

**Ordinance No. 05-79**

**AN ORDINANCE ADOPTING COMPREHENSIVE AMENDMENTS TO TITLE 12, SIGN CODE, OF THE MUNICIPAL CODE OF PARK CITY.**

WHEREAS, the City Council recognizes the significant need for temporary signs to ensure the success of hard to locate retail plaza locations, special and master festival events, real estate sales, and to facilitate unusual pedestrian and vehicular traffic patterns; and

WHEREAS, such commercial activities and special events are critical to the economic and cultural goals of the City as defined in the General Plan, the City Council's annual Vision Statement to be a World Class, Multi-Seasonal Destination Resort Community, and Principles 1, 3, 6 and 7; and

WHEREAS, the City has successfully and aggressively balanced the need for commercial signs and marks with the aesthetic beauty and charm of its historic districts and the mountain community generally, both of which are vital to the economic development and quality of life of the City; and

WHEREAS, the clarifications herein are necessary to ensure clear and fair application of the regulations herein and simplify enforcement; and

WHEREAS, the City Council is re-adopting special, more-permissive regulations for Temporary Signs, but the City Council hereby finds that such signs must still be regulated to prevent visual clutter, ensure efficient pedestrian and vehicle traffic movements, and promote the resort character of the community.

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

**Section I.** Findings. The recitals above and the Analysis section of the Staff Report dated 11/03/05 are incorporated herein as findings in support of this ordinance.

**Section II.** Amendment. Title 12 Sign Code, of the Municipal Code of Park City is hereby amended as attached in Exhibit A.


**Section III** Effective Date. This Ordinance shall become effective upon publication.

**PASSED AND ADOPTED this 22<sup>nd</sup> day of December, 2005**

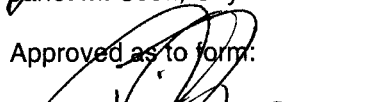
PARK CITY MUNICIPAL CORPORATION

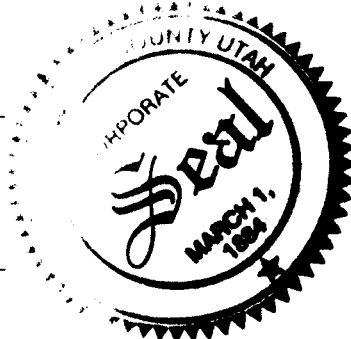
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





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**TITLE 12 - SIGN CODE**

*(Amended/Reorganized by Ord. 01-2)*

**CHAPTER 1 - PURPOSE AND SCOPE**

**12- 1- 1. PURPOSE AND SCOPE.**

The purpose of the Sign Code is to:

- (A) Reduce potential hazards to motorists and pedestrians
- (B) Encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy
- (C) Encourage sign legibility through the elimination of excessive and confusing sign displays
- (D) Prevent confusion of business signs with traffic regulations
- (E) Preserve and improve the appearance of the city as an historic, mountain and resort community in which to live and work
- (F) Create an unique environment to attract visitors
- (G) Allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner
- (H) Safeguard and enhance property values
- (I) Protect public and private investment in buildings and open space
- (J) Supplement and be a part of the zoning regulations imposed by Park City

- (K) Promote the public health, safety, and general welfare of the citizens of Park City.

~~The City Council of Park City, Utah finds and declares that by controlling and standardizing signs in the community, the regulations set forth in this Title will reduce potential hazards to motorists and pedestrians; encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy; encourage sign legibility through the elimination of excessive and confusing sign displays; prevent confusion of business signs with traffic regulations; preserve and improve the appearance of the city as an historic, mountain and resort community in which to live and work; create an unique environment to attract visitors; allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner; safeguard and enhance property values; protect public and private investment in buildings and open space; supplement and be a part of the zoning regulations imposed by Park City; and promote the public health, safety, and general welfare of the citizens of Park City.~~

**12-1-2 INTERPRETATION.**

The Planning Commission shall have the authority and duty to interpret the provisions of this Title at the request of the ~~Community~~

~~Development~~ Planning Director or when a written appeal from ~~of a Planning Department decision of the Community Development Department~~ is filed with the Planning Commission. In interpreting and applying the provisions of this Title, the sign requirements contained herein are declared to be the maximum allowable for the purpose set forth. The ~~Community Development~~ Planning Department and/or the Planning Commission may determine that a smaller sign is more appropriate based on the size and scale of the structure(s), pedestrian traffic, safety issues, orientation, and neighborhood compatibility. The types of signs allowed by this Title shall be plenary and sign types not specifically allowed as set forth within this Title, shall be prohibited.

**CHAPTER 2 - DEFINITIONS**

**12- 2-1. DEFINITIONS.** For purposes of this Title, the following abbreviations, terms, phrases, and words shall be defined as specified in this section:

- (A) **ALTERATIONS.** Alterations as applied to a sign means change or rearrangement in the structural parts or its design, whether by extending on a side, by increasing in area or height, or in moving from one (1) location or position to another.
- (B) **AREA OF SIGN.** The area of a sign ~~face shall be computed by measurement of~~ is measured by the smallest square, circle, rectangle, triangle, or combination thereof that ~~will~~ encompasses the extreme limits of the writing, representation, emblem, or other display. ~~This shall include any~~ Including materials or colors ~~forming an integral part of the background of the display or~~ used to differentiate the sign from the ~~backdrop or~~ structure against which it is placed. ~~The~~ Sign area calculation ~~shall~~ does not include structural supporting framework, bracing or

the wall to which the sign is attached. ~~when such wall meets zoning ordinance regulations and is clearly incidental to the display itself.~~

If individual letters are mounted directly on a wall or canopy, ~~each message shall be considered a sign.~~ the sign area shall be the area in square feet of the smallest rectangle, which encloses the sign, message or logo.

- (C) **BALCONY.** A platform that projects from the wall of a building and is surrounded by a railing or balustrade.
- (D) **BANNER.** A strip of cloth, plastic, paper or other material on which letters or logos are painted or written, hung up or carried on a crossbar, staff, string or between two (2) poles.
- (E) **BILLBOARD.** A permanent outdoor advertising sign that advertises goods, products, or services not necessarily sold on the Premises on which said Sign is located.
- (F) **BUILDING FACE OR WALL.** The window and wall area of a building façade on one (1) plane or elevation.
- (G) **CANOPY.** A roofed structure constructed of fabric or other material ~~placed so as to~~ that extends outward from a building, generally providing a protective shield for doors, windows, and other openings supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.
- (H) **COMMUNITY OR CIVIC EVENT.** A public event ~~not intended for that is of interest to the community as a whole rather than~~ the promotion of a product, political

candidate, religious leader or commercial goods or services.

(I) **DISPLAY BOX.** A freestanding or wall sign ~~enclosed in~~ faced with glass or another similar material that is designed for the express purpose of displaying menus, current entertainment or other like items.

(J) **ELECTRONIC DISPLAY TERMINAL.** An electronic ~~display~~ terminal, screen, or monitor used to receive or provide information, advertise a good or service or promote an event.

(K) **FLAG.** A piece of cloth, plastic or similar material, usually rectangular or triangular, attached by one (1) edge to a staff, pole as a distinctive symbol of a country, government, organization or other entity or cause.

(L) **GRADE.** The ground surface elevation of a site or parcel of land.

(1) **GRADE, EXISTING.** The grade of a property prior to any proposed development or construction activity.

(2) **GRADE, NATURAL.** The grade of land prior to any development activity or any other man-made disturbance or grading. The Community Development Department shall estimate the natural grade, if not readily apparent, by reference elevations at points where the disturbed area appears to meet the undisturbed portions of the property. The estimated natural grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, abrupt differences in the visual slope and elevation of the

land, or redirecting the flow of run-off water.

(3) **GRADE, FINAL.** The finished or resulting grade where earth meets the building or sign after completion of the proposed development activity.

(M) **HANDBILL.** A paper, sticker, flyer, poster, pamphlet, or other type of medium distributed by hand for identification, advertisement, or promotion of the interest of any person, entity, product, event, or service.

(N) **HEIGHT OF SIGN.** The height of a sign is the vertical distance measured from natural grade to the top of the sign, including the air space between the ground and the sign. Only when the topography is altered to adjust the ground height to the level of the public right of way, shall the sign be measured from final grade.

(O) **MASTER SIGN PLAN.** A plan designed to show the relationship of signs for any cluster of buildings or any single building housing a number of users or in any arrangement of buildings or shops, which constitute a visual entity as a whole.

(P) **NAME PLATE.** A Sign that identifies the name, occupation, and/or professions of the occupants of a premises.

(Q) **PREMISE.** Land and the buildings, owned or rented, upon it.

(R) **PRIVATE PLAZA.** Private property in excess of 1,000 square feet that generally serves as common area to adjoining commercial development and is free of structures, is hard surfaces and/or landscaped. Private plazas generally provide an area for pedestrian circulation,

common amenities, and act as a gathering space for private or public purposes.

(S) **PUBLIC PROPERTY**. Any property owned by a governmental entity.

(T) **REPRODUCTION**. An object that has been designed and built to resemble a product or service.

(U) **SIGN**. Sign shall mean and include a display of an advertising message, usually written, including an announcement, declaration, demonstration, product reproduction, illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of a sign shall also include the sign structure, supports, lighting system, and any attachments, flags, ornaments or other features used to draw the attention of observers.

(V) **SIGN, ABANDONED**. Any sign applicable to, a use that has been discontinued for a period of three (3) months.

(W) **SIGN, AWNING**. Any sign painted on or attached to an awning or canopy.

(X) **SIGN, CABINET**. A frame covered by translucent material. The entire structure is one (1) unit and the copy is not intended to include the individual letters.

(Y) **SIGN, CAMPAIGN**. A temporary sign on or off-premises, announcing, promoting, or drawing attention to a ~~any~~ candidate(s) seeking public office ~~in a forthcoming election; or signs announcing political issues, for or against.~~

(Z) **SIGN, CANOPY**. Any sign painted or attached to a canopy.

(AA) **SIGN, CHANGEABLE COPY**. A manually operated sign that displays graphics ~~at content~~ or a message that can be easily changed or altered.

(BB) **SIGN, CONSTRUCTION**. A temporary sign placed on a site identifying a new development.

- (1) **Project Marketing Sign**. A sign identifying the financial institution of a development, and may include a plat map, and real estate information.
- (2) **Construction Sign**. A sign identifying the contractor and or builder responsible for a project or development.
- (3) **Construction/Project Marketing Sign**. A combination of a construction sign and project marketing sign.

(CC) **SIGN, DIRECTIONAL (GUIDE SIGN)**. Signs, which serve as directional guides to recognized areas of regional importance and patronage, including: ~~To clarify and define such areas of regional importance and patronage, four (4) types of areas are intended to be included:~~

- (a) Recreational and entertainment centers of recognized regional significance.
- (b) Major sports stadiums, entertainment centers or convention centers having a seating capacity in excess of 1,000 persons.
- (b) Historic landmarks, churches, schools, community centers, hospitals and parks.

- (c) Public safety, municipal directional, parking and essential services.
- (DD) **SIGN, DIRECTORY**. A ~~identification~~ sign, located on the premise to direct traffic, that contains the name of a building, complex or center and name and address of two (2) or more businesses being part of the same sign structure or interior to the building which can be seen from the outdoors.
- (EE) **SIGN, ELECTRONIC**. A window, wall, or other sign that changes messages through a marquee, reader board, electronic message center, or other replaceable copy area.
- (FF) **SIGN, FREE-STANDING (MONUMENT)**. A sign that is supported by one (1) or more uprights or braces that are fastened to, or embedded in the ground or a foundation in the ground and not attached to any building or wall.
- (GG) **SIGN, GHOST**. A sign on an exterior building wall, which has been weathered and faded to the extent that it has lost its original brightness of color and visibility.
- (HH) **SIGN, HANGING**. A sign attached underneath a canopy, awning or colonnade.
- (II) **SIGN, HISTORIC**. A sign that by its construction materials, age, prominent location, unique design, or craftsmanship, provides historic character, individuality, and a sense of place or orientation regarding clues to a building's history.
- (JJ) **SIGN, HISTORIC REPLICATION**. A sign that is an exact replication, including materials and size, of a historic sign that was once in the same location. ~~The~~ replication sign matches the materials and size of the original.
- (KK) **SIGN, HOURS OF OPERATION**. A sign that displays the hours during which the building's tenant serves the public, this includes "open" and "closed" signs.
- (LL) **SIGN, IDENTIFICATION**. A sign that identifies the name and/or logo, and/or address of a commercial, industrial, or condominium complex the owner and tenants thereof only.
- (MM) **SIGN, INTERNALLY ILLUMINATED**. ~~Internally illuminated signs include any~~ A sign face, which is lit or outlined by a light source located within the Sign.
- (NN) **SIGN, LUMINOUS TUBE (NEON)**. A sign, that is outlined, or has characters, letters, figures, or designs, that are illuminated by gas filled luminous tubes, such as neon, argon or fluorescent.
- (OO) **SIGN, MUNICIPAL IDENTIFICATION**. A sign ~~that is~~ designed specifically for the purpose of notifying motorists of Park City's municipal boundary and to welcome them to Park City.
- (PP) **SIGN, NEIGHBORHOOD INFORMATION SIGN**. A sign located entirely on private property, ~~which is~~ designed to provide information or notifications to local residents regarding neighborhood events, ~~meetings,~~ or issues.
- (QQ) **SIGN, NON-CONFORMING (LEGAL)**. Any advertising structure or sign that was lawfully erected and maintained prior to such time as it came within the purview of the Code and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Code.

(RR) **SIGN, OFF-PREMISE**. A sign identifying a business, commodity, service, or industry, which is not conducted upon the premises on which the sign is placed.

(SS) **SIGN, ON-PREMISE**. A sign that identifies the name, occupation, and/or profession of the occupants of the premises.

(TT) **SIGN, POLE**. ~~A An on-premise~~ freestanding sign that is supported by one (1) upright of not greater than twelve inches (12") in diameter and is not attached or braced by another structure.

(UU) **SIGN, PORTABLE**. A sign that can be moved from place to place, and is not permanently affixed to the ground or a building.

(VV) **SIGN, PROJECTING**. A sign attached to a building or other structure, perpendicular to the street and extending in whole or in part more than six inches (6") beyond any wall of the building or structure.

(WW) **SIGN, PROJECTION**. A sign that utilizes a beam of light to project a visual image or message onto a surface.

(XX) **SIGN, PUBLIC NECESSITY**. A sign that informs the public of danger or a hazard. ~~existing on or adjacent to the premises.~~

(YY) **SIGN, REAL ESTATE**. A temporary sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed.

(ZZ) **SIGN, ROOF**. A sign erected or painted upon or above the roof or parapet of a building.

(AAA) **SIGN, SOLICITATION**. Sign used to communicate with ~~advised~~ solicitors ~~that they are not welcome on the property.~~

(BBB) **SIGN, SPECIAL PURPOSE**. A Sign ~~of a temporary nature other than those established by a business; for the purpose of~~ advertising a special event pertaining to drives or events of a civic, philanthropic, educational, or religious organization.

(CCC) **SIGN, SPECIAL SALE**. Temporary signs used to advertise a special sale ~~on the premises.~~

~~(DDD) **SIGN, SUBDIVISION**. An identification sign located at the entrance to a residential subdivision.~~

(EEE) **SIGN, TEMPORARY**. A sign that is intended for use during a specified limited time.

(FFF) **SIGN, UMBRELLA**. A sign painted on or attached to an umbrella, including name brands and symbols.

(GGG) **SIGN, VEHICLE**. Any sign, logo or advertisement placed, painted, attached, or displayed on a vehicle.

(HHH) **SIGN, WALL**. A sign with messages or copy erected parallel to and attached to or painted on the outside wall of a building.

(III) **SIGN, WINDOW**. A sign installed upon or within three feet (3') from a window, visible from the street and exceeds two square feet (2 sq. ft.) in area, for the purpose of viewing from outside of the premises. This term does not include merchandise displays.

(JJJ) **SIGN, YARD**. A temporary sign that announces a garage sale, open house or similar event.

(KKK) **THEATER MARQUEE**. A permanent ~~structure sign~~, with changeable copy, that is used to advertise theater events.

(LLL) **UMBRELLA**. A collapsible shade for protection against weather consisting of metal or fabric stretched over hinged ribs radiating from a central pole.

(MMM) **WALL MURAL**. A work of art, such as a painting applied directly to a wall, fence, pavement, or similar surface that is purely decorative in nature and content, and does not include advertising by picture or verbal message.

(NNN) **ZONE DISTRICT**. Refers to land use regulatory zones under the zoning ordinances of Park City.

*(Amended by Ord. No. 01-25; 02-50; 04-01)*

**CHAPTER 3 - PERMITS**

**12-3-1. PERMITS REQUIRED.**

No person shall erect, alter, or relocate any permanent or temporary sign within Park City without first submitting a sign application and receiving approval of the sign permit from the City, unless the sign is exempt pursuant to Section 12-8-1. Any person who hangs, posts, or installs a sign that requires a permit under this Code and who fails to obtain an approved permit before installing the sign, shall be guilty of a Class ~~B~~ C misdemeanor.

**12-3-2. PRE-APPLICATION CONFERENCE**

Prior to the submittal of a Sign permit application, a pre-application conference with the ~~Community Development~~ Planning Department is encouraged to acquaint the

~~applicant for the applicant to become acquainted with Sign Code application procedures, design standards, and related City ordinances. Staff may assist in the preparation of the application, and shall provide information to applicants on the regulations created by this Code.~~

**12-3-3. MASTER SIGN PLANS.**

Buildings or clusters of buildings within a project or premise, having more than one (1) tenant or use, shall ~~provide~~ submit a Master Sign Plan application for the entire structure or project prior to any sign permit approval by the Planning Department.

(A) **DESIGN**. The Master Sign Plan shall be designed to establish a common theme or design for the entire building, using similar construction methods, compatible colors, scale, and identical backgrounds. All regulations as stated in this Title shall apply.

(B) **MASTER SIGN PLANS FOR OFFICE BUILDINGS**. Master Sign Plans for office buildings must focus primarily on the identification of the building. Individual tenants may be identified ~~by using with~~ small lettering on exterior windows, doors, or a building directory.

(C) **SIGN AREA**. Total sign area within the Master Sign Plan is subject to the size limitations of Chapter 12-4-1 of this Title. Sign area cannot be transferred to a single building or facade from other buildings in the project.

(D) **HEIGHT**. ~~For all multi-tenant, retail and mixed-use buildings that contain any combination of uses including residential, office, service, or retail uses, All~~ Master Sign Plans shall be designed so that signs are ~~confined to the building surface~~ placed below the finished floor elevation of the



second floor or ~~below~~ a maximum of twenty feet (20') above adjacent finished grade whichever is lower. Signs may be located on walls ~~the flat wall areas~~, within windows or on sign bands above windows. For buildings with approved or existing conflicts with this requirement ~~pre-existing sign bands or architectural features designed to compliment or house signs~~, the ~~Community Development~~ the Planning Director may grant exceptions to the second floor level sign restriction.

(E) **LIGHTING.** Master Sign Plans shall include the location and fixture type of all exterior lighting of the proposed signs. The lighting plan shall specify wattage and bulb type to ensure compatibility with the lighting standards as stated in Chapters 15-3-3(A)(1) and 15-5(I) of the Land Management Code. Lighting fixtures shall be similar in style and should direct all light onto the sign surface. Spot lights and flood lights are prohibited.

**12-3-4 APPLICATION REQUIREMENTS.**

All sign applications shall be submitted to the ~~Community Development~~ Planning Department to be reviewed for compliance with the requirements set forth in this title. A complete sign application must include the following:

(A) **BUILDING ELEVATIONS/SITE PLAN.** Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign structure, and or drawings or photographs that show the scale of the sign in context with the scale of the building. if the sign is to be mounted on the building.

Free Standing Signs ~~if the proposed sign is free standing, staff will require the applicant to submit a site-plan specifying indicating the proposed sign location on the parcel as~~

~~it relates with relation to property lines, adjacent streets and adjacent buildings.~~

(B) **SCALED DESIGN DRAWING.** A Colored rendering or scaled drawing including dimensions of all sign faces, descriptions of materials to be used, including color samples.

(C) **SCALED INSTALLATION DRAWING.** A scaled drawing that includes the sign description, ~~and proposed materials, types of material to be used. All hardware needed to install the sign shall be listed and will include~~ size, weight, manner of construction, and method of attachment, (including all hardware necessary for proper sign installation). ~~and color samples.~~

(D) **LIGHTING.** A drawing indicating the location and fixture type of all exterior lighting for the proposed signs. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards as stated in Chapters 15-3-3(A)(1) and 15-5(I) of the Land Management Code.

~~A detailed lighting plan, which clearly indicates the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details of the lighting. All lighting shall comply with the standards as specified in the Land Management Code Chapters 15-3 and 15-5. In addition to this requirement, An application for an electrical permit must be filed with the building department by a licensed electrician.~~

(E) **APPLICATION FORMS.** A completed ~~Planning Department~~ sign permit application and building permit application. ~~to the Community Development Department.~~ Both applications are available through the Community Development Planning Department.

(F) **FEES.** Payment of the appropriate fees to the Park City Municipal Corporation.

**12-3-5 PERMIT FEES.**

Sign permit ~~applicants applications shall be reviewed according~~ pay fees as adopted in the fee schedule established by resolution. ~~See Fee Schedule at the Planning Department.~~

**12-3-6 REVIEW PROCEDURES.**

Complete sign permit applications will be reviewed by the ~~Community Development Planning and Building Departments~~ within ~~thirty (30) calendar~~ 15 working days upon receipt of a complete application. The application will be approved, denied or returned to the applicant with requested modifications. Both the Planning and Building Departments must review and approve the application prior to the issue of a permit. ~~before a permit can be issued.~~ Either department may return the application for modification or clarification.

The Building Department shall inspect, ~~as it deems necessary,~~ signs ~~applications~~ regulated by this Code to determine if ~~ascertain whether the signs they have been adequately suitably installed and adequately maintained per the requirements of the International Sign Code to minimize risks to the public.~~

If the sign uses electrical wiring and connections, a licensed electrician must submit an electrical permit application to the Building Department. This application is separate from the sign permit application, and shall be reviewed for compliance with the International Building Code. ~~The Building Department shall examine the plans and specifications with respect to all wiring and connections to determine if they comply with the Electrical Code of the City,~~

~~and shall be approved if the plans and specifications comply with the Code or denied if non-compliance with the Uniform Building Code is found.~~

**CHAPTER 4 - SIGN STANDARDS**

**12-4-1 TOTAL SIGN AREA REQUIREMENTS.**

The sign area, per building facade, may not exceed thirty-six square feet (36 sq. ft.). Historic signs are exempted from this requirement.

~~If additional sign area is appropriate, the Community Development Subject to the criteria below, the Planning Director may grant additional sign area, provided the but in no case may the total area requested does not exceed five percent (5%) of the building face to which the signs are attached. To grant additional sign area on applications, the Community Development The Planning Director must make findings based on the following criteria:~~

(A) **LOCATION.** Signs ~~should~~ must be designed to fit within and not detract from or obscure architectural elements of the building's façade;

(B) **COMPATIBILITY.** Signs ~~should~~ must establish a visual continuity with adjacent building facades and ~~should~~ be oriented to emphasize pedestrian or vehicle visibility;

(C) **MULTIPLE TENANT BUILDINGS.** The building must have more than one (1) tenant in more than one (1) space; and

(D) **STREET FRONTAGE.** The building must have more than fifty feet (50') of street frontage.

**12-4-2 AREA OF INDIVIDUAL SIGNS.**

The area of a sign shall include the entire area within any type of perimeter or border that may enclose the outer limits of any writing, representation, emblem, figure, or character, exclusive of the supporting framework.

When the sign face of a backed sign, ~~is projecting, hanging, or freestanding sign,~~ is parallel or within thirty degrees (30°) of parallel, ~~only one (1) sign face is counted~~ into the total sign area. If the sign faces are not parallel or within thirty degrees (30°) of parallel, each sign face is counted into the total sign area.

**12-4-3. INDIVIDUAL LETTER HEIGHT.**

Signs shall be limited to a maximum letter height of one foot (1'). The applicant may request ~~in writing that the Community Development Planning Director grant an exception to the one foot (1') letter height,~~ provided the request is for an increase of no more than six inches (6") for a maximum height of eighteen inches (18"). ~~The~~ applicant must demonstrate that the requested exception would be compatible with the letter's font, the building's architecture, and the placement of the sign upon the building.

For buildings located along the Frontage Protection Zone, the ~~Community Development Planning Director may grant a letter height exception for buildings farther when such building is greater than one hundred and fifty feet (150') from the right-of-way of which the building has vehicular access. The maximum letter height in this case shall be no greater than thirty inches (30").~~

**12-4-4 LOCATION ON BUILDING.**

The location of a sign on a structure or building has a major impact on the overall architecture of the building. To ensure that signs enhance this architecture, the following criteria must be met:

(A) **HEIGHT.** Signs shall be located below the finished floor of the second level of a building, or twenty feet (20') above finished final grade, whichever is lower. For buildings with approved or existing conflicts with this requirement, the ~~Community Development Planning Director~~ may grant an exception to the second floor level sign restriction.

Signs located above the finished floor elevation of the second floor shall be restricted to ~~building identification signs and~~ window signs.

(B) **LOCATION.** Architectural details of a building often provide an obvious location, size, or shape for a sign. Wherever possible, applicants should utilize these features in the placement of signs. Signs should compliment the visual continuity of adjacent building facades and relate directly to the entrance. Signs shall not obstruct views of nearby intersections and driveways.

(C) **ORIENTATION.** Signs must be oriented toward pedestrians or vehicles in the adjacent street right-of-way. ~~Signs designed to be viewed from a distance are not permitted.~~

(D) **COMPATIBILITY.** A sign, including its supporting structure and components, shall be designed as an integral design element of a building ~~architecture~~ and shall be architecturally compatible, including color, with the building to which it is attached. Signs must neither obscure architectural details of the building; nor

cover doors, windows, or other integral elements of the facade.

**12- 4- 5. SETBACK REQUIREMENTS.**

Permanent signs shall not be placed in the setback area as defined for the zone in which the sign is located, ~~except for signs.~~ ~~However~~ in the General Commercial (GC) zone. ~~These signs~~ Signs in the GC zone may be set back ten feet (10') from the property line with the exception of those in the Frontage Protection Zone. The ~~Community Development Department~~ Planning Director may decrease the setback if it is determined that the public will benefit from a sign located otherwise, due to site specific conditions such as steep terrain, integration of signs on retaining walls, heavy vegetation, or existing structures on the site or adjoining properties.

**12-4-6. PROJECTION AND CLEARANCE.**

No portion of a sign may project more than 36 inches (36") from the face of a building or pole.

Awnings, projecting and hanging signs must maintain at least eight feet (8') of clearance from ground level.

Signs may not extend over the applicant's property line except those ~~that are proposed to be placed~~ over the Main Street sidewalk. Signs may extend over City property only after review and written approval by the City Engineer ~~and with the written approval of the Community Development Director~~ and an encroachment agreement acceptable to the City Attorney is recorded.

**12-4-7 SIGN MATERIALS.**

Exposed surfaces of signs may be constructed of metal, glass, stone, concrete, high-density foam board, brick, solid wood,

or cloth. Other materials may be used in the following applications:

(A) **FACE.** The face or background of a Sign may be constructed of exterior grade manufactured composite board or plywood if the face of the sign is painted and the edges of the sign are framed and sealed with silicone. ~~Plywood is prohibited except on temporary signs where painted plywood may be used.~~

(B) **LETTERS.** Synthetic or manufactured materials may be used for Individual cutout or cast letters in particular applications where synthetic or manufactured nature of the material would not be obvious due to its location on the building and/or its finish. Letters shall be raised, routed into the sign face or designed to give the sign variety and depth.

Ivory colored plastic ~~may~~ shall be used for internally illuminated letters.

Other materials may be approved by the Planning Commission at its discretion, but are otherwise prohibited. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

**12-4-8 COLOR.**

~~Bright, glossy, fluorescent colors are prohibited. and Reflective surfaces are prohibited. and reflective colored materials that give the appearance of changing color are prohibited. as well. Signs must be finished in subdued earth tone colors. Earth tones may be defined in this context: to include the full spectrum of soil, clay and metallic colors. Spectrums of off whites to deep browns, and light grays to black provide a wide range of acceptable colors. Brighter colors may be used provided they are imbued with brown or black tones. For~~

~~example: pink imbued with brown would tend toward mauve and would be acceptable. Bright rods imbued with brown or black tones give a deeper burgundy or maroon color and may also be acceptable. Colors should compliment the color scheme of the building. A matte or flat finish is required for all painted surfaces.~~

**12-4-9 ILLUMINATION.**

The purpose of regulating sign illumination is to prevent light trespass and provide clear illumination of signs without causing potential hazards to pedestrians and vehicles.

(A) **EXTERNALLY ILLUMINATED SIGNS.** Externally lit signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Light bulbs or lighting tubes used for illuminating a sign shall be simple in form and should not clutter the building or structure. Light bulbs or lighting tubes should be shielded so as to not be physically visible from adjacent public right-of-ways or residential properties.

The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way or closest right-of-way; and the illumination of a sign shall not be obtrusive to the surrounding area as directed in Chapter 15-5 of the Land Management Code.

(1) **FIXTURES.** Lighting fixtures shall be simple in form and should not clutter the building. The fixtures ~~should~~ must be directed only at the sign and comply with Chapter 15-5.

(2) **COMPONENT PAINTING.** All light fixtures, conduit, and shielding shall be painted to match

either the building or the supporting structure that serves as the background of the sign.

(B) **INTERNALLY ILLUMINATED SIGNS.** Internally illuminated signs include any sign face, which is lit or outlined by a light source located within the sign.

**LETTERS** Individual pan-channel letters with a plastic face or individual cutout letters, ~~i.e.~~ (letters routed out of the face of an opaque cabinet sign), are permitted. Cutout letters shall consist of a single line with a maximum stroke width of one and one-half inch (1½). Variations in stroke width may be reviewed and approved by the Planning Director. ~~Community Development Department~~. The plastic face or backing of the letters must be ivory colored.

Reversed pan-channel letters with an internal light source reflecting off of the building face may also be used for "halo" or "silhouette" lighting. Internally illuminated pan-channel letters are ~~not permitted~~ prohibited on freestanding signs.

**LIGHT SOURCE.** The light source for internally illuminated signs must be white.

**WATTAGE.** Wattage for internally illuminated signs shall be specified on the sign application. ~~must conform with the specifications established in Chapter 15-5 of the Land Management Code. In the case of multi-tenant buildings, the Planning Department will regulate the voltage and type of light as part of the Master Sign Plan application to ensure consistency.~~

**ZONING RESTRICTIONS.** Individual pan-channel letters and individual reversed pan-channel letters are prohibited in the Historic District. ~~Signs which incorporate "halo" or "silhouette" lighting behind one (1) sign face with the letters cut out of metal or wood sign~~

~~material are allowed in the Historic District provided they are consistent with the other regulations established in this section.~~

(C) **SEASONAL.** Strings of lights that outline buildings, building architectural features, and surrounding trees, shall be allowed from the 1<sup>st</sup> of November through the 15<sup>th</sup> of April only. These lights shall not flash, blink, or simulate motion. These restrictions apply to all zones except residential uses within the HR-1, HR-2, HRL, SF, RM, R-1, RDM, and RD Districts.

(CD) **PROHIBITED LIGHTING.** Lights that flash or move in any manner, are prohibited.

*(Amended by Ord. No. 02-50)*

**CHAPTER 5 - UNSAFE AND UNLAWFUL SIGNS**

**12-5-1 ABATEMENT OR REMOVAL OF UNSAFE, DANGEROUS NON-MAINTAINED OR ABANDONED SIGNS.**

If, upon inspection, the Building Official determines a sign or awning permitted by the Park City Sign Code to be unsafe, not maintained, or abandoned, the Building Official may issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within ten (10) working days after receipt of notice from the City. In cases of emergency, the Building Official may cause the immediate removal of a dangerous or defective sign. Signs removed in this manner must present an imminent hazard to the public safety.

**CHAPTER 6 - NON-CONFORMING SIGNS**

**12-6-1 CONFORMANCE CRITERIA FOR NON-CONFORMING SIGNS.**

All non-conforming signs (except billboards, see Section 12-6-4 below), that have been lawfully erected shall be deemed to be legal and lawful signs and may be maintained subject to the provisions of this Chapter.

(A) When a non-conforming sign becomes deteriorated or dilapidated to the extent of over fifty percent (50%) of the physical value it would have if it had been maintained in good repair, it must be removed within sixty- (60) days after receiving notice from the Chief Building Official. Non-conforming signs which are damaged, other than by vandalism, to the extent of over fifty percent (50%) of their physical value must be removed within sixty (60) days of receiving such damage or brought into compliance with the provisions of this Ordinance. Non-conforming signs that are damaged by vandalism to the extent of over fifty percent (50%) of their physical value must be restored within sixty- (60) days or be removed or brought into compliance with the provisions of this Ordinance.

