

PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
SPECIAL WORK SESSION – GENERAL PLAN  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
OCTOBER 16, 2012

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Brooke Hontz, Stewart Gross, Mick Savage, Adam Strachan, Charlie Wintzer

EX OFFICIO:

Planning Director, Thomas Eddington; Katie Cattan, Planner; Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney

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SPECIAL WORK SESSION – GENERAL PLAN

**ROLL CALL**

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

**STAFF/COMMISSIONER COMMUNICATIONS**

Planning Director reported that the next meeting on October 24<sup>th</sup> would be a joint meeting with the City Council to discuss Bonanza Park Planning and Form Base Code. The meeting would begin at 5:00 p.m. The Planning Commission meeting on November 14<sup>th</sup> had to be cancelled because four Commissioners would be absent and the Planning Commission would lack a quorum. The Planning Commission would only have one meeting in November, on November 28<sup>th</sup>.

**WORK SESSION – GENERAL PLAN – Review of draft chapters on Small Town and Natural Setting. The Planning Commission will review goals, objectives, and strategies related to the Core Values of Small Town and Natural Setting.**

Planner Cattan noted that the Planning Commission began the discussion at their regular meeting on October 10<sup>th</sup>. She had started to edit Small Town, but she was not satisfied with it and realized that it needed a lot more work.

Planner Cattan asked if there were any concepts regarding Small Town that the Planning Commission did not agree with and believed should be taken out in terms of strategies. She stated that the Staff would be strengthening the language to make it more clear.

Goal 1 – Park City will grow inward strengthening existing neighborhoods while protecting underdeveloped land.

Commissioner Wintzer noted that Goal 1 implies that if density is increased in town it would take pressure off of open space out of town. He could not see the logic because if a property owner on the edge of town has the right to develop his property, he would still do it regardless of the amount of density in town.

Commissioner Hontz referred to the first sentence in Goal 1, "dealing with the pressure placed on Park City to grow and develop, the community is faced with two choices. She disagreed with that thinking because there are many other scenarios. She concurred with Commissioner Wintzer that adding more density in town would not reduce the right or desire of others to live outside of town.

Director Eddington suggested that they talk about whether that could be the result if they utilize TDRs. Commissioner Wintzer recognized that there might be a willingness to reduce density if there was a goal to do it. He agreed with the concept of keeping density in town, but he did not want to give the idea that density could be increased in an area to achieve a goal without a way to implement it. Director Eddington stated that Staff would make sure that was clear in the language. He concurred that it would not prevent development in outlying areas, but it might slow it down.

Commissioner Hontz remarked that if they go higher density with condos, townhomes, no yards, small yards, or common space, it would be a different product than what is available in areas where the developer could go wider and larger.

Commissioner Wintzer referred to the strategies and the bullet point that talk about creation of transition zones and CUPs. Commissioner Wintzer stated that a CUP is pretty much an approved use because most of them are allowed. He preferred different language that would not state that a CUP could be a potential for a zone change.

Commissioner Thomas thought they could outline a list of considerations or exceptions for a CUP. Commissioner Wintzer agreed, but he did not think the CUP process by itself was a strong enough tool.

Commissioner Cattan asked if the Planning Commission agreed with the strategy of looking at areas between a residential neighborhood that leads into a commercial area to create transition zones where density could be added. Commissioner Wintzer remarked that his concern is that the City has not done a good job with transition zones. Again, he agreed with the concept but enforcement is an issue. He could name a number of transition zones in Old Town that do not fit. He encouraged the Staff to draft stronger language.

Director Eddington stated that if there was general consensus about stronger language, they could look at changing the CUP criteria in the Land Management Code and make those recommendations through the General Plan. Commissioner Wintzer suggested different criteria for different areas because what works in Park Meadows may not work in Old Town.

Commissioner Thomas asked when they should begin to edit through the conditional use permits. There was a time when not all conditional uses were approved; however, over time as State law has changed, it is more apparent that a conditional use most likely will happen. Director Eddington

suggested that after they finish the first round of Land Management Code changes they should start looking at conditional use criteria.

