-frontages (see Note 3)	M
Ground floor finish level	12 inches max. above sidewalk (for ground floors of commercial/mixed use buildings or any building with Commercial-Ready-Frontage designation) 18" (min.) above sidewalk for residential buildings (see Note 7)	L
Upper floor(s) height	10' min.	N

(ii) Accessory Building Standards

Accessory buildings shall meet the standards for Principal Building standards in the Neighborhood Shopping Character Zone.

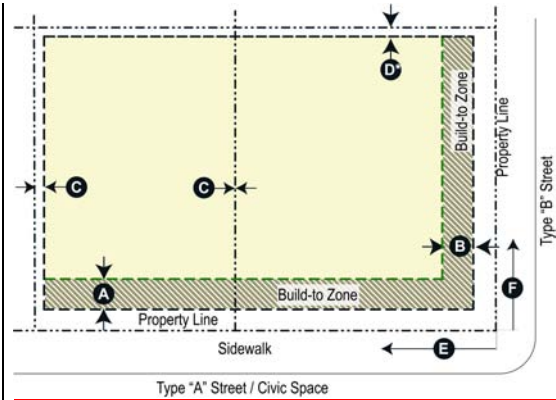
(c) Special Frontage Requirements

i. Frontage Protection Zone (FPZ): A Frontage Protection Zone of 30' depth along Park Avenue and Deer Valley Drive and 50' along Kearns Blvd shall be established per the Regulating Plan. All Development Activities and Uses within the Frontage Protection Zone must be consistent with the underlying character zone of the FBC and the requirements of the FBZ zoning district within the LMC Chapter 2.20.

(d) Lot and Block Standards

- i. Lot Standards: Min: 3,000 sq.ft.; no maximum lot size
- ii. Block Standards: Shall meet the block standards as established in the Regulating Plan.

(a) Building Placement



Legend

- - - Property Line
- Edge of Pavement
- Min. Setback
- Max. Setback
- Build-to-Zone (BTZ)
- Buildable Area

(i) Build-to Zone (BTZ)

(Distance from property line to edge of the zone)

Type "A" Street / Civic Space	0'-5' (min.) - +0'-15' (max.) (see Note 6)	A
Type "B" Street	0'-5' (min.) - +0'-20' (max.) (see Note 6)	B
<u>Kearns Blvd./SR 248 (See Special Frontage Requirements) Alley</u>	50' (min.) - 75' (max.) NA (see below for min. setback)	

(i) Setbacks

Alley	5' min.	C
Side	0' min.; (see Note 1)	D
Rear	5' min. (see Note 1)	D*

(ii) Building Frontage

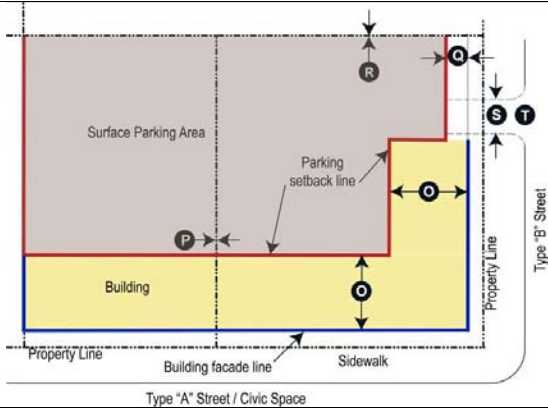
Building Frontage required along Type "A" Street/Civic Space BTZ	80% (min.) (see Note 2)	E
Building Frontage required along Type "B", Park Ave, Deer Valley Dr. and Kearns Blvd. BTZs	50% (min.) (see Note 2)	F
Building Frontage required along Alley	None Required	

~~Building frontage requirements for lots with frontage along two or more Type "A" Streets may be modified based on a minor modification to reduce the frontage requirement along one Type "A" Street frontage. In such cases, the standard for one of the Type "A" Streets may be replaced by the required Type "B" Street standard.~~

Neighborhood Shopping Character Zone

(e) Parking & Service Access

(i) Surface Parking Setbacks



(iii) Required Off-Street Parking Spaces

- Parking Ratios for Non-residential uses and ground floor Commercial Ready area shall be a minimum of 4 spaces per 1,000 sq.ft.
- Parking Ratios for Residential uses shall be a minimum of 2 spaces per dwelling unit.
- Bicycle Parking: Bicycle parking shall be provided at a minimum of 10% of all required automobile spaces.
- Location of Bicycle Parking: For retail and commercial ready buildings, min. 75% of all required bicycle parking shall be located along Type "A" Streets and within 50 feet of a primary building entrance.
- Required off-street parking spaces may be reduced per Section 7.
- All standards for off-street parking with the exception of Parking Ratios for all uses shall meet the standards in Chapter 3 of the I.M.C.

(iv) Driveways and Service Access

Parking driveway width	24' max. (at the throat)	S
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Driveways and off-street loading and unloading may be located with access from or frontage along a Type "A" Street only if the property has no access to either a Type "B" or Alley or shared/joint access easement to an adjoining property with access to a Type "B" Street or Alley. **T**

Shared driveways, mutual access easements or cross access easements shall be required to adjoining properties when driveway and service access is off a Type "A" Street.

Service and loading/unloading areas shall be screened per Section 9.10.

(f) Encroachments

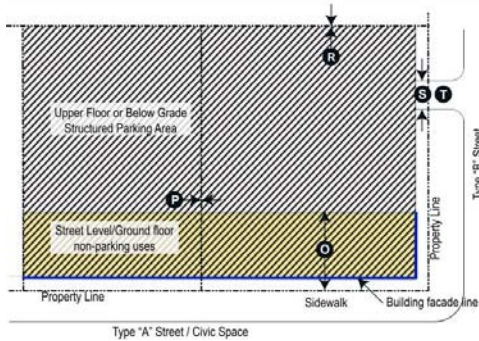
Type "A" Street / Civic Space	50% of the depth of the sidewalk or 10' (whichever is less)
Type "B" Street	50% of the depth of the sidewalk or 10' (whichever is less)
Alley	Encroachments allowed over any required setbacks No encroachments permitted over the property line or Alley R-O-W
Rear and side	Encroachments allowed over any required setbacks No encroachments permitted over the property line

Canopies, awnings, galleries, and balconies may encroach over the BTZ and setback areas per standards established in this character district as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane.

Type "A" Street Setback	Shall be located behind the principal building O
Type "B" Street Setback	Shall be located either behind the principal building or a min. of 3' behind the building façade line along that street only O Q <u>(Street screen req'd; see Section 10.0)</u>
Alley Setback	Shall be located 5' (min.) behind the property line

Side and Rear setbacks	0' (see Note 1) P R
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(ii) Structured Parking (Above Grade) or Below-Grade Parking Setbacks



Type "A" Street Setback	Min. of 30' from the property line O
Type "B" Street /Alley setback	May be built up to the building façade line along each street
Side and rear setback	0' min. (see Note 1) P R

Partially Below Grade Parking

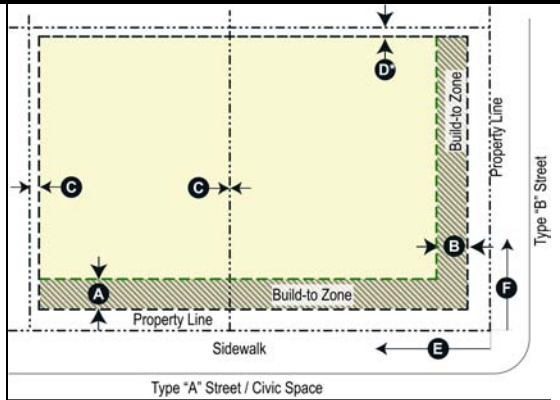
May be built up to the building façade line along Type "B" and Alleys only.

Below Grade Parking Setbacks
May be built up to the property line along all frontages.

Iron Horse ~~Industrial Arts~~ Character Zone

5.4 Iron Horse ~~Industrial Arts~~

(a) Building Placement



Legend

	Property Line		Build-to-Zone (BTZ)
	Edge of Pavement		Buildable Area
	Min. Setback		
	Max. Setback		

(i) Build-to Zone (BTZ)
(Distance from property line to edge of the zone)

Type "A" Street / Civic Space	5'-10' (min.) - 30' (max.) (see Note 6)	A
Type "B" Street	5'-10' (min.) - 30' (max.) (see Note 6)	B
Alley	NA (see below for min. setback)	

(i) Setbacks

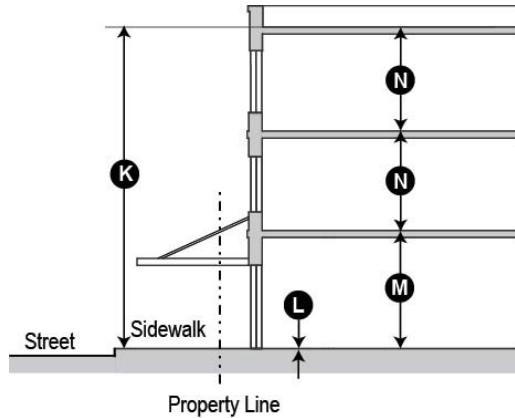
Alley	5' min.	C
Side	0' min.; (see Note 1)	D
Rear	5' min. (see Note 1)	D*

(ii) Building Frontage

Building Frontage required along Type "A" Street/Civic Space BTZ	60% (min.) (see Note 2)	E
Building Frontage required along Type "B" Street	25-40% (min.) (see Note 2)	F
Building Frontage required along Alley	None Required	

~~Building frontage requirements for lots with frontage along two or more Type "A" Streets may be modified based on a minor modification to reduce the frontage requirement along one Type "A" Street frontage. In such cases, the standard for one of the Type "A" Streets may be replaced by the required Type "B" Street standard.~~

(b) Building Height



i. Principal Building Standards

Building maximum	3 stories and 35' (see Notes 4, 5, end-8 and 9) (Additional building height may be permitted per Section 6-7 of this Code)	K
First floor to floor height	15-2' (min.) for all commercial/mixed use buildings or any building with Commercial Ready Frontage designation 10' (min.) for all other buildings end-frontages (see Note 3)	M
Ground floor finish level	12 inches max. above sidewalk (for ground floors of commercial/mixed use buildings or any building with Commercial Ready Frontage designation) 18" (min.) above sidewalk for residential buildings (see Note 7)	L
Upper floor(s) height	10' min.	N

ii. Accessory Building Standards

Accessory buildings shall meet the standards for Principal Building standards in the Iron Horse ~~Industrial Arts~~ Character Zone.