(B) A non-conforming sign may not be relocated except when such relocation brings the sign into compliance with this Ordinance or does not increase the degree of the non-compliance of the sign. The City Engineer may approve the alteration of a non-conforming sign from its original location provided such alteration does not increase the degree of non-conformity. Once a non-conforming sign is removed from the premises or otherwise taken down or moved, without City Engineer approval, said sign may only be replaced with a sign that is in conformance with the terms of this Ordinance.

(C) The face of a non-conforming sign may be altered if the sign face is not thereby enlarged. The message of a non-

conforming sign may be changed so long as this does not create any new non-conformity.

(D) Minor repairs and maintenance of non-conforming signs necessary to keep a non-conforming sign for a particular use in sound condition are permitted so long as the non-conformity is not in any means increased.

*(Amended by Ord. No. 02-50)*

**12-6-2 ALTERATION OF NON-CONFORMING SIGNS.**

Non-conforming signs may be maintained and repaired in accordance with Section 12-6 -3 of this Title, provided that the alterations and repairs are for the purpose of maintaining the sign in its original condition. Alterations to a non-conforming sign that change the size, use, ~~content~~, color, lighting, or appearance of a non-conforming sign are considered structural alterations and shall be brought into full compliance with the standards of this Code.

**12-6-3 REPAIR OF DAMAGED NON-CONFORMING SIGNS.**

No sign that is not in conformance with this Code shall be repaired or restored after having been damaged to the extent of more than fifty percent (50%) of its value immediately prior to the event causing the damage or destruction. The owner of the sign or owner of the property shall have the obligation to properly remove the sign.

**12-6-4 NON-CONFORMING BILLBOARDS.**

Acquiring a billboard and associated property rights through gift, purchase, agreement, exchange, or eminent domain ~~may~~ will terminate the non-conforming status of said billboard.

A legislative body may also remove a billboard without providing compensation if, after providing the owner with reasonable notice or proceedings and an opportunity for a hearing, the legislative body finds that:

(A) The applicant for a permit intentionally made a false or misleading statement in his application;

(B) The billboard is unsafe;

(C) The billboard is in unreasonable state of repair; or

(D) The billboard has been abandoned for at least twelve (12) months.

**12-6-5 REMOVAL OF SIGNS BY THE BUILDING OFFICIAL AND COST ASSESSED AGAINST OWNERS.**

The Building Official may cause the removal of an illegal sign in cases of emergency, or for failure to comply with the written orders of removal or repair under the procedures and authority of the Municipal Code of Park City Section 6- 1- 5, as amended.

**CHAPTER 7 - PROHIBITED SIGNS**

**12-7-1 PROHIBITED SIGNS.**

No person shall erect, alter, maintain, or relocate any sign as specified in this Chapter in any district.

(A) **ANIMATED SIGNS.** A rotating or revolving sign, or signs where all or a portion of the sign moves in some manner. Except for Historic Signs and Historic Replication Signs where the applicant is able to prove through documentation or other evidence that the original Historic Sign produced the same motion/movement and is proposed in the same location.

(B) **BANNERS**. Except as approved in conjunction with a Master Festival license issued pursuant to Title 4 of this Code or approved as a banner on a City light standard pursuant to Title 12-11 of this Code.

(C) **BENCH SIGNS**. An outdoor bench or piece of furniture with signs attached.

(D) **ELECTRONIC MESSAGE SIGNS**. A permanent freestanding roof, wall, or other sign that changes copy electronically using switches and electric lamps. Automatic changing signs, such as announcements, time, temperature and date signs are prohibited. Governmental public safety, municipal directional and information signs are exempt.

(E) **FLASHING SIGNS OR LIGHTS**. A sign that contains an intermittent or flashing light source, or a sign that includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Flashing light sources are prohibited.

(F) **HOME OCCUPATION SIGNS**. Business identification sign for a home occupation.

(G) **INFLATABLE SIGNS OR DISPLAYS**. Any inflatable object used for signs or promotional purposes.

(H) **OFF-PREMISE SIGNS**. No person shall erect a sign identifying a business, commodity, service, or industry, which is not conducted upon the premises on which the sign is placed.

(I) **PORTABLE SIGNS**. Any sign that can be moved from place to place, is not permanently affixed to the ground or

building, and is for the purpose of display only, is prohibited. Temporary open house signs for real estate are permitted but must comply with the regulations as stated in Section 12-10-(F). Temporary portable signs for advertising or identifying a business or other type of entity must comply with the regulations as stated in Section 12-10-(I). Government public safety, municipal directional, and informational signs are exempt.

(J) **PROJECTION SIGNS**. A sign, which projects a visual image or message onto a surface, is prohibited. Temporary projection signs that are part of an approved master festival license may be allowed for the duration of the festival permit, provided they are directed ~~downward~~ so the light source is shielded from any view but the intended mark of the sign.

(K) **REPRODUCTION**. The use of an inanimate object that has been constructed to look like a ~~smaller~~ product or service for the purpose of advertisement or display is prohibited.

(L) **ROOF SIGNS**. Any signs erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof. Signs mounted anywhere on a mansard roof are not allowed.

(M) **SIGNS IN PUBLIC PLACES**. No person shall paint, mark, or write on, staple, tape, paste, post, or otherwise affix, any handbill, sticker, poster, or sign to any public building, structure, or other property, including but not limited to a work of art, sidewalk, crosswalk, curb, curbstone, parking meter, park-strip, street lamp post, hydrant, tree, shrub, tree stake or guard, electric light or power or telephone wire or pole, or wire appurtenance thereof, or any lighting system, public bridge, drinking



fountain, life saving equipment, street sign, street furniture, trash can, or traffic sign.

Violators of this Title shall be held liable and subject to the penalties as stated in Section 12-16-1.

(N) **WIND SIGNS.** Any propeller, whirling, or similar device, that is designed to flutter, rotate, or display other movement under the influence of the wind. This shall include "gasoline flags", or banners.

(O) **VIDEO SIGNS.** Animated visual messages that are projected on a screen.

*(Amended by Ord. No. 02-50; 04-01)*

**CHAPTER 8 - NON-REGULATED SIGNS**

**12-8-1 SIGNS EXEMPT FROM PERMIT REQUIREMENT.**

The following signs are exempt from the permit requirement as provided in Chapter 3 herein. They shall be regulated by the following size and placement standards and, except as otherwise provided herein, shall not be included when calculating permitted sign area for any parcel, use or development. Building permits may be required for the installation of these signs even though they are exempt from design review and regulation.

(A) **ADDRESSING NUMBERS.** Addressing numbers may be no higher than twelve inches (12"). When placed on commercial buildings, they may be taken into account in the review of the sign plan, and counted as sign area if part of the overall sign area for the building.

(B) **CAMPAIGN SIGNS.** Campaign signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(B).

(C) **HISTORIC SIGNS AND PLAQUES.** Locations and size ~~may~~ shall be reviewed by the ~~Historic District Commission~~ Planning Department.

(D) **HOURS OF OPERATION SIGNS.** One (1) "hours of operation" sign is allowed per entrance. Each sign may not exceed one square foot (1 sq. ft.) in area. The sign may not be illuminated.

(E) **NAMEPLATES (RESIDENTIAL).** One (1) nameplate sign for each single family residence that shall not exceed one square foot (1 sq. ft.) in area. If lighted, a building permit is required.

(F) **PRIVATE PLAZAS.** Signs may be installed in private plazas without obtaining individual sign permits provided that such signs conform to an approved Master Sign Plan, however building permits shall be required for installation and any necessary electrical service and lighting. Existing signs in private plazas approved prior to March 19, 1998, do not need to come into conformance with the Sign Code and Master Sign Plan requirements, but all new signs must be either individually approved or approved as an amendment to the Master Sign Plan. Signs oriented internally to the plaza and not to the public street or right-of-way shall not be subject to the limitations in Section 12-3-3(C).

(G) **PUBLIC NECESSITY SIGNS.** Public necessity signs such as safety/instructional, for public facilities and parks, warnings, information kiosks at trail heads, bus stops, no parking, and street name Signs installed by or with permission of Park City Municipal Corporation are exempt from permit requirements. Approval of the Public Works Director is required in order to insure safe placement and prevent unsightly or distracting sign placement.

(H) **RECREATIONAL FACILITIES.**

Signs located inside open air recreational facilities that are not oriented to public streets, e.g. ~~directional~~ signs in ski resorts, public property, skate board parks, and golf courses are not regulated.

(I) **REAL ESTATE SIGNS.** Real estate signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(G).

(J) **SOLICITATION SIGNS.** One (1) solicitor's sign, not to exceed one square foot (1sq. ft.), is allowed per major entrance to any building or apartment complex.

(K) **SPECIAL EVENTS FLIERS.** Fliers or posters advertising special events may be displayed on the inside of windows of businesses, provided all window signs do not exceed thirty percent (30%) of window area and the owner of the business approves of the placement. ~~Such posters may be displayed for up to one (1) week prior to an event, and must be removed within forty eight (48) hours after the event.~~

Posters or fliers may not be tacked up to the exterior of any building nor upon any sidewalk, crosswalk, curb, curbstone, street light post, hydrant, tree, shrub, parking meter, garbage can or dumpster, automobile, electric light, power or telephone wire pole, or wire appurtenance thereof, fire alarm or hydrant, street furniture, park benches or landscaping, any lighting system, public bridge, drinking fountain, statue, life saving equipment, street sign or traffic sign or on door steps.

(L) **SPECIAL SALE SIGNS.** Merchants may advertise special sales with temporary paper Signs on the inside of windows provided that all window signs do not cover more than thirty percent (30%) of the

window area. ~~Special sale signs may be displayed two (2) weeks at a time, five (5) times a year.~~

(M) **TRESPASSING SIGNS.** No trespassing signs may be posted on doors, windows or other property entrances, or on fence or property lines. They may not exceed one square foot (1 sq. ft.) in area, and may not be illuminated.

(N) **VACANCY SIGNS.** Vacancy signs are allowed only for those buildings that are permitted and licensed for nightly rentals. Vacancy Signs may be a maximum of two square feet (2 sq. ft.). If illuminated, approval from the ~~Community Development~~ Planning Department and a building permit are required. Luminous tube signs are prohibited.

(O) **VEHICLE SIGNS.** ~~Vehicle signs~~ Painted, vinyl or magnetic signs attached to the sides of vehicles or the vehicle's window are allowed, as long as the vehicle is in use or parked in a bona fide parking space. ~~Roof or antenna mounted signs on automobiles are prohibited, except for student driver signs.~~

(P) **YARD SIGNS.** Yard signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(H) and (F).

*(Amended by Ord. 00-60; 02-50; 04-01)*

**CHAPTER 9 - PERMITTED SIGN REGULATIONS**

**12-9-1 TYPES OF SIGNS ALLOWED.**

In addition to the following regulations, all signs must be in compliance with all other provisions of this Title.

For the purposes of this Title, signs for commercial uses within an approved Master Planned Development (MPD), shall be permitted under sign criteria set forth in the Recreation Commercial (RC) Zoning District.

(A) **AWNING AND CANOPY SIGNS.**

(1) **SIZE.** A maximum of twenty percent (20%) of the canvas area on each face of an awning may be used for sign area. ~~regardless of the size of the building facade to which the sign applies, not to exceed that which would be allowed otherwise.~~ Awnings and canopy signs are calculated as part of the total sign area for the building.

(2) **HEIGHT LIMIT.** Awnings and canopy signs must have a minimum clearance of eight feet (8') to the frame and seven feet (7') to the bottom of the valance.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** Awnings and canopy signs must be located in a traditional manner above doors, windows or walkways, provided said walkways lead to a bona fide entrance, if they are compatible with the architecture of the building, and follow relevant design guideline criteria. All other locations are prohibited. Freestanding awning signs are prohibited.

Awnings and canopy signs may project a maximum of thirty-six inches (36") from the face of the building except when used as entrance canopies, in which case awnings may extend to the setback lines. ~~Awnings and canopy signs are calculated as part of the total sign area for the building.~~ The design must blend with the architecture of the building and should not obscure details of the building. Awnings and canopy signs

should serve as an accent to the building's design but should not be the dominant architectural feature. Awnings are counted as sign area if they have lettering or other graphics conveying a commercial message or name of a business or product sold in the building to which the awning/canopy is attached.

(5) **ZONING RESTRICTIONS.** Awning and canopy signs are permitted in all commercial zoning districts.

(6) **DESIGN.** Awnings and canopy signs in the Historic District are encouraged to resemble the typical awning found during the mining era. Only fire resistant nylon, canvas or other similar material will be permitted. Material should be high quality, colorfast and sun fade resistant. Vinyl or plastic materials are not permitted in ~~Park City.~~ Awning and canopy sign colors are ~~generally~~ limited to a single field color with a single contrasting color for lettering and logos. However, if the awning / canopy is striped in a traditional manner, either with vertical stripes along the entire awning or horizontal stripes along the valance, two field colors may be used. ~~Corporate colors may be used only if they are finished in subdued earth tone colors.~~

(7) **ILLUMINATION.** Illuminated (back-lit) translucent awnings or translucent letters on opaque backgrounds are prohibited. Canvas awnings illuminated in the traditional manner with high-pressure sodium or fluorescent lighting is permitted.

(B) **CHANGEABLE COPY SIGNS.**

Changeable copy signs are permitted, provided they comply with the following regulations.

(1) **SIZE.** Freestanding Changeable copy signs shall be limited to a maximum of

twenty square feet (20 sq. ft.) in area, ~~unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.)~~

~~(2) **HEIGHT LIMIT.** Changeable copy signs shall be designed so that the sign area is confined to the building surface below the finished floor elevation of the second floor or twenty feet (20') above adjacent natural grade, whichever is lower.~~

(3) **NUMBER OF SIGNS.** The maximum number of changeable copy signs for a commercial or non-profit business is one (1).

(4) **SETBACK AND ORIENTATION.** Changeable copy signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial (GC) Zone, free standing changeable copy signs must be set back ten feet (10') from the property line.

~~Freestanding Changeable copy signs must be may be aligned either perpendicular or parallel to the road provided that signs perpendicular to the road are finished on both sides, and that Signs parallel to the road must maintain a setback of at least twenty-five feet (25') from the curb or edge of pavement. With the exception of those in the Frontage Protection Zone, the Community Development Planning Director may decrease the setback if it is determined that a particular unique road alignment or traffic condition would facilitate adequate impair visibility of the sign for street or pedestrian traffic.~~

(5) **ZONING RESTRICTIONS.** Changeable copy signs are allowed in all commercial zoning districts.

(6) **DESIGN.** The sign materials should be compatible with the face of the building and should be colorfast and resistant to erosion. The individual letters shall be uniform in size and color. Letters shall be enclosed within an opaque case with a transparent face. The individual letter shall not exceed eight inches (8") in height.

(7) **ILLUMINATION.** Illumination of changeable copy signs shall be enclosed in the case, ~~down directed toward the letters.~~

~~(C) **DIRECTORY SIGNS.**~~

~~Directory signs shall be permitted to provide information for commercial and residential multi-tenant projects.~~

~~(1) **SIZE.** Wall mounted and freestanding directory signs shall adhere to all other size requirements as set forth in this Code.~~

~~Freestanding directory signs may have a maximum of twenty square foot (20 sq. ft.) of sign area to serve as a directory for the project. Each phase of an expandable condominium or other phased project shall be considered a part of the initial phase for sign purposes if the project is joined by a common conditional use permit, zoning approval or management structure such as a condominium homeowner's association.~~

~~(2) **HEIGHT LIMIT.** The height of the directory sign shall not exceed seven foot (7'), and shall be directed towards pedestrians.~~

~~(3) **NUMBER OF SIGNS.** The combined area of all directory signs on a project may not exceed twenty square foot (20 sq. ft.) in area.~~

~~(4) **SETBACK AND ORIENTATION.** Directory signs shall be located in the~~

~~common area of the project and oriented toward a central pedestrian path, entrance or common parking area. Freestanding directory signs must maintain the setback requirements for the zone in which they are located.~~

~~(5) **ZONING RESTRICTIONS.** Directory signs are allowed in all zoning districts, provided they are identifying multi-tenant projects, either commercial or residential.~~

~~(6) **DESIGN.** Directory signs shall be simple in form and shall be compatible with the architectural elements and materials of the multi-tenant project.~~

~~(7) **ILLUMINATION.** Lighting of the directory sign is permitted. Lighting shall be down directed towards the text.~~

(C) **DISPLAY BOXES.**

Display boxes will be included in the total sign area for a building facade. Display boxes may contain an establishment's current menu, current entertainment information and merchandise and must be compatible with the architectural features of the building.

(1) **SIZE.** The maximum size shall be six square feet (6 sq. ft.) ~~and shall be included in the calculation of the total building sign area.~~

~~(2) **HEIGHT LIMIT.** The height of a display box shall be oriented towards pedestrian viewers.~~

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** Display boxes shall be oriented towards pedestrian viewers. Wall mounted display

boxes shall not extend from the building over public property.

(5) **ZONING RESTRICTIONS.** Display boxes are allowed in all commercial zoning districts.

(6) **DESIGN.** ~~The size and scale of display boxes shall be appropriate to the surroundings and shall be designed and fabricated so as to be compatible with the surrounding architecture. Freestanding display boxes shall be designed and constructed to withstand wind and may be located only on private property.~~ Display boxes must be constructed to coordinate with the building design and must contain a clear face that would protect the menu/event display from the weather and must not extend over public property.

(7) **ILLUMINATION.** Lighting of the display box is permitted within the display case. Lighting shall be down directed towards the items displayed.

(D) **ELECTRONIC DISPLAY TERMINALS.**

Electronic display terminals are a prohibited unless within a completely enclosed building and setback at least three feet (3') from any window. Exterior electronic display terminals are a conditional use ~~in the zone that underlies the property in Title 15, the Land Management Code,~~ subject to the following criteria:

(1) **SIZE.** Electronic display terminals shall be limited to a maximum of three square feet (3 sq. ft.) ~~two square foot (2 sq. ft.)~~ in area if ~~intended to be~~ viewed through a window and placed within three feet (3') of a window, or placed on the exterior of a building.

(2) **HEIGHT LIMIT.** No electronic display terminal may exceed a height of four feet (4') measured from finished grade.

(3) **NUMBER OF TERMINALS.** No more than one (1) electronic display terminal may be permitted within the premises of a business.

(4) **SETBACK AND ORIENTATION.** Electronic display terminals shall not be allowed within the public right-of-way. They must be accessed by pedestrians only and obscured from vehicles. If located near an entrance or exit of a building, terminals must meet all ingress and egress requirements established by the uniform International Building Code. ~~Terminals may be aligned perpendicular or horizontal to the road and must be finished on all visible sides.~~

(5) **LOCATION ZONING RESTRICTIONS.** Electronic display terminals are allowed ~~only~~ in the HCB, HRC, GC, LI, RC, RCO, and RD Districts.

(6) **DESIGN.** Electronic display terminals must complement the architecture of the structure to which it is associated, and finished on all visible sides. ~~If the terminal is within the Historic District it must meet the Park City Historic District Guidelines, and may be subject to review by the Historic District Commission.~~

(7) **ILLUMINATION.** Lighting of electronic display terminals is prohibited.

(E) **ENTRANCE/EXIT SIGNS.**

Entrance/exit signs are not included into the total sign area allowed for a structure. Entrance/exit signs are for the facilitation of traffic onto and off a site.

(1) **SIZE.** Entrance/exit signs shall be limited to a maximum of three square feet (3 sq. ft.) per side.

(2) **HEIGHT LIMIT.** Entrance/exit signs shall be no higher than five feet (5') above the ground at the top of the sign.

(3) **NUMBER OF SIGNS.** Two (2) entrance/exit signs are allowed at each approved driveway opening for commercial uses and multi-tenant dwellings.

(4) **SETBACK AND ORIENTATION.** Entrance/exit signs shall not be placed in the City right-of-way.

(5) **ZONING RESTRICTIONS.** Entrance/exit signs are permitted in all commercial and multi-family residential zoning districts.

(6) **DESIGN.** Entrance/exit signs shall be simple in form and shall be compatible with the architectural elements of the commercial or multi-family project.

(7) **ILLUMINATION.** Illumination of entrance/exit signs is permitted, provided that the lighting complies with Chapter 15-5.

(F) **FLAGS.**

~~The regulations stated below regarding flags shall apply to all zones in the City except for single family zones.~~ Flags and flag poles are prohibited when they are the only man made structure on the premise where it is placed.

(1) **SIZE.** The maximum size of any one (1) flag shall be twenty-four square feet (24 sq. ft.) if visible from a public right-of-way.

(2) **HEIGHT LIMIT.** Flagpoles may not exceed ~~the maximum height of the nearest~~

~~building, or twenty-eight feet (28') measured from natural or final grade, whichever yields the shorter pole.~~

(3) **NUMBER OF FLAGS.** No more than three (3) freestanding flagpoles per property may be shown at any time if these flags are visible from a public right-of-way. Properties with right-of-way frontage greater than one hundred yards (100 yds.) may be allowed an additional three (3) flags per additional one hundred yards (100 yds.) of street frontage. Flag poles are restricted to only flying one (1) flag per pole.

No more than eight (8) building mounted flags per property may be shown at any time if these flags are visible from a public right-of-way.

Flag poles and flags approved by City Council as Olympic Legacy displays for permanent installation on City property, public rights-of-way and/or within Olympic venue areas at Park City Mountain Resort and Deer Valley Resort may exceed the allowed number of flags and flag poles permitted in this section.

(4) **SETBACK AND ORIENTATION.** Freestanding flagpoles shall not be placed in the setback area as designed for the zone in which the flags are located.

(5) **ZONING RESTRICTIONS.** Flags are allowed in all zoning districts.

(6) **TYPES OF FLAGS.** All Flags, which contain the name or logo of an establishment or advertising copy, shall be considered signs for purposes of this Chapter. The flag of the United States, the state of Utah, other flags or insignias of governmental entities, or decorative flags are not considered signs for purposes calculating total sign area, but are subject to the restrictions of this section.

(7) **DESIGN.** It is recommended that the flagpoles be black, brown, dark green or bronze. ~~The flagpoles shall utilize noise reduction methods.~~ Flags shall be kept in good repair. Design and lighting of the U.S. flag should be consistent with the Federal Flag Code, 36 U.S.C. Section 173-8 as amended.

(8) **ILLUMINATION.** Uplighting of all Flags except the Flag of the United States of America is prohibited. ~~Flags may be illuminated provided that the lighting complies with Section 12-4-10. Lighting proposed for the flags shall be included in the sign application.~~

**(G) FREE-STANDING SIGN.**

(1) **Size** Freestanding signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area, ~~unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.).~~

(2) **Height Limit.** Free-standing signs may not exceed a height of seven feet (7') measured from ~~existing~~ Final grade.

(3) **Number of Signs.** Buildings, projects, parcels or Master Planned Developments less than 100,000 square feet of building space are limited to one (1) free-standing sign. If the property has more than one (1) entrance and frontage on more than one (1) street, one (1) additional sign may be permitted for directional purposes only. The combined square footage of all free-standing signs shall not exceed the maximum square footage allowed.

Master Planned developments of greater than 100,000 square feet of building space are allowed one additional free standing sign per additional 100,000 square feet of

building area to a maximum of five freestanding signs within the development provided they are used specifically to identify the development, provide way finding within the development and to identify an amenity within the development. All other requirements of this Code shall apply.

(4) **Setback and Orientation.** Free-standing signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial (GC) Zone, signs must be set back ten feet (10') from the property line.

Free-standing signs may be aligned either perpendicular or parallel to the road provided that signs perpendicular to the road are finished on both sides, ~~and that signs parallel to the road maintain a setback of at least twenty five feet (25') from the curb or edge of pavement.~~ With the exception of those in the Frontage Protection Zone, the ~~Community Development Planning Director~~ may decrease this setback if it is determined that a particular road alignment or traffic conditions would facilitate adequate visibility of the sign for street or pedestrian traffic.

(5) **Zoning Restrictions.** Free-standing signs ~~may be~~ are allowed in the commercial districts GC, RM, RDM, RC, RCO LI HRC, HCB and RD. Free-standing signs located in the Frontage Protection Zone ~~or the HCB District~~ require a Conditional Use Permit.

(6) **Design.** Free-standing signs with a solid or enclosed base are permitted. Signs must be compatible with the architecture of the building or use to which they are associated. Signs supported by at least two (2) poles without enclosed bases are also permitted provided that the exposed pole's height does not constitute more than fifty

percent (50%) of the sign's overall height, i.e., the height of the open area beneath a sign cannot exceed fifty percent (50%) of the sign's total height.

(8) **Illumination.** Lighting of free-standing signs is permitted, provided that the lighting complies with Section 12-4-9. However, internally illuminated pan-channel letters are not permitted on free-standing signs. Any exterior lighting proposed for the signs shall be included in the sign application.

(H) **HANGING AND PROJECTING SIGNS.**

(1) **SIZE.** No single hanging or projecting sign may exceed twelve square feet (12 sq. ft.) in area. Sign brackets incorporating design elements that are descriptive or informative of the business use shall be included as part of the sign area.

(2) **HEIGHT LIMIT.** Hanging and projecting signs must have at least eight feet (8') of ground clearance. ~~unless reduced according to the projection and clearance provisions of Section 12-4-6.~~

(3) **NUMBER OF SIGNS.** There is no number of maximum hanging or projecting signs per building face. The total square footage of sign area shall not exceed the maximum square footage allowed per building face. Signs must have a minimum of six feet (6') of separation between each sign similar in nature.

(4) **SETBACK AND ORIENTATION.** Hanging and projecting signs may not project more than thirty-six inches (36") from the face of the building to which it is attached. They may not extend beyond the applicant's property, except those ~~which are proposed to be placed~~ over the Main Street



sidewalks. Hanging and projecting signs may extend over City property only after review and written approval by the City Engineer ~~and with the written approval of the Community Development Director~~ and an executed encroachment agreement with the City has been recorded at the County Recorder's office. ~~acceptable to the City Attorney.~~ ~~Hanging and projecting signs must have a minimum of six feet (6') of separation between each sign similar in nature.~~

(5) **ZONING RESTRICTIONS.** Hanging and projecting signs are permitted within all commercial zoning districts.

(6) **DESIGN.** Exposed surfaces of hanging signs may be constructed of metal, high-density foam board, or solid wood. ~~and/or solid wood.~~ The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

(7) **ILLUMINATION.** Lighting of hanging and projecting signs is permitted, provided that the lighting complies with Section 12-4-9. ~~Any exterior lighting proposed for the signs shall be included in the sign application.~~

(I) **LUMINOUS TUBE SIGNS (NEON).** Luminous tubes (LT) used to draw attention ~~to a business or building~~ in any manner, including, but not limited to, neon text, or logos are considered signs and shall be regulated according to the provisions of this Code as follows:

(1) **SIZE.** All LT signs are limited to six square feet (6 sq. ft.) or less.

(2) **HEIGHT LIMIT.** LT signs shall be limited to the ground floor elevation.

(3) **NUMBER OF SIGNS.** ~~Not applicable.~~ One LT sign is allowed for every twenty five (25) feet of building façade width. One (1) LT sign of less than two (2) square feet in size is allowed per building or tenant space without a permit.

(4) **SETBACK AND ORIENTATION.** LT signs must be located within a building and displayed through a window rather than being attached to the exterior of the building. If LT signs which are located within ten feet (10') of the front window are visible from the street ~~and exceeds two square foot (2 sq. ft.) in area,~~ they are considered as sign area and must have a permit and will be included in the total sign area for the building. LT signs located ten feet (10') back from the window are considered interior lighting and are not regulated.

(5) **ZONING RESTRICTIONS.** LT signs are permitted ~~may be used only~~ in the HCB, HRC, LI, RC, RCO and GC districts. LT signs are prohibited in all other zoning districts.

(6) **DESIGN.** ~~The following historic colors are permitted in the Historic District in primary shades only: red, yellow, white, blue, green. All others are prohibited. Other colors are permitted in the GC districts, but are subject to the design standards of this title.~~ LT signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited. ~~In certain cases, open/closed or directional signs for a drive through, may be permitted to facilitate traffic circulation and control traffic congestion.~~

(7) **ILLUMINATION.** ~~LT signs within themselves are illuminated. No other additional illumination is permitted.~~

(J) **MENU SIGNS.**

(1) **SIZE.** The maximum size shall be two square feet (2 sq. ft.), unless enclosed in a display box. ~~and shall be included in the calculation of the total building sign area unless enclosed within a display box which is included in the calculation of the building sign area.~~

(2) **HEIGHT LIMIT.** Height of a menu sign shall be ~~oriented towards pedestrian viewers with~~ a maximum height of six feet (6').

(3) **NUMBER OF SIGNS.** One (1) menu display sign is permitted per restaurant ~~per building.~~

(4) **SETBACK AND ORIENTATION.** Displays for menus may be located on the inside of a window for a restaurant or inside a wall mounted or freestanding display box.

(5) **ZONING RESTRICTIONS.** Menu signs are allowed in all commercial zoning districts.

(6) **DESIGN.** All wall mounted or freestanding menu boxes ~~located in the Historic District shall be reviewed within the context of the Historic District Design Guidelines.~~ Menu boxes in other zones will be reviewed within the context of the building architecture.

(7) **ILLUMINATION.** Lighting of the menu or event display is permitted within the display. Lighting shall be down directed towards the text.

**(K) MUNICIPAL IDENTIFICATION SIGNS.**

Municipal identification signs are a conditional use subject to review pursuant to Land Management Code Section 15-1-10, in addition to the following criteria:

(1) **SIZE.** Municipal identification signs shall be limited to a maximum of forty square feet (40 sq. ft.) in area.

(2) **HEIGHT LIMIT.** No municipal identification sign may exceed a height of eight feet (8') measured from finished grade.

(3) **NUMBER OF SIGNS.** No more than two (2) municipal identification signs are permitted in Park City.

(4) **SETBACK AND ORIENTATION.** Municipal identification signs shall be set back no less than fifteen feet (15') from the right-of-way line or edge of asphalt, whichever is greater. No municipal identification sign is permitted within twenty feet (20') of an ROS or POS designated zones.

(5) **LOCATION/ZONING.** No more than one (1) municipal identification sign shall be permitted along the entry corridor to Park City on Highway 224 and no more than one (1) municipal identification sign shall be permitted along the entry corridor on Highway 248. Any existing municipal identification signs on the approved site must be removed if municipal identification signs are approved by the Planning Commission.

(6) **DESIGN.** Municipal identification signs must comply with the design guidelines as established in Chapter 4 of this Title. Municipal identification signs shall not be changeable copy signs.

(7) **ILLUMINATION.** Lighting of municipal identification signs is permitted provided the lighting complies with the City lighting ordinance.

~~(L) **PROJECTING SIGNS.**~~

~~See hanging and projecting signs, Section 12-9-1 (I).~~

~~(M) **SUBDIVISION SIGNS.**~~

~~See Freestanding signs, Section 12-9-1(H)~~

~~(1) **SIZE.** Subdivision signs are limited to a maximum of twenty square foot (20 sq. ft.) per sign.~~

~~(2) **HEIGHT LIMIT.** Subdivision signs may not exceed a height of seven foot (7').~~

~~(3) **NUMBER OF SIGNS.** Subdivisions are limited to one (1) subdivision sign.~~

~~(4) **SETBACK AND ORIENTATION.** Subdivision signs shall not be placed in the setback area as defined for the zone in which the sign is located.~~

~~Subdivision signs may be aligned either perpendicular or parallel to the road provided that the signs perpendicular to the road are finished on both sides and that signs parallel in the road maintain a setback of at least twenty five foot (25') from the curb or edge of pavement.~~

~~(5) **ZONING RESTRICTIONS.** Subdivision signs are permitted in all other zones except in the HR-1, HR-2, HRL, HRC, and RD districts. Subdivision signs are only permitted as part of subdivisions of fifty (50) lots or more or master planned developments.~~

~~(6) **DESIGN.** Subdivision signs shall be designed with natural materials, including rock and stone.~~

~~(7) **ILLUMINATION.** Illumination of subdivision signs is prohibited.~~

(L) **UMBRELLA SIGNS.** Umbrella shall meet the following requirements:

(1) **SIZE.** ~~Signs on umbrellas are limited to a height of no more than five inch (5") letters and graphics. Only the area of the umbrella containing the signs, as opposed to the entire area of the umbrella, shall be considered, for purposes of calculating total sign area.~~

(2) **HEIGHT LIMIT.** Not applicable.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** Not applicable.

(5) **ZONING RESTRICTIONS.** Umbrella signs are permitted in all commercial zoning districts.