Commissioner Thomas understood that the goal they were trying to achieve was a more beautiful community. He wanted to know when they would start addressing the beauty of the community and how it could be factored in. Director Eddington stated that it would happen with Form Base Code because Form Base Code looks at design, character and aesthetics. However, Form Base Code was only applied to Bonanza Park at this point. Director Eddington remarked that since the General Plan is being based on the four core values of natural setting, small town, historic character and sense of community, they should begin to see a more qualitative approach that looks at aesthetics.

Commissioner Thomas stated that the Planning Commission needs to make it a priority; otherwise it will never happen. He would like to see it raised to a higher level and have written criteria that raises the quality of those in the design community.

Director Eddington noted that the Staff and others have talked about including graphics because pictures provide a better explanation than pages of words. After the next General Plan discussion on the next core element, the Staff could come back with a visual preference survey to begin to rank what is good versus what is bad. The Planning Commission would be able to vote on specific visuals using their key pads.

Commissioner Gross asked about affordable housing and asked if there was a definition of "affordable" in terms of income ranges or other criteria. Planner Cattán replied that affordable housing would be addressed under the sense of community core value. On a federal level, affordable housing is defined by area median income. Park City has adopted work force housing strategies based on the rates of what is actually earned in Park City versus those who live in Park City and commute to Salt Lake. Director Eddington noted that the City Council recently looked at the Affordable Housing Plan and there are very specific parameters.

Commissioner Savage noted that the last page of Goal 1 talks about floor area ratios and TDR sending zone credit acquisition strategies. He asked which document would describe the way the TDR policy and procedures would work. Planner Cattán replied that it was currently addressed in the Land Management Code. Commissioner Savage asked if the document defined with enough specificity how this could be implemented. Planner Cattán replied it would have to be added as a new strategy.

Commissioner Savage suggested that they draft common English verbiage about how TDRs work. He gets a lot of questions from people about TDRs and there is a lot of ambiguity and confusion among sophisticated members of the community. Commissioner Savage pointed out that clarity would be very beneficial. Planner Cattán stated that TDRs could be simplified as an insert within the General Plan. Commissioner Savage stated that the TDR is a tool on which they will have to rely on extensively to implement the vision presented in the General Plan. For that reason he believes it deserves clarity of purpose and utilization in the General Plan update.

Planner Francisco Astorga believed the entire Land Management Code would need to be revised once the General Plan is adopted in order to reflect the current goals.

Goal 2 – Park City will collaborate with Summit County, Wasatch County, and Salt Lake County toward the preservation of place through regional land use planning.

Planner Cattan noted that the language had been changed from “we will lead in this effort” to “we will be involved and participate in this effort”. She recalled comments from the last meeting that being a leader could actually backfire.

Commissioner Hontz referred to the bullet point, “Diversity review teams for City Projects to include representatives of the region”. She noted that Weber County has a system where projects that come in are automatically filed in a Google doc. System and automatically emailed to 30 people throughout the region, not just within the planning district, for their review. Those who receive it are given a certain number of days to provide comment. Any comments that come back are publicly provided and any member of the public has access to see the exact letter. The process is good from the standpoint of an applicant because it does not belabor the system. Commissioner Hontz suggested that the Staff look into the system. She would support it if it was simple, but she would not support it if it created additional work for the Staff.

Commissioner Strachan questioned why they would want to tie their hands by saying they would “work with the State of Utah towards adopting legislation to allow TDRs, and that it would involve legislatures to begin the change in current policy that prohibits inter-jurisdictional TDR programs”. He felt it was better to say they would consider working with the State. If the State comes up with an outlandish TDR scheme, Park City would not want the General Plan to say they have to work with the State and cooperate.

Director Eddington agreed with the change in wording. He clarified that the language was added because inter-jurisdictional TDRs are essential for the success of the TDR program, for example, being able to transfer between Summit County and Park City. Currently the State prohibits that type of interaction and Park City would like to pursue expanding it.

On the next bullet point to work with Summit County and Wasatch County, Commissioner Strachan suggested changing that to “consider working with...”. Commissioner Hontz concurred.

Planner Cattan revised the language to state, “Research the pros and cons of a regional transfer of development rights program in the Wasatch Back. Consider adoption if legislation supports a regional TDR”. Chair Worel believed the revised language supported the change in the first paragraph and the decision not to lead the effort.