Commercial Frontage Requirements

- (i) ~~Ground floors of all buildings with Required Commercial Frontage designation on the Regulating Plan shall not be occupied by residential, office, or institutional uses up to a minimum depth of 50' from the front building facade line. Frontage Protection Zone (FPZ): A Frontage Protection Zone of 30' depth along Park Avenue and Deer Valley Drive and 50' along Keams Blvd shall be established per the Regulating Plan. No parking, buildings, signage, or other structures shall be located within any FPZ. However, landscaping, trails, and other streetscape elements such as lighting, street furniture, transit stop improvements and similar improvements may be located within this FPZ.~~

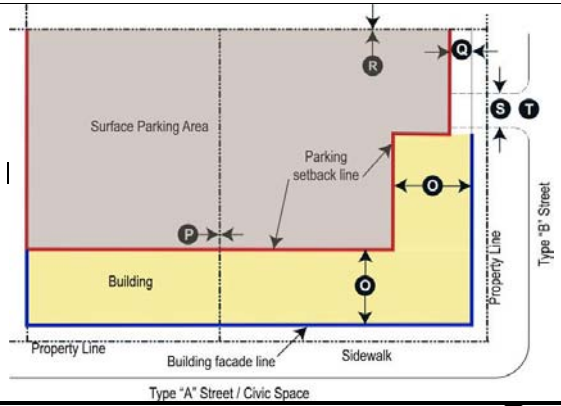
(c) Lot and Block Standards

- ~~Lot Standards: Min: 2,000 sq.ft.; no maximum lot size~~
- ~~Block Standards: Shall meet the block standards as established in the Regulating Plan.~~

Iron Horse Industrial Arts Character Zone

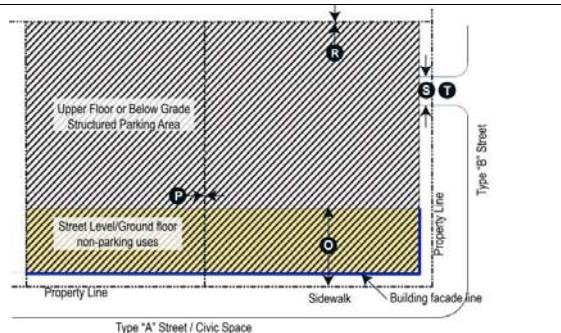
(d) Parking & Service Access

(i) Surface Parking Setbacks



Type "A" Street Setback	Shall be located behind the principal building	O
Type "B" Street Setback	Shall be located either behind the principal building <u>or</u> a min. of 3' behind the building façade line along that street <u>or</u> 5' behind the property line along that street (Street screen req'd; see Section 910.0)	O Q
Alley Setback	Shall be located 5' (min.) behind the property line	
Side and Rear setbacks	0' (see Note 1)	P R

(ii) Structured Parking (Above Grade) or Below-Grade Parking Setbacks



Type "A" Street Setback	Min. of 30' from the property line	O
Type "B" Street/Alley setback	May be built up to the building façade line along each street	
Side and rear setback	0' min. (see Note 1)	P R

Partially Below Grade Parking

May be built up to the building façade line along Type "B" Street and Alleys only.

Below Grade Parking Setbacks
 May be built up to the property line along all frontages.

(iii) Required Off-Street Parking Spaces

- Parking Ratios for Non-residential uses and ground floor Commercial Ready area shall be a minimum of 4 spaces per 1,000 sq.ft.
- Parking Ratios for Residential uses shall be a minimum of 2 spaces per dwelling unit.
- Bicycle Parking: Bicycle parking shall be provided at a minimum of 10% of all required automobile spaces.
- Location of Bicycle Parking: For retail and commercial ready buildings, min. 75% of all required bicycle parking shall be located along Type "A" Streets and within 50 feet of a primary building entrance.
- Required off-street parking spaces may be reduced per Section 6Z.
- All standards for off-street parking with the exception of Parking Ratios for all uses shall meet the standards in Chapter 3 of the LMC.

(iv) Driveways and Service Access

Parking driveway width	24' max. (at the throat)	S
Driveways and off-street loading and unloading may be located with access from or frontage along a Type "A" Street only if the property has no access to either a Type "B" or Alley or shared/joint access easement to an adjoining property with access to a Type "B" Street or Alley.		T
Shared driveways, mutual access easements or cross access easements shall be required to adjoining properties when driveway and service access is off a Type "A" Street.		
Service and loading/unloading areas shall be screened per Section 910.0.		

(e) Encroachments

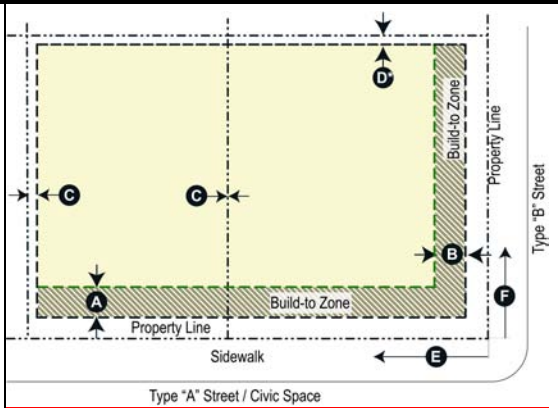
Type "A" Street / Civic Space	50% of the depth of the sidewalk or 10' (whichever is less)
Type "B" Street	50% of the depth of the sidewalk or 10' (whichever is less)
Alley	Encroachments allowed over any required setbacks No encroachments permitted over the property line or Alley R-Q-W
Rear and side	Encroachments allowed over any required setbacks No encroachments permitted over the property line
Canopies, awnings, galleries, and balconies may encroach over the BTZ and setback areas per standards established in this character district as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane.	

Neighborhood Character Zone

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5.5 Neighborhood

(a) Building Placement



Legend

- - - Property Line	▨ Build-to-Zone (BTZ)
- - - Edge of Pavement	□ Buildable Area
- - - Min. Setback	
- - - Max. Setback	

(i) Build-to Zone (BTZ)
(Distance from property line to edge of the zone)

Type "A" Street / Civic Space	10' (min.) - 30' (max.) (see Note 6)	A
Type "B" Street	10' (min.) - 30' (max.) (see Note 6)	B
Alley	NA (see below for min. setback)	

(i) Setbacks

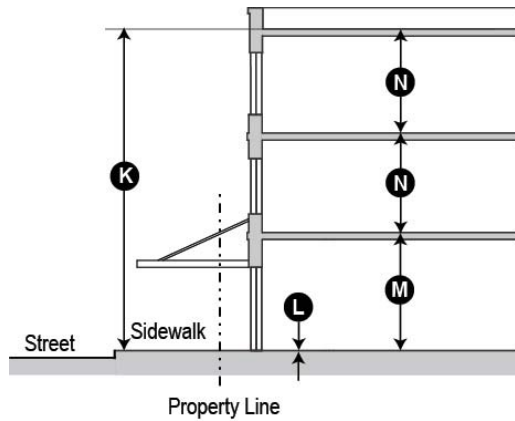
Alley	5' min.	C
Side	0' min. (see Note 1)	D
Rear	5' min. (see Note 1)	D*

(ii) Building Frontage

Building Frontage required along Type "A" Street/Civic Space BTZ	50% (min.) (see Note 2)	E
Building Frontage required along Type "B" Street	10% (min.) (see Note 2)	F
Building Frontage required along Alley	None Required	

(iii) Building frontage requirements for lots with frontage along two or more Type "A" Streets may be modified based on a minor modification to reduce the frontage requirement along one Type "A" Street frontage. In such cases, the standard for one of the Type "A" Streets may be replaced by the required Type "B" Street standard.

(b) Building Height



(i) Principal Building Standards

Building maximum	3 stories and 43.5' (see Notes 4, 5, 8 and 9) (Additional building height may be permitted per Section 7 of this Code)	K
First floor to floor height	15.2' (min.) for all commercial/mixed use buildings 10' (min.) for all other buildings (see Note 3)	M
Ground floor finish level	1.2 inches max. above sidewalk (for ground floors of commercial/mixed use buildings) 18" (min.) above sidewalk for residential buildings (see Note 7)	L
Upper floor(s) height	10' min.	N

(ii) Accessory Building Standards

Building Height	2 stories (max.)
BTZ/Setbacks	Shall be placed behind the front facade of the principal building along Type "A" Streets. If the principal building has no Type "A" Street frontage, then the accessory building shall be placed behind the front facade of the building along either a Type "B" or Alley.
Building Footprint	Shall be limited to no more than 75% of the principal building footprint

(c) Lot and Block Standards

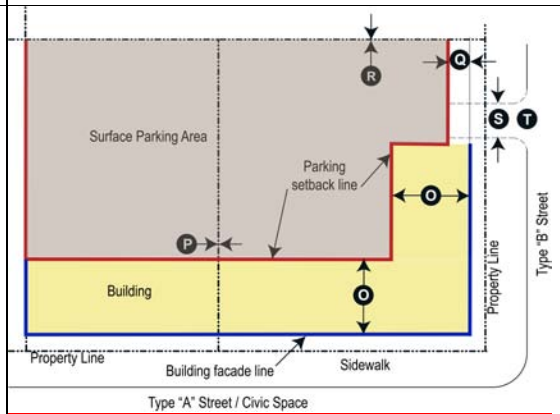
- i. Lot Standards: Min: 2,000 sq.ft.; no maximum lot size
- ii. Block Standards: Shall meet the block standards as established in the Regulating Plan.

Neighborhood Character Zone

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(d) Parking & Service Access

(i) Surface Parking Setbacks



Type "A" Street Setback	Shall be located behind the principal building	O
Type "B" Street Setback	Shall be located either behind the principal building or a min. of 3' behind the building facade line along that street only or 5' behind the property line along that street	O Q
Alley Setback	Shall be located 5' (min.) behind the property line	Q*
Side and Rear setbacks	0' (see Note 1)	P R

(e) Encroachments

Type "A" Street / Civic Space	50% of the depth of the sidewalk or 10' (whichever is less)
Type "B" Street	50% of the depth of the sidewalk or 10' (whichever is less)
Alley	Encroachments allowed over any required setbacks No encroachments permitted over the property line or Alley R-Q-W
Rear and side	Encroachments allowed over any required setbacks No encroachments permitted over the property line
Canopies, awnings, galleries, and balconies may encroach over the BTZ and setback areas per standards established in this character district as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane.	

Comment [KC22]: Missing requirements for Structured Parking – Below Grade Parking – and Partially Below Grad Parking

(i) Required Off-Street Parking Spaces

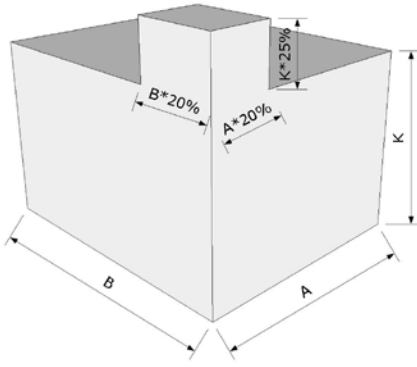
- Parking Ratios for Non-residential uses and ground floor Commercial Ready area shall be 4 spaces per 1,000 sq.ft.
- Parking Ratios for Residential uses shall be 2 spaces per dwelling unit.
- Bicycle Parking: Bicycle parking shall be provided at 10% of all required automobile spaces.
- Location of Bicycle Parking: For retail and commercial ready buildings, 75% of all required bicycle parking shall be located along Type "A" Streets and within 50 feet of a primary building entrance.
- Required off-street parking spaces may be reduced per standards in Section Z.
- All standards for off-street parking with the exception of Parking Ratios for all uses shall meet the standards in Chapter 3 of the LMC.

(ii) Driveways and Service Access

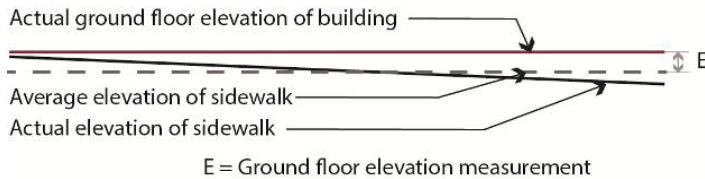
Parking driveway width	24' max. (at the throat)	S
Driveways and off-street loading and unloading may be located with access from or frontage along a Type "A" Street only if the property has no access to either a Type "B" or Alley or shared/joint access easement to an adjoining property with access to a Type "B" Street or Alley.		T
Shared driveways, mutual access easements or cross access easements shall be required to adjoining properties when driveway and service access is off a Type "A" Street.		
Service and loading/unloading areas shall be screened per Section 10.		

5.5 Notes on all Character Zones

- 1. Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- 2. Corner building street facades along Type "A" and "B" Streets shall be built to the BTZ for a minimum of 20' from the corner along each street or the width of the corner lot, whichever is less. ~~Nothing in this requirement shall prevent from incorporation of~~ The use of curved, chamfered corners of buildings or recessed entries shall be permitted.
- 3. First floor heights shall not apply to parking structures.
- 4. Attics and mezzanines that are less than 7' (avg.) in height and are not Habitable Space shall not be counted as a story but shall count towards building height limit.
- 5. Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



- 6. Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the front of façade with the recessed entry or arcade.
- 7. Note on measuring finished elevation of ground floors: On blocks where grade of the sidewalk changes along the street frontage, the finished ground floor building elevation shall be measured against the average elevation of the sidewalk along that block.