(6) **DESIGN.** Materials should be high quality vinyl, nylon, canvas or other similar material in order to withstand the weather and climate changes. ~~Umbrella colors are generally limited to a single field color with a single contrasting color for lettering and logos. However, if the umbrella is striped, two colors may be used. Corporate colors may be used, only if they are finished in subdued earthtone colors.~~

(7) **ILLUMINATION.** Illumination of umbrella signs is prohibited.

(M) **WALL SIGNS.** Wall signs may be placed upon a building provided that they meet the following conditions of approval.

(1) **SIZE.** The size of ~~a~~ the wall sign shall not exceed the maximum square footage allowed per building facade.

(2) **HEIGHT LIMIT.** ~~Sign plans shall be designed so that wall signs shall be~~ are confined to the building surface below the finished floor elevation of the second floor or

twenty feet (20') above adjacent finished grade whichever is lower.

(3) **NUMBER OF SIGNS.** There is no maximum number of wall signs specified per building face. The total square footage of sign area shall not exceed the maximum square footage of sign area allowed per building face.

(4) **SETBACK AND ORIENTATION.** Wall signs shall be designed placed so as to utilize complement existing architectural features of a building without obscuring them. Wall sign shall be oriented toward pedestrians or vehicles within close proximity.

(5) **ZONING RESTRICTIONS.** Wall signs are permitted in all zones.

(6) **DESIGN.** The sign materials shall be consistent with Chapter 4 of this Code, compatible with the building face, colorfast and resistant to erosion.

(7) **ILLUMINATION.** Lighting of wall signs is permitted, provided that the lighting complies with Section 12-4-9. All exterior lighting proposed for the signs shall be included in the sign application.

~~(P) **WAY FINDING SIGNS.**~~

~~Way finding signs are conditional uses and must meet the following criteria.~~

~~(1) **SIZE.** Way finding signs shall be limited to a maximum of ten square foot (10 sq. ft.).~~

~~(2) **HEIGHT LIMIT.** Way finding signs shall be no higher than five foot (5') above existing grade at the top of the sign.~~

~~(3) **NUMBER OF SIGNS.** One (1) way finding sign is allowed for each 100,000 square foot of building space in the MPD.~~

~~(4) **SETBACK AND ORIENTATION.** Way finding signs shall be setback at least ten foot (10') from the platted property line, unless it is within the Frontage Protection Zone in which case it must meet the requirements of the Frontage Protection Zone.~~

~~(5) **ZONING RESTRICTIONS.** Way finding signs are permitted only in the RC, ROS, and RD Districts.~~

~~(6) **DESIGN.** Way finding signs shall be simple in form and compatible with the architectural details of the MPD project. Utilization of the project logo on the sign is permitted but shall not be the primary focus of the sign.~~

~~(7) **ILLUMINATION.** Illumination of way finding signs is prohibited.~~

(N) **WINDOW SIGNS.**

Window signs are permitted provided they meet the following criteria:

(1) **SIZE.** Permanent window signs shall occupy no more than thirty percent (30%) of the total transparent area of the window.

(2) **HEIGHT LIMIT.** Window signs are limited to the main floor level of the building. Window signs are permitted upon second story windows within the Historic District.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** Window signs may be placed in or upon any window below the elevation of the second

floor level provided that the total square footage of sign area does not exceed thirty percent (30%) of the total transparent area of the window. Window signs include any signs within three feet (3') of the front window, visible from the street and exceed two square feet (2 sq. ft.) in area.

(5) **ZONING RESTRICTIONS.** Window signs are permitted in all zoning districts.

(6) **DESIGN.** The window sign must be permanently attached to the window face by either using vinyl, etching or other similar attachment methods. The vinyl color should be compatible with the building face. Ivory or cream lettering is preferred.

(7) **ILLUMINATION.** Illumination of window signs is prohibited.

~~(R) **MUNICIPAL IDENTIFICATION SIGNS.** Municipal identification signs are a conditional use subject to review pursuant to Land Management Code Section 15-1-10, in addition to the following criteria:~~

~~(1) **SIZE.** Municipal identification signs shall be limited to a maximum of forty square foot (40 sq. ft.) in area.~~

~~(2) **HEIGHT LIMIT.** No municipal identification sign may exceed a height of eight foot (8') measured from finished grade.~~

~~(3) **NUMBER OF SIGNS.** No more than two (2) municipal identification signs are permitted in Park City.~~

~~(4) **SETBACK AND ORIENTATION.** Municipal identification signs shall be set back no less than fifteen foot (15') from the right of way line or edge of asphalt, whichever is greater. No municipal identification sign is permitted within twenty~~

~~foot (20') of an ROS or POS designated zones.~~

~~(5) **LOCATION/ZONING.** No more than one (1) municipal identification sign shall be permitted along the entry corridor to Park City on Highway 224 and no more than one (1) municipal identification sign shall be permitted along the entry corridor on Highway 248. Any existing municipal identification signs on the approved site must be removed if municipal identification signs are approved by the Planning Commission.~~

~~(6) **DESIGN.** Municipal identification signs must comply with the design guidelines as established in Chapter 4 of this Title. Municipal identification signs shall not be changeable copy signs.~~

~~(7) **LANDSCAPING.** A landscaping plan may be required as part of the conditional use approval. The nature of the plan will be determined by the Planning Commission based upon the location of the sign.~~

~~(8) **ILLUMINATION.** Lighting of municipal identification signs is permitted provided the lighting is shielded and directed on the sign.~~

*(Amended by Ord. No. 01-25; 02-50)*

**CHAPTER 10 - TEMPORARY SIGNS**

**12-10- 1. POLICY.**

It is the policy of the City as outlined in this section to restrict the use of temporary signs. Temporary signs are often poorly constructed, poorly maintained, and located in a manner that obscures traffic signs, views of intersections of public and private streets and driveways and tends to depreciate the scenic beauty and quality of life of the community by creating visual

clutter. Temporary signs have a place in the community for specialized purposes, such as announcing properties for sale or lease, construction activities, temporary sales, or making political or ideological statements. Temporary signs are permitted for those and similar purposes subject to the regulations of this Chapter.

**12-10-2 TYPES OF TEMPORARY SIGNS.**

Temporary signs ~~are those signs which are installed on a property with the intent of displaying them continuously for more than twenty-four (24) hours. They are not, but that are not a part of a permanent land use on the property, and shall are not intended to be displayed for more than six (6) months. one (1) year. Real estate signs, construction signs, special purpose signs, yard signs, and campaign signs are permitted subject to the following regulations on placement and location.~~

**(A) BUSINESS NAME OR TENANT CHANGE SIGNS.**

Due to a change in business name or tenant, including temporary occupancy of an existing business by a convention sales license holder, pursuant to Section 4-3-9 of this Code, a temporary sign is permitted as per the following regulations.

(1) **SIZE.** Business name or tenant change signs may occupy the same amount of area previously approved on a building or façade provided said area is consistent with this Title and the master sign plan for the property. In no case shall business name or tenant change signs exceed the sign area per building face when included within the sign area calculation for all permanent signs.

(2) **HEIGHT LIMIT.** All requirements as stated in this Title shall apply.

(3) **NUMBER OF SIGNS.** Persons seeking approval for business name or temporary change signs are allowed the same number of signs previously approved on a building façade or through the Master Sign Plan. Additional window sign area may be used, but may not exceed the total sign area allowed per building face.

(4) **SETBACK AND ORIENTATION.** Temporary business name or tenant change signs are permitted in any district, provided that they comply with all size and setback requirements for the permanent signs of similar nature.

(5) **ZONING RESTRICTIONS.** Temporary business identification signs are allowed in all zoning districts.

(6) **DESIGN.** Temporary business identification sign materials shall be consistent with the requirements of Chapter 4-7 of this Title. Sign mounting shall comply with the Uniform Sign Code's standards for installation.

(7) **ILLUMINATION.** Illumination of temporary business signs is prohibited.

**(B) CAMPAIGN SIGNS.**

Campaign signs do not require a sign permit, as issued by the Planning Department, but shall comply with the following regulations:

(1) **SIZE.** Campaign signs shall not exceed three square feet (3 sq. ft.) of area on the exposed Sign face.

(2) **HEIGHT LIMIT.** ~~No portion of the campaign sign shall extend more than four feet (4') above~~ The maximum height of a

~~Campaign Sign, is 4 feet above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").~~

**(3) SETBACK AND ORIENTATION.**

Campaign signs are permitted in any zone, provided that they are located a minimum of ~~twenty feet (20')~~ ten feet (10') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this ~~twenty feet (20')~~ ten foot (10') distance would be within a structure, the sign may be within three feet (3') of the front of the structure.

~~Campaign signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). On vacant lots, where there is no structure, the Sign shall maintain the twenty foot (20') setback from the street.~~

**(4) ZONING RESTRICTIONS.**

Campaign signs are allowed in all zoning districts.

~~(5) DESIGN. Campaign signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

**(6) ILLUMINATION.** Illumination of campaign signs is prohibited.

**(C) CONSTRUCTION SIGNS.**

For each projects requiring a building permit in Park City, a construction mitigation plan is required. Pursuant to this plan, the Chief Building Inspector may require a Construction Sign. These signs are permitted provided they meet the following criteria.

**(1) SIZE.** The Construction sign shall not exceed twelve square feet (12 sq. ft.) in size.

**(2) HEIGHT.** Construction signs shall not exceed six feet (6') in height above finished grade.

**(3) LOCATION.** The Construction sign shall be posted in a location on the premises where it is readable from the street or driveway. In no case shall the Construction sign be placed in the public right-of-way. ~~However,~~ The exact location of the sign shall be identified in the approved Construction Mitigation Plan. Construction signs shall not be located in the side or rear yard setbacks.

**(4) INFORMATION.** Information on the construction sign shall include: the name, address, and phone number of the contractor; the name, address, and phone number of the person responsible for the project; and the name and phone number of the party to call in an emergency. ~~The lettering shall not exceed four inches (4") in height.~~

**(5) NUMBER OF SIGNS.** One (1) construction sign is permitted per project.

**(6) ZONING RESTRICTIONS.** Construction signs are permitted in all zoning districts.

**(7) DURATION.** Construction signs shall be removed from the premises upon

issuance of a certificate of occupancy for the project from the Building Department.

(D) **PROJECT MARKETING SIGNS.**

To allow for initial marketing of projects containing four (4) dwelling units or more, and/or four thousand square feet (4000 sq. ft.) or more of commercial floor area a project marketing sign is allowed on the property during the construction phase of the building or project.

(1) **SIZE.** The total Sign area of the Project Marketing Sign shall not exceed twenty-four square feet (24 sq. ft.) in area. ~~To allow for initial marketing of projects containing four (4) dwelling units or more, and/or four thousand square feet (4000 sq. ft.) or more of commercial floor area a project marketing sign is allowed on the property during the construction phase of the building or project. The total Sign area of the Project Marketing Sign shall not exceed twenty four square feet (24 sq. ft.) in area.~~

(2) **HEIGHT.** Project marketing signs may not exceed seven feet (7') above finished grade in vertical height from the ground at the point where the sign is located. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.

Project marketing Signs must be located in a manner that does not obstruct the view of normal passenger vehicles of adjoining streets from the driveway of the site to the adjoining street.

(3) **LOCATION.** The project marketing sign on construction sites may not be closer than twenty feet (20') to the curb line, or edge of pavement if there is no curb, ~~of the street on which the project fronts, which is the street providing access to the project. If~~

that twenty-foot (20') setback places the sign within the construction limits of disturbance, the sign may be placed closer to the street, but no more than ten feet (10') outside of the construction limits of disturbance. Project Marketing signs shall not be located in the side or rear yard setbacks.

In the HCB District, Prospector Commercial Subdivision, and other areas that have been approved or zoned with no setback or side yard requirements, the sign may be located on the construction barricade or fence surrounding the site, even if that places the sign within the public right-of-way.

Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the ~~Community Development~~ Planning Director may grant an exception to the sign setback standards, but not the size or street orientation standards. ~~In no event may project marketing signs be placed within the public right of way.~~

(4) **INFORMATION.** Information on the project marketing sign may include a plat map and real estate information for the project. ~~A project marketing sign may not include sale prices.~~

(5) **NUMBER OF SIGNS.** One (1) project marketing sign is permitted per project.

(6) **ZONING RESTRICTIONS.** Project marketing signs are permitted in all zoning districts.

(7) **DURATION.** ~~Upon project final approval by staff, Planning Commission, or City Council, the project marketing sign may be installed for a time period of six (6)~~



~~months. If a grading or building permit is not issued by the Building Department within six (6) months of the approval date, the project marketing sign shall be removed. If a grading or building permit is issued by the Building Department within six (6) months of the approval date, the project marketing sign is permitted until such time as the last temporary certificate of occupancy is issued for the project. If the sign was removed, it may be reinstalled upon the issuance of a grading permit and may remain until the last temporary certificate of occupancy is issued for the project.~~

Project Marketing signs shall be removed from the premises upon issuance of the last temporary certificate of occupancy for the project from the Building Department.

The ~~Community Development~~ Planning Director or his/her designee may issue a six (6) month extension for the display of the project marketing sign after the last temporary certificate of occupancy has been issued upon the applicant's payment of a forfeitable deposit of \$5,000. Such deposit shall be forfeited to the City if the project marketing sign remains six (6) months beyond the date of the last temporary certificate of occupancy.

**(E) CONSTRUCTION/PROJECT MARKETING SIGNS.**

~~Because of the unique need to identify construction projects clearly for material suppliers, deliveries, and construction workers, and to allow for initial marketing, it may be appropriate to combine the information contained on a construction sign and a project marketing sign and create a temporary construction/project marketing sign, provided it meets the following criteria: Residential projects containing four (4) or more dwelling units, and/or commercial~~

projects containing four thousand square feet (4,000 sq. ft.) or more of commercial floor area, are allowed one (1) construction/project marketing sign, provided it meets the following criteria.

(1) **SIZE.** ~~Residential projects containing four (4) or more dwelling units, and/or commercial projects containing four thousand square feet (4,000 sq. ft.) or more of commercial floor area, are allowed one (1) construction/project marketing sign on the property in conjunction with a project under development or construction. The sign will be separated into two sections: one (1) portion of the sign will be limited to the construction information and the other portion will be limited to the real estate information to allow for the initial marketing of the project during construction. The total Sign area of the construction/project marketing sign shall not exceed thirty-two square feet (32 sq. ft.) in area, and but shall be divided to allow sign area for construction and real estate information. The sign area identifying real estate information may not exceed twenty square feet (20 sq. ft.) in area. The construction information is limited to a total sign area of twelve square feet (12 sq. ft.).~~

(2) **HEIGHT LIMIT.** Construction/project marketing signs may not exceed seven feet (7') above finished grade. ~~in vertical height from the ground at the point where the sign is located.~~ Signs mounted on a construction barricade or fence may not extend above the height of the barricade of fence.

(3) **NUMBER OF SIGNS.** One (1) construction/project marketing sign is permitted per project. In no case will a construction/project marketing sign be allowed if a project marketing sign or construction sign already exists on the premises.

**(4) SETBACK AND ORIENTATION.**

The construction/project marketing sign on construction sites may not be closer than twenty feet (20') to the curb line, or edge of pavement if there is no curb.

~~Construction/Project Marketing signs shall not be located in the side or rear yard setbacks, of the street on which the project fronts, which is the street providing access to the project. If that twenty foot (20') setback places the sign within the construction limits of disturbance, the sign may be placed closer to the street, but no more than ten feet (10') outside of the construction limits of the disturbance.~~

In the HCB district, Prospector Commercial Subdivision, and other areas that have been approved or zoned with no setback or side yard requirements, the sign may be located on the construction barricade or fence surrounding the site, even if that places the sign within the public right-of-way. ~~No portion of the sign may extend above the barricade or fence.~~

Construction/project marketing signs must be located in a manner that does not obstruct the view, for normal passenger vehicles, of adjoining streets from the driveway of the site to the adjoining street.

Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the ~~Community Development Planning~~ Director may grant an exception to the sign setback standards, but not the size or street orientation standards. In no event may construction/project marketing signs, subject to the setback requirements, be placed within the public right-of-way.

**(5) ZONING RESTRICTIONS.**

Construction/ project marketing signs are permitted in all zoning districts. ~~Upon project final approval by Staff, Planning Commission, or City Council, the construction/project marketing sign shall be installed for a time period of six (6) months. If a grading or building permit is not issued by the Building Department within six (6) months of the approval date, the construction/project marketing sign shall be removed. If a grading or building permit is issued by the Building Department within six (6) months beyond the date of the last temporary certificate of occupancy.~~

Construction/Project Marketing signs shall be removed from the premises upon issuance of the last temporary certificate of occupancy for the project from the Building Department.

**(6) INFORMATION.** ~~For consideration as a construction/project marketing sign, the construction area of the Sign shall not exceed twelve square foot (12 sq. ft.) in size. The lettering shall not exceed four inches (4") in height. Information on the construction area of the sign shall include: the name, address, and phone number of the contractor; the name, address, and phone number of the person responsible for the project; and the name and phone number of the party to call in an emergency. The marketing section of the sign may include a plat map and real estate information. A construction sign may not contain sale prices.~~

**(7) DESIGN.** ~~Construction/project marketing signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Construction/project marketing signs, because of their larger size and the increased risk of disruption nearby, shall be~~

~~mounted on at least two (2) four inch by four inch (4" x 4") posts with back bracing, or such other means that shall comply with the Uniform Sign Code's standards for installation. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

(8) **ILLUMINATION.** Illumination of Construction/Project Marketing signs is prohibited.

**(F) NEIGHBORHOOD INFORMATION SIGNS.**

~~Neighborhood information signs are exempt from a permit as long as the sign is in compliance with the regulations as stated below:~~

(1) **SIZE.** Neighborhood information signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

(2) **HEIGHT LIMIT.** No portion of the Sign shall extend more than six feet (6') above natural grade or finished grade, whichever yield the lower sign. ~~Mounting devices may extend above the sign by not more than six inches (6").~~

(3) **NUMBER OF SIGNS.** Only one (1) neighborhood information sign is permitted on any one (1) parcel of property ~~and must comply with the size, color, and placement standards of this Code.~~

(4) **SETBACK AND ORIENTATION.** Neighborhood information signs are permitted in any zone. ~~provided that they are located a minimum of twenty foot (20') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this~~

~~twenty foot (20') distance would be within a structure, the sign may be within three foot (3') of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

**(G) REAL ESTATE SIGNS.**

Real estate signs do not require a sign permit, as issued by the Planning Department, but shall comply with the following restrictions:

(1) **SIZE.** Real estate signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

(2) **HEIGHT LIMIT.** No portion of the sign shall extend more than six feet (6') above ~~natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").~~

~~(3) **NUMBER OF SIGNS.** Only one (1) real estate sign is permitted on any one (1) parcel of property and must comply with the size, color, and placement standards of this Code.~~

(3) **NUMBER OF SIGNS.** Except as outlined below, only one (1) real estate sign is permitted on any one (1) parcel of property.

**a. OPEN HOUSE EXCEPTION.**

(i) **On Premise.** During the hours of an open house, one (1) additional sign that complies with the requirements of this

Code will be permitted. Thus, for the duration of an open house, two (2) compliant signs may be displayed on the premises of parcel of property for sale. The additional sign must be removed at the conclusion of the open house and may not remain posted overnight. All Real Estate Signs must comply with the size, color, and placement standards of this Code.

(ii) Off Premise. In addition to the one (1) additional sign outlined in Section 3(a)(i) above, five (5) additional signs that comply with the requirements of this code are permitted off-premise. These additional five (5) signs may be displayed 30 minute prior to the commencement of an open house and must be removed within 30 minutes after the conclusion of the open house. Off premise open house signs may be displayed within the City Right-of-Way, but in no case will off premise signs be placed on the paved street or on a sidewalk. Under no circumstances will off premise signs be displayed overnight.

**(4) SETBACK AND ORIENTATION.** Real estate signs are permitted in any district, provided that they are parallel to the street and located a minimum of ten feet (10') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this ten-foot (10') distance would be within a structure, the sign may be placed within three feet (3') of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in the front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). ~~On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

~~One (1) real estate sign is permitted in conjunction with an open house. The sign may be displayed off premise, but not within the public right of way, only immediately prior to and during the open house and shall be removed at sundown.~~

**(5) ZONING RESTRICTIONS.** Real estate signs are allowed in all zoning districts.

~~(6) DESIGN. Real estate signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

**(67) ILLUMINATION.** Illumination of real estate signs is prohibited.

**(H) SPECIAL PURPOSE SIGNS.**

Signs promoting events ~~sponsored by~~ for the benefit of civic, charitable, educational, or other non-profit organizations may be erected on private property up to two (2) weeks in advance of the event being promoted. These signs shall be removed within three (3) days following the conclusion of the event.

**(1) SIZE.** Special purpose signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

**(2) HEIGHT LIMIT.** No portion of the special purpose sign shall extend more than six feet (6') above ~~natural grade or finished grade whichever yields the lower sign.~~ Mounting devices may extend above the sign by not more than six inches (6").

(3) **NUMBER OF SIGNS.** A maximum of three (3) special purpose signs is permitted on any one (1) parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION.** Special purpose signs are permitted in any zone, provided that they are located a minimum of twenty feet (20') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the Sign fronts. If this twenty-foot (20') distance would be within a structure, the sign may be within three feet (3') of the front of the structure. ~~Special purpose signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop.~~ Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). ~~On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

(5) **ZONING RESTRICTIONS.** Special purpose signs are allowed in all zoning districts.

~~(6) **DESIGN.** Special purpose signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

(7) **ILLUMINATION.** Illumination of special purpose signs is prohibited.

(I) **TEMPORARY PORTABLE SIGNS.**

Businesses owners located in a private plaza may display Temporary Portable Signs to advertise or identify their business. Such Temporary Portable Signs must be placed within the boundaries of the private plaza and are subject to the following criteria:

(1) **SIZE.** No Temporary Portable Sign may exceed twelve square feet (12 sq. ft.).

(2) **NUMBER OF SIGNS.** Only one (1) Temporary Portable Sign is allowed per business.

(3) **ORIENTATION.** Temporary Portable Signs are allowed only on private property, and must not impede pedestrian circulation or ADA and fire access. No Temporary Portable Signs will be permitted on City owned property, including City owned Right-of-Ways.

(4) **ZONING RESTRICTIONS.** Temporary Portable Signs are allowed only within the HCB, HRC, GC, LI, RD and RC zoning districts.

(5) **DESIGN.** Fluorescent colors and reflective surfaces are prohibited on portable signs. Reflective colored materials that give the appearance of changing color are also prohibited.

(6) **ILLUMINATION.** Illumination of Temporary Portable Signs is prohibited.

(J) **YARD SIGNS.**

Yard signs shall be displayed only immediately prior to and during the yard sale or garage sale, and shall be removed at sundown if located within public rights-of-ways to avoid creating a hazard to the public using the streets and sidewalks.

Yard signs may not be displayed for more than forty-eight (48) hours continuously. Signs not removed after forty-eight (48) hours of display are deemed refuse. The owner or erector of the sign is subject to a fee per sign removal charge in an amount set forth by resolution if the sign is removed by the City as refuse. In addition, the owner or erector shall be guilty of a Class ~~B~~ C misdemeanor of littering. Yard Signs do not require a sign permit as issued by the Planning Department, but shall comply with the following regulations.

- (1) **SIZE.** Yard signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.
- (2) **HEIGHT LIMIT.** No portion of the yard sign shall extend more than six feet (6') above natural grade or finished grade whichever yields the lower sign. ~~Mounting devices may extend above the sign by not more than six inches (6").~~
- (3) **NUMBER OF SIGNS.** Only one (1) yard sign is permitted on any one (1) parcel of property and must comply with the size, color, and placement standards of this Code.
- (4) **SETBACK AND ORIENTATION.** Yard signs are permitted in any zone, ~~provided that they are located a minimum of twenty foot (20') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty foot (20') distance would be within a structure, the sign may be within three foot (3') of the front of the structure. Yard signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard.~~ Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-

~~1(K) and 12-8-1(L). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

- (5) **ZONING RESTRICTIONS.** Yard signs are allowed in all zoning districts.
- ~~(6) **DESIGN.** Yard signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

(7) **ILLUMINATION.** Illumination of yard signs is prohibited.

*(Amended by Ord. No. 02-50; 04-01)*

**CHAPTER 11 - BANNERS ON CITY LIGHT STANDARDS**

*(Chapter Created by Ord. No. 02-60)*

**12-11-1. PURPOSE STATEMENT.**

Park City makes available certain City light standards for the display of banners in order to promote the visual interest and economic vitality of Park City's historic resort-based community; to promote aesthetic enhancement through artistic expression; and to contribute to the festive nature of Park City's world class resort atmosphere.

**12-11-2. ADMINISTRATION.**

Banners on City light standards shall be reviewed and administered by the Special Events Department, Planning Department, and Parks Department pursuant to the criteria set forth in this Chapter.

**12-11-3. ELIGIBILITY.**

Persons eligible to apply for and display banners on City light standards shall be limited to Park City Municipal Corporation and duly licensed Master Festival license holders.

**12-11-4. DISPLAY LOCATIONS, BANNER ALLOTMENT.**

City light standards eligible to display banners are those along Main Street, Kearns Boulevard, Park Avenue, and Empire Avenue. The number of banners to be hung shall be sixty-three (63) along Main Street, eighteen- (18) along Kearns Boulevard, thirty- (30) along Park Avenue, and thirty- (30) along Empire Avenue.

**12-11-5. APPLICATIONS.**

Applications for banners on City light standards shall be submitted to the Special Events Department and shall be approved only if the interdepartmental review team finds compliance with all criteria set forth in this Chapter. Applications shall be submitted no later than ninety- (90) days prior to the first date of the proposed display period. Applications shall at a minimum contain the following information:

- (A) Proof of eligibility per Section 12-11-3;
- (B) Requested display locations and dates, not to exceed a period of three (3) weeks; and
- (C) A colored rendering or scaled drawing of the proposed banner, including facade dimensions and descriptions of materials and colors to be used.

If more than one (1) application for banners on City light standards is received for the

same time period, the Special Events Director will determine which applicant receives priority status. Priority shall be determined on a first-come, first-served basis, based on the date a completed application is received. Where Master Festival license holders submit competing applications, display periods shall be limited to the actual event dates.

**12-11-6. DESIGN.**

Banners for display on City light standards must satisfy the following design criteria:

- (A) **SIZE.** Unless otherwise approved by the Parks Department, banners shall be twenty-nine inches by seventy-two inches (29" x 72") along Main Street, twenty-four inches by thirty-six inches (24" x 36") along Empire Avenue, twenty-six inches by ninety-six inches (26" x 96") along Kearns Boulevard, and twenty-six inches by ninety-six inches (26" x 96") along Park Avenue.
- (B) **FABRICATION.** Fabric must be of a durable material able to withstand the elements including snow and heavy winds, with one and one half inch (1/2") brass grommets installed on both bottom corners. Additionally, banners must be sewn for mounting on existing brackets. A three and one half to four inch by twenty-nine inch (3 2" to 4" x 29") wide sleeve for Main Street, Kearns Boulevard and Park Avenue, or twenty-four inch (24") sleeve for Empire Avenue banners, at the top of the banner is required to hang the banners on brackets. Samples are available through the Parks Department. Applicants are encouraged to contact the Parks Department prior to submitting an application in order to ensure compliance with actual specifications.

- (C) **SPONSORS.** Duly licensed Master Festival license holders may include the name, logo, or imagery of a sponsor, as

defined at Section 4-1-1.48 of the Municipal Code, on the banner, subject to the following criteria:

(1) The sponsor's name, logo, or imagery shall occupy no more than five percent (5%) of the total banner area and must be within the bottom ten percent (10%) of the banner area.

(2) The font and scale of the sponsor's name, logo, or imagery must be either white or black in color, secondary to the Master Festival's name, logo, and imagery, and must be smaller than the font and scale of the Master Festival's name, logo, and imagery.

(3) Multiple sponsors are allowed for a single Master Festival, but only one sponsor's name may be displayed on any banner.

(E) **TEXT.** Banner text shall be limited to the name of the permitted Master Festival, a festival sponsor and the dates of the event.

**12-11-7. PERIOD OF DISPLAY.**

Banners may be displayed for no more than three (3) weeks at a time. Applicants shall accept that the display period is contingent upon a workable arrangement within the overall schedule of other City banners as well as prior commitments to other outside sponsors. Prior commitments may preclude the desired display period of an otherwise acceptable applicant's banner. Where Master Festival license holders submit competing applications, display periods shall be limited to the actual event dates.

**12-11-8. INSTALLATION AND REMOVAL.**

(4) If a corporate sponsor, as defined in Section 4-1-1.13 of the Municipal Code, is part of the official Master Festival's name, and that corporate sponsor's name, logo, or imagery is featured on the banners, no additional sponsors shall be displayed on the banners.

(D) **ARTWORK.** Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. ~~A matte or flat finish is required for all surfaces.~~

Artwork should be approved at least two (2) months prior to the proposed hanging date. The design must be on both sides of the banners, unless otherwise approved by the Parks Department.

Banners must be received by the Parks Department no later than one (1) week prior to the first date of scheduled display. City personnel shall install all banners on City light standards. The applicant and the Parks staff will arrange installation and removal dates. If the applicant does not retrieve the banners from the Parks Department within ten (10) days after removal, the banners shall become the property of the City and will be disposed of.

**12-11-9. LIABILITY.**

The applicant shall agree to assume full liability and indemnify the City for any damage to persons or property arising from the display of the banners by the City. The City is not responsible for any damage that may occur to the banners from any cause.

**12-11-10. FEES.**

(A) **APPLICATION FEE.** Banner applications shall be assessed a temporary sign fee ~~of twenty dollars and twenty cents~~



~~(\$20.20).~~ All application fees are due and payable upon submission of a completed application. ~~Applications shall be considered incomplete unless and until the application fee is paid in full.~~

**(B) INSTALLATION AND REMOVAL FEES.** Upon receipt of a completed application, the Parks Department will provide the applicant with an estimate of fees based services arising from the installation and removal of the on estimated costs for City banners, including but not limited to the use of City personnel and/or equipment. A final assessment of City costs will occur upon completion of the Special Event, and installation and removal fees will be adjudged to reflect actual cost.

Installation and removal fees must be paid in full within thirty (30) days of the final assessment of City costs for the Master Festival or Special Event.

*(Amended by Ord. No. 02-60)*

**CHAPTER 12 - MASTER FESTIVAL AND SPECIAL EVENT SIGN PLAN**

*(Chapter created by Ord. No. 04-01)*

**12-12- 1. SIGN PLAN REQUIRED.**

All Master Festival and Special Event licensees desiring permission to display temporary signs related to an approved Master Festival shall submit a Master Festival Sign Plan as part of the application for a Master Festival license. The Planning and Special Events and Facilities Departments shall review Master Festival Sign Plans for compliance with the standards below prior to permit issuance.

**12-12- 2. MASTER FESTIVAL BANNERS.**

The use of banners identifying an event and/or sponsor is allowed within the boundaries of the approved Master Festival venue, subject to the following criteria:

(A) **SIZE.** No individual Master Festival banner may exceed thirty-six square feet (36 sq. ft.) in size.

(B) **NUMBER OF SIGNS.** One (1) banner is allowed per venue. Additionally, one (1) banner is allowed on the external façade of any building or structure within a venue, including temporary structures. Staff may approve additional banners within a venue upon finding that the banners contribute to the overall festival atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on banners within a fully enclosed structure.

(C) **SETBACK AND ORIENTATION.** Master Festival banners are allowed only on or within approved venues.

(D) **ZONING RESTRICTIONS.** Master Festival banners are allowed within all zoning districts.

(E) **DESIGN.** Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(F) **PERIOD OF DISPLAY.** Master Festival banners may be displayed only during the approved time of the Master Festival.

(G) **ILLUMINATION.** Illumination of temporary business signs is prohibited.

**12-12- 3. SPECIAL EVENT BANNERS.**

The use of banners is allowed within the boundaries of the approved Special Event venue, subject to the following criteria:

(A) **SIZE.** No individual Special Event banner may exceed thirty-six square feet (36 sq. ft.) in size.

(B) **NUMBER OF SIGNS.** One (1) banner is allowed per venue. Additionally, one (1) banner is allowed on the external façade of any building or structure within a venue, including temporary structures. Each banner shall be consistent with Section 12-3-3(A) as applied to the event, and any commercial advertising message must be secondary to such look and feel design elements for the event.

(C) **SETBACK AND ORIENTATION.** Special Event banners are allowed to be oriented only within approved venues.

(D) **ZONING RESTRICTIONS.** Special Event banners are allowed within all zoning districts.

(E) **DESIGN.** Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(F) **PERIOD OF DISPLAY.** Special Event banners may be displayed only during the approved time of the Special Event.

(G) **ILLUMINATION.** Illumination of temporary business signs is prohibited.

