



AGENDA

MEETING CALLED TO ORDER AT 5:30 PM

WORK SESSION – Discussion items only. No action will be taken		<i>Pg</i>
Traffic and Transportation Master Plan – Informational Update		5
Park City Heights – Master Planned Development	PL-10-01028	29

ROLL CALL

ADOPTION OF MINUTES OF DECEMBER 7, 2010

ADOPTION OF MINUTES OF JANUARY 12, 2011

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

Alice Lode	PL-05-00118	113
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STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATION(S) – Public hearing and continue as outlined below

Park City Heights – Master Planned Development	PL-10-01028	
<i>Public hearing and continuation to February 23, 2011</i>		

CONSENT AGENDA – Public hearing and possible action

1109-1139 Woodside Avenue – Amendment to Record of Survey	PL-10-01083	117
<i>Public hearing and possible recommendation to City Council</i>		

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

Land Management Code – Consideration of an additional chapter titled	PL-10-01104	151
Chapter 2.24 Transfer of Development Rights Overlay Zone and related		
amendments to Chapter 15 – Definitions		
<i>Public hearing and possible recommendation to City Council on 1/27/11</i>		

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.

WORK SESSION



Planning Commission Staff Report

Subject: Traffic and Transportation Master Plan Update
Author: Matthew Cassel, P.E., City Engineer
Department: Engineering
Date: February 10, 2011
Type of Item: Informational

Summary Recommendations:

This report is informational. The Traffic and Transportation Master Plan study consultants are preparing for the next public open house on March 1 and staff would like to provide the Planning Commission with an update of our progress and our direction before going public.

Topic/Description:

A street master plan was prepared for Park City by Wayne Van Wagoner and Associates in 1984. This master plan was in essence a street inventory that included roadway design standards and provided a street capital improvement plan. Since that time, the Old Town Infrastructure Study (OTIS) was completed in 2002 and numerous small localized traffic studies have been performed over the years in highly congested areas of concern. As traffic congestion increases, Park City recognizes the need to develop a comprehensive master plan for the City's transportation system. It is anticipated that this tool will be useful for the City to understand and resolve current and anticipated future traffic and transportation issues. This master plan will complete the transportation section of the General Plan currently being updated by our Planning Department. InterPlan Company was selected to develop the Traffic and Transportation Master Plan.

A technical steering committee has been formed to guide the development of the Traffic and Transportation Master Plan. Committee members are as follows:

Matt Cassel	Engineering
Kent Cashel	Transportation
Thomas Eddington	Planning
Roger Evans	Building
Jonathan Weidenhamer	Sustainability
Heinrich Deiters	Sustainability
Brooks Robinson	Transportation
Sayre Brennan	Transportation

The following are the elements to be provided by InterPlan as part of the master plan:

- A travel demand model that will be capable of estimating travel on roads, transit and walk/bike modes in Park City. This model will be used to

forecast future traffic, transit use and walk/bike uses based on a range of land use scenarios. The model will be capable of predicting traffic changes based on land use changes,

- A VISSIM model will be developed. This model will be capable of taking the information from the travel demand model and creating a visual simulation model to show the performance of our streets, transit and walk/bike networks,
- Existing street and pathway inventory in a paper map and as GIS layers that will include the street classification and whether it is a public or private road, and
- A scenario development and alternative analysis will be conducted and submitted as part of the final report. Up to five land use scenarios will be evaluated and then three alternative transportation possibilities will be tested for each land use scenario. This will create up to 15 transportation and land use alternatives combinations that will be evaluated,
- Transportation goals will be developed and included in the final plan and cross referenced in the comprehensive plan being developed by the Planning Department.
- Street cross section standards will be provided as part of the final master plan. As each road in Park City is classified (local, collector, etc.), a typical cross section will be developed. These cross sections will be developed based on the existing Right-of-Way width and will include the paved roads width, snow storage and curb and gutter and possibly sidewalk, bike lanes and parking,
- Capital facilities plan development and recommendations on the next steps. The final master plan report will include a section on recommended short term capital improvements and a planning level cost for the possible long term capital projects (next recommended steps), and
- A final report will be submitted in draft and final form. It is anticipated that City Council will adopt the final traffic and transportation master plan.

This master planning process is part of a series of Park City's broader planning efforts to ensure that we can provide infrastructure and services for full-time residents and amenities for visitors, all while balancing the competing nature of our quality of life, environmental sustainability and economic viability. These efforts include the general plan updates and the Lower Park Avenue and Bonanza Park redevelopment consideration.

Analysis

Three elements of the master plan have slowly developed and are ready to receive City Council, Planning Commission, public and staff input. These elements are proposed road cross sections, neighborhood connections and gateway corridors.

It should be noted that staff is not recommending any of the alternatives. Rather our goal is to evaluate the alternatives to determine if they can provide solutions to specific current or future traffic situations. With this background analysis in hand and

stakeholder and public input collected, the discussion can then occur to the validity of each alternative.

Proposed Road Cross Sections

The proposed road cross sections show all possible elements staff would want included if sufficient right-of-way width was available. The guiding principal followed is based on the complete street philosophy which is to consider all modes of uses when streets are being designed or re-constructed.

The road cross sections are attached and include a detailed section for:

- ✓ Old Town Local Street,
- ✓ Non-Old Town Local Street,
- ✓ Minor Residential Collector Street,
- ✓ Major Residential Collector Street,
- ✓ Commercial Collector Street,
- ✓ Non-UDOT Arterial, and
- ✓ UDOT Arterial

The guidelines used by City staff in developing the proposed cross sections included

1. Providing shared uses at the local street level,
2. Start the physical separation of uses at higher speeds when reaction time decreases and speed of uses are not consistent,
3. Meet national fire code requirements, and
4. Create prioritized flexible space for each road section that can be used to adjust the road section width when existing right-of-way is limited.

Neighborhood Connections

The idea behind the neighborhood connections was to evaluate alternative routes within the City limits that may assist in diverting congestion at our known choke points. The analysis looks at the cost of the alternative and the advantages and disadvantages. The alternatives include;

- ✓ Solamere connection to Chatham Crossing – This alternative links the Solamere/Lower Deer Valley neighborhoods to the Chatham Crossing/SR-248. this linkage would allow vehicles to avoid our major chockpoints.
- ✓ Three Kings bypass – This alternative would provide a skier outload from Park City Mountain Resort.
- ✓ Bonanza Park – With the redevelopment of the Bonanza Park area, opportunities may exist to address traffic congestion, transit and bicycle/pedestrian issues in the area.
- ✓ Kearns to Meadows connection (North 40) – This connection would link the Park Meadows neighborhood directly to SR-248 east of the congestion.

- ✓ School frontage road – The goal of the school frontage road is to reduce congestion in front of the schools by removing school traffic off of SR-248.

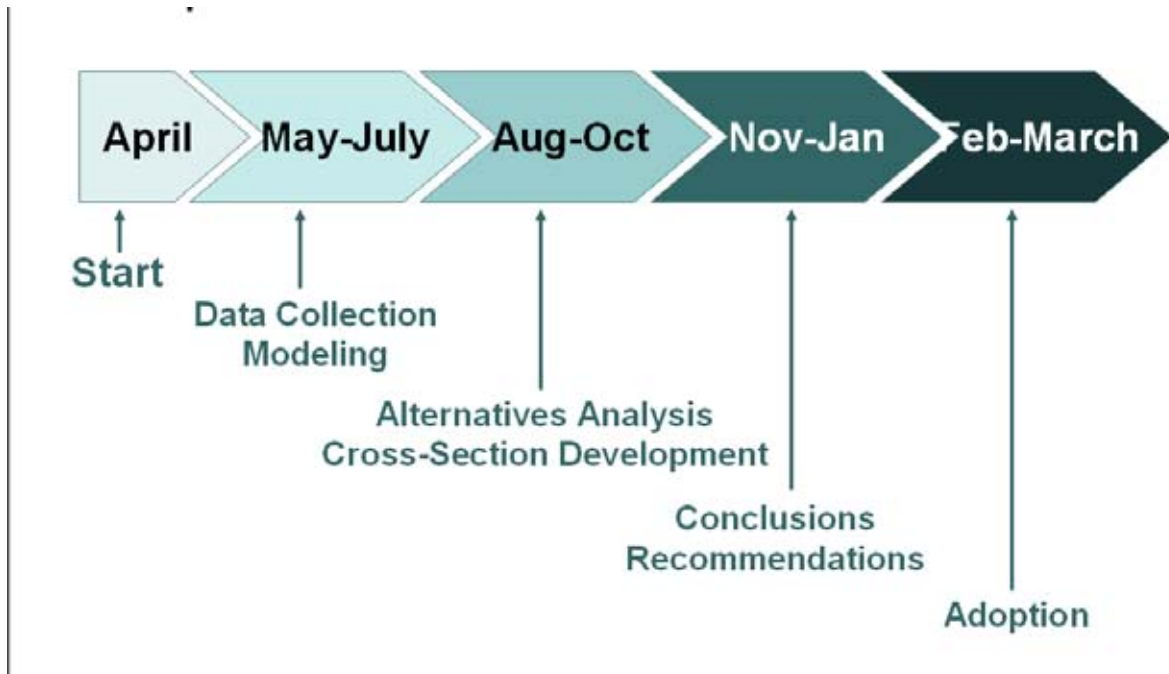
Gateway Corridors

The idea behind the gateway corridors was to evaluate existing and possible alternative routes into Park City to facilitate the growing congestion. The analysis again looks at the cost of the alternative and the advantages and disadvantages. The alternatives include;

- ✓ Existing Corridor, SR-224 – This analysis looks at the existing SR-224 corridor and the future conditions. Specific solutions are not provided only the anticipated areas of congestion.
- ✓ Existing Corridor, SR-248 – This analysis looks at the existing SR-248 corridor and the future conditions. Specific solution includes the inclusion of HOV lanes as developed in the SR-248 corridor study.
- ✓ Possible Corridor, Meadows Drive to I-80 – This concept corridor looks at connecting Meadows Drive directly to I-80.
- ✓ Possible Corridor, Guardsman Pass Road – This concept corridor looks at the connection between Wasatch County and the backside of Park City..
- ✓ Possible Corridor, Deer Valley to US-40 Tunnel – This concept corridor looks at a connection between Deer Valley and US-40, whether by a surface road or tunnel.

Schedule

Our transportation consultant has been able to stay relatively on schedule as proposed back in April when this study started. The data collection has been completed, the models is complete and running, goals and objectives have been defined, the five year CIP has been developed, and the road functional classifications are complete. The cross sections and alternative analysis have been developed and are ready for input from City Council, Planning Commission, public and staff. After input is gathered over the next month, conclusions and recommendations will be developed and the study will be brought back to City Council for review and final adoption in April.



As the master plan develops, numerous stakeholder, public, Planning Commission and City Council meetings have been or will be held.

- Stakeholder Committee Meetings – The first meeting was held June 16, 2010 and the second meeting was held on September 14, 2010. The next stakeholder meeting will be held on February 15, 2011
- General Public Involvement - The first public meeting was held on October 5, 2010. This public meeting was an open house style meeting. The next public meeting has been scheduled for March 1, 2011 and it will also be an open house style meeting.
- Planning Commission – An update to the Planning Commission was held on August 11, 2010. The next update to the Planning Commission will occur on February 9, 2011. Two to three additional update meetings may be provided to the Planning Commission,
- City Council – An update to City Council was held on September 30, 2010. This update discussed goals and objectives for the traffic and transportation master plan. One more update meetings with City Council will be held down the road as part of this master plan process. Additionally, up to two meetings will be held as City Council reviews and adopts the final plan and report.

Department Review:

This report has been reviewed by City Manager, Planning, Public Works, Sustainability and Legal. All comments have been integrated into this report.

Significant Impacts:

The analysis and preparation of the master plan will not have significant impacts other than the time required by staff members in assisting the development of the master plan. The funds for the consultant's contract have already been appropriated, and there are no budget impacts which City Council hasn't already considered in the FY2010 budget. The master plan will be developing a capital improvement plan as a deliverable which most likely has a financial impact in future budget years.

Recommendation:

This report is informational. The Traffic and Transportation Master Plan study consultants are preparing for the next public open house on March 1 and staff would like to provide the Planning Commission with an update of our progress and our direction before going public.

Exhibits – Road Cross Sections
Neighborhood Connections
Gateway Connectors

Cross-Section Standards

Local Road – non-Old Town

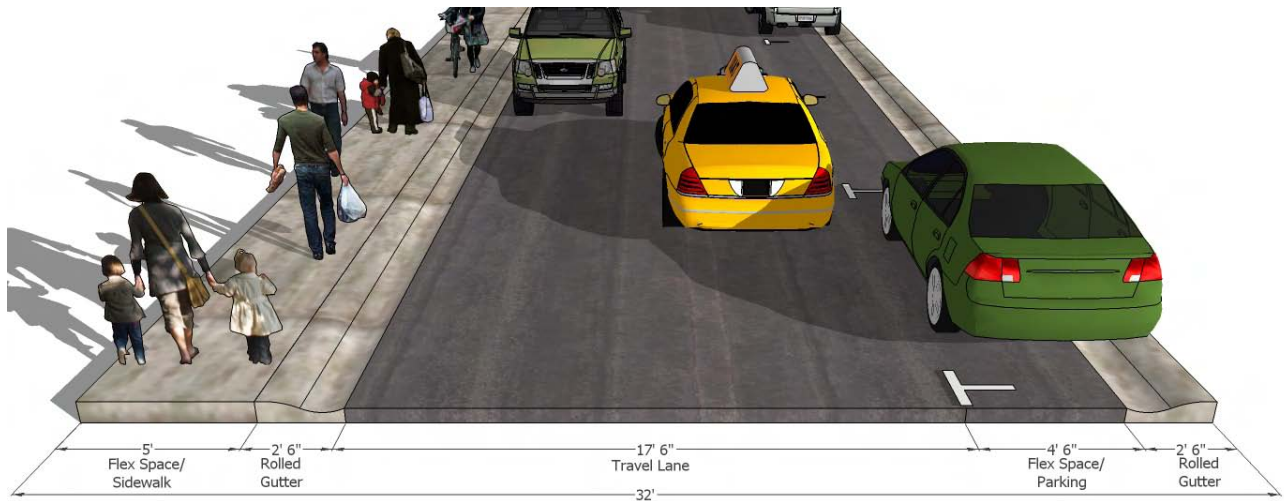
Daily Traffic Volumes: <2,000

Threshold: 2,500 daily traffic

Description: Primarily designed to provide access to houses. Usually provide access (driveways) over speed.

When the full ROW width is not available, the order of priority will be:

- Parking
- Sidewalks



Cross-Section Standards

Local Road – Old Town

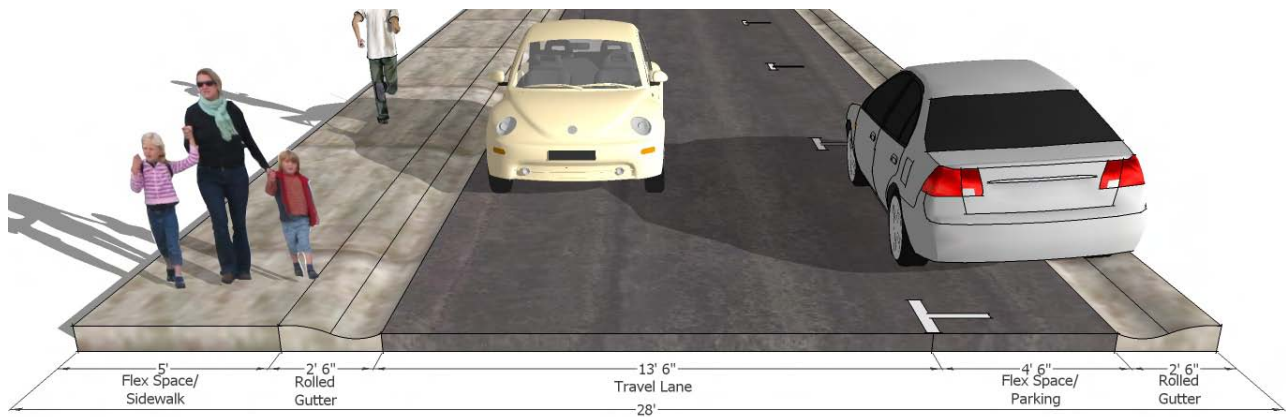
Daily Traffic Volumes: <2,000

Threshold: 2,500 daily traffic

Description: Primarily designed to provide access to houses. Usually provide access (driveways) over speed.

When the full ROW width is not available, the order of priority will be:

- Parking
- Sidewalks



Cross-Section Standards

Minor Residential Collector

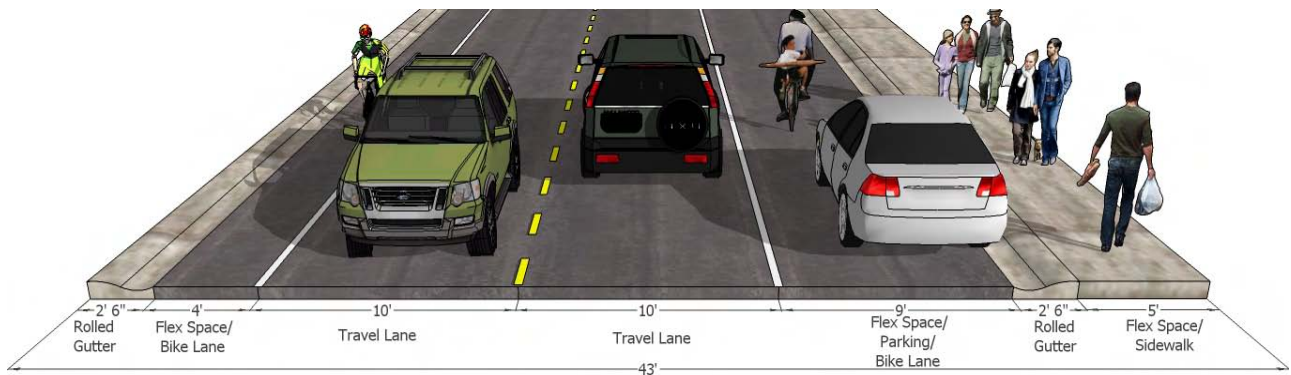
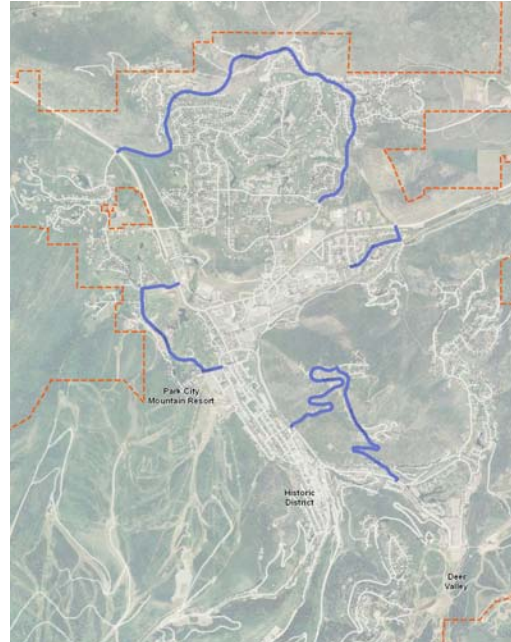
Daily Traffic Volumes: 2,000 - 5,000

Description: Typically connect local roads to higher functioning roads. Access is still a priority but road design begins to accommodate somewhat higher traffic volumes.

Threshold: 8,000 daily traffic

When the full ROW width is not available, the order of priority will be:

- Sidewalks
- Parking
- Bike lanes



Cross-Section Standards

Major Residential Collector

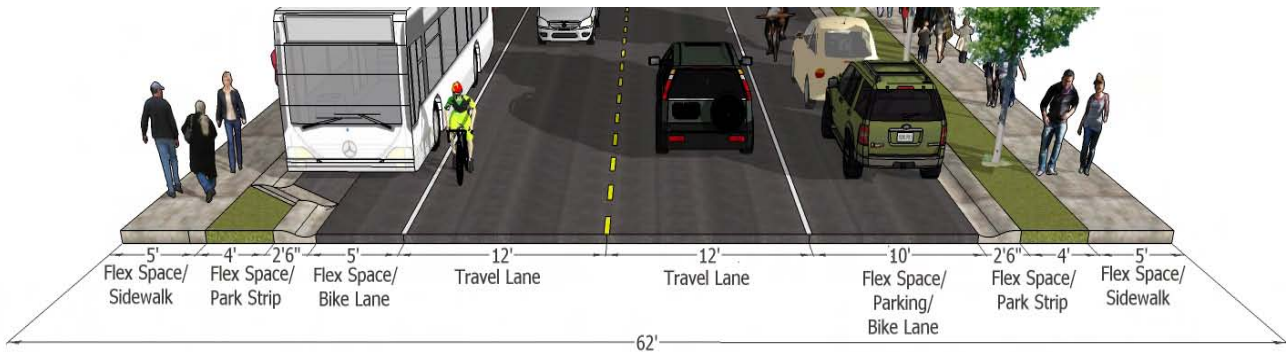
Daily Traffic Volumes: 3,000-8,000

Description: Provide access to some residential land uses but tend to serve higher traffic volumes and more direct access to arterial facilities.

Threshold: 10,000 daily traffic

When the full ROW width is not available, the order of priority will be:

- Bus pull-outs
- Parking
- Sidewalks
- Bike lanes
- Park strips



Cross-Section Standards

Commercial Collector

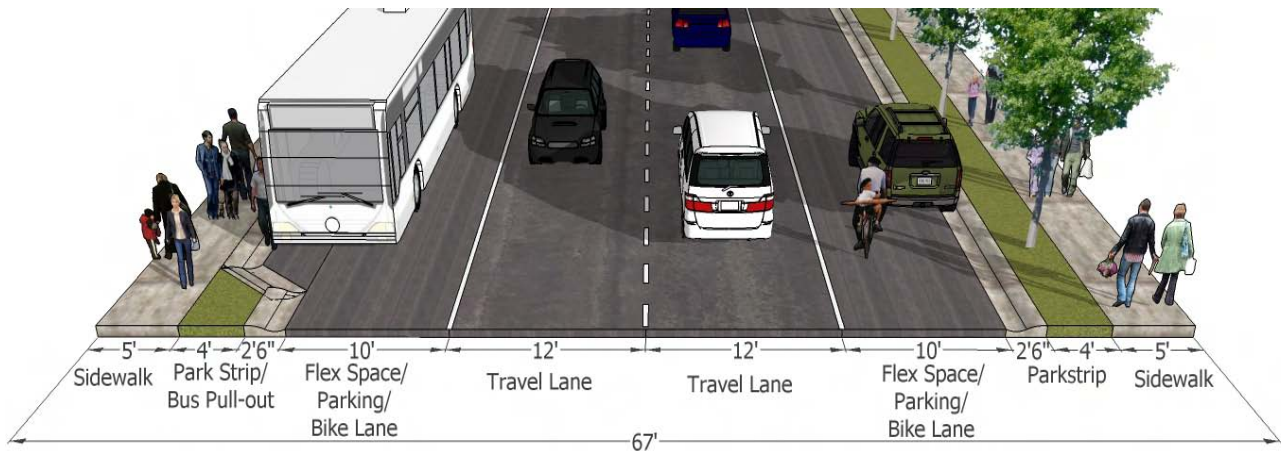
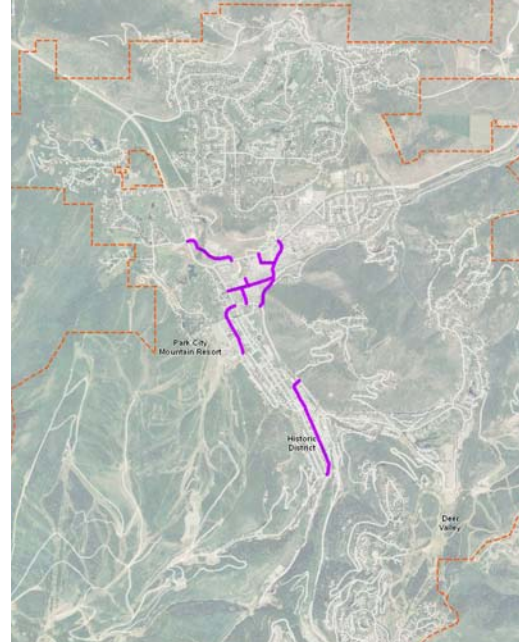
Daily Traffic Volumes: 7,000-15,000

Description: Provide access to local and smaller scale businesses. They serve higher volumes than residential collectors and often provide direct connections to arterial streets.

Threshold: 12,000 daily traffic

When the full ROW width is not available, the order of priority will be:

- Parking
- Sidewalks
- Bike lanes
- Park strips



Cross-Section Standards

Non-UDOT Arterial

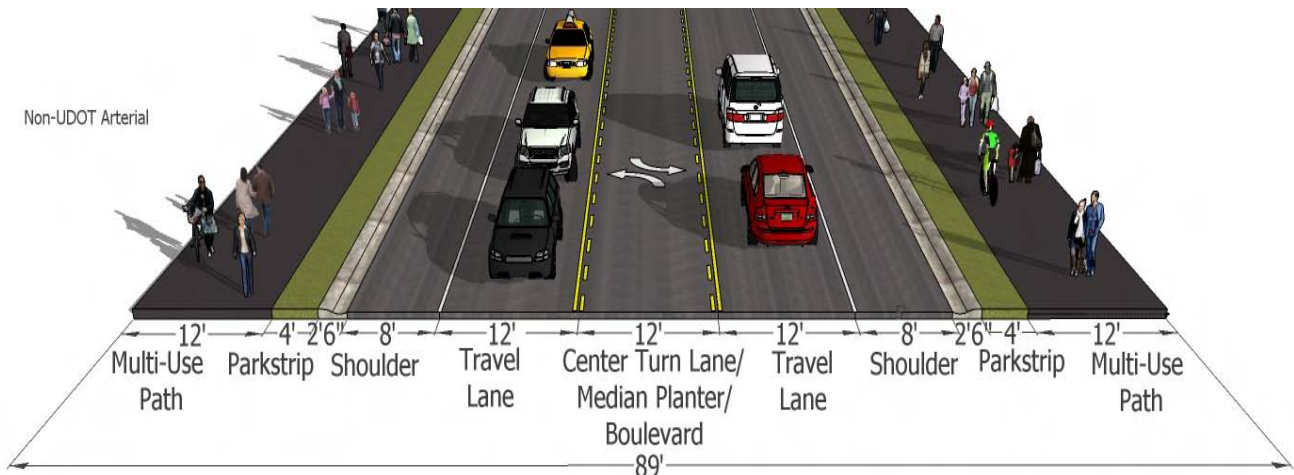
Daily Traffic Volumes: 5,000 - 15,000

Description: Provide access to Park City from areas outside the city. Although Marsac is currently State Route 224, it does not function like a standard state route which typically provides high-volume and high-speed connections across regions.

Threshold: 19,000 daily traffic

When the full ROW width is not available, the order of priority will be:

- Shoulders
- Sidewalks/multi-use paths
- Center turn lanes/medians



Cross-Section Standards

UDOT Arterial

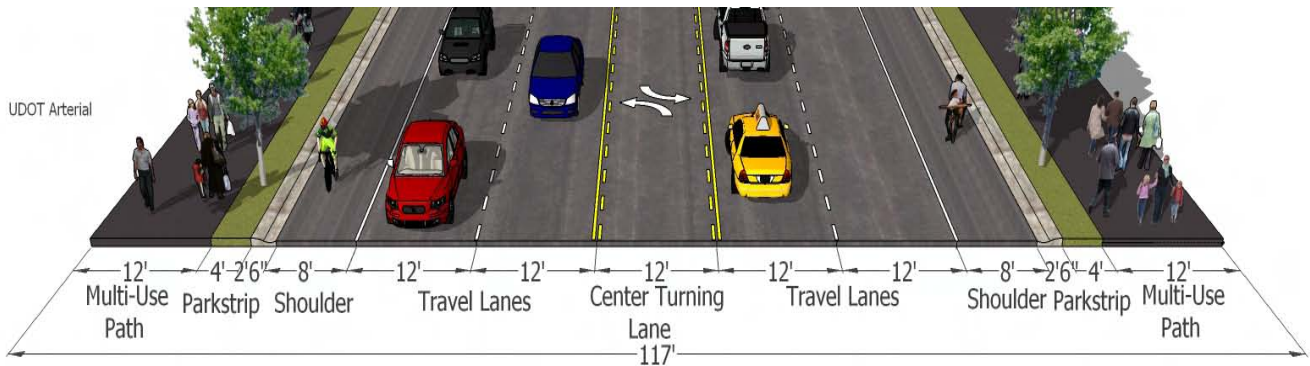
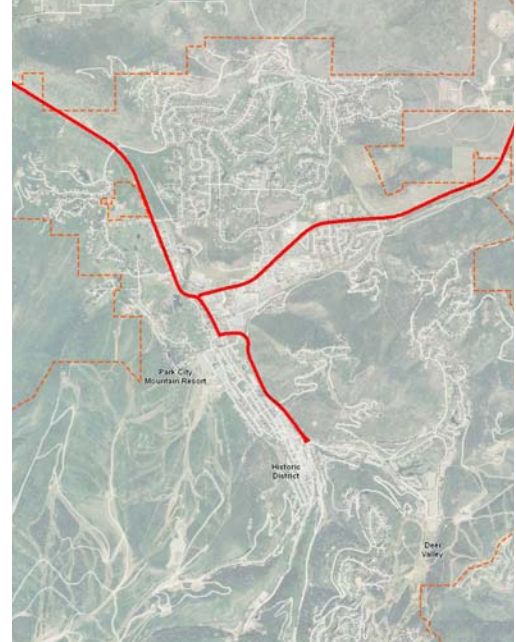
Daily Traffic Volumes: 15,000+

Description: Provide main access to Park City from other areas. They also serve large-scale land uses such as the schools on Kearns Blvd. and major commercial areas on Park Avenue.

Threshold: 38,000 daily traffic

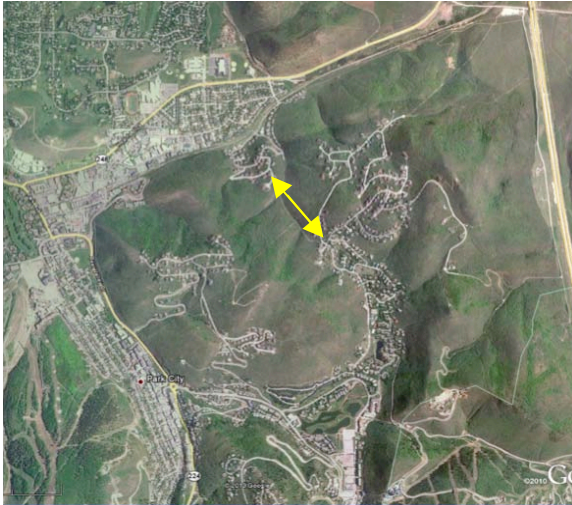
When the full ROW width is not available, the order of priority will be:

- Shoulders
- Multi-use paths (can be narrower)
- Travel lanes (can be narrower in slower speed sections)
- Park strips



Neighborhood Connections – Solamere Connection

The Solamere neighborhood connection would link the Solamere/Lower Deer Valley neighborhoods to the Prospector area and SR-248, providing a new alternative for drivers traveling between the Solamere neighborhood and SR-248.



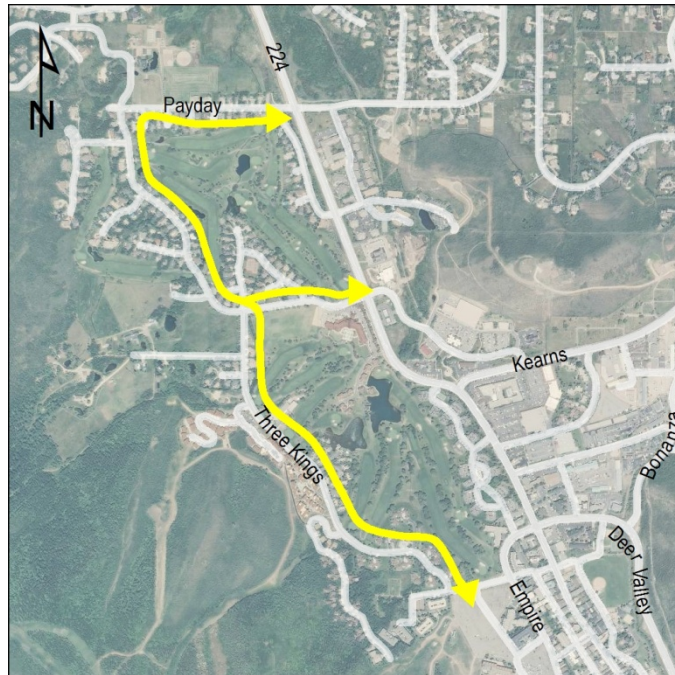
Estimated Cost: \$2 - \$3 million

Advantages	Disadvantages
HOV	Not likely to be used as an HOV route
Transit	Not available to bus or truck traffic
Non-motorized Travel	Not likely to be used as a bicycle route
Traffic Congestion	<ul style="list-style-type: none"> Used as a shortcut during peak ski days - upwards of 800 vehicles per hour during ski outload in 2040 Adds significant delay to the SR-248 and Wyatt Earp intersection during peak ski days Generally, moves delay from the Deer Valley Drive round-about to SR-248
Other	<ul style="list-style-type: none"> Visual scarring of hillside Steep grades of 15-20% The neighborhood is likely to oppose the connection

Neighborhood Connections – Three Kings to PC Mountain Resort

This option provides an alternative route for skier outload from Park City Mountain Resort to SR-224 via Three Kings.

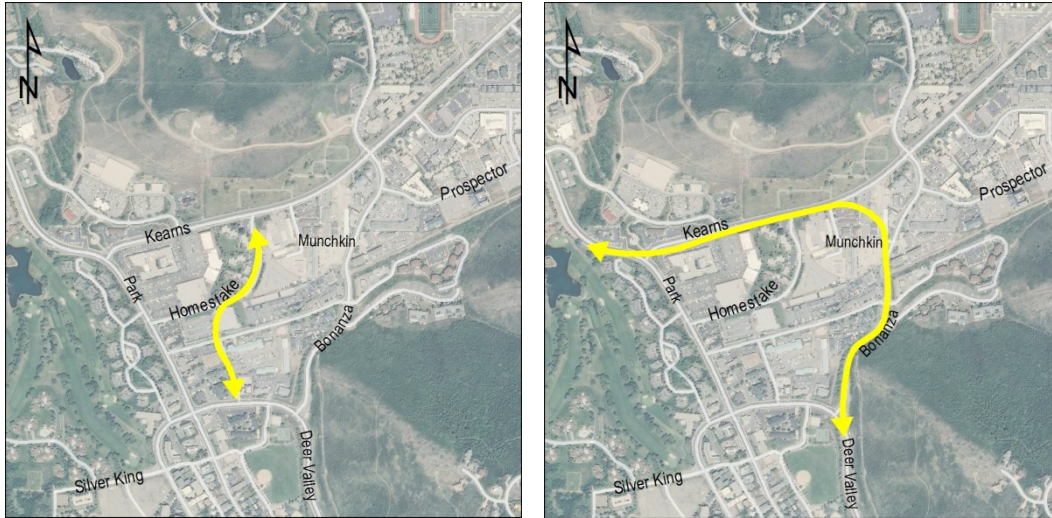
Estimated Cost: <\$250,000



Advantages	Disadvantages
HOV	
Transit	
Non-motorized Travel	Increased traffic on neighborhood streets may inhibit bikes and pedestrians in area
Traffic Congestion	<ul style="list-style-type: none"> Does not service enough traffic to significantly reduce congestion from PCMR outload, yet attracts enough ski traffic to be detrimental to character of the residential neighborhood Increased delay at Payday signal and at Thaynes Canyon signal
Other	Not likely to be supported by neighborhood residents

Neighborhood Connections – Bonanza Park

In the redevelopment of the Bonanza Park area, there may be opportunities to address transit, traffic congestion, and bicycle/pedestrian issues in the area.



Estimated Cost: \$5 - \$20 million

	Advantages	Disadvantages
HOV	There is an opportunity to take HOV lanes farther south into city	
Transit	A new transit hub located within the redeveloped area may offer better transit service within and from outside Park City	
Non-motorized Travel		<ul style="list-style-type: none"> • Redevelopment concepts include a pedestrian friendly plaza • Bicycle/pedestrian trail issues from Park Avenue may be able to be accommodated here
Traffic Congestion	May solve right-of-way issues between Keams Blvd and Deer Valley Drive	<ul style="list-style-type: none"> • An additional signal on Deer Valley Drive between Bonanza and Park Ave would likely contribute to congestion in area • Depending on the nature of the redevelopment, this could be a major traffic generator in an already congested area
Other	Can be incorporated into redevelopment plans which are currently being developed	High functional class road seems to be inconsistent with development plans

Neighborhood Connections – Kearns to Meadows Drive

The connection between Kearns Boulevard and Meadows Drive east of the schools has been evaluated many times in recent years as a way to provide traffic congestion relief on Kearns Boulevard (SR-248). The road would link the Park Meadows neighborhood to Kearns Boulevard at Wyatt Earp Way.



Estimated Cost: \$.5 - \$1 million

Advantages	Disadvantages
HOV	Less congestion on Kearns Blvd may reduce HOV incentive
Transit	
Non-motorized Travel	Impacts to trails and recreational fields
Traffic Congestion	<ul style="list-style-type: none"> Serves between 3000-10,000 vehicles daily May warrant a signal at the intersection of SR-248 and Wyatt Earp Way. If unsignalized, there are additional congestion issues on Kearns Blvd. Increases Kearns (east end) traffic volume by 11% Travel times on SR-248 to QuinnsJct increase 14-29% As much as 50% of traffic using this road is cut-through traffic to SR-224
Other	<ul style="list-style-type: none"> Potential wetlands impacts

Neighborhood Connections – School Area Frontage Road

This concept is a new one-way road adjacent to Kearns Boulevard from Comstock Drive to approximately Cooke Drive. The frontage road system would provide a separate roadway specifically for school-related traffic. Potentially, the frontage road system will improve traffic congestion near the schools by removing school traffic from Kearns Boulevard. Bus movement and drop off/pick up by private vehicles would be concentrated in this new frontage road which would improve pedestrian safety for school children.

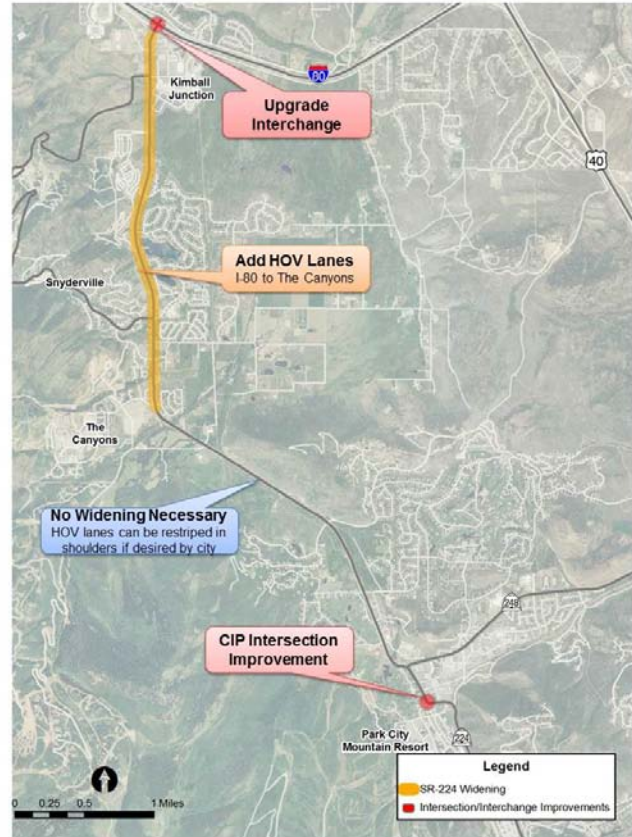
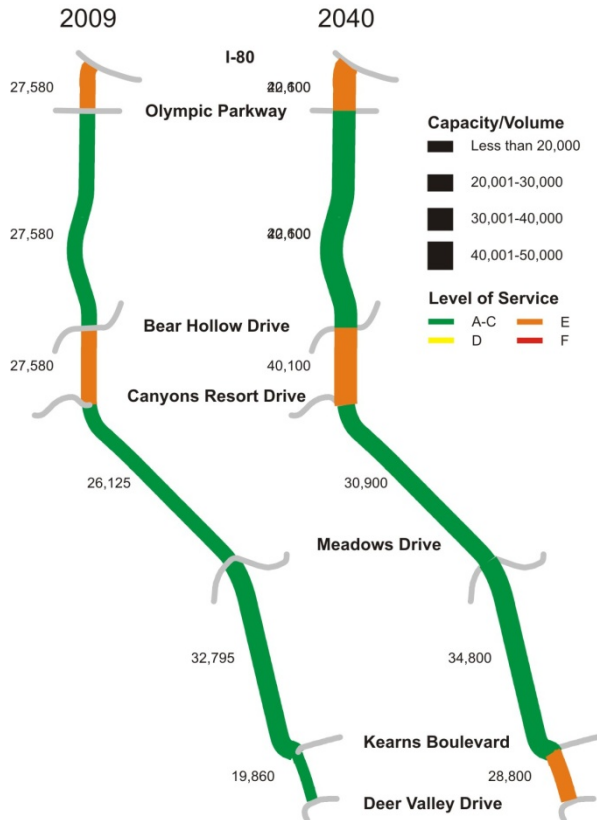
Estimated Cost: \$230,000 for minor residential collector cross-section



Advantages		Disadvantages	
HOV		Less congestion on Kearns Blvd may reduce HOV incentive	
Transit			
Non-motorized Travel	Improved pedestrian safety at school area		
Traffic Congestion	May provide advantage to traffic during school drop-off in morning	<ul style="list-style-type: none"> • Small reduction in access points on SR-248 • Moves traffic from Comstock to Sidewinder and Buffalo Bill 	
Other		Reduces parking at high school	

Existing Gateway Connections – SR-224

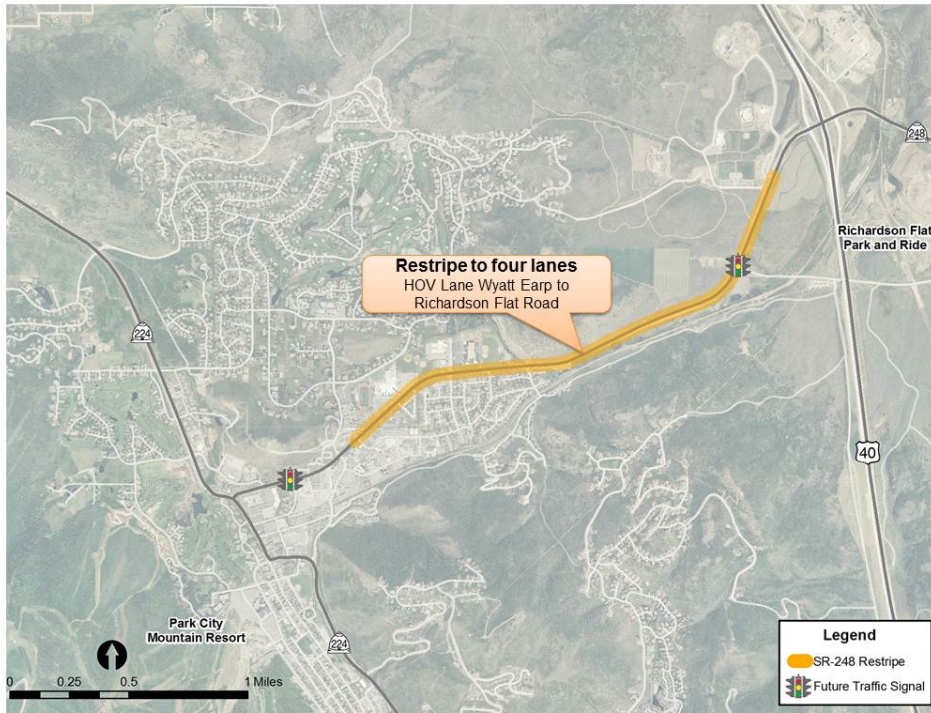
Existing and future conditions in the SR-224 corridor were evaluated in light of development anticipated in the area along with planned improvements. The future conditions shown below assume that the mode split goals of the Traffic & Transportation Master Plan have been met.



	Advantages	Disadvantages
High-Occupancy Vehicle	Provides premier HOV service from I-80 to Canyons and possibly Park City	
Transit	Short term, shoulders are used for transit. Long term, specific lanes are provided for transit (HOV) use	
Non-motorized Travel		<ul style="list-style-type: none"> • There are constraints in the Kearns to Empire segment that limit separated trail for bike/ped • Shoulders used by bicycles are now sharing with buses
Traffic Congestion	Capacity in general purpose lanes should increase by achieving mode split goals	General purpose lanes may remain congested or become more congested

Existing Gateway Connections – SR-248

Park City’s current plan for the SR-248 corridor is for a two lanes in each direction the length of the corridor between SR-224 and US-40. Between Wyatt Earp Way and Old Dump Road, the outside lane would be a high-occupancy vehicle lane and bicycle lanes would be provided the length of the corridor.



Estimated Cost: \$5 - \$9 million

	Advantages	Disadvantages
High-Occupancy Vehicle	Provides premier HOV service from US-40 to Park City, better utilizing Quinn’s Junction Park-and-Ride lot	
Transit	Specific lanes provided for transit (HOV) use	
Non-motorized Travel	Bicycle lanes are provided between SR-224 and US-40	
Traffic Congestion	<ul style="list-style-type: none"> Capacity in general purpose lanes should increase by achieving mode split goals HOV lanes can be converted to general purpose lanes if need arises 	General purpose lanes may remain congested or become more congested

Possible Gateway Connections – Meadows Drive to I-80

This concept provides an additional connection between the city and I-80 from Meadows Drive straight north to the Interstate.

Estimated Cost: \$6.5 - \$40 million (with new interchange)

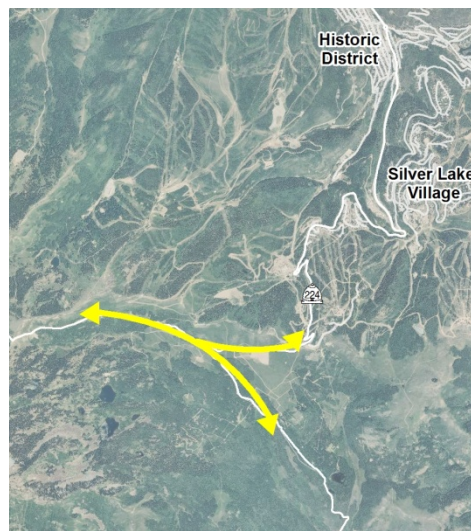


	Advantages	Disadvantages
High-Occupancy Vehicle		Planned HOV lanes on SR-224 may be under-utilized
Transit		Reduces efficiency of transit service with more corridors to serve
Non-motorized Travel	New/improved road would provide additional north/south bicycle facilities	
Traffic Congestion	<ul style="list-style-type: none"> Provides additional capacity between I-80 and Park City Serves between 5,000 and 10,000 vehicles daily 	<ul style="list-style-type: none"> Analysis suggests additional capacity is not necessary if mode share goals are achieved Park Meadows neighborhood local /collector streets experience higher traffic volumes Without an additional interchange may exacerbate congestion at Kimball Junction
Other	Potential new emergency evacuation route	

Possible Gateway Connections – Guardsman’s Pass Road

Guardsman’s Pass Road provides access to an area in Wasatch County that has been approved for single-family residential development. It currently is open on a seasonal basis but pressure to provide year-round access is anticipated.