Goal 3 – Public transit, biking and walking will be a larger percentage of residents’ and visitors’ utilized mode of transportation.

Commissioner Hontz felt they needed to find a way in the strategies to further define the objective to maintain the small town character of streets. She understood there was language to avoid widening of existing streets and highways, but she suggested adding another bullet point to keep Engineering from driving the width of the streets.

Planner Cattan planned to show a different strategy to objectives in Goal 4, because the Staff believes the strategies are too light and not well enough defined.

Goal 4 – Conserve a meaningful network of open space for continued connection to and respect for the Natural Setting.

Planner Cattan stated that Goal 4 was where she had the opportunity to review the Commissioner's suggestions from last week. Based on their request for more description, she had created principles instead of objectives. If a project was reviewed under these principles it would provide more clarity in terms of what they were actually trying to achieve. Planner Cattan requested feedback from the Planning Commission on whether they would prefer principles or objectives. She had categorized Action Strategies and Operational Strategies. Action Strategies occur at the Planning Commission level. Operational Strategies relate to City operations.

Planner Cattan and Director Eddington had prepared a power point presentation to address the points of Natural Setting in Goal 4.

Parkites love the natural setting because of its beauty. They care for the environment, plants and animals. They like the recreation aspects. Healthy eco-systems and the economic benefits of natural setting are primary. Natural setting is a limited and finite resource; therefore, they need to plan for it and protect it.

Planner Cattan reviewed a map of the protected open space, which is deed restricted open space that was purchased with bond money. Some have conservation easements and other portions do not. Director Eddington clarified that Park City utilizes bond money to purchase open space outside of their boundary. Other protected areas, particularly up 224 and I-80 to the north were areas purchased with County money. Not all the open space shown on the map was purchased with City money. Director Eddington pointed out that Round Valley is outside of the City boundary but City dollars were used to purchase it. Commissioner Wintzer noted that Park City also buys open space in conjunction with the County.

Planner Cattan presented another map showing the protected open as well as the zoned open space. Zoned open space is primarily recreation open space such as the golf course and Deer Valley.

Commissioner Savage asked if there was a prioritized listing of anticipated future open space acquisitions that could be overlaid on the open space map. Commissioner Wintzer explained that the City does not advertise which properties they are interested in purchasing because it results in a bidding war or the seller raises the value of the property.

Director Eddington stated that COSAC, which is the City Open Space Action Committee, and BOSAC, the Basin Open Space Action Committee, has an action plan with regards to open space. They have ideas but not a specific list.

Commissioner Thomas thought they needed another goal to encourage better architecture that is consistent with the scale of adjacent structures and in harmony within the setting. Chair Worel asked whether that would be a goal or a strategy. Commissioner Wintzer felt it should address

more than architecture. It should also include landscaping, planning, and design. Commissioner Thomas replied that it is design, but at some point they would need to address the actual structures.

Commissioner Hontz asked if it should be a separate goal or a strategy of small town. Commissioner Thomas felt it was significant enough to be its own goal. It is the quality of the built environment.

Planner Cattan thought it would fit within Small Town where it talks about land use, transportation, and transferring. Director Eddington remarked that if they put it as a goal under Small Town it also applies to historic character, which is another core value, and it also crosses over to Old Town as well as the new areas of town. The Planning Commissioner concurred.

Planner Cattan suggested the idea of a volunteer architectural committee for the General Plan to outline distinct architecture.

A series of slides were presented with questions that the Planning Commission could vote on individually with their key pads.

The Commissioners were asked to choose their top open space priority, which included 1) Guardsman Way; 2) the area east of Highway 40; 3) the east-west connect; 4) Treasure Hill. The vote tally was 45% for Guardsman, 45% for Treasure Hill. There were no votes for the east-west connect.

Commissioner Wintzer stated that in his opinion, the importance of Guardsman Way is the traffic issue going through town.

The second question was for the Planning Commission to choose their second open space priority. The tally was 57% for Guardsman, 14% for the east-west connect and 29% for Treasure Hill. There were no votes for the area east of Highway 40.