**12-12-4. MASTER FESTIVAL DIRECTIONAL SIGNS.**

Municipal and/or event owned directional signs in the form of electronic message signs and portable signs, are allowed for the purpose of identifying and/or directing vehicular or pedestrian traffic to parking areas, transportation centers and venues.

**12-12- 5. MASTER FESTIVAL PROJECTION SIGNS.**

Temporary projection signs that are part of an approved Master Festival license may be allowed for the duration of the Master Festival permit, provided they are directed downward and the light source is shielded from any view but the intended mark of the sign.

**12-12- 6. TEMPORARY SIGNS.**

Staff may approve temporary signs within a Master Festival or Special Event venue upon finding that the signs contribute to the overall resort atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on signs within a fully enclosed structure.

**CHAPTER 13 - HISTORIC SIGNS**

**12-13-1. HISTORIC SIGNS EXEMPT.**

Other than safety and structural requirements, the provisions of the Sign Code may be exempted by the Planning Director ~~Historic District Commission~~ for historic signs upon application for

designation by the sign owner, and consent from the building owner.

**12-13-2. HISTORIC SIGN REVIEW PROCEDURE.**

~~Upon filing an application, the Historic District Commission~~ The Planning Director may determine that a Sign is historic based on the guidelines below. Notwithstanding safety, maintenance, or structural regulations, a sign so designated by the ~~Historic District Commission~~ Planning Director shall be deemed to conform to this Chapter.

**12-13-3. HISTORIC SIGN CRITERIA.**

To designate a sign as historic, the ~~Historic District Commission~~ Planning Director must make findings based on the following criteria:

- (A) The sign is at least fifty- (50) years old.
- (B) The sign possesses unique physical design characteristics, such as configuration, color, texture, or other unique characteristics.
- (C) The sign is of significance to the City and makes a contribution to the cultural, historic, aesthetic quality, or the City's streetscape.
- (D) The sign is integrated into the architecture of the building or the site.
- (E) The sign is exemplary technology, craftsmanship, or design of the period in which it was constructed; uses historic sign materials such as wood, metal, or paint directly applied to buildings, and means of illumination such as neon or incandescent fixtures; and is not significantly altered from its historic period. If the sign has been

altered, it must be restorable to its historic function and appearance.

(F) The sign is structurally safe, or is capable of being made so without substantially altering its historical significance.

**12-13-4. REMOVAL OF HISTORIC SIGNS.**

Once designated a historic sign, and defined as an important characteristic of Park City's history, the building owner must receive ~~Historic District Commission~~ Historic Preservation Board approval to remove the sign.

**CHAPTER 14 – OUTDOOR VEHICLE DISPLAYS**

*(Chapter created by Ord. No. 04-01)*

**12-14-1. PURPOSE AND SCOPE.**

The City Council of Park City, Utah hereby finds that there is a substantial and compelling need to allow limited outdoor display of vehicles due to the unique relationship between vehicle sponsors of Master Festivals and the City's ski resorts. Such a need must be balanced with the City's aesthetic concerns as stated in Section 12-1-1. Accordingly, the City shall only permit outdoor vehicle displays pursuant to the regulations stated herein. Such displays are not signs and shall not count towards sign square footage limitations, nor receive the benefit of sign exemptions.

**12-14-2. DISPLAY.**

Sponsor vehicles may be displayed subject to the following criteria:

- (1) The display is within a

Master Festival venue or a ski base facility in the RC, RC-MPD or RD-MPD zones;

(2) The display is consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the orientation of the display which shall be generally to the interior of the venue or ski base facility, and that any commercial advertising message is secondary to such look and feel design elements for the event;

(3) The display is only for the display of the vehicle; no additional solicitation or advertising is allowed as a consequence of the vehicle other than a sign identifying the sponsor not to exceed three square feet (3 sq. ft.). The vehicle may be wrapped in additional design elements, ski team or athlete images so long as the wrap contributes to the overall resort atmosphere or theme of the ski area or event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the area or event, and that any commercial advertising message is secondary to such look and feel design elements;

(4) The proposed vehicle display does not impede vehicular or pedestrian circulation;

(5) The proposed vehicle display does not impede emergency access or services.

**CHAPTER 15 - APPEALS**

**12-15-1. APPEALS.**

Any applicant who believes a denial is not justified, has the right to appeal to the Planning Commission, and to appear at the next regularly scheduled meeting for which proper notice can be given and agenda time is available. Intention to take an appeal to the Commission shall be filed with the ~~Community Development~~ Planning Director in writing within ten (10) business days following the denial of the permit by the Planning Department.

Applicants may have any action of the Planning Commission reviewed by the City Council by petitioning in writing within ten (10) business days following Planning Commission action on the sign permit. Actions of the Commission are subject to appeal and review according to the procedures set forth in the Land Management Code, Section 15-1.

*(Amended by Ord. No. 04-01)*

**CHAPTER 16 - VIOLATION OF TITLE**

**12-16-1. PENALTY.**

Violation of this Title is a Class "C" misdemeanor.

**12-16-2. PENALTY FOR PLACEMENT OF HANDBILLS OR SIGNS ON PUBLIC PROPERTY.**

The Police Department, Public Works Department, Parks and Recreation Department, or the ~~Community Development~~ Community Development Planning Department may remove handbills or signs found posted upon any Public Property contrary to the provisions of this section. The person responsible for any such illegal posting shall be liable for triple the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost, in addition

to any criminal fine collected under Section 12-15-1.

*(Amended by Ord. No. 04-01)*



**Ordinance No. 05-78**

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 2, SECTION 18(C) OF THE  
MUNICIPAL CODE OF PARK CITY RELATING  
TO COMMERCIAL USES IN NIGHTLY RENTALS**

WHEREAS, during the summer and fall of 2005, the City's enforcement officers held discussions with staff representatives from the Planning, Building, Finance, Legal and Police Departments concerning public complaints, problems and possible solutions relating to nightly rentals;

WHEREAS, the staff meetings resulted in a recommendation to further define the prohibition on commercial uses in nightly rental to eliminate full time sponsor houses and similar marketing uses while still allowing the occasional house party or fundraising type event without the necessity of further permits;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL** of Park City, Utah that:

**SECTION 1. AMENDMENT.** Title 4 of the Municipal Code of Park City, Utah, Chapter 2 Regulation of Specific Businesses, is hereby amended to include issues relating to Nightly Rentals as follows:

**PARK CITY MUNICIPAL CODE - TITLE 4 LICENSING**

**4- 2-18. REGULATION OF SPECIFIC BUSINESSES.**

(C) **NIGHTLY RENTAL.** All nightly rental units must be licensed before being offered for rent.

(1) **LICENSE ISSUANCE.** The business license for rental of units under this section will be issued by the City upon payment of necessary fees and upon a finding by the staff that the review criteria established below have been satisfied.

(2) **LICENSEE.** The licensee for rentals under this section shall be both the local representative and the owner. The local representative shall be deemed the responsible party.

(3) **APPLICATION PROCEDURE.** All new and renewal applications must contain the property manager's name, a sales tax collection and accounting number, the street address of each unit, the name and address of a local responsible party who is available by telephone twenty four (24) hours per day and all other information requested on the application forms.

7

The application includes a cover form which contains information common to all units managed, and unit forms which contain information on each unit managed. It is the licensee's duty to supplement both forms as information changes or as units change from one manager to another.

(4) **MANAGEMENT STANDARDS.** The lodging authorized under Section 4-2-17 must be properly managed. As a condition to holding a valid license, the licensee agrees to provide or arrange for adequate property management services. In the event an owner's association exists, it shall be responsible for property maintenance. In the event an owner agrees to be responsible for property maintenance, the licensee must present a statement to that effect signed by the owner. The minimum services required and management regulations include:

- (a) Snow removal during winter months to a level that allows safe access to the building over the normal pedestrian access to the unit.
- (b) Snow removal service to off-street parking facilities associated with the rental property so that off-street parking is at all times available for use of the occupants.
- (c) Summer yard maintenance, including landscaping, weed control, and irrigation to a level that is consistent with the level of landscaping and maintenance on adjoining and nearby properties.
- (d) Structural maintenance to preserve substantial code compliance as described above is required.
- (e) Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties.
- (f) Trash collection which insures that trash cans are not left at the curb for any period in excess of twenty-four (24) hours and the property must be kept free from accumulated garbage and refuse.
- (g) Housekeeping service as a part of hotel or property management company: included in property management license.
- (h) Parking. On-street parking for nightly rental uses shall not result in an obstruction to traffic and pedestrian circulation or public safety.
- (i) Outdoor displays of Goods and Merchandise. No outdoor display of goods and merchandise shall be permitted as part of any nightly rental use.
- (j) Signs. Unless expressly permitted under the Municipal Sign Code, Title 12, no signs will be permitted for nightly rental uses.



(k) Commercial Uses Prohibited. Nightly rentals may not be used for commercial uses not otherwise permitted in the Zone. Nightly rentals may not be converted to corporate sponsor or business houses which are used primarily to distribute retail products or personal services to invitees for marketing or similar purposes, regardless of whether such products or services are charged for.

(5) **NOISE AND OCCUPANCY CONTROL.** The licensee and the owner of rentals under this section are responsible for regulating the occupancy of the unit and noise created by the occupants of the unit. Violation of the noise ordinance, violation of occupancy loads, failure to use designated off-street parking illegal conduct, or any other abuse which violates any law regarding use or occupancy of the premises is grounds for revocation. Failure to collect and deposit sales tax is also a violation of the license and grounds for revocation.

(6) **REVIEW CRITERIA.** In determining whether or not a business license for rental authorized under this Section shall be issued, the application shall be reviewed to see if, in addition to standards and conditions applicable to issuance of all business licenses, the following conditions and standards are met:

(a) The unit is located within a zone and subzone designated as allowing rentals for the period which the license is applied for.

(b) The Park City Building Department has reviewed the business license application for compliance with the Code for Abatement of Dangerous Buildings. Inspection of the unit may be required under Section 4-2-8. The applicant shall bear the cost of any such inspection and any reinspection which may be required. The cost shall be determined by the prevailing hourly rate of the Park City Building Department.

(c) The access to the rental unit and the layout of the unit is such that noise and physical trespass from the proposed rental unit is not likely to be a substantial intrusion to the adjoining properties. If the proposed rental units is a single family home or duplex and shares an access, hallway, common wall, or driveway with another dwelling, written consent of the owner of the other dwelling is required.

(d) The applicant must designate a responsible party. The responsible party must be a property management company, realtor, lawyer, owner, or other individual who resides within Summit County, or, in the case of a company, has offices in Summit County. The responsible party is personally liable for the failure to properly manage the rental. The responsible party must be available by telephone, or otherwise, 24 hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of receipt of

such inquiries by that party's answering machine, paging device or answering service. The responsible party is also designated as the agent for receiving all official communications under this Title from Park City. If the licensee is a property management company or individual other than the owner, such company or individual must comply with applicable state law, including U.C.A.'61-2-2, as amended, which requires those who receive valuable consideration to lease property to have a state license.

(e) The application must bear a sales tax collection and accounting number for the rental operation. This number may be the sales tax accounting number used by the property management company responsible for that unit, or may be specific to the unit, but no license will be effective until the sales tax number is provided.

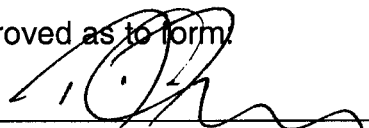
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall become effective upon publication and shall apply to all license holders for 2006.

**PASSED AND ADOPTED** this 22 day December, 2005.

**PARK CITY MUNICIPAL CORPORATION**

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:  
  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:  
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**Ordinance No. 05-77**

**AN ORDINANCE APPROVING THE FIRST AMENDED ARROW LEAF LODGE  
CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Arrow Leaf Lodge located on Lodge Lot 8/9 of the Empire Pass West Side subdivision plat have petitioned the City Council for approval of the First Amended Arrow Leaf Lodge condominium record of survey; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on December 14, 2005, to receive input on the First Amended Arrow Leaf Lodge condominium record of survey;

WHEREAS, the Planning Commission, on December 14, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 22, 2005 the City Council approved the First Amended Arrow Leaf Lodge condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Arrow Leaf Lodge condominium record of survey.

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

**SECTION 1. APPROVAL.** The First Amended Arrow Leaf Lodge condominium record of survey 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 Arrow Leaf Lodge is located in the RD-MPD zoning district.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.
4. On May 26, 2005 the City Council approved a Final Subdivision Plat for the Village at Empire Pass, West Side. The Arrow Leaf Lodge is located on Lodge Lot 8/9.

5. The Arrow Leaf Lodge condominium record of survey was approved by the City Council on August 4, 2005. Arrow Leaf "B" is shown as Convertible Land on the Record of Survey for Arrow Leaf Lodge "A" (Building 8).
6. On September 14, 2005, the Planning Commission approved a Conditional Use Permit for the Arrow Leaf Lodge "B". The CUP approval is for a single building with 28 condominium units with approximately 51,300 square feet for a total of approximately 25.7 Unit Equivalents (UEs). Two ADA units are also within the building.
7. The proposed building is consistent with the approved Master Planned Development for the Village at Empire Pass and the Conditional Use Permit for the Arrow Leaf Lodge "B".
8. The 28 units range in size from 1472 square feet to 1899 square feet. The two ADA Units are numbers 111 and 115 and are 381 and 386 square feet, respectively, and must be platted as Common Space as they are appurtenant to all units and can not be separately rented.
9. The Arrow Leaf Lodge "B" residential units consume 48,746 square feet and 24.4 Unit Equivalents.
10. A height exception has been granted for this building for a total height of 82 feet above existing grade.
11. The Planning Commission heard this application at its regular meeting of December 14, 2005, and forwards a positive recommendation. There was no public input.

#### Conclusions of Law:

1. There is good cause for this amended Record of Survey.
2. The amended 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 amended Record of Survey.
4. Approval of the amended Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

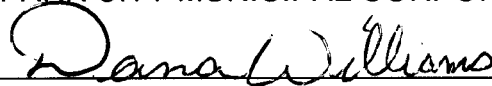
#### Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Record of Survey 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 amended Record of Survey 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. All conditions of approval of the Village at Empire Pass Master Planned Development, Village at Empire Pass, West Side plat and the Arrow Leaf Lodge "B" Conditional Use Permit shall continue to apply.
4. Units 111 and 115, the ADA units, must be platted as Common Space as they are appurtenant to all units and can not be separately rented.

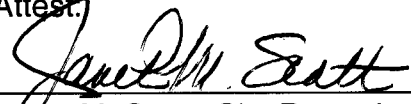
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 22nd day of December, 2005.

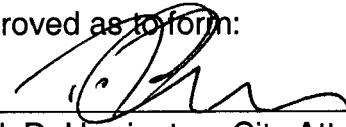
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**SUBJECT: GENERAL**

1. This plan, specification and consent to record was prepared by the undersigned Professional Engineer, State of Utah, License No. 12345, for the purpose of recording the same in the public records of the State of Utah, and the same shall be subject to the provisions of the Utah Public Records Act, Chapter 37A, Utah Code, and the provisions of the Utah Public Access to Records Act, Chapter 37B, Utah Code.

**EXEMPT DISPOSITION**

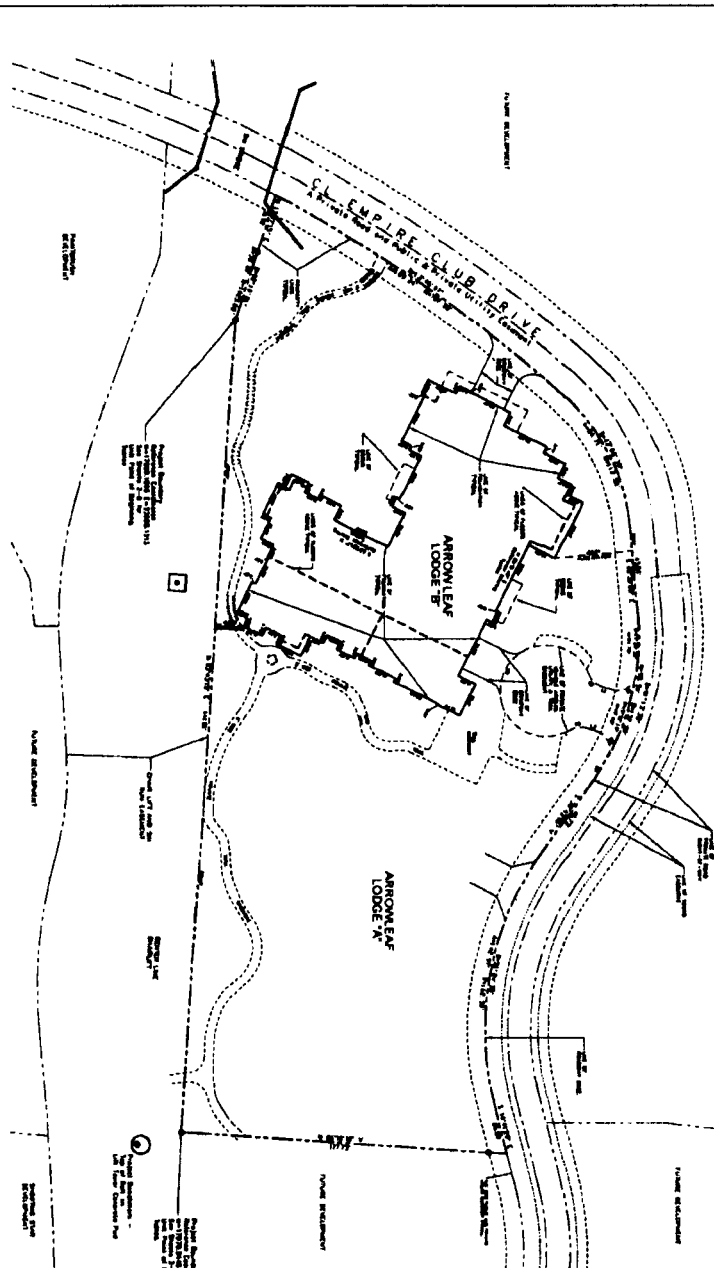
2. This plan, specification and consent to record was prepared by the undersigned Professional Engineer, State of Utah, License No. 12345, for the purpose of recording the same in the public records of the State of Utah, and the same shall be subject to the provisions of the Utah Public Records Act, Chapter 37A, Utah Code, and the provisions of the Utah Public Access to Records Act, Chapter 37B, Utah Code.

**APPROVAL AND CONSENT TO RECORD**

3. I, the undersigned Professional Engineer, State of Utah, License No. 12345, hereby certify that the above plan, specification and consent to record were prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer, State of Utah, License No. 12345.

**APPROVAL**

4. I, the undersigned Professional Engineer, State of Utah, License No. 12345, hereby certify that the above plan, specification and consent to record were prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer, State of Utah, License No. 12345.

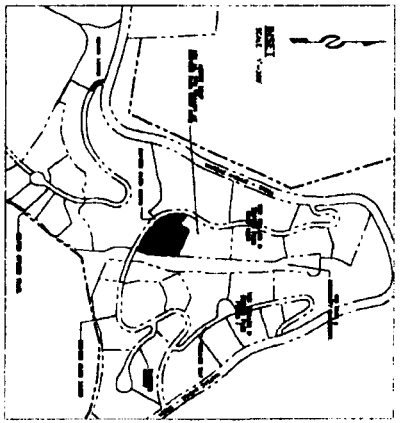


**LINE TABLE:**

LINE	BEARING	DISTANCE
1	S 71° 30' 00" E	6.44
2	N 71° 30' 00" W	3.58

**CURVE TABLE:**

CHORD BEARING	ARC	RADIUS	CHORD DIST.	ARC DIST.	CHORD BEARING
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E
S 71° 30' 00" E	17.46	57.92	17.46	17.46	S 71° 30' 00" E



NOTES: 1. This plan, specification and consent to record was prepared by the undersigned Professional Engineer, State of Utah, License No. 12345, for the purpose of recording the same in the public records of the State of Utah, and the same shall be subject to the provisions of the Utah Public Records Act, Chapter 37A, Utah Code, and the provisions of the Utah Public Access to Records Act, Chapter 37B, Utah Code.

- LEGEND:**
- Property corner to be set
  - Easement or Ejecta
  - ▭ Easement
  - ▨ Easement
  - ▧ Easement
  - ▩ Easement

# ARROW LEAF LODGE

**AT EMPIRE PASS**  
A UTAH CONDOMINIUM PROJECT  
LOCATED IN SECTION 26, TOWNSHIP 12 NORTH, RANGE 1 EAST, SAN JUAN BASS AND MOUNTAIN PARK  
MOUNTAIN CONDOMINIUM PROJECT IN THE COUNTY OF KANE, STATE OF ARIZONA

**SMITHVILLE BASIN WATER RECLAMATION DISTRICT**

APPROVED BY THE PLANNING COMMISSION

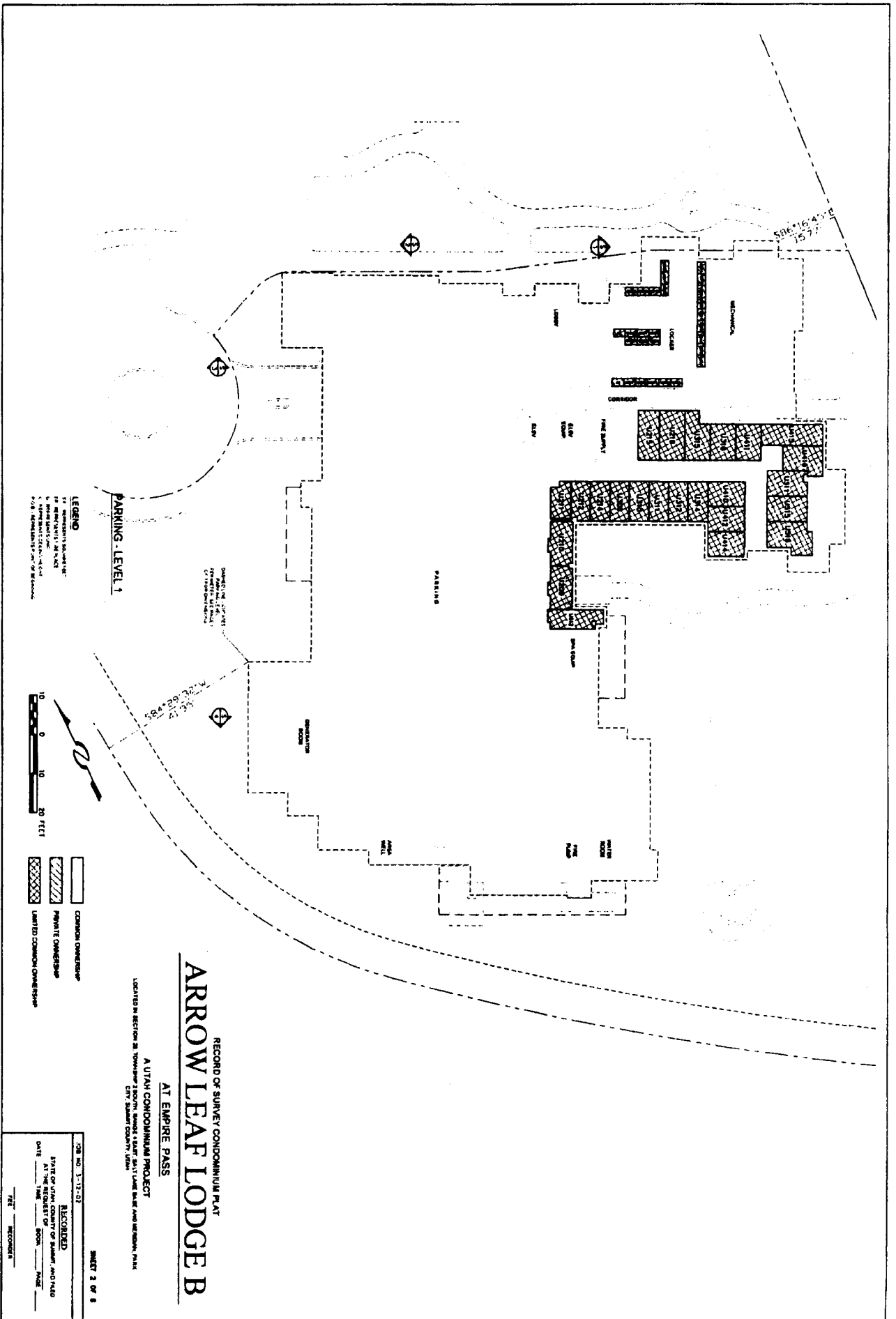
APPROVED AS TO FORM

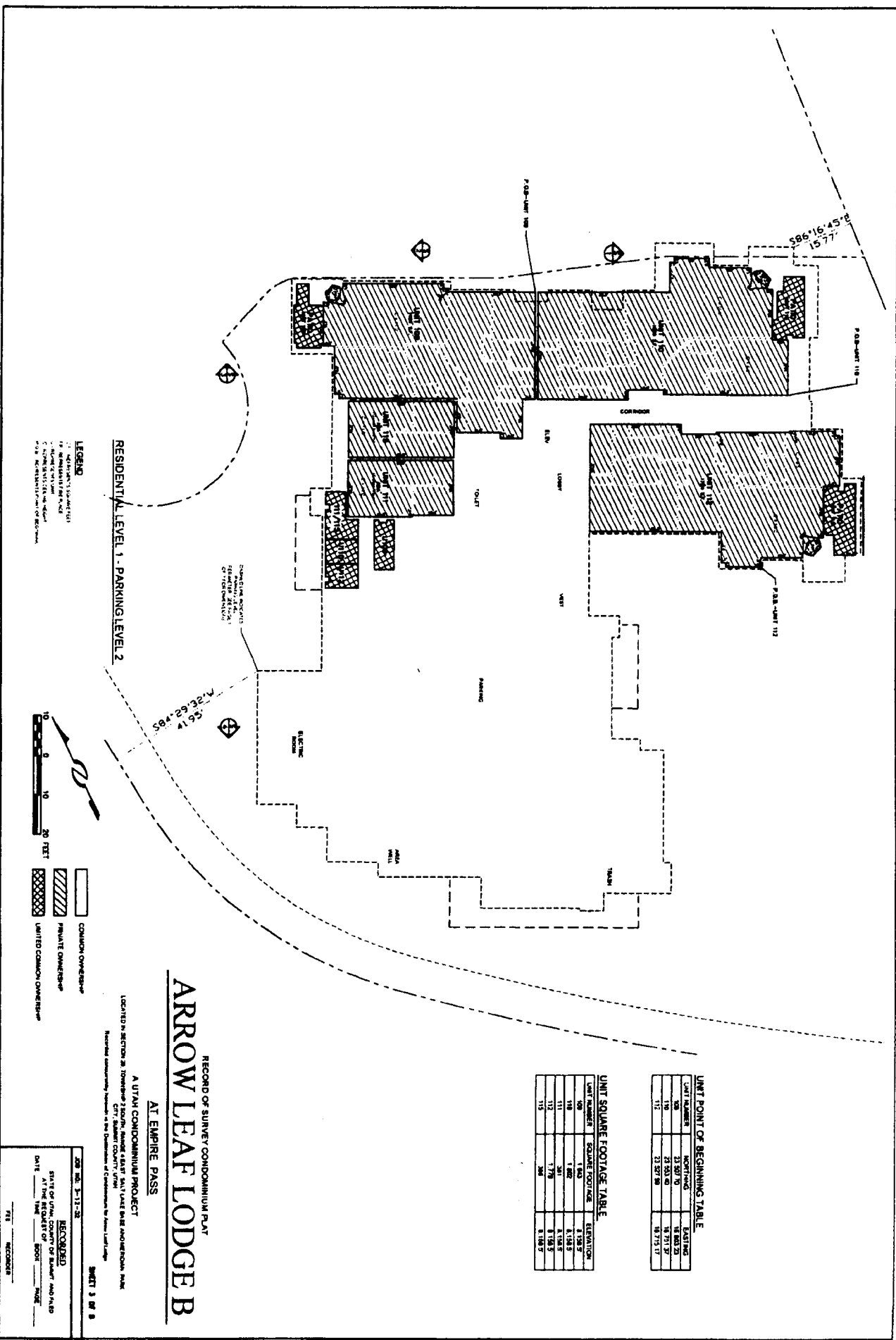
CERTIFICATE OF ATTEST

COUNCIL APPROVAL AND ACCEPTANCE

STATE OF UTAH, COUNTY OF SUMMIT, AND THIS

DATE \_\_\_\_\_

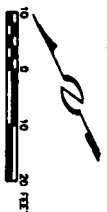




**LEGEND**

- 1. UNIT OWNER'S COMMON AREA
- 2. COMMON AREA
- 3. PRIVATE COMMON AREA
- 4. UNIT OWNER'S COMMON AREA
- 5. UNIT OWNER'S COMMON AREA
- 6. UNIT OWNER'S COMMON AREA
- 7. UNIT OWNER'S COMMON AREA

RESIDENTIAL LEVEL 1 - PARKING LEVEL 2



COMMON OWNERSHIP  
 PRIVATE OWNERSHIP  
 UNIT COMMON OWNERSHIP

# ARROW LEAF LODGE B

RECORD OF SURVEY CONDOMINIUM PLAT  
 AT EMPIRE PASS

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN SECTION 28, TOWNSHIP 23 SOUTH, RANGE 14 EAST, SAN JUAN LATE BLUE ANTHROPOGENIC MAP,  
 CITY, SAN JUAN COUNTY, UTAH

JOB NO. S-11-02  
 SHEET 3 OF 9  
 STATE OF UTAH, COUNTY OF SAN JUAN  
 AT THE REQUEST OF \_\_\_\_\_  
 DATE \_\_\_\_\_ NAME \_\_\_\_\_  
 \_\_\_\_\_ RECORDS

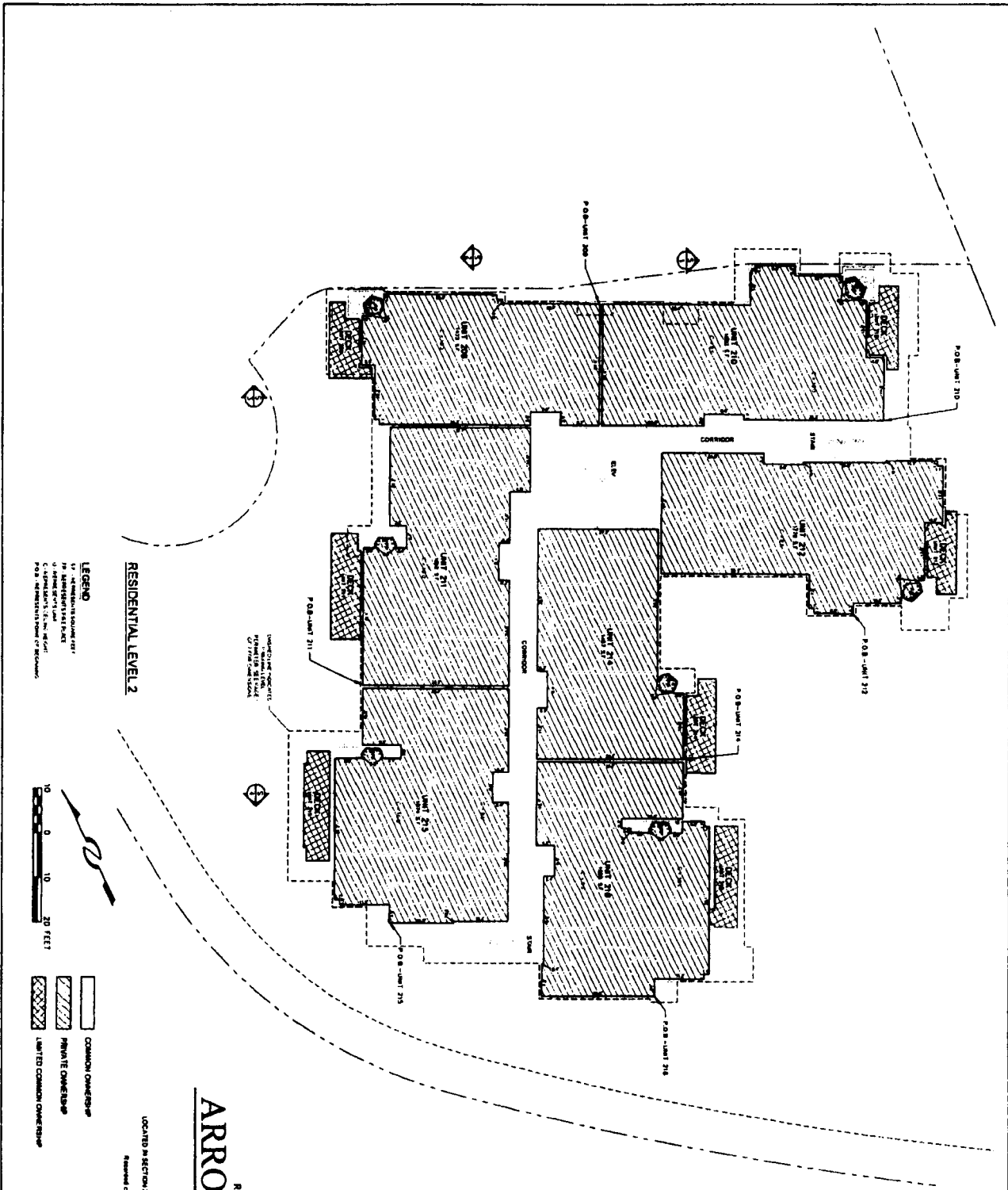
**UNIT POINT OF BEGINNING TABLE**

UNIT NUMBER	NORTHING	EASTING
106	23,507.10	18,803.23
109	23,533.40	18,751.37
112	23,527.80	18,715.17

**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION
106	1,643	8,158.57
109	1,802	8,158.57
111	391	8,158.57
112	1,720	8,158.57
113	260	8,158.57