Estimated Cost: \$1.7 - \$2.2 million (includes significant annual maintenance costs)



		Advantages	Disadvantages
High-Occupancy Vehicle			
Transit			Would not be a likely corridor for transit service to Wasatch County
Non-motorized Travel	A paved road would provide additional north/south bicycle facilities		Safety concerns of bikers and cars on windy, steep road
Traffic Congestion			<ul style="list-style-type: none"> • Analysis suggests additional capacity is not necessary if mode share goals are achieved • Old Town neighborhood local /collector streets are likely to experience higher traffic volumes • There are already speed concerns on Marsac Avenue in city • Little traffic reduction on SR-224
Other	Provides an emergency evacuation route, although it already provides this function as an unpaved road.		<ul style="list-style-type: none"> • This connection would likely be used by Wasatch County residents but impacts of the road would fall to Park City and Summit County without any benefits received from the development • This corridor is windy, narrow, and steep. Increased traffic volumes may invite safety issues • Winter maintenance issues • Potential to induce development in Bonanza Flats

Possible Gateway Connections – Deer Valley to US-40

This concept involves providing a tunnel between the base area of Deer Valley ski resort out to a connection to US-40 via the existing Mayflower interchange.

Estimated Cost: Estimated at \$150 million/mile



	Advantages	Disadvantages
HOV	May potentially be used for HOV only	
Transit	If a tunnel, may potentially be used for transit only	If not a tunnel, buses are unlikely to be able to use road due to steep grades
Non-motorized Travel		Not suitable for bicycle or pedestrian traffic
Traffic Congestion	<p>If the connection is a tunnel:</p> <ul style="list-style-type: none"> Reduces volumes on SR-248 by up to 20% Decreased carbon emissions as overall Park City VMT reduced by up to 14% Improves function of DVDr/Bonanza intersection and round-about in peak season <p>If the connection is not a tunnel it likely carries less traffic</p>	May increase delay at Mayflower interchange on US-40
Other	Potential emergency evacuation route	<ul style="list-style-type: none"> There are many questions about the nature of this connection (tunnel versus road connection over the top) A tunnel would be expensive for relatively low traffic volume A road exists but is gated for private development Likely to be neighborhood concerns if road is open to public

Planning Commission Staff Report



Subject: Park City Heights MPD
Author: Kirsten Whetstone
Project Number: PL-10-01028
Date: February 9, 2011
Type of Item: Master Planned Development-work session

Summary Recommendation

Staff recommends the Planning Commission review the draft design guidelines (see Exhibit A) and the physical and computer models (will be presented to the Planning Commission at the meeting) for the proposed Park City Heights Master Planned Development and provide staff and the applicant with direction and comments. Staff requests feedback on the content and specifics of the design guidelines as well, including building massing, materials, architectural elements and character, water and energy conservation (sustainability/green building) elements, and landscape elements.

Description

Project Name: Park City Heights Master Planned Development
Applicants: The Boyer Company and Park City Municipal Corporation
Location: Southwest corner of the intersection of SR248 and US40
Zoning: Community Transition (CT)
Adjacent Land Uses: Municipal open space; single family residential; vacant parcel to the north zoned County- RR; vacant parcel to the south zoned County- MR; Park City Medical Center (IHC) and the Park City Ice Arena/Quinn's Fields Complex northwest of the intersection.
Reason for Review: Applications for Master Planned Developments require Planning Commission review and approval
Owner: The Boyer Company and Park City Municipal Corporation

Background

On June 30, 2010 the City received a revised application for the MPD. On September 22, October 13th, November 10th, and December 8th, 2010, the Planning Commission conducted work sessions and/or public hearings on the MPD. On December 8, 2010, the applicants presented a revised MPD site plan and design guideline concepts with a photo study of architectural ideas for the different types of housing proposed with the Park City Heights MPD. The Commission requested a model of the project to better understand the lot and

site layout, grading, physical conditions of the site and surroundings, and the circulation (both vehicular and pedestrian). The Commission provided input regarding architectural character and requested to review the draft design guidelines when available.

Staff requests feedback on the content and specifics of the design guidelines including building massing, materials, architectural elements and character, water and energy conservation (sustainability/green building) elements, and landscape elements and other elements as they relate to compliance with the Annexation Agreement, MPD criteria and purpose statements of the CT zone.

Public Comment

This item will be presented as a work session only. The Commission may open the discussion to the public for public input if there are individuals who desire to provide comment. A public hearing will be scheduled for the February 23, 2011; Planning Commission meeting at which time the Planning Commission will consider the MPD for possible action.

Staff Recommendation

Staff recommends that the Planning Commission review the draft design guidelines and the physical and computer models of the proposed Park City Heights Master Planned Development and provide staff and the applicant with direction regarding the draft design guidelines and site layout, including streets, circulation, open space areas, trails, access, grading, and general lot layout and density configuration. Staff requests feedback on the content and specifics of the design guidelines as well, including building massing, materials, architectural elements and character, water and energy conservation (sustainability/green building) elements, and landscape elements.

Exhibit

Exhibit A- Draft Design Guidelines

Note- a physical model and a computer model will be presented to the Planning Commission at the work session.

Park City Heights

Neighborhood Design Guide

Draft

January 14, 2011

Design Philosophy

Park City has a rich Architectural Heritage that has created a collection of neighborhoods, remarkable for their diversity and unique character. Park City Heights is a new mountain neighborhood that strives to blend a variety of home and lot types, architectural styles and landscapes that shall use key character elements found in these diverse and unique Park City neighborhoods. Located within an important entry corridor to Park City, Park City Heights must establish itself as a unique neighborhood while still fitting within the context of the existing and surrounding natural and architectural fabric. It is important to represent an “Old Town” and “Park City” character within the development but replicating these styles is not desired. Park City Heights shall strive to become an “authentic” neighborhood designed around neighborhood parks, open spaces and trails, a variety of home types and lot sizes and diverse architectural elements. For homes in Park City Heights, the emphasis is on simple structural expressions using a vocabulary of architectural elements found within Park City including Victorian, Cottage, Arts and Crafts, Prairie Style, and Modern and Contemporary Mountain styles. Each Home within Park City Heights will be required to meet and adhere to the following guides with the intent that each and every Home contributes to the community as a whole.

These Guidelines have been created to ensure all Improvements at Park City Heights preserve the natural beauty of the surrounding landscape and generate a unified community design. The Design Guidelines are intended to provide direction to owners and designers to ensure compatibility with the unique character desired at Park City Heights. The Design Guidelines explain the architectural aesthetics and site considerations that are to guide the design and construction of all new buildings, building additions, site work, and landscaping within Park City Heights. These Guidelines are not intended to create a homogenous, look alike neighborhood of earth tones and mountain timbers, but are intended to create a harmonious and diverse community of unique and varied homes that will form the foundation for a vibrant and successful mountain neighborhood.

The Design Guidelines are organized into six sections:

- Overview
- Park Homes
- Cottage Homes
- Homesteads
- Landscape Patterns
- Sustainability

Each section is designed to provide key information that will help homeowners make architectural and site planning decisions for their homes within Park City Heights. Each Lot Type is provided with a set of specific Community and Architectural Patterns. The Community Patterns section provides building setback, street character, garage placement and orientation for each product type within the development. The Architectural Patterns section presents Guidelines for individual architectural elements and key details, materials and applications to help owners create compatible homes within a neighborhood setting.

The Landscape Patterns and Sustainability sections apply to each Lot Type throughout the development. The Landscape Patterns provide a list of appropriate landscape materials for all lot and home types and emphasizes the importance of appropriate plant materials for the various landscape forms and spaces for each home and lot. The Sustainability section focuses on specific sustainable measures that must be incorporated by every home within the project.

Each Lot owner or Builder must refer to the Park City Heights Codes, Covenants and Restrictions for specific requirements and design review submittal requirements.

Lot Types

Park City Heights is to be comprised of a variety of architectural styles found within 3 unique and diverse Lot types: Park Homes, Cottage Homes and Homesteads.



Park Homes

Park Homes consist of various attached housing types with varying lot sizes to accommodate these home types. All Park Homes front a park or open space and are accessed by rear lanes and rear garages providing a focus on the front doors and front porches.



Cottage Homes

Cottage Homes consist of smaller single family homes on lots that range in size from 40' to 70' in width and 90' to 120' in depth. Cottage Homes are accessed from rear lanes and from the street with an emphasis on orienting front doors and porches to the street.



Homesteads

Homesteads consist of larger single family homes on lots ranging in size from 10,000 square feet to 25,000 square feet. Homesteads are located across the upper slopes of the development and these lots will form the visual transition to the surrounding open space and will require the most sensitive placement to respect and respond to the existing terrain.



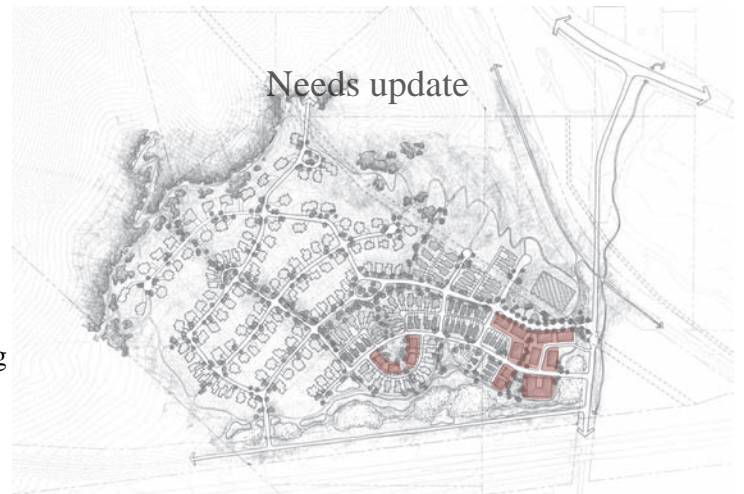
Park Homes

C o m m u n i t y & A r c h i t e c t u r e
P a t t e r n s

Street Patterns

Park Home Street Perspective

All Park Homes front a public park space or community open space and have garage or structured parking behind the homes. The front facades of these products are oriented to walkways and trails providing great access to the neighborhood amenities surrounding them. Front porches are critical elements of these typically larger buildings helping to reduce the impacts of the mass on the streetscape and surrounding views into the project. Park Homes also utilize on street parking to provide varied and shared parking alternatives minimizing the impact of the automobile within this neighborhood.



Park Home Street Section

Park Homes

Building Placement

Park Home Lot Detail

Park Homes vary from 2 unit to 15 unit Multi-Family buildings.

Front Yard Setback: Minimum 10' to Main Structure or Front Porches.

Side Setback: Minimum side separation to any adjacent Structure shall be 12'.

Side Street Setback (Corner Lot): 10 feet for all structures.

Rear Yard Setback: Minimum setback to Main structure shall be 15'.

Front Facade: At least 40% of the Primary Facade must be placed at the required minimum Front Yard Setback.

Local Drive Accessed Garages: Shall be a maximum of 24 feet wide. Garages must be placed at either 5' from the edge of the Local Drive or a minimum of 20' from the edge of the Local Drive.

Local Residential Street Accessed Garages: Shall be a maximum of 24 feet wide. Garages must be placed a minimum of 5' from the Side Property Line.

Garage Doors: May be oriented to the Local Drive. On Corner Lots with Local Access Drive access, garage doors shall not face residential streets. Garage doors facing Local Access Drives may be a maximum 18 feet wide.

Parking: Owner and guest parking located to the rear of homes are to be screened from off-site views, to the extent possible, through the use of proper placement, architectural screens and/or landscape planting. No enclosed structures for the storage of boats and/or motor homes are permitted.

Park Homes

Massing & Composition

Scale of Buildings

It is important that the massing of the buildings be scaled in such a way that it relates to the people living there and harmonizes with the area and its natural features. This is especially true in the Park Home area where some of the buildings may be larger than in other areas of the development. Park Homes range in size from duplex to 15 unit multi family buildings. To avoid building forms that are blocky in massing the following criteria should be met.

a. Buildings with between two and four units must comply with the following.

No unbroken expanse of building mass may exceed 25'. When the 25' is reached one of the following must occur:

- The building mass should step or bend
- The wall line must off set a minimum of 3'
- The roof line should shift up or down at least 3' or take on a different ridge alignment

b. Buildings housing more than 4 units must meet the following requirements:

No unbroken expanse of building mass may exceed 35'. When the 35' is reached one of the following must occur:

- The building mass should step or bend
- The wall line must off set a minimum of 3'
- The roof line should shift up or down at least 3' or take on a different ridge alignment.
- Roof areas must provide variation in roof shape.

No single roof shape may cover more than 2/3 the total roof area. Roofing shape variation is limited to two roofing shapes on a single building.



Repetition

Buildings of similar plans must offer up differentiation in elevation. Repetition of like elevations will not be permitted. The review committee shall approve exterior elevations of multi family buildings and require variation between building facades to insure diversity within the development. These requirements are applied to ensure that building mass does not become overpowering. Changing the planes of walls, changing direction, and providing some variety in the roof form yields diversity and visual interest.



Avoid repetition of like elevations

Unit Size

Units in the Park Homes area will have a minimum square footage of 800 sq. ft. The first floor area shall not be less than 800 sq. ft. for two story units. The maximum square footage for any unit is 2,500 sq. ft.

Note: All areas noted are gross living areas and exclude porches, decks, garages and uninhabitable basements as defined by code.

Building Height

The intent of the height guideline is to present an appropriately scaled roof scape and is compatible with its use and placement.

Building mass must be broken into at least two distinct forms which must be differentiated both vertically and horizontally by a minimum of 4 feet.

Allowable building heights are limited by Park City Municipal Corporation ordinance. Generally building heights can not exceed 28' as measured from existing natural grade at any point, excluding chimneys.

Walls

Foundation Walls

Foundation walls form the base or grounding element of the structure. These walls should be a continuation of the building wall. Foundation walls must step down with the grade change so that their exposed surface is limited. All exposed concrete must be clad or finished for appearance with an approved exterior wall material, see Building Walls for approved materials.

Building Walls

Building walls are those walls above the foundation walls that form the middle of the structure. The treatment of these walls provides an opportunity to visually unify this phase of the development. The use of different materials is encouraged to give distinction to the varied forms of the building. Materials on building walls will be limited to three different types for any single structure in the Park Homes area.

Approved materials are:

- Horizontal wood siding
- Board and batten vertical wood siding
- Machine sawn wood shingles
- Hardie Board siding or approved similar
- Stucco (as approved by the committee)
- Steel (as approved by the committee)

Wall Appurtenances

Detail elements applied to the exterior wall such as wall decoration, shutters, bay windows and flower boxes can add visual interest to the building façade. Care should be taken to not overstate or overly decorate. These elements should be functional and not simply replications of things seen elsewhere.

- Wall Decoration - Painted, relief or trimmed detail work is not recommended.
- Window and Door Shutter - Should be less prominent in the Park Homes. If used they should appear operable and matched to size openings. They may be made of wood or fiberglass that resembles wood. Their design should be simple and straightforward, with out undue decoration. Painted shutters are encouraged on single windows and fully glazed doors. Hardware shall be corrosion resistant in a compatible color. Styles may be louvered, raised or flat paneled or planked and awning shutters are permitted.
- Bay Windows and Flower Boxes - These should be designed in a simple and direct manner.



Park Homes

Porches

Porches

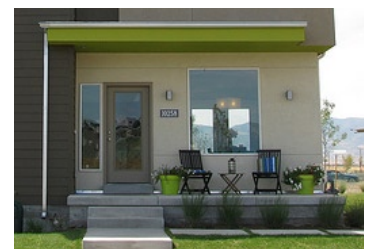
A core ideal of the development is the use of covered front porches to promote: a human scale, sense of entry and emphasize relationship to the street. Massing of porch elements can also help to further ground the building by forming a base from which the building mass can grow. To this end porches should be made to convey a sense of human scale and are limited to one story in height. *Integration of the front porch is required in the Park Homes area.*

- Porches shall usually be located at the front setback line.
- Porches will often have deep eaves repeating the same rafter treatment as the main roof.
- Porch roof forms shall be consistent with the architectural style of the home.
- Porches must be a minimum of 18” above finished grade unless ADA access is required to the home. The front porch steps must be designed as an integral element to the design and style of the home and not just “stuck on” the front of the home.
- Porches can be used to wrap the corner of a house or fill the void created by an “L” shaped plan. Wrapped porches are strongly recommended for Corner Lots.
- Creativity consistent with the architectural style of the house shall be used in designing columns, posts, brackets, railing, trim and molding.
- Columns, where provided, must extend to within 4” of finished grade.
- Minimum porch depth is 6’ with a minimum of 48 square feet.

- All porches shall be properly detailed with authentic porch edge conditions, including a cantilevered “lip” or edge. If the porch surface is left as natural or colored concrete the face of the cantilevered lip must also remain as natural or colored concrete. If the porch surface is finished with another material, then that material should wrap the face of the porch lip.

Appropriate Porch flooring surfaces include:

- Wood or Composite Decking
- Natural or Approved Colored Concrete
- Tile or Concrete Pavers



Park Homes

Windows & Doors

Windows

Windows should be predominantly rectangular in shape and vertical in orientation. Octagonal, circles and hexagons will not be approved. Window heads must be shaped to match roof lines or remain level. No scissor truss windows will be permitted with slopes not matching the roof line.

Windows may be constructed of the following materials:

- Wood
- Wood clad with color fast vinyl or aluminum
- Metal clad windows must be coated with an approved finish
- Vinyl

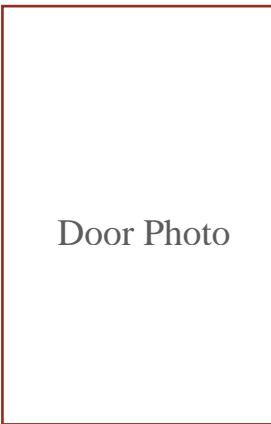
Note: The glass and frames used in windows and skylights can not be highly reflective. The lens of skylights must be clear, gray or bronze. All skylights must be low profile. No bubble type skylights will be permitted. Skylight location should integrate well with the exterior design and not seem random. The type and location of skylights are subject to the review of the committee.

Doors

Door openings should be protected from weather. Porches, overhangs and other architectural features can shield openings and add interest. Doorways should be rectangular in shape. They should be made of a material and finished in a manner that is complimentary to the other exterior materials being used. The use of limited glass in entry doors is encouraged, ex. ½ lights with divided lights. Full glass doors are discouraged

Trim

Within the Park Home product expressive trim is identified as a key architectural element. Trim shall be proportioned to the size of the opening. Trim shall project a minimum of ½” past the leading edge of the adjacent siding. Most trim shall be flat. Any shapes must have a simple profile. Siding must abut trim (trim shall not be installed on top of siding).



Park Homes

Garages & Garage Doors

Garages

Garages or Parking Structures are required in the Park Homes area of the development. They can be attached or detached and must provide a minimum of one car per residential unit. Garages must not dominate the structure when viewed from the street, especially in areas visible from right-of-ways, common areas and adjacent home sites. All garages must be accessed from the Local Street. Parking Structures may be accessed from Residential Streets.

Garages may be side entry designs or accessed perpendicular from the Local Street. The use of overhangs and significant architectural details are encouraged to visually lessen the impact of the garage entrance(s).

Garage Doors

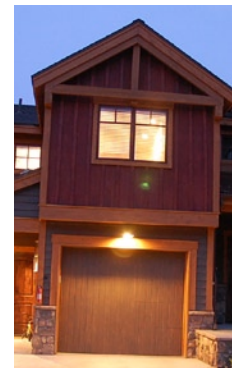
Garage doors must be provided with detailing that is tied to the homes overall design themes. Garage doors must appear as traditional swinging, folding or sliding doors. Segmented doors are only permitted if they are constructed to appear to be one of these traditional door types and are subject to Design Board approval.

- Doors should be paneled and may incorporate glass.
- Doors should be painted colors similar to the body of the home to lessen their visual impact.
- Single car garage doors are preferred. The use of single doors allows for more variety in the garage elevation.
- Garages for an individual unit are limited to 2 garage doors in the Park Home area. 2 car tandem garages are allowed.
- No garage door over 9' high will be approved.

Driveways

Shared Driveways are allowed

Driveways are encouraged to be colored concrete, stamped colored concrete, or other pattern and texture methods approved by the Design Review Board. Asphalt drives will be permitted but must be maintained properly.



Not This

Park Homes

Roof Patterns & Materials

Roofing Patterns

Roof elements play a major part in how the overall residence design relates to human scale and to the topography of the site. Roof forms can also help bring developments together visually through the use of reoccurring underlying principles.

- Allowable roof pitches are between 4:12 and 8:12
- Allowable roof types are: gable, hip, partial hip and flat.
- Shed roofs may only be used as secondary roof forms.

Roof forms need to be broken down to address human scale so as not to become boxy. Generally roof structures and roof lines should step with the topography of the site creating the appearance that the buildings mass steps with and follows the slope of the site.

Building designs will incorporate a primary roof form with secondary elements attached to the primary form. See Massing & Composition for additional criteria.

The following roof shapes are not permitted:

- Mansard or fake mansard roof
- Gambrel roof
- Domed roof

Roof Overhangs

Roof overhangs protect walls and openings from weather and contribute to the buildings character. Roofs should overhang walls a minimum of 12" and a max of 24". Roof overhangs less than 12" requires review committee approval.



Materials

Allowed roofing materials are:

- Architectural composition shingles, minimum 30 year
- Copper, must be allowed to oxidize and turn bronze
- Zinc, flat finish
- Cor-ten steel
- Self adhering single ply membrane roofing, at flat roofs
- Solar Shingles
- Green roofs

The following materials can be used with approved color selection:

- Aluminum
- Steel

Standing Seam Metal or corrugated roofs shall be primarily allowed on accent and porch roofs.

The following roofing materials are not allowed:

- Wood Shakes
- Highly reflective metals
- Asphalt rolled roofing



Park Homes

Roof Appurtenances

Roof Appurtenances

Approved Dormer Shapes:

- Shed Dormers
- Gable Dormers
- Hip Dormers

• Snow Diverters, should be used wherever sufficient amounts of snow may accumulate over occupied areas such as entries, patios, porches, driveways and decks. Special care should be taken with metal roofing as it is prone to releasing snow which can cause injury to people or damage to property.

• Roof top stairs, mechanical and electrical areas are required to be placed within the roof structure and are not permitted to be placed on the roof unless shielded. Shielding solutions must be approved by the review committee.

• Ornaments like finials, scroll work on the ridge or barge and eave boards or decorative turrets are discouraged.

• Skylights are not to be highly reflective and must be installed flush against the roof. They should not extend to the eave line. As mentioned elsewhere in these guidelines bubble type skylights will not be approved.

• Chimneys must be enclosed in a chase. The chase may be clad with wood siding, stucco, stone or approved metal. Chimney caps are required and must be constructed of approved material. Exposed metal chimneys and spark arrestors are not permitted.

• Mechanical vents 6" or larger must be enclosed in an appropriate architectural structure to match building components. When chimneys are required their size, shape and height should match that of other chimney elements on the roof. All other unenclosed exposed vents must be coated to match the roof color.

• Clerestories should be placed within the field of the roof and can not extend to the eave lines except as approved by the review committee.

• Solar Panels are allowed but must be placed parallel to the roof and roof slope and should be mounted as close to the roof surface as possible.

Gutters and Downspouts

Gutters and downspouts should be metal or copper, have a factory finished metallic patina or painted to match the surface they are attached to or match the trim color of the home.

Rain Storage Devices

All rain storage devices must be placed underground.



Park Homes

Home Appurtenances

Mechanical Equipment

Care must be given in designing a home to the location of utility equipment to avoid prominent exposure of mechanical equipment and meters to public view. Compressors, meters and miscellaneous equipment shall be grouped and located and screened to minimize the impact on neighbors and the community.

Screens can be comprised of either landscaping or landscaping and wood that is compatibly detailed to harmonize with the homes exterior. Exposed vents, grilles and other mechanical, electrical and plumbing components shall be coordinated with building elements. Consider locating the dryer exhaust vent, hose bibs, waterproof outlets etc. below the first floor beam. Conceal these items to the extent possible and coordinate visible items with the foundation piers and screens.

No roof mounted mechanical equipment is allowed unless mounted on a flat roof element and is not visible from public view.



Lighting

Outdoor and indoor lighting will be carefully reviewed to assure that neighboring properties are protected from direct light sources. The intent is to produce an enticing low level throughout the community that creates a warm ambience while maintaining views of the night sky and stars.

Exterior lighting shall be kept to a minimum and shall be limited to porches, courtyards, garage entries, addresses and to mark paths.

The light source shall be shielded from view to the greatest extent possible. Floodlighting and moonlighting are prohibited.

Antennae and Satellite Dishes

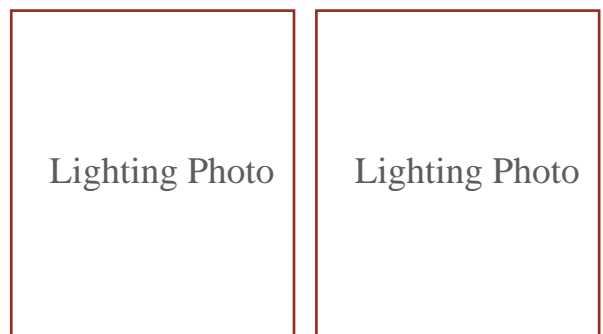
When possible, satellite dishes, television or radio aerials or antennas should be installed so as to be screened from the road, adjacent home sites or public areas. No satellite dish may be installed that is larger than 39” in diameter. Removal of trees to improve reception is prohibited. The screen wall is subject to Design Review approval and must be an integral component of the house design. In some cases, the enclosure may not be approved due to the location on the home site and its visual effect on the overall street scene or as viewed from adjacent home sites. Umbrella covers over satellite dishes are prohibited.

Trash Containers

Space shall be provided in an adequate and appropriate side or rear yard or interior portion of the garage to accommodate at least one trash and one large recycling container per unit and must be concealed from view from the Street or Local Street.

Accessory Structures

No accessory structures are permitted.



Park Homes

Example Gallery

Exterior Colors

The Park Homes have a diverse range of building size. With this diversity comes an opportunity to introduce color ranges seen in other phases of the development. Smaller buildings in this area, such as duplex & fourplex buildings, should follow the standard established by the Cottage Homes guidelines & utilizing primary colors. The larger, multi family buildings in this phase need to utilize colorful earth tones in an effort to lessen their visible mass, similar to the Homesteads.

Key Elements

- Varied Wall Planes & Massing
 - Expressive Trim
 - Exposed Structural Elements
 - Low Sloping/Flat Roofs
 - Emphasis on Front Porches
 - Mining Meets Modern
 - Not Resort Mountain Timber
 - Mountain Contemporary
- Simple Forms
 - Garages Secondary
 - Grouped Windows
 - Creative Materials



Park Homes

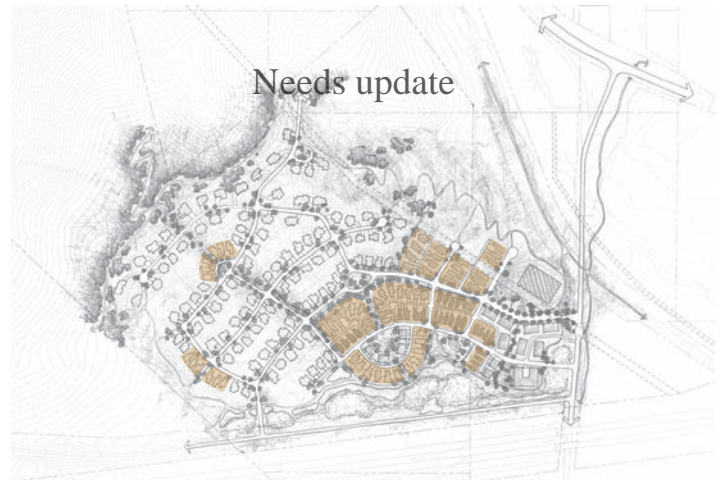
Cottage Homes

C o m m u n i t y & A r c h i t e c t u r e P a t t e r n s

Street Patterns

Cottage Home Street Perspective

Typical Cottage Homes are single story, story and a half and two story homes placed on small traditional neighborhood lots located in the heart of the neighborhood. The Cottage Homes are primarily accessed from Local Streets placing an emphasis on the homes front facades and front porches and de-emphasizing garages. The Cottage Homes are placed close to the Street and Sidewalks creating an intimate setting that should include appropriate front yard landscaping and garden fencing common to traditional neighborhoods while still providing on street parking and sufficient snow storage areas.

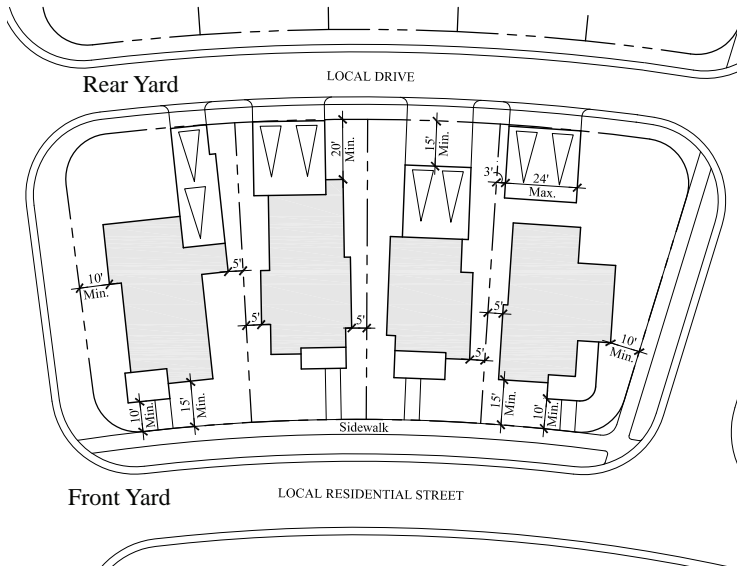


Cottage Home Street Section

Cottage Homes

Building Placement

Local Drive Accessed Lots



Note: All Cottage Homes served by a Local Drive are required to access the garage from the Local Drive.

Cottage Home Lots are typically 35 feet to 60 feet wide by 85 feet to 130 feet deep.

Front Yard Setback: 15 feet to Main House. Front Porches or Single Story Bays may extend to within 10' of the Sidewalk or Street ROW.

Side Yard Setback: Minimum setback for all homes is 5 feet.

Side Street Setback (Corner Lot): 10 feet for all structures.

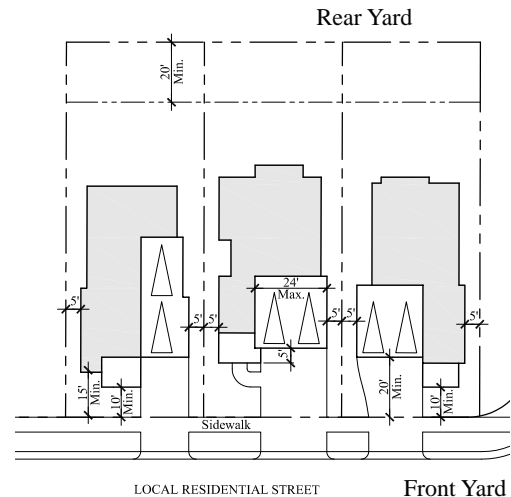
Rear Yard Setback: 20 feet to Main House.

Front Facade: At least 40% of the Primary Facade must be within 5' of the required minimum Front Yard Setback.

Local Drive Accessed Garages: Shall be a maximum of 24 feet wide. Garages must be placed at either 5' from the edge of the Local Drive or a minimum of 20' from the edge of the Local Drive but must be placed within the Lot.

Cottage Homes

Local Residential Street Accessed Lots



Single Story Detached Garages with Local Drive access may be placed at 3 feet from the side property line. Two Story or attached Local Drive accessed Garages must be placed at 5 feet from the side property line.

Local Residential Street Accessed Garages: Shall be a maximum of 24 feet wide. Garages at front or side yard shall be setback 20 feet or five feet behind Front or side Facade (Whichever is greater). Garages must be placed a minimum of 5' from the Side Property Line.

Garage Doors: May be oriented perpendicular to the Local Drive. On Corner Lots with Local Drive access provided, garage doors shall not face Local Streets.

Parking: Owner and guest parking located to the rear of homesites are to be screened from off-site views, to the extent possible, through proper placement, the use of architectural screens and/or landscape planting. No enclosed structures for the storage of boats and/or motor homes are permitted.

Massing & Composition

Built Forms Follow Contours

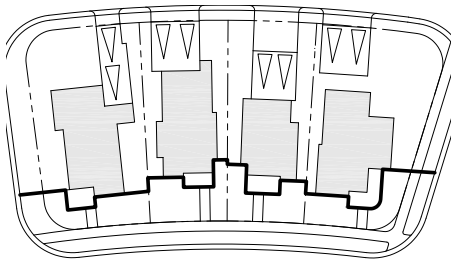
Building placement should respect existing land forms. Structures should follow contours and fit into existing land massing, rather than ignore or dominate these forms.

Scale of Buildings

It is important that the massing of the buildings be scaled in such a way that it relates to the people living there and harmonizes with the area and its natural features. No unbroken expanse of building mass may exceed 35' in length on all side elevations and 25' on all front and rear elevations. When the maximum length is reached one of the following must occur:

- The building mass must step or bend.
- The wall line must offset a minimum of 5'.
- The roof line should shift up or down at least 5' or take on a different ridge alignment.

This requirement is applied to ensure that building mass does not become overpowering. Changing the plains of walls, changing direction, and providing some variety in the roof form yields diversity and visual interest. Additive building volumes give the home an appearance that it was built over time.



Variation in individual structures contribute to a varied streetscape.

Repetition

Repetitive massing is highly discouraged. Lots/Homes with similar massing may only occur consecutively along a street 3 times before a change in massing is required. For example, three adjacent 2-story homes must be followed by a 1 1/2 story or 1 story home. Also, no more than 2 similar floor plans may only occur consecutively along a street.

The Design Review Board may review these requirements on a case by case basis based on specific site conditions.

Cottage Homes

Residence Size

Residences in the Cottage Homes area will have a minimum square footage of 900 sq ft for single story structures. The first floor area (defined as that floor that is access by the front door) shall not be less than 800 sq. ft. for two story structures. The maximum square footage for any residence is 3,500 sq. ft.

Note: All areas noted are gross living areas and exclude porches, decks, garages and uninhabitable basements as defined by code.

Building Height

The intent of the height guideline is to present a human-scale roof scape, one that steps with the contours of the terrain and recalls the natural setting.

Building mass must be broken into at least two distinct forms which must be differentiated both vertically and horizontally by a minimum of 4 feet.

Allowable building heights are limited by Park City Municipal Corporation ordinance. Generally building heights can not exceed 28' as measured from existing natural grade at any point, excluding chimneys.

Building Height



Avoid Consecutive Massing

Walls

Foundation and Retaining Walls

Foundation walls form the base or grounding element of the structure. These walls should be a continuation of the building wall. Foundation walls must step down with the grade change so that their exposed surface is limited. All exposed concrete must be clad or finished for appearance with stone veneer, board formed concrete or concrete with an exposed aggregate. Retaining Walls should appear to be an extension of the foundation walls of the structure. Retaining Wall materials may include stacked rock or materials to match foundation wall material. No Retaining Walls may be placed within the side yard setbacks unless they are placed perpendicular to the lot line.

Building Walls

Building walls are those walls above the foundation walls that form the middle of the structure. The treatment of these walls provides an opportunity to visually unify this phase of the development. The use of different materials is encouraged to give distinction to the varied forms of the building. Materials on building walls will be limited to three different types for any single structure in the Cottage Homes area.

Approved materials are:

- Horizontal wood siding
- Board and batten vertical wood siding
- Machine sawn wood shingles
- Hardie Board siding or approved similar
- Stucco (as approved by the committee)
- Steel (as approved by the committee)



Retaining Wall

Wall Appurtenances

Detail elements applied to the exterior wall such as wall decoration, shutters, bay windows and flower boxes can add visual interest to the building façade. Care should be taken to not overstate or overly decorate. These elements should be functional and not simply replications of things seen elsewhere.

- Wall Decoration - Painted, relief or trimmed detail work is not recommended.
- Window and Door Shutters - They should appear operable and matched to size openings. They may be made of wood or fiberglass that resembles wood. Their design should be simple and straightforward, with out undue decoration. Painted shutters are encouraged on single windows and fully glazed doors. Hardware shall be corrosion resistant in a compatible color. Styles may be louvered, raised or flat paneled or planked and awning shutters are permitted.
- Bay Windows and Flower Boxes - These should be designed in a simple and direct manner.



Cottage Homes

Porches

Porches

A core ideal of the development is the use of covered front porches to promote: a human scale, sense of entry and emphasize relationship to the street.

Massing of porch elements can also help to further ground the building by forming a base from which the building mass can grow. To this end porches should be made to convey a sense of human scale and are limited to one story in height.

Integration of the front porch is required in the Cottage Homes area.

- Porches are usually located at the front setback line.
- Porches will often have deep eaves repeating the same rafter treatment as the main roof.
- Porch roof forms shall be consistent with the architectural style of the home.
- Porches must be a minimum of 18” above finished grade unless ADA access is required to the home. The front porch steps must be designed as an integral element to the design and style of the home and not just “stuck on” the front of the home.
- Porches can be used to wrap the corner of a house or fill the void created by an “L” shaped plan. Wrapped porches are strongly recommended for Corner Lots.
- Creativity consistent with the architectural style of the house shall be used in designing columns, posts, brackets, railing, trim and molding.
- Columns, where provided, must extend to within 4” of finished grade.
- Minimum porch depth is 6’ with a minimum of 60 square feet.

- All porches shall be properly detailed with authentic porch edge conditions, including a cantilevered “lip” or edge. If the porch surface is left as natural or colored concrete the face of the cantilevered lip must also remain as natural or colored concrete. If the porch surface is finished with another material, then that material should wrap the face of the porch lip.

Appropriate Porch flooring surfaces include:

- Wood or Composite Decking
- Natural or Approved Colored Concrete
- Tile or Concrete Pavers



Cottage Homes

Windows & Doors

Windows

Windows should be predominantly rectangular in shape and vertical in orientation.

Windows are often single, paired or in strips of 3 or more.

Octagonal, circles and hexagons will not be approved.

Window heads must be shaped to match roof lines or remain level. No scissor truss windows will be permitted with slopes not matching the roof line.

Windows should not be placed within 18" of any building corner.

Windows may be constructed of the following materials:

- Wood
- Wood clad with color fast vinyl or aluminum
- Metal clad windows must be coated with an approved finish
- Vinyl

The lens of skylights must be clear, gray or bronze. All skylights must be low profile. No bubble type skylights will be permitted. Skylight location should integrate well with the exterior design and not seem random.

Doors

Door openings should be protected from weather. Porches, overhangs and other architectural features can shield openings and add interest.

Doorways should be rectangular in shape. They should be made of a material and finished in a manner that is complimentary to the other exterior materials being used.

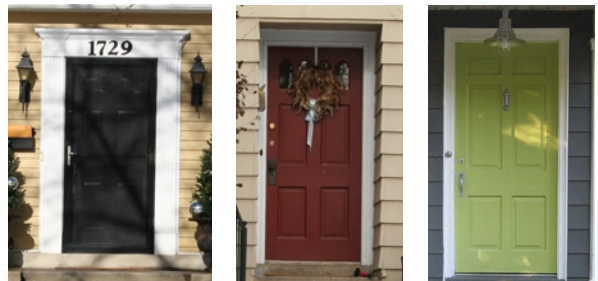
Doors are encouraged to be colorful architectural focal points.

The use of limited glass in entry doors is encouraged, ex. ½ lights with divided lights. Full glass doors are discouraged.



Trim

Within the Cottage Home product expressive trim is identified as a key architectural element. Trim shall be proportioned to the size of the opening with a minimum width of 3 ½ inches. Trim shall project a minimum of ½" past the leading edge of the adjacent siding. Most trim shall be flat. Any shapes must have a simple profile. Siding must abut trim (trim shall not be installed on top of siding).



Cottage Homes

Garages & Garage Doors

Garages

Garages are required in the Cottage Homes area of the development. They can be attached or detached and must accommodate at least one car. Garages must not dominate the residence when viewed from the street, especially in areas visible from right-of-ways, common areas and adjacent home sites. All garages accessed from the street must either be side entry designs or if parallel to the street, setback a minimum of 5' from the front entry elevation of the main structure. Alley loaded garages may face the alleyway and must meet all site design standards.

The use of overhangs and significant architectural details are encouraged to visually lessen the impact of the garage entrance.

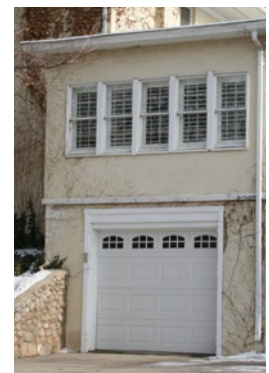
No Inhabitable space is allowed to be located above the Garage.

Garage Doors

Garage doors must be provided with detailing that is tied to the homes overall design themes. Garage doors must appear as traditional swinging, folding or sliding doors. Segmented doors are only permitted if they are constructed to appear to be one of these traditional door types and are subject to Design Board approval.

- Doors should be vertical paneled or planked and may incorporate glass.
- Doors may not include Diagonal, X-Bracing or Z-Braced Planks or Panels.
- Doors should be painted colors similar to the body of the home to lessen their visual impact.
- Single car garage doors are preferred. The use of single doors allows for more variety in the garage elevation.

- Three car garages are permitted in the Cottage Homes area but must incorporate tandem garages. Garages may only have 2 garage doors.
- No garage door over 9' high will be approved.



Driveways

Shared Driveways are allowed

Driveways are encouraged to be colored concrete, stamped colored concrete, or other pattern and texture methods approved by the Design Review Board. Asphalt drives will be permitted but must be maintained properly.

Cottage Homes

Roof Patterns & Materials

Roofing Patterns

Roofscapes dramatically shape a neighborhood and therefore require special design attention. In Historic Neighborhoods, it is obvious that a variety of roof forms, masses and slopes give great diversity to communities. Roof elements play a major part in how the overall residence design relates to human scale and to the topography of the site. Roof forms can also help bring developments together visually through the use of reoccurring underlying principles.

- Allowable roof pitches are between 6:12 and 12:12
- Allowable roof types are; gable, hip, partial hip and flat.
- Shed roofs and flat roofs may be used as secondary forms.
- Roof dormers are encouraged to punctuate second story roof mass.

Roof forms should remain simple.

All two story homes need to incorporate single story or secondary elements which will help the overall forms to sit within the topography better. Generally roof structures and roof lines should step with the topography of the site creating the appearance that the homes mass steps with and follows the slope of the site.

Home designs will incorporate a primary roof form (roof area in excess of 250 sq. ft.) with secondary elements (roof area less than 250 sq. ft.) attached to the primary form.

The following roof shapes are not permitted:

- Mansard or fake mansard roof
- Gambrel roof
- Domed roof



Roof Overhangs

Roof overhangs protect walls and openings from weather and contribute to the buildings character. Roofs should overhang walls a minimum of 12” and a max of 24”. Roof overhangs less than 12” requires review committee approval.



Materials

Allowed roofing materials are:

- Architectural composition shingles, min. 40 year
- Copper, must be allowed to oxidize and turn bronze
- Zinc, flat finish
- Cor-ten steel
- Self adhering single ply membrane roofing, at flat roofs
- Solar Shingles
- Green roofs

The following materials can be used with approved color selection:

- Aluminum
- Steel

Standing Seam Metal or corrugated roofs shall be primarily allowed on accent and porch roofs.

The following roofing materials are not allowed:

- Wood Shakes
- Highly reflective metals
- Asphalt rolled roofing

Cottage Homes

Roof Appurtenances

Roof Appurtenances

Approved Dormer Shapes:

- Shed Dormers
- Gable Dormers
- Hip Dormers

• Snow Diverters, should be used wherever sufficient amounts of snow may accumulate over occupied areas such as entries, patios, porches, driveways and decks. Special care should be taken with metal roofing as it is prone to releasing snow which can cause injury to people or damage to property.

• Roof top stairs, mechanical and electrical areas are required to be placed within the roof structure and are not permitted to be placed on the roof unless shielded. Shielding solutions must be approved by the review committee.

• Ornaments like finials, scroll work on the ridge or barge and eave boards or decorative turrets are discouraged.

• Skylights are not to be highly reflective and must be installed flush against the roof. They should not extend to the eave line. As mentioned elsewhere in these guidelines bubble type skylights will not be approved.

• Chimneys must be enclosed in a chase. The chase may be clad with wood siding, stucco, stone or approved metal. Chimney caps are required and must be constructed of approved material. Exposed metal chimneys and spark arrestors are not permitted.

• Mechanical vents 6" or bigger must be enclosed in a chimney. When chimneys are required their size, shape and height should match that of other chimney elements on the roof. All other unenclosed exposed vents must be coated to match the roof color.

• Clerestories should be placed within the field of the roof and can not extend to the eave lines except as approved by the review committee.

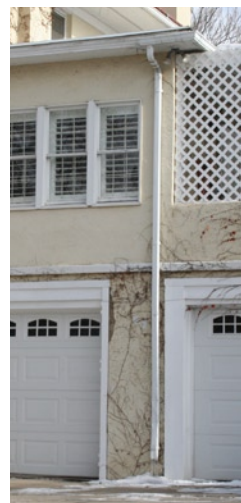
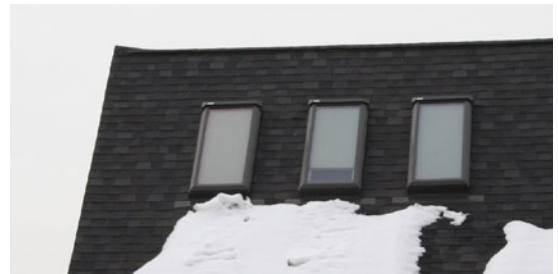
• Solar Panels are allowed but must be placed parallel to the roof and roof slope and should be mounted as close to the roof surface as possible.

Gutters and Downspouts

Gutters and downspouts should be metal or copper, have a factory finished metallic patina or painted to match the surface they are attached to.

Rain Storage Devices

All rain storage devices must be placed underground.