- 8. Building Height Measurement and Exceptions: Exterior Bb building height for sloping roofs shall be measured from the bottom of the eaves to the finished grade of the sidewalk in front of the building. Interior building height shall be measured from finished floor to finished floor. The following height exceptions apply for all roof types:

- i Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC).
- ii Church spires, bell towers, and like architectural features, subject to LMC Chapter 15-5 Architectural guidelines and the Building Design Standards in this Code, may extend (50%) above the zone height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
- iii An Elevator Penthouse may extend up to eight feet (8') above the Zone Height
- iv Ski lift and tramway towers may extend above the zone height subject to a visual analysis and approval by the Planning Commission.

9. Building Height Limitation Adjacent to Civic/Open Space: All buildings with frontage along any required civic/open space shall be limited to 3 stories for a depth of 15' from the building façade line along such civic/open space in order to maintain adequate solar exposure. The fifth story must be setback a minimum of 25' from the building façade line along such civic/open space.

6.05-6 Building Design Standards

The Building Design Standards for Bonanza Park Form-based Code zoning district shall establish a coherent urban-village character and encourage authentic, enduring, and attractive development. Development plans or site plans shall be reviewed by the Planning Director or designee for compliance with the standards below.

The following key design principles establish essential goals for the redevelopment within Bonanza Park to be consistent with the vision for a vibrant urban-neighborhoodvillage with that provides a range of commercial, civic, educational, and residential uses serving ~~the~~ residents and visitors alike.

- i. New and redeveloped buildings and sites shall utilize building and site elements ~~and details~~ to achieve a pedestrian-oriented public realm with sidewalks, street trees, building elements, and glazing;
- ii. Design compatibility is not meant to be achieved through uniformity, but rather differentiation through the use of variations in building elements to achieve individual building identity and authenticity;
- iii. Strengthen Park City's unique-local architecture ~~el traditions~~, and specifically Bonanza Park's eclectic character;
- iv. Building facades shall include appropriate architectural details and ornament to create variety and interest;
- v. Open space(s) shall be incorporated to provide usable public areas integral to the urban environment and connection to the natural setting; and
- vi. Increase the quality, adaptability, and sustainability in Park City's building stock.

a. General to all Character Zones

(1) Building Orientation

- i. Buildings shall be oriented towards Type "A" Streets, where the lot has frontage along Type "A" Streets or along Civic/Open Spaces. All other buildings may be oriented towards Type "B" Streets.
- ii. Primary entrance to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the ~~intersection~~intersection though not all corners shall incorporate this design feature.
- iii. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.
- ~~iv.~~ Building heights over the third story may only be oriented to take advantage of optimum solar gain by aligning the broad faces of the building along an east to west axis and minimum shading on adjacent Open Space.

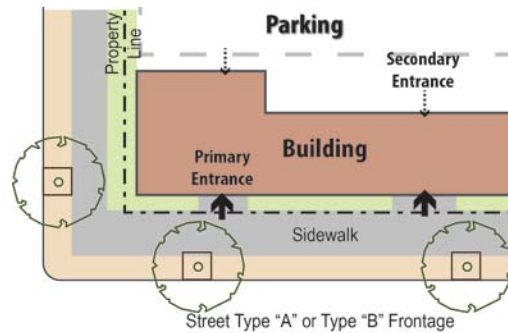


Figure showing required building orientation and location of primary entrances

(2) Design of Parking Structures

- i. All frontages of parking structures located on Type "A" Streets shall not have parking uses on the first story to a minimum depth of 50 feet along any Type "A" Street frontage. If the frontage is along a designated Required Commercial or Commercial Ready Frontage, then the Required Commercial or Commercial Ready Frontage requirement shall supersede.
- ii. Parking structure facades on all Type "A" Streets shall be designed with both vertical (façade shifts at 20 foot to 30 foot intervals) and horizontal (aligning with horizontal elements along the block) articulation.
- iii. Where above ground structured parking is located at the perimeter of a building with frontage along a Type "A" Street, it shall be screened in such a way that cars on all parking levels are completely hidden from view from all adjacent public streets. Parking garage ramps shall not be visible from any Type "A" Streets. Ramps shall not be located along the perimeter of the parking structure, if that perimeter is along a public façade. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield lighting. In addition, the ground floor façade treatment (building materials, windows, and architectural detailing) shall be continued to at least the second floor of a parking structure along all Type "A" Streets.
- iv. When parking structures are located at street intersections, corner architectural elements shall be incorporated such as corner entrance, signage and glazing.
- v. Parking structures and adjacent sidewalks shall be designed so pedestrians and bicyclists are clearly visible to entering and exiting automobiles.

(2)(3) Loading and Unloading

- i. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or Type "B" Streets only unless permitted in the specific building form and development standards in Section 6-5 of this code. If a site has no access to an Alley, or Type "B" Street, off-street loading, unloading, and trash pick-up areas may be permitted along a Type "A" Street.
- ii. All off-street loading, unloading, or trash pick-up areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening at the BTZ. The Street Screen shall be made up of (i) the same material as the principal building or (ii) a living screen or (iii) a combination of the two.

~~(3)~~4) Façade Composition

- i. ~~Facades along all Type "A" Streets and Civic/Open Spaces shall maintain a façade articulation and rhythm of 20' – 30' or multiples thereof. This articulation may be expressed by changing materials, ~~or color,~~ or by using design elements such as fenestration, columns and pilasters, or by varying the setback of portions of the building façade. Buildings shall provide façade articulation per standards in Title 15, Chapter 5, Section 8 of the LMC.~~
- ~~ii. This façade articulation may be expressed by changing materials, or color, or by using design elements such as fenestration, columns and pilasters, or by varying the setback of portions of the façade.~~
- ~~iii.~~ii. Primary Entrance Design: Primary building entrances along Type "A" and/or Type "B" Streets shall consist of at least two of following design elements so that the main entrance is architecturally prominent and clearly visible from that street:
 - i. Architectural details such as arches, posts, beams, and timbers, friezes, awnings, canopies, gabled parapets, arcades, tile work, murals, or moldings
 - ii. Integral planters or wing walls that incorporate landscape or seating elements
 - iii. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.
 - iv. Prominent three-dimensional, vertical features such as false front, belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.
 - v. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight inches or architectural or decorative columns.
- ~~iv.~~iii. Spacing of Entrances: There shall be a minimum of one building entrance for every 50 feet of building frontage along all Required Commercial and Commercial Ready Frontages. If a single use occupies more than 50 feet in width along required commercial and commercial ready frontages, liner shops shall be located around such use to maintain building activity and interest.
- iv. Storefront Design:
 - (a) Storefronts on facades that span multiple tenants within the same building shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures. However, architectural diversity is encouraged for different buildings on the same block.
 - (b) Buildings shall generally maintain the alignment of horizontal elements along the block with variation in overall height of buildings.
 - (c) Corner emphasizing architectural features, gabled parapets with pediments, cornices, awnings, blade signs, arcades, postcolonnades and balconies may be used along commercial storefronts to add to the pedestrian interest.

Comment [KC23]: We do not allow up-lighting or lighting up buildings (exception: Christmas lights)

~~(4)~~5) Windows and Doors

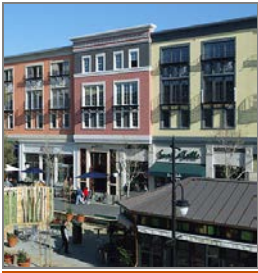
- i. Windows and doors on street (except alleys) fronting facades shall be designed to be proportional and appropriate to the specific architectural style of the building. First floor windows shall have a Visible Transmittance (VT) of 0.6 or higher.
- ii. All ground floor front facades of buildings along Type "A" Streets or Civic/Open Space shall have windows with a Visible Transmittance (VT) of 0.6 or higher covering no less than 40% of the ground floor façade area. Each upper floor of the same building facades facing a Type "A" Street or

Civic/Open Space shall contain windows with a Visible Transmittance (VT) of 0.6 or higher covering no less than 25% of the façade area. All other street facing facades (except alleys) shall have windows with a Visible Transmittance (VT) of 0.6 or higher covering at least 15% of the façade area for all floors.

(6) Building Materials

- i. Generally, at least 70% of a building's façade along all Type "A" Streets and Civic/Open Space shall be finished in one of the following primary materials:
 - Masonry (stone, cast stone, brick, glass, metal, or glass block)
 - Wood, wood paneling, fabricated wood product or recycled composite material (recycled plastic lumber, etc).
 - Architectural Metal Panels
 - For Industrial Arts/Iron Horse Character Zone, architectural metal panel, split-face concrete block, tile, or pre-cast concrete panels may be used as a primary material. Slump block and split-face concrete block are prohibited in all character zones.
- ii. Generally, no more than 30% of a building's façade along all Type "A" Streets and Civic/Open Space shall use other secondary accent materials: architectural metal panel, split-face concrete block, tile, or pre-cast concrete panels, stucco utilizing a three step process.
- iii. Generally, all facades along Type "B" Streets or alleys shall be of a similar finished quality and color that blend with the front of the building. Building materials for these facades may be any of the primary materials and secondary accent materials listed above.
- iv. Visible split face concrete block or pre-cast, or poured in place concrete shall be used on no more than 20% of any Type "A" or "B" Street façade. There is no limitation on its usage on all other facades.
~~EIFS shall be limited to moldings and architectural detailing on building frontages along any Type "A" and "B" Streets. On alley facades, it shall only be used on upper floors (above 10' in height).~~
- v. Generally, cementitious-fiber clapboard (not sheet) with at least a 50-year warranty may only be used on the upper floors only. In the Neighborhood Character Zone, this material may be used on any floor.

Comment [KC24]: Is this where we can specify encouraged materials within each character zone?



Mixed Use Center



Neighborhood Shopping



Industrial Arts

Samples of appropriate vertical and horizontal articulation and materials.

~~(5) Building Materials~~

- a. ~~Commercial or Mixed Use Building Materials~~
 - i. ~~Building materials shall meet the standards in _____ of the LMC.~~

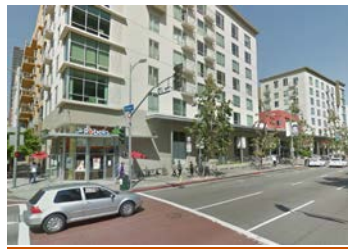
~~ii. EIFS shall be limited to moldings and architectural detailing on building frontages along any Type "A" and "B" Streets. On alley facades, it shall only be used on upper floors (above 10' in height).~~

~~(6)~~ (7) Building Massing and Scale:

- ~~i. To maintain pedestrian interest and scale, s~~ Single tenant buildings between 15,000 and ~~2540~~ 20,000 sq.ft. in ground floor area shall be built in such a manner as to include ~~a~~ ~~liner shops~~ ~~building~~ with commercial frontage along all the building's Type "A" frontages.
- ~~ii. Retail~~ ~~liner shops~~ shall be a minimum of 30 feet deep and shall surround the single tenant/use building on all Type "A" streets and along the first ~~1050~~ 100 feet of a ~~†~~ Type "B" streets from the corner.



Illustrative sample of a large retailer with liner retail.



Example of Mixed-use grocery store with liner retailers at the corner of intersections

Comment [KC25]: Show liner surrounding the front of the building and extending down the first 100' of a type be street.

~~iii. Single tenant buildings over 25,000 sq.ft. in ground floor area may only be permitted with a CUP approved by the Planning Commission.~~

Comment [KC26]: Specific Criteria or normal CUP criteria?