**RESIDENTIAL LEVEL 2**

**LEGEND**  
 1' - 1" REPRESENTS 10 FEET  
 1/2" - 1" REPRESENTS 5 FEET  
 1/4" - 1" REPRESENTS 2 FEET  
 P.O.B. REPRESENTS POINT OF BEGINNING



COMMON OWNERSHIP  
 PRIVATE OWNERSHIP  
 LIMITED COMMON OWNERSHIP

**UNIT POINT OF BEGINNING TABLE**

UNIT NUMBER	NORTHING	EASTING
200	23,977.70	16,711.27
210	23,933.40	16,711.27
211	23,671.27	16,748.72
212	23,571.00	16,725.17
213	23,671.28	16,702.60
214	23,671.28	16,702.60
215	23,671.28	16,702.60
216	23,671.28	16,702.60
217	23,671.28	16,702.60
218	23,671.28	16,702.60

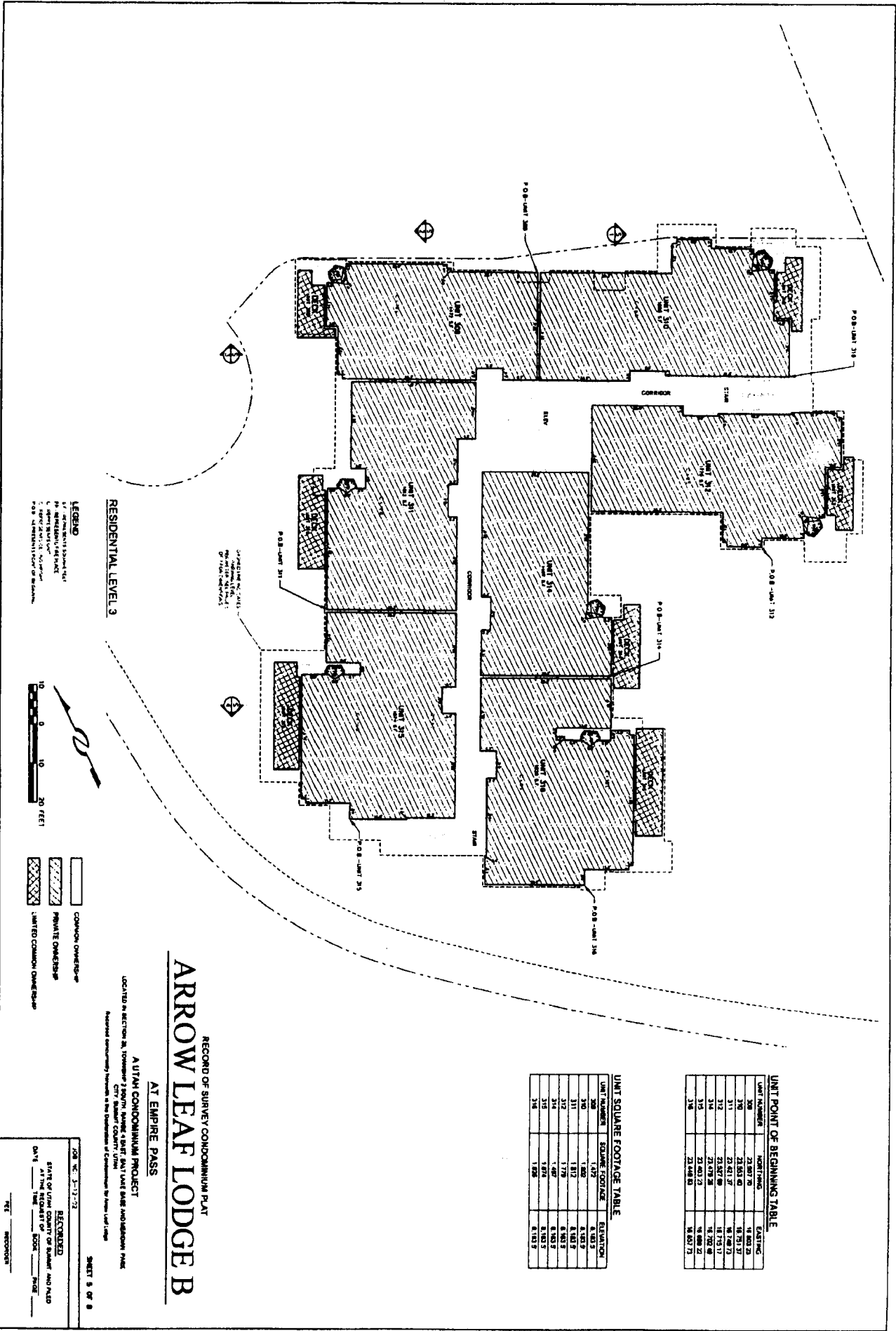
**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION
200	1,027	8,171.2
210	1,002	8,171.2
211	1,812	8,171.2
212	1,726	8,171.2
213	1,551	8,171.2
214	1,551	8,171.2
215	1,551	8,171.2
216	1,551	8,171.2
217	1,551	8,171.2
218	1,551	8,171.2

**ARROW LEAF LODGE B**

RECORD OF SURVEY CONDOMINIUM PLAN  
 AT EMPIRE PASS  
 A UTIAN CONDOMINIUM PROJECT  
 LOCATED IN SECTION 26, TOWNSHIP 33N, RANGE 12E, AND SECTION 16N4E,  
 CITY OF STANLEY COUNTY, ILLINOIS  
 Prepared exclusively for use by the Division of Conservation by Robert Lamb, Inc.

DATE: 5-17-03  
 SHEET 4 OF 8  
 RECORDED  
 STATE OF ILLINOIS COUNTY OF STANLEY AND PARSONS  
 AT THE REQUEST OF: ROBERT LAMB, INC.  
 DATE: 5-17-03 TIME: 1:00 PM NAME: RLB  
 FEE: RECORDED



**UNIT POINT OF BEGINNING TABLE**

UNIT NUMBER	NORTHING	EASTING
310	23,807.70	14,803.20
311	23,803.40	14,791.27
312	23,821.27	14,788.73
313	23,827.89	14,791.77
314	23,878.36	14,792.48
315	23,893.73	14,808.22
316	23,848.83	14,827.73

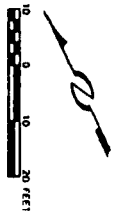
**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION
310	1,862	6,162.9
311	1,812	6,162.9
312	1,779	6,162.9
313	1,487	6,162.9
314	1,974	6,162.9
316	1,926	6,162.9

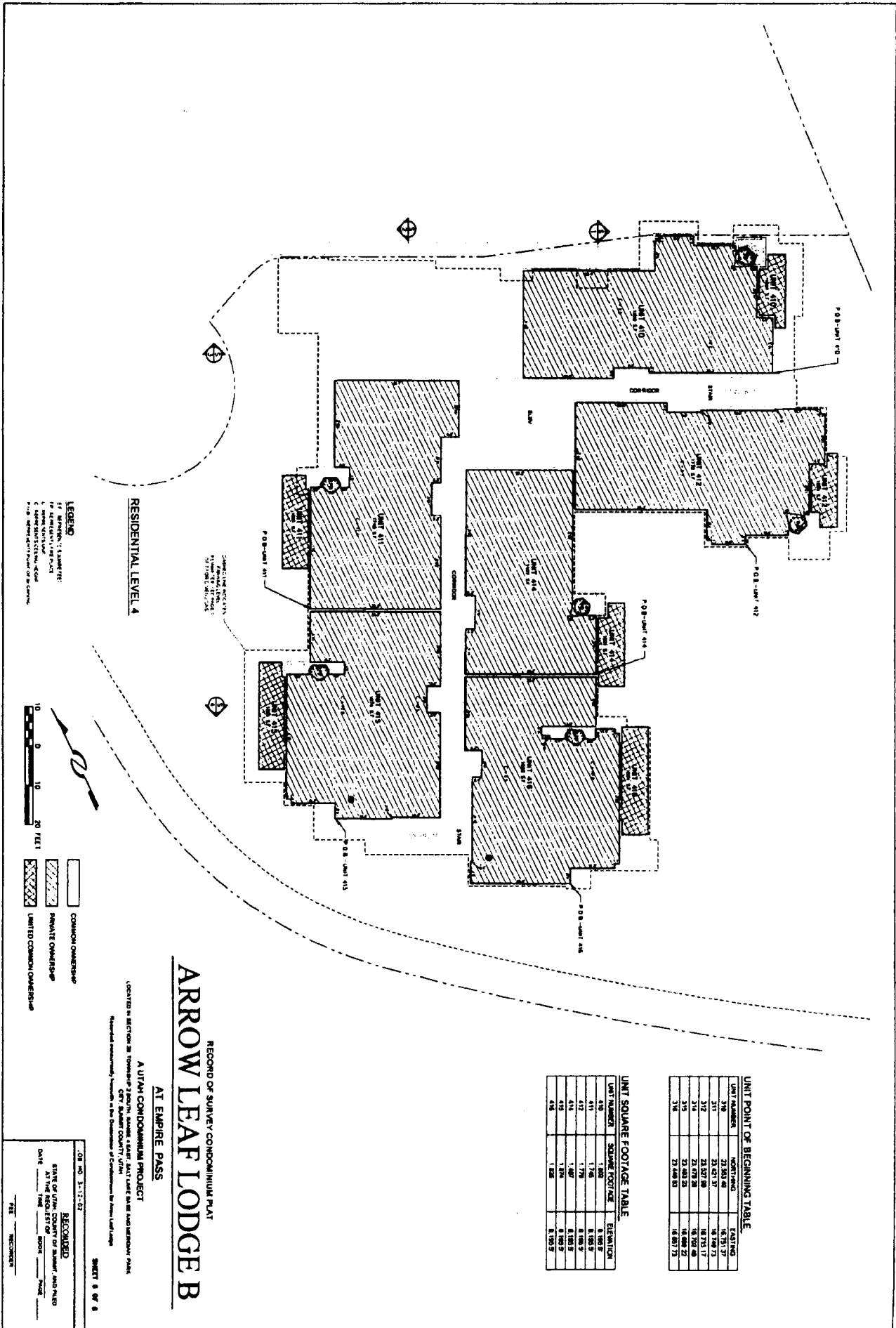
**ARROW LEAF LODGE B**

RECORD OF SURVEY CONDOMINIUM PLAT  
 AT EMPIRE PASS  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN SECTION 26, TOWNSHIP 7 NORTH, RANGE 4 WEST, SALT LAKE BASIN AND SADDEN PARK  
 CITY, SALT LAKE COUNTY, UTAH  
 Approved and Recorded Pursuant to the provisions of Chapter 10, Title 18, Utah Code

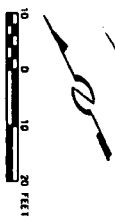
**LEGEND**  
 1. Common Ownership  
 2. Private Ownership  
 3. Limited Common Ownership  
 4. Staircase  
 5. Corridor  
 6. Utility Room  
 7. Mechanical Room  
 8. Elevator  
 9. Other



JOB NO. 2-12-02  
 SHEET 5 OF 8  
 RECORDED  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 BY \_\_\_\_\_



**LEGEND**  
 1. COMMON OWNERSHIP  
 2. PRIVATE OWNERSHIP  
 3. LIMITED COMMON OWNERSHIP



**RESIDENTIAL LEVEL 4**

**ARROW LEAF LODGE B**  
 RECORD OF SURVEY CONDOMINIUM PLAN  
 AT EMPIRE PASS  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN SECTION 26, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE COUNTY, UTAH  
 Registered as to the Division of Construction by Home Landmark

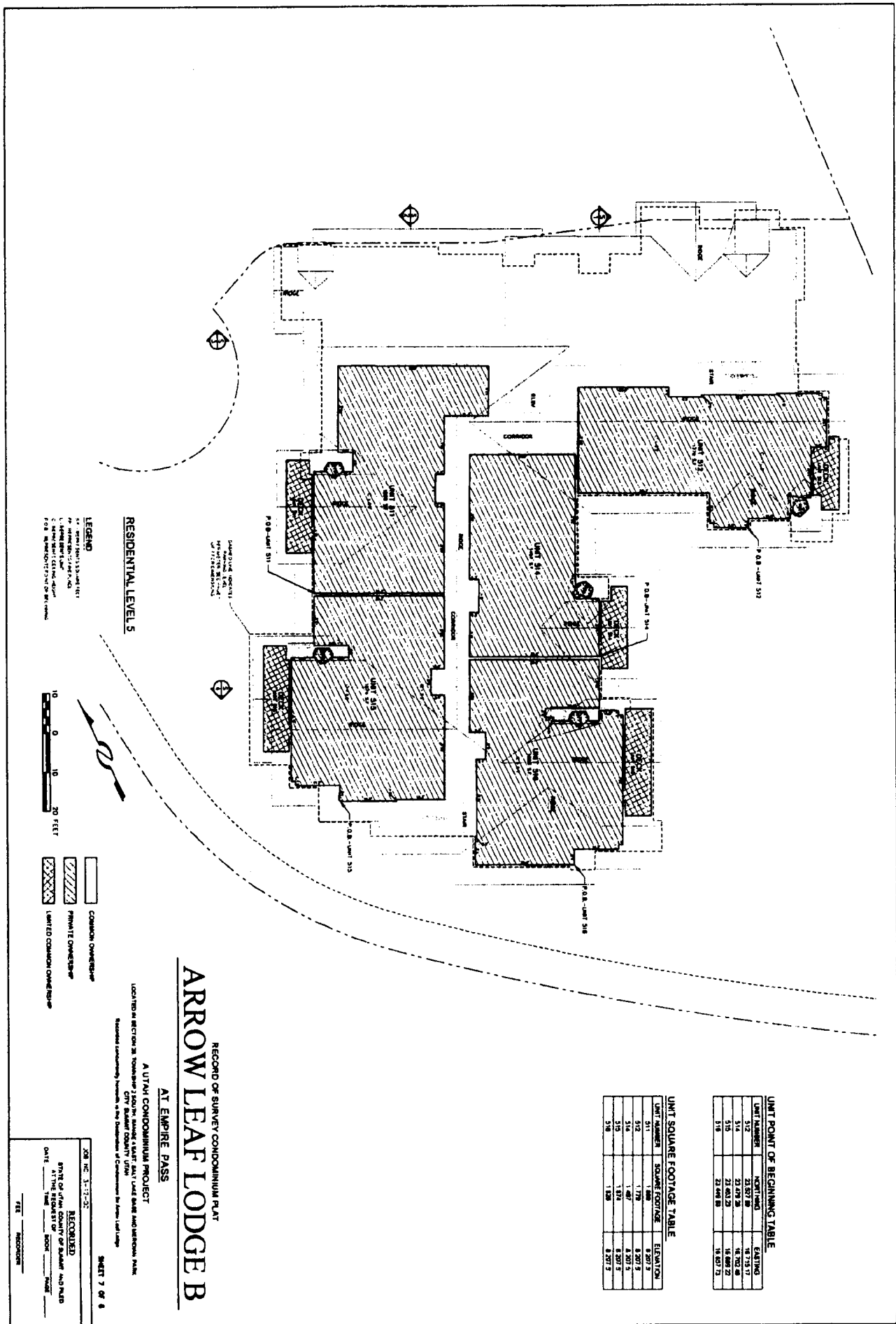
**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION
410	1,800	8,800.0
411	1,740	8,800.0
412	1,790	8,800.0
413	1,600	8,800.0
414	1,800	8,800.0
415	1,800	8,800.0

**UNIT POINT OF BEGINNING TABLE**

UNIT NUMBER	NORTHING	EASTING
310	23,833.40	16,751.27
311	23,831.37	16,749.73
312	23,827.80	16,745.17
313	23,823.26	16,739.40
314	23,818.83	16,732.72
315	23,814.51	16,725.13

JOB NO. 3-17-02  
 SHEET 9 OF 9  
 RECORDED  
 STATE OF UTAH  
 COUNTY OF SALT LAKE  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ROOM \_\_\_\_\_ PAGE \_\_\_\_\_  
 BY \_\_\_\_\_ FOR \_\_\_\_\_



**RESIDENTIAL LEVELS**

- LEGEND**
- 1. COMMON OWNERSHIP
  - 2. PRIVATE OWNERSHIP
  - 3. LIMITED COMMON OWNERSHIP



- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

**ARROW LEAF LODGE B**

RECORD OF SURVEY CONDOMINIUM PLAT  
 AT EMPIRE PASS  
 A LUTAH CONDOMINIUM PROJECT  
 LOCATED IN SECTION 28, TOWNSHIP 10 NORTH, RANGE 14 EAST AND SECTION 18, RANGE 14 EAST, COUNTY OF SULLY, STATE OF IOWA  
 Registered Conveyance Number is the Distribution of Condominium by Arrow Leaf Lodge

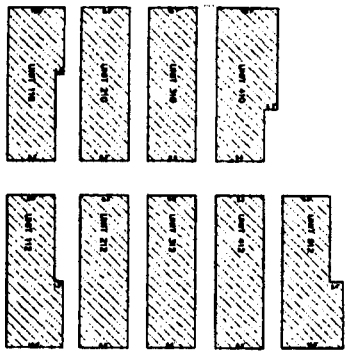
ZOB INC. 11-17-05  
 SHEET 7 OF 8  
 RECORDED  
 STATE OF IOWA COUNTY OF SULLY AND PLAT  
 DATE \_\_\_\_\_ FILE NO. \_\_\_\_\_ PAGE \_\_\_\_\_  
 FILE \_\_\_\_\_ RECORDING \_\_\_\_\_

**UNIT POINT OF BEGINNING TABLE**

UNIT NUMBER	NORTHING	EASTING
512	22,877.89	16,716.51
514	22,476.36	16,702.89
515	22,403.29	16,688.22
516	22,499.89	16,671.73

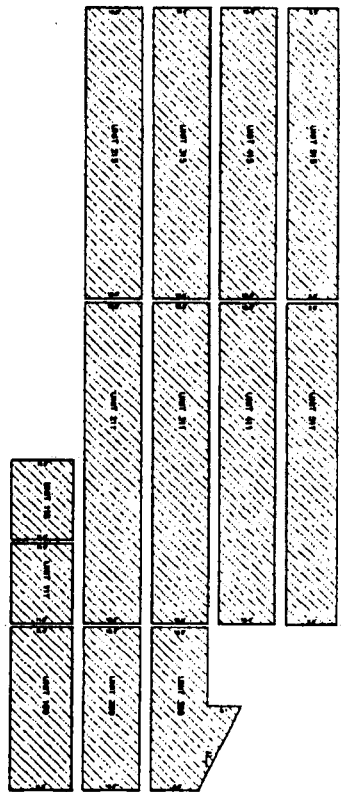
**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION
511	1,608	8,207.3
512	1,179	8,207.5
514	487	8,207.5
515	1,114	8,207.5
516	1,189	8,207.3



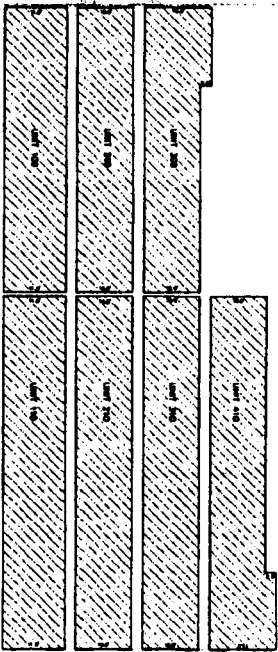
→ L&A, INC. - 2007.2  
 → L&A, INC. - 2008.2  
 → L&A, INC. - 2009.2  
 → L&A, INC. - 2010.2  
 → L&A, INC. - 2011.2  
 → L&A, INC. - 2012.2

SECTION S-1



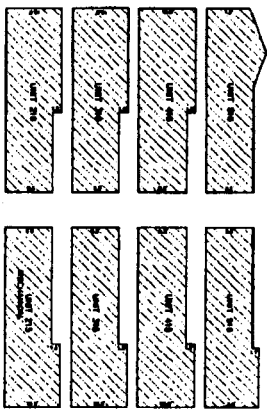
→ L&A, INC. - 2007.2  
 → L&A, INC. - 2008.2  
 → L&A, INC. - 2009.2  
 → L&A, INC. - 2010.2  
 → L&A, INC. - 2011.2  
 → L&A, INC. - 2012.2

SECTION S-2



→ L&A, INC. - 2007.2  
 → L&A, INC. - 2008.2  
 → L&A, INC. - 2009.2  
 → L&A, INC. - 2010.2  
 → L&A, INC. - 2011.2  
 → L&A, INC. - 2012.2

SECTION S-3



→ L&A, INC. - 2007.2  
 → L&A, INC. - 2008.2  
 → L&A, INC. - 2009.2  
 → L&A, INC. - 2010.2  
 → L&A, INC. - 2011.2  
 → L&A, INC. - 2012.2

SECTION S-4



JOB NO. 1-17-02  
 SHEET 8 OF 8  
 RECORDED  
 STATE OF UTAH COUNTY OF SALT LAKE  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ROOM \_\_\_\_\_  
 BY \_\_\_\_\_  
 FILE RECORDING

**Ordinance No. 05-76**

**AN ORDINANCE APPROVING THE THIRD AMENDED MARSAC MILL MANOR AND SILVER MILL HOUSE CONDOMINIUM RECORD OF SURVEY PLAT, 1335 LOWELL AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Marsac Mill Manor and Silver Mill House Condominium located at 1335 Lowell Avenue have petitioned the City Council for approval of the third amended Marsac Mill Manor and Silver Mill House condominium record of survey; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on December 14, 2005, to receive input on the third amended Marsac Mill Manor and Silver Mill House condominium record of survey;

WHEREAS, the Planning Commission, on December 14, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 22, 2005 the City Council approved third amended Marsac Mill Manor and Silver Mill House condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve third amended Marsac Mill Manor and Silver Mill House condominium record of survey.

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

**SECTION 1. APPROVAL.** The third amended Marsac Mill Manor and Silver Mill House condominium record of survey 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 condominium project known as the Marsac Mill Manor and Silver Mill House Condominiums is located at 1335 Lowell Avenue and is zoned Recreation Commercial (RC).
2. The proposed amended record of survey changes the unit configuration of the Ground Level and adds space leased from Greater Park City Company.
3. This application is to amend sheet 2 of the Marsac Mill Manor and Silver Mill House Condominiums Record of Survey. Other sheets shall remain intact.
4. No additional Floor Area is created by this amendment.
5. The Marsac Mill Manor and Silver Mill House Condominiums Association has obtained the necessary two-thirds approval of the conversion of Common Area to Private Space and Private Space to Common Area.
6. On December 12, 2002, the City Council approved the 3<sup>rd</sup> amended Recorded of Survey with the condition of approval that the plat be recorded within one year's time. That condition was not met and the approval expired.
7. The Planning Commission heard this application at its regular meeting of December 14, 2005, and forwards a positive recommendation. There was no public input.

Conclusions of Law:

1. There is good cause for this Amended Record of Survey.
2. The Amended 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 Amended Record of Survey.
4. Approval of the Amended Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

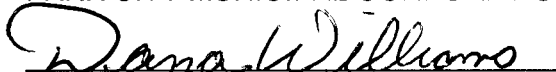
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey 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 Amended Record of Survey 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 amendment will be void.
3. Plat notes 1-3 as written in the October 14, 2005 letter of agreement must be added to the plat. This agreement between GPCC, James Doilney, and the Condo Association allows improvements in the leased area without having to submit a new plat. These improvements can not include additional floor area.
4. All other conditions of approval of the Marsac Mill Manor and Silver Mill House Condominiums project continue to apply.


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

PASSED AND ADOPTED this 22nd day of December, 2005.


PARK CITY MUNICIPAL CORPORATION

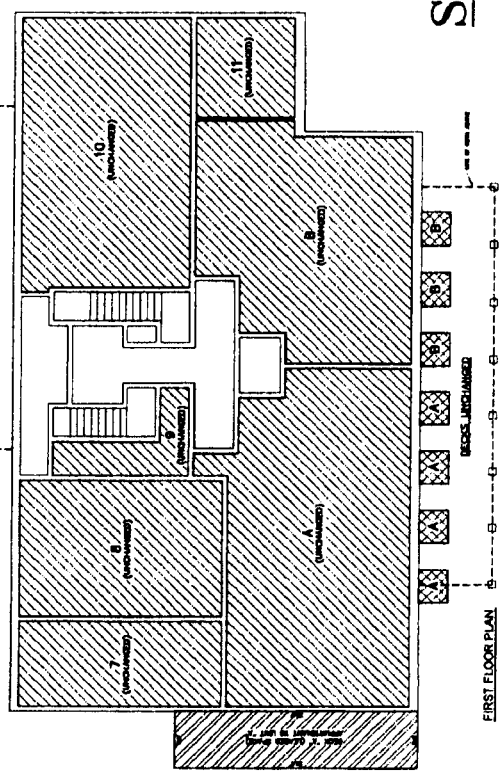
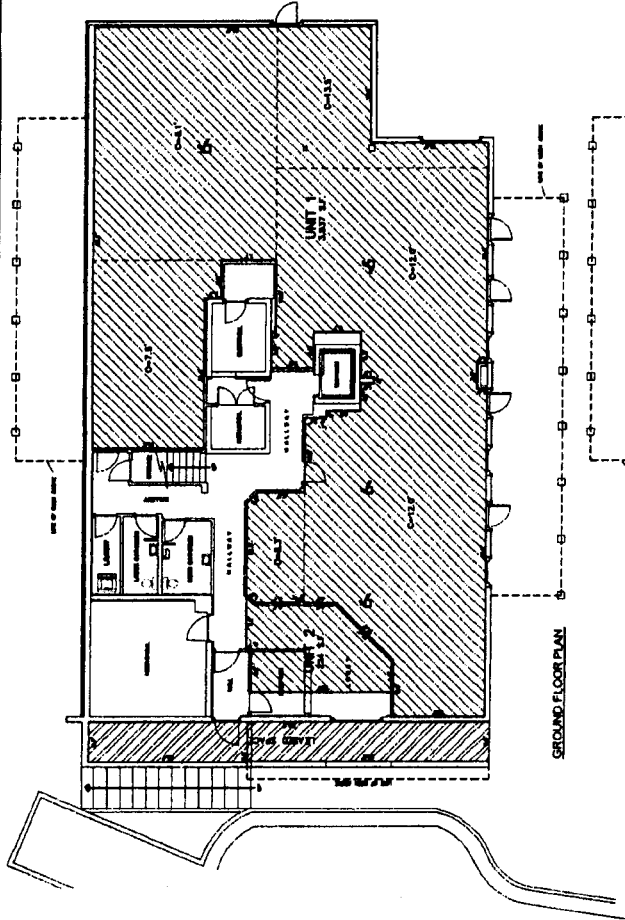
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**SURVEYOR'S CERTIFICATE**

I, Christopher B. Stone, an active, duly licensed Surveyor of the State of Utah, and the I have caused to be made under my direction and the supervision of the following named persons, a true and correct map of the land shown hereon, in accordance with the provisions of the Utah Condominium Act, Chapter 102, Utah Code, and the provisions of the Utah Condominium Act, Chapter 102, Utah Code, and the provisions of the Utah Condominium Act, Chapter 102, Utah Code.

Christopher B. Stone, L.S. 512308 Date \_\_\_\_\_

**DESCRIPTION**

Units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

I, the undersigned owner of the land shown hereon, do hereby certify that the land shown hereon is being dedicated to the use and purposes set forth herein, and that I have no other interest in the land shown hereon.

**ACKNOWLEDGMENT**

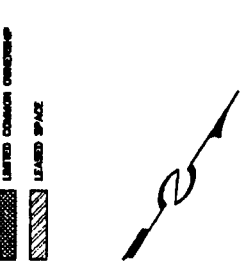
I, the undersigned, do hereby certify that I am the duly authorized representative of the owners of the land shown hereon, and that I have no other interest in the land shown hereon.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

I, the undersigned owner of the land shown hereon, do hereby certify that the land shown hereon is being dedicated to the use and purposes set forth herein, and that I have no other interest in the land shown hereon.

- NOTES:**
- The Surveyor's Certificate of this map is subject to the provisions of the Utah Condominium Act, Chapter 102, Utah Code.
  - The Surveyor's Certificate of this map is subject to the provisions of the Utah Condominium Act, Chapter 102, Utah Code.
  - The Surveyor's Certificate of this map is subject to the provisions of the Utah Condominium Act, Chapter 102, Utah Code.
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  - The Surveyor's Certificate of this map is subject to the provisions of the Utah Condominium Act, Chapter 102, Utah Code.

- LEGEND**
- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP
- LEASED SPACE



# MARSAC MILL MANOR & SILVER MILL HOUSE CONDOMINIUMS

THIRD AMENDED RECORD OF SURVEY MAP  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 4 EAST, BALZ  
 LARGE BASIN AND UTERMAN, PARK CITY, SUMMIT COUNTY, UTAH

JOB NO. 3-3-02 FILE: WATSONCPL1

PARK CITY REVESTING, INC.  
 2841 SUNSHINE DRIVE, SUITE 1  
 P.O. BOX 2000  
 PARK CITY, UTAH 84302  
 (435) 798-8888

BY:                      TITLE:                     

BY:                      TITLE:                     

BY:                      TITLE:                     

BY:                      TITLE:                     

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BY:                      TITLE:                     

RECORDED  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

RECORDED  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

SHEET 1 OF 1



October 14, 2005

To: Ron Ivie and Richard Carlyle (Park City Building Department)  
From: Jenni Smith representing Park City Mountain Resort , Pete Park representing the Marsac Mill Manor and Silver Mill House Condominium Association, Doilney and Rory Klungervik (Doilney).  
Re: Building Permit #B05-10941 Issuance Performance Conditions.

We submit this letter to comply with your directions earlier today.

Greater Park City Company and The Marsac Mill Manor and Silver Mill House Homeowner's Association hereby agree to consent to adding the following notes on The Marsac Mill Manor and Silver Mill House Homeowner's Association pending plat amendment:

NOTE 1. See "Parking Access and Encroachment Agreement" (Entry 00693878, Book 1609, PG1351-013, recorded April 2, 2004). Utility services, including boiler and plumbing vents are approved uses within the described encroachment area subject to Greater Park City Company written approval.

NOTE 2. Non-Exclusive Easement Around Marsac Mill Manor Building delineated on original plat (entry #133093, recorded dated 8/20/76) is hereby amended to allow the placement of fireplace chimneys/chases and outdoor cooking equipment and associated vent (structures) stacks subject to Greater Park City Company and Marsac Mill Manor and Silver Mill House Condominium Homeowner Association's written approval.

NOTE 3. Notice is hereby given of an Easement Agreement between Greater Park City Company and James A. Doilney (entry #747817, Book 1726, Pages 1171-1195, recorded 8/22/05) regarding use of easement on the parcel contiguous with the Non-Exclusive Easement Around Marsac Mill Manor Building as noted under Note 2 above.

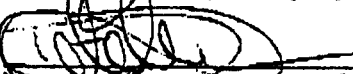
Greater Park City Company's and The Marsac Mill Manor and Silver Mill House Homeowner's Association signatures on this letter provides evidence that their written consent has been given to permit #B05-10941 boiler vent, cooking system, and fireplace and equipment chases.

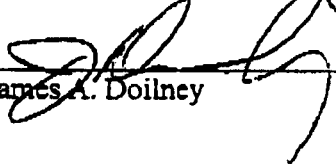
The Marsac Mill Manor and Silver Mill House Homeowner's Association and Doilney hereby acknowledge their commitment to complete the recordation of the The Marsac Mill Manor and Silver Mill House Homeowner Association's pending plat amendment on or before February 10, 2006.

Thank you for your assistance in this matter.