Cottage Homes

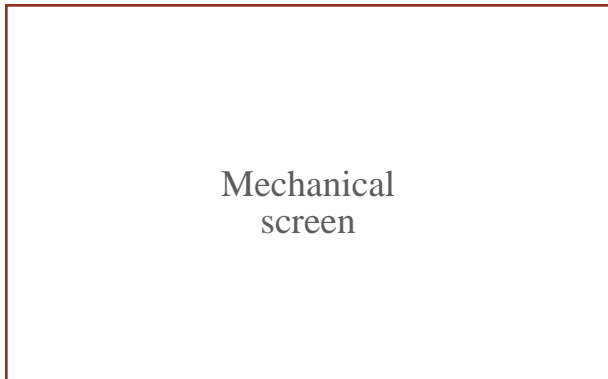
Home Appurtenances

Mechanical Equipment

Care must be given in designing a home to the location of utility equipment to avoid prominent exposure of mechanical equipment and meters to public view. Compressors, meters and miscellaneous equipment shall be grouped and located and screened to minimize the impact on neighbors and the community.

Screens can be comprised of either landscaping or landscaping and wood that is compatibly detailed to harmonize with the homes exterior. Exposed vents, grilles and other mechanical, electrical and plumbing components should be coordinated with building elements. Consider locating the dryer exhaust vent, hose bibs, waterproof outlets etc. below the first floor beam. Conceal these items to the extent possible and coordinate visible items with the foundation piers and screens.

No roof mounted mechanical equipment is allowed unless mounted on a flat roof element and is not visible from public view.



Lighting

Outdoor and indoor lighting will be carefully reviewed to assure that neighboring properties are protected from direct light sources. The intent is to produce an enticing low level throughout the community that creates a warm ambience while maintaining views of the night sky and stars. Exterior lighting shall be kept to a minimum and shall be limited to porches, courtyards, garage entries, addresses and to mark paths. The light source shall be shielded from view to the greatest extent possible. Floodlighting and moonlighting are prohibited.

Antennae and Satellite Dishes

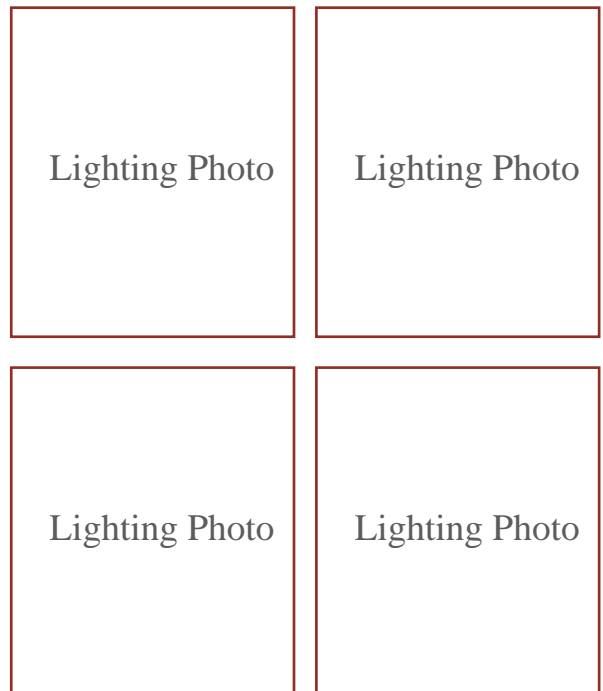
When possible, satellite dishes, television or radio aerials or antennas should be installed so as to be screened from the road, adjacent home sites or public areas. No satellite dish may be installed that is larger than 39” in diameter. Removal of trees to improve reception is prohibited. The screen wall is subject to Design Review approval and must be an integral component of the house design. In some cases, the enclosure may not be approved due to the location on the home site and its visual effect on the overall street scene or as viewed from adjacent home sites. Umbrella covers over satellite dishes are prohibited.

Trash Containers

Space shall be provided in an adequate and appropriate side or rear yard or interior portion of the garage to accommodate at least one trash and one large recycling container per unit and must be concealed from view from the Street or Local Street.

Accessory Structures

No accessory structures are permitted.



Cottage Homes

Example Gallery

Exterior Colors

With the smaller homes on smaller lots there is a much higher density within the Cottage Home area than in other areas of the development. The use of rich and lively colors will help to add visual interest to this area as well as help create a strong sense of place. Earth tones are allowed but primary colors are encouraged. Building color palletes will be limited to a body, trim and window color.

Key Elements

- Varied Wall Planes & Massing
- Expressive Trim
- Exposed Structural Elements
- Varied Roof Forms
- Emphasis on Front Porches
- Colorful Exteriors
- Vertical Proportions for windows
- Classic Forms
- Simple Forms
- Garages Secondary
- Grouped Windows
- Use of Special Windows
- Architecture Forward



Cottage Homes

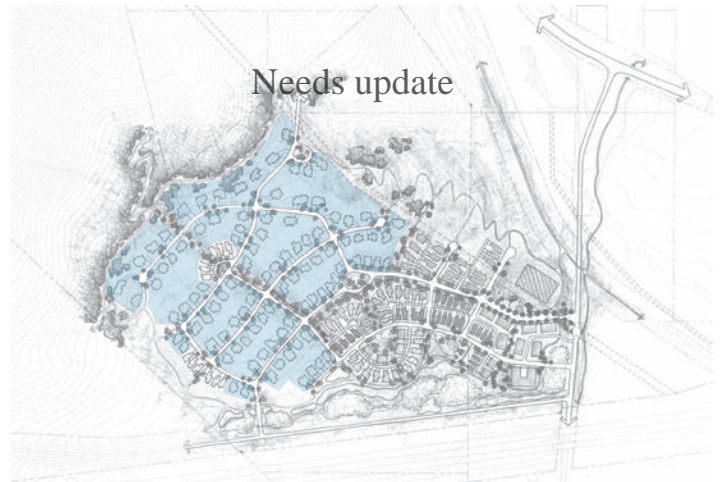
Homesteads

Community & Architecture Patterns

Street Patterns

Homesteads Street Perspective

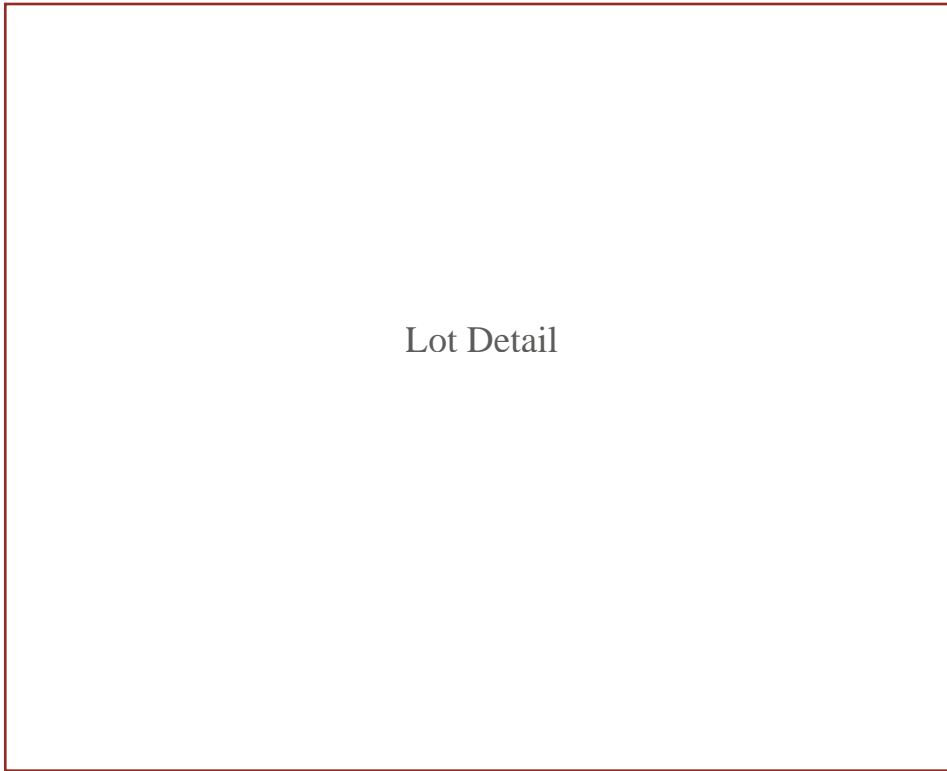
Homesteads are typically one and a half to two story homes on the largest lots within the neighborhood providing for a varied streetscape. All Homestead lots are accessed from the Street creating a need to vary driveway alignments and garage orientations. Homestead streetscapes must provide for a variety of landscapes while also providing adequate snow storage opportunities. Emphasis should remain on the front facades and the front doors and porches for all Homesteads maintaining a consistency within the project across all product types.



Homesteads Street Section

Homesteads

Building Placement



Homestead Lots range in size from 60 feet to 195 feet wide by 110 feet to 200 feet deep.

Front Yard Setback: 20 feet to Main House. Front Porches or Single Story Bays may extend to within 15' of the Sidewalk or Street ROW.

Side Yard Setback: Total side setbacks shall equal 16 feet with a minimum setback for all homes is 6 feet.

Side Street Setback (Corner Lot): 15 feet for all structures.

Rear Yard Setback: 25 feet to Main House.

Front Facade: Where possible it is encouraged to place the Primary Facade within 5' of the required minimum Front Yard Setback.

Street Accessed Garages: Width must not exceed 50% of the width of the front facade of the house. Garages at front yard shall be setback 25 feet or 10 feet behind Home Facade at the front setback (Whichever is greater).

Garage Doors: Garage doors may be 18 feet wide. Individual 9 foot Garage Doors are encouraged.

Homesteads

Massing & Composition

Built Forms Follow Contours

Building placement should respect existing land forms. Structures should follow contours and fit into existing land massing, rather than ignore or dominate these forms.



Scale of Buildings

It is important that the massing of the buildings be scaled in such a way that it relates to the people living there and harmonizes with the area and its natural features. No unbroken expanse of building mass may exceed 35' in length on all side elevations and 25' on all front and rear elevations. When the maximum length is reached one of the following must occur:

- The building mass must step or bend
- The wall line must offset a minimum of 5'
- The roof line should shift up or down at least 5' or take on a different ridge alignment

This requirement is applied to ensure that building mass does not become overpowering. Changing the planes of walls, changing direction, and providing some variety in the roof form yields diversity and visual interest.

Additive building volumes give the home an appearance that it was built over time.

Repetition

Repetitive massing is highly discouraged. Lots/Homes with similar massing may only occur consecutively along a street 3 times before a change in massing is required. For example, three adjacent 2-story homes must be followed by a 1 1/2 story or 1 story home. Also, no more than 2 similar floor plans may only occur consecutively along a street.

The Design Review Board may review these requirements on a case by case basis based on specific site conditions.

Homesteads

Residence Size

Residences in the Homestead area will have a minimum square footage of 2,000 sq ft for single story structures.

The first floor area shall not be less than 1,500 sq. ft. for two story structures and the second level shall be no more than 2/3 the main floor area.

The maximum square footage for any residence is 6,500 sq. ft.

Note: All areas noted are gross living areas and exclude porches, decks, garages and uninhabitable basements as defined by code.

Building Height

The intent of the height guideline is to present a human-scale roof scape, one that steps with the contours of the terrain and recalls the natural setting.

Building mass must be broken into at least two distinct forms which must be differentiated both vertically and horizontally by a minimum of 4 feet.

Allowable building heights are limited by Park City Municipal Corporation ordinance. Generally building heights can not exceed 28' as measured from existing natural grade at any point, excluding chimneys.

Building Height

Repetition

Walls

Foundation and Retaining Walls

Foundation walls form the base or grounding element of the structure. These walls should give the building the impression of solidity and repose. Foundation walls must step down with the grade change so that their exposed surface is limited. All exposed concrete must be clad or finished for appearance with a durable material such as stone veneer, board formed concrete, or concrete with an exposed aggregate. These treatments will protect the lower wall from impact and snow damage.

Under no circumstances should lower walls be surfaced with wood, plywood, aluminum siding, steel or plastic siding, asphalt composition or brick. Retaining Walls should appear to be an extension of the foundation walls of the structure.

Building Walls

Building walls are those walls above the foundation walls that form the middle of the structure. The treatment of these walls provides an opportunity to visually unify this phase of the development. The use of different materials is encouraged to give distinction to the varied forms of the building. Materials on building walls will be limited to three different types for any single structure in the Homestead area.

Approved materials are:

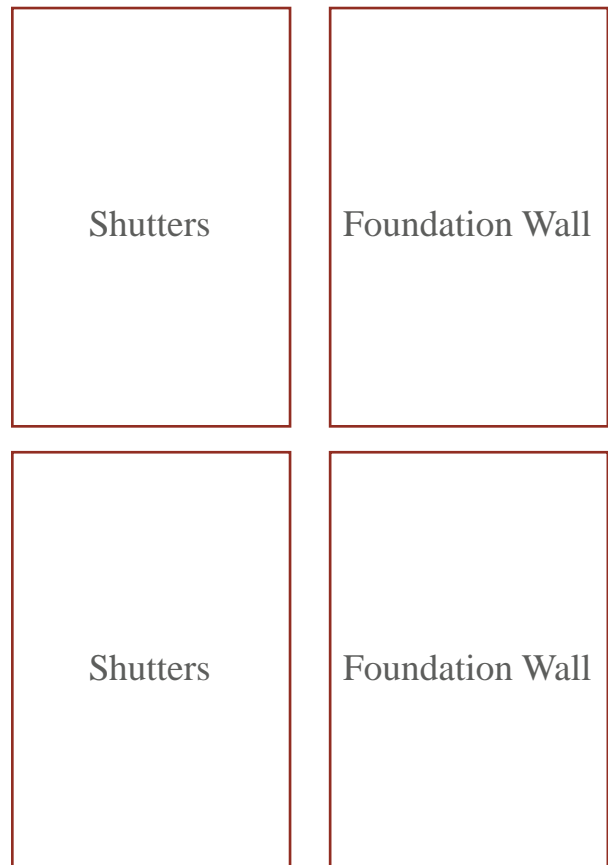
- Wood shingles and wood siding
- Hardie Board siding or approved similar
- Natural Stone Veneer
- Stucco (as approved by the committee) *
- Steel (as approved by the committee)
- Exposed aggregate concrete
- Board formed concrete

* Stucco may only be used as an accent material.

Wall Appurtenances

Detail elements applied to the exterior wall such as wall decoration, shutters, bay windows and flower boxes can add visual interest to the building façade. Care should be taken to not overstate or overly decorate. These elements should be functional and not simply replications of things seen elsewhere.

- Wall Decoration - Painted, relief or trimmed detail work is not recommended.
- Window and Door Shutters - They should appear operable and matched to size openings. They may be made of wood or fiberglass that resembles wood. Their design should be simple and straightforward, with out undue decoration. Painted shutters are encouraged on single windows and fully glazed doors. Hardware shall be corrosion resistant in a compatible color. Styles may be louvered, raised or flat paneled or planked and awning shutters are permitted.
- Bay Windows and Flower Boxes - These should be designed in a simple and direct manner



Homesteads

Porches

Porches

A core ideal of the development is the use of covered front porches to promote: a human scale, sense of entry and emphasize relationship to the street. Massing of porch elements can also help to further ground the building by forming a base from which the building mass can grow. To this end porches should be made to convey a sense of human scale and are limited to one story in height. The use of porch elements in the Homestead area is highly encouraged.

- Porches shall usually be located at the front setback line.
- Porches will often have deep eaves repeating the same rafter treatment as the main roof.
- Porch roof forms shall be consistent with the architectural style of the home.
- Porches must be a minimum of 18” above finished grade unless ADA access is required to the home. The front porch steps must be designed as an integral element to the design and style of the home and not just “stuck on” the front of the home.
- Porches can be used to wrap the corner of a house or fill the void created by an “L” shaped plan. Wrapped porches are strongly recommended for Corner Lots.
- Creativity consistent with the architectural style of the house shall be used in designing columns, posts, brackets, railing, trim and molding.
- Columns, where provided, must extend to within 4” of finished grade.
- Minimum porch depth is 8’ with a minimum of 80 square feet.

- All porches shall be properly detailed with authentic porch edge conditions, including a cantilevered “lip” or edge. If the porch surface is left as natural or colored concrete the face of the cantilevered lip must also remain as natural or colored concrete. If the porch surface is finished with another material, then that material should wrap the face of the porch lip.

Appropriate Porch flooring surfaces include:

- Wood or Composite Decking
- Natural or Approved Colored Concrete
- Tile or Concrete Pavers
- Natural Stone



Homesteads

Windows & Doors

Windows

Windows should be predominantly rectangular in shape and may be square, horizontal or vertical in orientation.

Octagonal, circles and hexagons will not be approved. Window heads must be shaped to match roof lines or remain level. No scissor truss windows will be permitted with slopes not matching the roof line.

Windows should not be placed within 18" of any building corner.

Windows should be utilized as a feature element within a wall plane.

Windows may be constructed of the following materials:

- Wood
- Wood clad with color fast vinyl or aluminum
- Metal clad windows must be coated with an approved finish
- Vinyl

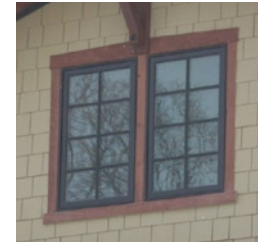
Note: If divided light windows are proposed the window must be a true divided light. Snap in grids, or grids between glass panes will not be approved.

The glass and frames used in windows and skylights can not be highly reflective. The lens of skylights must be clear, gray or bronze. All skylights must be low profile. No bubble type skylights will be permitted. Skylight location should integrate well with the exterior design and not seem random.

Doors

Door openings should be protected from weather. Porches, overhangs and other architectural features can shield openings and add interest. Door ways should be rectangular in shape. They should be made of a material and finished in a manner that is complimentary to the other exterior materials being used.

Doors are encouraged to be architectural focal points.

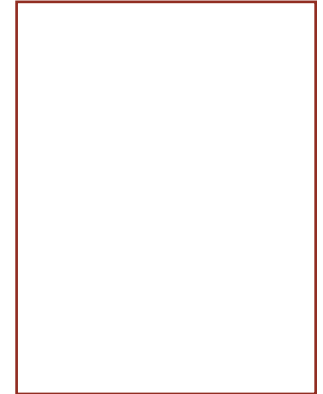


Homestead Homes

Garages & Garage Doors

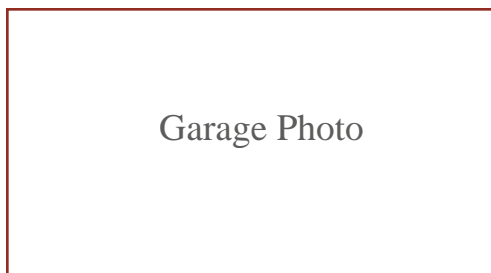
Garages

Garages are required in the Homestead area of the development. They can be attached or detached and must accommodate two cars at a minimum. Garages must not dominate the residence when viewed from the street, especially in areas visible from right-of-ways, common areas and adjacent home sites. All garages must either be side entry designs or if parallel to the street setback a minimum of 10' from the front entry elevation of the main structure. The use of overhangs and significant architectural details are encouraged to visually lessen the impact of the garage entrance.



Garage Doors

- Garage doors must be provided with detailing that is tied to the homes overall design themes.
- Doors should be paneled or planked and may include Diagonal framing, X-bracing and Z-bracing and may incorporate glass.
- Doors should be painted colors similar to the body of the home to lessen their visual impact.
- Single car garage doors are preferred. The use of single doors allows for more variety in the garage elevation.
- If more than a two car garage is planned, no more than two doors can occur on the same wall plain. Must offset third door wall plain by a minimum of 24". No more than three garage doors may occur in the same plain.
- Two car tandem garages are allowed.
- No garage door over 9' high will be approved.



Driveways

Driveway accesses are to be a maximum of 12 feet wide, except where they provide a turnaround or parking at a garage. Driveways and parking designs are to consider snow shed and snow storage requirements wherever possible. Every effort shall be made to minimize the paved areas of driveways and turnarounds while still conforming to parking requirements.

Only one driveway entry is permitted per Homesite. All driveways are to follow alignments that minimize grading, tree/shrub removal, or other disruption of the Homesite.

Driveways that cross challenging slopes may require special grading and/or retaining wall treatments. Owners and their Consultants are to design site-specific solutions that maintain a balance between minimizing site disturbance and creating driveways that do not compromise the community aesthetic.

Driveway, parking and garage layouts are to minimize the visibility of garage doors and off-street parking from off-site.

Driveways are encouraged to be natural stone, unit pavers, colored concrete, stamped colored concrete, or other pattern and texture methods approved by the Design Review Board. Asphalt drives will be permitted but must be maintained properly.

Homesteads

Roof Patterns & Materials

Roofing Patterns

Roof elements play a major part in how the overall residence design relates to human scale and to the topography of the site. Roof forms can also help bring developments together visually through the use of reoccurring underlying principles.

- Allowable roof pitches are between 4:12 and 8:12
- Allowable roof types are; gable, hip, partial hip and flat.
- Shed roofs and flat roofs may be used as secondary forms.
- Roof dormers are encouraged to punctuate second story roof mass.

Roof forms should remain simple.

Roof forms need to be broken down to address human scale so as not to become boxy. To that end all two story homes need to incorporate single story or secondary elements which will help the overall forms to sit within the topography better. Generally roof structures and roof lines should step with the topography of the site creating the appearance that the homes mass steps with and follows the slope of the site.

Home designs will incorporate a primary roof form (roof area in excess of 250 sq. ft.) with secondary elements (roof area less than 250 sq. ft.) attached to the primary form.

The following roof shapes are not permitted:

- Mansard or fake mansard roof
- Gambrel roof
- Domed roof



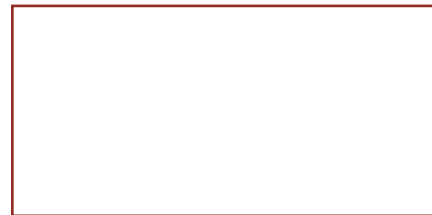
Roof Photo



Roof Photo

Roof Overhangs

Roof overhangs protect walls and openings from weather and contribute to the buildings character. Roofs should overhang walls a minimum of 24". Roof overhangs less than 24" requires review committee approval.



Materials

Allowed roofing materials are:

- Architectural composition shingles, min. 40 year
- Copper, must be allowed to oxidize and turn bronze
- Zinc, flat finish
- Cor-ten steel
- Self adhering single ply membrane roofing, at flat roofs
- Green roofs
- Solar Shingles

The following materials can be used with approved color selection:

- Aluminum
- Steel

Standing Seam Metal or corrugated roofs shall be primarily allowed on accent and porch roofs.

The following roofing materials are not allowed:

- Wood Shakes
- Highly reflective metals
- Asphalt rolled roofing

Homesteads

Roof Appurtenances

Roof Appurtenances

Approved Dormer Shapes:

- Shed Dormers
- Gable Dormers
- Hip Dormers

• Snow Diverters, should be used wherever sufficient amounts of snow may accumulate over occupied areas such as entries, patios, porches, driveways and decks. Special care should be taken with metal roofing as it is prone to releasing snow which can cause injury to people or damage to property.

• Roof top stairs, mechanical and electrical areas are required to be placed within the roof structure and are not permitted to be placed on the roof unless shielded. Shielding solutions will be approved by the review committee.

• Ornaments like finials, scroll work on the ridge or barge and eave boards or decorative turrets are discouraged. Skylights are not to be highly reflective and must be installed flush against the roof. They should not extend to the eave line. As mentioned elsewhere in these guidelines bubble type skylights will not be approved.

• Chimneys must be enclosed in a chase. The chase may be clad with wood siding, stucco, and stone or approved metal. Chimney caps are required and must be constructed of approved material. Exposed metal chimneys and spark arrestors are not permitted.

• Mechanical vents 6" or bigger must be enclosed in a chimney. When chimneys are required their size, shape and height should match that of other chimney elements on the roof. All exposed vents must be coated to match the roof color.

• Clerestories should be placed within the field of the roof and can not extend to the eave lines except as approved by the review committee.

• Solar Panels are allowed but must be placed parallel to the roof and roof slope and should be mounted as close to the roof surface as possible.

Gutters and Downspouts

Gutters and downspouts should be metal or copper, have a factory finished metallic patina or painted to match the surface they are attached to.

Rain Storage Devices

All above ground rain storage devices should be appropriately screened from neighboring properties and roadways. All devices should be painted to match the building color or of similar materials to limit the visual impacts. Below grade devices are encouraged where possible.



Roof Photo



Roof Photo



Solar Panels
Photo



Solar Panels
Photo

Homesteads

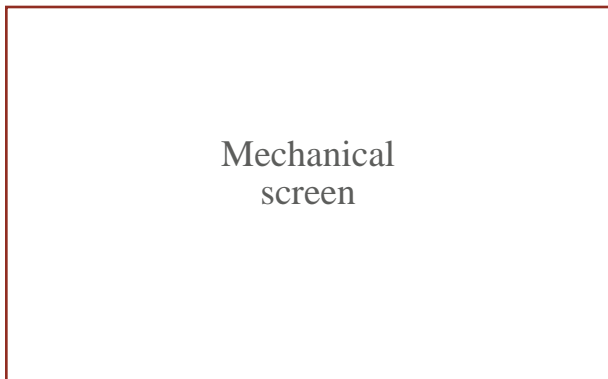
Home Appurtenances

Mechanical Equipment

Care must be given in designing a home to the location of utility equipment to avoid prominent exposure of mechanical equipment and meters to public view. Compressors, meters and miscellaneous equipment shall be grouped and located and screened to minimize the impact on neighbors and the community.

Screens can be comprised of either landscaping or landscaping and wood that is compatibly detailed to harmonize with the homes exterior. Exposed vents, grilles and other mechanical, electrical and plumbing components shall be coordinated with building elements. Consider locating the dryer exhaust vent, hose bibs, waterproof outlets etc. below the first floor beam. Conceal these items to the extent possible and coordinate visible items with the foundation piers and screens.

No roof mounted mechanical equipment is allowed unless mounted on a flat roof element and is not visible from public view.



Lighting

Outdoor and indoor lighting will be carefully reviewed to assure that neighboring properties are protected from direct light sources. The intent is to produce an enticing low level throughout the community that creates a warm ambience while maintaining views of the night sky and stars. Exterior lighting shall be kept to a minimum and shall be limited to porches, courtyards, garage entries, addresses and to mark paths. The light source shall be shielded from view to the greatest extent possible. Floodlighting and moonlighting are prohibited.

Antennae and Satellite Dishes

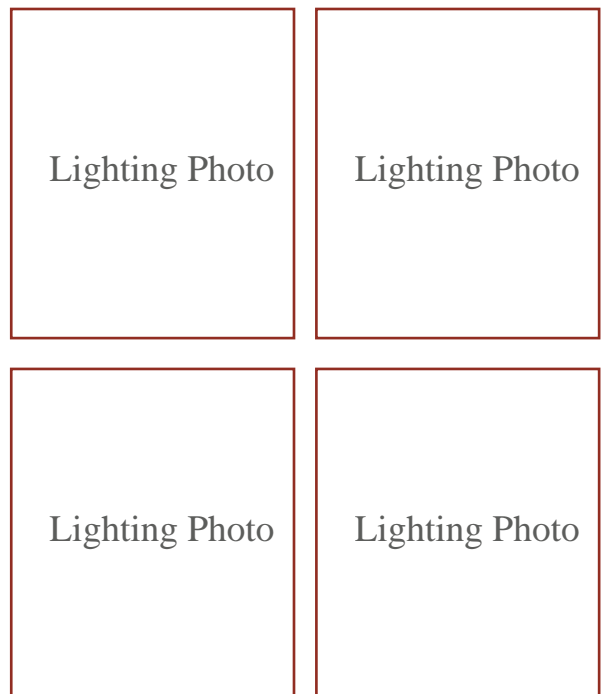
When possible, satellite dishes, television or radio aerials or antennas should be installed so as to be screened from the road, adjacent home sites or public areas. No satellite dish may be installed that is larger than 39” in diameter. Removal of trees to improve reception is prohibited. The screen wall is subject to Design Review approval and must be an integral component of the house design. In some cases, the enclosure may not be approved due to the location on the home site and its visual effect on the overall street scene or as viewed from adjacent home sites. Umbrella covers over satellite dishes are prohibited.

Trash Containers

Space shall be provided in an adequate and appropriate side or rear yard or interior portion of the garage to accommodate at least one trash and one large recycling container per unit and must be concealed from view from the Street.

Accessory Structures

Accessory structures will be permitted per Park City Municipal Code. It is important that the massing and scale, as well as forms, materials, and other detailing be coordinated with the main buildings. Design and materials shall be consistent with the guidelines for the homes.



Homesteads

Example Gallery

Exterior Colors

Since the sizes of residences in the Homestead area are larger than in other areas of the development the use of earth tone colors are encouraged. The use of earth tone colors will allow the larger forms to blend better with the natural landscape and create some distinction between this area and other areas of the development. The use of accent colors will be allowed and is encouraged at entries and gathering points.

Key Elements

- Varied Wall Planes & Massing
 - Expressive Trim
 - Exposed Structural Elements
 - Varied Roof Forms
 - Emphasis on Front Porches
 - Stone Integrating Building to Site
 - Not Resort Mountain Timber
 - Mountain Contemporary
- Simple Forms
 - Garages Secondary
 - Grouped Windows
 - Creative Materials
 - Mountain Cottage
 - Second Story Porches



Homesteads

Landscape Guidelines

Landscape Appurtenances

Paths, Outdoor Stairs and Terraces

Paths, outdoor stairs and terraces are to follow the natural topography and respond to existing vegetation patterns. Retaining walls and building foundations are to be used together with paths, outdoor stairs and terraces to tie the architecture to the land. All Improvements are to be located within the Enhanced and Transitional Landscape Zones.

Approved materials for outdoor use include stone, chipped stone, decomposed granite and/or wood. The use of stone that is similar to or matches that found naturally within the Wasatch Mountain region is encouraged for terraces, stairs, paths and other landscape structures.

Outdoor Fireplaces

Outdoor fire pits or fireplaces are prohibited unless they are gas.

Lighting

All outdoor landscape lighting should be low voltage lighting and should meet all night sky requirements within Park City. All lighting should be controlled with a timer to limit lighting use from dusk to dawn only.

Fences, Garden Walls and Gates

The use and placement of Fences are to be minimized. In the Park Home and Cottage Home Products fences are allowed in the front and side yards. Front yard fences shall be a minimum of 36" in height and a maximum of 42" in height. Side yard and rear yard fencing may be a maximum of 6' in height and may not start until 10' behind the front facade of the home.

No fences are allowed within the Homestead Lots with the exception of pet enclosures or pool fencing.



Pool fences shall be a minimum of 6 feet in height as required by Code. Pool and spa fences may require additional detailing and landscape treatments, as specified by the Design Review Board, to mitigate off-site visibility.

Fences used as pet enclosures may likewise extend up to 6 feet in height provided they are not visible from the street. Wire mesh, finished to recede into the landscape, may be added to wood rail fence at pet enclosures. Pet enclosure size and location shall be as approved by the Design Review Board.

Fence and gate designs are to utilize styles consistent with the homes architectural vernacular. Materials may include wood picket, metal picket, wrought iron, stone or a combination.

Vegetation is to be planted in front of and behind fences to blend them with the surrounding vegetation.

Gates are permitted only as a component of an approved fence or wall and are to be located within the Enhanced Landscape Zone and not at driveway entries.

Trellises

Trellises are permitted and should occur in the landscape or as an attachment to the home. Trellis material should match materials used on the home and should be appropriately scaled and located to function as a secondary element.

Landscape Appurtenances

Play Structures

Play structures, trampolines, swing sets, slides, or other such devices are allowed only when the application is made in advance with the Design Review Committee. Approval for such equipment may be granted when it is proposed to be placed within fenced, rear yard areas, is constructed and finished with materials which are complementary to the structure, is limited in height to eight feet or less, and for which the colors of the equipment are in keeping with the intent of these guidelines.

Tennis, Sports Courts and Basketball Standards

Due to the extensive clearing required by tennis courts, they will not be permitted.

Sport courts will only be allowed when acceptable measures to minimize their impacts are included in the plan. Wall-mounted or freestanding basketball goals may be allowed subject to the Design Review Board approval. Support posts of a freestanding basketball goal shall be painted to blend unobtrusively with its visual backdrop surrounding, and the backboard must be clear. No Lighting may be used for any of the above mentioned uses.

Address Markers

Address marker designs for homes within Park City Heights should meet Park City standards (Title 12).

Pools, Spas and Water Features

All pools, spas and water features are to adhere to the following Guidelines:

Pools, Spas and other water features are to be located within the Enhanced Landscape Zone only. These must be visually connected to the Residence and designed as an integral part of the house's exterior design.

The introduction of landscaped water features, such as artificial creeks, is not allowed. Small decorative fountains are permitted within courtyards and/or other outdoor spaces not visible from off-site.

Swimming pools will be approved within the Homesteads only and on a Lot by Lot basis. Pools may only be located in areas that are not visible from off-site. Pool safety measures are to be taken in accordance with local governmental regulations.

All above ground Spas should be located to minimize the visual impact of the spa structure to adjacent homes and to the street.



Spa and water feature equipment enclosures are to appear as extensions of the home and/or located in underground vaults to contain noise. Solid noise absorbing covers for equipment will be required after installation if it is discovered that the equipment is audible from adjacent properties.

General Landscape Guidelines

Landscape Improvements are to incorporate, rehabilitate and enhance existing vegetation, utilize indigenous and/or regional species, and minimize areas of intensive irrigation.

New trees and shrub plantings are to be a mix of sizes that will blend naturally into the surrounding vegetation near the developments edges.

Proposed plant materials that are not on the Approved Plant List are to be identified on all landscape submissions with a full description of the plant and the intent of its proposed use.

The landscape design on each Homesite is to gradually transition from the Home to the lot edge or Natural Area to match adjacent landscapes and/or enhance existing native landscape patterns.

Three Landscape Zones have been created within the development areas.

- Enhanced Landscape Zone
- Transitional Landscape Zone
- Natural Landscape Zone

Approved Plant List

The Design Review Committee has approved a list of plants and trees deemed to be inherently compatible with the natural Park City Heights landscape, including indigenous and non indigenous species. Such plants are listed in Plant Lists A, B and C of this Design Guide and landscaping of any area within the project is expressly limited to these species.



Landscape Zone Sketch

Enhanced Landscape Zone

The Enhanced Landscape Zone is that portion of the building lot adjacent to the home and exterior living spaces including front porches, patios and terraces. In the Park Home and Cottage Home addresses the Enhanced Landscape Zone may extend to the Street ROW. Plant lists A, B and C contains a list of plant materials that are appropriate for use in the Enhanced Landscape Zone.

Plant materials may be planted in more formal planting patterns within the Enhanced Landscape Zone adjacent to the home (generally within 10' of the structure). Planting beyond this area should begin to transition to a more natural and random planting pattern.

New plantings are to be used to frame important view sheds, reduce the visual impact of the residence, and screen outdoor service areas and other Improvements from adjacent Homesites and off-site views.

Larger scale planting materials including small trees and large shrubs are to be planted adjacent to building walls to help soften the architectural edge and to blend buildings with the landscape.

Manicured or groomed yards shall only be located within the Enhanced Landscape Zones.

Grasses are to be used only as specimen plants.

Plant material and irrigation in the ROW and/or park strip shall be installed and maintained by the Lot Owner.



Landscape Zone Sketch

Park Strip Landscaping

The intent of the park strip landscaping standards is that thirty three percent (33%) or more of the park strip surface be covered with vegetation within three (3) years of planting or when planting has reached maturity, whichever comes first. For lots with two (2) or more street frontages, this standard shall be applied separately to each adjacent park strip on each street frontage.

If the entire park strip is planted with annual or perennial flowering plants, it shall be the property owner's responsibility to ensure that erosion does not deposit soil or other material on sidewalks or in the street.

Materials such as bark, shredded plant material, and compost, may be used as water conserving mulch for plants and may also be used as the only material in portions of a park strip.

Gravel, rocks, and boulders, may be used on portions of the park strip. Large diameter rocks and boulders shall be kept a minimum of eighteen inches (18") away from existing street trees. Organic mulch or gravel shall be used near existing street trees.

Transitional Landscape Zone

The Transitional Landscape Zone is that portion of a homesite that falls outside of the Enhanced Landscape Zone but is disturbed during construction and within which an Owner must enhance/revegetate the landscape. All areas of the homesite which were disturbed by construction activity must be restored and revegetated, and must be appropriately tended, until the new landscape and natural vegetation is reestablished. The Transitional Landscape Zone is that area that transitions from the Enhanced Landscape Zone to an adjacent homesite or to a Natural Landscape Zone. Plant lists B and C contain a list of plant materials that are appropriate for use in the Transitional Landscape Zone.

In order to blend Improvements with the site, plant materials are to be planted in natural groupings to mimic the natural planting patterns found on and around the site.

The line of interface between this Transitional Zone and the natural landscape or adjacent home shall occur along a soft edged irregular creating a smooth, natural transition.

New plantings are to be used to frame important view sheds, reduce the visual impact of the residence, and screen outdoor service areas and other Improvements from adjacent Homesites and off-site views.

No manicured or groomed yards shall be located within the Transitional Landscape Zone.

Plant material and irrigation in the ROW shall be installed and maintained by the Lot Owner.

Only Drip Irrigation is allowed in the Transitional Zone.



Landscape Zone Sketch

Park Strip Landscaping

The intent of the park strip landscaping standards is that thirty three percent (33%) or more of the park strip surface be covered with vegetation within three (3) years of planting or when planting has reached maturity, whichever comes first. For lots with two (2) or more street frontages, this standard shall be applied separately to each adjacent park strip on each street frontage.

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Gravel, rocks, and boulders, may be used on portions of the park strip. Large diameter rocks and boulders shall be kept a minimum of eighteen inches (18") away from existing street trees. Organic mulch or gravel shall be used near existing street trees.

Natural Landscape Zone

The Natural Landscape Zone is that portion of the lot that lies outside of the homes disturbed area of construction, and must remain as natural area, or revegetated area to the standards outlined in this section.

The Natural Landscape Zone is to be planted only with those plant materials identified within Plant List C.

Landscape transitions to existing open spaces should be carefully planted so as to best create a seamless revegetated landscape. In addition, the density and mix of any added plant material in the Natural Landscape Zone will be required to approximate the density and mix found in the general area.

Excluding trees, permanent irrigation of the Natural Area on homesites with existing vegetation is not permitted, since the indigenous vegetation does not require additional water. Permanent irrigation of the Natural Area can lead to disease and death of the native plants, and aid in the spread of undesirable plant species or weeds.

Temporary irrigation of all revegetation in the Natural Areas is allowed. Permanent irrigation for newly planted trees is permitted.

Plant material and irrigation in the ROW shall be installed and maintained by the Lot Owner.



Landscape Zone Sketch

Plant List A

Trees

Celtis reticulata - Western Hackberry
 Malus spp. – Crabapple
 Pinus contorta - Lodgepole Pine
 Prunus padus - Mayday Tree
 Pyrus calleryana – Flowering Pear
 Robinia pseudoacacia - Black Locust

Shrubs

Caragana arborescens - Siberian Pea Shrub
 Cornus alba - Variegated Dogwood
 Cornus sericea flaviramea - Yellowtwig Dogwood
 Cotoneaster acutifolius’ - Peking Cotoneaster
 Euonymus alatus ‘compacta’ - Burning Bush
 Lonicera tatarica - Tatarian Honeysuckle
 Pinus mugo - Mugo Pine
 Prunus besseyi - Western Sand Cherry
 Prunus tomentosa - Nanking Cherry
 Sambucus spp. - Elderberry
 Shepherdia argentea - Buffalo Berry
 Syringa vulgaris - Lilac

Perennials

Alcea rosea - Hollyhock
 Alchemilla spp. - Lady’s Mantle
 Armeria maritima - Sea Thrift or Sea Pink
 Artemisia spp. - Silermound
 Astilbe spp. – Astilbe
 Centaurea dealbata – Bachelor Button
 Cerastium tomentosum - Snow in Summer
 Chrysanthemum spp. - Daisy
 Coreopsis - Coreopsis
 Delphinium - Larkspur
 Dianthus - Dianthus
 Dicentra spectabilis - Bleeding Heart
 Doronicum spp. - Leopard’s Bane
 Hemerocallis - Daylilly
 Heuchera - Coral Bells
 Iris missouriensis - Western Blue Flag
 Iris siberica - Siberian Iris
 Lavendula spp. - Lavender
 Liatris spp. - Gayfeather
 Lysimachia punctata - Loosestrife
 Monarda didyma - Bee balm
 Nepeta mussini - Catmint

Papaver orientale - Oriental Poppy
 Prunella - Prunella
 Pulsatilla vulgaris - Pasque Flower
 Rudbeckia spp. - Black-eyed Susan
 Sagina subulata. - Irish Moss
 Salvia spp. - Sage
 Tradescantia spp. - Spider Wart
 Pulsatilla vulgaris - Pasque Flower
 Rudbeckia spp. - Black-eyed Susan
 Sagina subulata. - Irish Moss
 Salvia spp. - Sage
 Tradescantia spp. - Spider Wart

Grasses

Aristida purpurea - Purple Threeawn
 Bouteloua curtipendula - Side Oats Grama
 Elymus cineris - Great Basin Wild Rye
 Lolium spp. - Ryegrass
 Miscanthus spp. - Maidengrass
 Panicum spp. - Switchgrass
 Phalaris spp. - Ribbongrass
 Poa alpina - Alpine Bluegrass
 Poa pratensis spp. - Kentucky Bluegrass
 Poa secunda - Sandberg Bluegrass
 Schizachyrium spp. - Little Bluestem

Groundcover

Aegopodium podagraria - Bishop’s Weed
 Ajuga spp. - Bugleweed
 Gallium odoratum - Sweet Woodruff
 Hypericum calycinum - St. John’s Wort
 Lamium spp. - Nettle
 Lysimachia nummularia - Creeping Jenny
 Phlox - subulata - Creeping Phlox
 Thymus spp. - Thyme
 Veronica spp. - Veronica
 Vinca minor - Vinca

Vines

Lonicera x brownii ‘Dropmore Scarlet’ - Dropmore Scarlet
 Honeysuckle
 Parthenocissus quinquefolia - Virginia Creeper

Plant List B

Trees

Abies lasiocarpa – Subalpine Fir
Acer ginnala - Amur Maple
Acer glabrum - Rocky Mountain Maple
Alnus incana - Alder
Betula occidentalis - Western Water Birch
Crataegus douglasii - Black Hawthorne
Picea omorika - Siberian Spruce
Picea pungens - Colorado Green Spruce
Pinus aristata - Bristlecone Pine
Pinus flexilis - Limber Pine
Pinus nigra - Austrian Pine
Pinus silvestris - Scotch Pine
Populus x acuminata - Lanceleaf Cottonwood
Populus angustifolia – Narrowleaf Cottonwood
Populus tremuloides ‘Erecta’ - Swedish Aspen

Fragaria spp. - Strawberry
Gaillardia spp. - Gaillardia
Linum spp. - Flax
Lupinus spp. - Lupine
Sedum spp. - Sedum
Solidago sphacelata - Goldenrod
Viguiera multiflora (*Heliomeris multiflora*) - Showy Goldeneye

Shrubs

Atriplex canescens - Four Wing Saltbrush
Cercocarpus ledifolius - Curleaf Mountain Mahogany
Chrysothamnus nauseosus - Rubber Rabbitbrush
Cornus sericea - Redtwig Dogwood
Fallugia paradoxa - Apache Plume
Mahonia repens - Creeping Oregon Grape
Paxistima myrsinites - Mountain Lover or Oregon Boxwood
Physocarpus malvaceus – Ninebark
Potentilla fruticosa – Shrubby Cinquefoil
Rhus glabra - Smooth Sumac
Ribes alpinum - Alpine Currant
Rosa Woodsii - Wood’s Rose
Salix spp. - Willow

Perennials

Achillea millefolium - Western Yarrow
Aconitum columbianum - Monkshood
Agastache rupestris - Hyssop
Antennaria rosea - Pussy Toes
Aquilegia caerulea - Columbine
Arctostaphylos uva-ursi - Kinnikinnick
Campanula spp. - Bellflower

Plant List C

Trees

Acer glabrum - Rocky Mountain Maple
 Juniperus scopulorum-Rocky Mountain Juniper
 Prunus virginiana – Chokecherry
 Populus tremuloides - Quaking Aspen
 Quercus gambelii - Gambel Oak

Shrubs

Amelanchier alnifolia - Saskatoon Serviceberry
 Artemisia tridentata - Big Sage
 Gutierrezia Sarothrae - Snakeweed
 Purshia tridentata - Antelope Bitterbrush
 Symphoricarpos occidentalis - Western Snowberry

Perennials

Allium acuminatum - Tapertip or Wild Onion
 Aster spp. - Aster
 Balsamorhiza sagittata - Arrowleaf Balsamroot
 Calochortus nuttallii - Sego Lily
 Castilleja chromosa - Indian Paintbrush
 Erigeron spp. - Fleabane
 Eriogonum umbellatum - Sulfer Flower
 Geranium spp. - Geranium
 Helianthus - Sunflower
 Oenothera spp. - Evening Primrose
 Penstemon spp. - Penstemon
 Sphaeralcea spp. - Globemallow
 Vicia americana - American Vetch
 Wyethia amplexicaulis - Mule's Ear

Grasses

Achnatherum hymenoides - Indian Ricegrass
 Bromus marginatus - Mountain Brome
 Elymus lanceolatus spp. - Streambank Wheatgrass
 Festuca longifolia - Hard Fescue
 Festuca ovina - Sheep Fescue
 Festuca rubra - Red Fescue
 Festuca rubra commutata - Chewing Fescue
 Pascopyrum smithii - Western Wheatgrass
 Pseudoroegneria spicata - Bluebunch Wheatgrass
 Poa bulbosa - Bulbous Bluegrass
 Sitanion elymoides - Bottlebrush Squirreltail
 Stipa viridula - Needle Grass

Sustainability

Sustainability

Park City Heights has been conceived and planned using sustainable site design concepts and “green building” principles. The main objectives are: (1) Create a standard where homes are durable, healthy, comfortable, affordable and energy-efficient; and (2) Protect, conserve and ensure the long-term availability of one of the community’s most precious and scarce natural resources: water.

The Leadership in Energy and Environmental Design (LEED™) Green Building Rating System represents the U.S. Green Building Council’s effort to provide a national standard for green building. By using established and innovative practices, standards and technologies, LEED provides common design guidelines and a third-party certification tool.

Sustainable building is a whole systems approach to the design, construction, and operation of the home and the site. By incorporating the building standards of the U.S. Green Building Council, Park City Heights will ensure that energy and resources are used efficiently.

Residential building quality is a very important and integral part of a sustainable community because it directly contributes to the long-term satisfaction of the people who live there. Park City’s semi-arid climate makes certain that effective and sustainable water management is a constant priority. Reducing water consumption is critical to water conservation.



To create a more sustainable community and environment the following standards will apply:

Each home must meet the LEED for Homes Silver Rating;

AND

Each home must achieve a combined 10 points within the Sustainable Sites Landscaping and the Water Efficiency sections of LEED for Homes Checklist.

Points achieved in this Water Efficiency section will count towards the overall score.

A Third Party Inspection and approval is required before occupancy of a home.