(8) Roof Form

- ~~ii. Gabled, hipped, shed or pyramid roofs are encouraged in the Resort Gateway character zone and Residential character zone. Main roof structures shall use a slope of no less than 6 feet vertical to 12 feet horizontal (6:12). Accent roof forms, such as a shed roof, have no minimal roof slope requirements.~~
- ~~iii. When using a flat roof, buildings shall have minimal articulation utilizing parapets with flat or low pitched roofs. Corner elements should use hip or gabled roof elements and gable accents at the parapet may be permitted. The following standards shall apply for all buildings with mansard roofs in BoPa-FBC:~~
 - ~~— Mansard roofs shall only be used on buildings that are three stories or higher.~~
 - ~~— The mansard roof shall project no more than 18" forward of the building façade line.~~
 - ~~• The lower slope of the roof should be inclined at no greater than 75 degrees to the horizontal.~~



*Samples of appropriate roof forms
(image from the Park City Design Guidelines for Historic Districts and Historic Sites).*

67.0 Incentive-Enhanced Options Standards

- 67.1 Purpose and Intent: The purpose of this section is to implement the [Incentivized Plan Enhanced Option](#) recommendations of the Bonanza Park [Area Plan street grid](#) in a streamlined and predictable manner in conjunction with the [City's Affordable Housing, and Transfer of Development Rights \(TDR\), and sustainable building practice](#) policies.
- 67.2 Applicability: Any development that exceeds the maximum 3 story and 35' building height standard in Bonanza Park shall meet the standards in this Section.

67.3 Incentives-Enhanced Options Matrix

Tier 1	General Standards:	
	<ul style="list-style-type: none"> • Applicants may provide more than one of the listed development outcomes under Tier 1 and obtain the cumulative building square footage up to the maximum established for Tier 1. • Tier 1 maximum development (cumulative for all development outcomes): Building height shall not exceed 5 floors or 60 feet. On the 4th floor, the building area shall be limited to 75% of the ground floor building area and on the 5th floor, the building area shall be limited to 25% of the ground floor building area unless otherwise specified below. When the building fronts a Type "A" Street or Civic/Open Space the 4th and 5th floor must be setback no less than 105 feet from the front building line on the 4th floor and 25 feet from the front building line on the 5th floor. • Applicants providing more than one listed development outcomes under Tier 1 are also eligible to reduce their total required off-street parking by a maximum of 25%. 	
	Development Outcomes	Standards or Criteria
	1. Dedication/Reservation of R-O-W for a Primary Street	<ul style="list-style-type: none"> • Additional building square footage shall equal the total square feet provided in R-O-W dedication or reservation but no greater than the maximum permitted for Tier 1. • R-O-W dedication/reservation shall meet the standards of this Code.
2. Dedication of Required or Recommended Open/Civic Space (includes community gardens and rooftop greenhouses)	<ul style="list-style-type: none"> • Additional building square footage shall equal the total square feet provided in Open/Civic Space (public or private) but no greater than the maximum permitted for Tier 1 with the exception of Rooftop Greenhouses which may be allowed on the 4th and 5th floor and do not count toward the building area limits. 	
3. Dedication/Reservation of R-O-W for a Secondary Street	<ul style="list-style-type: none"> • Additional building square footage shall equal to 1/2 of the total square feet provided in R-O-W dedication or reservation but no greater than the maximum permitted for Tier 1. • R-O-W dedication/reservation shall meet the standards of this Code 	
Tier 2	General Standards:	
	<ul style="list-style-type: none"> • To be eligible for Tier 2 Incentives-Enhanced Options, applicants have to meet Tier 1 Development Outcomes 1 and 2 if applicable within the applicants property • Tier 2 maximum development (cumulative for all development outcomes): Building height shall not exceed 5 floors. On the 4th floor, the building area shall be limited to 75% of the ground floor building area and on the 5th floor, the building area shall be limited to 25% of the ground floor building area unless otherwise specified below. When the building fronts a Type "A" Street or Civic/Open Space the 4th and 5th floor must be setback no less than 15 feet from the front building line on the 4th floor and 25 feet from the front building line on the 5th floor. • Applicants are also eligible to reduce their total required off-street parking by a maximum of 50% 	
	Development Outcomes	Standards or Criteria

	1. Affordable housing units and attainable housing per standards in Table 6Z.2 below	<ul style="list-style-type: none"> Within this option, the applicant may utilize either the City's adopted Housing Resolution OR the Bonanza Park Affordable/Attainable Housing Option. The Standards of the Bonanza Park Affordable/Attainable Housing Option outlined in Table 6Z.4 below shall apply Additional building square footage shall be equal to the total square feet provided in affordable/attainable housing units; but no greater than the maximum permitted for Tier 2. 						
	2. Assisted Living and/or Rental Apartments	<ul style="list-style-type: none"> Additional building square footage shall equal the total square feet provided in Assisted Living and Rental Apartment but no greater than the maximum permitted for Tier 2. The Assisted Living and/or Rental Apartment use shall be deed restricted. 						
Tier 3	<p>General Standards:</p> <ul style="list-style-type: none"> To be eligible for Tier 2-3 Enhanced Options/incentives, applicants have to meet Tier 1 Development Outcomes 1 and 2 if applicable within the applicants property. Applicants may provide more than one of the listed development outcomes under Tier 3 in addition to Tier 1 and Tier 2 and obtain the cumulative building square footage up to the maximums established for all three tiers. Tier 3 maximum development (cumulative for all development outcomes): Building height shall not exceed 5 floors (100% of the ground floor building footprint on the 4th and 5th floors). <u>When the building fronts a Type "A" Street or Civic/Open Space the 4th and 5th floor must be setback no less than 15 feet from the front building line on the 4th floor and 25 feet from the front building line on the 5th floor.</u> Applicants providing any Tier 3 development outcome is also eligible to reduce their total required off-street parking by a maximum of 50% <table border="1"> <thead> <tr> <th>Development Outcomes</th> <th>Standards or Criteria</th> </tr> </thead> <tbody> <tr> <td>1. Receiving any transfer of development right credits</td> <td> <ul style="list-style-type: none"> Additional building square footage shall be equal to the total square feet provided by TDR; but no greater than the maximum permitted for Tier 3. </td> </tr> <tr> <td>2. Zero Carbon Building</td> <td> <ul style="list-style-type: none"> Total building square footage shall be no greater than the maximum permitted for Tier 3. </td> </tr> </tbody> </table>		Development Outcomes	Standards or Criteria	1. Receiving any transfer of development right credits	<ul style="list-style-type: none"> Additional building square footage shall be equal to the total square feet provided by TDR; but no greater than the maximum permitted for Tier 3. 	2. Zero Carbon Building	<ul style="list-style-type: none"> Total building square footage shall be no greater than the maximum permitted for Tier 3.
Development Outcomes	Standards or Criteria							
1. Receiving any transfer of development right credits	<ul style="list-style-type: none"> Additional building square footage shall be equal to the total square feet provided by TDR; but no greater than the maximum permitted for Tier 3. 							
2. Zero Carbon Building	<ul style="list-style-type: none"> Total building square footage shall be no greater than the maximum permitted for Tier 3. 							

6Z.4 Affordable and Attainable Housing Options

This section provides for an alternative option to the [2007-City's Adopted](#) Affordable Housing Resolution by addressing local housing needs and increasing the range of required housing. The Bonanza Park Attainable Housing Option gives developers the option to create a mix of affordable and attainable housing as outlined below. This option requires that the developer build the affordable/attainable mix at 25% of the [overall-net leasable](#) floor area of the building.

Table 6Z.4 Bonanza Park Affordable/Attainable Housing Options				
Requirement: Minimum 25% of Net Leasable Floor Area				
Tier	Target Workforce Wage	Maximum Workforce Wage	Distribution of Units within Project (min.)	Targeted Income Range in 2012+
1	100%	125%	10%	\$55,714 - \$69,643-\$53,378- \$66,722

2	125%	150%	20%	\$69,643 - \$83,571 \$66,722 \$80,067
3	150%	175%	40%	\$83,571 - \$97,500 \$80,067 \$93,411
4	175%	225%	15%	\$97,500 - \$125,357 \$93,341 \$120,100
5	225%	328%	15%	\$125,357 - \$182,742 \$120,100 \$175,080

6.5 List of Deed Restricted Uses Permitted: The following is a list of uses that are intended to be incentivized within Bonanza Park. These uses shall be deed restricted to run with the land for a minimum of 25 years. However, uses may be changed between different deed restricted uses permitted in this list, as amended:

Table 6.5 List of Deed Restricted Uses Permitted

Deed Restricted Uses	Definition
Accredited Educational Facility	Shall be any building, structure, improvement, or site, to be used for or in connection with the conduct or operation of an educational institution, including but not limited to, classrooms and other instructional facilities, laboratories, research facilities, libraries, study facilities, administrative and office facilities, museums, gymnasiums, campus walks, drives and site improvements, dormitories and other suitable living quarters or accommodations, dining halls and other food service and preparation facilities, student services or activity facilities, physical education, athletic and recreational facilities, theatres, auditoriums, assembly and exhibition halls, greenhouses, agricultural buildings and facilities, parking, storage and maintenance facilities, infirmary, hospital, medical, and health facilities, continuing education facilities, communications, fire prevention, and fire fighting facilities, and any one, or any combination of the foregoing, whether or not comprising part of one building, structure, or facility. Such an educational institution should be accredited by the respective state or federal agency that is responsible for rating such institutions.
Business Incubator Space	Shall be any space that is dedicated to programs designed to support the successful development of entrepreneurial companies or start up businesses through an array of business support resources and services, developed and orchestrated by incubator management and offered both in the incubator and through its network of contacts. It shall also include shared common space including technology such as copiers, computers, meeting rooms, etc.
Child Care Facility	(City definition)
Community Cultural Center	Shall be a meeting place used by members of the community for civic, social, cultural, and/or recreational purposes. Such a center may be programmed to accommodate the needs of specific groups such as senior citizens, moms and tots, and ethnic groups, etc.
Innovation Center	Shall be designated area or building that introduces new businesses or areas of technology to their respective local markets. These areas often become centers oriented around design, media, and creative firms.
Live/Work Space	Shall be a space within a building that includes residential area and work area. The two may be accessible through the same unit or separated but within the same building with separate entrances. The living space must also be connected to the work space through a

	deed restriction.
Local Non-Profit Space	Shall be a space that houses the operations or office of any local non-profit entity. It may include a religiously affiliated non-profit entity.
Think Tank	Shall be an institute, corporation, or entity organized for interdisciplinary research (as in technology, social, economic, or other areas)
Visiting Artist/Creative Studio	Shall be a space with in a building that includes an artist studio or gallery in connection to a residential area. The two may be accessible through the same unit or separate but within the same building with separate entrances. The living space must also be connected to the work space through a deed restriction.

~~67.65~~ In addition to the three (3) Tier options for development incentives, applicants may propose other development outcomes in return for alternative benefits which complement the Community Vision and General Plan. However, such requests may only be approved by the City Council after a recommendation by the Planning Commission. The criteria for such review and approval shall be the same as the ones listed under Exceptional Civic Design in Section 3.3.

8.0 Street Design Standards

8.1 Street Classification and Connectivity Standards: In order to service both multiple modes of transportation and appropriate development context, streets within the District are classified under three major categories in the BoPa-FBC.

- (a) Street Cross Section: The Street Cross Sections establish standards for the right-of-way characteristics of the street itself. This includes information on automobile, bicycle, pedestrian, and parking accommodation. It typically addresses the space allocation within the public right-of-way and its emphasis towards one or more modes of transportation.
- (b) Street Type: The Street Type designation establishes the appropriate development context along each street. For the purposes of this FBC, Street Type is classified into the following two categories:
 - i Type "A" Streets – Type "A" Streets are intended to provide the most pedestrian-friendly and contiguous development context. Buildings along Type "A" Streets shall be held to the highest standard of pedestrian-oriented design and few, if any, gaps shall be permitted in the 'Street Wall'. These streets are the main retail, restaurant, entertainment streets or are important neighborhood connectors as identified in the Regulating Plan.
 - ii Type "B" Streets – Type "B" Streets are also intended to be pedestrian friendly with a mostly contiguous development context; ~~h.~~ However, in some locations, where access to an Alley is not available, Type "B" Streets may need to accommodate driveways, parking, service/utility functions, and loading and unloading. In such cases, Type "B" Streets may balance pedestrian orientation with automobile accommodation. Typically, they shall establish a hybrid development context that has a more pedestrian friendly development context at street intersections and accommodates auto-related functions and surface parking in the middle of the block. Surface parking shall be screened from the roadway with a street wall or living fence. Type "B" Streets are designated in the Regulating Plan.
 - iii Street Connectivity Requirements: In addition to Street Cross Section and Street Type, Streets are also classified by whether they are Primary or Secondary streets to implement the redevelopment vision and are designated as such on the Regulating Plan.