Director Eddington asked if the Planning Commission would see the area east of Highway 40 as a favorable development area for the County as a TDR to grow the area between Promontory and Park City and Round Valley. Commissioner Hontz thought it should stick up by the node below Home Depot so it would come down a little towards the green hatched area shown on the map. The Commissioner were not opposed to growing that area, but some had other priorities for that piece.

Planner Cattan presented a slide showing potential open space if the City had unlimited funds to purchase all the open parcels. She stated that the Ahwahanee Regional Principles is from a group of planners, architects and landscape designers who put together principles that they believe all communities should adopt moving forward in the future.

One Principle is that regions should be bound by and provide a continuous system of green belts and wildlife corridors to be determined by natural conditions. Planner Cattan noted that the next set of questions would move away from the objectives and more into principles.

The first question was whether the Planning Commission agreed with the principle to protect natural areas critical for bio-diversity and ecological function from development. The vote tally was 100% yes.

Commissioner Savage asked for clarification on the meaning of critical to bio-diversity and ecological function. Planner Cattan replied that it was protecting species that live in the area and their habitat. Commissioner Strachan noted that Goal 4 should specifically say that and that the language should say "through curbing growth and development" to achieve the goal. Commissioner Savage pointed out that the Principle did not talk about curbing growth. It talks about protecting areas from development. Therefore, you could still have responsible growth in areas that do not require the same level of protection.

The second question was to protect mountain vistas and buffer entry corridors from development to enhance the natural setting, quality of life and visitor experience. The vote tally was 100% yes.

The third question was to protect open space through zoning and natural resource management, while providing flexibility for low impact adaptation to meet the needs of future generations. Future needs may include renewable resource technology sites, agriculture and water storage. Planner Cattan explained that if a conservation easement is placed on open space, the ability is lost for the future to put renewable resource sites or to utilize it for farming, etc. Commissioner Hontz noted that the conservation easement could be written to address future needs.

Director Eddington remarked that there were two approaches. This particular question was asking whether the Planning Commission would recommend protecting open space through zoning and allowing potential uses on the site. Voting NO would not mean they were against protecting open space, but it would mean they would be a little more draconian without much flexibility. The vote tally was 14% yes and 86% no.

Director Eddington interpreted the voting result as saying protect open space period without exception. Commissioner Strachan disagreed. Commissioner Savage stated that at the time the open space is acquired, there could be a set of allowed modifications to the property that would be consistent with the long terms objectives that do not exist on the property at that moment in time. He used trails as an example. Director Eddington felt the question was not clear because referred more to infrastructure. Trails, grazing, etc. are still allowed on open space property.

The fourth question asked about preventing the fragmentation of open space.

Commissioner Thomas wanted to know what fragmentation of open space meant and to what degree. Planner Cattan replied that it was more about keeping corridors and not having fences. If there are two deed restricted open space areas and the area in between those two could be developed, it creates an island. Commissioner Savage remarked that if it was already fragmented they could not prevent fragmentation. Planner Cattan presented a slide showing Round Valley and Mountain Top and the area in between that has development rights, where the owner could build fences or build houses on the hillside. She explained how the fragmentation could result in losing the greater regional connection.

The vote tally was 100% yes; however, only four Commissioners were able to vote before the voting closed. The three remaining Commissioners felt the result was consistent with how they would have voted.

The fifth question was to minimize additional footprint of new development on undeveloped lands; and recognize that if undeveloped land is to be built upon, it should be located within established neighborhoods. The vote tally was 100% yes.

Commissioner Hontz commented on a scenario where someone could come in with an application on property that was developed in 1901 but it fell down. For the past seven years it would be considered undeveloped because there is nothing there and the land was overgrown.

Director Eddington read a scenario where a developer comes to town and wants to build 50 Single Family homes. The question was whether the units would be constructed as infill units in existing neighborhoods or within a new clustered neighborhood in a green filled area. The vote tally was 100% for infill.

Planner Cattan noted that the Staff introduced the conversation on climate change and global warming and the task force had a lively debate on the subject. She presented the carbon footprint of Park City from a study that was done in 2009. Airline transportation was the majority of the footprint. Planner Cattan stated that the root of transportation is found in the vehicles, the fuels used, and vehicle miles traveled.