In addition to the requirements above, there are other fundamental elements that may be applied to achieve higher levels of sustainability and should be incorporated into each home. These sustainability elements include design practices that apply to the three specific categories within the development:

- Community
- Architectural
- Landscape

Community Sustainability

Transportation

Encourage alternative modes of transportation through site planning and building orientation that emphasize connections to sidewalks, bike paths and trail networks. Homes should be placed and built incorporating easy connections for pedestrian and bike access to trails, sidewalks and streets. These options make it easier for people to choose alternative modes of transportation that contribute to a more sustainable environment that is healthier and more enjoyable for everyone.

Open Space

Encourage design that emphasizes the natural connection to open space and parks. Provide maximum continuity of open space and preserve important natural vistas that reinforce a sense of place and relationship to the natural environment. Integrate views and access into the greenway network from homes. Promote the development of site plans that create attractive, comfortable outdoor spaces.

Topography

Integrate natural site features such as topography, views and vegetation into site design. Building placement should follow contours rather than being placed at right angles to the prevailing slope. On sloping sites, staggering placement of homes along opposite sides of the street, rather than siting homes directly opposite one another, can provide better preservation of views. Use topography to create continuous green space connectivity between homes. Retain the maximum possible amount of natural vegetation. Avoid excessive grading and cutting of hillsides.

Water Conservation

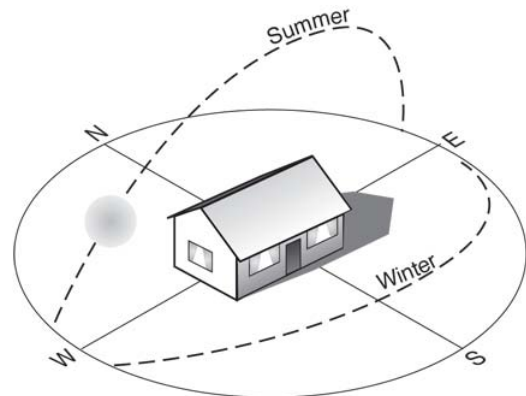
Incorporate the installation of low flow toilets and flow reducers on faucets and shower heads. Flow reducers can cut water usage of faucets by as much as 40% with little noticeable effect. Park City Heights has defined the minimum Low Flow as:

- Toilets - 1.5 gallons per flush
- Kitchen Faucets – 2.0 gallons per minute
- Bathroom Faucets – 1.8 gallons per minute
- Shower Heads – 2.4 gallons per minute

Solar Orientation

Where possible, the longer axis of the home should be oriented east/west. By orienting the home in that direction, the longer dimension of the home faces sunny south. The optimum position for maximum solar benefits is true south but you can vary the orientation within 15-20 degrees of that direction with minimal effect. This placement creates optimum conditions for the use of passive and active solar strategies reducing energy costs substantially.

Encourage site and building design that improves energy efficiency by incorporating natural cooling and passive solar heating. This may include extended eaves, window overhangs, awnings and tree placement for natural cooling, and building and window orientation to take advantage of passive solar heating.



Stormwater Management

Pervious pavement is designed to allow percolation or infiltration of stormwater through the surface into the soil below where the water is naturally filtered and pollutants are removed. Design that uses alternatives to reduce impervious pavement is a positive step toward improving the quality of our water resource and is highly encouraged. However, pervious pavement is easily compromised by plowing that dislodges pavers and sanding which disrupts the pavements

Architectural Sustainability

Building Materials

Encourage the use of green or sustainable building materials, including recycled content materials. Promote sustainability through building practices that reduce energy consumption as well as through the continued review of viable alternative energy sources.

Renewable Energy Sources

While energy conservation is an integral component of sustainability, alternative energy sources may provide a more effective solution to reducing the impact and consumption of fossil fuel energy. Among others they include solar, geothermal and wind.

Solar

Solar equipment (panels, shingles and cells) is encouraged and can be used as a Solar Electric or Solar Water Heat System. Solar equipment will be flush mounted and incorporated into the building mass and must be architecturally compatible with the building. Solar equipment may not appear to be set on a sub-structure foreign to the roofline of the home. All trim must be anodized bronze or finished to match the roof. No plumbing or bright metal may be exposed. Solar equipment may be incorporated into the landscaping on Homestead lots only, as approved by the Design Review Board.



Geothermal

Ground Source Heat Pumps or Geoexchange systems may be allowed where feasible but in no way may interfere with adjacent properties. Solar Heating and a Ground Source Heat Pump may be combined to form a geosolar system for even greater efficiency.

Wind

Wind energy systems may be allowed and will be restricted through the Park City Municipal Corporation Land Management Code.

Construction Waste Recycling

Builders are required to recycle construction waste to include wood, drywall, metals, concrete, dirt and cardboard. This can be achieved by sorting construction waste into separate bins that can then be collected for recycling.

In-Home Recycling

Provide an in-home recycling center where materials can be separated and free from contamination. Encourage the use of Park City Municipal Corporations street side recycling service or materials can be taken to the Park City recycling center.



ENERGY STAR®

In addition to each home meeting the required LEED for Homes Silver Rating, all homes will be built to ENERGY STAR® Standards for the year in which the building permit is issued.

Skylights

Skylights are an effective way to light and heat a home passively. Low-E glass or triple glazed acrylic units save energy and money while keeping the home more comfortable. Skylights must be integrated with the design of the home. Skylights should be designed as an integral part of the roof. Only flat skylights with clear or bronze glazing will be allowed, while bubble or dome skylights with frosted or colored glazing are not.

Fireplaces

All fireplaces must be non wood burning and comply with Park City Municipal regulations.

Non Air-Conditioned Homes

Provide as an environmentally sensitive option to buyers to reduce energy consumption. This can be augmented by installing ceiling fans which improve interior comfort by circulating cold and warm air. Ceiling fans can be adjusted to either draw warm air upward during summer months or push it downward during the winter.

Landscape Sustainability

Hydrozoning

Grouping plants that have similar water requirements. Hydrozoning is a key component of a water-efficient irrigation system and landscape. Plant species with similar needs should be selected and grouped within each hydrozone. It is also effective to create microclimate zones so that plants with higher water needs are closest to the house and plants with lower water needs are on the perimeter of the garden or landscape.

Each hydrozone will contain plants that will be irrigated on the same schedule, using the same irrigation method. Generally, each hydrozone is served by one valve or control zone (although more than one valve may be required to service an area due to flow and water pressure). By using controllers with multiple run times that are able to support low-volume systems (cycle and soak) and by dividing the landscape into hydrozones, each area will receive the amount of water it needs without puddling or runoff. The result of hydrozoning is improved plant health and less water use.



Turf

Turf, when used, must not be a dominant component of the landscape. Individual homesites in the Park Home and Cottage Home lots shall not contain turf areas greater than 20% of the total lot area. Individual homesites in the Homestead lots shall not contain turf areas greater than 10% of the homes total lot area. All turf area must be located within the Enhanced Landscape Zone.

Irrigation

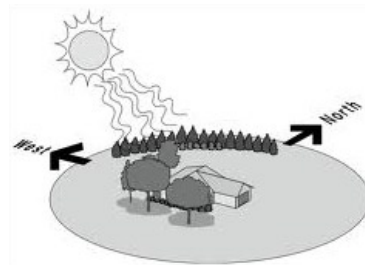
All landscape areas within the Enhanced and Transitional Landscape Zones shall be irrigated.

All irrigation provided shall be drip irrigation with the exception of turf areas. All drip tubing shall be concealed below plant bed mulch and must remain covered at all times.

All irrigation systems shall be controlled by an automatic controller which includes a rain sensor. Rain sensors should be utilized to detect the presence of rainfall and disable the irrigation controller from operating during periods of wet weather. Rain Sensors should be adjusted to suit the requirements of the landscape and soil conditions for each home.

Shade Trees/Heat Gain

Deciduous trees placed on the south and east or west can shade your home in the summer before dropping their leaves in the winter to let the sunlight into your home. Trees can bring the ambient temperature down as much as five degrees on a hot day. This reduces heat gain, allowing for cooler ventilation. Deciduous trees and vines in front of south facing walls and windows will further cool homes.



Disclaimers

1. Any Commercial or Community structures proposed within the project boundaries are required to follow these Design Guides and should follow all Guides required for Park Homes.
2. Unless addressed in these Guides all additional requirements must follow the projects Codes, Covenants and Resrtictions (C.C. & R'S) as adopted and/or the Park City Municipal Codes.
3. Illustrations and Photos are included throughout the Guidelines to help convey the thoughts and concepts described in the document's text. These images are intended to express general design concepts and are not meant to impose specific plans or design solutions.

JOINT WORK SESSION – DECEMBER 7, 2010

**PARK CITY PLANNING COMMISSION
SNYDERVILLE BASIN PLANNING COMMISSION
JOINT WORK SESSION
DECEMBER 7, 2010**

PRESENT: Bassam Salem, Brooke Hontz, Adam Strachan, Julia Pettit, Charlie Wintzer, Kathy Kinsman, Jeff Smith, Mike Washington, Julie Hooker, Sibyl Bogardus, Richard Luskin, Mick Savage, Dick Peek

EX OFFICIO: Thomas Eddington, Kimber Gabryszak, Polly Samuels McLean, Katie Cattan, Don Sargent, Kayla Sintz, Brooks Robinson, Liza Simpson, Patricia Abdullah

The Joint Work Session of the Park City Planning Commission and the Snyderville Planning Commission was called to order at 7:23 p.m.

Park City Planning Director, Thomas Eddington, stated that he, Don Sargent and Kimber Gabryszak have been trying to schedule a joint meeting with both Planning Commissions for nearly two years. He thanked the Commissioners for taking the time to attend. The meeting would be a casual format to give the Commissioners the opportunity to get acquainted. The discussion would focus on issues relevant to both Planning Commissions, such as long range planning, annexation issues, and goals and visions. Director Eddington stated that this was the first of several joint meetings that they planned to schedule.

The Commissioners and Staff were asked to introduce themselves, identify which Planning Commission they represented, and to comment on their top priority for the community over the next five years.

The goals and priorities expressed by the participants included 1) find ways to balance density with property rights; 2) respect and acknowledge differences within Park City and individual neighborhoods and learn how to manage those differences; 3) try to engage the younger demographic; 4) preserve historic character of Park City, particularly Old Town and the mining era; 5) spend more time planning as opposed to regulating; 6) work force housing; 7) building a stronger, and more united community with great diversity; 8) Balance Park City and the Basin and create a balance between people who live and work in the community and those who come as guests; 9) the General Plan; 10) opposition to MIDA.

Planner Kimber Gabryszak handed out maps showing the entire Snyderville Basin, including Park City. She noted that both Park City and Summit County were currently going through the General Plan update process. Planner Gabryszak requested that the Commissioners and planners break into small groups, each having a mix of people from both the County and Park City. The intent of this evening was for each group to identify "hot spots" as areas that need particular attention. At the next meeting, possibly in February, they would discuss specific issues in those hot spots.

Planner Gabryszak commented on the amount of activity taking place in the Highway 40 corridor and SR248 coming into Park City. She stated that both Planning Commissions would be addressing that area in-depth as they update their General Plans. It would also be a discussion point at the next joint meeting, since that area impacts both the City and the County.

Planner Gabryszak outlined different projects coming up. One is the Silver Creek Village at the southeast corner of Highways 40 and 80, which was approved for approximately 1,000 units. To

the north side of the 40/80 intersection is Silver Creek Plat High, which was platted in the 60's and is entitled for 800 units. Research Park in Kimball Junction, south of the Sheldon Richin Building, going up to Olympic Park, is approved for up to 1.3 million square feet of office/research. She indicated an affordable housing proposal by the Charter School of Discovery. Other projects include the Canyons and the Colony. Planner Gabryszak stated that a lot of density is not allowed to be platted in the County currently, but a significant amount is already approved and entitled within the boundaries of the County.

Planner Gabryszak remarked on the annexation boundary that was not shown on the map, but it is an area where they have to work together. As an example, if a project comes through the County, the Code says they must work with the City to make sure it meets their infrastructure standards.

Director Eddington explained that the intent of the exercise was to input on general ideas, goals, and visions, as well as issues that may be potential challenges in the future. The Staff would compile that information and bring it back at the next meeting in a larger power point presentation.

Everyone worked in their groups from 8:00-8:23 p.m.

Following the exercise, a representative from each group reported on the number one priority identified by their group.

Group 1 - Commissioner Julie Hooker reported that a major issue was stopping MDA from coming in, primarily due to traffic concerns. MIDA does not have to mitigate traffic or provide work force housing. It would affect the Park City brand and detract from the community. Other priority issues included core values and the general plan.

Group 2 - Commissioner Kinsman reported that traffic was a major concern for her group. They felt it was important for Park City and Snyderville Basin to work together to address the need for affordable housing and mitigate the related traffic impacts.

Group 3 - Commissioner Peek reported that his group agreed that affordable housing was a major issue, but it should be free-range affordable housing. They did not favor gated communities.

Group 4 - Commissioner Pettit reported that her group thought a three-dimensional layout would be helpful showing the total development of the County and the City, everything there that can be built, and the density allowances.

Planner Katie Cattan talked about creating a map showing transportation in the Wasatch Back through circles. The larger the circle, the more development could occur in that area, based on vested rights.

Director Eddington reiterated that the City and County staff would review the comments to determine the main issues and bring them back in a formal presentation with maps, areas of development, and the magnitude of development. Since the City and the County are both updating their General Plans, this was a good opportunity to tie it all together.

Commissioner Pettit asked if it was possible to create joint working groups with representatives from the City and the County to brainstorm creative ideas. She was only suggesting one or two representatives from each group to avoid having a quorum.

Assistant City Attorney, Polly Samuels McLean, replied that it would be allowed, as long as they did not have a quorum present from either side.

Commissioner Savage noted that Park City is working on an initiative to evaluate TRDs. Since the County does not have a TRD ordinance in place, he asked if they could piggyback on the Park City initiative. Ms. McLean explained that the two groups can only piggyback on brainstorming and sharing ideas. Each ordinance or initiative must be within that specific jurisdiction.

Commissioner Kinsman asked if it could be done under an MOU. Ms. McLean replied that density cannot be transferred from the City to the County, or visa versa.

Park City Council member, Liza Simpson, stated that at one time the County did have a TDR program. If the County re-instated that program, she wanted to know if the sending/receiving area designated by Park City could be part of Summit County. Assistant City Attorney McLean was unsure and offered to research that question before the next meeting.

Commissioner Kinsman commented on traffic and the benefit for having a bus from Salt Lake to Summit County. Ms. Simpson stated that she attended a preliminary meeting with UTA, and since there is a large refugee population in Salt Lake who need jobs, they were trying to figure out how to start service this winter. It was determined that the cost was too high to begin bus service this winter. The route would need to be heavily subsidized, even with the cost of fares. Commissioner Kinsman suggested that they speak with the resorts to see if they would be willing to help subsidize, since it would also be a benefit to them.

Commissioner Peek asked if Wasatch County had been invited to participate in this joint interaction. Director Eddington stated that they have been working with the Wasatch County Planning Department, but no joint meetings were planned at this time. They would continue to reach out to Wasatch County.

Planner Gabryszak stated that scheduling is an issue. They have been trying to schedule a joint work session with the Park City and Snyderville Basin Planning Commissions for two years. She thought this was a good time for these two groups to work together because they are both working on their General Plans. Planner Gabryszak agreed that it would be beneficial to eventually bring in Wasatch County.

Director Eddington remarked that the Staff would try to schedule another joint work session in February or March, depending on schedules and when everyone could attend. They would send notify everyone when a date is confirmed and send out reminders.

The Joint Work Session was adjourned at 8:38 p.m.

WORK SESSION NOTES – JANUARY 12, 2011

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
January 12, 2011

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Richard Luskin, Dick Peek, Mick Savage, Adam Strachan

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Katie Cattan, Planner; Kayla Sintz, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING - 5:30 p.m.

I. ROLL CALL

Chair Wintzer called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioners Pettit, who was excused.

II. APPROVAL OF MINUTES

December 1, 2010

MOTION: Commissioner Savage moved to APPROVE the minutes of December 1, 2010 as written. Commissioner Luskin seconded the motion.

VOTE: The motion passed unanimously.

December 8, 2010

MOTION: Commissioner Savage moved to APPROVE the minutes of December 8, 2010 as written. Commissioner Luskin seconded the motion.

VOTE: The motion passed unanimously.

December 15, 2010

MOTION: Commissioner Savage moved to APPROVE the minutes of December 15, 2010 as written. Commissioner Luskin seconded the motion.

VOTE: The motion passed unanimously by the Commissioners who attended that meeting. Commissioner Strachan abstained since he had not attended.

II. PUBLIC COMMUNICATIONS

There was no comment.

III. STAFF & COMMISSIONER COMMUNICATIONS/DISCLOSURES

Director Eddington reported that the City Council visioning would be held February 3rd and 4th from 8:30 a.m. to 5:00 p.m. A joint session of the City Council and Planning Commission was scheduled for February 3rd, from 1:00-3:15.

Due to the Sundance Film Festival, the second Planning Commission meeting in January was cancelled. The next Planning Commission meeting would be February 9, 2011.

The HPB was scheduled to meet on January 19, 2011 to hear an appeal of a Staff determination regarding historic district design review. Any appeal of a decision made at that meeting would then go to the Board of Adjustment. Planner Cattan Commissioner Pettit is the Planning Commission liaison to the Board of Adjustment, but she is not a voting member.

Planner Cattan reported that a committee is being formed to conduct a short-term transit study, and she and Brooks Robinson are on the committee. The Staff invited a volunteer from the Planning Commission to serve as well. Director Eddington noted that it was a simple study and would require approximately one or two meetings. He understood that a study is conducted every three years to address short range issues.

Planner Cattan pointed out that the meetings are held during the work day.

Commissioner Strachan asked if the transit committee was in addition to the stakeholders meetings. Director Eddington answered yes, and clarified that the stakeholders meeting is for the long-range transportation master plan. Commissioner Strachan stated that since he and Chair Wintzer attend the stakeholder meetings, he thought it would be beneficial for one of them to sit on the short-term committee.

Chair Wintzer volunteered.

Commissioner Hontz asked when the Planning Commission would hold another joint session with the Snyderville Basin Planning Commission. Director Eddington stated that they had originally talked about February, however, due to the City Council visioning, the joint session with Snyderville would probably be moved to March.

CONTINUATION(S) AND PUBLIC HEARING.

Land Management Code - Consideration of an additional chapter titled Chapter 2.24, Transfer of Development Rights Overlay Zone and related amendments to Chapter 15 - Definitions.
(Application #PL-10-01104)

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Peek moved to CONTINUE the LMC - Consideration of an additional chapter titled Chapter 2.24 Transfer of Development Rights Overlay Zone and related

amendments to Chapter 15 - Definitions, to February 9, 2011. Commissioner Strachan seconded the motion. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

CONSENT AGENDA

1. 508 Main Street - Plat Amendment
(Application #PL-10-01123)

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council for the 508 Main Street - plat amendment in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - 508 Main Street

1. The property is located at 508 Main Street in the Historic Commercial Business (HCB) zoning district.
2. There is an existing historic structure on the property, identified as Landmark on the Historic Sites Inventory.
3. The subject property encompasses all of Lot 2 of Block 24, and a tract of land 20 feet by 25 feet of Millsite Reservation and a tract of land 24 feet by 25 feet adjacent to the eastern boundary in the Millsite Reservation.
4. Recorded Encroachment Agreements must be recorded with the owners of Lot 1 and Lot 3 of Block 24 and Millsite Reservation and the City for concrete stair encroachment at the rear of the property prior to plat recordation.
5. The proposed amended plat would result in one lot of record of 2,975 square feet.
6. The proposed plat amendment will not create substandard lots on the neighboring lots.
7. The applicant is proposing the combination of the lots to clean up property lines discovered to be at issue during Historic District Design Review and Building permit review.
8. The historic building encroaches onto Lot 1 in the southeast corner by 0.3 feet and in the southwest corner by 0.1 feet.

9. The historic building encroaches onto Lot 1 in the southeast corner by 0.09 feet and the northwest corner by 0.2 feet.
10. A Historic District Design Review was approved by Staff as part of exterior building modifications enclosing a second story deck.

Conclusions of Law - 508 Main Street

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions state below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 508 South Main Street

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.
3. Encroachment Agreement shall be recorded prior to plat recordation.
4. Recordation of this plat must occur prior to 508 Main Street receiving final certificate of occupancy.

2. 7905 Woodland View Drive - Plat Amendment
(Application #PL-10-01108)

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council for a plat amendment at 7905 Woodland View Drive, in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance.

VOTE: The motion passed unanimously.

Findings of Fact - 7905 Woodland View Drive

1. The property is located in the Residential Development (RD) zone and is subject to Section 15-2.13 of the Land Management Code and the Deer Valley Master Planned Development.
2. The RD zone is characterized by single family permanent and second homes and resort development condominiums and hotels.
3. The property is located at 7905 - 8045 Woodland View Drive in the Silver Lake neighborhood of Deer Valley.
4. The property consists of Lots 1, 2,3 and 4 of the 1st Amended Lots 2-7 and 2nd Amended Lot 1 Alta Vista subdivision. The plat amendment creates three lots of record from the existing four lots of record.
5. There is an existing single family home located on both Lot A and Lot C of the proposed 2nd AMENDED LOTS 2-4 and 3rd AMENDED LOT 1 Alta Vista Subdivision. A new home may be built upon the vacant Lot B.
6. There is no maximum house size in the Alta Vista subdivision.
7. There is a maximum area of disturbance of 10,000 square feet for each lot in the subdivision.
8. There is a minimum rear setback shown on the plat. The maximum rear setback is for all building improvements with the exception of cantilevered decks. Site disturbance can occur beyond this line and must be included in the maximum area of disturbance allowed. No driveway access is allowed from Royal Street.
9. There is no minimum or maximum lot size associated with the Alta Vista subdivision.
10. The combined lots result in the following areas per lot: Lot A is 43,315 square feet. Lot B is 30,742 square feet. Lot C is 51,517 square feet.
11. The plat amendment does not increase the density allowed by the Deer Valley Master Planned Development.
12. The applicant stipulates to the conditions of approval.
13. The discussion in the Analysis section is incorporated herein.

Conclusions of Law - 7905 Woodland View Drive - Plat Amendment

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 7905 Woodland View Drive

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; requirements for utility, snow storage and encroachment agreements; and any conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision 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 subdivision will be void, unless the City Council grants an extension of the approval.
3. The single unit of density that is forfeited in the subdivision is not transferable.
4. The plat notes as shown in the analysis section of this report must be included on the new subdivision plat.

REGULAR AGENDA - Discussion, public hearing and possible action.

5. Land Management Code - Amendments to: (Application #PL-10-01104)
- Chapter 1 - General Provisions and Procedures related to physical mine hazards, termination of applications for inactivity, review procedures for extension of CUP, MPD, plat approvals, and noticing requirements;
- Chapter 2.16 - Recreation Commercial (RC) zone related to single family/duplex lots to be consistent with the HR-1 zone requirements, add amenities club and resort support commercial as uses;
- Chapter 2.13 - Residential Development (RD) zone related to amenities club uses;
- Chapter 5 - Architectural Review to clarify and add design requirements and process for solar panels, skylights trash and recycling enclosures, and synthetic stone products;
- Chapter 6 - Master Planned Developments related to pre-MPD application process, extension review and noticing requirements, add recycling and mine hazard identification and mitigation of impacts to requirements;
- Chapter 7 - Subdivision related to process, noticing, and review requirements for

preliminary and final plats, lot line adjustments, and plat amendments, including extensions;

- Chapter 11 - Historic Preservation including removing term limits for Historic Preservation Board members;

- Chapter 12 - Planning Commission related to clarification of duties of the Planning Commission regarding termination of applications and extensions of approvals;

- Chapter 15 - Definitions related to affected entities, amenities club, good cause, hotel, physical mine hazards, recycling facilities, subdivision, floor area, and story.

Planner Whetstone reported that the proposed amendments address the bi-annual review of the Park City Development Code, specifically Chapters 1, 2.13, 2.16, 5, 6, 11, 12 and 13. The Planning Commission discussed these amendment on December 15, 2010 and requested revisions to the amendments. Those revisions were highlighted in the Staff report for this meeting. Planner Whetstone referred to the December 15th Staff report for a complete description of the proposed amendments.

The Staff requested that the Planning Commission conduct a public hearing, consider public input, and forward a positive recommendation to the City Council for the proposed amendments as revised.

Planner Whetstone reported that the bullet items on page 120 of the Staff report were the discussion items from the December 15th meeting. She noted that the first item was a discussion regarding the time extension of a conditional use permit approval. Planner Whetstone stated that a standard of review was added to address physical changes to the site or the adjacent area since the time the CUP was approved.

Planner Whetstone stated that the amendment also allows the Planning Director to grant a one year extension of the CUP approval with the same public notice as the original CUP. Any additional extensions would be reviewed by the Planning Commission. Planner Whetstone recalled from the previous discussion that the Planning Commission thought the applicant should be allowed to request one extension only. She noted that currently the Code is silent on the number of one-year extensions that can be granted. The Staff believed that the flexibility to allow more than one extension request on complex projects would be beneficial.

Commissioner Savage understood that the Staff was recommending that the first one-year extension would be the purview of the Planning Director. An additional one-year extension would be possible, but it would require Planning Commission approval. Planner Whetstone replied that this was correct, noting that the language says, "Additional extensions would be approved by the Planning Commission."

Chair Wintzer assumed there was no sunset to the number of additional extensions. Planner Whetstone replied that the applicant could apply for an extension, and the Planning Commission could deny. The length of an extension would never be longer than one year.

Commissioner Savage remarked that the first extension approved by the Planning Director would be discretionary, but most likely an automatic approval. Director Eddington clarified that

approval would be subject to the applicant demonstrating that there were no changes to the project or the circumstances. Commissioner Savage was comfortable with that proposal.

Commissioner Strachan suggested that the language should read, "The Planning Commission may grant an additional one-year extension". As written, the language states, "The Planning Commission may grant additional extensions". Planner Whetstone offered to revise the language.

Assistant City Attorney, Polly Samuels McLean, clarified that if there was no change to the project or the circumstances, the Planning Commission would have to grant the extension. Chair Wintzer asked if it was possible to place a time limit for when an applicant could not longer request an extension and would have to re-apply. Ms. McLean recalled that Planner Whetstone initially suggested language that would give a three year time frame, beginning with the first year of the original approval. One year after the CUP was approved, the Planning Director could grant a one-year extension. After the extension expired, the Planning Commission could grant another one-year extension. Ms. McLean thought the discussion on December 15th was a little unclear. The Planning Commission only wanted two years and directed the Staff to make that revision, but when they started talking about the MPD's, there was a concern about encouraging people to break ground just to obtain a building permit. The Staff brought this back to the Planning Commission this evening to resolve that internal conflict.

Commissioner Savage asked Assistant City Attorney McLean, to explain why the Planning Commission is obligated to grant an extension. Ms. McLean stated that based on the standard of review, if the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or non-compliance with the LMC, the Planning Commission would have no reason to deny the extension. She explained that conditional uses are allowed uses that have to be granted as long as the impacts are mitigated. Commissioner Savage argued that the use is allowed for a designated period of time through the CUP. An extension would be an additional period of time. Commissioner Savage wanted to know they could not specify, "At the discretion of the Planning Commission, additional one year extensions may be granted". In that case, Ms. McLean recommended that they specify a finite number of years, at which time the CUP expires and the applicants would need to re-apply. She noted that the downside to that approach is that someone just breaks ground to keep the CUP from expiring.

Chair Wintzer commented on instances where nothing has changed since the original approval, except the neighborhood around it. The issue is that the Planning Commission deemed that the project was compatible with the neighborhood, but it is no longer the same neighborhood. That situation could occur quite often if the extension process is allowed to continue for 5 or 8 years.

He was also concerned about creating a process that forces someone to break ground and then leave a hole for several years.

Planner Whetstone stated that the Staff seldom sees a request for more than one extension on a project. The only one she could recall was the Four Seasons CUP on the parking lot at the Park City Mountain Resort. She explained the situation with the Four Seasons and why the Planning Commission chose to grant a second extension.

Assistant City Attorney remarked that the Planning Commission could either choose a finite number, or they could add language stating that after the Planning Commission grants one year, an additional year may be considered if the applicant can show good cause. Ms. McLean cautioned against language that would allow multiple extensions over a long period of time.

Chair Wintzer wanted to know if a changed neighborhood would be enough cause to deny an extension. Director Eddington stated that the language reads, "The applicant must demonstrate no change in circumstance". He noted that language in the amendment defines "change of circumstance" to include physical changes to the property or surroundings. Under that language, he felt a change in the neighborhood would be good cause. Assistant City Attorney McLean was concerned about creating a legal issue. The question is how to define whether the neighborhood has changed. If the sentiment of the neighborhood had changed, that would not be pertinent. If the physical characteristics of the neighborhood had changed, then it could be denied.

Commissioner Savage asked if that could be discretionary so the Planning Commission could make that determination. Ms. McLean reiterated that State Code requires that conditional use permits are allowed uses, as long as the impacts are mitigated.

Chair Wintzer asked whether or not Assistant City Attorney McLean would advise placing a time limit. Ms. McLean replied that placing a time limit was better in terms of avoiding legal issues.

Commissioner Savage felt that prohibiting a third extension request was too restrictive, particularly in today's economy. Director Eddington pointed out that the applicant has one year with the original CUP, a second year if the Planning Director grants an extension, and a third year if the Planning Commission grants an extension. If the Planning Commission would allow up to three one-year extensions, that would give the applicant a total of five years before they would have to re-apply.

Commissioner Savage wanted to know what they could do in a situation where the character of the surroundings had changed, but the CUP was still fully compliant. He pointed out that the CUP may not have been approved if the current circumstances had existed at the time of the original approval. Ms. McLean stated that in that situation the Planning Commission could determine that some of the impacts have not been mitigated, and they could deny the extension. Director Eddington clarified that the denial would be based on the new physical conditions surrounding the property.

Chair Wintzer was comfortable with a five-year time limit. Commissioner Strachan agreed, and suggested that the language be written to indicate that neither the Planning Commission nor the Planning Director can give a CUP more than four one-year extensions. Director Eddington recommended language stating that the Planning Director can grant a one-year extension and the Planning Commission can grant up to three additional one-year extensions.

Commissioner Hontz thought five years was too long and she preferred a three year limit. The first would be the year the CUP was approved, the second would be a one-year extension granted by the Planning Director, and the third would be a one-year extension granted by the Planning Commission.

Commissioner Strachan pointed out that per the Code, if an applicant applies for an extension, the project needs to comply with the LMC in effect at the time of the extension request. He felt that gave the Planning Commission sufficient control. Commissioner Strachan wanted a finite number, and he was comfortable with either three or five years.

The Commissioners concurred on a three year time limit as suggested by Commissioner Hontz. Director Eddington clarified that the language should read, "The Planning Commission may grant an additional one-year extension".

Planner Whetstone remarked that the next bullet point was revised definitions for Amenities Club and Hotel Amenities Club to be added to the RD zone as a conditional use, in addition to the RC zone. At the last meeting the Staff had recommended an amenities club. Based on Planning Commission direction, the definition was revised to restrict amenities clubs to hotels and to exclude them from nightly rental condominium projects. The amenities club requires a conditional use permit with final action by the Planning Commission. Planner Whetstone noted that both the RD and RC zones are residential type zoning with hotels. Other zones with hotels are already commercial zones.

Commissioner Luskin read the definition for Club, Amenities, on page 153 of the Staff report, "Any non-profit corporation or other organization..." He wanted to know why "non-profit" was included the language. Commissioner Luskin suggested that the language read, "Any organization...". Commissioners Peek pointed out that the full language read, "Any non-profit corporation or other organization formed or operated for the primary purpose of..." He understood that to mean that the organization must be formed with a primary purpose in mind. Commissioner Luskin remarked that the organization does not have to be a corporation and could be an association. The primary purpose needs to be amenities.

Chair Wintzer felt it was better to hear comments from the public prior to reviewing the remaining amendments.

Chair Wintzer opened the public hearing.

Tom Bennett stated that he was legal counsel representing a number of property owners who have interest in these issues. With respect to the CUP, Mr. Bennett requested that the Planning Commission consider a time limit longer than two extensions. He pointed out that if someone received a CUP in 2008, they would most likely not be ready to build in 2010 or 2011. Mr. Bennett remarked that the State of California recently passed a statute extending the periods of the entitlements currently in effect for another four to five years. He could not recall the exact duration. Mr. Bennett stated that the Statute was put in place to protect bodies, such as the Planning Commission, from being inundated with a series of extension requests due to economic conditions. Mr. Bennett pointed out that any extension is still an appealable decision. If the Planning Commission chose to extend a CUP and the neighbors were opposed, that decision could be appealed for further consideration. Mr. Bennett requested that the Planning Commission consider at a minimum, allowing one extension by the Planning Director and two extensions by the Planning Commission.

Mr. Bennett stated that if a developer requests an extension and the extension is denied, he questioned what the developer could do at that point. He thought a reasonable solution would be to have a 90 day grace period following a denial, where the developer could come in and apply for a building permit.

Chair Wintzer asked if a developer could apply for an extension six months prior to the expiration, so if the extension is denied, he would still have time to obtain a building permit. Commissioner Strachan believed that any sophisticated developer would know when the circumstances are changing around the CUP, and make sure he does something. Commissioner Peek understood that the building permit would need to be issued prior to the CUP expiration, and not a pending application. He was told that this was correct.

Mr. Bennett supported the concept of the Amenities Club. He thought the revisions made to the language and the definitions were favorable and valid changes. Mr. Bennett noted that the language was changed to require approval by the Planning Commission on any CUP for an amenities club. He noted that in the first draft, the language allowed an administrative CUP approved by the Planning Director, under certain circumstances, including the circumstance that the number of memberships was limited. Mr. Bennett requested that the Planning Commission consider re-instating the previous language for an administrative approval since is highly unlikely that an amenities club would create a new unmitigated impact, particularly if the number is limited as suggested in the first draft. Mr. Bennett stated that when the Code requirements are applied to a hotel, they are applied under the scenario that the hotel is fully occupied. Therefore, the impacts were examined at maximum use. Mr. Bennett pointed out that the amenities club is not intended to increase the maximum use of the project, but rather to keep the use increased throughout the entire year. Because of inherent limitations that control the number of people who can use these facilities, he believed it was self-limiting. Mr. Bennett could not think of any new impacts that would be created by allowing an amenities club.

Neal Krasnick stated that he had to put a green tag on his car so he could go to the Silver Mountain Sports Club during Sundance. He uses the club 12 months of the year, but there is a great impact when the hotel is filled during Sundance. Mr. Krasnick believed that there was the possibility for unforeseen impacts during the high season if a hotel opens up an amenities club.

Chair Wintzer left the public hearing open for further comment on the amendments as they are discussed.

Commissioner Hontz asked if the hotel would have to re-apply for a CUP and how often, if an amenities club was approved as a conditional use. Assistant City Attorney McLean stated that once a conditional use is granted, the use is in perpetuity unless a time limit is specified as a condition of approval, or if the use ceases for over a year.

Commissioner Hontz recommended that the Planning Commission create a check-in mechanism on the CUP. She explained that Hotel Park City ran a program a few summers earlier where they reached out to the local population and people could buy a membership to

use their facilities. Commissioner Hontz pointed out that the use of the hotel changed and the greatest impacts were within the facility. However, it also impacted the surrounding community because locals use a facility different than tourists who have one vehicle or no vehicle. Commissioner Hontz stated that the impact from the Hotel Park City selling memberships was noticeable both internally and externally.

Commissioner Hontz offered another example at the Canyons where she personally participated in an amenities club and it was a significant difference in use. She was not convinced that an amenities club would not be an impact and she felt strongly about having a trial review to see if it is positive for the community.

Planner Whetstone noted that a conditional use permit can be reviewed if the City receives complaints. It is not uncommon to place additional conditions during a review to address impacts that were not considered during the original approval.

Chair Wintzer stated that he was a member of the Hotel Park City amenities club for three years, and the greatest impacts were created by families who used the pool as a recreation pool. Chair Wintzer asked if it was possible to place a condition of approval to restrict the use to off-season periods. He noted that residents who live near a hotel are prepared to accept the impacts during the busy seasons, but they expect to have some down time four or five months out of the year.

Commissioner Savage wanted to know what entitled the Hotel Park City to offer an amenities club. Assistant City Attorney McLean replied that the hotel is a commercial facility and their spa falls under a commercial use in the RC zone. Commissioner Savage did not understand why the amendment to allow an amenities club was different from what Hotel Park City is already allowed to do. Planner Whetstone replied that it relates to whatever Hotel Park City was entitled to during the master plan process in terms of commercial square footage. Commissioner Savage clarified that it was an allowed use of the commercial square footage that was part of the Hotel Park City.

Assistant City Attorney McLean recommended that the Planning Commission focus their discussion on whether they believe an amenities club is appropriate for a conditional use permit with conditions of approval on a case by case basis; or whether an amenities club is not an appropriate use in the City and should not be allowed.

Chair Wintzer asked if the Planning Commission was addressing the definition of an amenities club or the use. He was told that it was both. The question is whether they should add the definition to the LMC, and allow the use as a conditional use under the existing CUP criteria.

Commissioner Savage believed that giving those facilities the right to have amenities clubs would be positive for the community and good for business. Chair Wintzer noted that the process would also give the neighborhood the opportunity to object if the impacts are too great. Commissioner Savage agreed that each amenities club application should be addressed on a case by case basis.

Assistant City Attorney McLean clarified that there was consensus among the Planning Commission that the existing CUP process was appropriate for an amenities club. Commissioner Hontz reiterated her opinion that there needed to be a check-back mechanism placed on the CUP. Ms. McLean recommended that the Planning Commission add that as a condition of approval in the normal CUP process. Commissioner Hontz was comfortable addressing a mechanism through the CUP process, since it could be required through a condition of approval.

Planner Whetstone noted that the next bullet point was for the Planning Commission to relook at review criteria for time extensions for approved plats and master planned developments, as well as additional criteria for the review of plats in Chapter 7. Planner Whetstone referred to page 143 of the Staff report, Chapter 6- granting of extensions, and noted that language was added requiring that the applicant must demonstrate that there is no change in circumstance that would result in unmitigated impacts. She pointed out that the language indicates that the Planning Commission may grant an extension of an MPD for up to two years.

Planner Whetstone referred to page 148 of the Staff report, the Planning Commission review of a preliminary plat, and noted that language was added to address topography, natural features, property location and physical mine hazards. Language was also added to read, "The Planning Commission shall make a finding as to whether there is Good Cause to approve the preliminary plat".

Assistant City Attorney McLean explained that the Staff heard feedback from the Planning Commission about having concrete guidelines and criteria for determining whether a subdivision should go forward. The Staff tried to provide specifics the Planning Commission could use to determine whether or not there is good cause for a plat amendment. Commissioner Luskin asked if they could also add character of the neighborhood. Ms. McLean read the definition of Good Cause, "Providing positive benefits and mitigating negative impacts determined on a case by case basis, to include such things as providing public amenities and benefits, resolving existing problems, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of Park City and furthering the health, safety and welfare of the Park City community." Director Eddington referred to language on page 148 that requires a finding for whether Good Cause was achieved. He believed neighborhood character would be addressed under Good Cause.

Assistant City Attorney McLean stated that if Commissioner Luskin was suggesting that they add language more specific to "community", the Staff would like to hear that feedback. Planner Whetstone suggested adding, "Preserve the character of the neighborhood and Park City" to address their concern.

Commissioner Savage asked if the Good Cause clause was the single definition of good cause throughout the LMC. Ms. McLean replied that good cause is only an issue in relation to subdivision.

City Council Member Alex Butwinski was unsure how they could use the term "character of the neighborhood" without knowing what defines a neighborhood. Commissioner Luskin was not

comfortable having a limiting definition of neighborhood because it is a judgement call for specific areas. Ms. McLean stated that a neighborhood would be defined under Webster's definition. Director Eddington stated that from a general planning standpoint, neighborhood is typically defined as the area around a house or project that appears to have the same fabric, and/or the surrounding four block radius. Chair Wintzer agreed with Commissioner Luskin about not wanting a limited definition, because each neighborhood is different. Chair Wintzer remarked that Old Town is a zone and not a neighborhood. A neighborhood would be adjacent and surrounding properties. He thought a broad definition of neighborhood was better because it provided the Planning Commission and the public more flexibility to discuss the pros and cons related to the neighborhood. Commissioner Strachan did believe that the definition of neighborhood was any more vague than the language in the Land Management Code under the CUP section that says proposed structures must be compatible with surrounding structures. Because "surrounding structure" is not defined, the Planning Commission has latitude and discretion to make that determination in the CUP process.

Assistant City Attorney McLean recommended that the language "resolving existing problems" be revised to say, "Removing existing non-conformities". As an example, that language would better match the intent to remove lot lines under an existing house. Chair Wintzer was more concerned with plat amendments that combine ten lots in a tiny neighborhood, because that type of development would change the neighborhood. Planner Whetstone suggested that the language "Resolving existing issues and non-conformities", would address most situations. Ms. McLean was comfortable with that language.

Commissioner Strachan asked for clarification on the Development Review Committee. Director Eddington explained that every two weeks, representatives from each department meet to review a project so everyone understands the development. Chair Wintzer requested that the Staff schedule time during a work session to describe the Development Review Committee process, to help the Planning Commission understand how it works.

Planner Whetstone stated that the last discussion point referenced the Historic Design Guidelines in Chapter 5 and the request to add review criteria for skylights and Solar panels. She noted that language was added to state, "Skylights and solar panels in the Historic District are subject to the design guidelines for Historic Districts and Historic Sites. Also limiting the percentage of the roof area of skylights, specifically, but not necessarily for solar panels".

Commissioner Peek asked if the architectural guidelines address city-wide solar panel structures detached from the roof. Planner Whetstone replied that the architectural guidelines address solar panels to the extent that they must be flush mounted as possible and not placed on prominent facades. She believed that also included accessory structures. The Commissioners discussed potential language for clarification. Chair Wintzer felt the technology was still developing and it would be difficult to impose further restrictions at this time. He did not want to discourage the use of solar with too many restrictions. Chair Wintzer stated that the issues would flush out the more it is used and the Planning Commission could address specific concerns at that point. The Commissioners concurred.

Chair Wintzer asked if the Planning Commission still wanted the three year time limit for CUP

extensions, or if they had changed their mind after hearing public comment.

Commissioner Savage noted that the Commissioners had discussed three years and five years. He suggested four years as a compromise. Commissioner Luskin was comfortable with the three year limit they initially agreed on. Commissioner Hontz preferred a three year limit. Commissioner Peek was comfortable with three years. Commissioner Strachan did not have a preference. Chair Wintzer clarified that the consensus was for a three year limit on CUP extensions. Planner Whetstone revised the language on page 143 to read, "The Planning Commission may grant an additional **one** year extension when the applicant is able to demonstrate no change in circumstance...." She clarified that the three year limit would be the initial approval, a one-year extension approved by the Planning Director, and a final one-year extension granted by the Planning Commission.

There as no further public comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Luskin moved to Forward a Positive Recommendation to the City Council for the Land Management Code Amendment to Chapters 1, 2.13, 2.16, 5, 6, 7.1, 7.3, 7.4, 11, 12 and 15, as outlined in the ordinance and amended as discussed at this meeting. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission meeting adjourned at 7:55 p.m.

Approved by Planning Commission _____

PUBLIC COMMUNICATIONS

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LAW OFFICES
A Professional Law Corporation

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January 28, 2011

VIA EMAIL AND U.S. MAIL

Thomas Eddington
Planning Director
Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060

Re: Alice Lode

Dear Tom,

As you know, I represent the owners of the Alice Lode parcel ("Applicant").

My clients are proceeding with another round of plan revisions in response to the last work session and various discussions with present and former directors and managers of Park City departments and changes caused by a neighboring development.

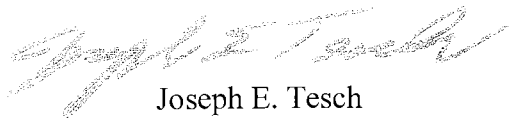
Due to the time restrictions and the very nature of the Planning Commission process, the changes in personnel at the staff level (including 3 project planners and the departure of Pat Putt and Ron Ivie), the change in key players in the decision making process, presenting all of their testimony to the Planning Commission has been problematic at best. While acknowledging that City Staff may have a different perspective, in the past my client has had a difficult and frankly frustrating experience in attempting to present to the Planning Commission the full history including prior feedback from past Planning Commission and staff, attempted incorporation of that feedback, as well as the necessity of preliminary site planning in conjunction with the cleanup process. Therefore, given the complicated nature of the issues, it is the Applicant's request that the Planning Commission appoint a subcommittee of members to review these issues in depth and report back to the Planning Commission in a more thorough and time efficient manner than could otherwise occur. Of course, a new issue, which further complicates the matter, is introduced with the proposed designation of Alice Load as a sending site in the TDR discussions.

It is my experience that a subcommittee process is, in this instance, more likely to produce an outcome in the best interests of Park City and the Applicant than the hearing process alone would produce. We have discussed these issues at length with Mark Harrington and he concurs that a subcommittee process would be useful in this instance.

While we understand that this request may not be honored, and without pretending to be presumptuous, it would be our request that if the Planning Commission honors this request that the Chairman consider being a member of the subcommittee. I understand that Katie Cattan is the Planning Staff member who has now been assigned to this application. We assume that she would also be involved.

Thank you in advance for your consideration of this request.

Sincerely,
Tesch Law Offices, P.C.



Joseph E. Tesch

JET/tw

cc: via email only
Thomas Bakaly, City Manager
Charlie Wintzer, Planning Commission Chair
Mick Savage, Planning Commission Member
Julia Petit, Planning Commission Member/ Board of Adjustment Liaison
Adam Strachan, Planning Commission Member
Richard Peek, Planning Commission Member
Brooke Hontz, Planning Commission Member
Richard Luskin, Planning Commission Member
Mark Harrington, City Attorney
Paul Levy
Jerry Fiat
Katie Cattan

CONSENT AGENDA

Planning Commission Staff Report



Subject: Resort Townhomes Condominiums
First Amended plat
Author: Kirsten A. Whetstone, AICP
Date: February 9, 2011
Project Number: PL-10-01083
Type of Item: Administrative – Condominium Record of Survey Amendments

Summary Recommendations

Staff recommends the Planning Commission open a public hearing, discuss a request for amendments to the Resort Townhomes condominiums record of survey plat, and consider forwarding a positive recommendation to City Council based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Topic

Applicant: Resort Townhomes HOA
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Historic single family homes and duplexes, contemporary homes and condominiums, the Shop Yoga studio.
Reason for Review: Amendments to condominium record of survey plats require Planning Commission review and recommendation to City Council

Proposed Plat Amendment

On October 15, 2010, the City received an application for the first amendment to the twelve unit Resort Townhomes condominium record of survey plat located at 1109-1139 Woodside Avenue (see Exhibits A, B, and C). The application was complete on December 3, 2010.

The applicant, Resort Townhomes HOA, represented by, David Belz, requests the following amendments:

- Request to convert limited common areas associated with each individual unit and used for the open garages, to private area in order to allow the garages to be enclosed with a garage door. Garages currently have three walls and are counted in the building footprint calculations for the zone. No change are proposed to the building footprints.
- Conversion of common area interior to the site (yard area) and between buildings to limited common area to allow placement of hot tubs for exclusive use of adjacent units. No building construction is proposed.