By:

  
\_\_\_\_\_  
Greater Park City Company

  
\_\_\_\_\_  
Marsac Mill Manor and Silver Mill House Association

  
\_\_\_\_\_  
James A. Doilney

**Ordinance No. 05-75**

**AN ORDINANCE APPROVING A STREET VACATION AND PLAT AMENDMENT FOR THE PROPERTY DESCRIBED AS LOTS 27-32 BLOCK 75 A PORTION OF LOT 17 AND ALL OF LOTS 18 AND 19 OF BLOCK 76 OF THE PARK CITY SURVEY ALSO KNOWN AS 147 RIDGE AVENUE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 147 Ridge Avenue, has petitioned the City Council for approval of a street vacation and plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on December 14, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed street vacation and plat amendment combines 7 lots and a portion of 1 other into two lots of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential Low Density (HRL) zone.
2. The purpose of the HRL zone is to provide an area of lower density residential use within the old portion of Park City.
3. The applicant is the owner of lots 27-32 Block 75, a portion of lot 17 and all of lots 18-19 Block 76 on the Park City Survey.
4. There is an existing historic single family home and detached concrete garage on lots 27-32, that encroach onto Platted Ridge Avenue. Lots 17 and 18 are vacant.
5. Platted Ridge Avenue separates Blocks 75 and 76.
6. Existing Ridge Avenue runs along the east property line, switches back and bisects the property between Blocks 75 and 76 (outside of the platted r-o-w).
7. Existing King Road runs through the west side of lots 18 and 19 of Block 76.
8. The applicant is requesting a plat amendment that would combine the lots on Block 75 into one lot of record, and the lots on Block 76 into another lot of record.
9. The applicant is proposing that the City vacate the section of platted Ridge Avenue encroached upon by the existing home and garage in exchange for two right-of-way dedication parcels along portions of existing Ridge Avenue and King Road on the platted Block 76 lots.
10. The applicant is proposing no increase in the density currently allowed on the property by the HRL zone regulations.
11. The plat amendment would create a lot of approximately 8,478 square feet, and a possible building footprint of 2,631 square feet at 147 Ridge Avenue.

12. The plat amendment would create a lot of approximately 2,250 square feet, and a possible building footprint of 991 square feet between existing King Road and Ridge Avenue.
13. The HRL zone requires a minimum lot size of 3,750 square feet.
14. On October 18, 2005 the applicant received a variance from the Board of Adjustment reducing the minimum lot size from 3,750 square feet to 2,250 square feet on lots 18 and 19 of Block 76.
15. This plat amendment enables an exchange of property between the City and the applicant that would compensate the City for the loss of square footage by conveying a like amount of square footage back.
16. As proposed, the applicant would receive approximately 2,978 square feet of platted Ridge Avenue in exchange for 1,269 square feet of the King Road lot facing King Road as well as 1,709 square feet of the King Road lot facing Ridge Avenue, for a total of 2,978 square feet.
17. The 1984 Streets Master Plan lists the platted Ridge Avenue R-O-W as "excess R-O-W" meaning it is not of significant value to the City.
18. The proposed Ridge Avenue R-O-W would measure 27 feet in width with approximately 12 feet of pavement running through it. The City Engineer has reviewed the proposed vacation, and found that the unique circumstance of the historic building encroachments into the existing R-O-W, the steep slope of the King Road lots, and the continued accessibility to adjacent properties the reduced R-O-W configuration is appropriate for the property. Utility and snow storage easements are necessary.
19. The vacation as it stands will continue to provide access to property owners farther to the south on Ridge Avenue.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for the proposed plat amendment and street vacation.
2. The amendment is consistent with the Park City Land Management Code and applicable State law.
3. The application is consistent with the Park City Streets Master Plan.
4. Neither the public nor any person will be materially injured by the proposed amendment.
5. As conditioned the amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

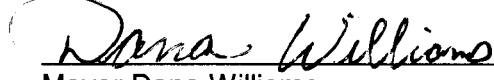
1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. Prior to the issue of a building permit for either lot, the applicant shall submit for review and approval a historic district design guideline review application.
3. A note shall be added to the plat establishing the maximum footprint for 147 Ridge Avenue at 1,500 square feet.
4. A note shall be added to the plat indicating that the home shall have a modified 13-D sprinkler fire protection system installed prior to the issue of a certificate of occupancy by the Building Department.
5. This approval will expire one year from the date of approval if no building permit has been issued.

6. The applicant shall dedicate 10 foot-wide non-exclusive utility and snow storage easements along all lot frontages.

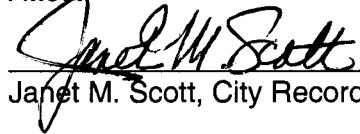
**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 22<sup>nd</sup> day of December 2005.

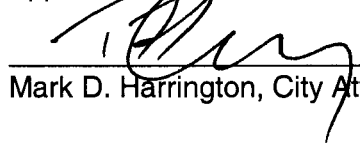
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

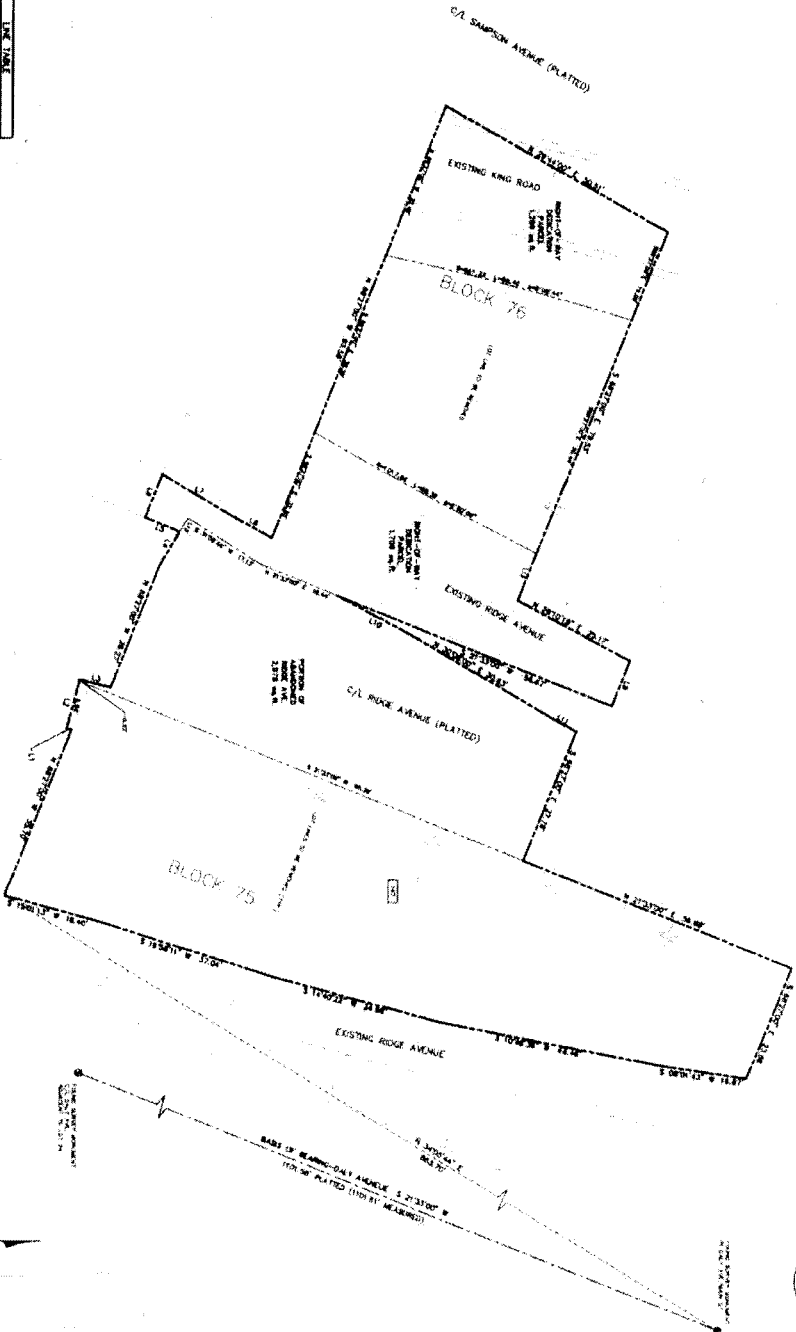
Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





PLANNING COMMISSION



# 147 RIDGE AVENUE REPLAT

LOCATED IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 9 EAST AND MERIDIAN 10 WEST, SALT LAKE COUNTY, UTAH



NO.	DATE	DESCRIPTION
1	12/15/00	REPLAT
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**SALT LAKE COUNTY WATER REPLETION DISTRICT**  
 APPROVED FOR THE DISTRICT BOARD BY THE BOARD OF DIRECTORS ON THIS DATE: 12/15/00  
 BY: [Signature]

**PLANNING COMMISSION**  
 APPROVED BY THE PLANNING COMMISSION ON THIS DATE: 12/15/00  
 BY: [Signature]

**ENGINEER'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE INFORMATION ON THIS REPLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 BY: [Signature]

**APPROVAL AS TO FORM**  
 I HEREBY CERTIFY THAT THE FORM OF THIS REPLAT IS CORRECT AND ACCURATE.  
 BY: [Signature]

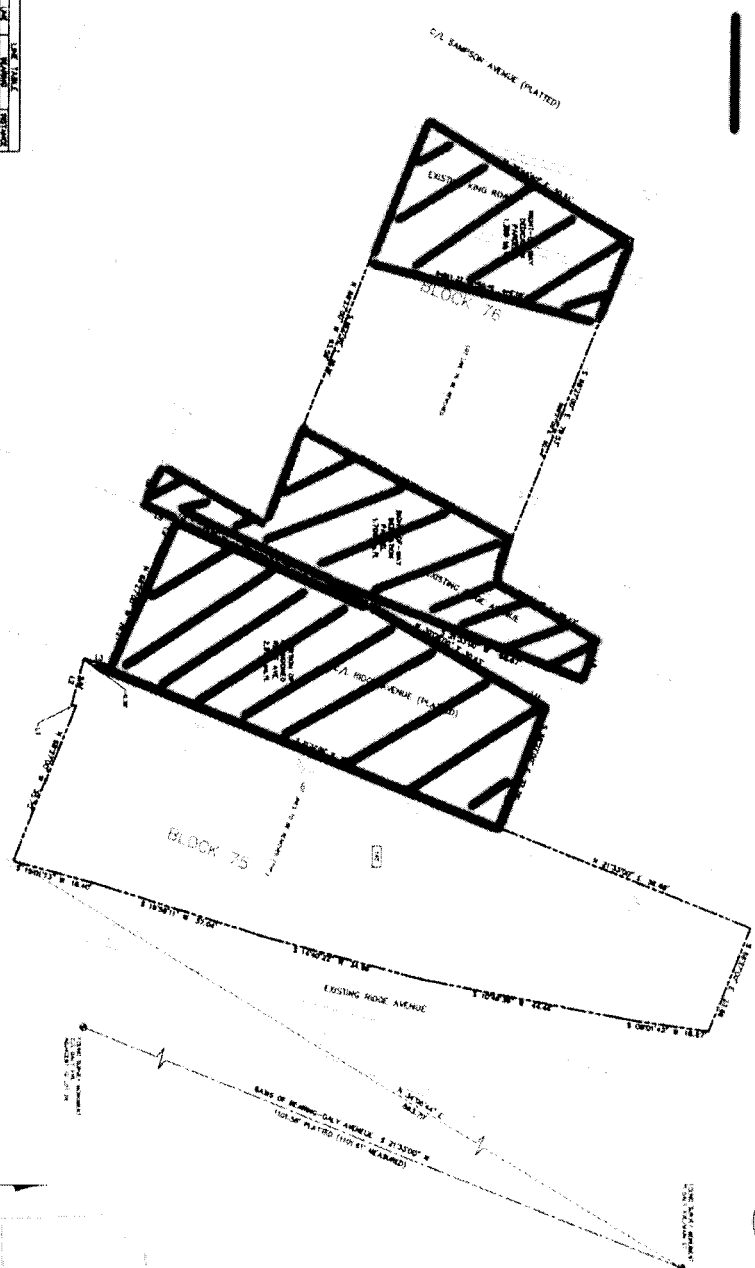
**CERTIFICATE OF ATTEST**  
 I HEREBY CERTIFY THAT I AM A MEMBER OF THE PLANNING COMMISSION AND THAT I HAVE REVIEWED THE REPLAT.  
 BY: [Signature]

**COUNCIL APPROVAL AND ACCEPTANCE**  
 I HEREBY CERTIFY THAT I AM A MEMBER OF THE PLANNING COMMISSION AND THAT I HAVE REVIEWED THE REPLAT.  
 BY: [Signature]

**RECORDED**  
 STATE OF UTAH, COUNTY OF SALT LAKE, AND FIELD NO. [Blank]  
 BY: [Signature]

**OWNER'S INDICATION AND CONSENT TO RECORD**  
 I, the undersigned, being the owner of the above described property, do hereby certify that the information herein is true and correct to the best of my knowledge and belief, and that I have read and understand the contents of this replat, and that I consent to the recording of the same.  
 BY: [Signature]

To City



# 147 RIDGE AVENUE REPLAT

LOCATED IN SECTION 21  
TOWNSHIP 2 SOUTH, RANGE 2 EAST, BASE AND MERIDIAN  
PARK CITY, SAMMIT COUNTY, UTAH

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**STREETS/UTAH BASIN WATER REGULATION DISTRICT**  
 REQUEST FOR CONFORMANCE TO IMPROVED BASIN WATER  
 REGULATION DISTRICT CONCEPT PLAN, THE  
 DISTRICT OF THE CITY OF PARK CITY, UTAH  
 BY: [Signature]

**PLANNING COMMISSION**  
 APPROVED BY THE PLANNING COMMISSION OF THE CITY OF PARK CITY, UTAH  
 ON: [Date]

**ENGINEER'S CERTIFICATE**  
 I, [Name], a duly Licensed Professional Engineer in the State of Utah, do hereby certify that the above described plat is a true and correct copy of the original as shown to me by the applicant.

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM BY THE CITY CLERK OF THE CITY OF PARK CITY, UTAH  
 ON: [Date]

**CERTIFICATE OF ATTEST**  
 I, [Name], the Clerk of the City of Park City, Utah, do hereby certify that the above described plat is a true and correct copy of the original as shown to me by the applicant.

**COUNCIL APPROVAL AND ACCEPTANCE**  
 APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH  
 ON: [Date]

**RECORDED**  
 FILED AT THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF THE COUNTY OF KANE, UTAH  
 ON: [Date]

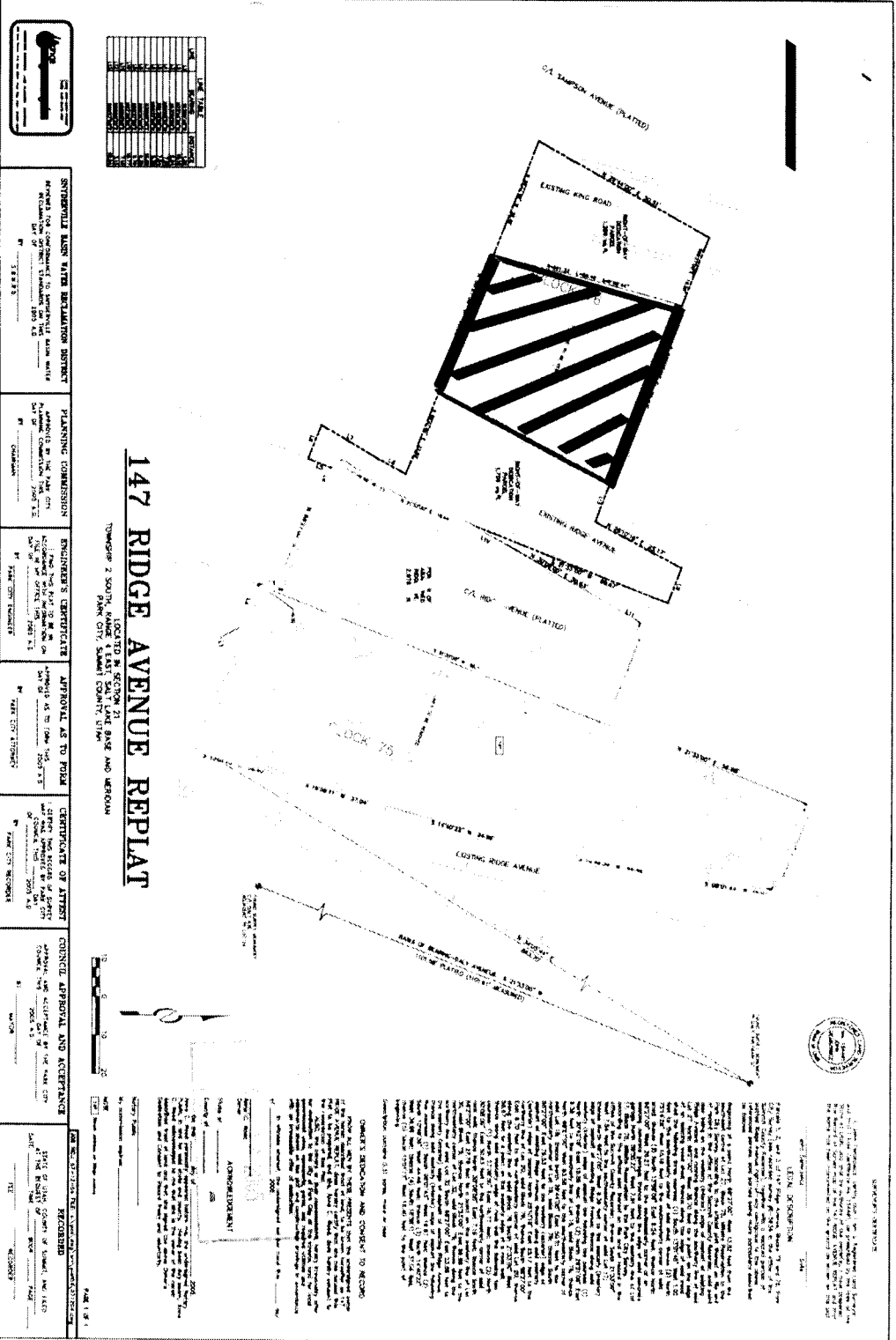
**OWNER'S DECLARATION AND CONSENT TO RECORD**  
 I, [Name], the owner of the above described property, do hereby declare that the above described plat is a true and correct copy of the original as shown to me by the applicant, and I do hereby consent to the recording of the same.

**ACKNOWLEDGMENT**  
 I, [Name], the owner of the above described property, do hereby acknowledge that the above described plat is a true and correct copy of the original as shown to me by the applicant, and I do hereby consent to the recording of the same.

**LEGAL DESCRIPTION**  
 The above described property is situated in the City of Park City, Utah, and is bounded by the following: [Detailed description of the property boundaries and adjacent streets, including references to previous plats and maps.]



**LEGAL DESCRIPTION**  
 The above described property is situated in the City of Park City, Utah, and is bounded by the following: [Detailed description of the property boundaries and adjacent streets, including references to previous plats and maps.]



# 147 RIDGE AVENUE REPLAT

SECTION 2 SOUTH, TOWNSHIP 2 NORTH, RANGE 21 EAST, COUNTY OF SHERMAN, STATE OF TEXAS



**STATEWIDE BASE WATER REGULATION DISTRICT**  
 APPROVED FOR COMMISSIONER OF STATEWIDE BASE WATER REGULATION DISTRICT  
 DATE OF APPROVAL: 12/31/2023  
 BY: [Signature]

**PLANNING COMMISSION**  
 APPROVED BY THE PLANNING COMMISSION  
 DATE OF APPROVAL: 12/31/2023  
 BY: [Signature]

**ENGINEER'S CERTIFICATE**  
 I, THE ENGINEER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 DATE OF CERTIFICATE: 12/31/2023  
 BY: [Signature]

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM  
 DATE OF APPROVAL: 12/31/2023  
 BY: [Signature]

**CERTIFICATE OF ATTEST**  
 I, THE CLERK OF COUNTY CLERK, HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 DATE OF CERTIFICATE: 12/31/2023  
 BY: [Signature]

**COUNCIL APPROVAL AND ACQUITTANCE**  
 APPROVED AND ACQUITTANCE BY THE BOARD OF COUNTY COMMISSIONERS  
 DATE OF APPROVAL: 12/31/2023  
 BY: [Signature]

**RECORDED**  
 STATE OF TEXAS, COUNTY OF SHERMAN, BOOK 147, PAGE 12345  
 DATE OF RECORDING: 12/31/2023  
 BY: [Signature]

**CONSENT, ENDORSEMENT AND COMMENT TO RECORD**  
 I, THE ENGINEER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLAT AND FIND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS SURVEYING ACT AND THE RULES AND REGULATIONS OF THE COMMISSION ON SURVEYING. I HAVE ALSO REVIEWED THE PLAT AND FIND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS SURVEYING ACT AND THE RULES AND REGULATIONS OF THE COMMISSION ON SURVEYING.

**AMENDMENT**  
 I, THE ENGINEER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLAT AND FIND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS SURVEYING ACT AND THE RULES AND REGULATIONS OF THE COMMISSION ON SURVEYING. I HAVE ALSO REVIEWED THE PLAT AND FIND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS SURVEYING ACT AND THE RULES AND REGULATIONS OF THE COMMISSION ON SURVEYING.



**Ordinance No. 05-74**

**AN ORDINANCE APPROVING THE PARK CITY PUBLIC WORKS SUBDIVISION PLAT, A SUBDIVISION LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.**

**WHEREAS**, the owner of the property located at 1630 Shortline Drive, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on November 9, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed action subdivides a 5.71 acre property located within southwest quarter of Section 9, Township 2, Range 4 East, Salk Lake Base and Meridian, Park City, Summit County, Utah into two lots of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The subject 5.71 acre property is located in the General Commercial (GC) Zoning District.

2. The applicant has submitted a combined preliminary/final subdivision plat application to subdivide the property into two lots of record.

3. The subject property is bounded by Ironhorse Drive on the north; Shortline Drive on the west; and Deer Valley Drive on the south.

4. The land uses adjacent to the subject property include commercial retail uses to the north; resort residential and commercial to the west; residential and City Park to the south; and commercial/office to the east.

5. Proposed Lot 1 is 5.11 acres and comprises the City's Public Works Department complex.

6. Proposed Lot 2 is 0.59 acres in size and currently vacant.

7. Proposed Lot 2 is located within the Frontage Protection Zone (FPZ).

8. A Mountain Fuel/Questar gas line and easement run through Lot 2 and a private sewer lateral (with no associated easement) runs along the southwest corner of the subject property.



9. The property is located within the Prospector Soils District boundary.
10. The subject property is encumbered by an obligation to provide twelve (12) parking spaces for the Copper Bottom Inn Condominiums. Said commitment for six of the twelve parking spaces is a result of the City's 1983 acquisition of Deer Valley Drive right-of-way across the Copper Bottom Inn's property. In 1991, the City agreed to allow an additional six (6) Copper Bottom Inn parking spaces (*for a total of 12 parking spaces*) to be placed on the Public Works property as a result of remedying a Copper Bottom Inn parking deficiency associated with unit remodels and a kitchen expansion.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this amendment.
2. The amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed amendment.
4. As conditioned the amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording 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 and the plat will be void.
2. Relocation of the existing Mountain Fuel/Questar gas line easement and gas line in a manner approved by the City Engineer is a condition precedent to issuance of a building permit on Lot 2.
3. Dedication of a sewer easement on Lot 2 in a manner approved by the City Engineer is a condition precedent to plat recordation.
4. A note shall be added to the plat that the property lies within the Prospector Soils District boundary and may have other environmental issues as well relating to its industrial use in the past.
5. Prior to recordation, a note shall be added to the plat stating that "any future development on Lot 2 requires the property owner to provide six (6) underground parking spaces for permanent use by Copper Bottom Inn property owners and their lessees and assign." The plat note is to further specify that "the Copper Bottom Inn property owners and their lessees and assigns are permitted the use of up to six additional parking spaces on Lot 2 provided that said use is limited in time between the hours of 6PM and 7AM. Maintenance and enforcement of said parking spaces shall be the responsibility of the property owner."

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1<sup>st</sup> day of December 2005.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Mayor Dana Williams

Attest:

Janet M. Scott  
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney





**Ordinance No. 05-73**

**AN ORDINANCE APPROVING AN EXPANDABLE CONDOMINIUM PLAT FOR THE LOFTS ON DEER VALLEY DRIVE, LOCATED AT 570 DEER VALLEY DRIVE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 570 Deer Valley Drive, has petitioned the City Council for approval of an expandable condominium plat; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on November 9, 2005 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed condominium plat allows the property owner to sell each unit individually; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the Subdivision.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is zoned Residential Medium (RM) and is subject to the requirements of LMC Section 15-2.15.
2. The RM zone is a transitional zone between the historic district and the contemporary Deer Valley area.
3. The property is subject to the September 28, 2005 570 Deer Valley Drive Conditional Use Permit approval.
4. The expandable condominium plat is consistent with the 570 Deer Valley Drive Conditional Use Permit, in terms of size and location of the building, proposed uses, and required parking.
5. The Property is subject to the October 13, 2005 City Council approval of the Subdivision plat.
6. The expandable condominium plat is consistent with the subdivision plat in terms of the negotiated dedications of 1,342 square feet of property on the south and 1,402 square feet of property on the north to the City.
7. An existing overhead power line crosses the lot.
8. The applicant stipulates to all conditions of approval.

9. Notice of this public hearing was sent to all property owners within 300 feet of the project on October 26, 2005.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this plat.
2. The plat is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat.
4. As conditioned the plat is consistent with the Park City General Plan.

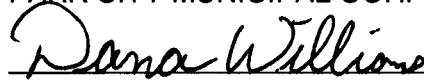
**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. A utility, grading and drainage plan shall be submitted to the City Engineer for review and approval prior to the issue of a building permit.
3. A five foot public snow storage easement along Deer Valley Loop shall be recorded on the plat.
4. This approval will expire one year from the date of final approval if no building permit has been issued.
5. A note shall be added to the plat requiring 13-D fire sprinklers in each unit.
6. The overhead power line shall be properly relocated prior to plat recordation.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1<sup>st</sup> day of December 2005.


PARK CITY MUNICIPAL CORPORATION

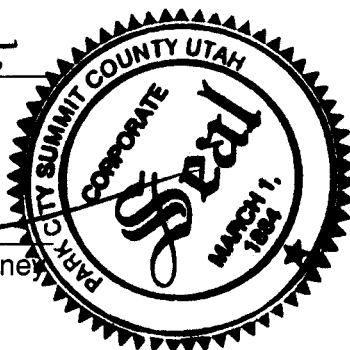
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





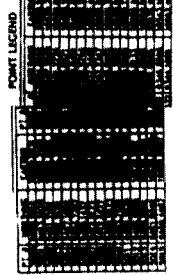
PLAT MONUMENT  
 CORNER SECTION  
 1/4 SECTION 18, T4N, R12E  
 5' HIGH

SECTION LINE  
 5,000.00' ±

BASE  
 5,000.00' ±

78.00' ±

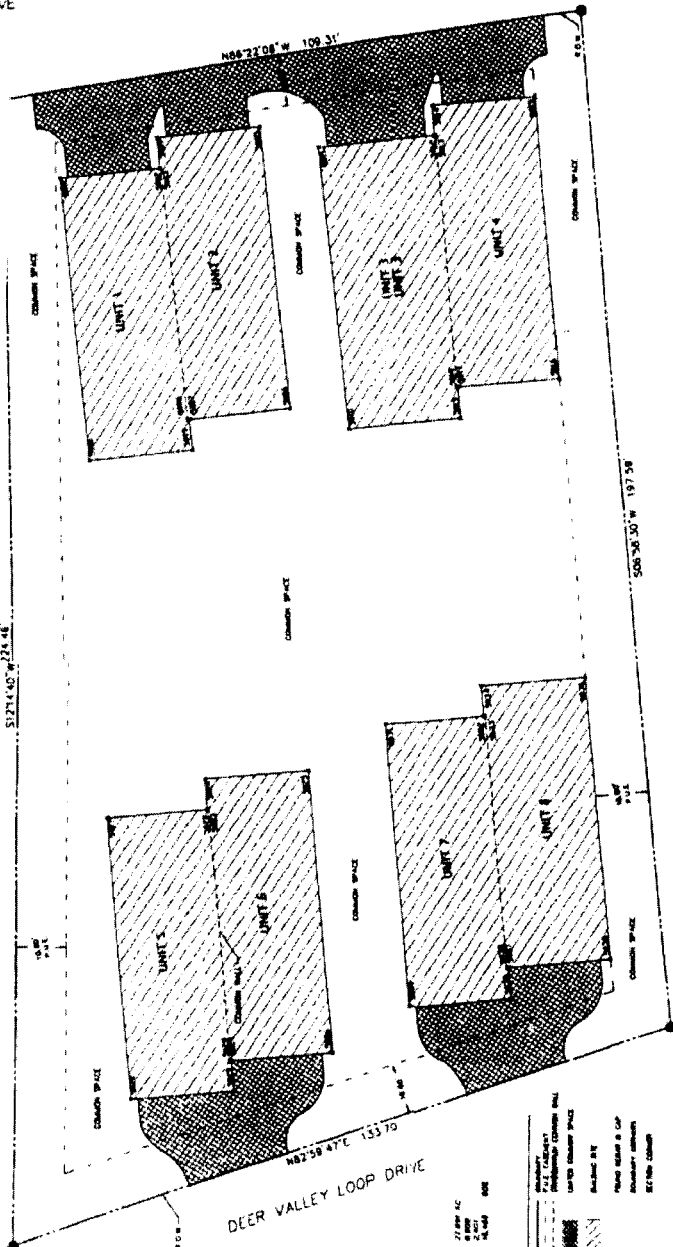
1/4 SECTION 18, T4N, R12E  
 5' HIGH



**PLAT NOTES:**

OWNERS OF THE UNITS TO WHICH THE LIMITED COMMON AREAS AND FACILITIES PERTAIN SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF SUCH LIMITED COMMON AREAS AND FACILITIES.  
 PLEASE SEE THE DECLARATION OF CONDOMINIUMS, COVENANTS, CONDITIONS, RESTRICTIONS AND BYLAWS, HERETOFORE FILED FOR RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF SAGINAW, MICHIGAN, AND FOR THE CONDOMINIUM UNITS AND LIMITED COMMON AREAS AND FACILITIES.

DEER VALLEY DRIVE



**LEGEND:**  
 ■ UNIT 1  
 ■ UNIT 2  
 ■ UNIT 3  
 ■ UNIT 4  
 ■ UNIT 5  
 ■ UNIT 6  
 ■ UNIT 7  
 ■ UNIT 8

**BOUNDARY DESCRIPTION:**  
 BEING CORNER OF A TRACT SOUTH A DISTANCE OF 734.29 FEET AND EAST A DISTANCE OF 14.75 FEET FROM THE CORNER OF SECTION 18, T4N, R12E, SAGINAW COUNTY, MICHIGAN.  
 BEING CORNER OF A TRACT EAST A DISTANCE OF 224.48 FEET AND SOUTH A DISTANCE OF 108.31 FEET.  
 BEING CORNER OF A TRACT EAST A DISTANCE OF 197.38 FEET AND SOUTH A DISTANCE OF 153.70 FEET TO THE POINT OF BEGINNING.  
 PARCEL CONTAINS 0.84 ACRES.

**SURVEYOR'S CERTIFICATE:**  
 I, BRYAN E. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND THAT I HOLD THE CERTIFICATE NUMBER AS ATTACHED UNDER THE LAWS OF THE STATE OF MICHIGAN. BY AUTHORITY OF THE CHIEF OF STATE I HAVE PREPARED THIS CONDOMINIUM PLAT MAP IN CONFORMANCE WITH STATE AND CITY CODES FOR SUBMITTAL TO THE CITY COMMISSION FOR PUBLIC CITY FOR THEIR REVIEW AND APPROVAL ONLY.

**PROFESSIONAL LAND SURVEYOR:**  
 BRYAN E. CHRISTENSEN  
 DATE: \_\_\_\_\_

**OWNER'S DECLARATION:**  
 WITH ALL HER BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE KNOWN AS THE UNITS AND COMMON AREAS AND FACILITIES OF THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS, DO HEREBY DECLARE FOR THE PERMANENT USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.

**ACKNOWLEDGEMENT:**  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, W AND JUP SAIG COUNTY OF \_\_\_\_\_ IN SAIG STATE OF \_\_\_\_\_, THE SIGNED OF THE ABOVE OWNER'S DECLARATION WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE SIGNED THE OWNER'S DECLARATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAIG CORPORATION FOR THE PURPOSES MENTIONED AND THAT SAIG CORPORATION EXECUTED THE SAME.