- a. Primary Streets – these are mainly existing, improved, or new streets that are essential to implement the network envisioned in the ~~vision for~~ BoPa street grid. If an incentive is used or the owner chooses to dedicate Right of Way; ~~right of way~~ for Primary Streets, it shall be reserved or dedicated per ~~Chapter 7~~ of the LMC at the time of development or redevelopment
- b. Secondary Streets – these are additional new streets that are important, but have the flexibility to implement the network envisioned in ~~the vision for~~ BoPa street grid. Secondary Streets ~~only~~ indicate the likely locations for new streets and blocks. Secondary Streets may be substituted by pedestrian passages, alleys, or cross-access easements based on the specific redevelopment context.

8.2 Street Cross Section Standards: This section shall establish standards for all elements of the public right-of-~~way~~ including travel lanes, on-street parking, bicycle accommodation, streetscape/parkway standards, and sidewalk standards. Landscaping and streetscaping within and adjacent to the public R-O-W shall be per standards in Section ~~9.10~~. Table ~~78.1~~ shall establish the cross sections for each street type. The cross sections in Section ~~78.3~~ may be adjusted to fit existing contexts with the approval of the City Engineer. In addition, the proposed cross sections may be adjusted to meet the needs of the Fire Code as adopted by the City.

(a) Applicability:

- i. The following cross sections shall apply to new and substantially reconstructed streets within the BoPa-FBC Zoning District only.
- ii. The following cross sections shall also apply when properties are developed or redeveloped under the BoPa-FBC or when existing streets are reconstructed.

Table 78.1

Treatment of ROW	
TRAILS	20' Wide ROW includes
	8' paved Trail
	1.5' stone-dust
INTERIOR BLOCKS	10.5' Landscaping w/Trees, Public Artwork, Interactive displays & Resting Spots
	52' Wide ROW includes
	2-10' Travel lanes
	2 - 8' Parallel on-street parking
INTERIOR BLOCK WITH CYCLE TRACK	2 - 8' Sidewalks
	51' Wide ROW includes:
	2-10' Travel lanes
	1 - 8' Parallel on-street parking
	2 - 6' Sidewalks
	1 - 3' Buffer
INTERSECTION	1 - 8' two lane bike track
	Curb extensions
THE SPUR	Textured Crosswalks
	Street Dining & Vendor Sales encouraged
	1-12' Sidewalk along building façade
	2 - 10' Travel Lanes
	1 - 8' Parallel on-street parking

Comment [JN1]: This table and associated cross sections will all have to be updated for format and consistency with the final recommendations for the street network. This was something staff was going to undertake. We will confirm the final cross sections with Diego and Matt prior to the May 22 meeting.

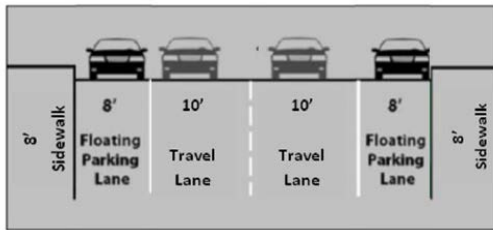
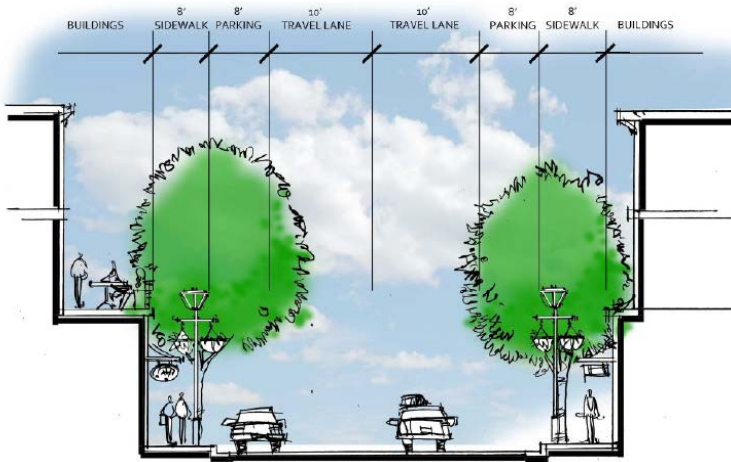
Comment [KC2]: Interior Block with Cycle track has 6' sidewalks. When we get to street furniture in Landscape and Streetscape standards there is a minimum passageway of 6 feet. Should we make an exception for the area within the interior block with cycle track? Also, snow storage.

78.3 Street Cross Sections



INTERIOR BLOCK NO CYCLE TRACK

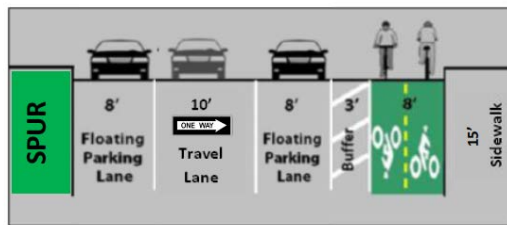
52' ROW



INTERIOR BLOCK WITH CYCLE TRACK

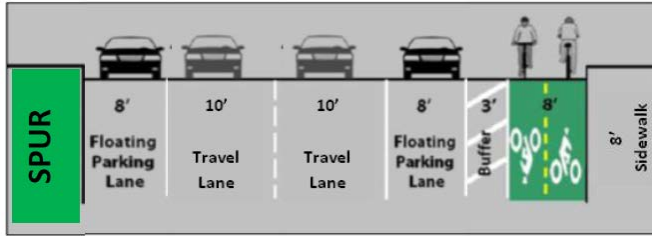
Along rounded edge of spur – One Way Travel Lane

52' ROW

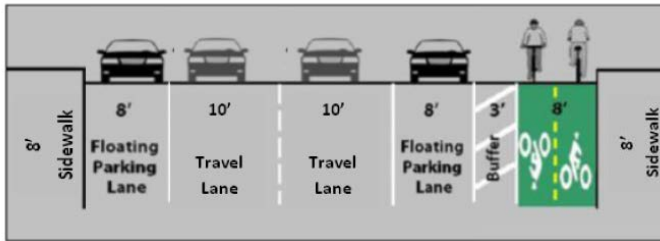


Comment [KC3]: We need to update based on findings of consultant. They recommended changes around the spur. Is this still a one-way road?

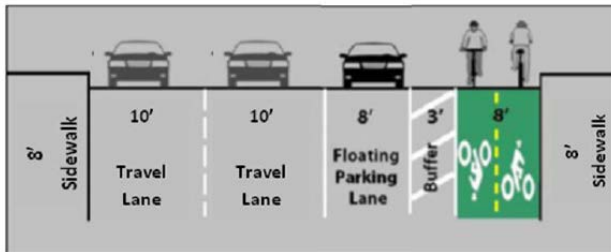
Along straight edge of spur 55' ROW



Roads with Cycle Track and Two sides of floating parking lane. 63' ROW



Cycle track with Single side of floating parking lane 55' ROW



89.0 Open Space and Civic Space Standards

9.1 **Open Space and Civic Space Approach:** The redevelopment vision for Bonanza Park recognizes the importance of providing a network of open spaces that provide a multitude of passive and active recreational opportunities. These opportunities are to be accommodated in a variety of spaces ranging from larger scaled facilities to small pocket parks located at key nodes within BoPa. The open space network will be serviced by an interconnected network of trails and paths for pedestrians and bicyclists alike, providing open space amenities for future residents of both Bonanza Park and adjoining neighborhoods. This approach to Open and Civic Space recognizes that in an urban, infill context, unique standards need to be established to provide for quality open and civic spaces that serve both recreational and placemaking goals of the redevelopment vision.

9.2 **Required and Recommended Open/Civic Space Designations:** This section establishes standards for Open Space and Civic Space within the BoPa-FBC Zoning District. Open Space and Civic Space includes Private Common Open Space, Pedestrian Amenities, Public Open Space, and Trail Standards. The Regulating Plan designates several areas for required and recommended Open and Civic Spaces within BoPa. The detailed Open Space and Civic Space Standards for each type are included in this Section. These standards include general character, typical size, frontage requirements, and typical uses.

- (a) Required Civic/Open Spaces are any or all areas shown on the Regulating Plan with specific locations of future Open and Civic Spaces. The only Required Civic/Open Space shown on the Regulating Plan is the Spur Park. This space has been identified on the Regulating Plan due to its significant location within the context of the overall redevelopment of Bonanza Park.
- (b) Recommended Civic/Open Spaces are those areas shown on the Regulating Plan as desirable locations for future Open and Civic Spaces (including environmentally sensitive areas, parks, plazas, greens, and squares). These spaces have been identified on the Regulating Plan in order to communicate the vision for redevelopment within BoPa.

9.3 **Open Space and Civic Space Classification:** For the purposes of this Code, all urban open space shall fall into one of the following three (3) general classes:

- (a) **Public Open Space:** Open air or unenclosed to semi-unenclosed areas intended for public access and use and are located within the defined urban core of the city. These areas range in size and development and serve to compliment and connect surrounding land uses and code requirements.
- (b) **Private Common Open Space:** A privately owned outdoor or unenclosed area, located on the ground or on a terrace, deck, porch, or roof, designed and accessible for outdoor gathering, recreation, and landscaping and intended for use by the residents, employees, and/or visitors to the development.
- (c) **Private Personal Open Space:** A privately owned outdoor or unenclosed area, located on the ground or on a balcony, deck, porch, or terrace and intended solely for use by the individual residents of a condominium or multi-family dwelling unit.

~~9.4 **Minimum Private Common Open Space and Civic Space Requirements:**~~

- ~~(a) All non-residential development shall provide 2.5 sq.ft. of Public Open Space or Private Common Open Space for every 100 sq.ft. of non-residential space or fraction thereof. This standard shall only apply to all site plans 2 acres in size or larger.~~

~~(a)(b) Given the infill nature of development within the context of Bonanza Park, all All residential development within the BoPa-FBC Zoning District shall meet the private common open space standards established in this Section. Table 89.1 establishes the private common open space requirement based on the proposed intensity of~~

residential development. Residential projects with less than 20 dwelling units are not required to provide private common space. When designating Private Common Open Space per the requirements in this Section, priority shall be given to any Required or Recommended Open/Civic Space locations that impact the subject property.

Table 89.1 Private Common Open Space Requirements

Housing Density (dwelling units per acre)	Private Common Open Space Standard Proposed (area of private common space per dwelling unit)
8 – 19 DU / acre	Provide minimum of 160 sf per dwelling unit
20 – 29 DU / acre	Provide minimum of 120 sf per dwelling unit
30 – 39 DU / acre	Provide minimum of 80 sf per dwelling unit
40 and above DU / acre	Provide minimum of 60 sf per dwelling unit

(b)(c) Minimum Private Personal Open Space Requirements: ~~Given the infill nature of development within the context of Bonanza Park, a~~All residential development within the BoPa-FBC Zoning District shall also meet the private personal open space standards established in this Section. Table 89.2 establishes the private personal open space requirement based on the proposed intensity and type of residential development.

Table 89.2 Private Personal Open Space Requirements

Housing Density (dwellings per acre)	Private Personal Open Space Standard Proposed
Less than 8 DU / acre	No Requirement
8 - 19 DU / acre	Ground floor units: If applicable, all dwelling units shall have a minimum of 100 sf of private personal open space including one of the following: Porch, Stoop, Patio, or Deck Upper floor units: all dwelling units shall have a minimum of 50 sf of private personal open space including one of the following: balcony or roof terrace
20 – 29 DU/acre	Ground floor units: If applicable, all dwelling units shall have one of the following: Porch, Stoop, Patio, or Deck Upper floor units: All dwelling units shall have a Balcony
30-39 DU / acre	Ground floor and podium level dwelling units: If applicable, all units shall include one of the following: Porch, Stoop, Patio, or Deck Upper floor dwelling units: 75% of all upper dwelling units shall have a Balcony.
40 and above DU / acre	Ground floor and podium level dwelling units: If applicable, all exterior facing units shall include one of the following: Porch, Stoop Garden, Patio, or Deck Upper floor dwelling units: 50% of upper units with Balcony.