Background

Resort Townhomes condominiums are located at 1109-1139 Woodside Avenue within the HR-1 zoning district. The Resort Townhomes record of survey plat was approved by

the City Council on May 17, 1984 and recorded at Summit County on May 18, 1984. The buildings are not historic and are not listed on the Historic Site Inventory. This is the first proposed amendment to the Record of Survey.

Resort Townhomes record of survey plat consists of 12 residential condominium units in six duplex buildings located on 12 old town lots. The record of survey plat recorded 12 residential condominium units of 587 sf each. The actual unit area is 573.64 sf, as recently surveyed for the plat amendment. The unit dimensions exist as originally platted; however the 573.64 sf is the accurate figure for the existing floor area.

Each duplex is located on two lots in compliance with the current lot requirements in the HR-1 zone, with the exception of units 9/10 and 11/12 which exceed the building footprint by 14 sf per building.

Each unit has 2 parking spaces, currently located in an open garage configuration (with side and rear walls but no garage door) on the ground floor with the unit floor areas located above. The parking spaces were constructed with dimensions of 31.16' deep by 17.79' wide and are legal non-conforming garages. Current parking dimensions are required to be 20' deep by 20' wide. The garages currently count into the allowable footprint and no changes to the building footprints are proposed. Enclosed garages are proposed in order to mitigate issues the HOA has with pipes freezing due to the open garages.

There are two access driveways to the units. Units 1-4 are accessed off of a 12' wide private driveway off of Woodside Avenue and Units 5-12 are accessed off of a 25' wide driveway located further to the south on Woodside Avenue. No changes to the driveways are proposed. Garages face north/south and are not visible from the street (see Exhibit D). The existing buildings comply with the site and lot requirements of the HR-1 zoning district as outlined below.

Analysis

Zoning for the subdivision is Historic Residential (HR-1). The applicable purposes of the HR-1 zone include the following:

- Preserve present land Uses and character of the Historic residential areas.
- Encourage construction of historically compatible structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods.

The proposed amendments are consistent with the purpose statements of the zone in that the use as residential condominiums is unchanged, the additional floor area is proposed in areas internal to the site with minimal site disturbance. Enclosing the open garages with garage doors that comply with the Design Guidelines for Historic Districts and Sites will improve the overall appearance of the site. The Design Guidelines discourage carports and enclosed garages are compatible with surrounding structures. Enclosed garages are proposed in order to mitigate issues the HOA has with pipes freezing due to the open garages.

All units currently have 573.64 sf in floor area that is designated as private area. This private area is located on the second floor of the buildings. The existing Resort Townhomes plat identifies each unit as having 587 sf of private area. The dimensions of the units have not changed, however the current plat accurately reflects the actual private area that results from these dimensions.

The proposed amendments increase the square footage of private area for the units by converting the limited common area of the garages and existing storage areas on the ground floor to private area for each unit. The existing limited common areas range in size from 554.34 sf to 691.01 sf. The proposed plat amendment will result in units ranging from 1,179.75 sf to 1,213.33 sf of private area. The total private area includes both the garage and private storage areas. The second story private floor area remains at 573.64 sf.

There are no floor area limitations in the HR-1 zone or on the plat. However the zoning district does have restrictions on the total building footprint of 1,519 sf per building. No changes are proposed to the existing building footprints. The amendments increase the total private area of the units as follows:

Building and Unit #	Existing bldg footprint (sf) - no changes to footprint are proposed.	Existing private area total per unit (sf)	Proposed private area total per unit (sf) (includes garage as private)	Bldg footprint allowed by HR-1 zoning (sf)
A- Units 1/2	1,504	573.64 573.64	1,182.13 1,182.02	1,519
B- Units 3/4	1,504	573.64 573.64	1,182.02 1,182.13	1,519
C- Units 5/6	1,504	573.64 573.64	1,182.13 1,179.75	1,519
D- Units 7/8	1,504	573.64 573.64	1,179.75 1,182.13	1,519
E- Units 9/10	1,533 (existing non-conforming)	573.64 573.64	1,213.33 1,179.75	1,519
F- Units 11/12	1,533 (existing non-conforming)	573.64 573.64	1,179.75 1,212.88	1,519
Total	No change in footprint	6,883.68	14237.77	

The existing building footprint for each duplex building complies with the HR-1 zoning district requirements, with the exception of Buildings E and F (Units 9/10 and 11/12). Buildings E and F are existing legal non-conforming structures in terms of building footprint as they exceed the footprint by 14 sf.

Staff reviewed the proposal for compliance with the Land Management Code as shown in the following table:

	HR-1 Zone requirements	Existing/proposed
Height	27'	26.6' to 26.8' no changes proposed to building height- complies.
Front setback	10'	No construction is proposed into the existing 10' front setbacks- complies.
Rear setback	10'	No construction is proposed into the 10' rear setbacks- complies.
Side setbacks	5'	No construction is proposed into 5' side setbacks- complies.
Minimum Lot Size	3,750 sf for a duplex	3,750 sf for each duplex building (12 Old Town lots total)
Building footprint	1,519 sf per building (2 units per building)	See table above- Units 9/10 and 11/12 are non-conforming. Others comply.
Commercial and Office uses/ Support uses	No commercial or office uses exist.	No commercial or office uses are proposed. complies
Parking	2 spaces per duplex unit with dimensions of 20' by 20' (four spaces per duplex building).	No changes to existing parking proposed, except addition of garage doors. Existing dimensions (31.16' depth by 17.79' width) are non-conforming in width. All exterior changes to the buildings require Historic Design Review (HDDR) approval. Existing non-conforming garage widths.

The buildings do not exceed the allowable 27' building height and there are no non-conforming setback issues. There are no floor area restrictions in the HR-1 zone. The plat amendment would increase the private area for individual units by enclosing garage and storage area on the ground floor; however the floor area of the units (second floor) remains at 573.64 sf.

Existing garage dimensions are legal non-conforming in width (by 2.21 feet). The current Land Management Code requires 1 parking space for condominiums that are less than 650 sf and 2 parking spaces for duplex units with private garages. The

buildings comply with setbacks, and building height requirements. Buildings E and F (units 9/10 and 11/12) are existing non-conforming in terms of building footprint, exceeding the footprint limitation by 14 sf per building. The other buildings comply with the footprint limitations. No new building footprint area is proposed.

Department Review

The plat amendment application was taken before the Development Review team on November 9, 2010. The Development Review team reviewed the zoning compliance items, conversion of common to limited common and limited common to private. The SBWRD requested that existing sewer easements be included on the plat with recording information noted, as well as a request for a note on the plat regarding resurfacing of the common driveways and requiring the HOA to be responsible for adjusting sewer manhole covers back to grade. The applicant has addressed issues raised at the meeting and notes have been included on the plat.

Notice

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

Public Input

Staff has not received any public input at the time of this report.

Future Process

Approval of this application by the City Council would constitute Final Action that may be appealed following the procedures found in LMC 15-1-18.

Recommendation

Staff recommends the Planning Commission hold a public hearing, discuss the proposed plat amendments, and consider forwarding a positive recommendation to City Council based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft Ordinance.

Exhibits

Ordinance

Exhibit A- Proposed plat

Exhibit B- Existing plat

Exhibit C- Applicant letter

Exhibit D- photos of property

Ordinance 11-

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE RESORT TOWNHOMES CONDOMINIUM RECORD OF SURVEY PLAT LOCATED AT 1109-1139 WOODSIDE AVENUE IN PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Resort Townhomes Condominiums, located at 1109 – 1139 Woodside Avenue, within the HR-1 zoning district, have petitioned the City Council for approval of amendments to 1) convert to private area the limited common area within the open garages in order to enclose the garages and existing storage areas and 2) convert to private area those limited common areas located internal to the site between buildings, for the purpose of locating hot tubs on limited common areas; and

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

WHEREAS, proper legal notice was sent to all property owners as required by the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on February 9, 2011, to receive input on the proposed amendments to the record of survey plat; and

WHEREAS, the Planning Commission forwarded a recommendation to the City Council; and

WHEREAS, on March 3, 2011, the City Council held a public hearing on the proposed amendments to the record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed amendments to the Resort Townhomes record of survey plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Resort Townhomes Condominium record of survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 1109-1139 Woodside Avenue.
2. The property is located in the HR-1 zoning district.
3. The Resort Townhomes condominiums record of survey plat was approved by the City Council on May 17, 1984 and recorded at Summit County on May 18, 1984.
4. The Resort Townhomes condominiums record of survey plat recorded 12 residential condominium units of 587 sf each. The actual private area is 573.64 sf for each unit,

as recently surveyed for the plat amendment. The unit dimensions exist as originally platted; however the 573.64 sf is the accurate figure for the existing unit floor area. The private area excludes the common garage and storage areas on the ground floor. The project consists of six duplex buildings.

5. The current Land Management Code requires 1 parking space for condominiums that are less than 650 sf and 2 parking spaces for duplex units with private garages.
6. There are two parking spaces for each duplex unit located in the unenclosed garage areas beneath the units. The existing garages have 2 side walls and a rear wall, but are open in the front. The parking spaces are 31.16' deep and 17.79' wide. The current Land Management Code requires two car garages to be 20' by 20'. The existing parking spaces are non-conforming in width. The applicant/owners desire to enclose the garages with garage doors and convert the current limited common garage and storage space to private area.
7. The buildings were constructed in 1984 and are not listed on the Park City Historic Sites Inventory. The buildings are located within the Park City Historic District and are subject to the Design Guidelines for Historic Districts and Sites.
8. On November 19, 2010, the Resort Townhomes owner's association unanimously voted to approve the condominium record of survey plat amendments as described herein (83% of the owners were represented).
9. On December 3, 2010, the City received a complete application for a condominium record of survey plat amendment as described herein.
10. All units are currently 573.64 sf in floor area. The existing limited common areas range in area from 606.11 sf to 639.69 sf. The proposed plat amendment will result in units ranging from 1,179.75 sf to 1,213.33 sf of private area. The increase in private area is the result of converting the limited common area of the existing garages and storage spaces on the ground level. There are no additions to the floor area on the second floor and no new building footprint is proposed.
11. The existing building footprint for each duplex building complies with the HR-1 zoning district requirements, with the exception of Buildings E and F (Units 9/10 and 11/12). Buildings E and F are existing legal non-conforming structures in terms of building footprint as they exceed the footprint by 14 sf.
12. There are no floor area limitations in the HR-1 zone or on the plat.
13. The buildings do not exceed the allowable 27' building height and there are no non-conforming setback issues.

Conclusions of Law

1. There is good cause for this record of survey.
2. The record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed record of survey amendments.
4. Approval of the plat amendments, subject to the conditions of approval, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and

content of the record of survey for compliance with State law, the Land Management Code, and these conditions of approval.

2. The applicant will record the plat amendment at the County within one year from the date of City Council approval unless an extension to the recordation date is granted.
3. All construction requires a Building Permit and approvals from the Building and Planning Departments. Any exterior changes to the buildings or site require a pre-HDDR application and subsequent Historic District Design Review.
4. The recorded Snyderville Basin Water Reclamation District (SBWRD) easements on the property shall be shown on the plat with the recording information noted.
5. A note shall be added to the plat stating that "At the time of any resurfacing of the common driveways, the Resort Townhomes Condominium Association shall be responsible to adjust wastewater manholes to grade according to the SBWRD standards. Prior notification of the adjustments and inspection by the SBWRD is required."
6. The property is located within the Park City Soils Ordinance and compliance with the requirements of this Ordinance are required for all construction and/or disturbances of the soil or landscaping on the site.

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

PASSED AND ADOPTED this ____ day of March, 2011.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

CONDOMINIUM PLAT

FIRST AMENDMENT TO RESORT TOWNHOMES

- A 12 UNIT CONDOMINIUM PROJECT -
 LOCATED IN BLOCK 8, SNYDERS ADDITION TO PARK CITY,
 NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH,
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

OWNERS' DECLARATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND LIMITED COMMON ARE HEREBY DECLARING THAT THE UNITS, COMMON AND LIMITED COMMON ARE TO BE OWNED AND USED AS RESORT TOWNHOMES AND THAT THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS. THE UNDERSIGNED OWNERS HEREBY CERTIFY THAT THEY HAVE READ THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT AND UNDERSTAND THE CONTENTS AND EFFECTS OF THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT AND ALL OTHER RECORDS OF RECORD THAT RELATE TO THIS PROJECT AND HAVE VOLUNTARILY AND KNOWINGLY AGREED TO SIGN THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT AND TO HAVE THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH. THE UNDERSIGNED OWNERS HEREBY CERTIFY THAT THEY HAVE READ THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT AND UNDERSTAND THE CONTENTS AND EFFECTS OF THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT AND ALL OTHER RECORDS OF RECORD THAT RELATE TO THIS PROJECT AND HAVE VOLUNTARILY AND KNOWINGLY AGREED TO SIGN THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT AND TO HAVE THIS FIRST AMENDMENT TO RESORT TOWNHOMES PLAT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH.

ACKNOWLEDGMENTS

STATE OF _____ COUNTY OF _____
 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

STATE OF _____ COUNTY OF _____
 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

STATE OF _____ COUNTY OF _____
 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

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 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

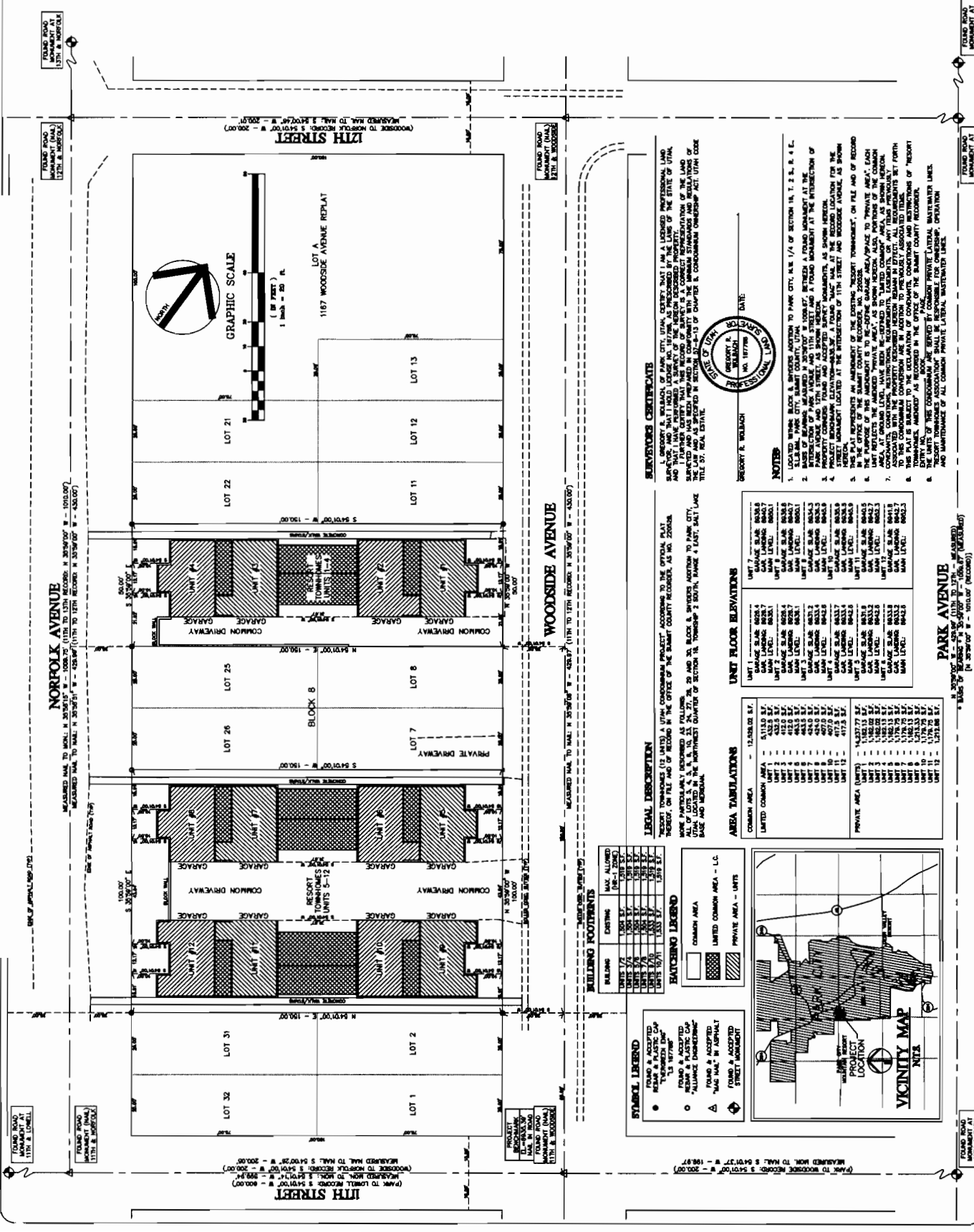
STATE OF _____ COUNTY OF _____
 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

STATE OF _____ COUNTY OF _____
 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

STATE OF _____ COUNTY OF _____
 ON THE _____ DAY OF _____, 2011, PERSONALLY APPEARED BEFORE ME _____, A NOTARY PUBLIC, duly authorized to perform the foregoing instrument, and acknowledged to me that he authorized the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

SHEET 1 OF 10
 PLAT NO. 2011-0001

FEB 0 2 2011



RECORDS CERTIFICATE
 I, _____, CLERK OF THE COUNTY OF SUMMIT, UTAH, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED INSTRUMENT WAS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, ON THE _____ DAY OF _____, 2011, AT _____ O'CLOCK _____ M. P.M. / A.M. IN BOOK _____ PAGE _____.



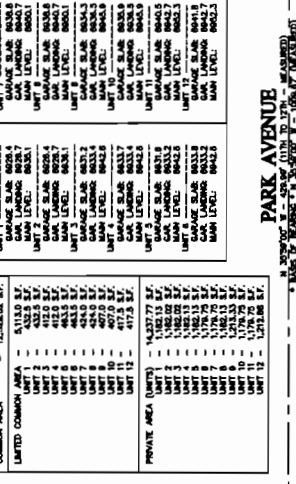
NOTES

1. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE OWNED AND USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
2. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
3. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
4. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
5. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
6. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
7. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
8. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
9. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
10. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
11. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.
12. THE UNITS, COMMON AND LIMITED COMMON ARE TO BE USED AS RESORT TOWNHOMES AND NOT AS RESIDENTIAL UNITS.

LEGAL DESCRIPTION
 THIS CONDOMINIUM PROJECT, ACCORDING TO THE OFFICIAL PLAT _____, AS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, IN BOOK _____ PAGE _____, IS LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

AREA TABULATIONS

UNIT	COMMON AREA	PRIVATE AREA
UNIT 1	12,526.02 S.F.	1,427.73 S.F.
UNIT 2	11,110.87 S.F.	1,182.73 S.F.
UNIT 3	11,110.87 S.F.	1,182.73 S.F.
UNIT 4	11,110.87 S.F.	1,182.73 S.F.
UNIT 5	11,110.87 S.F.	1,182.73 S.F.
UNIT 6	11,110.87 S.F.	1,182.73 S.F.
UNIT 7	11,110.87 S.F.	1,182.73 S.F.
UNIT 8	11,110.87 S.F.	1,182.73 S.F.
UNIT 9	11,110.87 S.F.	1,182.73 S.F.
UNIT 10	11,110.87 S.F.	1,182.73 S.F.
UNIT 11	11,110.87 S.F.	1,182.73 S.F.
UNIT 12	11,110.87 S.F.	1,182.73 S.F.



STABLER LEGEND

- FOUND & ACCEPTED PLASTIC CAP
- FOUND & ACCEPTED PLASTIC CAP
- △ FOUND & ACCEPTED PLASTIC CAP
- FOUND & ACCEPTED PLASTIC CAP
- ◇ FOUND & ACCEPTED PLASTIC CAP
- FOUND & ACCEPTED PLASTIC CAP
- △ FOUND & ACCEPTED PLASTIC CAP
- FOUND & ACCEPTED PLASTIC CAP
- ◇ FOUND & ACCEPTED PLASTIC CAP

HAZARDOUS LEGEND

- COMMON AREA
- ▨ LIMITED COMMON AREA - LC
- ▩ PRIVATE AREA - UNITS

BUILDING FOOTPRINTS

BUILDING	EXISTING	MAX ALLOWED
UNIT 1/2	100' x 100'	100' x 100'
UNIT 3/4	100' x 100'	100' x 100'
UNIT 5/6	100' x 100'	100' x 100'
UNIT 7/8	100' x 100'	100' x 100'
UNIT 9/10	100' x 100'	100' x 100'
UNIT 11/12	100' x 100'	100' x 100'

Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 P.O. Box 2081 • Park City, Utah • 84300
 Phone: 435.633.8887 • Fax: 435.633.8878
 E-mail: evergreeneng@evergreeneng.com

CITY ENGINEER
 THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS DAY OF _____ A.D. 2011.

SNYDERVILLE BASIN W.R.D.
 REVIEWED FOR CONFORMANCE TO DISTRICT STANDARDS ON THIS DAY OF _____ A.D. 2011.

CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF _____ A.D. 2011.

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS DAY OF _____ A.D. 2011.

CITY COUNCIL APPROVAL
 PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2011 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

RECORDED
 No. _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF: _____ COUNTY RECORDER _____

Evergreen Engineering, Inc.
 CAD Engineering • Land Surveying • Land Planning
 1870 Bonanza Drive • Suite 104
 P.O. Box 2881 • Reno, NV • 89408
 Phone: 432.848.4877 • Fax: 432.848.8218
 E-mail: office@evergreen-eng.com

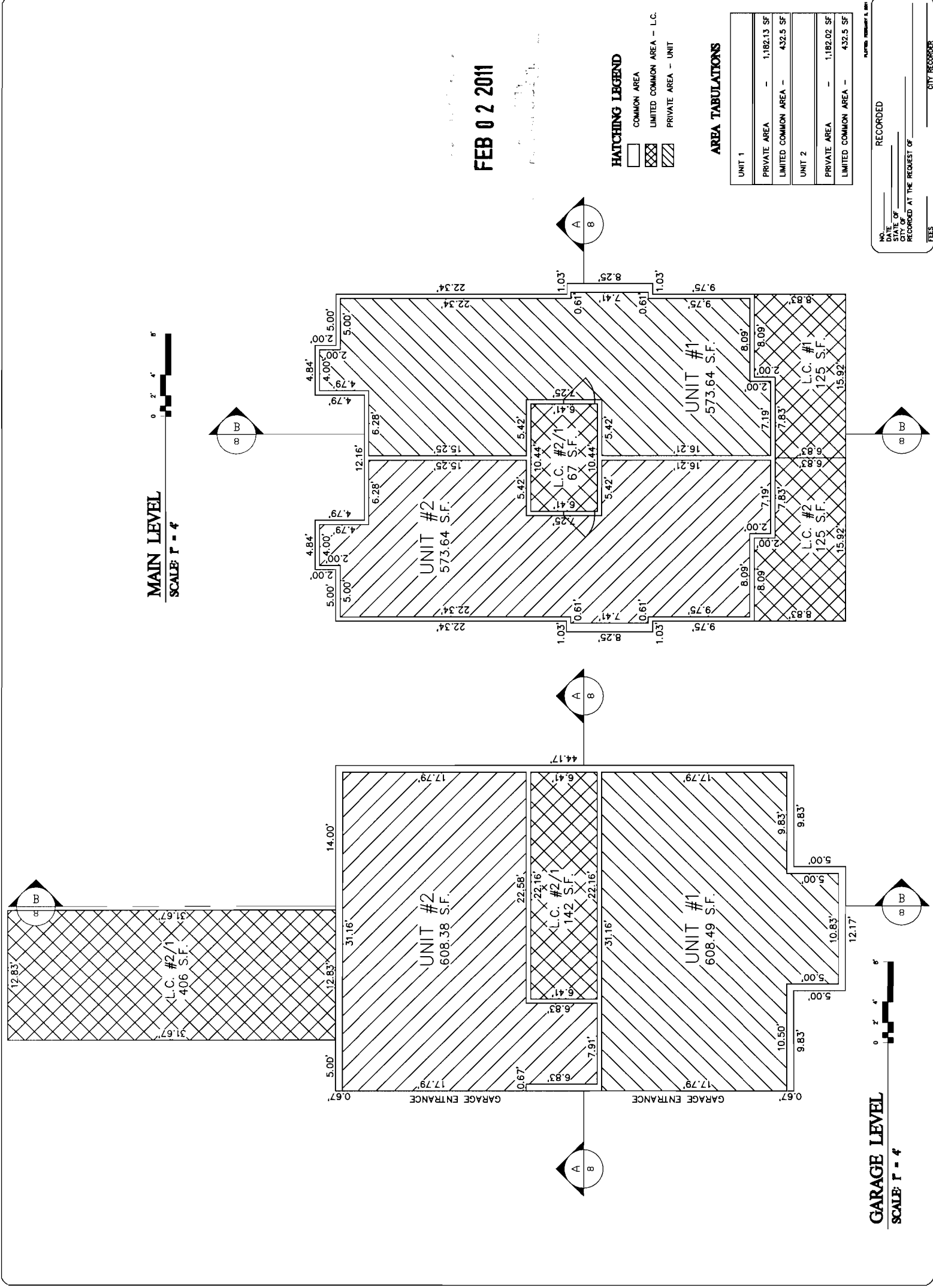
REVISIONS	DATE	BY	COMMENTS



DESIGNED BY: GRW/ADM
 DRAWN BY: GRW
 CHECKED BY: GRW/ADM

FIRST AMENDMENT TO RESORT TOWNHOMES UNITS 1 AND 2 - FLOOR PLANS

SHEET 2 OF 10



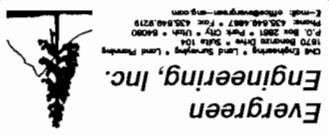
FEB 0 2 2011

HATCHING LEGEND
 COMMON AREA
 LIMITED COMMON AREA - L.C.
 PRIVATE AREA - UNIT

AREA TABULATIONS

UNIT 1	UNIT 2
PRIVATE AREA - 1,182.13 SF	PRIVATE AREA - 1,182.02 SF
LIMITED COMMON AREA - 432.5 SF	LIMITED COMMON AREA - 432.5 SF

RECORDED
 DATE _____
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 CITY RECORDER _____
 FEES _____



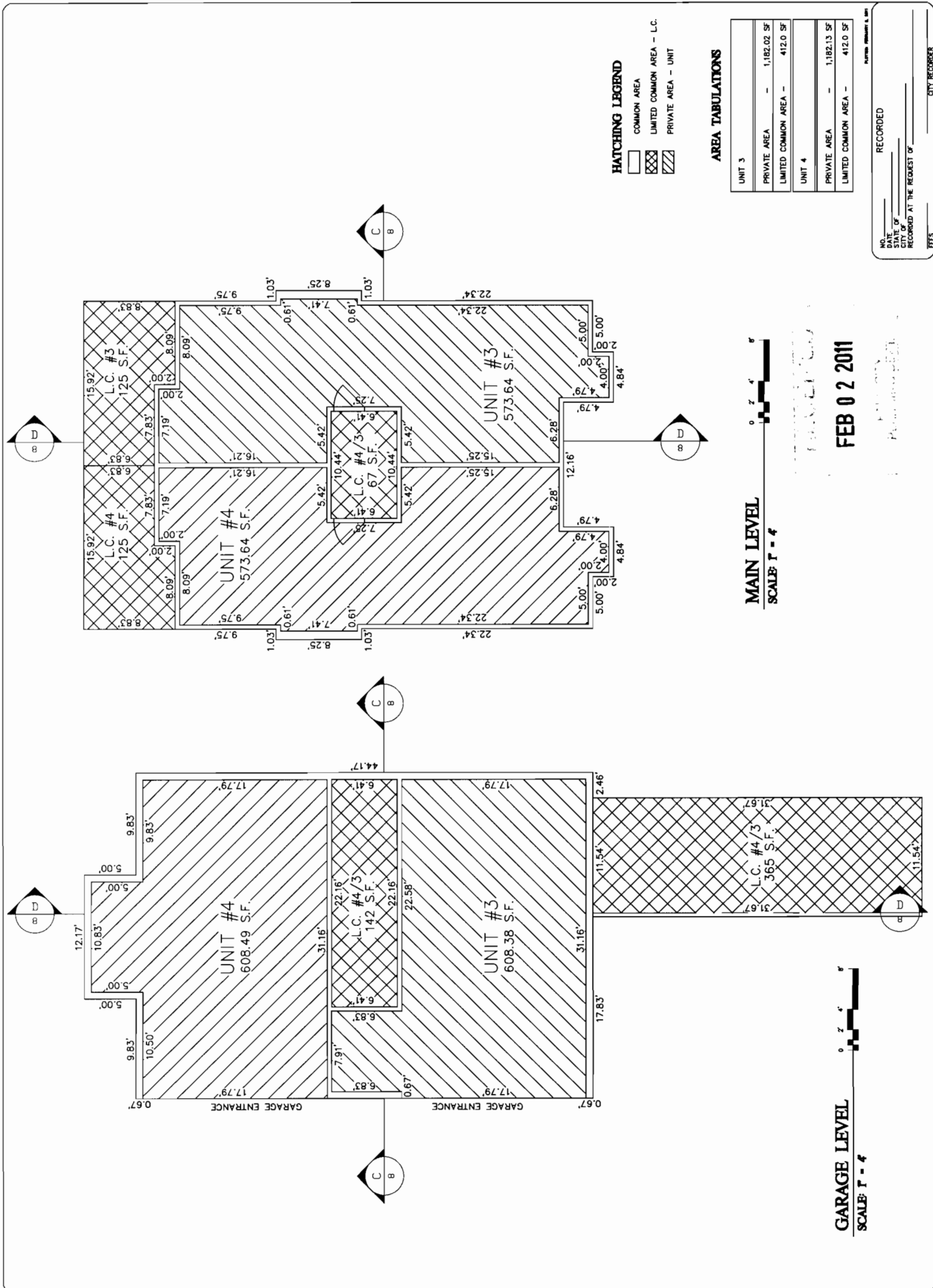
REVISIONS	DATE	BY	COMMENTS



DRAWN BY: GRW/ADM
 CHECKED BY: GRW
 PROJECT NO.: GRW/ADM

**FIRST AMENDMENT TO
 RESORT TOWNHOMES
 UNITS 3 AND 4 - FLOOR PLANS**

SHEET 3 OF 10



HATCHING LEGEND

[Diagonal Hatching]	COMMON AREA
[Cross-hatching]	LIMITED COMMON AREA - L.C.
[Solid Hatching]	PRIVATE AREA - UNIT

AREA TABULATIONS

UNIT	PRIVATE AREA	LIMITED COMMON AREA	COMMON AREA
UNIT 3	1,182.02 SF	412.0 SF	412.0 SF
UNIT 4	1,182.13 SF	412.0 SF	412.0 SF

MAIN LEVEL
 SCALE: 1" = 4'

GARAGE LEVEL
 SCALE: 1" = 4'

NOTE:
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 FEB 02 2011
 CITY RECORDER

Evergreen Engineering, Inc.
 Civil Engineering & Land Surveying & Land Planning
 1670 Somerset Drive • Suite 104
 P.O. Box 2885 • Palm City, FL 32909
 Phone: 408.646.4677 • Fax: 408.646.8218
 E-mail: office@evergreen-eng.com

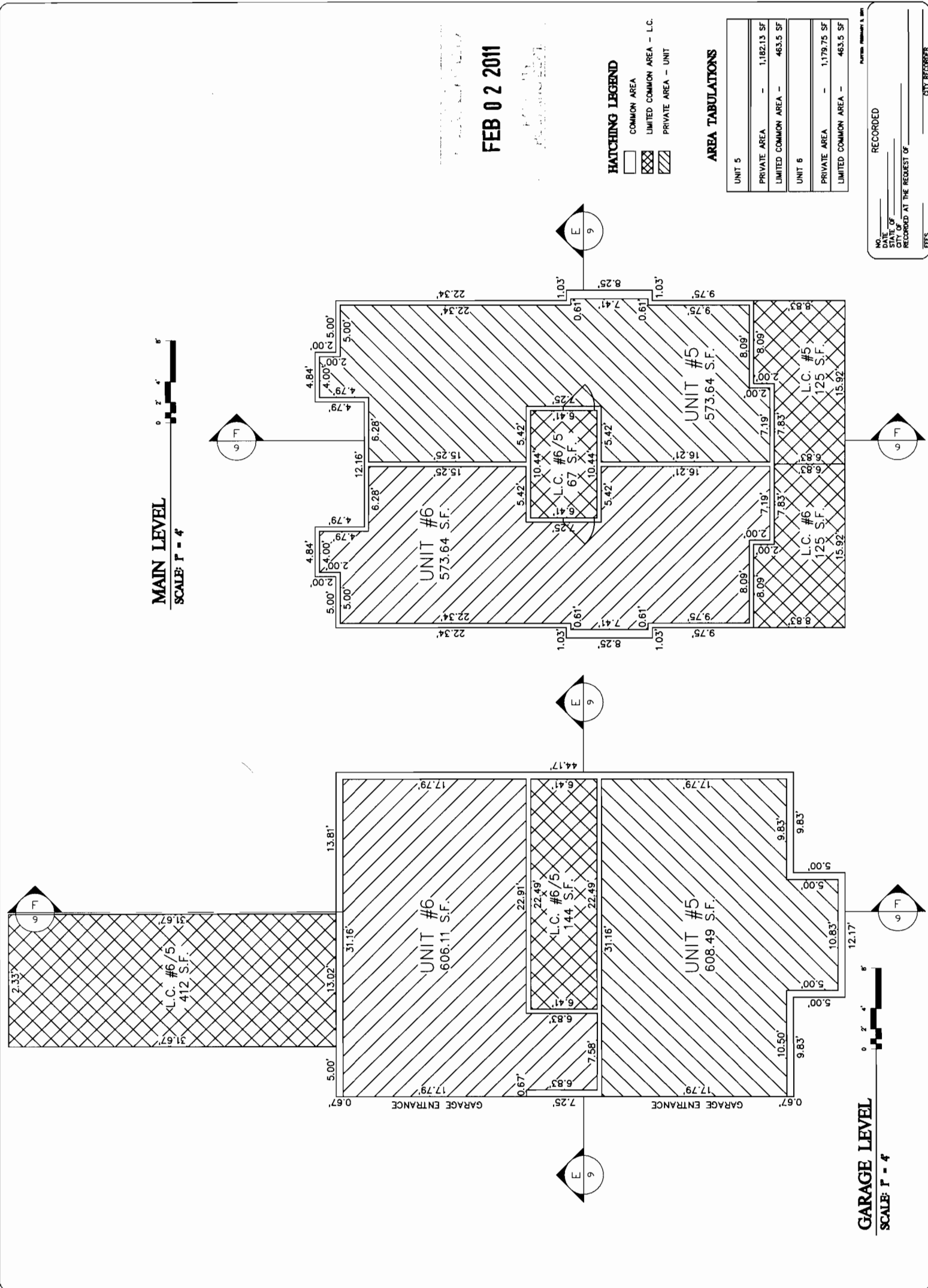
REVISIONS	DATE	BY	COMMENTS



DESIGNED BY: GRW/ADM
 CHECKED BY: GRW/ADM
 DRAWING NO: 0702

FIRST AMENDMENT TO RESORT TOWNHOMES HOA UNITS 5 AND 6 - FLOOR PLANS

SHEET 4 OF 10



FEB 02 2011

HATCHING LEGEND
 COMMON AREA
 LIMITED COMMON AREA - L.C.
 PRIVATE AREA - UNIT

AREA TABULATIONS

UNIT 5		UNIT 6	
PRIVATE AREA	1,182.13 SF	PRIVATE AREA	1,179.75 SF
LIMITED COMMON AREA	463.5 SF	LIMITED COMMON AREA	463.5 SF

RECORDED
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 FEES _____
 CITY RECORDER _____

MAIN LEVEL
 SCALE: 1" = 4'

GARAGE LEVEL
 SCALE: 1" = 4'

**FIRST AMENDMENT TO
RESORT TOWNHOMES
UNITS 7 AND 8 - FLOOR PLANS**

RESORT TOWNHOMES HOA

RECORDING # 012

DESIGNED BY:
GRW/ADM



REVISION	DATE	BY	COMMENTS

**Evergreen
Engineering, Inc.**
Civil Engineering • Land Surveying • Land Planning
1670 Bergans Drive • Suite 104
Farmington Hills, MI 48334
Phone: 424.646.6657 • Fax: 424.646.8219
E-mail: info@evergreen-eng.com

FEB 02 2011

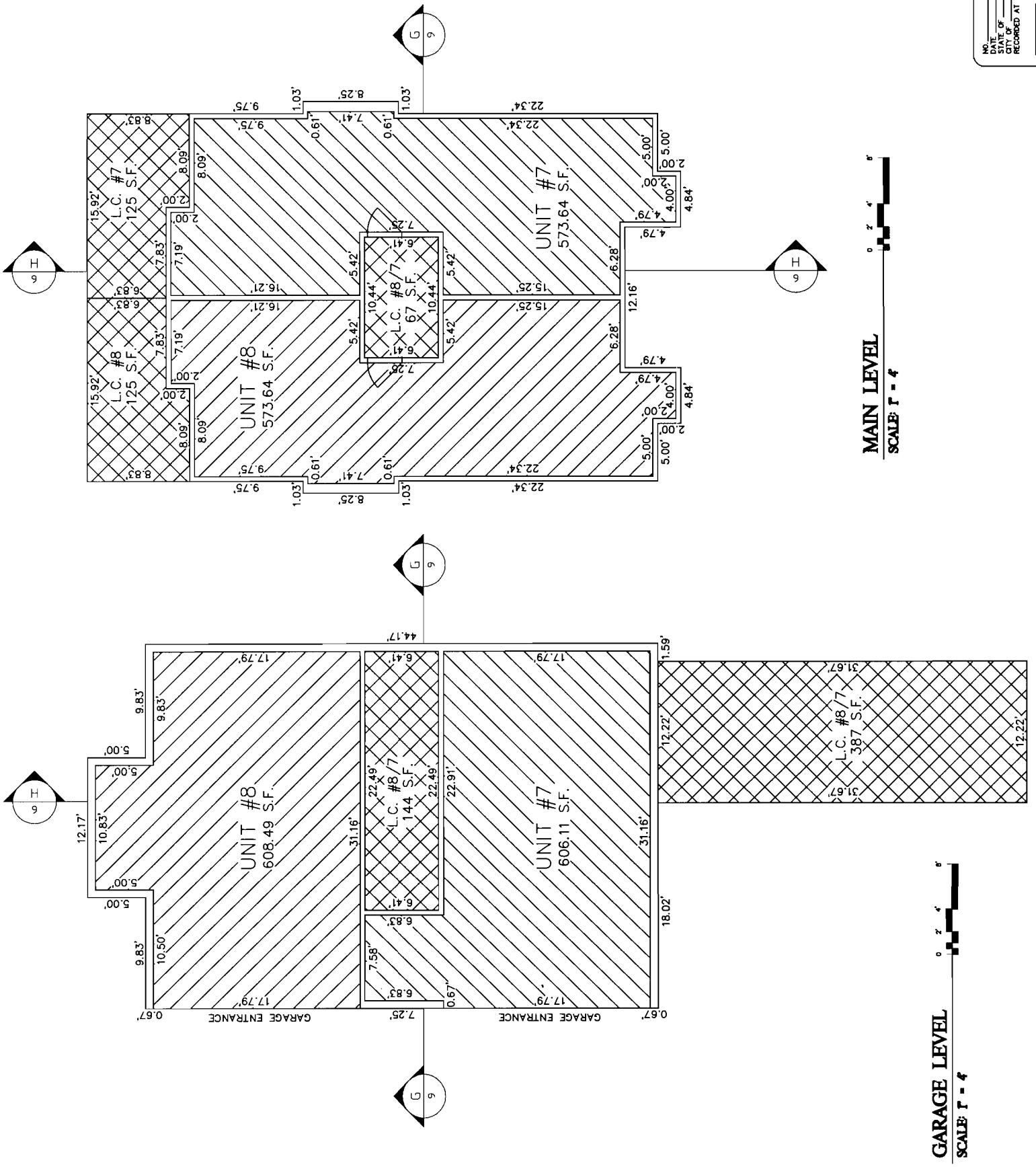
HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA - L.C.
- PRIVATE AREA - UNIT

AREA TABULATIONS

UNIT	PRIVATE AREA	LIMITED COMMON AREA	COMMON AREA
UNIT 7	1,179.75 SF	424.0 SF	
UNIT 8	1,182.13 SF	424.0 SF	

PLANNED REVISION # 1 (R1)
RECORDED
NOTE: _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____
FEE: _____
CITY RECORDER _____



MAIN LEVEL
SCALE: 1" = 4'

GARAGE LEVEL
SCALE: 1" = 4'

Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 15701 Evergreen Lane • Suite 106
 P.O. Box 2881 • Park City, Utah • 84090
 Phone: 435.646.0887 • Fax: 435.646.0218
 E-mail: info@evergreen-eng.com

REVISIONS	DATE	BY	COMMENTS

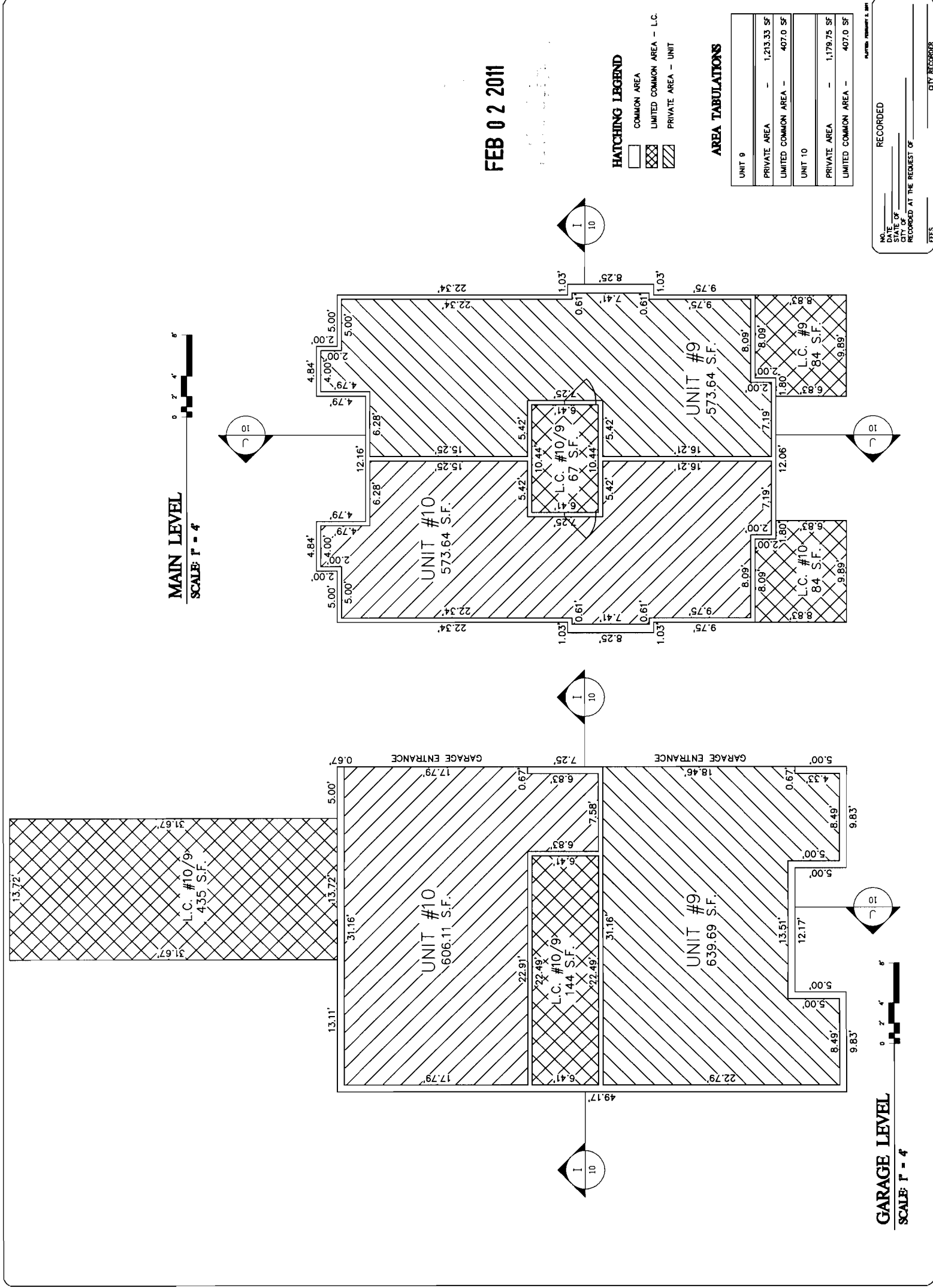


DESIGNED BY: CRW/ADM
 DRAWN BY: CRW
 CHECKED BY: CRW/ADM

FIRST AMENDMENT TO RESORT TOWNHOMES UNITS 9 AND 10 - FLOOR PLANS

PROJECT TOWNHOMES HOA
 RECORD NO. 2010-108-1-15
 REC. DATE: 07/22

SHEET 8 OF 10



FEB 0 2 2011

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA - L.C.
- PRIVATE AREA - UNIT

AREA TABULATIONS

UNIT 9	UNIT 10
PRIVATE AREA - 1,213.33 SF	PRIVATE AREA - 1,179.75 SF
LIMITED COMMON AREA - 407.0 SF	LIMITED COMMON AREA - 407.0 SF

PLATTED: FEBRUARY 8, 2011

RECORDED

DATE: _____
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____

FEE: _____ CITY RECORDER

FIRST AMENDMENT TO RESORT TOWNHOMES HOA UNITS II AND 12 - FLOOR PLANS

PROJECT NO. 072
 RECORDING NO. 18778

DESIGNED BY: GRW/ADM
 CHECKED BY: GRW/ADM



REVISIONS	DATE	BY	COMMENTS

Evergreen Engineering, Inc.
 Civil Engineering & Land Surveying & Land Planning
 1870 Benjamin Drive • Suite 104
 Provo, Utah 84606
 Phone: 432.646.4667 • Fax: 432.646.9219
 E-mail: office@evergreen-eng.com