**SUMMIT COUNTY RECORDER**

**THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS**  
 FINAL PLAT  
 LOCATED IN THE SECTION 18, T4N, R12E, SAGINAW COUNTY, MICHIGAN

**APPROVALS TO FORM:**  
 APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 FOR CITY COMMISSION

**RECORDING:**  
 DATE OF FILE \_\_\_\_\_  
 FILE NO. \_\_\_\_\_  
 RECORDED BY \_\_\_\_\_

**OWNER:**  
 SAIG CORPORATION  
 10000 DEER VALLEY DRIVE  
 SAGINAW, MI 48607  
 (517) 764-1234

**ENGINEER:**  
 BRYAN E. CHRISTENSEN  
 10000 DEER VALLEY DRIVE  
 SAGINAW, MI 48607  
 (517) 764-1234

**ORDINANCE NO. 05-72**

**AN ORDINANCE APPROVING THE SPIRO CONDOMINIUMS BUILDINGS G-M and PARKING STRUCTURES 2 and 3, A RECORD OF SURVEY PLAT, LOCATED AT 1825 THREE KINGS DRIVE, PARK CITY, UTAH.**

WHEREAS, the owner of lot 1 of the Silver Star Subdivision, located at 1825 Three Kings Drive, petitioned the City Council for approval of a condominium record of survey plat, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on November 9, 2005, to receive input on the proposed condominium record of survey plat; and

WHEREAS, the Planning Commission, on November 9, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on November 17, 2005, the City Council held a public hearing and approved the condominium record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the condominium record of survey plat, to allow individual units to be bought and sold.

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

SECTION 1. APPROVAL. The 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 in the RD zoning district.
2. The property is subject to the 2004 Spiro Tunnel MPD Development Agreement.
3. The Spiro Tunnel MPD Development Agreement sets forth a maximum density of 97 unit equivalents (ue). This condominium plat identifies private area for 38 units (37.25 residential ue). The units range in size from 1,401 to 2,478 square feet. The remaining floor area is designated as either common area or limited common area (exclusive use of a particular unit).
4. Previously approved record of survey plats for Building A, Buildings B-F, and Cottage Units 1-22 identified the remaining 38 condo units, 22 cottage units, and 14.5 ue of support commercial uses.

5. The Spiro Trail is a heavily-used public trail necessary for the Silver Star residents and the general public to access other trails in the vicinity.

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, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Spiro Tunnel MPD Development Agreement.

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 the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition subsequent to plat recordation, including compliance with any ADA requirements.
3. The applicant will record the Record of Survey 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.
4. All conditions of approval of the Spiro Tunnel MPD continue to apply.
5. All conditions of approval of the Silver Star subdivision plat continue to apply.
6. The Owner shall certify on the plat that the condominium project will be built substantially as shown.
7. A financial guarantee for 125% of the value of public improvements shall be submitted prior to plat recordation, in an amount approved by the City Engineer and in a form approved by the City Attorney.
8. Driveways to the condo units may be revised from those shown on the draft plans in order to achieve proper design. Revised driveway designs will be reviewed and, if acceptable, approved by the Planning Staff and City Engineer prior to plat recordation.
9. Public access trail easements consistent with the Trails Master Plan and as determined necessary by the Park City Trails Coordinator shall be indicated on the plat as a condition precedent to plat recordation. A parking agreement between PCMC and Paladin LLC for the trail head and public works employee parking areas shall be executed and recorded as a condition precedent to recordation of this plat.

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

PASSED AND ADOPTED this 17th day of November, 2005.



PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

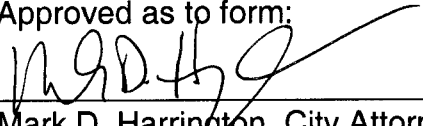
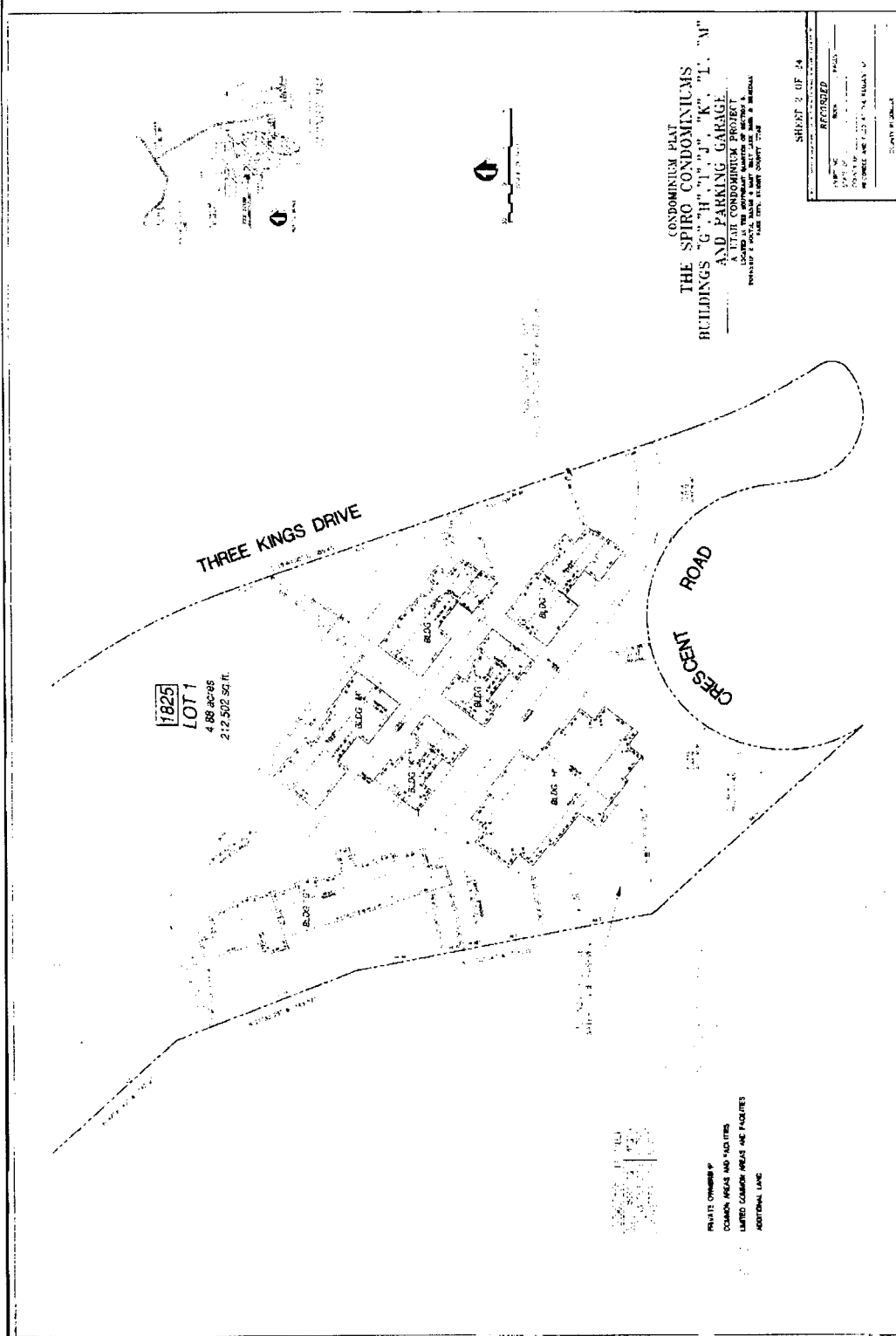
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

EXHIBIT A

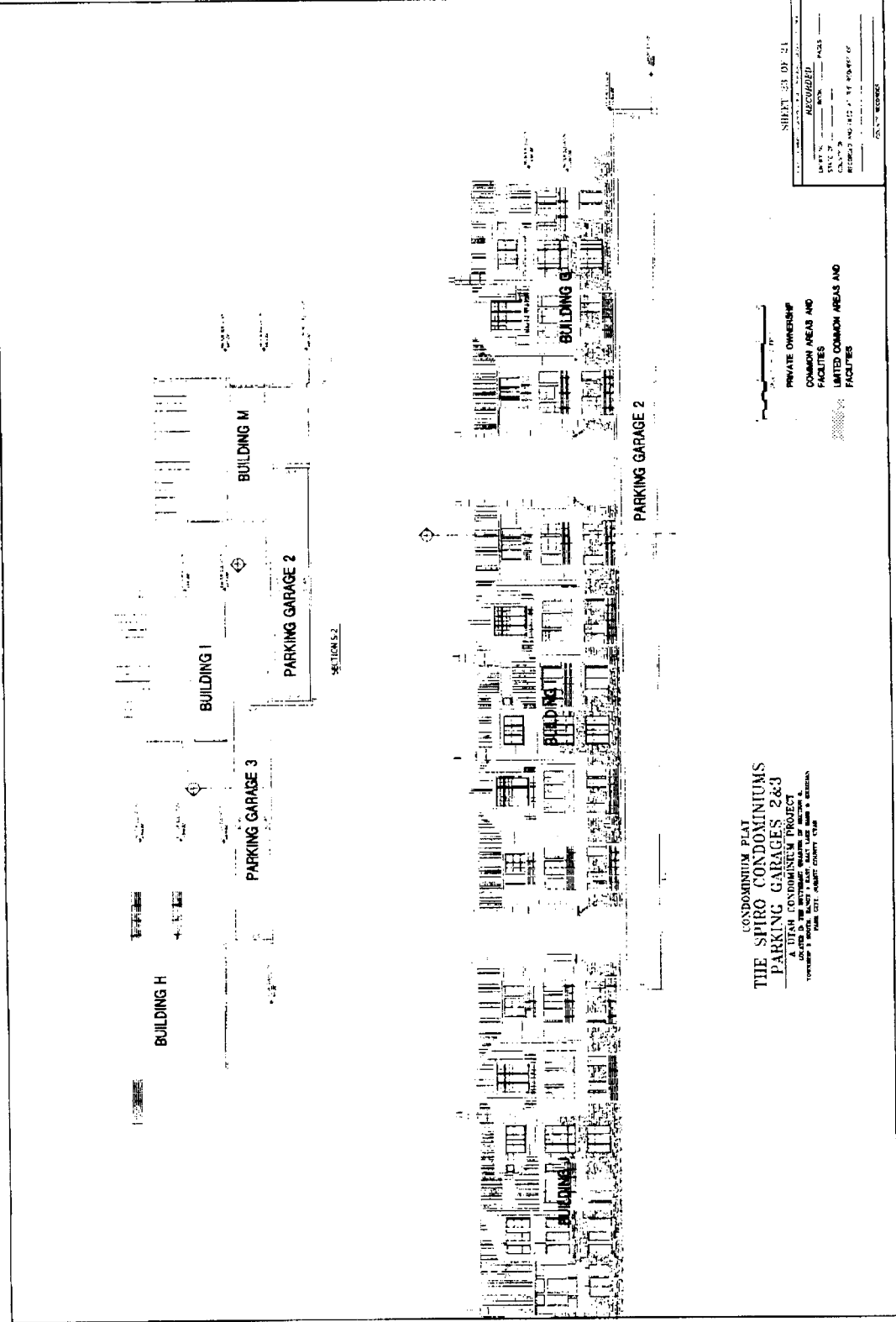


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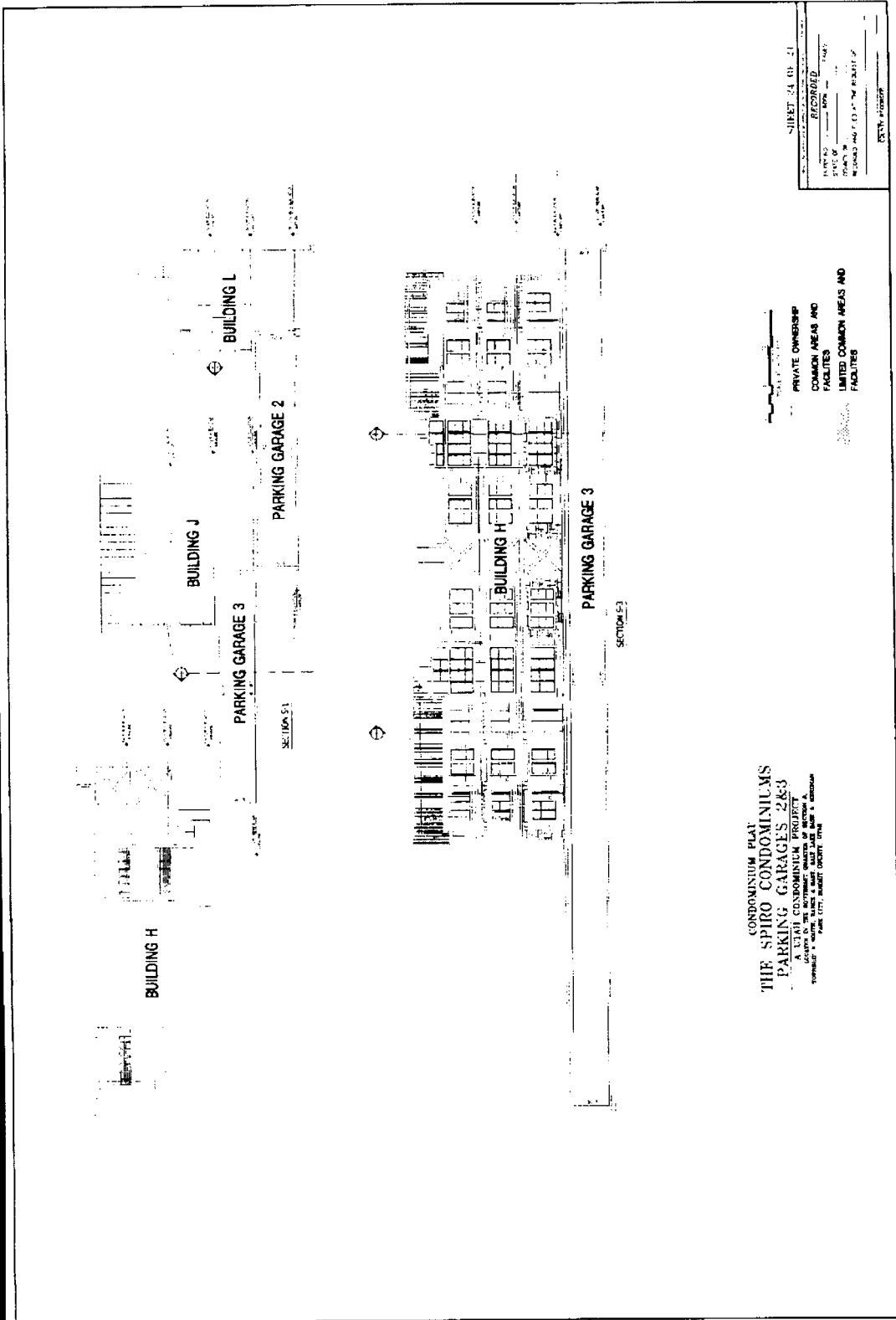




CONDOMINIUM PLAT  
**THE SPIRO CONDOMINIUMS**  
**PARKING GARAGES 2&3**  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE WESTWARD SQUARE OF SECTION 8,  
 TOWNSHIP 1 NORTH, RANGE 10 EAST,  
 10TH DISTRICT, GARFIELD COUNTY, UTAH

PRIVATE OWNERSHIP  
 COMMON AREAS AND  
 FACILITIES  
 LIMITED COMMON AREAS AND  
 FACILITIES

SHEET 23 OF 24  
 PREPARED BY  
 DATE  
 SCALE  
 RECORD NO. AND DATE OF RECORDING



CONDOMINIUM PLAT  
 THE SPIRO CONDOMINIUMS  
 PARKING GARAGES 2&3  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE SALT LAKE COUNTY, UTAH  
 TOWNSHIP 1 NORTH, RANGE 12 WEST, AND MERIDIAN 11 NORTH  
 PARK CITY, SALT LAKE COUNTY, UTAH

PRIVATE OWNERSHIP  
 COMMON AREAS AND FACILITIES  
 LIMITED COMMON AREAS AND FACILITIES

SHEET 24 OF 24  
 PROJECT NAME: THE SPIRO CONDOMINIUMS  
 LOCATION: 2863 PARK CITY, SALT LAKE COUNTY, UTAH  
 SCALE: AS SHOWN  
 AUTHOR: [Name]  
 CHECK: [Name]  
 DATE: [Date]  
 RECORDED: [Date]  
 BOOK: [Number]  
 PAGE: [Number]  
 SURVEY: [Name]  
 RECORDED: [Date]  
 BOOK: [Number]  
 PAGE: [Number]

When recorded return to:  
PCMC  
Attn: City Recorder  
P.O. Box 1480  
Park City, Utah 84060

Fee Exempt per Utah Code Annotated 1953 21-7-2

**Ordinance No. 05-71**

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS AT  
APRIL MOUNTAIN SUBDIVISION, PARK CITY, UTAH**

WHEREAS, April Mountain Subdivision was approved by the City Council on August 8, 2002; and

WHEREAS, construction of the public improvements at April Mountain has been accomplished by the developer, including April Mountain Drive, Seasons Drive, sidewalks, trails, storm drains, and a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1 (g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within April Mountain Subdivision were installed in accordance with the ordinances and codes in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

**SECTION 1. PUBLIC IMPROVEMENTS.** The City hereby accepts from the developer all public improvements at April Mountain Subdivision which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with adoption of this ordinance. Maintenance of the storm drain detention basin located in the common area of the April Mountain Condominiums shall be the responsibility of the condominium owners association pursuant to the Maintenance Agreement Regarding Detention Basin (Exhibit A).

**SECTION 2. FINANCIAL GUARANTEE.** To guarantee the improvements, Park City shall hold a financial guarantee in the amount of \$100,103.00 for a period of one year.

**SECTION 3. SNOWPLOWING.** Because the number of units in April Mountain exceeds 50% of the total allowable density, the City shall plow snow in the subdivision upon approval of this ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 10<sup>th</sup> day of November, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**MAINTENANCE AGREEMENT  
REGARDING DETENTION BASIN**

This Maintenance Agreement Regarding Detention Basin (the "Agreement") is made this ~~16~~ <sup>10</sup> day of ~~October~~ <sup>November</sup>, 2005 by and between the April Mountain Condominium Association, a Utah non-profit corporation ("COA"), the April Mountain Owners Association, a Utah non-profit corporation ("HOA") (the COA and HOA shall collectively be referred to as "April Mountain"), and the Park City Municipal Corporation ("Park City").

**RECITALS:**

- A. April Mountain is the owner and/or responsible for the maintenance of certain public improvements in the development known as the Seasons at April Mountain (the "Development"), including but not limited to streets and sidewalks (the "Public Improvements").
- B. April Mountain is the owner and/or responsible for the maintenance of that certain storm drainage system located within the Development (the "Storm Drainage System"), including a detention basin located in the south west portion of the Development (the "Detention Basin").
- C. There are two landscape and/or area drain pipes that flow into the Detention Basis, which are each equipped with backflow preventers to impede the flow of storm water from the Detention Basis into the Development (the "Landscape Drains").
- D. April Mountain desires to dedicate the Public Improvements and the Storm Drainage System to Park City and Park City desires to accept the Public Improvements and the Storm Drainage System and the responsibility thereof.
- E. Park City has requested as a condition precedent to the dedication of the Public Improvements and the Storm Drainage System that April Mountain enter into an agreement with Park City regarding the maintenance of the Detention Basin and the Landscape Drains.

**NOW, THEREFORE**, in consideration of the mutual promises made and consideration paid herein, the receipt and sufficiency is hereby acknowledged, April Mountain and Park City agree as follows:

1. Dedication. April Mountain agrees to dedicate to and Park City agrees to accept all the Public Improvements, together with the Storm Drainage System, shown on that certain plat of the Seasons at April Mountain on file in the recorders office in and for Summit County, Utah.
2. Maintenance. April Mountain agrees to maintain at its own cost the Detention Basin and the Landscape Drains to ensure their functionality and availability of the Detention Basin as part of the Storm Drainage System. Such maintenance shall include but not be limited to the dredging of accumulated silt, removal of litter and branches, replanting of any and all affected plant materials, weed control, maintenance of boulder retaining walls, control of rodents, insects, and all other undesirable fauna, pumping of water if necessary to control high water levels, control of odors, replacement of any and all facilities within the Detention Basin which require replacement in perpetuity, and providing all necessary coordination among the April Mountain homeowners related to the maintenance of the facilities.

3. Indemnification. April Mountain shall indemnify and hold harmless Park City from any claim, demand, loss, liability, damage or expense arising in any way from the maintenance of the Detention Basin and/or the existing connections of drain lines from Park City streets thereto, except for any claim, demand, loss, liability, damage or expense that is caused by Park City's, or its employees', gross negligence.

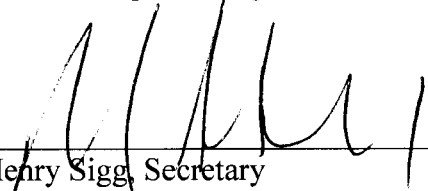
4. Construction. This Agreement shall not be construed against the party preparing it, and shall be construed without regard to the identity of the person who drafted it or the party who caused it to be drafted and shall be construed as if all parties had jointly prepared this Agreement and it shall be deemed their joint work product, and each and every provision of this Agreement shall be construed as though all the parties hereto participated equally in the drafting hereof; and any uncertainty or ambiguity shall not be interpreted against any one party. As a result of the foregoing, any rule of construction that a document is to be construed against the drafting party shall not be applicable.

5. Attorney Fees. In the event any action or proceeding is brought by any party, against any other party, to enforce the provisions of this Agreement, the prevailing party shall be entitled to recover its costs and reasonable attorney fees, whether such sums are expended with or without suit, at trial or on appeal.

**IN WITNESS WHEREFORE**, each of the undersigned has executed this Agreement on the day and year first above written.

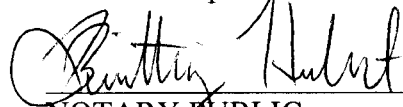
**APRIL MOUNTAIN:**

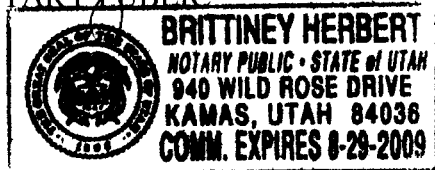
April Mountain Condominium Association,  
a Utah non-profit corporation

  
\_\_\_\_\_  
Henry Sigg, Secretary

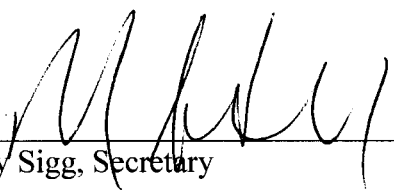
STATE OF UTAH            )  
  :SS  
COUNTY OF SUMMIT    )

On this 11<sup>th</sup> day of October, 2005, personally appeared before me Henry Sigg, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn, did say that he is the Secretary of the April Mountain Condominium Association, and that said Maintenance Agreement Regarding Detention Basin was signed by him on behalf of said Association by authority of its bylaws (or of a Resolution of its Board of Trustees), and said Henry Sigg acknowledged to me that said corporation executed the same.

  
\_\_\_\_\_  
NOTARY PUBLIC



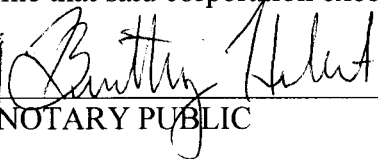
April Mountain Owners Association,  
a Utah non-profit corporation



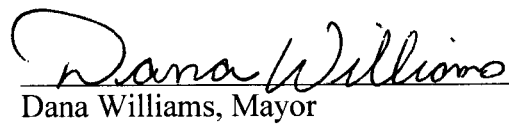
Henry Sigg, Secretary

STATE OF UTAH )  
 :SS  
COUNTY OF SUMMIT )

On this 11<sup>th</sup> day of October, 2005, personally appeared before me Henry Sigg, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn, did say that he is the Secretary of the April Mountain Owners Association, and that said Maintenance Agreement Regarding Detention Basin was signed by him on behalf of said Association by authority of its bylaws (or of a Resolution of its Board of Trustees), and said Henry Sigg acknowledged to me that said corporation executed the same.

  
NOTARY PUBLIC

**PARK CITY:**  
Park City Municipal Corporation

  
Dana Williams, Mayor

STATE OF UTAH )  
 : SS.  
COUNTY OF SUMMIT )

On this 11 day of ~~October~~ **NOVEMBER**, 2005, personally appeared before me Dana Williams, who is the Mayor of Park City Municipal Corporation and said Dana Williams did acknowledge to me that the foregoing Maintenance Agreement Regarding Detention Basin was executed on behalf of Park City Municipal Corporation and duly authorized by the City Council of Park City.

  
NOTARY PUBLIC

**Ordinance No. 05-70**

**AN ORDINANCE APPROVING A PLAT AMENDMENT FOR 2451 IRON MOUNTAIN DRIVE,  
IRON CANYON SUBDIVISION, PARK CITY, UTAH**

WHEREAS, the owners of lot 29 of the Iron Canyon Subdivision, located at 2451 Iron Mountain Drive have petitioned the City Council for approval of plat amendment, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2005, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on October 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 10, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

**SECTION 1. APPROVAL.** The plat amendment 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 in the Residential Density (RD) zone.
2. The RD zone is a residential zone characterized by a mix of contemporary residences and condominiums.
3. The applicant is requesting a modification to configuration of the platted building pad for Lot 29 Iron Canyon Subdivision, addressed as 2451 Iron Mountain Drive.
4. The existing platted building pad is a 50' by 80' (4,000 sf in area) rectangular shaped pad generally located in the center of the lot.
5. The applicant is requesting a modification to the shape and location of the pad to result in a 38' by 105.26' (3999.88 rounded to 4,000 sf) building pad. The distance from the west property line will remain at 32'. The pad will become narrower and longer.
6. There is a stand of trees and existing vegetation located in the center of the lot which would be disturbed by a driveway accessing the current building pad. The applicant proposes to located the driveway off of Iron Mountain Drive, along the north property line (with required setbacks) to a garage located towards the back of the house, thus preserving more of the trees in the area east of the building pad and visible from Iron Mountain Drive.
7. The proposed plat amendment will not result in any further changes to the Iron Canyon Subdivision plat.
8. The property has frontage on both Iron Canyon Court and Iron Mountain Drive.
9. Driveway access for Lot 29 is proposed off of Iron Mountain Drive to minimize any conflicts with parking on Iron Canyon Court.

10. No remnant lots will be created as a result of this plat amendment.
11. On October 25, 2005, the Planning Commission conducted public hearing and voted to forward to the City Council, a positive recommendation to approve the requested plat amendment.
12. No gutters exist on Iron Mountain Drive. Drainage is provided by a parallel swale.

**Conclusions of Law:**

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

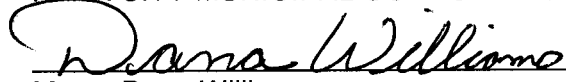
**Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. All other conditions of approval and platted requirements of the Iron Canyon Subdivision will continue to apply.
3. 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 and the plat will be void.
4. Any driveway connecting to Iron Mountain Drive shall include installation of a suitable culvert near the street.

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

PASSED AND ADOPTED this 10th day of November, 2005.

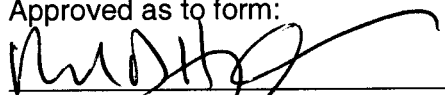
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

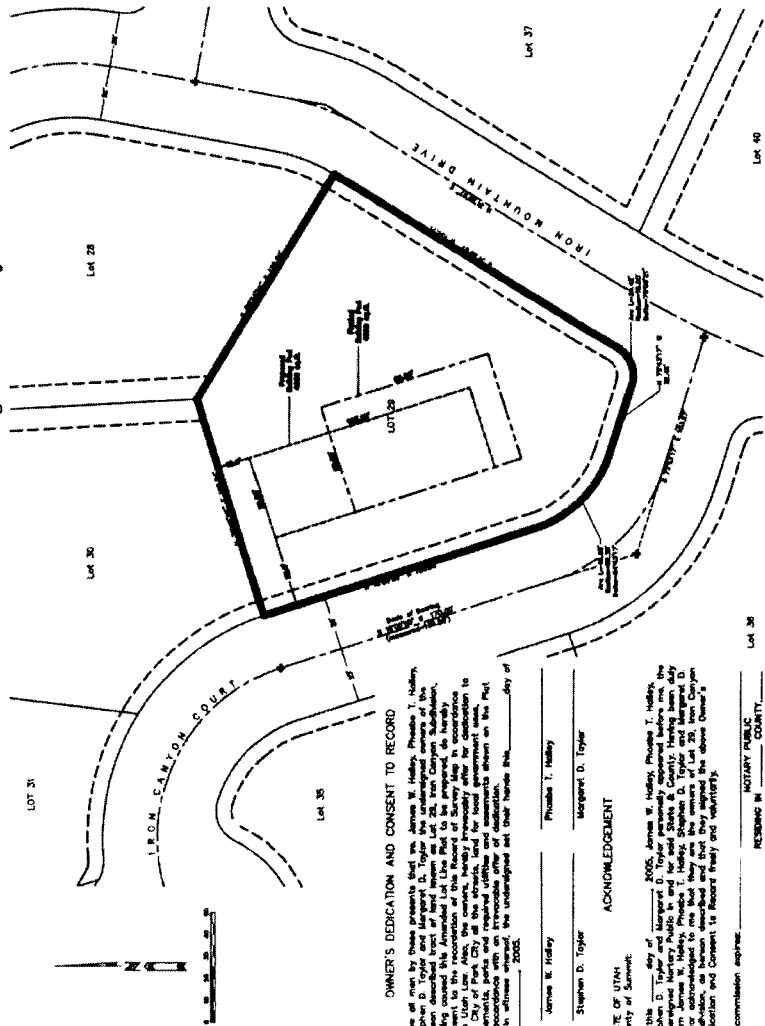
Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney

# Iron Canyon Subdivision Lot 29 Building Pad Adjustment



### NARRATIVE

1. Survey requested by James W. Holley, et al.
2. Purpose of survey: Building pad adjustment.
3. Date of survey: April 21, 2005.
4. Property components shown on plan:
  - a. Easement shown on plan, Section 5, Township 2 South, Range 4 East, Salt Lake Base & meridian.
  - b. The corner of the property for other possible effects of this survey.

### LEGAL DESCRIPTION

All of Lot 29, Iron Canyon Subdivision, according to the official plat thereof, containing 0.2508 acres, more or less.

### OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that we, James W. Holley, Phyllis T. Holley, Stephen D. Toyler and Margaret D. Toyler, owners of the above described premises, hereby consent to the recording of this Building Pad Adjustment Survey. We hereby dedicate to the Association of the Iron Canyon Subdivision the easement shown on this plat for the purpose of providing access to the City of Park City at the intersection of Iron Canyon Court and Iron Mountain Drive. We agree that the easement shown on this plat shall be subject to the terms and conditions of the City of Park City's Code of Ordinances, Chapter 16, Section 16-1-1, as amended, and any amendments thereto. In witness whereof, we have hereunto set our hands and the seal of the City of Park City, Utah, this 21st day of April, 2005.

By: James W. Holley \_\_\_\_\_ Phyllis T. Holley \_\_\_\_\_  
 Stephen D. Toyler \_\_\_\_\_ Margaret D. Toyler \_\_\_\_\_

### ACKNOWLEDGEMENT

On this 21st day of April 2005, James W. Holley, Phyllis T. Holley, Stephen D. Toyler and Margaret D. Toyler, personally appeared before me, the undersigned, a Notary Public for the State of Utah, and acknowledged to me that they are the owners of Lot 29, Iron Canyon Subdivision, and that they have executed the above-captioned Building Pad Adjustment and Consent to Record, for the purposes and terms set forth herein. My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_

### PLANNING COMMISSION

Approved by the Planning Commission of the City of Park City on this \_\_\_\_\_ day of \_\_\_\_\_, 2005.  
 By: \_\_\_\_\_

### PLANNING COMMISSION

Approved by the City Council of the City of Park City on this \_\_\_\_\_ day of \_\_\_\_\_, 2005.  
 By: \_\_\_\_\_

### RECORDED

Recorded in the \_\_\_\_\_ office of the County Clerk of the County of Summit, Utah, on this \_\_\_\_\_ day of \_\_\_\_\_, 2005.  
 By: \_\_\_\_\_

### ALPHA SURVEYING, INC.

Surveyors, Inc.  
 Park City, Utah 84300  
 (435) 635-0016

### SURVEYOR'S CERTIFICATE

I, J.D. Coffey, a Registered Land Surveyor as provided by the Utah State Survey Act, Chapter 15, Section 15-1-1, do hereby certify that I have examined a survey of the herein described property and that this plat is a true representation of said survey.

