

Ordinance No. 2022-02

AN ORDINANCE AMENDING SECTION 9-5-3, PARKING CODE - TYPES OF PERMITS; AND SECTION 4-7-3, LICENSING - CONVENTIONAL SALES AND COMMERCIAL HOSPITALITY APPLICATIONS, OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, creating a single Special Use of Public Parking that would be available to official venues and sponsors operating under Special Event Permit and CSL2 holders.

WHEREAS, the amendments clarify loading rules and simplify the process for applicants as well as aiding the Parking Division and Police Department in management as they enforce parking regulations during the Sundance Film Festival.

WHEREAS, keeping Main Street vibrant and safe during the Festival time period is a priority for the City, the Sundance Institute, and the Historic Park City Alliance (HPCA).

WHEREAS, during the March 9, 2017 Work Session Council asked staff to develop ways to minimize impacts stemming from the turnover of temporary businesses in commercial spaces during the Festival.

WHEREAS, staff returned to City Council on August 3, 2017 (item VII) with proposed amendments to section 4-7-3 (Convention Sales and Commercial Hospitality Applications) which were adopted and codified.

WHEREAS, on [November 11, 2021](#) (p. 170/ [minutes](#) p. 2), during Work Session, staff provided an update on a number of code clarifications that would come to Council in preceding months. This included changes to parking permits during the Festival.

WHEREAS, CSL2s are used to regulate activity during temporary activations that are not directly associated with the Sundance Film Festival (non-Special Event Permit Holder events). This includes regulating items such as building and fire codes and permits, floor plans, designed occupant loads, inspections, and trash. Type 2 CSLs are also used to regulate loading, unloading, and crowd management through SUPPs.

WHEREAS, currently, SUPPs are only available to Type 2 CSL holders, and because official Festival venues and sponsors are regulated by a Special Event Permit, those venues and sponsors have not been able to obtain the same type of parking permit that is issued to CSL2 holders. This has caused confusion for the license holders and enforcement staff seeking specific rules and regulations pertaining to operations on Main Street.

WHEREAS, The proposed changes move the parking permit process available for Type 2 CSL holders to the Parking Code (Exhibit A) and expands the availability of the permit

to official Sundance venues and sponsors. This would maintain the intent of the strategic loading regulations approved by City Council in 2017 but allow a single permitting scheme to apply more broadly, simplifying the process for applicants and making administration and enforcement easier for the Parking Division and Police Department.

WHEREAS, specific changes include:

- SUPP for the Festival time period would be created under the Parking Code (Exhibit A). They would be similar to the permits previously found in the CSL2 section of the Licensing Code. SUPP would continue to be required for all CSL2 holders but be expanded to also cover official Festival venues and sponsors. In past years, Sundance venues and sponsors have not been eligible for these types of parking permits because they did not have CSL2s, as they are permitted under a Special Event Permit.
- The Licensing Code would be amended to remove the specific parking permit regulations for CSL2 and would instead reference the subsection in Parking Code (Exhibit A).
- The Blue Permit currently found in the Licensing Code provision would be removed. These permits would be covered by the Green Permit.
- Specific language would be added to the Code, outlining more clearly when loading activity can and cannot occur.

WHEREAS, Special Use Parking Permits are required for venue loading, unloading and crowd management. The permits are not required for daily merchant deliveries (like FedEx, UPS, Sysco, and Nicholas).

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, THAT:

Sections 9-5-3 and 4-7-3 of the Municipal Code of Park City are amended and adopted to read as outlined in Exhibits A and B. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 6th day of January, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

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Mayor Nann Worel

Attest:



DocuSigned by:

Michelle Kellogg

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Michelle Kellogg, City Recorder

Approved as to form:

DocuSigned by:
Margaret Plane

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City Attorney's Office

Exhibit A – Parking Code 9-5-3 Amendment (Addition)

H. **SPECIAL USE OF PUBLIC PARKING PERMITS DURING SUNDANCE FILM FESTIVAL TIME PERIOD.**

If the City Manager or designee deems necessary, the loading operations of official Sundance venues and sponsors operating under the Special Event Permit as well as each Type 2 Convention Sales License (CSL2) holder must be permitted by the Parking Division with three (3) different permits:

1. Red – Large-scale loading operations with vehicles over 15 feet. These operations will only be permitted between 4:00 a.m. - 10:00 a.m. on designated days. The first opportunity for load-in will be the Tuesday before the start of the Sundance Film Festival. The first opportunity for load-out will be on Tuesday (Day 6) after the start of the Festival. The specific parameters on location, timing, and vehicles will be determined by the Parking Division.
 - a. Official Sundance venues and sponsors may conduct loading operations until 12 p.m. (noon), at the discretion of the Parking Department. Official Sundance venues and sponsors may request load-in prior to Tuesday before the start of the Festival but shall not be permitted for load-out before the first Tuesday of the Festival (day 6).
2. Green – For smaller loading operations with vehicles under 15 feet, such as catering, food and beverage, musical instruments, or linen service. These operations will be permitted throughout the day with specific parameters on location, timing, and vehicles determined by the Parking Division.
3. Crowd Management – The Parking Division shall require a crowd management plan for any official Sundance venues and sponsors operating under the Special Event Permit as well as each Type 2 CSL if the venue uses public parking or public sidewalk/right of way for crowd management. Crowd Management Permits will be issued by the Parking Division and reviewed in coordination with the Police, Engineering, Special Events and Building Departments.

The Parking Division will forward issued permits to the Finance Department for Type 2 Convention Sales Licensees and the Special Events Department for official Sundance venues and sponsors.

Any violation of the permit regulations may result in fines as outlined in the adopted fee schedule as well as the revocation of a Type 2 CSL and the inability to obtain a Type 2 CSL in the future.

Exhibit B – Type 2 Commercial Sales License - Licensing Code Amendments

4-7-3 Applications

- A. For Type 1 and Type 3 convention sales licenses, the City may take up to ten (10) business days to complete the licensure process to permit adequate time for the Police, Building, Finance, and Planning Departments for review and investigation. The Departments may request reasonable evidence of title to goods proposed to be offered for sale as part of the review.
- B. Retained Council Authority for Type 2 licenses:
 1. The Finance Manager or his/her designee shall refer the Type 2 convention sales license application to the Building, Planning, Parking, and Public Safety Departments for approval.
 2. After obtaining department approval, all Type 2 licenses shall require City Council approval at a publicly noticed meeting. All Type 2 license applications must be completed and received at least seven (7) calendar days prior to a regular scheduled meeting and three (3) business days prior to a special meeting.
 3. All Type 2 license applications require the applicant to have a pre-inspection prior to application at the Place of Business conducted by the Building Department for compliance with the building and fire codes. A copy of said pre-inspection report must accompany the license application submittal. The pre-inspection prior to application shall remain valid for one hundred and twenty (120) days.
 4. All Type 2 license applications shall require an accurate floor plan and a design occupancy load stamped by a design professional to be submitted to the Building Department prior to application.
 5. All Type 2 license applicants require a final inspection by the Building Department post application after the space has been set up for the event. Business shall not be conducted until the final inspection has been passed and the applicant has been issued a Type 2 convention sales license.
 6. All Type 2 convention sales license applicants for locations within the Main Street Business Improvement District (BID) boundaries are required to submit a payment receipt from the contracted local solid waste removal service provider in the amount of one hundred dollars (\$100) at time of application, and be required to pay the Main Street BID tax set forth by ordinance.
 7. All Type 2 convention sales licenses will be assessed the Enhanced Enforcement Fees as established in the Fee Schedule to be paid at time of application.
 8. **If the City Manager or designee deems necessary, the loading operations of each Type 2 convention sales licensee must be permitted by the Parking Division as set forth in section 9-5-3(H) of the Municipal Code.**

- C. Type 1 and Type 2 Convention Sales and Hospitality Licenses, located in a Storefront that meet the definition of a Conventional Chain Business, must comply with the Land Management Code Section 15-2.5-2 in the Historic Recreation Commercial District or 15-2.6-2 in the Historic Commercial Business District.