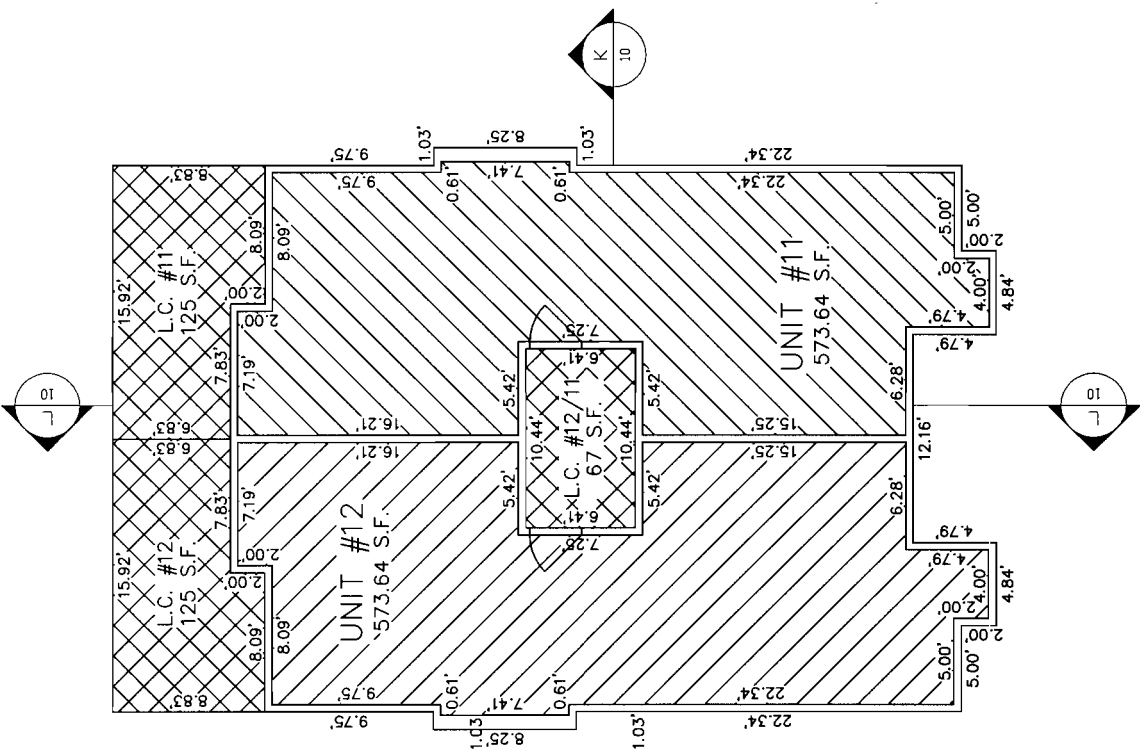
FEB 02 2011

HATCHING LEGEND
 COMMON AREA
 LIMITED COMMON AREA - L.C.
 PRIVATE AREA - UNIT

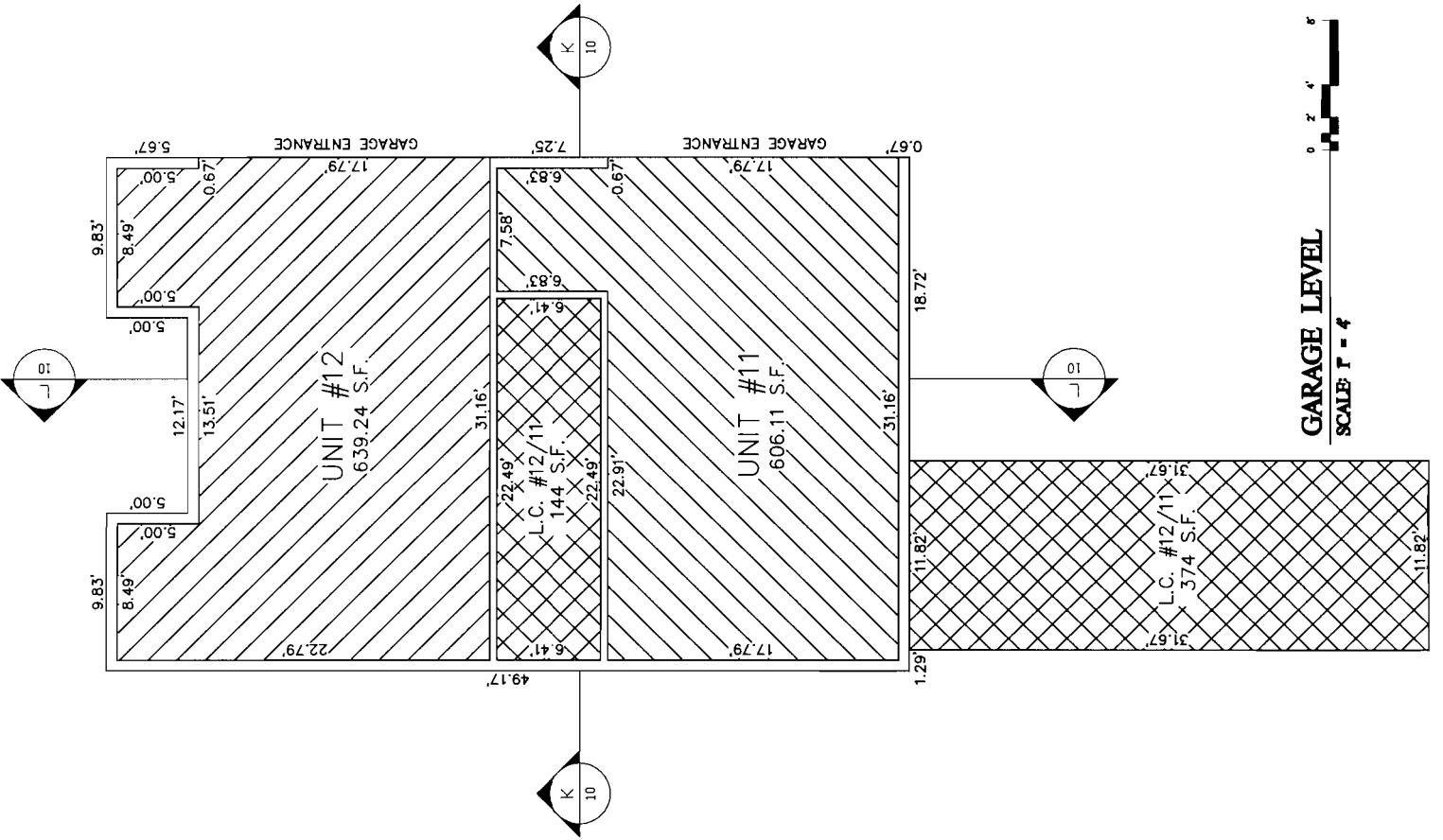
AREA TABULATIONS

UNIT 11	
PRIVATE AREA	1,179.75 SF
LIMITED COMMON AREA	417.5 SF
UNIT 12	
PRIVATE AREA	1,212.88 SF
LIMITED COMMON AREA	417.5 SF

NOTE:
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 FEES
 RECORDED
 CITY RECORDER



MAIN LEVEL
 SCALE: 1" = 4'



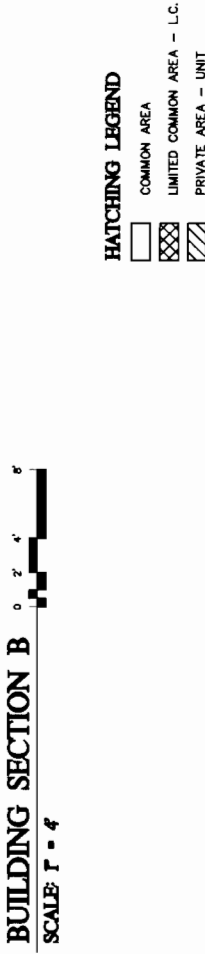
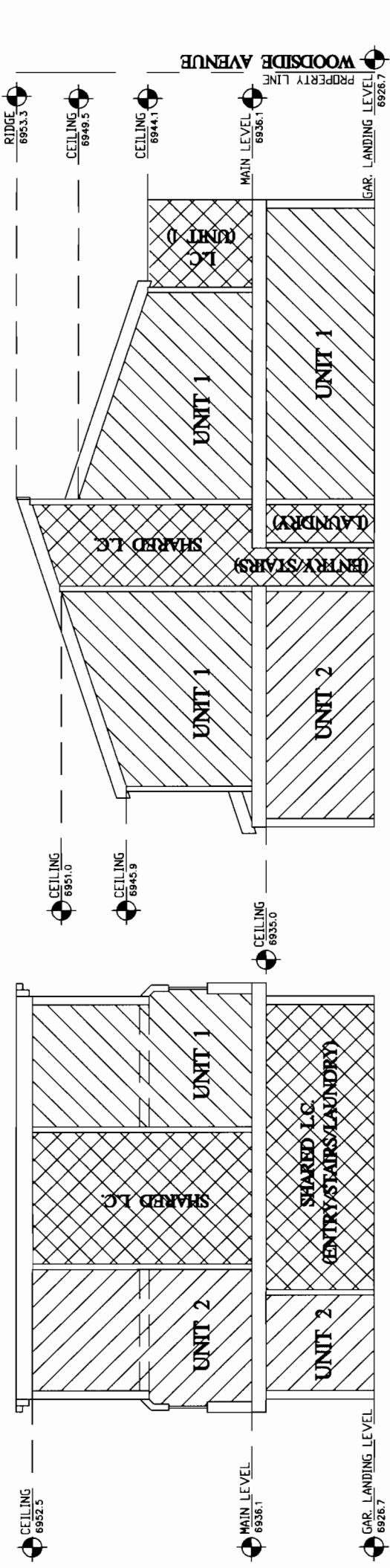
GARAGE LEVEL
 SCALE: 1" = 4'

NO.	DATE	BY	COMMENTS



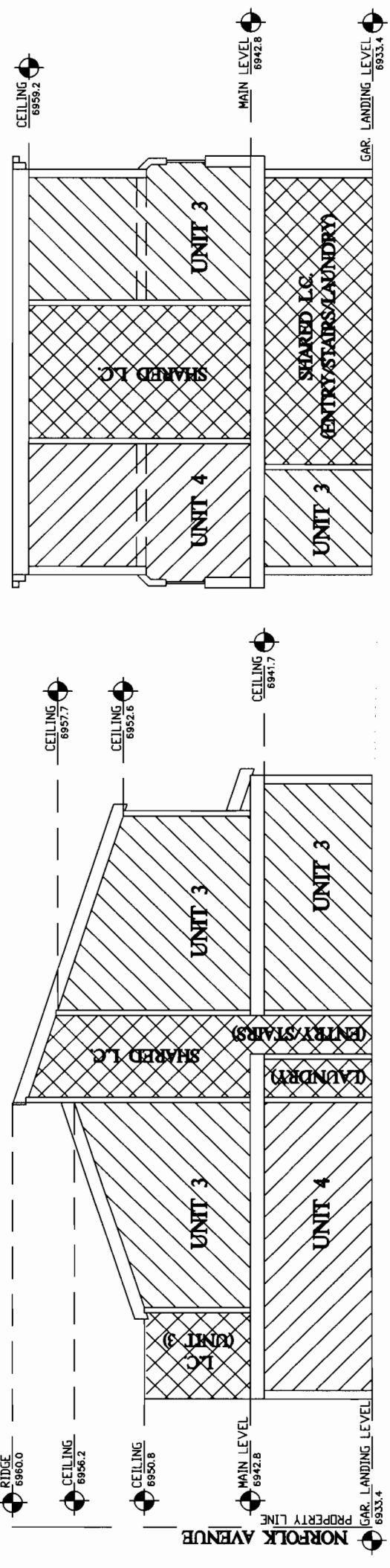
DESIGNED BY: GRW/ADM
 DRAWN BY: GRW/ADM
 CHECKED BY: GRW/ADM

FIRST AMENDMENT TO RESORT TOWNHOMES BUILDING SECTIONS A, B, C, & D UNITS 1, 2, 3 & 4
 RESORT TOWNHOMES HOA
 RECORD NO. 10-18-10
 JOB NO. 0732



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA - L.C.
- PRIVATE AREA - UNIT



BUILDING SECTION D
 SCALE: 1" = 4'

CEILING 6960.0
 CEILING 6956.2
 CEILING 6950.8
 MAIN LEVEL 6942.8
 GAR. LANDING LEVEL 6933.4


NORFOLK AVENUE
 PROPERTY LINE

RECORDED
 NO. _____
 DATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 FEES _____
 CITY RECORDER _____

FEB 02 2011

Evergreen Engineering, Inc.
 1870 Bessie Lane • Suite 104 • Norfolk, VA 23502
 Phone: 435.66.0687 • Fax: 435.66.0218
 E-mail: office@evergreen-eng.com

REV	DATE	BY	COMMENTS

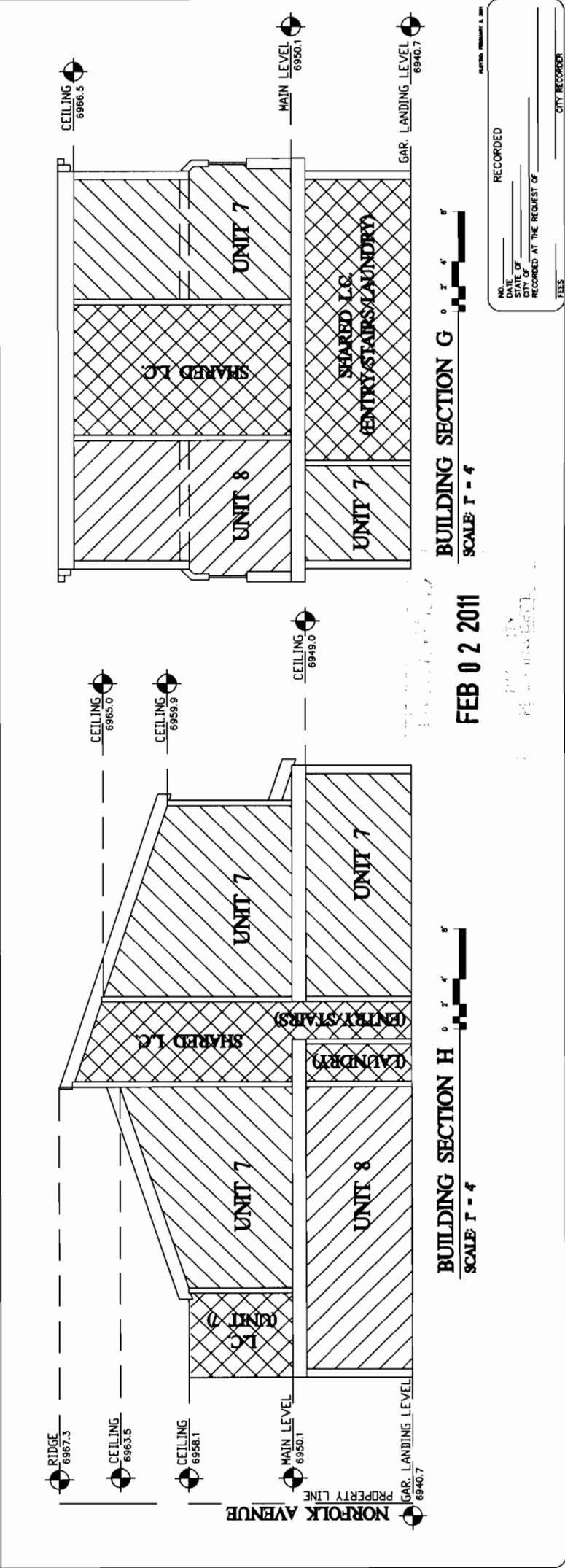
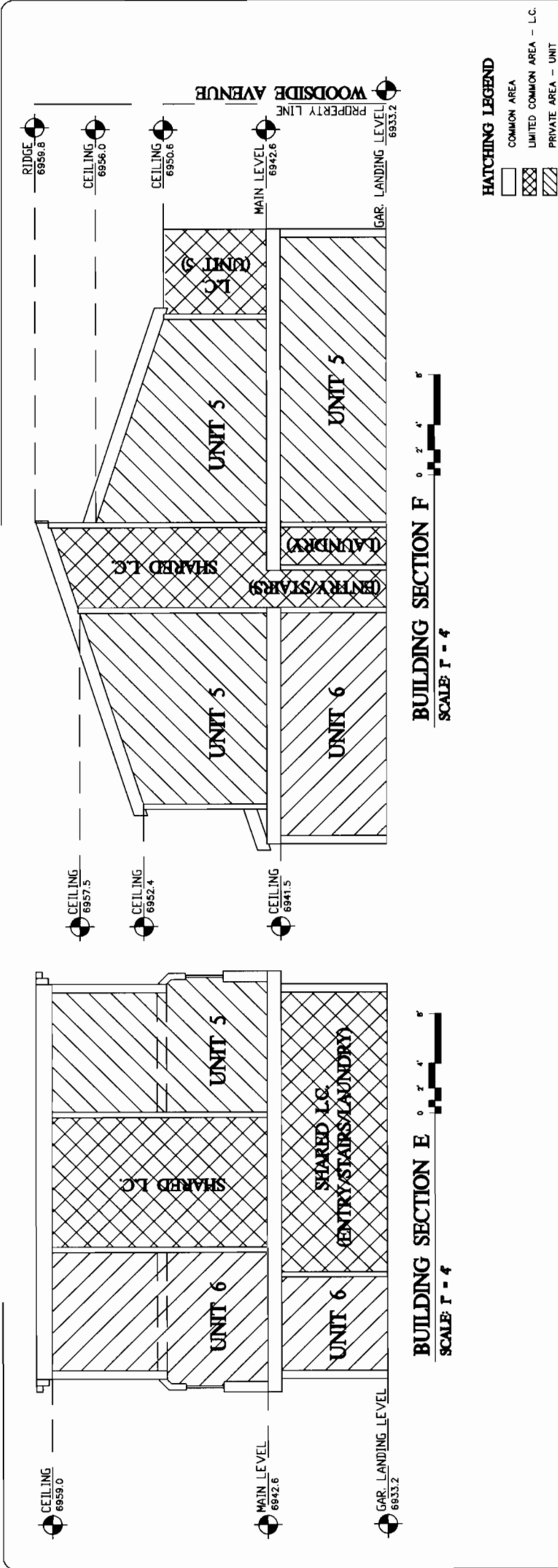


DESIGNED BY: **CRW/ADM**
 DRAWN BY: **CRW**
 CHECKED BY: **CRW/ADM**

**FIRST AMENDMENT TO
 RESORT TOWNHOMES
 BUILDING SECTIONS E, F, G & H
 UNITS 5, 6, 7 & 8**

RESORT TOWNHOMES HOA
 PROJECT NO: **0732**

SHEET # OF 10



RECORDED

NOTE: _____
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____

FEES _____ CITY RECORDER

FEB 02 2011

Evergreen Engineering, Inc.
 Civil Engineering & Land Surveying
 1870 West 120th Street, Suite 104
 Tukwila, WA 98148
 Phone: 425.482.0887 • Fax: 425.442.5219
 E-mail: info@evergreeneng.com

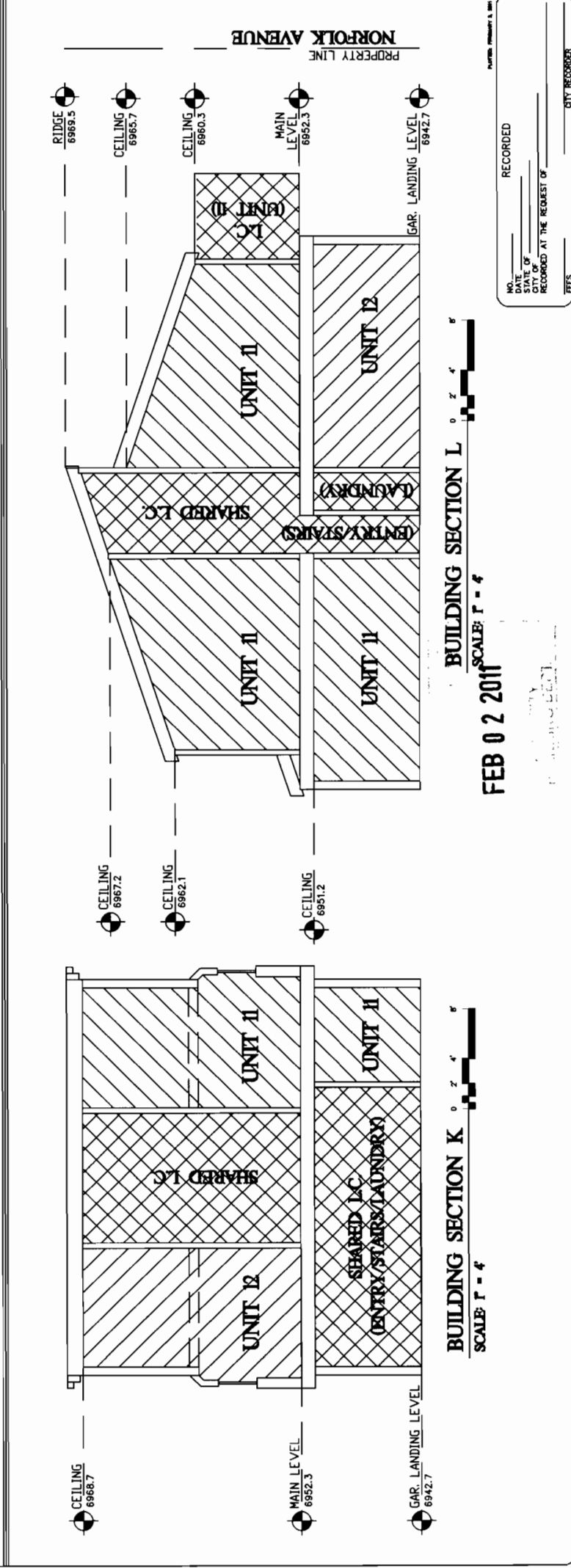
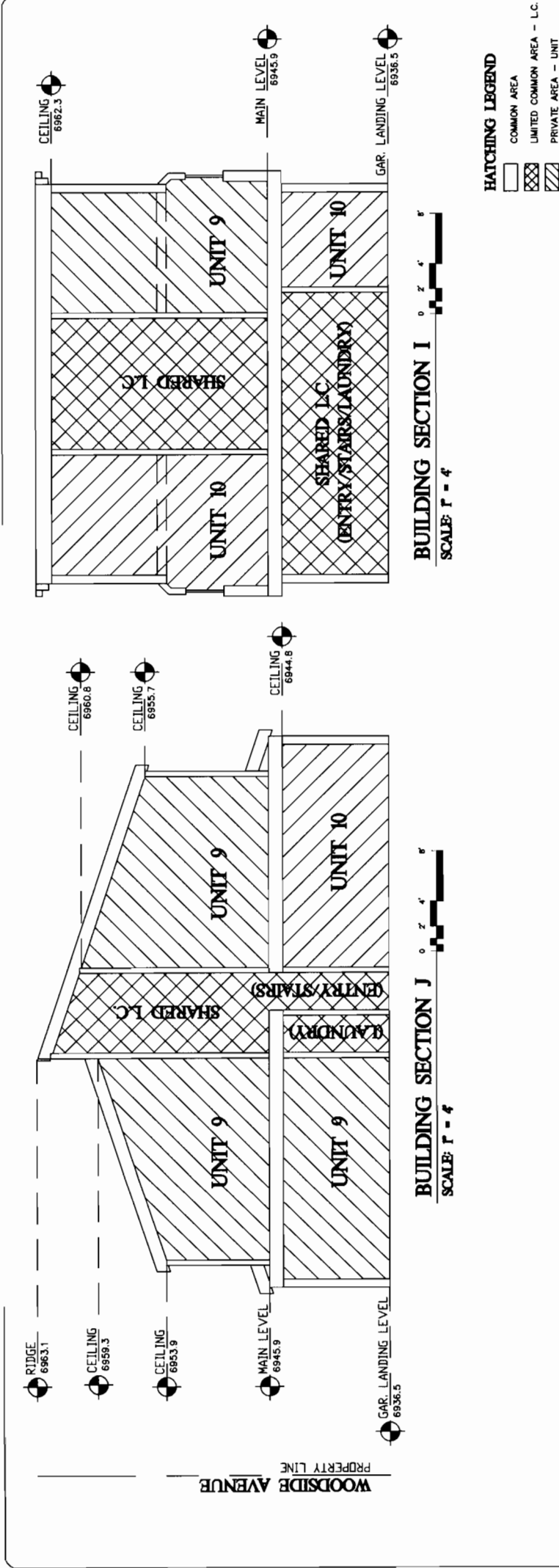
DATE	BY	COMMENTS



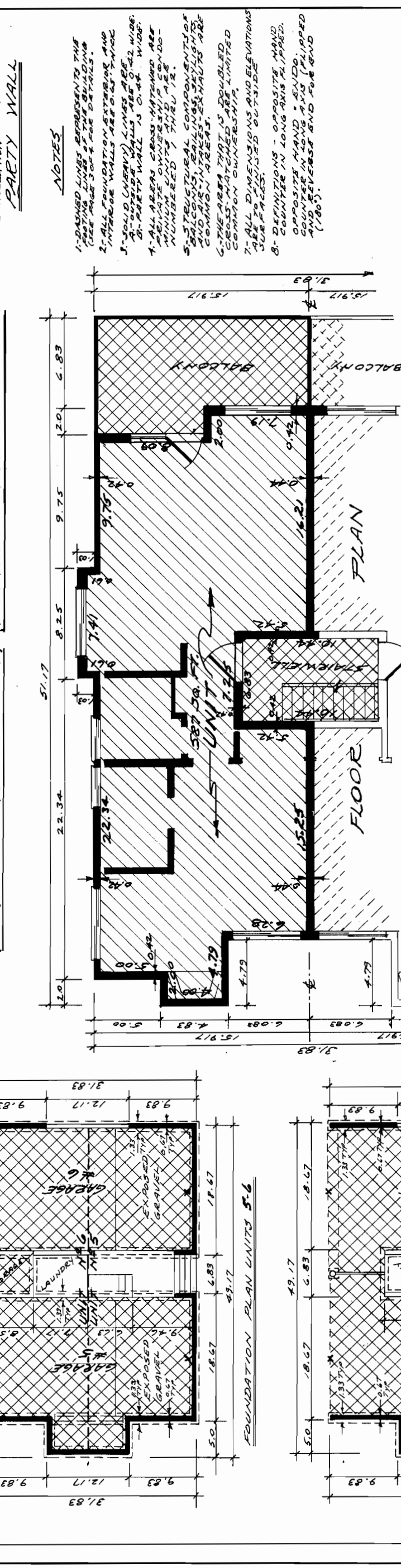
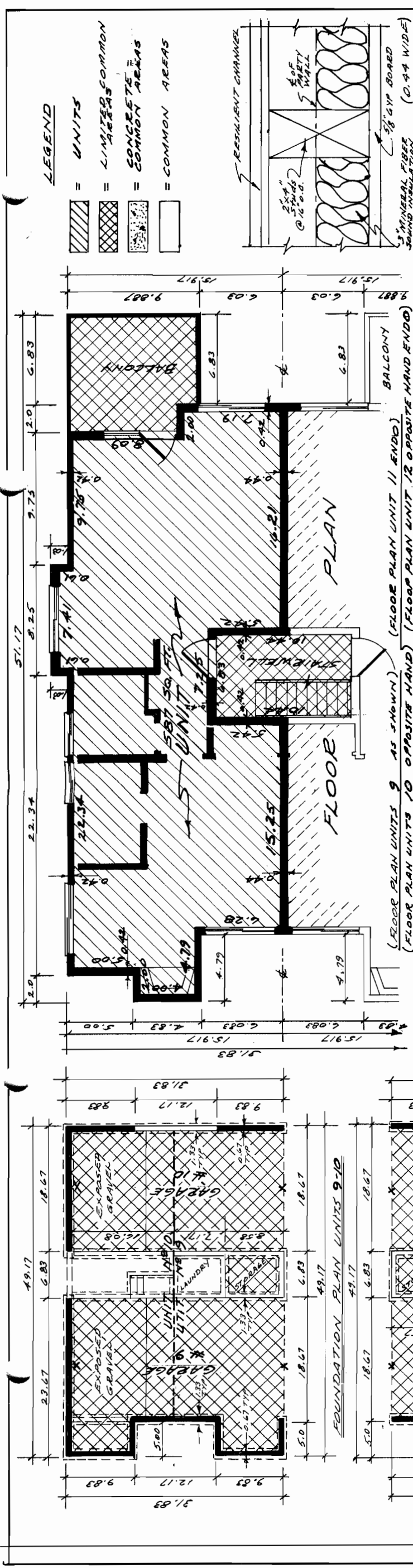
DESIGNED BY: CRW/ADM
 DRAWN BY: CRW
 CHECKED BY: CRW/ADM

**FIRST AMENDMENT TO
 RESORT TOWNHOMES
 BUILDING SECTIONS J, K & L
 UNITS 9, 10, 11 & 12**
 RESORT TOWNHOMES HOA
 RECORDING NO. 2011-072

SHEET 10 OF 10



RECORDED
 STATE OF
 CITY OF
 FEB 02 2011
 CITY RECORDER



RECORD OF SURVEY MAP
RESORT TOWNHOMES
(12 UNITS)
A UTAH CONDOMINIUM PROJECT

LOCATED IN BLOCK 8, SNYDERS ADDITION TO PARK CITY,
NORTHWEST 1/4 OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, UTAH
SITUATED IN SUMMIT COUNTY
STATE OF UTAH

RECORDED N° 2008
SUMMIT COUNTY
STATE OF UTAH
RECORDED AND FILED AT THE REQUEST OF
M. CARL LARSEN
DATE: 5-18-2008 3:30 BOOK PAGE
FEE: \$ 66.00

UNIT NO	CENTERLINE X GARAGE PARTY	VERTICAL ELEVATION	GARAGE BACK X	FIRST FLOOR	CEILING ELEVATION	LOWER
1	6928.57	6928.97	6928.97	6937.72	6945.75	6945.75
2	6928.67	6932.22	6932.22	6943.72	6951.75	6951.75
3	6931.92	6935.22	6935.22	6944.22	6952.25	6952.25
4	6934.12	6937.22	6937.22	6944.22	6952.25	6952.25
5	6937.87	6939.22	6939.22	6944.22	6952.25	6952.25
6	6934.03	6939.22	6939.22	6944.22	6952.25	6952.25
7	6939.55	6941.22	6941.22	6950.22	6958.25	6958.25
8	6941.81	6941.22	6941.22	6950.22	6958.25	6958.25
9	6933.26	6934.22	6934.22	6941.22	6949.25	6949.25
10	6935.22	6936.22	6936.22	6945.22	6953.25	6953.25
11	6940.37	6941.22	6941.22	6950.22	6958.25	6958.25
12	6942.10	6943.22	6943.22	6952.22	6960.25	6960.25

NOTE: ALL ELEVATIONS ARE TO FINISHED SURFACES

CERTIFICATION

I CERTIFY THAT THE BUILDING CERTIFICATIONS ON BUILDINGS OF THE RESORT TOWNHOMES PROJECT WILL BE AS SHOWN ON THIS MAP.

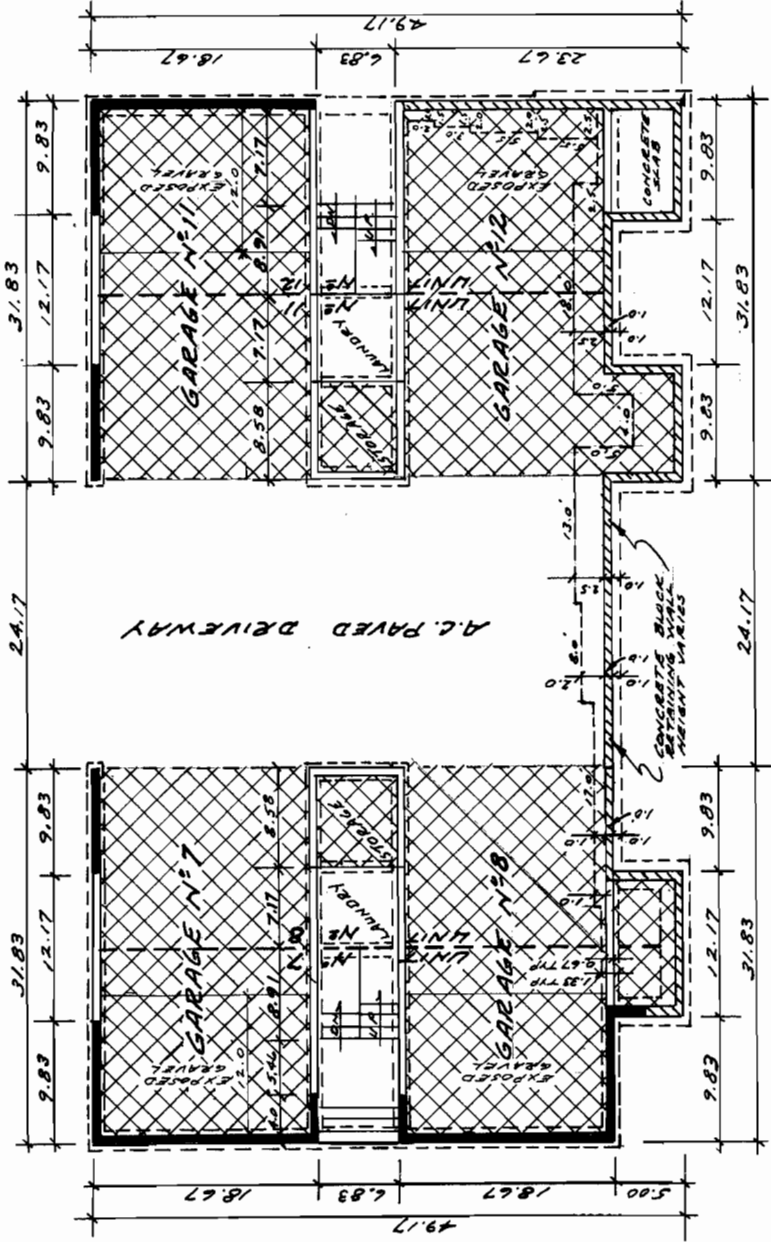
M. CARL LARSEN
M. CARL LARSEN - SURVEYOR

PREPARED BY
LARSEN AND MALMQUIST CONSULTING ENGINEERS AND LAND SURVEYORS
2732 SOUTH 3700 WEST STREET
WEST VALLEY CITY, UTAH, 84119
ATTN: M. CARL LARSEN 1-801-972-2634

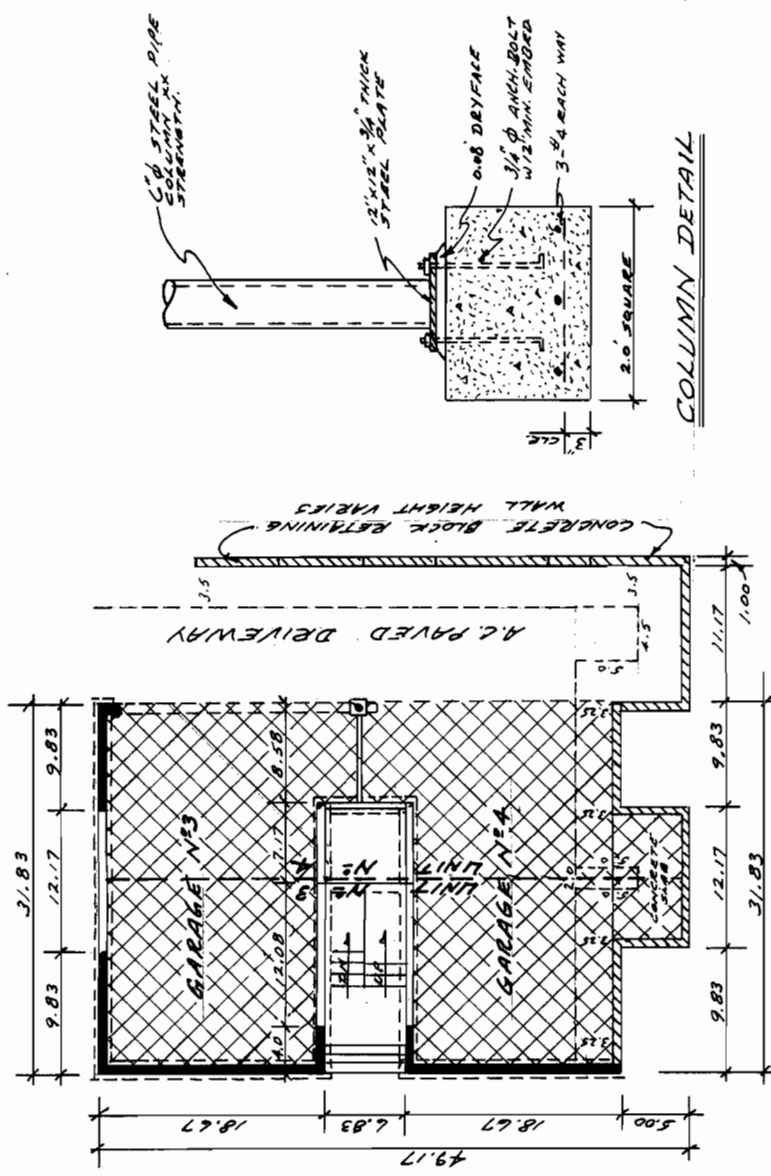
OWNERS CERTIFICATE I CERTIFY THAT BUILDINGS SHOWN ON THIS MAP, BUT NOT UNDER CONSTRUCTION AT THE TIME THE MAP IS RECORDED, WILL, WHEN COMPLETED, BE SUBSTANTIALLY AS SHOWN ON THIS MAP.

SHIMON BEN-BASAT ALFONSO H. MORALES
L.M.O. 451-825 E.R. Dunn DEC. 1983

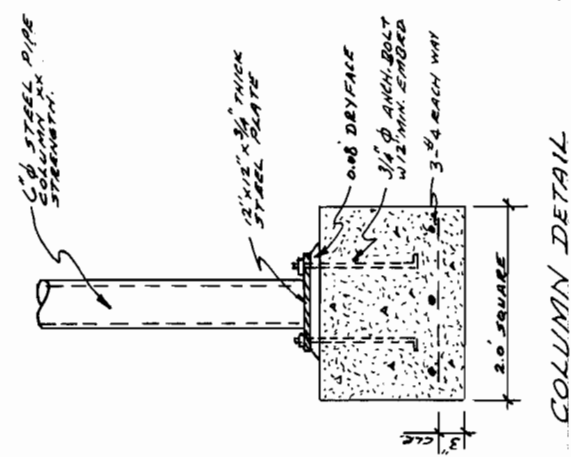
BENCH MARK = MONUMENT AT INTERSECTION OF CRESCENT STREET AND WOODSIDE AVENUE ELEVATION = 6935.50 PARK CITY DATUM.



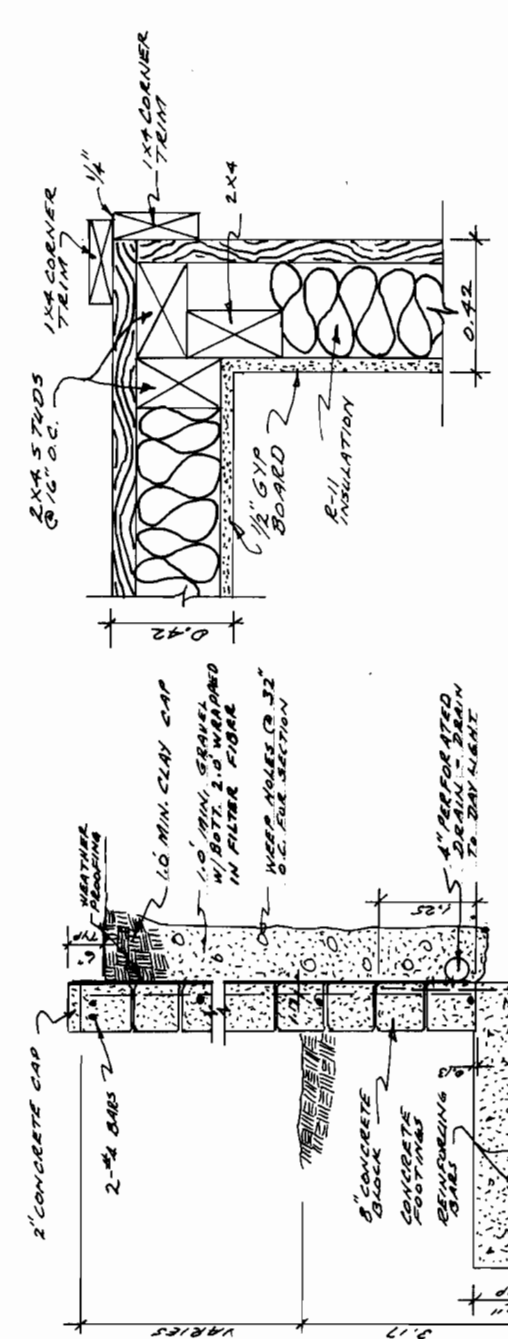
FOUNDATION PLAN
UNITS 7-8-11-12



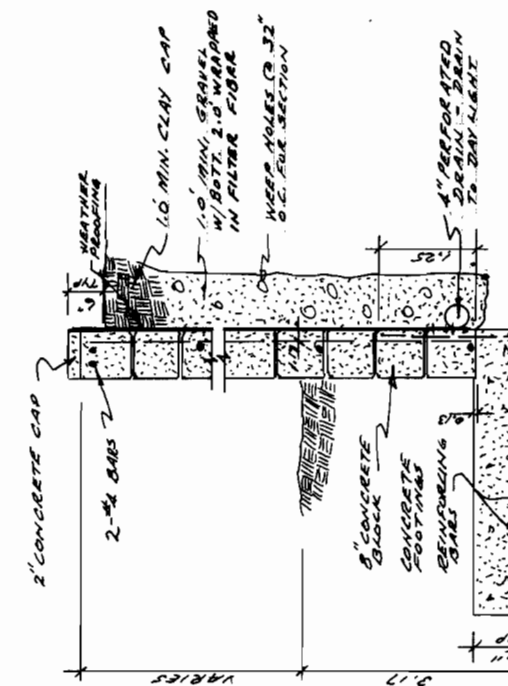
FOUNDATION PLAN
UNITS 3-4



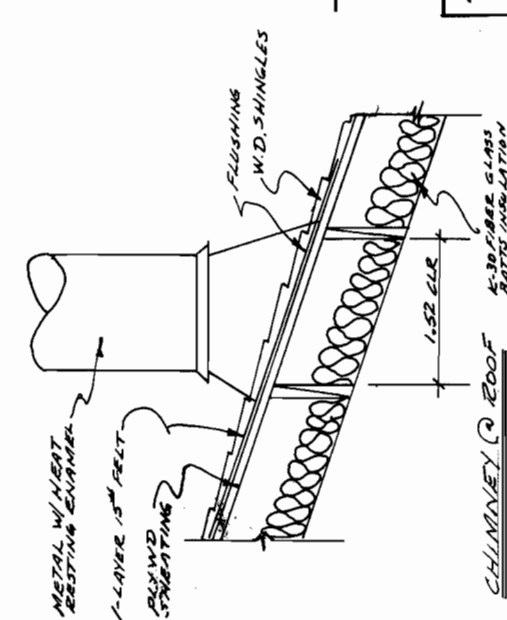
COLUMN DETAIL



OUTSIDE CORNER



RETAINING WALL



CHIMNEY ROOF

RECORD OF SURVEY MAP
RESORT TOWNHOMES
ALTAH CONDOMINIUM PROJECT

LOCATED IN BLOCK 8, SNYDERS ADDITION TO PARK CITY,
NORTHWEST 1/4 OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, UTAH
SITING ALTAH CONDOMINIUM PROJECT
STATE OF UTAH

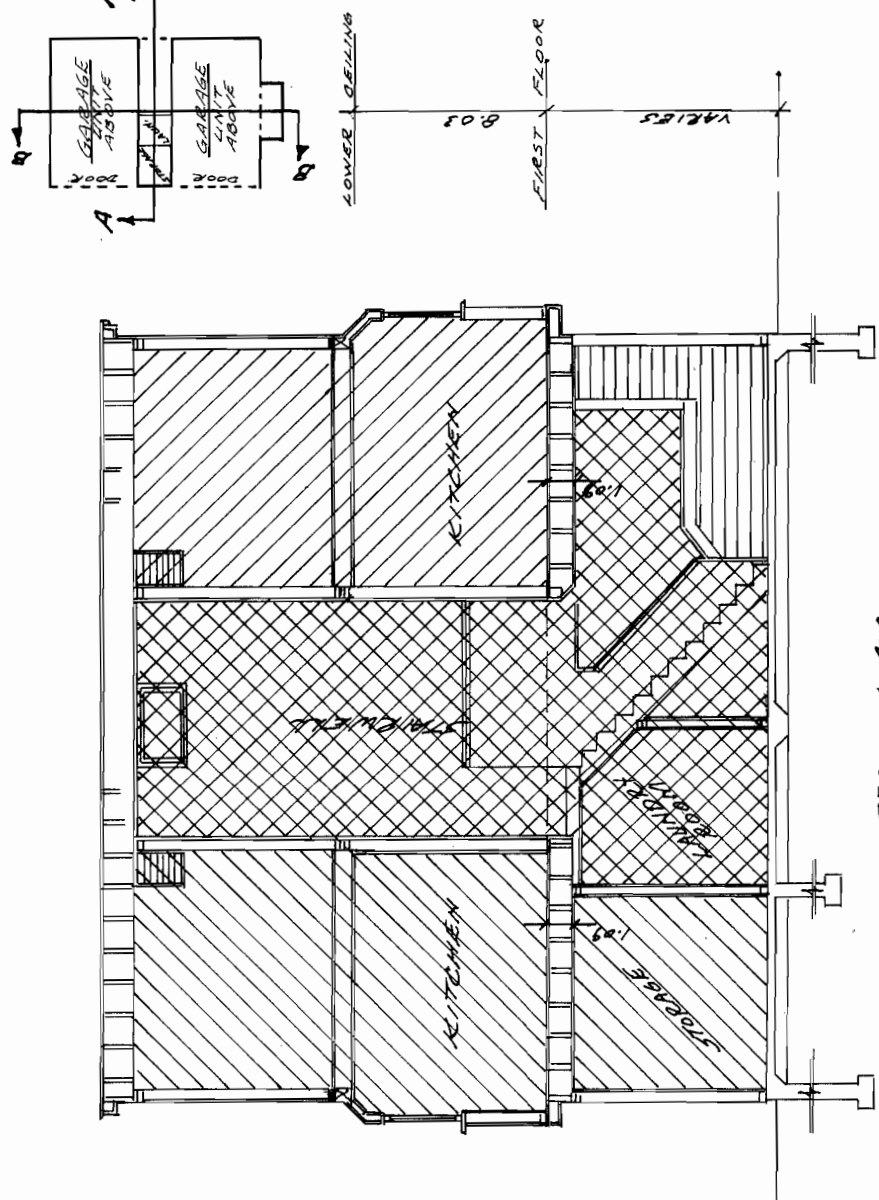
RECORDED No. 220578 OCT 15 2010
STATE OF UTAH
RECORDED AND FILED AT THE REQUEST OF:
JULIA B. BASSAT, CLU
DATE SUBMITTED: 10/10/10
BOOK: 2008
PAGE: 2
FEE: \$16.00
SUBMITTER: BASSAT RECORDERS

PREPARED BY
LARSEN AND MALMQUIST
CONSULTING ENGINEERS
AND LAND SURVEYORS
2736 SOUTH 2700 WEST STREET
WEST VALLEY CITY, UTAH, 84119
ATTN: M. CARL LARSEN 1-801-972-1234

CERTIFICATION
I CERTIFY THAT THE BUILDING OF
SPECIFIC UNITS OF BUILDING OF
THE RESORT TOWNHOMES ARE OR
WILL BE AS SHOWN ON THIS MAP.
M. Carl Larsen
M. CARL LARSEN - SURVEYOR