9.49.5 Open/Civic Space Types: In order to meet the requirements for Private Common and Private Personal and other public space within this Code, the following section shall be used to provide the palette of open space types permitted within Bonanza Park.

(a) **Spur Park Standards**



The Spur Park is a critical component of the vision for a redeveloped Bonanza Park. It is based on the Park City's history as a mining community ~~with where~~ Bonanza Park ~~being was~~ the primary rail transfer station sending goods into and out of the bustling mining town. The Y-shaped Spur Park based on the remnants of the switching yard located in Bonanza Park provides a unique way to reconnect to the history of the locale.

The Spur Park as envisioned in the Bonanza Park Plan becomes the central anchor for a walkable, urban neighborhood. The park is similar to a Square or a Green in that it is a public urban open space available for civic purposes, commercial activity, unstructured recreation and other passive uses. All buildings adjacent to the Spur Park shall front onto it and activate this space. The Spur Park shall ~~primarily~~ be naturally landscaped with many shaded places to sit. Open lawn areas shall encourage civic gathering. Appropriate paths, civic elements, fountains or open shelters may be included and shall be formally placed within the green. A civic element or small structure such as an open shelter, pergola, stage, or fountain may be provided within the Spur Park.

The area under the Spur Park may be developed as a public parking garage. Future multi-modal connectivity with the rest of town and the ski resorts will be critical to making Bonanza Park an important transit node within the community.

Typical Characteristics

General Character

- Open space
- Spatially defined by street and building frontages and landscaping
- Lawns, trees and shrubs naturally disposed
- Open shelters and paths formally disposed

Location and Size

- 0.25 – 3 acres
- Minimum width – 25'
- Minimum pervious cover – 80%
- Minimum perimeter frontage on public right of way – 60%

Typical Uses

- Unstructured and passive recreation
- Casual seating
- Commercial and civic uses
- No organized sports

(b) Pocket Park Standards



Pocket Parks are small-scale public urban open spaces intended to provide recreational opportunities where (publicly accessible/park) space is limited. Typically, pocket parks should be placed within new areas of high (population) density such as envisioned within the Mixed Use Center.

Pocket parks are to be incorporated into areas of with high population density. They offer recreational opportunities in locations where publicly accessible green space is limited or in areas not served by any other park. Pocket parks may be developed as dog parks, if permitted through a Conditional Use Permit (CUP) by the Planning Commission, etse.

Typical Characteristics

General Character

Small urban open space responding to specific user groups and space available.

Range of character can be for intense use or aesthetic enjoyment. Low maintenance is essential.

Location and Size

Up to 1.99 acres
Within walking distance of either a few blocks or up to a 1/4 mile

Typical Uses

Development varies per user group

(c) **Green Standards**



Comment [PSM4]: In future version, I'd think about calling it something else. Natural landscape may not be green here!

A Green is a public urban open space available for civic purposes, commercial activity, unstructured recreation and other passive uses. Greens shall primarily be naturally landscaped with many shaded places to sit. Open lawn areas shall encourage civic gathering. Appropriate paths, civic elements, fountains or open shelters may be included and shall be formally placed within the green.

A Green shall be adjacent to a public right-of-way and be spatially defined by buildings which shall front onto and activate this space. [Best practices toward low water usage shall be utilized.](#)

Typical Characteristics

General Character

Open space
Spatially defined by street and building frontages and landscaping

Lawns, trees and shrubs naturally disposed

Open shelters and paths formally disposed

Location and Size

0.25 – 3 acres
Minimum width – 25'
Minimum pervious cover – 80%
Minimum perimeter frontage on public right of way – 60%

Typical Uses

Unstructured and passive recreation

Casual seating

Commercial and civic uses

No organized sports

(d) **Square Standards**



A square is a public urban open space available for civic purposes, commercial activity, unstructured recreation and other passive uses. The square should have a more urban, formal character and be defined by the surrounding building frontages and adjacent tree-lined streets. All buildings adjacent to the square shall front onto the square. Adjacent streets shall be lined with appropriately scaled trees that help to define the square.

The landscape shall consist of lawns, trees, and shrubs planted in formal patterns and furnished with paths and benches. Shaded areas for seating should be provided. A civic element or small structure such as an open shelter, pergola, or fountain may be provided within the square.

Typical Characteristics

General Character

Formal open space

Spatially defined by buildings and tree-lined streets.

Open shelters, paths, lawns, and trees formally arranged

Walkways and plantings at all edges

Abundant seating opportunities

Location and Size

0.25 – 3 acres

Minimum width – 25'

Minimum pervious cover – 60%

Minimum perimeter frontage on public right of way – 60%

Located at important intersections

Typical Uses

Unstructured and passive recreation – no organized sports.

Formal gathering

Commercial and civic uses

(e) **Multi-Use Trail Standards**



A multi-use trail is a linear public urban open space that accommodates two or more users on the same, undivided trail. Trail users could include pedestrians, bicyclists, skaters, etc. A trail frequently provides an important place for active recreation and creates a connection to regional paths and biking trails.

Trails within greenways or neighborhood parks shall be naturally disposed with low impact paving materials so there is minimal impact to the existing creek bed and landscape.

The multi-use trail along the center of BoPa extending from the existing rail-trail along the Union Pacific Rail R-O-W will help activate connections between the open spaces within the district and to adjoining neighborhoods.

Typical Characteristics

General Character

- Multi-use trail in Neighborhood Park:
- Naturally disposed landscape
- Low impact paving
- Trees lining trail for shade
- Appropriately lit for safety
- Formally disposed pedestrian furniture, landscaping and lighting
- Paved trail with frequent gathering spaces and regular landscaping.

Standards

Min. Width	8 feet (pavement)
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Typical Uses

- Active and passive recreation
- Casual seating

(f) Plaza Standards



A plaza is a public urban open space that offers abundant opportunities for civic gathering. Plazas add to the vibrancy of streets within the more urban zones and create formal open spaces available for civic purposes and commercial activity. Building frontages shall define these spaces.

The landscape should have a balance of hardscape and planting. Various types of seating should be provided from planter seat walls, to steps, to benches, to tables, and chairs. Trees should be provided for shade. They should be formally arranged and of appropriate scale. [Introducing water features also adds to plaza.](#) [Daylighting streams or introducing water features would reconnect the urban activity to the natural setting.](#) Plazas typically should be located at the intersection of important streets. A minimum of one public street frontage shall be required for plazas.

Typical Characteristics

General Character

- Formal open space
- A balance of hardscape and planting
- Trees important for shade
- Spatially defined by building frontages

Location and Size

- 0.25 – 3 acres
- Minimum width – 25'
- Minimum pervious cover – 40%
- Minimum perimeter frontage on public right of way – 25%
- Located at important intersections

Typical Uses

- Commercial and civic uses
- Formal and casual seating
- Tables and chairs for outdoor dining
- Retail and food kiosks

(g) **Pocket Plaza Standards**



A pocket plaza is a small scale public urban open space that serves as an impromptu gathering place for civic, social, and commercial purposes. The pocket plaza is designed as a well-defined area of refuge separate from the public sidewalk.

These areas contain a lesser amount of pervious surface than other open space types. Seating areas are required and special features such as public art installations are encouraged.

They should be formally arranged and of appropriate scale. Pocket Plazas typically should be located at angled street intersections or in an area next to the streetscape.

Typical Characteristics

General Character

Formal open space for gathering

Defined seating areas

Refuge from the public sidewalk

Spatially defined by the street and building configuration

Location and Size

Min. 300 s.f. / Max. 900 s.f.

Minimum width – 10'

Minimum pervious cover – 20%

Minimum perimeter frontage on public right of way – 30%

Located at angled street intersections and within building supplemental zones

Typical Uses

Civic and commercial uses

Formal and casual seating

(h) **Pedestrian Passage (Paseo) Standards**



Pedestrian passages or paseos are linear public urban open spaces that connect one street to another at through-block locations. Pedestrian passages create intimate linkages through buildings at designated locations. These wide pathways provide direct pedestrian access to residential or other commercial addresses and create unique spaces [that offer opportunities for store/shop frontages and entrances. ~~for frontages to engage and enter off of.~~](#) Pedestrian passages allow for social and commercial activity to spill into the public realm [\(e.g. outdoor dining\)](#).

Pedestrian passages should consist of a hardscape pathway with pervious pavers activated by frequent entries and exterior stairways. The edges may simply be landscaped with minimal planting and potted plants. Sunlight is important to the interiors of blocks.

Typical Characteristics

General Character

- Hardscape pathway with pervious pavers
- Defined by building frontages
- Frequent side entries and frontages
- Shade important
- Minimal planting and potted plants
- Maintain the character of surrounding buildings

Standards

Min. Width	12 feet
------------	---------

Typical Uses

- Pedestrian connection and access
- Casual seating

(i) **Forecourt Standards**



A forecourt is a small scale private common open space surrounded on at least two sides by buildings. A forecourt is typically a building entry providing a transition space from the sidewalk to the building. The character serves as a visual announcement of the building to visitors with additional amenities such as signage, water features, seating, planting, trees, etc.

Forecourts should be laid out proportionate to building height with a 1:4 (min.) ratio. In order to offset the impact of taller buildings, the detail of the forecourt level should seek to bring down the relative scale of the space with shade elements, trees, etc.

The hardscape may primarily accommodate circulation such as a porte-cochere. Seating and shade may be important for visitors. Trees and plantings are critical to create a minimum of 30% pervious cover and offset the effect of the urban heat island.

Typical Characteristics

General Character

- Small scale private common open space
- Defined by buildings on at least 2 sides with connection to public sidewalk
- Size of court should be proportionate to building height
- Hardscape should accommodate entry circulation
- Trees and plants are critical
- Enhance the character of surrounding buildings

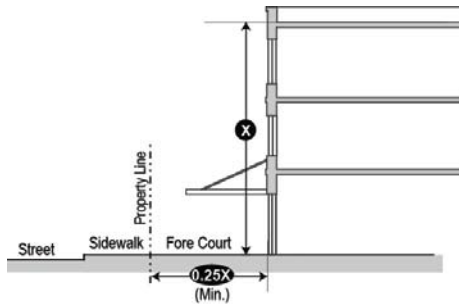
Standards

- Min. Width: 25' or 50% of building width, whichever is smaller.
- Minimum Size: Depth: Based on building height ratio; Width: min. of 50% of the building's frontage along that street

Minimum pervious cover – 30%

Typical Uses

- Building Entry Circulation
- Visual building announcement



(i) **Courtyard Standards**



Courtyards are small scale private common open spaces surrounded on at least three sides by buildings with a pedestrian connection to a public sidewalk. Courtyards maintain the character and style of the surrounding buildings.

Courtyards should be laid out proportionately to building height between 1:1 and 2:1 ratio. In order to offset the impact of taller buildings, the detail of the courtyard level should seek to bring down the relative scale of the space with shade elements, trees, etc. Transition areas should be set up between the building face and the center of the court.

The hardscape should accommodate circulation, gathering, seating, and shade. Trees and plantings are critical to create a minimum of 30% pervious cover and offset the effect of the urban heat island.

Typical Characteristics

General Character

Small scale private common open space
 Defined by buildings on at least 3 sides with connection to public sidewalk

Size of court should be proportionate to building height

Hardscape should accommodate circulation, gathering, and seating.

Trees and plants are critical

Maintain the character of surrounding buildings

Standards

Min. Width	25'
Minimum Size	650 s.f.
Minimum pervious cover	30%

Typical Uses

Gathering

Casual seating

(k) **Roof Terrace Standards**



A Roof Terrace is a private common open space serving as a gathering space for tenants and residents that might not be ~~at-grade~~ located on the same level.

Up to 50% of the required private common open space may be located on a roof if at least 50 % of the roof terrace is designed as a Vegetated or Green Roof. A Vegetated or Green Roof is defined as an assembly or system over occupied space that supports an area of planted beds, built up on a waterproofed surface.