Planner Cattan remarked that the next set of questions was based on if global warming did not exist and climate change was not an issue. The Planning Commission was asked to vote on whether or not they would support walkable neighborhoods, public transit, renewable energy, conservation of developable land, protection of bio-diversity, sprawl,

Other questions asked if there was no global warming whether they would buy into carbon offsets, whether they would support infill and adaptive reuse, diversifying housing options in Park City.

Planner Cattan noted that the answers reaffirmed that with all the strategies, regardless of whether or not global warming is a reality, Park City was doing good planning in terms of the community and the direction they should be headed. Director Eddington stated that the debate with the Task force was whether including climate change issues in a General Plan was too controversial and if it could misdirect what people focus on.

Commissioner Savage remarked that the questions this evening were about community design and how people move from point A to point B. It had nothing to do with trying to mandate carbon footprint, which is a different issue. Director Eddington agreed that it had nothing to do with mandating carbon footprint, but it did talk about ways to offset some of the carbon, such as creating walkable neighborhoods and avoiding sprawl. Commissioner Savage pointed out that the questions did not lead him to believe that they were doing things for the reason of carbon footprint. The reason for walkable neighborhoods and no spawl was good community planning. Director Eddington stated that the Staff was trying to show a correlation between good planning and being good to the earth, whether or not your believe in global warming. Commissioner Savage stated that



if he were trying to develop a General Plan that was developer friendly, he would state it from the perspective of good planning ideas and good objectives and vision, rather than environmental friendliness and responsibility related to individual carbon footprint.

The next question was whether they should include climate change/climate adaptation conversation in the General Plan. Planner Cattan reviewed the comments and opinions of the Task Force regarding this issue. The Planning Commission voted 57% yes and 43% no on the above question.

Commissioner Wintzer noted that the City has made a strong statement about climate change and he believed the General Plan should support that position.

A member of the public stated that there is a natural gas refueling station in Park City, and natural gas vehicles would be the lowest emissions vehicle you could drive under the current technology. That would be one way to have a big impact on local transportation and it is already readily available.

Commissioner Gross understood that the County was trying to change its fleets over to natural gas

Planner Cattan stated that another strategy is to create more housing for the work force to reduce the amount of vehicle travel. Commissioner Thomas remarked that electricity was another dramatic change in terms of energy consumption. Every project designed in his office has floatable tags because it is finally economically feasible and reasonable. Commissioner Thomas felt this was something they should encourage as a community.

Planner Cattan stated that another strategy is to create funding for environmental programs through carbon offsets. Another trend is net zero energy building certification. She noted that California has released a strategic plan to require all new residential buildings to be net zero by 2020, and all new commercial buildings to be net zero by 2030. The next question for the Planning Commission was whether Park City should adopt a similar strategy. The vote tally was 86% yes and 14% no.

Commissioner Savage stated that not everyone fully understands the meaning of net zero as it relates to additional development costs, yet they were being asked to vote on it without fully understanding the ramifications. He thought they should give people enough credit to do the right thing on their own.

Planner Cattan stated that Lancaster, California was talking about being the world's first net zero city and a net zero conference was recently held in Fort Collins. She asked whether the Planning Commission thought Park City should adopt a similar goal for long range planning. The vote tally was 86% yes and 14% no.

Planner Cattan remarked that in getting to net zero, some cities are setting up trends and goals with increment indicators that the community could work towards. Planner Cattan asked if the Planning Commission agreed with the net zero goal and gave a range of four answers. She realized that the Planning Commission did not have enough information to adequately answer the question. If they

felt the Staff was on the right track they would do more research and come back with additional information.

The last question asked whether people would move to Park City to adapt to climate change if it was a reality. The vote tally was 100% yes.

Director Eddington asked if the Planning Commission preferred special meetings to discuss the General Plan as opposed to incorporating the discussion into the regular meeting. The Commission's concurred that it was more beneficial to have the discussion in a separate meeting.

The Work Session was adjourned.

The Park City Planning Commission meeting adjourned at 7:00 p.m.

Approved by Planning Commission: \_\_\_\_\_