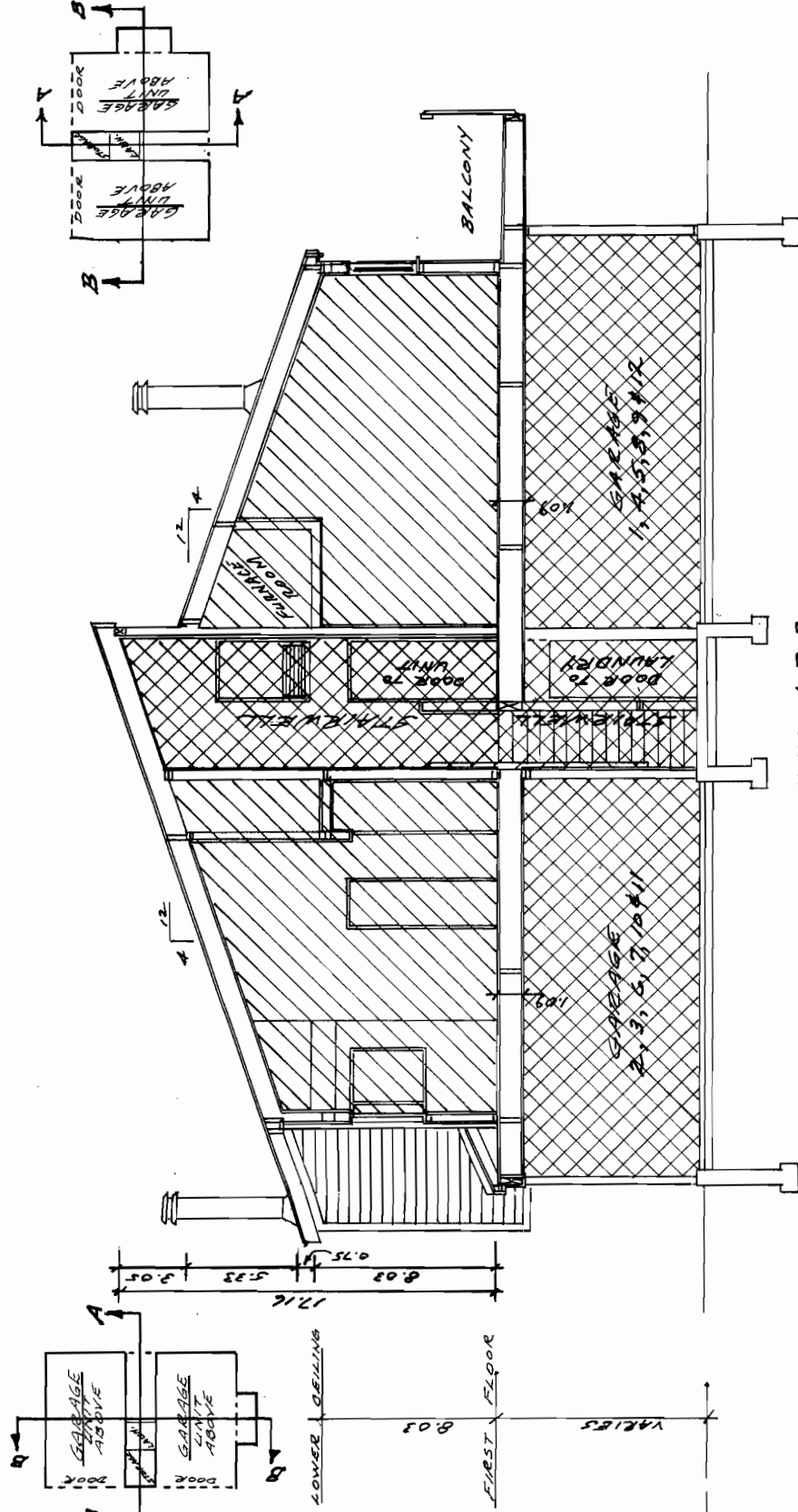
OWNER'S CERTIFICATE I CERTIFY THAT
BUILDINGS SHOWN ON THIS MAP, BUT NOT UNDER
CONSTRUCTION AT THIS TIME THE PLAT IS
RECORDED, WILL, WHEN COMPLETED, BE SUB-
STANTIALLY AS SHOWN ON THIS PLAT.
SHIMON BEN-BASSAT ALONDISO H. MORALES

BENCH MARK = MONUMENT AT
INTERSECTION OF CRESCENT STREET
AND WOODSIDE AVENUE ELEVATION
6935.60
PARK CITY DATUM
L8M0451-835 E. R. Davis JAN 1984

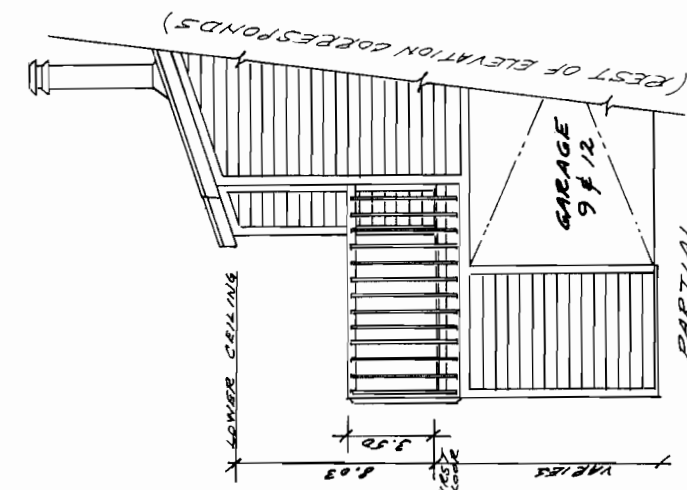


SECTION A-A
BUILDING SECTION

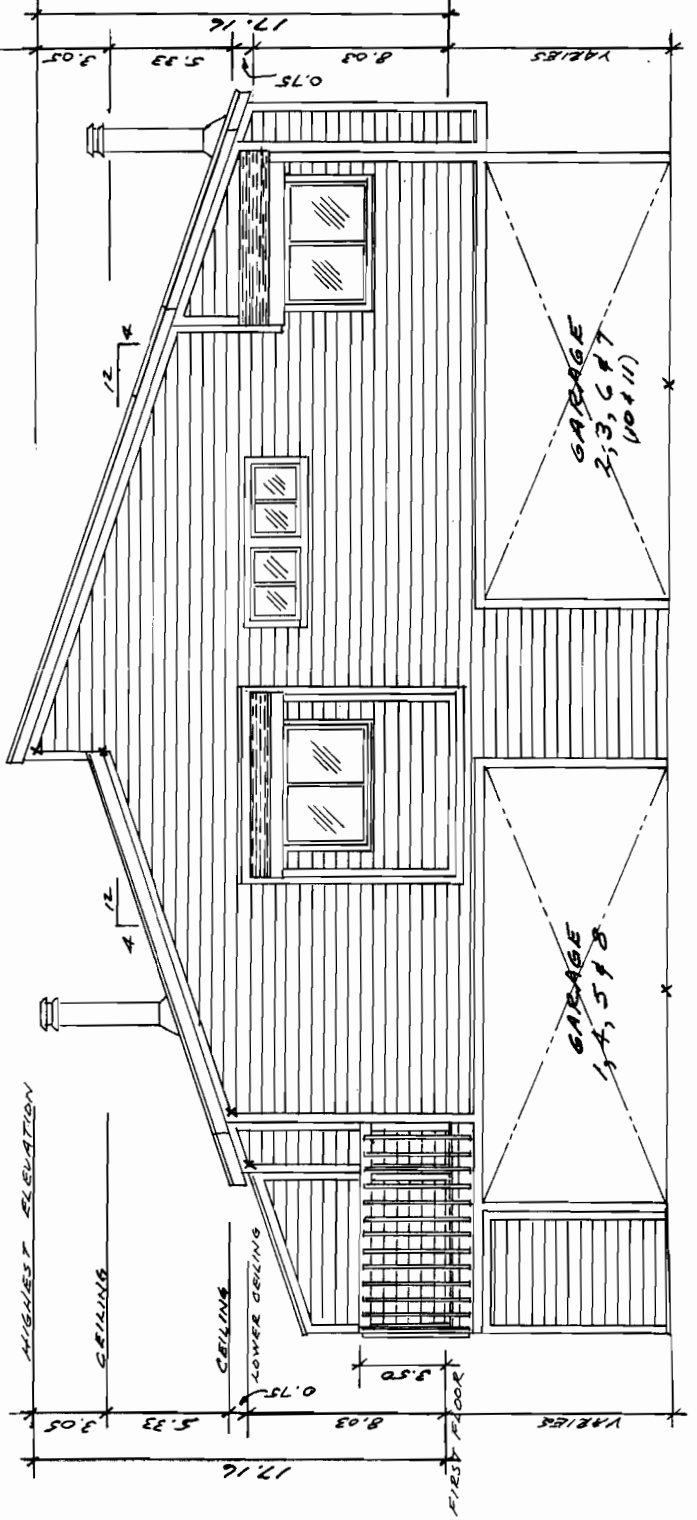
THE GARAGES ARE LOCATED
IN LEVEL UNDER THE UNITS
IN THE MANNER BELOW.



SECTION B-B
BUILDING SECTION



PARTIAL
SIDE ELEVATION
UNITS 9-10-11 & 12



SIDE ELEVATION
UNITS 1-2-3-4-5-6-7 & 8

GARAGES ARE LIMITED COMMON
AREA ATTACHED TO THE UNIT
WITH THE CORRESPONDING NUMBER.

RECORD OF SURVEY MAP

RESOBT TOWNHOMES
(12 UNITS)
A UTAH CONDOMINIUM PROJECT

LOCATED IN BLOCK 8, SNYDERS ADDITION TO PARK CITY,
NORTHWEST 1/4 OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, UTAH
SITUATED IN SUMMIT COUNTY
STATE OF UTAH

SHEET 4 OF 4 SHEETS	RECORDED NO. 2005	PREPARED BY LARSEN AND MALMQUIST CONSULTING ENGINEERS AND LAND SURVEYORS 2326 SOUTH 2700 WEST STREET WEST VALLEY CITY, UTAH, 84119 ATTN: MICHAEL LARSEN 1-801-972-2034	CERTIFICATION I CERTIFY THAT THE BUILDING SPECIFICATIONS, DIMENSIONS, AND MATERIALS SHOWN ON THIS PLAN WILL BE AS SHOWN ON THIS PLAN	OWNER'S CERTIFICATE I CERTIFY THAT BUILDINGS SHOWN ON THIS PLAN BUT NOT UNDER CONSTRUCTION AT THE TIME THIS PLAN IS RECORDED, WHEN COMPLETED, BE SUB- STANTIALLY AS SHOWN ON THIS PLAN SIGNATURE: ALFONSO H. MORALES DATE: DEC. 1983
STATE OF UTAH, 305	SUMMIT COUNTY, 305	M. Carl Larsen MICHAEL LARSEN - SURVEYOR	BENCH MARK = MONUMENT AT INTERSECTION OF CRESCENT STREET AND WOODSIDE AVENUE ELEVATION = 6935.60 PARK CITY DATUM	L&M 0451-833 C. L. Olson DEC. 1983

RECORDED NO. 2005
OCT 15 2010

DATE: 01/15/10
PAGE 4

Evergreen Engineering, Inc.

Civil Engineering - Land Surveying - Land Planning
1670 Bonanza Drive, Suite 104
P.O. Box 2861
Park City * Utah * 84060
Phone: 435.649.4667 * Fax: 435.649.9219 * Email: office@evergreen-eng.com



February 2, 2011

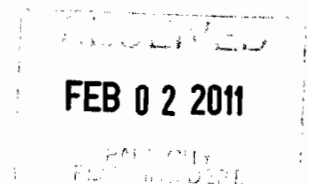
Park City Municipal Corporation
Planning & Zoning Department
445 Marsac Avenue – PO Box 1480
Park City, Utah 84060
435-615-5060

RE: Proposed “First Amendment to Resort Townhomes”

The purpose of this Amended Condominium plat is to amend all twelve units of the existing Resort Townhomes condominium project. All garage space that was previously defined as “Limited Common Area” is now defined as “Private Area”. Each building has a Laundry Room, Stairwell and Hallway (for Unit access) that was previously defined as “Common Area” this is now defined as “Limited Common Area”. The area between adjacent buildings has been divided into “Limited Common Area” for the purpose of having a shared hot tub for each building; this area was previously defined as “Common Area”.

Existing Condominium Plat of Record:
Resort Townhomes, Record No. 220528 (5-18-84)
12 Private Condominium Units (Residential)
24 parking spaces (2-per Unit/Garage as Limited Common Area)

Block 8, Snyder’s Addition to Park City, Lots 3-6, 9, 10, 23, 24, 27-30
Parcel Size: 22,500 square feet (0.5165 acres)



* Private Area (Unit) Comparison (Existing – Proposed):

<u>Unit 1</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,182.13 SF	*	Change/ Difference + 608.49 SF (Garage)
<u>Unit 2</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,182.02 SF	*	Change/ Difference + 608.38 SF (Garage)
<u>Unit 3</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,182.02 SF	*	Change/ Difference + 608.38 SF (Garage)
<u>Unit 4</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,182.13 SF	*	Change/ Difference + 608.49 SF (Garage)
<u>Unit 5</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1, 182.13 SF	*	Change/ Difference + 608.49 SF (Garage)
<u>Unit 6</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,179.75 SF	*	Change/ Difference + 606.11 SF (Garage)
<u>Unit 7</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,179.75 SF	*	Change/ Difference + 606.11 SF (Garage)
<u>Unit 8</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,182.13 SF	*	Change/ Difference + 608.49 SF (Garage)
<u>Unit 9</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,213.33 SF	*	Change/ Difference + 639.69 SF (Garage)
<u>Unit 10</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,179.75 SF	*	Change/ Difference + 606.11 SF (Garage)
<u>Unit 11</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1,179.75 SF	*	Change/ Difference + 606.11 SF (Garage)
<u>Unit 12</u> *	Existing Private Area 573.64 SF	*	Proposed Private Area 1, 212.88 SF	*	Change/ Difference + 639.24 SF (Garage)

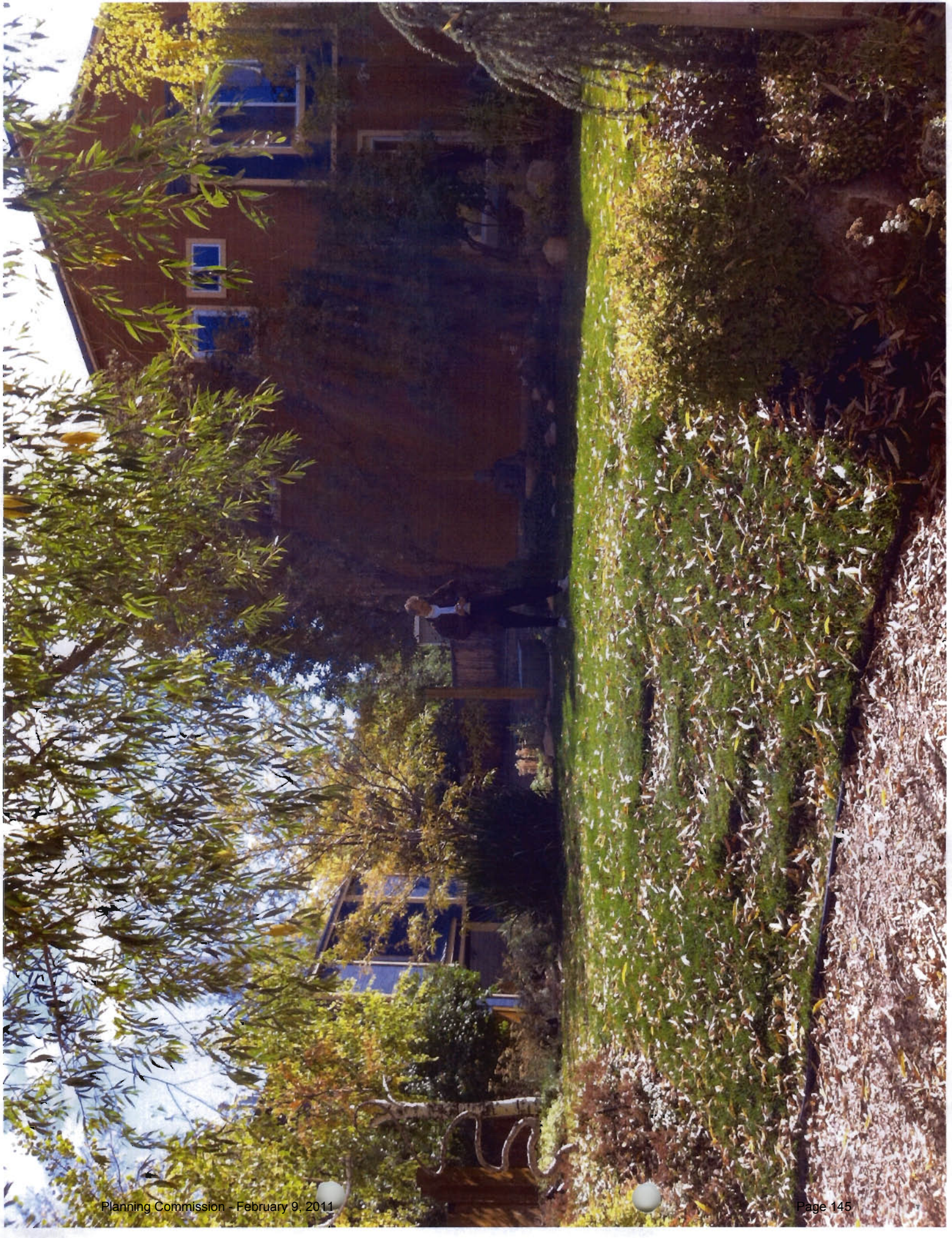
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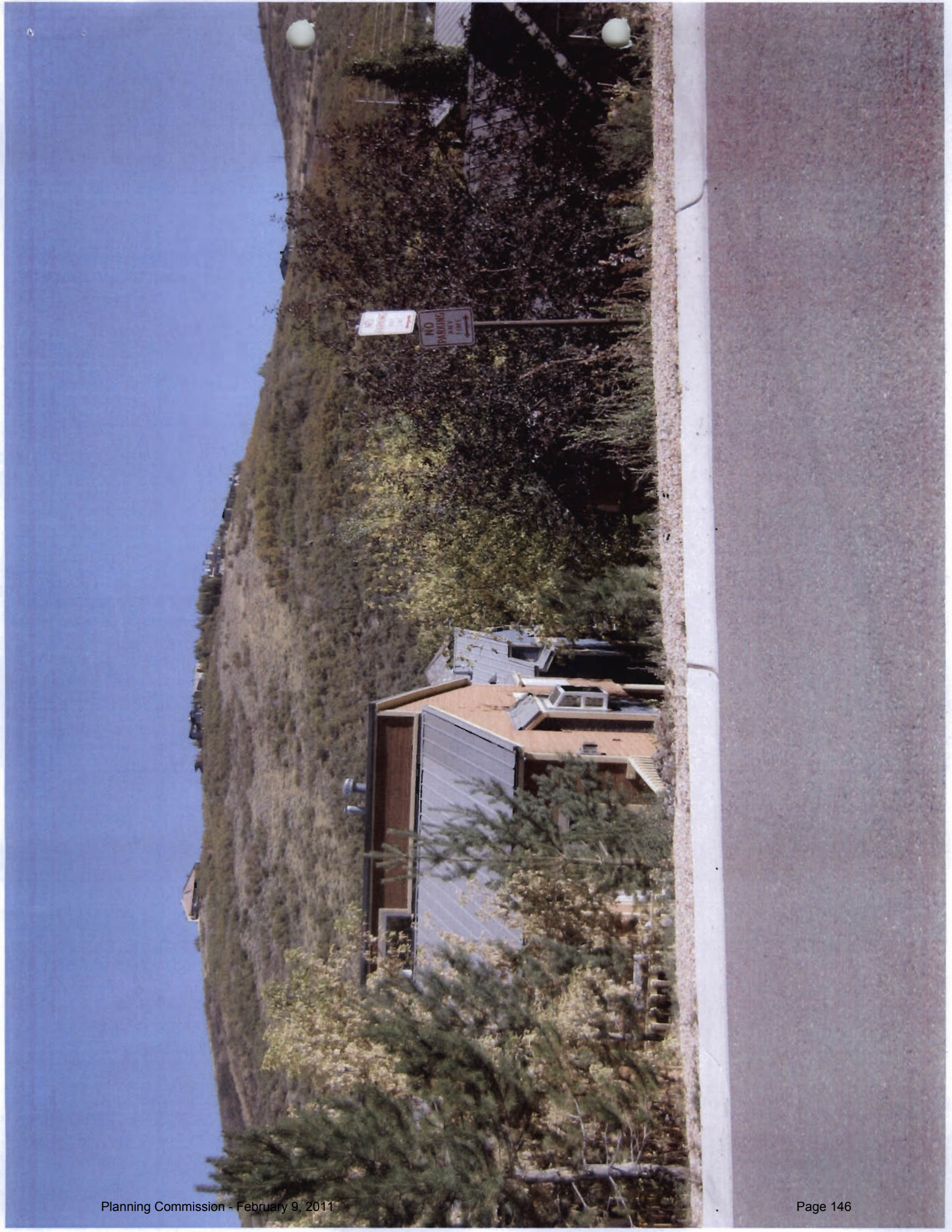














REGULAR AGENDA

Planning Commission Staff Report



Subject: Transfer of Development Rights
(TDR) Ordinance

Author: Thomas Eddington,
Planning Director
Katie Cattan, Senior Planner

Project Number: PL-10-01104

Date: February 9, 2011

Type of Item: Legislative

Summary Recommendation

Staff recommends that the Planning Commission review the proposed Transfer of Development Rights (TDR) receiving area model, open a public hearing, and consider forwarding a positive recommendation to the City Council for the attached TDR ordinance.

Background

On November 10, 2010, the Planning Staff provided the Planning Commission with a brief overview of the Transfer of Development Rights (TDR) concept. TDRs are a planning tool that facilitates a transfer of density from one property to another for the purpose of protecting important community assets such as open space, view corridors, wild life, historic preservation, etc. and for purposes of directing growth to an area with existing infrastructure, better accessibility, improved connectivity to existing development, etc. The Planning Commission provided staff with feedback on purpose statements and possible locations for sending and receiving overlay zones.

On December 1, 2010, the Planning Commission reviewed the TDR concept as a Work Session item. An overview of the process was introduced by staff. The Planning Commission had many questions about the process and asked staff to return with additional information on the following:

- Staff recommendation on sending and receiving overlay zones
- Model of build-out for Receiving Overlay Zone
- Conservation Easements and future care for property
- Public Noticing
- Timeline for Ordinance

On December 15, 2010, the Planning Commission reviewed a TDR ordinance presented by the Planning Staff. The Planning Commission requested that the staff return with a model of the receiving area visually demonstrating the potential density transfer on the receiving area. A model of the receiving area showing

existing conditions and potential build-out will be available for the Commission's review and comment at the February 9, 2011 meeting and was shown at the City Council visioning meeting with Planning Commission on February 3, 2010. The previous staff report from the December 15, 2010 meeting is attached as Exhibit B.

Analysis

PROS and CONS of TDR

Commissioner Savage asked that staff return with a list of Pros and Cons of TDRs. Staff compiled the following list:

PROS

- TDR programs are more permanent than zoning. Zoning ordinances can change over time and with different administrations. In contrast, because TDR programs use deed restrictions or conservation easements to limit development rights, public values such as view corridors, open space and historic buildings are more permanently protected.
- TDR programs give local governments an alternative to buying land in fee simple, can reduce the harshness of restrictive zoning, and can result in a "win-win" outcome. The sending area is protected and the receiving area landowner is able to build at greater densities, thereby realizing the market value of the land.
- TDR focuses development into a few specific locations/centers, which may minimize sprawl, reduce the cost of providing infrastructure and services, and promote alternative modes of travel.
- The sale of development rights generates revenue for individual landowners who may otherwise find it unattractive or challenging to build on or sell their land.
- TDR increases development and economic activity in town centers where existing zoning may limit development potential.
- TDR uses free market mechanisms to create necessary funding to preserve natural resources, thereby reducing government expenditures and the use of non-profit foundation funding sources.
- TDR banks can store development rights that may be transferred to any buyer developing within specified receiving areas.

CONS

- What works well in theory may not be effective in practice. While TDRs appear to be an effective method of preserving open space, natural resources, and directing growth to more desirable locations, the reality of the situation is that they have had little effect. Where considerable sprawl

exists within the sending area, it could be too late for a TDR program to be successful.

- TDR programs may also be more complicated and expensive to implement than traditional zoning. Local governments must administer and enforce the program, including overseeing the market, enforcing deed restrictions, and defending them in court.
- A critical problem associated with the implementation of TDR programs is that communities may not support them. It may be difficult to find areas willing to accept higher density development (receiving areas), since it is often perceived that high density development decreases property values and quality of life.
- No single TDR program or model works for every community. Must tailor one to fit local needs and conditions.
- TDR is voluntary rather than compulsory program. It will not work unless there is a willing number of property owners to sell and buy development rights in the designated sending and receiver locations.
- TDR programs can be complex and administratively challenging; they require strong comprehensive planning and a local administrative apparatus capable of monitoring market conditions.
- If development rights of potential donor sites are overvalued, developers of potential receiver sites will not buy. On the other hand, a surplus supply of donor sites undervalues the development rights on those properties, so owners are unwilling to sell.
- Length of time for the process
- Fluctuating value and demand for TDRs
- Possible negative impact of higher density on receiving area

Additional Considerations

- Ensuring a market exists
- Prioritizing the locations of sending and receiving areas
- Determining the maximum number of rights to be sold.
- Density bonus determination, fast and easy TDR approvals and monitoring and enforcement are also critical areas for the local government to consider.
- For a successful TDR program, it has generally been found that there needs to be more receiver sites than donor sites.
- TDR requires a good public education program for both citizens and potential developers.
- TDR programs generally protect preservation values permanently. This can be viewed as both a benefit and a drawback. The drawback is that TDR programs limit the future options of an area, regardless of the shifts in societal values or community characteristics.

Model

A model of the worst case scenario build-out will be presented during the Planning Commission meeting. The model shows build-out with 30% open space

and no articulation in the buildings. Worst case scenario would not be a reality due to the set of tools the Planning Commission has within the MPD process to insure good design and site planning, appropriate massing, and circulation. Any future submittal would have improved articulation within the building design and improved circulation. Within LMC Section 15-6-5(D) for Open Space within MPD it states “wherein cases of redevelopment of existing developments the minimum open space requirement shall be thirty percent (30%). For applications proposing redevelopment of existing developments, the Planning Commission may reduce the required open space in exchange for project enhancements in excess of those otherwise required by the LMC that may directly advance policies reflected in the applicable General Plan sections or more specific area plans. Such project enhancements may include, but are not limited to, affordable housing, greater landscaping buffers along public ways and public/private pedestrian areas that provide a public benefit, increased landscape material sizes, public transit improvements, public pedestrian plazas, pedestrian way/trail linkages, public art, and rehabilitation of Historic Structures.” An applicant could not bring forth a master plan development proposal for thirty percent (30%) open space without including the project enhancements as previously listed.

The Bonanza Park district is the oldest commercial district outside of the City’s historic Main Street area. As a planning area, the boundaries are Bonanza Drive to the East (and those properties just east of this right-of way, e.g. Park Plaza, the Park Record Building, etc.), Park Avenue to the west, Kearns Boulevard to the north, and Deer Valley Drive to the south. The district encompasses 86.5 acres; almost five times the area of the City’s renowned Main Street Historic District (approx. 18 acres).

The area is currently a broad mix of land uses ranging from resort commissary and parking, to shops and restaurants, banking, public works buildings, and a special events venue. Other uses include a storage area, small art and consignment shops, banks, restaurants, and real estate offices. The only movie theater in the City is within the area as well as one of the City’s two main grocery stores. The area is currently zoned General Commercial (GC) and Light Industrial (LI). The area includes housing along Kearns Boulevard (Claimjumper and Homestake Condos) and within the Rail Central development.

The Conceptual Framework for the Bonanza Park District

The proposed BOPA concept includes:

- Re-oriented streets plan introducing a grid system by which redevelopment would be organized; the basis of the grid master plan is Smart Growth concepts.
- A new master planned neighborhood identity which intentionally contemplates an improved entry/focal point for the Kearns Boulevard (SR 248) and Bonanza Drive intersection as well as the Park Avenue (SR 224) and Bonanza Drive intersection.

- Introduction of usable open space in the form of entry corridors, a central park, pocket parks, and pedestrian/bike pathway.
- The City's major transportation corridors frame the area and these three (3) arterials providing easy access to this district and the potentially rich development potential on the interior. This framed in area needs a plan which focuses on mixed use development, useable large green spaces, walkability concepts, affordable housing, market rate housing, "local" shopping, etc.
- A Transit Hub with connectors to Park City Mountain Resort, Main Street and Deer Valley is another key concept of BOPA. This transit hub could take the form of underground parking garages minimizing the expansive parking lot asphalt identity currently associated with development in this district. Connectors could take the form of smaller shuttle service, future rail, and/or gondolas.

A new urbanist, walkable, and sustainable village concept is vital to tie all of the pieces together for a successful neighborhood. Mixed-use residential and commercial spaces will allow residents to live/work in the area, limiting auto usage and doubling up on the transit opportunities of the hub. A well thought-out Master Plan contemplating reduced or zero-lot-line setbacks, varying building heights and architectural styles, useable open and green gathering areas, low energy building designs, and support commercial retail focused on everyday living needs would be necessary. Incorporating existing grocery stores, drug stores, movie theaters, restaurants, recycle center and hotel uses into the new Master Plan is essential to the creation of the "local" business/residential node that is imagined for BOPA.

Pedestrian connections are nearly nonexistent in the area currently. Park City's extensive trails system does not pass through the area, but travels along its northeast borders predominately. Bus and transit connections require pedestrians to maneuver across Park Avenue (SR 224) and gather along the fringes of expansive asphalt parking lots, losing any connection with human scale. Relocation of the transit connections will allow engagement in the center of the zone. Moving transit stops from Park Avenue (SR224) and Kearns Boulevard (SR 248) provides a clean slate to beautify and green the city rights-of way.

BOPA's redevelopment potential is important to Park City as a whole and serves as an ideal case study in sub-area or district planning. BOPA has many site specific advantages as a redevelopment area:

- Land contiguous to the City's major transportation corridors
- Limited property owners given the large number of lots; and owners willing to work with the City to plan for redevelopment of the area
- An abundance buildings that have reached their planned financial and/or structural obsolescence

- A right-of-way system that lacks connectivity

The plan for BOPA is not intended to compete with Main Street. Main Street exists as the gem of the City, a destination for visitors that maintains a unique ambiance which cannot be duplicated. The plan is designed to create a complementary node for Main Street that provides opportunities for local commercial (and some visitor/resort commercial) development, transit connections, mixed residential development, and public gathering spaces.

Recommended Revisions to the Land Management Code (LMC)

The current zoning in the Land Management Code does not allow the flexibility required to implement New Urbanist concepts due to setback minimums, parking minimums, building height maximums without contemplation of architectural form or use, and compartmentalized open space requirements. Opportunities to overlay or incorporate Form Based Coding for BOPA exist and should be explored.

The Master Planned Development (MPD) option is only triggered by properties with over 10,000 square feet. This section of the LMC should also be considered for modification to address issues in BOPA and other districts in the City.

Transfer of Development Rights (TDR)

Based upon the research and analysis, BOPA appears to be a location that has the capacity to receive additional density for development. This is based upon its topography, existing infrastructure, and the opportunity to use this density to create a sense of place that is unique to Park City.

TDRs can be realized within a clearly articulated Master Plan for BOPA. By applying New Urbanist principles, higher density can be realized with less impact. By locating more buildings, residences, shops and services closer together, the outcome is ease of walking, a more efficient use of resources, and the creation of a more convenient and enjoyable place to live. Additional density, done well, can lead to a better quality of life. An additional million square feet spread over 86.5 acres that promotes walking and public transportation could be less impactful than a half million square feet located on a steep hillside accessed through a historic district. The key to success is through a design that balances smart growth principles with the City's core values – clearly defined in a Master Plan for the district.

Currently, the proposal for TDRs in Park City identifies three (3) sending districts from Old Town (the Alice Claim site, the Ridge Avenue site, and the Treasure Hill site). Bonanza Park is the only proposed receiving district identified. The following table illustrates the possible numbers, in square feet, that could be transferred:

Possible Sending Districts and the SF Values

	Unit Equivalents UEs	Proposed Multiplier	Total UEs	Square Feet
Alice Claim	43.64*	1	43.64	87,280
Ridge Avenue	38.33*	1	38.33	76,660
Treasure Hill	197 Res. <u>19 Comm.</u> 216	2	394 <u>38</u> 432	864,000
TOTALS	297.97	NA	513.97	1,027,940

*UEs based on previously proposed ordinance in which one(1) development credit per existing minimum lot area within underlying zone if the property were placed under a conservation easement and the property were located within a sending zone.

The issues of transferring the above density to BOPA include:

- The primary policy question is whether or not Park City as a community believes that density is better located in BOPA or to continue to allow additional development in Old Town and on our hillsides.
- How much is too much – is one million square feet of additional development too much for BOPA? Is it realistic in terms of market conditions and carrying capacity?
- Given the variations in development potential based upon the use of MPDs, should the City Council and Planning Commission consider setting a single zone standard for BOPA –this would allow for a very straight-forward assessment of what CAN be built currently vs. what COULD be built with TDRs. This could be accomplished via the creation of a new zoning layer by the use of a Floor Area Ratio (FAR) in Bonanza Park or a Form Based Code.

Staff does not recommend including all the possible sending districts to the BOPA area at this time. In an effort to prioritize the impacts of the possible sending districts, Staff would recommend prioritizing Treasure Hill as a sending zone over Alice Claim and Ridge Avenue. The cumulative impacts of Treasure Hill on view corridors, traffic, and the local neighborhood are greater than the impacts of possible Ridge Avenue or Alice Claim. During the Planning Commission meeting, additional information on the impacts of the three sending areas will be presented by staff. Another concern of sending one million square feet is that the current market most likely would not support this number. Also, without a Master Plan or the adoption of form based code in BOPA, staff is not confident that the outcome of sending one million square feet to BOPA would

comply with the General Plan and vision of Park City. **It is staff's recommendation that the Planning Commission consider including half the density of Treasure Hill in the sending area. Staff recommends considering Alice Lode and the Ridge Avenue properties until a later date – Phase II.**

	Unit Equivalents UEs	Proposed Multiplier	Total UEs	Square Feet
Treasure Hill	216/2 = 108	2	216	432,000
TOTALS	108	NA	216	432,000

Staff is also recommending the following work program to accompany the TDR ordinance:

- The creation of complete Project Area Plan for the Bonanza Park district, including:
 - Detailed renderings illustrating the proposed neighborhood
 - Proposed Design Guidelines
 - Estimated square feet of each use in the proposed mixed use development
- Recommended expansion of the Redevelopment Area and the implementation of a Tax Increment Financing (TIF) district
- Examination of tax abatement opportunities to incentivize local, small scale, mixed use development
- The creation of a new zoning designation and/or form based code (possible overlay) for the BOPA area.

Development Review

Staff has brought the TDR concept to a Development Review meeting in which different City Departments were present as well as utility companies. General feedback during this meeting was that sending density to the Bonanza Park area would be favorable relative to transportation, water, and sewer resources. Increased density will require some expansion of existing infrastructure (water, sewer, roads) but the expansion can be accommodated. Infrastructure in the proposed sending areas is more difficult due to location, slopes, and existing infrastructure.

Public Comment

At the time of writing this report, no additional letters from the public have been received concerning TDRs.

Staff Recommendation

Staff recommends that the Planning Commission consider sending a positive recommendation to the City Council for the attached ordinance that includes transferring half the density of Treasure Hill as the sending area and all of Bonanza Park as the receiving area. In addition, staff recommends moving forward on a number of planning studies to create a comprehensive analysis of the district.

Exhibits

Exhibit A – Ordinance

Exhibit B - December 15, 2010 Staff report and minutes.

Attachment A

Chapter 15-2.24

TRANSFER OF DEVELOPMENT RIGHTS OVERLAY ZONE

Section 15-2.24-1 PURPOSE.

The purposes of the Transfer of Development Rights Overlay Zone are:

- (A) promote the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of Park City;
- (B) preserve open space, scenic views, environmental areas, steep slopes and sensitive lands;
- (C) conserve agriculture, and forest areas;
- (D) protect lands and structures of aesthetic, architectural, and historic significance;
- (E) retain open space in which healthful outdoor recreation can occur;
- (F) improve upon Park City's well established park and trail system;
- (G) ensure the owners of preserved, conserved, or protected land may make reasonable use of their property rights by transferring their right to develop to eligible zones;
- (H) provide a mechanism whereby development rights may be reliably transferred;
- (I) ensure development rights are transferred to properties in areas or districts that have adequate community facilities and infrastructure, including transportation, to accommodate additional development; and
- (J) locate receiving zones to improve future traffic circulation;

Section 15-2.24-2 ESTABLISHMENT OF SENDING AND RECEIVING DISTRICTS

(A) The City Council may establish sending and receiving districts as overlay zones to the zoning district map by ordinance in the manner of amending the zoning map pursuant to Section 15-1-7 of this Code. The designations "TDR-S" shall be the prefix title for the overlay zone for a sending district, the designation "TDR-R" shall be the prefix title of the overlay zone for a receiving district.

(B) Sending and receiving districts shall be consistent with the General Plan.

Section 15-2.24-3 SENDING SITE ELIGIBILITY.

All properties located within the TDR-S overlay zone are eligible to transfer development credits.

Section 15-2.24-4 DEVELOPMENT CREDIT DETERMINATION LETTER.

(A) The total number of development credits available to a sending site shall be determined as follows:

- (1) Two (2) development credits per existing MPD unit equivalent if the property remains private property with a conservation easement, and the property is located in the TDR-STH zoning district.
- (2) A maximum of 108 MPD unit equivalents may be sent from the TDR-STH sending area. 108 MPD unit equivalents in the TDR-STH zone equates to 216 development credits in the receiving zone.

(B) If requested, this calculation will be made by the Park City Planning Director in the form of a determination letter. If the calculation results in a fraction it shall be rounded to the nearest hundredth. Such letter will indicate the development credits at the time the request is made. The letter is an indication of possible development credits, but those credits are not vested. The number of development credits may change if an MPD is amended or expires, or the minimum lot area is amended.

Section 15-2.24-5 SENDING SITE PROCEDURE.

(A) The following is the sending site procedure that must be followed to obtain a Development Credit Certificate:

- (1) TDR-S property owners may choose to develop their property under base zoning, or they may choose to sell, transfer, or joint venture their development rights.
- (2) TDR-S fee property owners may request a development credit determination letter from the Park City Planning Director.
- (3) A TDR-S property owner is eligible to negotiate the sale, transfer, or joint venture of the development credits owned.
- (4) A development credit may only be sold, conveyed, or otherwise transferred on the records of the Park City Recorder by the owner(s) or their legal representative.
- (5) The sale, conveyance, or transfer shall occur upon surrender of the development certificate which authorizes the Park City Planning Director, or designee to transfer the Development Credit Certificate to the stated transferee by reissuing the Development Credit Certificate in the transferee's name, and recording the re-issue certificate in the real property records of Summit County.
- (6) With each transfer or sale, a conservation easement, or deed restriction shall be recorded covering the entire site, or if only a portion of the available development credits are sold then the easement shall cover a proportional amount of the site to be determined by the Park City Planning Director or a designee.
- (7) Within the TDR-STH portions of development rights up to the maximum of 108 MPD unit equivalents may be sent to a receiving overlay zone. 108

MPD unit equivalents in the TDR-STH zone equates to 216 development credits in a receiving zone.

- (8) When all available development credits on a sending site have been purchased, no uses other than those enumerated in the conservation easement are allowed. Responsibility for any required maintenance or abatement remains with the fee title owner.
- (9) The final transfer of development credits will be completed upon development approval on a receiving site or if the owner of the development credits chooses to forfeit development rights and records a deed to do so.
- (10) TDR-S property owners shall notify any lien or mortgage holders of the sale of the development credits, and such notification shall be demonstrated by written approval submitted to the City.
- (11) TDR-S property owners shall be responsible for notification of the county tax assessor regarding possible changes in property value.

Section 15-2.24-6 RECEIVING SITE ELIGIBILITY.

All properties located within the TDR-R overlay zone are eligible to receive transfer development credits within the procedures outlined in 15-2.24.7.

Section 15-2.24-7 RECEIVING SITE PROCEDURES.

(A) The following is the receiving site procedure that must be followed to receive a Development Credit Certificate

- (1) All regulations governing zoning, subdividing, and approval processes remain as currently adopted. If any development within the TDR-R overlay requests a density greater than the Base Zone Density or existing Master Planned Development density, the increased density shall be realized through development credits. Any development requesting the higher densities shall bring evidence of Development Credit Certificate in the form of options to purchase, ownership, or joint ventures at the time of master plan approval and evidence of ownership at time of development agreement approval. If a development agreement is not required, evidence of Development Credit Certificate in the form of options to purchase, ownership, or joint ventures must be evidenced prior to planning review of a building permit and evidence of ownership at time of planning approval.
- (2) Areas may develop at the underlying Base Zone Density without purchasing development credits. If these properties desire to increase their densities beyond the existing zone, then development credits shall be required and new base densities shall be used as described below:

Receiving Overlay Zone Limits				
Current Zoning Designation	Base Density		Maximum Density With TDR Development Credit	
	GC	LI	GC	LI
Height	35'	30'	55'	55'
Front Yard Setback	20' (10' parking below or in rear)	30'	20' (10' parking below or in rear)	30'
Side Yard Setback	10'	10'	10'	10'
Rear Yard Setback	10'	10'	10'	10'
Current MPD Setback	25'	25'	25'	25'
MPD Open Space	Minimum 30%	Minimum 30%	Minimum 30%	Minimum 30%

(3) Any development approval process, using development credits, shall follow the standard procedures as prescribed in the zoning ordinances for the receiving overlay zone.

Section 15-2.24-8 Value of Development Credits

(A) The following is the value of a development credit that may be applied to a receiving overlay zone:

(1) One development credit is equivalent to 1,000 square feet of commercial or 2,000 square feet of residential in the receiving overlay zone



TDR Overlay Zone

TDR-RBP

TDR-STH



Planning Commission Staff Report



Subject: Transfer of Development Rights
Ordinance
Author: Katie Cattan
Date: December 15, 2010
Type of Item: Legislative

Summary Recommendation

Staff recommends that the Planning Commission review the draft ordinance, open a public hearing, provide staff with direction on the draft ordinance and continue the item to the January 12, 2011 meeting.

Background

On November 10, 2010, the Planning Staff provided the Planning Commission with a brief overview of the Transfer of Development Rights (TDR) concept. TDRs are a planning tool that facilitate a transfer of density from one property to another for the purpose of protecting an important community asset such as open space, view corridors, wild life, historic preservation, etc. The Planning Commission provided staff with feedback on purpose statements and possible locations for sending and receiving overlay zones.

On December 1, 2010, the Planning Commission reviewed the TDR concept as a Work Session item. An overview of the process was introduced by staff. The Planning Commission had many questions about the process and asked staff to return with additional information on the following:

- Staff recommendation on sending and receiving overlay zones
- Model for Receiving Overlay Zone
- Conservation Easements and future care for property
- Public Noticing
- Timeline for Ordinance

Analysis

Transfer of Development Rights (TDR) is a planning tool that helps to facilitate a transfer of density from one property to another for the purpose of protecting an important community asset such as open space, view corridors, wild life, historic preservation, etc. Based on the Planning Department's tracking of Park City's approved subdivisions and Master Planned Developments, it is estimated that Park City is currently at 81% built-out (not including redevelopment opportunities). Some of the remaining development areas (of the outstanding 19%) available for development are challenging due to natural topography of the sites, environmental issues, and the impact on important view corridors. TDRs

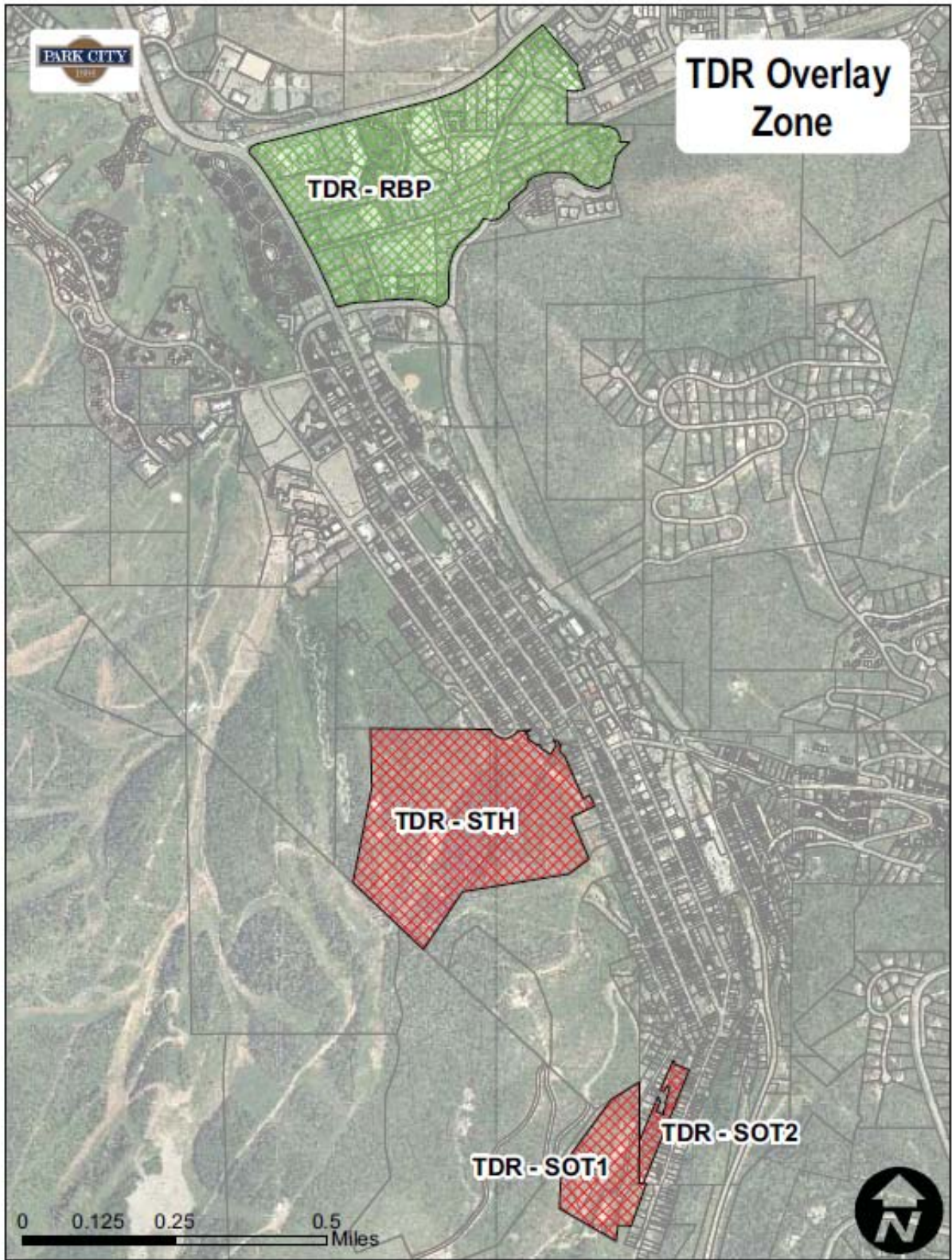
can be utilized to protect these challenging areas and direct development to more appropriate sites.