Private common open space on a roof ~~must~~ may be screened from the view of the adjacent property, if desired/required. The hardscape should accommodate circulation, gathering, seating, and shade.

Typical Characteristics

General Character

Small scale private common open space on roof top

Screened from view of adjacent property

Vegetated portion critical

Hardscape should accommodate gathering, seating, shade

Provides common open space that might not be available at grade

Standards

Min. Area 25% of the any roof top

Planted area – 50%

Typical Uses

Gathering for tenants and residents

Green Roof

(l) **Balcony Standards**



A Balcony is a private personal open space ~~servicing as providing~~ access to light and air above the ground level. Metal or slab balconies may project out from the building face, be semi-recessed, or completely recessed. Balconies must be surrounded by guard rails or a building face. A balcony typically has French or sliding glass doors leading out onto it and can be entered from a living room or bedroom.

Balconies may be wide enough to accommodate a small table and chairs or simply provide an area for standing and/or placing potted plants. Balconies provide an outdoor area for individual personalization.

Typical Characteristics

General Character

Small scale private personal open space on roof top

Protected by guardrails or building face

Provides opportunity for personalization of outdoor space

Standards

Min. Width 5' x 8'

Minimum Size 40 s.f.

Typical Uses

Private access to light and air

(m) **Patio/Deck Standards**



A Patio or Deck is a private personal open space on the ground level serving as a place for individual, family, and guest gathering. The patio or deck has a clear sense of separation from adjacent dwelling units and from the private common open space or from the streetscape.

A patio or deck ~~has~~ may have an area for outdoor dining and recreation and either plantings at grade (patio) or potted plants (deck). Patios or decks provide private outdoor areas for individual personalization.

Typical Characteristics

General Character

Small scale private personal open space at ground level

Separated from adjacent units and from the private common open space or from the streetscape

Provides opportunity for personalization of outdoor space

Standards

Min. Width	12'
Minimum Size	150 s.f.

Typical Uses

Private outdoor dining and living

Comment [KC5]: Is this a requirement or guidance?

(n) Stoop Garden Standard



A Stoop Garden is a private personal open space which provides a direct pedestrian connection from the entry door to the dwelling to the public streetscape. The elements of a Stoop Garden include the building stoop, the built area directly outside of the dwelling unit. A Stoop Garden serves as an important transition from a multifamily structure which is set close to the street and sidewalk. The Stoop Garden uses a gradual elevation in planting, railings, planters, and other landscape elements to provide a sense of human scale for pedestrians. These elements also provide residents a sense of defensible space and privacy for dwelling units with very little distance from passing pedestrians.

A stoop typically has a grade separation from the adjacent sidewalk or roadway pavement. Low walls, railings, and shrubs help to create an open, yet defined sense of semi-private space. Walls, fences and other elements should be limited in height to no more than 4 four feet above the building elevation.

Typical Characteristics

Small scale entry transition from public streetscape to private residences within short setback area.

Semi-private landscape between entry stoop and sidewalk are designed as gradually elevated planting

Grade separation of not less than 12"; typically elevated, but can be recessed

Railings, planters, and low walls help to define semi-private zone between private stoop area and the public streetscape

Standards

Min. Width: the length of the unit frontage

Min. Depth: 5 ft planting / 5 ft stoop

Typical Uses

Street level entry and outdoor living

910.0 Landscape and Streetscape Standards

109.1 Street Trees and Streetscape:

- i. Street trees shall be required on all Bonanza Park streets (except in alleys).
- ii. Street trees shall be planted approximately three (3) feet behind the curb line.
- iii. Spacing shall be an average of forty (40) feet on center (measured per block face) along all streets.
- iv. The minimum caliper size for each tree shall be 3 in. and shall be a minimum of 12 feet in height at planting. Each tree shall be planted in a planting area no less than 24 sq. feet.
- v. Species shall be selected from the Planting List in — of the LMC available in the Planning Department.
- vi. Maintenance of all landscape materials shall meet the requirements of Title 14 of the Municipal Code. — of the LMC.
- vii. The Area between the building facade and property line or edge of existing sidewalk along Type “A” Streets shall be such that the sidewalk width shall be a minimum of 6’ with the remainder of the setback area paved flush with the public sidewalk. Sidewalk cafes, landscaping within tree-wells or planters may be incorporated within this area.

Comment [KC6]: Please create an image for this requirement. Also, planting area should require a depth. Think in terms of cubic feet. (Thomas) Also, require soil and prohibit road base.

109.2 Street Screen Required: Any frontage along all Type “A” and Type “B” Streets not defined by a building or civic space at the front of the BTZ shall be defined by a 4-foot high Street Screen. Furthermore, along all streets (except alleys) service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. Required Street Screens shall be comprised of one of the following:

- i. The same building material as the principal structure on the lot or
- ii. A living screen composed of shrubs planted to be opaque at maturity, or
- iii. A combination of the two.

Species shall be selected from the Planting List in — available in the Planning Department of the LMC. The required Street Screen shall be located at the minimum setback line along the corresponding frontage.

910.3 Street Lighting: Pedestrian scale lighting shall be required along all Type “A” and “B” streets in Bonanza Park. The following standards shall apply for pedestrian scale lighting

- i. They Street lighting structures shall be no taller than 20 feet.
- ii. Street lights shall be placed at an average of 75 (50?) 50 feet on center, approximately within three (3) feet behind the curb line.
- iii. The light standard selected shall be compatible with the design of the street and buildings. Street lights shall direct light downward or be properly shielded with 3/4 or fully shielded fixtures to prevent glare and light pollution.
- iv. Lighting on private development (including parking lots) shall meet the standards of — Chapter 5 of the LMC as amended.

910.4 Street Furniture:

- i. Trash receptacles shall be required along all Type “A” Streets. A minimum of one each per each block face shall be required.
- ii. Street furniture and pedestrian amenities such as benches are recommended along all Type “A” Streets.
- iii. All street furniture shall be located in such a manner so as to allow a clear sidewalk passageway of a minimum width of 6 feet. Placement of street furniture and fixtures

Comment [KC7]: Interior Block with Cycle track has 6’ sidewalks. Should we make an exception for the area within the interior block with cycle track?

shall be coordinated with ~~organization~~ the design intent for sidewalks, landscaping, street trees, building entries, curb cuts, signage, and other street fixtures.

- iv. Materials selected for paving and street furniture shall be of durable quality and require minimal maintenance.

~~9~~10.5 Parking Lot Landscaping: All surface parking shall meet the standards for parking lot landscaping in ~~Section~~ Chapter 3 of the LMC.

~~10~~11.0 Sustainability Standards **(SECTION UNDER DEVELOPMENT)**

Comment [KC8]: Please create a check list for LEED ND standards and where each standard is applied in the code.

101.1 Applicability. This section establishes sustainable development techniques to be utilized in Bonanza Park. The following matrix sets minimum requirements for new construction and their relation to the natural environment. The standards set in this section helps the developer or owner to use these techniques to manage stormwater effectively, reduce light pollution, improve the indoor environment, save energy and water, and decrease the life-cycle costs of the development.

Table ~~10~~11.1

Character Zone	Resort Gateway	Neighborhood Shopping	Mixed Use Core	Iron Horse Industrial Arts	Standard
Sustainability Techniques					
Building Orientation and Design					
Ventilation					<ul style="list-style-type: none"> • A minimum of <u> </u>% of the windows above street level on a building shall be operable. The operable windows should be distributed to maximize the direction of prevailing winds.
Daylighting					<ul style="list-style-type: none"> • A minimum daylighting factor of <u> </u>% shall be provided in <u> </u>% of regularly occupied interior areas. • There shall be a direct line of sight to glazing from 90% of all regularly occupied spaces.
Surface Solar Reflectivity					<ul style="list-style-type: none"> • The Solar Reflectivity Index for flat roofs shall be a minimum of <u> </u>. • The Solar Reflexivity Index for sloped roofs shall be a minimum of <u> </u>. • The Solar Reflexivity Index for pavement shall be a minimum of <u> </u>.
Shading					<ul style="list-style-type: none"> • A minimum of <u> </u>% South facing windows shall be shaded from the summer sun angle. • Shading devices include, but are not limited to: awnings, porches, roof overhangs, exterior shades, light shelves, or deep windows. • Deep skin screening is permitted upon review of the City Manager or designee.
Energy Systems					<ul style="list-style-type: none"> • The use of wind turbines and solar photovoltaic/solar thermal energy systems is permitted.
Building Orientation					<ul style="list-style-type: none"> •
Public Darkness					
Exterior Building Lighting					<ul style="list-style-type: none"> • Maximum Lighting Standards: <ul style="list-style-type: none"> ○ Full cutoff lighting, ○ Some low wattage, ○ Non-Full Cutoff Lighting, controlled by dimmers, time switch or motion • Required Shielding: Shielded luminaire or better
Stormwater Management					

Character Zone	Resort Gateway	Neighborhood Shopping	Mixed Use Core	Iron Horse Industrial Arts	Standard
Sustainability Techniques					
Runoff Retention Volume					<ul style="list-style-type: none"> Runoff volume retention shall be a minimum of 5%. This percentage is the change in runoff volume between post-development impervious surface and pre-development land surface.
General Infiltration Methods					
Hard Surface: Permeable Pavement					<ul style="list-style-type: none"> Where paving is provided, a minimum of 5% shall be permeable paving that allows for water to infiltrate, even in frequently trafficked areas.
Hard Surface: Green Roof	O	O	O	O	<ul style="list-style-type: none"> If a green roof is provided, at least 5% of a building's flat roof shall be designed as a green roof.
Reuse of Rain Water: Reuse Irrigation	O	O	O	O	<ul style="list-style-type: none"> Permitted only for retail, service, or restaurant uses
Reuse of Rain Water: Reuse, Greywater	O	O	O	O	Shall meet other applicable city ordinances with the approval of the Public Works Director
Linear Infiltration: Vegetated Swale	N	N	N	N	
Linear Infiltration: Vegetated Stormwater Planters	O	O	O	O	
Area Infiltration: Rain Garden	O	O	O	O	
Area Infiltration: Retention Basin	N	N	N	N	
District Methods: Retention Areas	O	O	O	O	
District Methods: Underground Gravel Storage	O	O	O	O	

112.0 Definitions

In addition to Definitions in Chapter 15 of the LMC, the following terms shall have the corresponding interpretations.

Arcade: is a portion of the main façade of the building that is at or near the Street-Setback Line and a colonnade supports the upper floors of the building. Arcades are intended for buildings with ground floor commercial or retail uses and the arcade may be one or two stories.



Image of an arcade

Attics/Mezzanines: the interior part of a building contained within a pitched roof structure or a partial story between two main stories of a building.

Auto-Related Sales and Service Uses: are establishments that provide retail sales and services related to automobiles including, but not limited to, cars, tires, batteries, gasoline, etc.

Block Face Dimensions means the linear dimension of a block along one of its street frontages.

Block Perimeter means the aggregate dimension of a block along all of its street frontages.

Block means the aggregate of lots, pedestrian passages and rear alleys, circumscribed on all sides by streets.

Build-to Zone means the area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located.

