



**PLANNING DEPARTMENT**

April 25, 2019

Minda Stockdale – Farm Manager  
P.O. Box 1480  
Park City, UT 84060

**NOTICE OF PLANNING COMMISSION ACTION**

<u>Application #</u>	PL-19-04162
<u>Address</u>	3000 N. Highway 224
<u>Description</u>	Conditional Use Permit (CUP) - Modification
<u>Action Taken</u>	Approved
<u>Date of Action</u>	April 24, 2019

On April 24, 2019, the Park City Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission Approved your application based on the following:

**Findings of Fact:**

1. The subject property is located at 3000 N Highway 224.
2. The property is located within the Recreation and Open Space (ROS) Zoning District.
3. On March 28, 2001, the City Council approved the original Conditional Use Permit (CUP) for the McPolin Farm. This CUP allowed up to eight (8) one-day, City sponsored events per year. It included a maximum guest count of 100 persons and required re-review after two years.
4. On March 26, 2003, the Planning Commission approved an extension and modification of the original Conditional Use Permit (CUP). The modifications approved included increasing the number of events per calendar year from eight (8) to twelve (12) and increasing the maximum attendant count from 100 to 150 persons per event.
5. On March 1, 2006, the Planning Commission re-approved the CUP only modifying the CUP by eliminating the requirement for review of the permit every two years to allow the current uses to continue.
6. On March 12, 2019, the City received a complete application for a modification of the approved CUP.

7. The modifications include removal of outdated language (Master Festival License) and replacement of new language (Special Event Permit) as well as allowing the public limited and monitored access to the Barn and Farm House.
8. Modifications also include an additional two (2) buildings (McPolin Barn and Farm House) to be included with separate conditions for Use.
9. The additional conditions of approval placed on the McPolin Barn and Farm House include limiting the number of guests to twenty-five (25) at any time and requiring a City authorized personnel to accompany the guests inside the buildings.
10. The applicant has not violated any terms of the original CUP approval and all original conditions of approval not modified by this application continue to apply.
11. As conditioned, the proposed modifications meet the criteria for Conditional Uses as stated in LMC Section 15-1-10(E).
12. There are no unmitigated impacts to LMC 15-1-10(E)(1) as there are no proposed changes to the size or location of the Site.
13. There are no unmitigated impacts to LMC 15-1-10(E)(2) as conditioned, as the traffic will be mitigated through the Special Event Permitting process. Each Special Event requires a Transit Plan to be reviewed and approved by City Council.
14. There are no unmitigated impacts to LMC 15-1-10(E)(3) as there are no proposed changes that would affect the utility capacity or Storm Water run-off.
15. There are no unmitigated impacts to LMC 15-1-10(E)(4) as conditioned, as the Staff is working with the Fire Department and Emergency Management to install a key lock box to allow Emergency vehicles access to the Site.
16. There are no unmitigated impacts to LMC 15-1-10(E)(5) as conditioned, as the traffic will be mitigated through the Special Event Permitting process. Each Special Event requires a Transit and Parking Plan to be reviewed and approved by City Council. As of the date of publishing, no complaints for parking have been received.
17. There are no unmitigated impacts to LMC 15-1-10(E)(6) as there are no proposed changes that would affect internal vehicular and pedestrian circulation.
18. There are no unmitigated impacts to LMC 15-1-10(E)(7) as there are no proposed changes that would affect fencing, screening, and landscaping that separates the Use from adjoining Uses.
19. There are no unmitigated impacts to LMC 15-1-10(E)(8) as there are no proposed changes to the existing building mass, bulk, or orientation.
20. There are no unmitigated impacts to LMC 15-1-10(E)(9) as there are no proposed changes to Usable Open Space.
21. There are no unmitigated impacts to LMC 15-1-10(E)(10) as there are no proposed changes to Signs or Lighting. Any signs or lighting proposed for specific Special Events will be reviewed and approved by City Council under the Special Event Permit.



22. There are no unmitigated impacts to LMC 15-1-10(E)(11) as there are no proposed changes to the physical design of the Site or any of its Structures.
23. There are no unmitigated impacts to LMC 15-1-10(E)(12) as there are no proposed changes that would affect noise, vibration, odors, steam, or other mechanical factors. As conditioned, the mitigation of noise, vibration, odors, steam and other mechanical factors shall be reviewed and approved by City Council under each Special Event Permit.
24. There are no unmitigated impacts to LMC 15-1-10(E)(13) as there are no proposed changes to delivery, service vehicle loading and unloading, or trash and recycling.
25. There are no unmitigated impacts to LMC 15-1-10(E)(14) as there are no proposed changes to ownership.
26. There are no unmitigated impacts to LMC 15-1-10(E)(15) as there are no proposed changes that would affect Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site.
27. There are no unmitigated impacts to LMC 15-1-10(E)(16) as the proposed CUP Modification fulfills Goals, Objectives, and/or Implementation Strategies of the General Plan. Specifically the CUP fulfills Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.
28. On April 10, 2019, the property was posted and notice was mailed to affected property owners within 300 feet.
29. Legal notice was published in the Park Record on April 6, 2019.
30. As of this date, no public input has been received by Staff.
31. All Findings in the Analysis Section are incorporated herein.

**Conclusions of Law:**

1. The Use, as conditioned complies with all requirements of the Land Management Code, Section 15-1-10.
2. The Use, as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.
4. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review criteria for Conditional Use Permits.

**Conditions of Approval:**

1. Up to twelve (12) one-day, City Council-sponsored, special public events per year are permitted. Special event permits shall be processed by staff under a Special Event Permit and reviewed and approved/denied by the City Council.

2. No single event shall exceed 150 persons maximum per event.
3. Use of the farm complex may include the reconstructed McPolin shed and appurtenant outdoor spaces.
4. Each special event shall include a City-approved event transit plan to transport event patrons to and from the farm site. No event patron parking will be permitted on the Farm property, including the east side of 224.
5. Parking along SR 224 during City-sponsored events is prohibited.
6. Use of the McPolin Barn and Farm House shall be allowed for monitored tours and education community events only, subject to approval and occupancy limits set by the Chief Building Official.
  - a. Each Tour Day, regardless of number of tours, will count as one (1) of the twelve (12) events per calendar year.
  - b. Each Tour Day may not exceed 150 persons per day.
  - c. The Barn and Farm House may only hold up to twenty-five (25) persons inside the building at one time.
  - d. A City authorized personnel is required to accompany each Tour inside the Barn and/or Farm House.
  - e. Each Tour Day will require a Special Event Permit and Transit Plan, to be reviewed and approved by City Council.
7. No additional exterior lighting shall be permitted for special events.
8. All special events must comply with the municipal noise ordinance.
9. Special Events shall not preclude public trail use of the property. Use of the existing trail system for cross-country ski races shall not count towards the twelve (12) permitted events.
10. The City's Special Events Department shall review all event components under a Special Event Permit such as traffic, parking, transportation, signs, food service, attendance, lighting, and noise. Review of such items shall be coordinated with all City Departments as well as the Park City Fire District and Summit County Health Department.
11. A key lock box for Emergency Services shall be installed on site to allow for Emergency Vehicle Access.
12. Sales may be permitted if they are subordinate to the primary event, and no event shall be considered expressly for the purpose of selling merchandise for commercial enterprise.
13. Sale of merchandise shall be identified in the Special Event Permit.
14. All Standard Project Conditions shall apply.

If you have questions regarding your application or the action taken please don't hesitate to contact me at 435-615-5063 or [laura.newberry@parkcity.org](mailto:laura.newberry@parkcity.org).

Sincerely,



Laura Newberry, Planner