Staff Recommendation on Sending and Receiving Overlay Zones

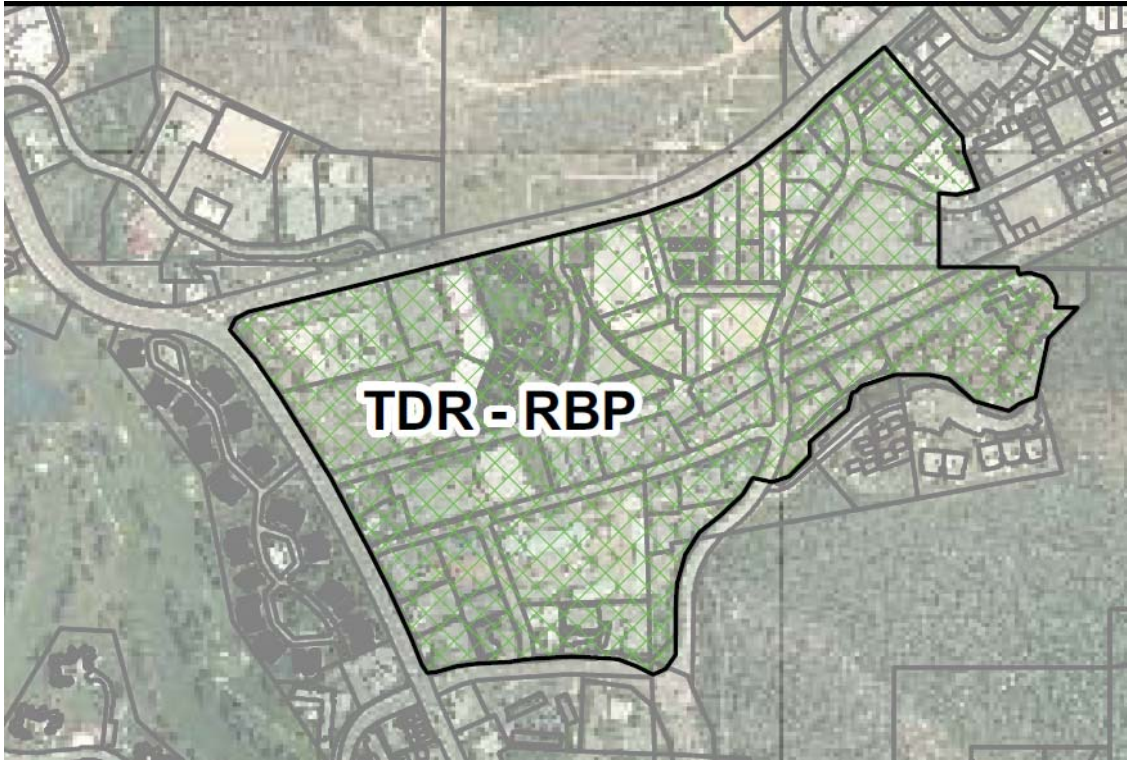
During the December 1, 2010 work session, multiple areas were analyzed as sending and receiving overlay zones. Due to the complexity of the issue and the necessity to have clear expectations of the outcome in the Receiving overlay zones, staff is recommending three (3) areas within the Sending overlay zones and one (1) area within the Receiving overlay zone. The zoning map may be amended in the future to include other areas, but due to the short timeline allocated to the creation of a new ordinance, staff would recommend adopting an ordinance including the Alice Claim area (TDR-SO1), the Ridge Avenue lots (TDR-SO2), and the Treasure Hill (TDR-STH) lots in the Sending overlay zone and the Bonanza Park (TDR-RBP) area as the only Receiving overlay zone.

The Planning Commission must decide whether or not it is appropriate to send this proposed additional density to the Bonanza Park area Receiving zone. If the Planning Commission finds that additional density is *not* appropriate within the Bonanza Park (TDR-RBP) area, the ordinance should not be adopted as written.

(See map on following page)



Receiving Area – Bonanza Park



Staff recommends that the only receiving area for the ordinance be Bonanza Park (TDR-RBP) at this time. The Bonanza Park District consists of individually owned parcels within the General Commercial (GC) and Light Industrial (LI) zoning districts. There is not a set density in this area other than the density that can be realized as a result of the setbacks and height restrictions. The District is approximately 86.5 acres. The following is the allowed massing within the GC and LI zones:

General Commercial

Front Yard	20' minimum. May be reduced to ten feet (10'), provided all on-Site parking is at the rear of the property or under ground. Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty-feet (30') in width abutting the Street.
Rear Yard	10' minimum
Side Yard	10' minimum
Height	35' maximum from existing grade; exceptions allowed.

Light Industrial

Open Space	30% of the total site area
Lot Size	10,000 SF minimum

Front Yard	30' minimum
Rear Yard	10" minimum
Side Yard	10' minimum
Height	30' maximum from existing grade plus exceptions

It should be noted that within a Master Planned Development (MPD), height exceptions are allowed if certain criteria are met (e.g. no increase in building volume, minimize visual impacts, adequate landscaping, more open space, provision of a transition in roof elements, etc.). It is safe to say that within an MPD utilizing the current LMC, a four (4) story building could be approved in the GC and LI zoning districts.

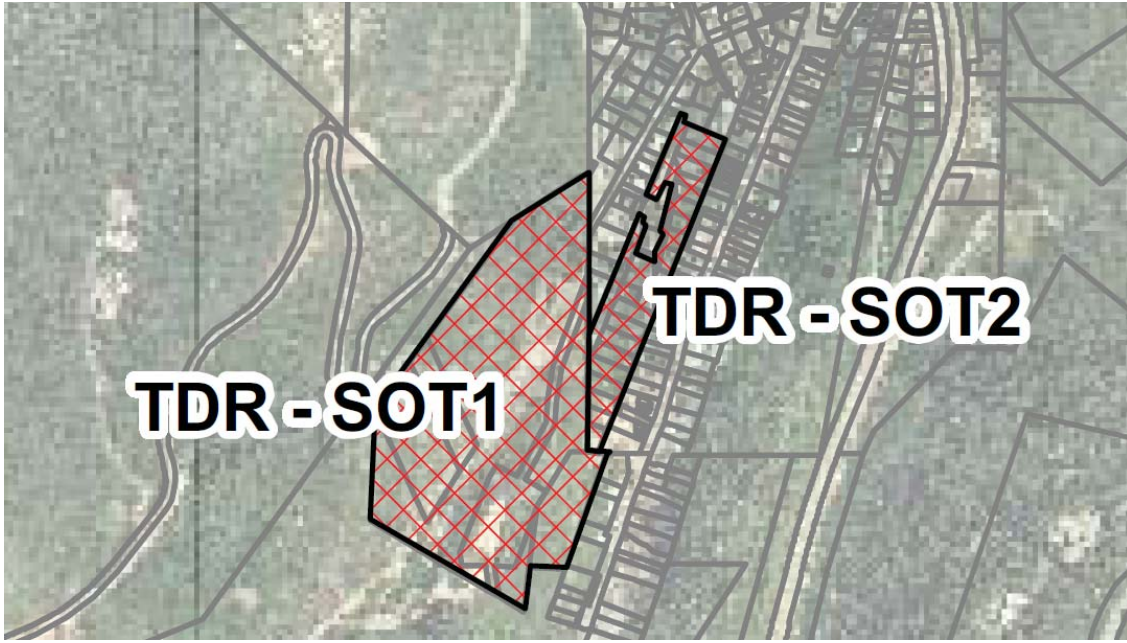
Planner Astorga utilized the existing zoning to create projections of possible future massing. The model included 30% open space, three (3) stories, no façade variation, underground parking, mixed-use and resulted in approximately 5.19 million square feet of building development potential (this calculation did not include the area of the Bonanza Park District that is situated east of Bonanza Drive).

The proposed ordinance sets the new base density as follows:

Receiving Overlay Zone Limits				
Current Zoning Designation	Base Density		Maximum Density With TDR Development Credit	
	GC	LI	GC	LI
Height	35'	30'	55'	55'
Front Yard Setback	20' (10' parking below or in rear)	30'	0' - 10'	0' - 10'
Side Yard Setback	10'	10'	0'	0'
Rear Yard Setback	10'	10'	5' - 15'	5' - 15'
Current MPD Setback	25'	25'	F 0' - 10' S 0' - 5' R 5' - 15'	F 0' - 10' S 0' - 5' R 5' - 15'
MPD Open Space	Minimum 30%	Minimum 30%	Not required	Not required

Staff will provide greater documentation and modeling of massing in the Receiving overlay zone during the December 15, 2010 meeting. The proposed ordinance allows an increase of height up to 55 feet, decreased setbacks, and decreased open space requirements. **Staff requests Planning Commission's feedback on: (1) the proposed receiving zone overlay zone boundary and (2) the maximum density limits set in the above table.**

Sending Areas



Alice Claim Area (TDR-SOT1)

The Alice Claim area consists of metes and bounds parcels located within the Estate and HR-1 zoning districts. There are approximately 8.65 acres total. The Estate Zone is within the Sensitive Lands Overlay (SLO) and is subject to the regulations of LMC §15-2.21. Approximately 1.78 acres are within the HR-1 and 6.87 acres in the Estate/SLO Zone; this site must go through the subdivision process to quantify base density. A previous planning application requested 9 – 10 units, but no approval has been granted by the Commission.

HR1 Minimum Lot Size	1,875 SF
Estate Minimum Lot Size	1 unit per 3 acres

Development credits are determined within the proposed ordinance as “one development credit per existing minimum lot area within underlying zone if the property is placed under a conservation easement, and the property is located in the TDR-SOT zoning district.” Such analysis will be beneficial to the property owner since it will likely yield many more development credits than could actually be built under the subdivision process due to topography, infrastructure and other site restraints. Each development credit is equivalent to 2000 sq ft residential space or 1000 sq ft of commercial space in the receiving overlay zone.

1.78 acres = 77,536 square feet
 $77,536/1,875 = 41.352$
41.35 units

$6.87/3 = 2.29$

41.35 + 2.29 = 43.64 Development Credits

Approximately 43.64 Development Credits could be realized under the proposed ordinance.

Ridge Avenue (TDRS-OT2)

This area is a mix of 61 partial and full old town lots of record. The existing lots are substandard because the zoning is HRL; the minimum lot size in the HRL zoning district is 3,750 SF. This site must go through subdivision process to quantify base density. Previous applications requested fourteen (14) lots between two (2) owners. The area is approximately 3.3 acres in size.

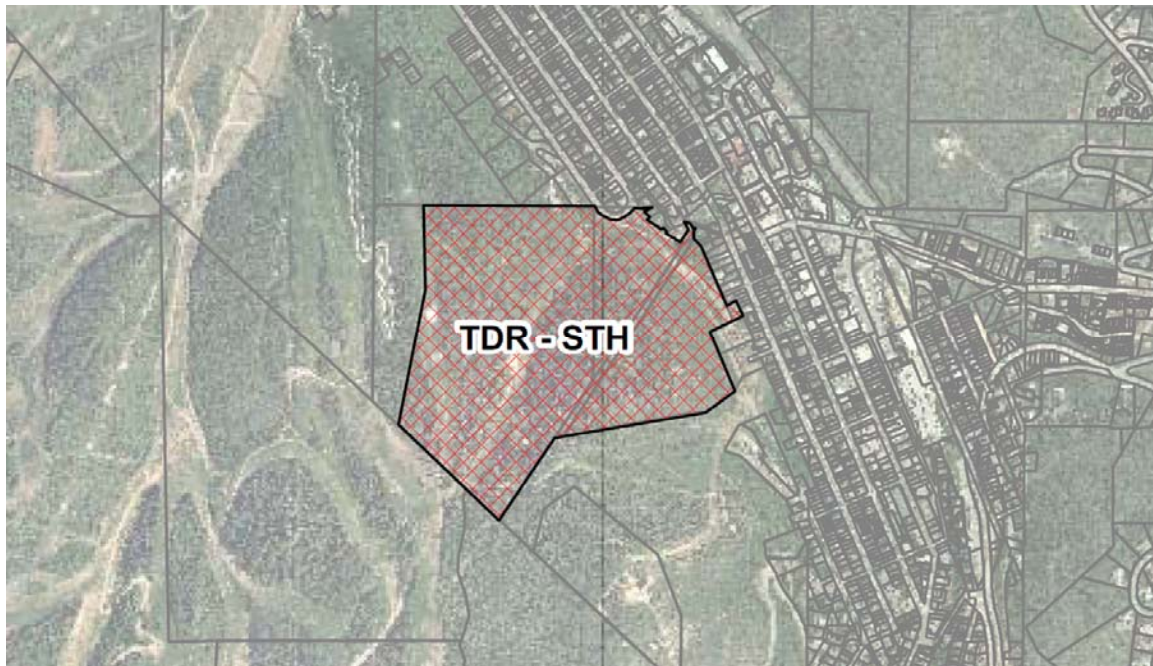
HRL Minimum Lot Size 3,750 SF

3.3 acres = 143,748 square feet

143,748/3,750 = 38.3328

Approximately 38.33 Development Credits could be realized under the proposed ordinance.

S-TH Treasure Hill



The Treasure Hill MPD is located within the Estate Zone (EZ). Within the MPD, Creole Gulch and Mid-Station have a combined allowance of 197 residential unit equivalents and 19 commercial equivalents.

Unit Equivalents 1 Residential UE = 2000 SF

1 Commercial UE = 1000 SF

Development credits are determined within the proposed ordinance as “Two (2) development credits per existing MPD unit equivalent if the property is placed under a conservation easement, and the property is located in the TDR-STH zoning district.” Each development credit is equivalent to 2000 sq ft of residential space or 1000 sq ft of commercial space in the Receiving overlay zone.

197 Residential UEs on TH

19 Commercial UEs on TH

216 TOTAL UEs *2 = 432 Development Credits

Up to **432** Development Credits could be realized under the proposed ordinance.

Conservation Easements

The proposed ordinance will require that land transferred from a Sending overlay zone be placed in a conservation easement and deed restricted once the transfer has occurred. A conservation easement is a voluntary, legally binding agreement that limits certain types of uses or prevents development from taking place on a piece of property now and in the future, while protecting the property’s ecological or open-space values. The management of the conservation easement and uses is outlined within the conservation easement. Summit Land Conservancy is a local Park City based Land Trust that works in partnership with landowners to permanently preserve land through conservation easements. A property owner may choose to manage their land per the agreement or work with a Land Trust to manage the land. The property owner could also donate the land as open space to the City following the transfer of density. Then the City could manage the open space or partner with a Land Trust. A conservation easement with a management plan would be reviewed individually for each property being transferred.

Conservation easements are required within the proposed LMC Section 15-2.24-5(A)(5-7) sending site procedure. The following is proposed under the new ordinances:

- 5 With each transfer or sale, a conservation easement, or deed restriction shall be recorded covering the entire site, or if only a portion of the available development credits are sold then the easement shall cover a proportional amount of the site to be determined by the Park City Planning Director or a designee.
- 6 Within the TDR-SOT1 and TDR-SOT2 overlay zones, property owners must sell, transfer, or joint venture all contiguous development rights within the overlay zone. Portions of contiguously owned property within the overlay zone shall not be developed if any portion of the contiguously owned property has been sent to a receiving overlay zone. An owner of land within the TDR-SOT1 and TDR-SOT2 overlay

zone, will not be eligible to transfer credit if they chose to develop any portion of the land within the TDR-SOT1 and DTR-SOT2 overly zones. Within the TDR-STH portions of Development rights may be sent to a receiving overlay zone.

- 7 When all available development credits on a Sending site have been purchased, no uses other than those enumerated in the conservation easement are allowed. Responsibility for any required maintenance or abatement remains with the fee title owner.

Staff recommends that the TDR-SOT overlay zones require that **all** property owners must sell, transfer, or joint venture **all** contiguous development rights. The ordinance has been structured to provide the transferee with the maximum allowable development rights under the code, even though areas exist within these sites that might not truly be developable given slopes and/or environmental challenges located on these sites. The purpose of the ordinance is to protect/conservate these challenged sites, therefore allowing partial development should be discouraged due to impacts of infrastructure and excavation on steep slopes. This is only recommended for the TDR-SOT zone. Otherwise, if a property owner is sending development from a Master Planned Development (MPD), the MPD will be modified with the recoding of a deed restriction for the amount of unit equivalents utilized within the transfer.

Public Noticing

The following are LMC requirements for the public noticing for LMC amendments and zone changes:

LMC amendments and Zoning/Rezoning

Posted:	14 days prior to each hearing before the Planning Commission and City Council
Courtesy Mailing:	14 days to each affected entity.
Published:	Once 14 days prior to each hearing before the Planning Commission and City Council

Utah state code defines an “affected entity” as “a county, municipality, local district, special service district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility, a property owner, a property owners association, or the Utah Department of Transportation, if:

- (a) the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
- (b) the entity has filed with the municipality a copy of the entity's general or long-range plan; or
- (c) the entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this chapter.

Notice of the public hearing on the current LMC Ordinance was posted on the Park City Website 14 days prior to the hearing, published in the Park Record, and posted on the Utah State Public Meeting Notice page (<http://www.utah.gov/pmnl/index.html>). There are no “affected entities” for the changes as defined by the Utah State Code.

Staff suggests the following for additional public notice for the TDR Ordinance:

- Send a courtesy notice to all property owners within the property and within 100 feet of the property of a receiving overlay zone
- Hold a public outreach meeting onsite
- Increase radio discussions

Timeline

The Planning Commission requested a timeline regarding the TDR ordinance. Given the uncertainty of the direction of Utah State Code and the fact that the Treasure Hill MOU for negotiations will expire at the end of April 2011, staff recommends adopting a TDR ordinance prior to end of January, 2011.

Development Review

Staff has brought the TDR concept to a Development Review meeting in which different City Departments are present as well as utility companies. General feedback during this meeting was that sending density to the Bonanza Park area would be favorable relative to transportation, water, and sewer resources. Increased density will require some expansion of existing infrastructure (water, sewer, roads) but the expansion can be accommodated.

Public Comment

At the time of writing this report, one letter has been received by the public concerning TDRs and is attached as Exhibit B.

Staff Recommendation

Staff recommends that the Planning Commission review the draft ordinance, open a public hearing, provide staff with direction on the draft ordinance and continue the item to the January 12, 2011 meeting.

Exhibits

Exhibit 1 - Draft Ordinance

Exhibit 2 – Letter from Public

Ordinance - 10

**AN ORDINANCE AMENDING
THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, TO ADDING SECTION 15-24 REGARDING
TRANSFER OF DEVELOPMENT RIGHTS (TDR) OVERLAY ZONE.**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owner's of Park City;

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code on an annual basis and identifies necessary amendments to address planning and zoning issues that have come up in the past year, and to address specific LMC issues raised by Staff and the Commission, to address applicable changes to the State Code, and to align the Code with the Council's goals;

WHEREAS, the City's goals include preservation of Park City's character, promoting historic preservation, promoting environmental and economic sustainability, and;

WHEREAS, the LMC may ensure the owners of preserved, conserved, or protected land may make reasonable use of their property rights by transferring their right to develop to eligible zone; and

WHEREAS, the LMC may provide a mechanism whereby development rights may be reliably transferred; and

WHEREAS, the LMC may ensure development rights are transferred to properties in areas or districts that have adequate community facilities and infrastructure, including transportation, to accommodate additional development; and

WHEREAS, the Planning Department duly noticed and conducted a public hearing at the regularly scheduled meeting on December 15, 2010, and forwarded a recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on January __, 2011; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents, preserve and protect the environment and ensure sustainability, preserve historic structures, promote economic development with Park City's resort areas, and preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.24- Transfer of Development Rights Overlay Zone. The recitals above are incorporated herein as findings of fact. Chapter 2.24 of the Land Management Code of Park City is hereby adopted as attached (see Attachment A).

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

2011 PASSED AND ADOPTED this ____ day of January,

PARK CITY MUNICIPAL CORPORATION

Dana Williams, Mayor

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark Harrington, City Attorney

4. City Engineer review and approval of all appropriate grading, utility installation and public improvements for compliance with City standard, to include driveway and parking garage layout is a condition precedent to building permit issuance. A shoring plan is required prior to excavation.
5. A landscape plan is required with the building permit. Changes to an approved plan must be reviewed and approved prior to landscape installation.
6. This approval will expire on December 15, 2011 if a building permit has not been issued.
7. Recordation of 1440 Empire Avenue Replat is required prior to building permit issuance.
8. Modified 13-D fire sprinkler system will be required.
9. Any significant modification of approved unit layout as shown on drawings date stamped September 10, 2010, September 19, 2010 and December 1, 2010, which changes bedroom configuration or unit size, requiring modification to required parking, will require amendment to Conditional Use Permit.
10. If the Multi-Unit Dwelling is used to fulfill a future affordable housing obligation, then the project must meet the deed restriction and requirements of the Affordable Housing resolution in effect at the time of the obligation.
11. All driveway lighting must be zero cut-off at property line and shall not exceed the minimum lighting level required by the Building Code. All lighting must meet the Lighting Ordinance and be downward directed and shielded. Light fixture cut sheets shall be reviewed by the Planning Department for approval prior to installation.
12. Retaining walls in the rear yard setback shall not exceed six feet (6') in height measured from Final Grade per LMC 15-4-2. Applicant shall submit a modified Site Plan sheet CUP-001 reflecting such change prior to building permit issuance.
2. Land Management Code - Consideration of an additional chapter titled Chapter 2.24 Transfer of Development Rights Overlay Zone
(Application #PL-10-01104)

Planner Katie Cattan requested discussion from the Planning Commission on a proposal to add a section to the LMC regarding Transfer of Development Rights (TDR). She referred to the zoning map and indicated the Treasure Hill lots, the Alice Claim area and the Ridge Avenue lots as sending areas. Bonanza Park as the only receiving overlay zone proposed. The Staff had drafted an ordinance for consideration, understanding that the ordinance could change in the future to amend the zoning map and include additional sending and receiving areas.

Planner Cattan requested input on two main questions. The first was to identify the boundaries of the receiving zone. The second was whether the Planning Commission was comfortable with

sending up to one million square feet to the receiving area. She presented a sketch up document of the Bonanza Park receiving zone showing 100 foot setbacks for the Frontage Protection Zone, 20 foot setbacks for front yards, and 10 foot setbacks for side and rear yards. She noted that it did not show the 30% open space. Planner Cattan stated that including the 30% open space the total square footage at complete buildout of the area would be approximately 4 million square feet. Planner Cattan remarked that she had not included the area near Public Works. If they were to include the portion across from Iron Horse Drive, the number would be 5.18 million square feet.

Commissioner Savage requested clarification of the numbers in terms of boundaries. Director Eddington stated that the model showed the first phases of potential re-development in Bonanza Park, which is Iron Horse and everything south. Planner Cattan clarified that the areas identified in red were areas that could be developed, which is 4.1 million square feet. She remarked that the Staff had not calculated the Snow Park area.

Commissioner Savage asked if 1.36 million represented 100% of transferable density from the three sending zones. Planner Cattan indicated the estimated sending, which was up to 512 units. For those units being 2,000 square feet each, the million square feet would be transferred to this area. Dividing 4.1 million by 3, to represent 3 stories, it would be 1.3 square feet per floor at maximum build out. She explained that it would be comparable to adding one story at maximum build out. Planner Cattan stated that it was unlikely that maximum buildout would look like the map presented.

Planner Cattan presented a map that included the area across the street from Bonanza and the area across the street from Iron Horse.

Planner Cattan requested discussion on the comfort level of sending a million square feet to the Bonanza Park area. She noted that the recommended transfer rate was 1 per 1 for the sending OT areas and 2 per 1 for Treasure Hill. Planner Cattan stated that the draft ordinance was included in the Staff report and emphasized that it was drafted for discussion purposes only. The ordinance was not a recommendation from Staff.

Chair Wintzer stated that if 5.8 million square feet could be developed in Bonanza Park now, he was uncomfortable adding an additional 25% to the overall potential plan for that area. He was also unsure whether the community was comfortable with adding extra density without fully understanding what could occur in the Bonanza Park area. Chair Wintzer was concerned that in five years they could experience the same problems in this neighborhood that they have now with Treasure Hill.

Commissioner Hontz asked if Planner Cattan had looked at the greater area near Dan's to see how the entire area from Zion's Bank to the Post Office was approved. Planner Cattan stated that she had not yet researched all the details, but that was her intention. She stated that if it was approved as an MPD, they could look into amending the MPD. Commissioner Hontz also commented on areas on the west side of Park Avenue that should be considered.

Commissioner Hontz thanked the Staff for their work and felt they were getting closer to a solution every meeting. She felt it was important to understand exactly what they are doing when identifying

sending and receiving areas, because the model does not work if units are located where everyone already has what they want. Commissioner Hontz suggested that a physical model would help with this exercise and for their General Plan discussions.

Planner Cattan asked Commissioner Hontz for more specifics. Commissioner Hontz suggested that they start with current conditions to provide a concept of what can be done right here and right now. At that point, they could probably envision two additional stories to represent three stories. Commissioner Hontz asked if the Staff had spoken with people in the sending and receiving zones to hear their thoughts. Planner Cattan stated that she had spoken with a people in the sending zones who looked forward to the process and hoped it would worked. With the exception of one email, she had not heard feedback from people in the receiving zones. Commissioner Hontz understood that feelings could change by the end of the process, but she hoped that people inside the receiving zone would at least consider the option at this point.

Commissioner Hontz was interested in seeing the boundaries enlarged, particularly if there is an opportunity for re-development in some of the areas along Highway 224, Park Avenue, and Empire that need to be enhanced. She suggested Park Avenue up to Miners Hospital and areas between Park Avenue and Empire. She was not opposed to looking at enlarging the boundaries to Prospector. Commissioner Hontz reiterated the importance of knowing what they have before identifying specific boundaries.

Commissioner Peek liked the idea of expanding the receiving zone based on the topography. He suggested that Prospector, with the stepping up of the Rail Trail and the hillside beyond, may be an appropriate area for more density. Based on what currently exists, he was interested in knowing what could be done. Commissioner Peek also wanted to see a transition of transferred density stepping down to the other zones beyond Prospector as a residential zone. He did not believe excessive height was appropriate. Commissioner Peek favored upper Old Town and similar areas as sending zones because it is beneficial to transfer density where infrastructure exists or is easily installed. He was unsure about Treasure Hill. He thought it would be helpful to see graphics that demonstrate the type of density and to know whether the buyers and sellers of those rights can make the deal.

Commissioner Luskin wanted to know what is currently in the receiving zones and he needed more than a two-dimensional picture to understand what exists. He felt it would be helpful to have a three-dimensional model of what exists now to see where they can go from there. Commissioner Luskin was comfortable with the sending zones because he already knows what they look like.

Commissioner Peek stated that it would be important to understand how diluted the 1 million square feet of transferred density would be if the boundaries were changed to include Prospector and Dan's.

Commissioner Savage stated that TDR is an important decision and worthy of deep consideration. He felt the Planning Commission was in the situation of having to push for a decision prior to a deadline, without the opportunity for an in-depth review of the implications. Commissioner Savage asked if it was possible to talk about the minimum requirements for this ordinance to meet the

deadline, and then work from that to categorize the decisions necessary to establish the ordinance. Personally he had concerns with putting in place the opportunity for a huge transfer of density to take place between Treasure Mountain and Bonanza Park. While there is a tremendous sense of desire to move the density off of Treasure Mountain, he did not see the appetite for pulling density into Bonanza Park above and beyond what is already there. Commissioner Savage did not believe the economics could work in their favor unless there was a holding place for those development rights on an interim basis. His willingness to support the TDRs was predicated on the idea of talking about the minimum acceptable obligations, as opposed to quickly instilling a mechanism to solve a current situation without taking into consideration the full context of the entire community and a review of the General Plan.

Chair Wintzer commented on various scenarios where the mountain views would be lost if density is transferred to certain areas. He was concerned about losing Park City's identity by spreading density. He believed this was an important General Plan question to protect the view corridors. Chair Wintzer pointed out that the community knows the impacts of tourist related uses in town, but they do not know the traffic impacts of new, big commercial. He was concerned about creating additional city-wide traffic impacts by moving density. Before the Planning Commission talks about putting density anywhere, they need to understand the impacts. Chair Wintzer referred to the General Plan items he handed out at the last meeting, and noted that the issues have been discussed over years of re-writing the General Plan. He worried about losing some of those General Plan items by moving too quickly on the TDRs. Chair Wintzer agreed that TDR is an important tool, but he also agreed with Commissioner Peek that if they bring too much density into one area it might lose its importance. Chair Wintzer felt that sending and receiving zones needed more study before they could decide whether the impacts would meet the General Plan and other requirements.

Planner Cattan stated that if the Planning Commission wanted the tool on the table but they were not comfortable with the numbers, they could start with a smaller number. She noted that PCMR and Deer Valley were taken off the table because they are MPDs. She agreed that the issue right now was more about getting the tool on the table.

Chair Wintzer suggested that the Staff could start with a smaller model. He noted that the 1996 General Plan talks about having a TDR in process. Chair Wintzer felt the City was to blame for not working on TDRs over the past ten years. He did not think they should quickly make a decision now without thinking it through. It runs the risk of creating the same problems they have now in a different location.

Planner Cattan stated that the Planning Commission could put caps on a master plan of how much density can be sent from a sending zone.

Chair Wintzer reiterated that a physical model is an important tool that the Commissioners need to see. With their low level of expertise, it needs to be a three-dimensional model. Planner Sintz understood from the comments that if the Staff did a computer model, they would need to include enough adjacent areas to understand the scale differences. Also, if they document the existing building heights in the zone, they should include layers showing the existing heights,

what the current zone would allow, and an additional layer to show what an increase would look like. Chair Wintzer noted that the Staff could accomplish the same thing with a physical model by adding cubes to one floor height. Planner Sintz pointed out that if they wanted to manipulate it, a computer model may be easier. She did not disagree that a physical model is a great tool.

Commissioner Luskin was comfortable with either model as long as it could be used and modified. Commissioner Luskin remarked that TDRs are not unfettered development rights and they would still have control over what it looks like. He believed they were heading in the right direction and assumed there were more areas to explore. Commissioner Luskin suggested that the City work with the County to possibly use County areas as receiving zones.

Commissioner Savage noted that there was a proponent in the City who was anxious to push the TDR. While he was comfortable with the idea of TDRs, Commissioner Savage stressed the importance for the Planning Commission to understand all the issues from the standpoint of both developers and those on the other side of the equation, particularly regarding the negative attributes of TDRs. He noted that page 15 of the Staff report states that, "TDRs can be utilized to protect these challenging areas and direct development to more appropriate sites". He wanted to understand the degree to which TDRs become a tool that the City can use to direct development.

Director Eddington clarified that it is not a tool that the City necessarily uses. It is a tool that could be used by a willing buyer and seller. The properties they are looking at are privately owned and have private development rights. This tool allows them to consider transferring some of their densities to an area that the Planning Commission and the City Council believe might be a better location for development. Director Eddington pointed out that the City does not own property rights. Commissioner Savage felt the matter was loaded with explosive potential and he wanted to make sure they were not setting up the City for future problems. Clarity is important and he did not believe there was clarity at this point.

Commissioner Peek commented on something he heard in the media regarding resistance to Summit County's TDR ordinance. Planner Cattan offered to provide the Commissioners with copies of a report that came out from the legislature the day before. The report talks about different TDRs that have been set up for Utah. The main element is that a TDR needs to be set up before it can work. Director Eddington clarified that the County did not have explicitly defined receiving and sending zones. He noted that currently the County does not have a TDR ordinance.

Planner Sintz reported that a legislative audit committee was assigned and she had attended to hear that discussion. It was a review recommending that the committee responsible for oversight look at more administrative review criteria. Summit County was used as a poor example because they lacked defined terms and values were not pre-established. They also looked at West Valley, Weber County and two other communities as good examples because they had clear criteria. Planner Sintz understood that the committee was recommending a possible modification to require that jurisdictions using this type of TDR have more refined measures.

Commissioner Peek asked if the opportunity for the City to get involved and possibly expedite or favor one transfer versus another would be discouraged. Planner Cattin understood that the intent is to have more transparency in the process so the expectations are clear.

Assistant City Attorney McLean had not read the full report, however, she believed that what the Staff was proposing in the draft ordinance would meet the recommendations of the audit in terms of predictability, placing a conservation easements, and clearly defining sending and receiving zones. She explained that Summit County did not call their process a TDR. They instead used the term SPA, which are special planning areas, and within that they allowed density bonuses. The County negotiated transfers on a case by case basis, which led to a number of complaints and feelings of unpredictability for both the community and the developers. That practice led to the audit. Ms. McLean was comfortable saying that the way the proposed City ordinance was drafted is consistent with the process suggested by the audit.

Chair Wintzer opened the public hearing.

Mike Sweeney, a partner on the Treasure Hill project, stated that when the Treasure project was approved, it was approved based on the fact that they had the Town Lift coming down. At that time an agreement between the Huntsman's, the Sweeney's and the Park City Mountain Resort created the Town Lift. In that agreement, whatever density was on the hillside was required to serve the Town Lift and the base of the Park City Mountain Resort. Mr. Sweeney pointed out that if the density is moved off the Treasure Hill site, it would negatively affect PCMR and it would impact the agreements they personally have with PCMR and with Huntsman, the previous landowner. Mr. Sweeney remarked that this agreement was how they were able to create Lower Main Street from Heber down. It started in 1981 and was amended many times until the City approved the Town Lift. Mr. Sweeney stated that PCMR does not want to see the density moved off of their property because it would take business and money away from the Resort.

Mr. Sweeney commented on Main Street as a potential receiving zone, since it has the ability to accept some of that density. The current density he would like to see on Main Street is hot pillows and hot beds. Providing ways for tourists to stay on Main Street augments a better economic engine for Park City. He was not interested in residential or secondary homes. It is all about people spending money on Main Street.

Jason Gyllenskog stated that he is involved in development projects on Ridge Avenue. He felt the Bonanza Park area was too limited for a receiving zone. He preferred to see the receiving zones expanded and increased in number.

Chair Wintzer asked if Mr. Gyllenskog had suggestions for receiving zones that have not been discussed.

Mr. Gyllenskog replied that he had not taken the time to identify specific receiving zones. However, at the last meeting two other receiving zones were mentioned. He believed the system would be more viable with more receiving zones. At this point they are limiting that viability with only one receiving zone.

Harry Reed thought the comments made by the Commissioners made sense, particularly Chair Wintzer's comment about fixing a problem in one area and creating a future problem in another area. Mr. Reed also agreed with Mike Sweeney, that if they lose density on the Treasure Mountain project, it would be nice to re-create it in other places on Main Street to help keep Main Street healthy. Mr. Reed suggested that Deer Valley be considered as a receiving zone because they have the area to spread the density.

Michael Barille, stated that he was the Summit County Planning Director during the time when some of the audit subjects were in place. He offered to share his experience to help the City learn from both the good and the bad experiences that occurred in the County. Mr. Barille thought the Staff had done a good job with the direction they were taking. He encouraged the City to start with bite-sizes chunks and then slowly expand to other areas. They have willing participants, which is a benefit, and he thought TDR is a good tool for both the City and the developers. Mr. Barille understood that the City was only trying to create a pending ordinance, without necessarily having an ordinance in effect. He felt it was important to keep that in perspective. Mr. Barille remarked that the issues are difficult, and they should try to avoid paralysis through analysis. They will not be able to make good or bad decisions without trying something that allows the private sector the opportunity to participate. Once they get started, he encouraged the Commissioners to go back and tweak parts of the ordinance as appropriate. Mr. Barille was happy that the Planning Commission was thinking critically about sending areas in terms of preservation value, view sheds, conservation value, etc. If they want the ordinance to be used, they also need to look at it from the viewpoint of the private sector developer. Mr. Barille referred to the analysis and the amount of density that could go into the Bonanza Park area. He was unclear whether that was based on a one to one transfer or whether it took into account the recommendation for a two to one transfer. If they are analyzing a potential receiving zone and it is not a one to one transfer, they would obviously end up with more density than they would otherwise. Mr. Barille volunteered his time to help with this process when appropriate.

Chair Wintzer asked if the model was based on a one to one or two to one transfer. Planner Cattan replied that it was one to one for Old Town and two to one other areas. The overall one million was based on two to one transfer.

Neal Krasnick, replied that when something happens in one part of town it affects what happens in other parts of town. He believed the Planning Commission had a conundrum in trying to satisfy the problem with transferring density rights. Mr. Krasnick stated that Park City is fine the way it is and he could not understand why they need to make changes. He asked if the density or the commercial is so bad that Park City is failing. He believed the Planning Commission was only talking about this because someone has requested this change. He could not understand why it was even being considered.

Mary Wintzer, a property owner in the Iron Horse District, commended the Planning Commission for taking on this large issue, which she believed was driven by the community's fear of the Sweeney project. Ms. Wintzer concurred with Commissioner Savage regarding the need for clarity. She believed that height and view corridors are extremely important and it would be sad if they created

another problem in the middle of town. Ms. Wintzer recalled that the City spent \$60,000 on Visioning where the people said overwhelming that they wanted a small town feel. Ms. Wintzer thanked the Planning Commission for taking their time and for not rushing into a decision. She urged them to add as many protections as possible and to align them with the General Plan. If they do not have those protections, people will push the envelope and things could slip through the cracks during the actual building process. Ms. Wintzer believed that taking adequate time now would create a much better picture down the road.

Chair Wintzer closed the public hearing.

Planner Cattan heard interest from Commissioner Hontz to look at the Park Avenue condominiums. Commissioner Hontz clarified that her reference to Park Avenue was based on her desire to re-visit other potential receiving zones. She understood the intent to simplify the process at this point for the sake of establishing a pending ordinance. Once the pending ordinance is established, the Planning Commission can work on the details to make sure they have appropriately studied sending and receiving zones. That would include considering Main Street as a receiving zone, as well as Park City Heights, Park City Mountain Resort, and Deer Valley Snow Park. If they re-draw the lines of Bonanza Park and include across the street on the other side of Park Avenue, that particular zone would need to be handled completely different. Commissioner Hontz stated that personally she did not believe the lines drawn worked right now, even as a starting point. She felt it was important to re-draw the lines now and add another receiving zone.

Planner Cattan re-drew the lines to extend across Iron Horse, across Bonanza and Park Avenue. She offered to include additional development areas for the next meeting. She agreed with Commissioner Hontz's comments about development being different for Park Avenue.

Commissioner Peek commented on potential condominium projects that would be lost with the proposed plan. The density is good and the projects are ripe for redevelopment within a couple of decades. However, the question is whether they want something new and more compact in those areas. He suggested that a development similar to Hotel Park City adjacent structures would be appropriate.

Director Eddington believed that the commercial development at Snow Creek was an MPD and they would need to re-open the MPD look at the parameters set by the Planning Commission at that time. He stated that one reason for initially looking at Bonanza Park was to create critical mass and potential pedestrian streets. In addition, the area has potential for re-development. Director Eddington noted that the Planning Commission has started to address transportation issues and other matters beyond a more comprehensive standpoint. The Staff was looking from the old General Plan that talked about TDRs, as well as opportunities for creating critical mass that could potentially support alternative transportation modes that may connect that area to PCMR, Deer Valley and possibly the Park and Ride. That was how the Staff initially started to look at the Bonanza Park area. He was cautious about losing sight of those reasons. However, he agreed that it was worth looking at Snow Creek and some of the surrounding areas. He clarified that the proposed areas were only suggestions by Staff as potential redevelopment areas. They were not

opposed to considering other areas if the Planning Commission was not comfortable with their suggestions.

Director Eddington stated that the Staff would look at other areas and bring back the modeling. The Planning Commission could move forward from that point.

Commissioner Savage asked if there was a way the Staff could identify potential receiving zone areas that have the desire to be a receiving zone. Director Eddington noted that the Staff presented some of those areas at the last meeting and the Planning Commission requested that they keep it more simplified. Commissioner Savage clarified that his question was asking whether Snow Park or PCMR wanted the density. From the comments he has heard, he believes that Bonanza Park does not want the density and they are not economically motivated to obtain more density than what they are entitled to. For that reason, Commissioner Savage did not think they would be solving any meaningful property issues by designating Bonanza Park as a receiving zone.

Director Eddington stated that people have expressed interest for putting the density in Bonanza Park. He reiterated that the Staff was not suggesting that it would change the market by offering TDRs. The best hope is to stimulate the market and encourage re-development in that area. Director Eddington noted that density is already vested in Snow Park and PCMR, but there has not been a demand or desire to build out that density. For that reason, he was unprepared to answer Commissioner Savage's question.

Commissioner Peek asked if there was a time limitation for a pending ordinance. Assistant City Attorney McLean remarked that the pending ordinance would not have effect because no one is vested in it. Typically, the pending ordinance doctrine is putting people on hold so they cannot develop while the ordinance is being considered, and that has a six month limit under State and City Code. Ms. McLean stated that this was not applicable in this case, because it is a zoning ordinance and no one is being stopped from doing anything they cannot do currently.

Commissioner Peek clarified that the purpose for the ordinance was to pre-empt legislature action. Ms. McLean stated that the legislative session begins the third week in January and goes through the beginning of March. In reading the audit, she felt comfortable that if the legislature further restricts TDRs based on the audit, the draft ordinance would fall under any additional legislature. However, if the legislature were to say that all new TDR programs may not exist, the City would not have the ability to use that tool if they have not passed a prior ordinance.

In terms of timeline, Ms. McLean believed the comments this evening were valid. However, the flip side to wanting more information is the legislature deadline, as well as Treasure Hill and the expiration of the MOU. The City's bonding season is June, which is another timing reality. If the Planning Commission needed significant information that would take several months to provide, she recommended that they forward a negative recommendation to the City Council and let them make the final determination.

Commissioner Savage disagreed with Ms. McLean's recommendation. He felt it was inappropriate for the Planning Commission to make a negative recommendation solely to meet a deadline. He

believed the appropriate behavior would be to make a reasoned decision and if the deadline passes during that process, they would have to live with it. He was not willing to abdicate their responsibility to the City Council as a consequence of a deadline.

Assistant City Attorney McLean clarified that if the Planning Commission needs something concrete, such as the model or a discussion on expanding receiving zones, that is positive feedback and the Staff should accommodate their request as soon as possible to help them make a decision. On the other hand, if the response is to think about the idea of TDRs for a long period of time to absorb it all, they would be denying the City Council the opportunity to move forward because they cannot take action without a recommendation from the Planning Commission.

Commissioner Savage asked if the Planning Commission needed to forward a recommendation on a particular time frame. Ms. McLean answered no. Commissioner Savage wanted it clear that if the City has an objective associated with making sure this ordinance is on the books, they need to define a minimum amount of acceptable criteria so the Planning Commission could evaluate TDRs within the context of that criteria, rather than allowing it to take on a life of its own.

Planner Cattan felt she was receiving mixed direction because she was given a list of additional areas to consider, which is contrary to direction given by Commissioner Savage. Commissioner Savage clarified that in his opinion, it is not about trying to define the best sending and receiving zones. It is trying to identify the minimum receiving and sending zones so the Planning Commission could approve a pending ordinance for the record, but that allows them the flexibility to come back after the ordinance has been established to work out details in a thoughtful fashion that is consistent with the General Plan. The intent is to establish the tool, but not to establish the privilege of any particular receiving or sending zone. He was not interested in turning over the responsibility for making that decision to the City Council. It is the job of the Planning Commission and he wants to do it effectively.

Commissioner Luskin disagreed with Commissioner Savage. He was open to having expanded receiving zones because once they have the tool, the receiving zones enter the free market theory and someone needs to be receptive to working the deal. Commissioner Luskin pointed out that the City designates the zone, but the market place creates the zone. He did not favor minimizing the receiving zones. He believed TDR is a good tool and they need several places to transfer density.

Commissioner Savage agreed with Commissioner Luskin and suggested that the Planning Commission either agree on something small as a starting point, or agree that everything is a receiving zone. He felt the question was how to reconcile those two positions.

Commissioner Luskin asked if they could create the tool without sending or receiving zones. He was told that it was not possible for the ordinance. Chair Wintzer felt that the tool without the receiving or sending zones would not resolve anything. They need to incentivize the zone to be a receiving or sending zone to encourage conversations between private individuals.

Commissioner Peek suggested that they broaden the receiving zones and increase the boundaries, and then narrow the sending zones to avoid creating huge impacts at the start. He believed there

was significant benefit for Old Town sending zones, based on the density that could occur in Old Town. That would put an active ordinance on the books and the Planning Commission could tweak it over time. Commissioner Peek was willing to proceed with a minimal ordinance specifying broad receiving zones and narrow sending zones. He pointed out that there are benefits to all sending zones. However, further study needs to be done on the impacts to the receiving zones.

Assistant City Attorney McLean asked if there was consensus by the majority of the Planning Commission for the Staff to come back with those few Old Town sending zones and to keep Bonanza Park as a receiving zone, or whether they wanted the Staff to come with a more expansive receiving zone.

Chair Wintzer noted that two Commissioners were absent this evening and he felt their comments were important. He asked if the Staff could look at expanding the receiving zones, as well as shrinking it down, and come back with an analysis on both options for the full Commission to discuss.

Planner Cattan stated that she could create more receiving areas, but if one developer takes in 50 of the units and adds an extra 100,000 square feet, the question is whether or not four stories would be acceptable and fit within the "small town feel". She pointed out that they need to begin thinking of the master plan. Currently, Bonanza Park is a wonderful area, but it is difficult in terms of moving through it. As a planner, she believed the Staff could do a good job of showing how it could work.

Chair Wintzer noted that the community has been consistent on pushing back against increasing size and mass. Before he could feel comfortable about putting significant density in any area, he would need to see what it looked like.

Planner Cattan summarized that the Staff would come back with a computer model, due to the short time frame, and she would look into extending the boundaries.

Commissioner Savage requested clarification on why an MPD is problematic as being a receiving zone. Planner Cattan explained that typically an MPD has associated development agreements and other legal documents that need to be looked at before it could be identified it as a receiving zone. She pointed out that Bonanza Park does not have an overall master plan, therefore, they are able to work with the zoning to increase the density.

MOTION: Commissioner Hontz moved to CONTINUE LMC consideration adding Chapter 2.24, Transfer of Development Rights Overlay Zone, to January 12, 2011. Commissioner Peek seconded the motion.

VOTE: The motion passed unanimously.

3. Land Management Code - Amendments to Chapter 1, General Provisions; Chapter 2, 16, RC Zone; Chapter 3, Off-Street Parking; Chapter 5, Architectural Review; Chapter 6, Master Planned Development; Chapter 7, Subdivision Procedure including requirements for identification of Physical Mine Hazards during Mater Planned