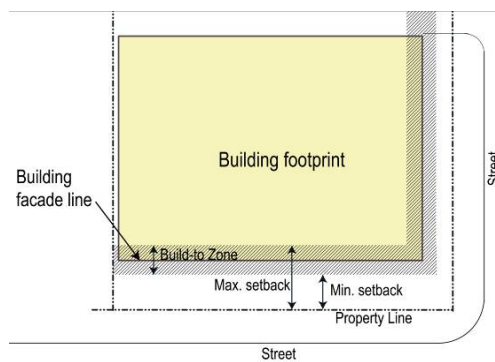
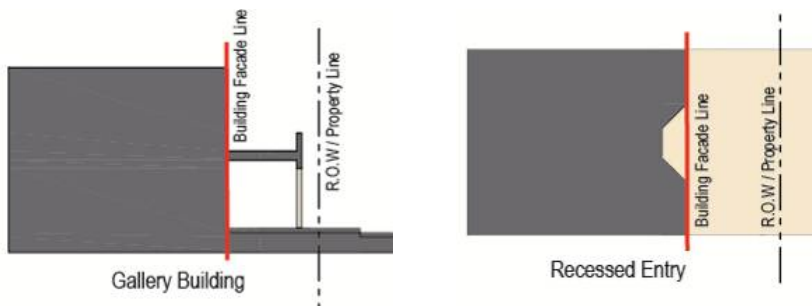
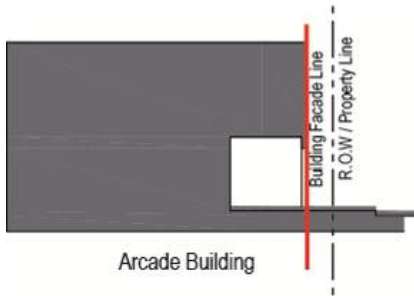


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

Building Façade Line means the vertical plane along a lot where the building's front façade is actually located.





Building Façade Line Illustrations

Building Form Standards: the standards established for each Character Zone that specifies the height, bulk, orientation, and elements for all new construction and redevelopment.

Building Frontage: the percentage of the building's front façade that is required to be located at the front Build-to Line or Zone as a proportion of the lot's width along that public street. Parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage.

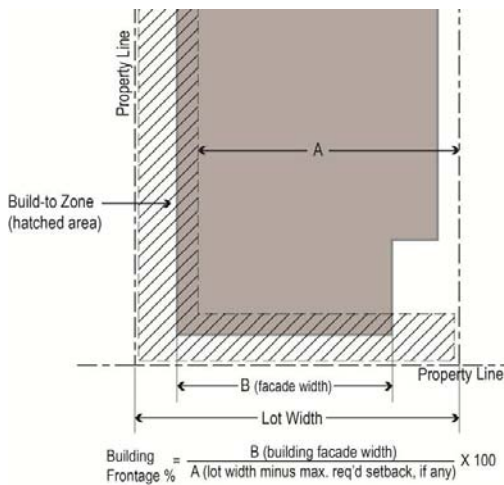


Image showing Building Frontage calculation

Character Zone means an area within the Bonanza Park Form-Based Code District that creates a distinct urban form different from other areas within the BoPa FBC District. Character Zones are identified in the Regulating Plan.

Civic/Open Space: a publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned.

Commercial or Mixed Use Building means a building in which the ground floor of the building is built to commercial ready standards and any of the floors are occupied by non-residential or residential uses.

Daylighting: Daylighting in a building is the utilization of available sunlight by manipulating window placement, window fixtures, and room dimensions to maximize natural light in a space.

Using daylighting minimizes the need for lamps and overhead lights and the energy required to power artificial lighting.

Encroachment: any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony, that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public R-O-W, or above a height limit.

Gallery: is an extension of the main façade of the building that is at or near the front property line and the gallery may overlap the public sidewalk.

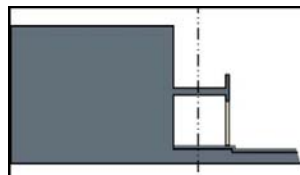


Image of a Gallery

Improvements: Improvements include anything that increases the dollar value or the usefulness of the property as defined by the Appraisal District. Such improvements include extension of utility service lines, filling or draining low areas, building raised areas, creating roads, parking lots and other access as well as erecting buildings, outbuildings and other fixed, permanent structures.

Institutional Uses: are uses that are related to non-profit organizations dedicated to religious or social functions.

Liner Building: A building that conceals a parking structure, surface parking lot, a big box retail or other large floor plate building, and is of a minimum of 30' in depth designed for occupancy by retail, service, and/or office uses on the ground floor, and flexible uses on the upper floors.

Live-Work Unit: means a mixed use building type with a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The 'work' component is usually located on the ground floor which is built to Commercial Ready standards. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by this ordinance in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

Living Fence: shall be a Street Screen composed of landscaping in the form of vegetation.

Minor Modification means a requested deviation from BoPa FBC standards specified in the Minor Modifications provision of Section 4 Administration.

New Development: shall be all development that substantially modified or built after the adoption of this Code.

Regulating Plan: is a Zoning Map that shows the Character Zones, Street Types, Frontage Types, Civic Spaces, and other requirements applicable to the Bonanza Park Form-Based Code District subject to the standards in this Code.

Retail Sales: Retail establishments are the final step in the distribution of merchandise. They are organized to sell in small quantities to many customers. Establishments in stores operate as fixed point-of-sale locations, which are designed to attract walk-in customers. Retail establishments often have displays of merchandise and sell to the general public for personal or household consumption, though they may also serve businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation. Included in, but not limited to this category, are durable consumer goods sales and service, consumer goods, other grocery, food, specialty food, beverage, dairy, etc, and health and personal services.

Residential Building means a building type that is built to accommodate only residential uses on all floors of the building such as townhomes, apartment buildings, duplexes, etc.

Service Uses: This is a category for limited personal service establishments which offer a range of personal services that include (but not limited to) clothing alterations, shoe repair, dry cleaners, laundry, health and beauty spas, tanning and nail salons, hair care, etc.

Street Screen: a freestanding wall or living fence built along the frontage line or in line with the building façade along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



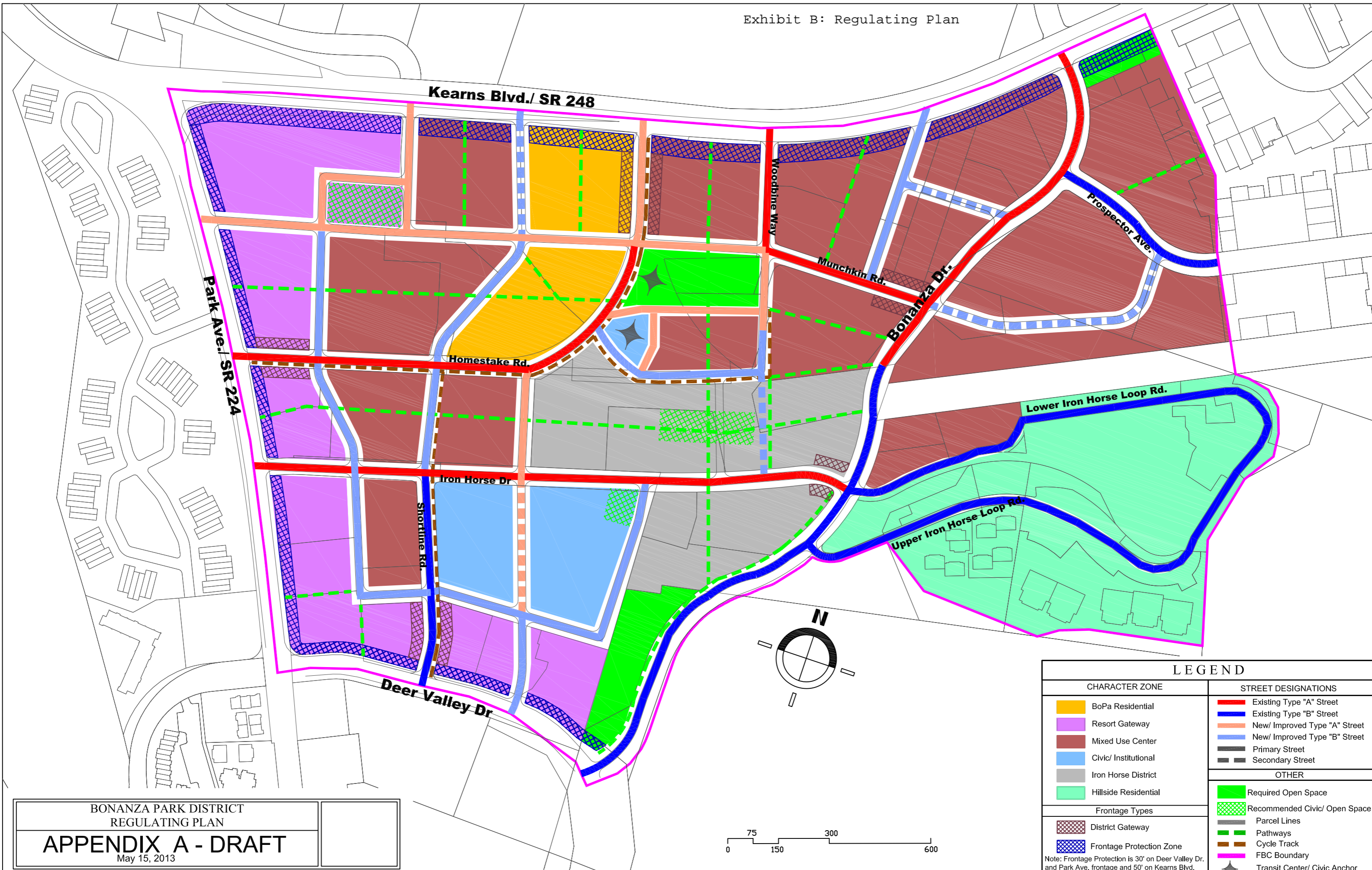
Image of a combination masonry and living street screen

Commercial Frontage Designation means space constructed at a minimum ground floor height as established in each character zone which shall NOT be residential, office, or institutional uses.

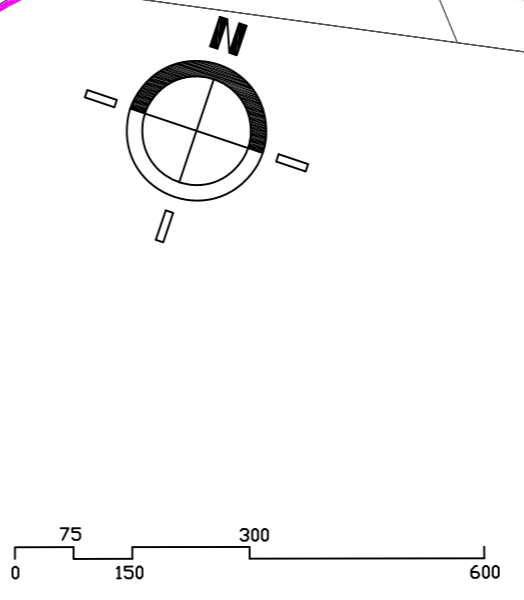
Cottage Manufacturing uses means small scale assembly and light manufacturing of commodities (incl. electronics) fully enclosed within the building without producing any noise, noxious odors, gas, or other pollutants. This category shall include workshops and studios for cottage industries such as pottery, glass-blowing, metal working, screen printing, weaving, etc.

Retail Sales: Retail establishments are the final step in the distribution of merchandise. They are organized to sell in small quantities to many customers. Establishments in stores operate as fixed point-of-sale locations, which are designed to attract walk-in customers. Retail establishments often have displays of merchandise and sell to the general public for personal or household consumption, though they may also serve businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation. Included in, but not limited to this category, are durable consumer goods sales and service, consumer goods, other grocery, food, specialty food, beverage, dairy, etc, and health and personal services.

Service Uses: This is a category for limited personal service establishments which offer a range of personal services that include (but not limited to) clothing alterations, shoe repair, dry cleaners, laundry, health and beauty spas, tanning and nail salons, hair care, etc.



BONANZA PARK DISTRICT
 REGULATING PLAN
APPENDIX A - DRAFT
 May 15, 2013



LEGEND	
CHARACTER ZONE	STREET DESIGNATIONS
BoPa Residential	Existing Type "A" Street
Resort Gateway	Existing Type "B" Street
Mixed Use Center	New/ Improved Type "A" Street
Civic/ Institutional	New/ Improved Type "B" Street
Iron Horse District	Primary Street
Hillside Residential	Secondary Street
Frontage Types	OTHER
District Gateway	Required Open Space
Frontage Protection Zone	Recommended Civic/ Open Space
	Parcel Lines
	Pathways
	Cycle Track
	FBC Boundary
	Transit Center/ Civic Anchor

Note: Frontage Protection is 30' on Deer Valley Dr. and Park Ave. frontage and 50' on Kearns Blvd.