Date: \_\_\_\_\_ J.D. Coffey, RLS203005

### LEGEND

- Ground Street Monuments: 15-20005
- Ground corner & cap: 15-10001
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**Ordinance No. 05-69**

**AN ORDINANCE APPROVING A FINAL RECORD OF SURVEY PLAT FOR 631-639 PARK AVENUE AT CRESCENT TRAM CONDOMINIUMS, LOCATED AT 631, 633, AND 639 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of lots 9, 10, and 11 of Block 6, of the Park City Survey, located at 631, 633, and 639 Park Avenue, petitioned the City Council for approval of record of survey plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2005, to receive input on the proposed record of survey plat;

WHEREAS, the Planning Commission, on October 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 10, 2005, the City Council held a public hearing and approved the proposed record of survey plat; and

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

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

**SECTION 1. APPROVAL.** The 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 in the HRC zoning district.
2. The property is subject to the July 27, 2005 Design Review approval, including the conditions of approval.
3. This record of survey plat identifies 3 residential units in 2 buildings. The private area of Units A, B, and C are 3,943 sf, 4,440 sf, and 3,944 sf respectively and include private garages. Driveways are limited common areas and front entrances and porches are common. Window wells are limited common.
4. The historic Crescent Tram walkway crosses the south west corner of the property. The historic Crescent Tram walkway is a significant public pedestrian route and utility corridor.

5. The applicant proposes to dedicate the portion of the Historic Crescent Tramway crossing the subject property to the City, as a public utility and pedestrian easement.
6. On October 26, 2005 the Planning Commission conducted a public hearing and voted to forward to the City Council a positive recommendation on the record of survey plat.

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, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Historic District Design Review approved on July 27, 2005.

Conditions of Approval:

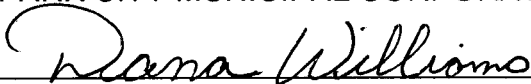
1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, as a condition precedent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition precedent to plat recordation.
3. The applicant will record the Record of Survey 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 record of survey plat will be void.
4. All conditions of approval of the July 27, 2005, Historic District Design review continue to apply.
5. The Owner shall certify on the plat that the condominium project will be built substantially as shown.
6. Dedication of an easement for the Crescent Tram walkway is required to be shown on the plat, in the location determined by the survey, confirmed by the City Staff.
7. NFPA-13 R fire sprinklers are required to be installed and operation in these three units. There shall be a note on the plat stating this requirement as a condition precedent to plat recordation.
8. A utility plan shall be submitted for review and approval by the City and utility providers prior to issuance of a full building permit.
9. A construction mitigation plan is required prior to issuance of any building permits.
10. A landscape plan shall be submitted for review and approval by the City prior to issuance of a full building permit. The landscape plan shall include a water conserving planting plan and irrigation plan. The CCRs shall address maintenance of all common areas.
11. A financial guarantee for 125% of the value of public improvements shall be submitted prior to plat recordation, in an amount approved by the City Engineer and in a form approved by the City Attorney.



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

PASSED AND ADOPTED this 10th day of November, 2005.

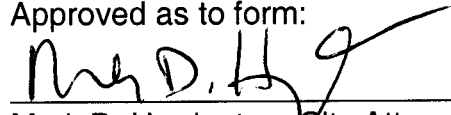
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**PARK PLACE AT CRESCENT TRAM CONDOMINIUMS**



**GENERAL NOTES:**  
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PARK CITY ZONING ORDINANCES AND THE CITY ENGINEER'S APPROVAL.  
 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF PARK CITY.  
 3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.  
 5. THE DEVELOPER SHALL MAINTAIN THE EXISTING CURB AND GUTTER ON PARK AVENUE.  
 6. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF CURB AND GUTTER ON THE NEWLY PAVED DRIVEWAY.  
 7. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIDEWALK ON PARK AVENUE.  
 8. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF A NEW SIDEWALK ON THE NEWLY PAVED DRIVEWAY.  
 9. THE DEVELOPER SHALL MAINTAIN THE EXISTING LANDSCAPING ON THE SITE.  
 10. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF A NEW LANDSCAPE PLAN.  
 11. THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITIES ON THE SITE.  
 12. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF A NEW UTILITIES PLAN.  
 13. THE DEVELOPER SHALL MAINTAIN THE EXISTING DRIVEWAY ON THE SITE.  
 14. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF A NEW DRIVEWAY.  
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 18. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF A NEW DRIVEWAY.  
 19. THE DEVELOPER SHALL MAINTAIN THE EXISTING DRIVEWAY ON THE SITE.  
 20. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF A NEW DRIVEWAY.

**PROPERTY RECORDS:**  
 1. THE PROPERTY IS LOCATED IN THE CITY OF PARK CITY, UTAH.  
 2. THE PROPERTY IS ZONED AS A RESIDENTIAL ZONE.  
 3. THE PROPERTY IS OWNED BY THE CITY OF PARK CITY.  
 4. THE PROPERTY IS BEING DEVELOPED AS A TRAM CONDOMINIUMS.  
 5. THE PROPERTY IS BEING DEVELOPED AS A TRAM CONDOMINIUMS.  
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 20. THE PROPERTY IS BEING DEVELOPED AS A TRAM CONDOMINIUMS.

**STATE OF UTAH:**  
 COUNTY OF KANE:  
 CITY OF PARK CITY:  
 I, THE CITY ENGINEER, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF PARK CITY ZONING ORDINANCES AND THE CITY ENGINEER'S APPROVAL.  
 DATE: \_\_\_\_\_  
 CITY ENGINEER: \_\_\_\_\_

**UNIT SQUARE FOOTAGE TABLE**

UNIT NO.	AREA, SQ. FT.	PERCENTAGE OF TOTAL AREA, %
A	1,244	100
B	1,244	100
C	1,244	100

**APPROVED:**  
 \_\_\_\_\_  
 DATE: \_\_\_\_\_

**PARK CITY PLANNING COMMISSION**  
 APPROVED AND ACCEPTED BY THE  
 PARK CITY PLANNING COMMISSION ON THIS  
 DAY OF \_\_\_\_\_, 2005.  
 \_\_\_\_\_  
 CHAIRMAN

**CERTIFICATE OF ATTEST**  
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF PARK CITY ZONING ORDINANCES AND THE CITY ENGINEER'S APPROVAL.  
 DATE: \_\_\_\_\_  
 CITY CLERK: \_\_\_\_\_

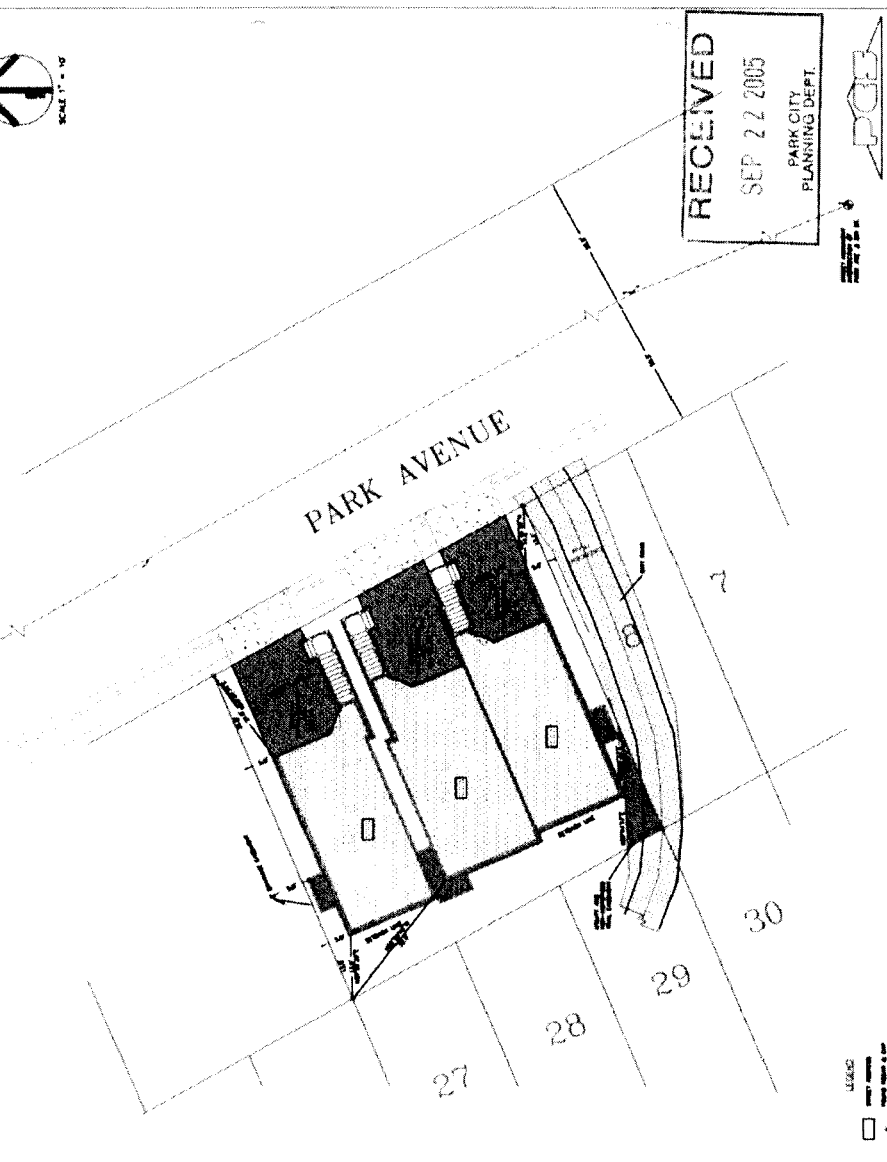
**INTERVILLE WATER RECLAMATION DISTRICT**  
 APPROVED AND ACCEPTED BY THE  
 INTERVILLE WATER RECLAMATION DISTRICT ON THIS  
 DAY OF \_\_\_\_\_, 2005.  
 \_\_\_\_\_  
 DISTRICT MANAGER

**ENGINEERS CERTIFICATE**  
 APPROVED AND ACCEPTED BY THE  
 ENGINEERS ON THIS DAY OF \_\_\_\_\_, 2005.  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 PARK CITY ENGINEER

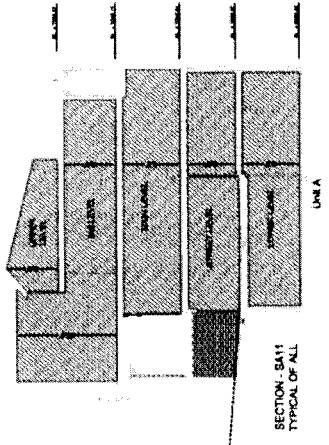
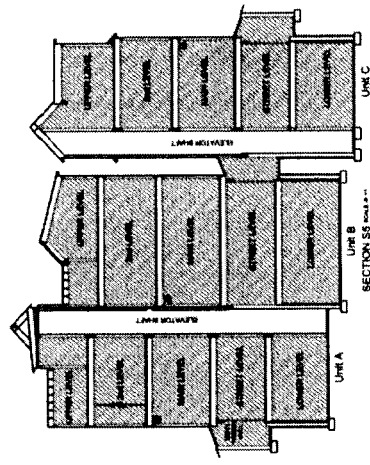
**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM AND  
 CONTENTS BY THE PARK CITY  
 COUNCIL ON THIS DAY OF \_\_\_\_\_, 2005.  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 PARK CITY COUNCIL

**COUNCIL APPROVAL AND ACCEPTANCE**  
 APPROVED AND ACCEPTED BY THE  
 PARK CITY COUNCIL ON THIS DAY OF \_\_\_\_\_, 2005.  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 PARK CITY COUNCIL

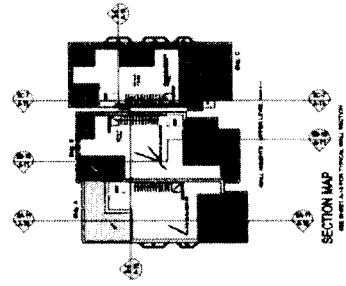
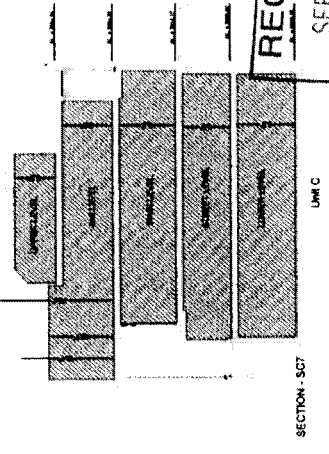
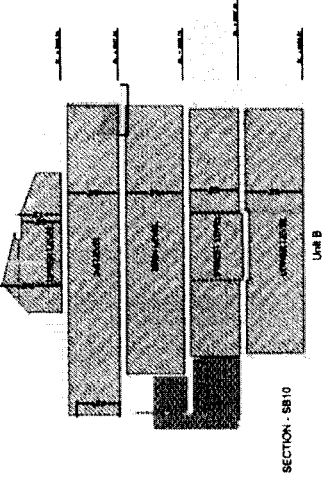
**RECORDED**  
 STATE OF UTAH COUNTY OF KANE AND FILED  
 IN THE OFFICE OF THE COUNTY CLERK  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 RECORDER



# PARK PLACE AT CRESCENT TRAM CONDOMINIUMS



## SECTION PLAN



	Private Storage
	Shared Common Area
	Common Area

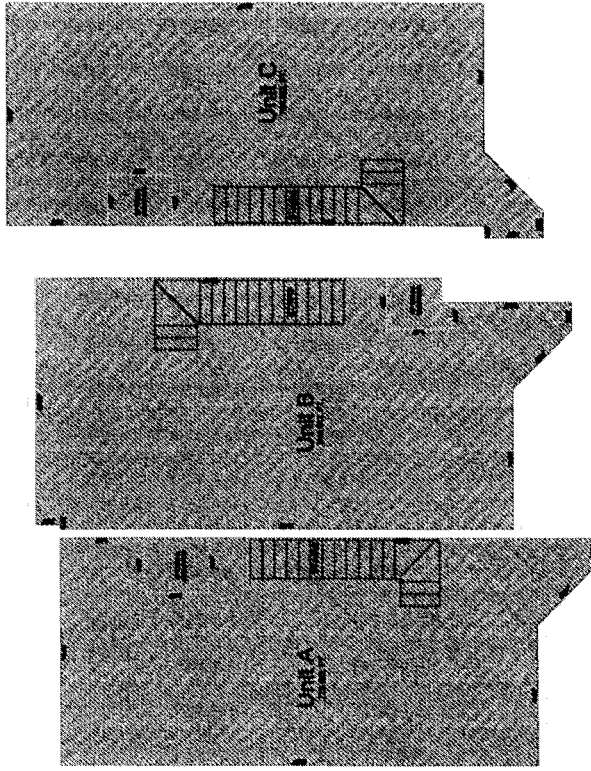


**RECEIVED**  
SEP 22 2005  
PARK CITY  
PLANNING DEPT.

RECORDED

PROPERTY ADDRESS: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
PROJECT NO.: \_\_\_\_\_

PARK PLACE AT CRESCENT TRAM CONDOMINIUMS



LOWER LEVEL PLAN  
SCALE: 1/8" = 1'

	PLUMBING
	ELECTRICAL
	MECHANICAL
	OTHER



RECEIVED  
SEP 22 2005  
PARK CITY  
PLANNING DEPT.

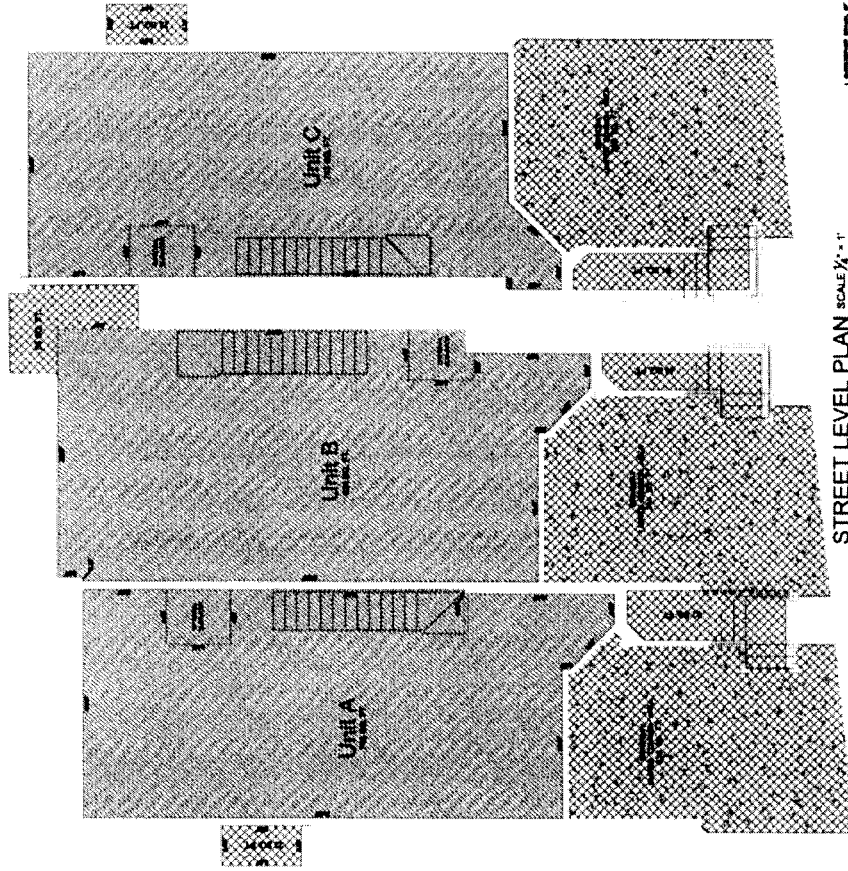
RECORDED

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PARK PLACE AT CRESCENT TRAM CONDOMINIUMS



STREET LEVEL PLAN SCALE 1/4" = 1'-0"

RECEIVED  
SEP 22 2005  
PARK CITY  
PLANNING DEPT.

RECORDED  
INDEXED  
PARK CITY PLANNING DEPT.  
100 SOUTH MAIN STREET, SUITE 200  
PARK CITY, UTAH 84301



**Ordinance No. 05-68**

**AN ORDINANCE APPROVING THE RUSTEN SUBDIVISION PLAT LOCATED AT 1058 LOWELL AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as 1058 Lowell Avenue have petitioned the City Council for approval of the Rusten Subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2005, to receive input on the Rusten Subdivision;

WHEREAS, the Planning Commission, on October 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 10, 2005 the City Council approved the Rusten Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Rusten Subdivision.

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

**SECTION 1. APPROVAL.** The Rusten Subdivision, 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 in the HR-1 zone.
2. The current legal description of the property is Lot 19 and ½ of Lot 18, Block 28 of the Snyder's Addition to the Park City Survey.
3. The applicant intends on creating a legal lot of record from one and a half platted Old Town Lots.
4. The subject property, located on the east side of Lowell Avenue just to the south of platted 11<sup>th</sup> Street, is currently vacant.
5. The proposed plat amendment will create a lot of approximately 2812.5 square feet in size, which complies with the minimum lot size requirement dictated by the LMC (15-2.2-3).
6. The frontage of the proposed lot is 37.5 feet and the depth is 75 feet.
7. Proper noticing has taken place for this application and no comments have been received to date.

8. The building pad of the proposed lot is 1733 square feet while there will be a maximum footprint of 1201 square feet; both are consistent with neighboring properties.
9. The area does not have steep slopes.

**Conclusions of Law:**

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the plat amendment is consistent with the Park City General Plan.

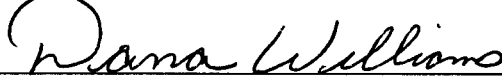
**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
3. 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 and the plat will be void.
4. The remnant ½ of Lot 18 is not separately developable.

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

PASSED AND ADOPTED this 10<sup>th</sup> day of November, 2005.

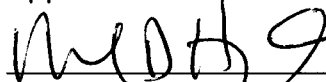
PARK CITY MUNICIPAL CORPORATION

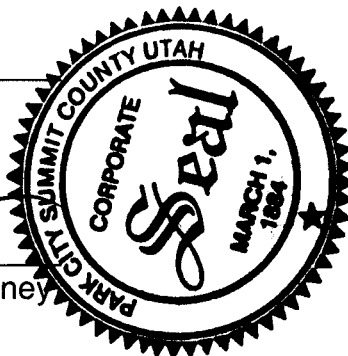
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

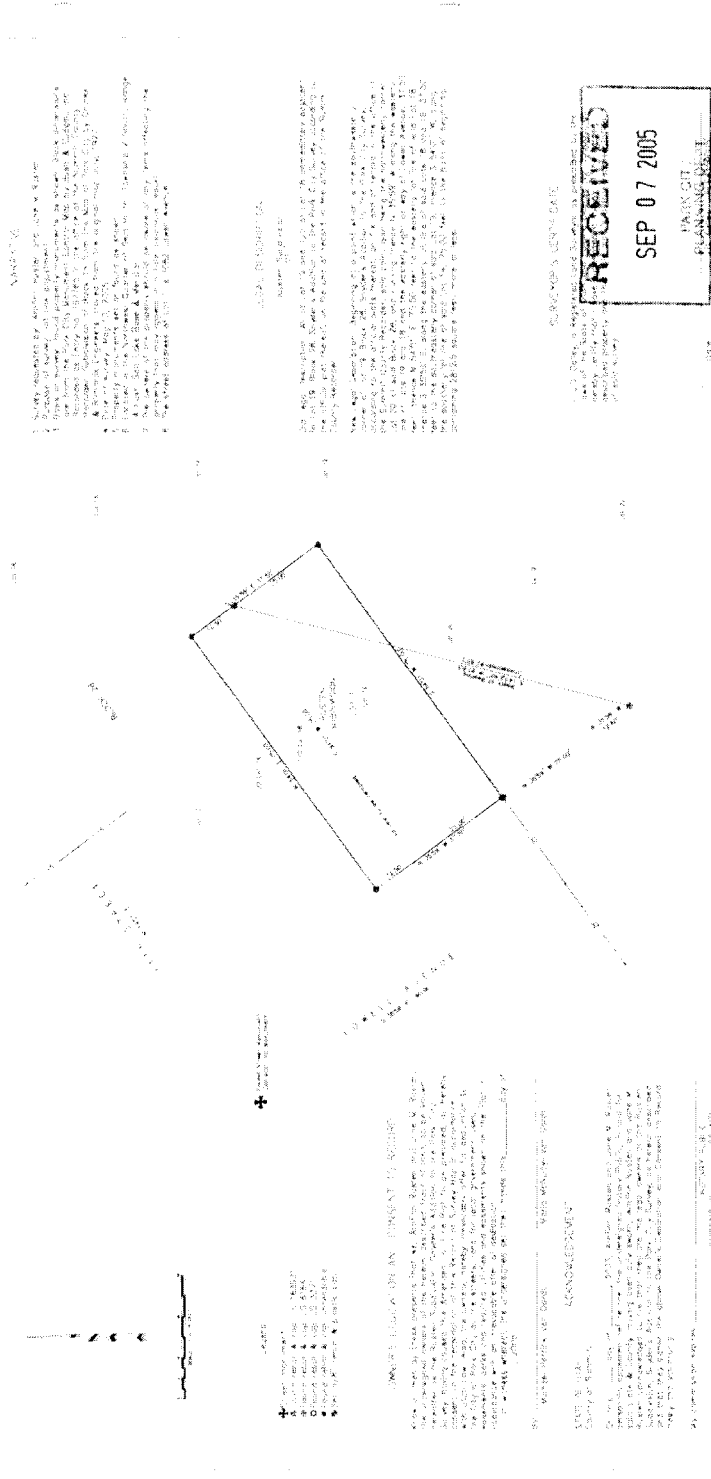
Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



# Exhibit A – Proposed Plat Amendment

## Eastern Subdivision An Amended Lot Line Plat in Block 28, Snyders Addition to the Park City Survey



Survey conducted by **Medco Surveying, Inc.** on **08/15/2005**.  
 Stationed at **Station 1** on **1/4" = 100'** scale.  
 Stationed at **Station 2** on **1/4" = 100'** scale.  
 Stationed at **Station 3** on **1/4" = 100'** scale.  
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 Stationed at **Station 99** on **1/4" = 100'** scale.  
 Stationed at **Station 100** on **1/4" = 100'** scale.

**STATE OF UTAH**  
 DEPARTMENT OF HERITAGE AND ARTS  
 DIVISION OF LAND MANAGEMENT  
 257 WEST CENTER STREET, SUITE 200  
 SALT LAKE CITY, UTAH 84103  
 TELEPHONE: (801) 536-5800  
 FAX: (801) 536-5801  
 WWW: WWW.LANDMgmt.UH.GOV

**PLAT AMENDMENT**  
 The following is a true and correct copy of the original plat as recorded in the public records of the State of Utah, County of Salt Lake, Book 10, Page 100. The original plat was recorded on 08/15/2005.

**RECEIVED**  
**SEP 07 2005**  
 PARK CITY PLANNING DEPT.

<b>APPROVAL BY FORM</b> APPROVED BY: [Signature] DATE: 08/15/2005	<b>ENGINEER'S CERTIFICATE</b> APPROVED BY: [Signature] DATE: 08/15/2005	<b>PLANNING COMMISSION</b> APPROVED BY: [Signature] DATE: 08/15/2005	<b>CITY ENGINEER</b> APPROVED BY: [Signature] DATE: 08/15/2005	<b>CERTIFICATE OF ATTEST</b> APPROVED BY: [Signature] DATE: 08/15/2005	<b>ORDINANCE APPROVAL AND ACCEPTANCE</b> APPROVED BY: [Signature] DATE: 08/15/2005	<b>REGISTERED</b> STATE OF UTAH, COUNTY OF SALT LAKE AT THE OFFICE OF THE REGISTER DATE: 08/15/2005
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**Ordinance No. 05-67**

**AN ORDINANCE APPROVING THE LOT LINE ADJUSTMENT: LOT 31 and 34 LOCATED AT 21 EAGLE VIEW COURT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as 21 Eagle View Court have petitioned the City Council for approval of the Lot Line Adjustment: Lot 31 and 34; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2005, to receive input on the Lot Line Adjustment: Lot 31 and Lot 34;

WHEREAS, the Planning Commission, on October 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 10, 2005 the City Council approved the Lot Line Adjustment: Lot 31 and Lot 34; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lot Line Adjustment: Lot 31 and Lot 34.

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

**SECTION 1. APPROVAL.** The Lot Line Adjustment: Lot 31 and Lot 34, 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 subject properties lie within the RD-MPD zoning district.
2. Lots 31 and 34 of Eagle Pointe Subdivision, Phase II lies within Northwest quarter of Section 4, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Summit County, Utah.
3. The acreage of Lot 31 is 0.78 and Lot 34 is 0.77.
4. The applicant is requesting this Lot Line Adjustment in order to remedy an issue of site disturbance related to the construction of the driveway on Lot 34.
5. The transfer of land is required because of site disturbance on portions of Lot 31 relating to the driveway on Lot 34.
6. The proposed plat amendment will not result in a net increase or decrease of area for Lot 31 or Lot 34.
7. Notice of this hearing was sent to property owners within 300' on October 12, 2005.

8. Public notice was published in the Park Record October 12, 2005.
9. A sign was posted at the above noted address on October 12, 2005.
10. The request was discussed at a Staff Review Meeting on September 27, 2005, where representatives from local utilities and City Staff were in attendance.

**Conclusions of Law:**

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the plat amendment is consistent with the Park City General Plan.

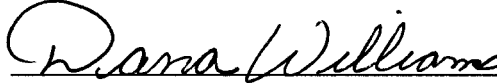
**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
3. 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 and the plat will be void.

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


PASSED AND ADOPTED this 10th day of November, 2005.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

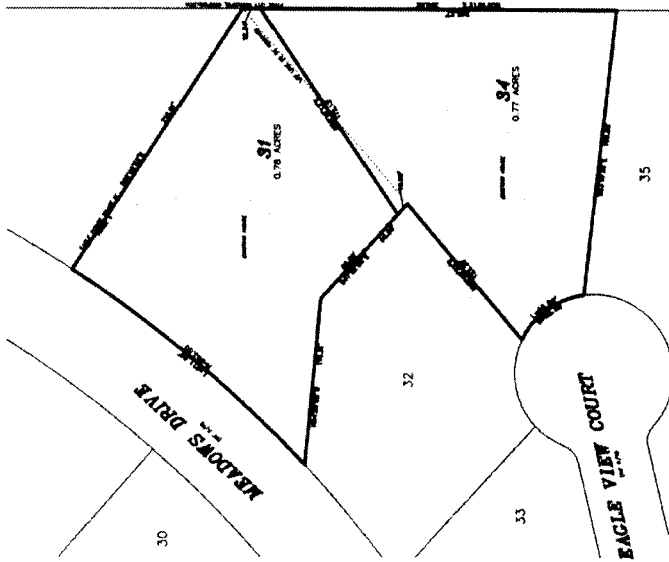
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



Exhibit A – Proposed Plat Amendment

**A LOT LINE ADJUSTMENT  
LOTS 31 AND 34**

EAGLE POINTE SUBDIVISION PHASE II LYING WITHIN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH

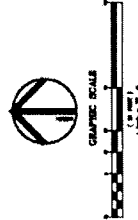
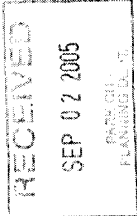


1. The boundaries of the lots shown on this plat were determined by a survey conducted by [Name] on [Date]. The survey was conducted in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.

2. The boundaries of the lots shown on this plat were determined by a survey conducted by [Name] on [Date]. The survey was conducted in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.

3. The boundaries of the lots shown on this plat were determined by a survey conducted by [Name] on [Date]. The survey was conducted in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.

4. The boundaries of the lots shown on this plat were determined by a survey conducted by [Name] on [Date]. The survey was conducted in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.



<p><b>P&amp;C PARK CITY PLANNING</b> P&amp;C CITY PLANNING COMMISSION 100 WEST CENTER STREET, SUITE 200 PARK CITY, UTAH 84302 PHONE: 435-799-4000 FAX: 435-799-4001</p>	<p><b>CERTIFICATE OF ATTENT</b> I, [Name], [Title], do hereby certify that the platting of this subdivision is in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.</p>	<p><b>INTERMOUNTAIN SURVEYING INCORPORATED</b> I, [Name], [Title], do hereby certify that the survey of this subdivision was conducted in accordance with the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.</p>	<p><b>PROVISIONAL CERTIFICATE</b> I, [Name], [Title], do hereby certify that the platting of this subdivision is in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.</p>	<p><b>APPROVAL AS TO FORM</b> I, [Name], [Title], do hereby certify that the platting of this subdivision is in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.</p>	<p><b>COUNCIL APPROVAL AND ACCEPTANCE</b> I, [Name], [Title], do hereby certify that the platting of this subdivision is in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.</p>	<p><b>RECORDED</b> I, [Name], [Title], do hereby certify that the platting of this subdivision is in accordance with the provisions of the Utah Platting Act, Chapter 2, Title 20, Utah Code Annotated, and the provisions of the Utah Surveying Act, Chapter 2, Title 20, Utah Code Annotated.</p>
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**Ordinance No. 05-66**

**AN ORDINANCE APPROVING THE FIRST AMENDED SHOOTING STAR AT THE VILLAGE AT EMPIRE PASS CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Shooting Star Lodge have petitioned the City Council for approval of the first amended Shooting Star Lodge condominium record of survey; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2005, to receive input on the first amended Shooting Star Lodge condominium record of survey;

WHEREAS, the Planning Commission, on October 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 3, 2005 the City Council approved the first amended Shooting Star Lodge condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the first amended Shooting Star Lodge condominium record of survey.

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

**SECTION 1. APPROVAL.** The first amended Shooting Star Lodge condominium record of survey 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 Shooting Star Lodge is located in the RD-MPD zoning district.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.

4. On August 25, 2004, the Planning Commission approved a Conditional Use Permit for the Shooting Star Lodge for 21 units plus an ADA unit utilizing 36,481 square feet and 18.3 Unit Equivalents.
5. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Shooting Star Lodge is located on lot 8.
6. The City Council approved the Shooting Star Lodge condominium record of survey on November 4, 2004.
7. The proposal is consistent with the approved Master Planned Development for the Village at Empire Pass and the Flagstaff Mountain Development Agreement.
8. A first level exterior deck will be enclosed and 221 square feet of Support Commercial space is created.
9. One parking space is required. The platted common ADA unit cannot be separately rented (to use it an owner or guest must be occupying another unit) and is appurtenant to all the other units. In effect, the ADA unit is like another room within a unit and the 32 parking spaces for the 21 residential units is sufficient. The 33<sup>rd</sup> parking space may be considered for the commercial unit.
10. The Planning Commission reviewed this application at its regular meeting of October 26, 2005, and forwards a positive recommendation.

Conclusions of Law:

1. There is good cause for this amended Record of Survey.
2. The amended 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 amended Record of Survey.
4. Approval of the amended Record of Survey, subject to the conditions stated below, 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 amended Record of Survey 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 amended Record of Survey 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. An amended Condominium Declaration for the Commercial Unit must be recorded with the amended record of survey.
4. All conditions of approval of the Village at Empire Pass Master Planned Development, Village Phase I plat and the Shooting Star Conditional Use Permit shall continue to apply.

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

PASSED AND ADOPTED this 3rd day of November, 2005.

PARK CITY MUNICIPAL CORPORATION

*Dana Williams*  
Mayor Dana Williams

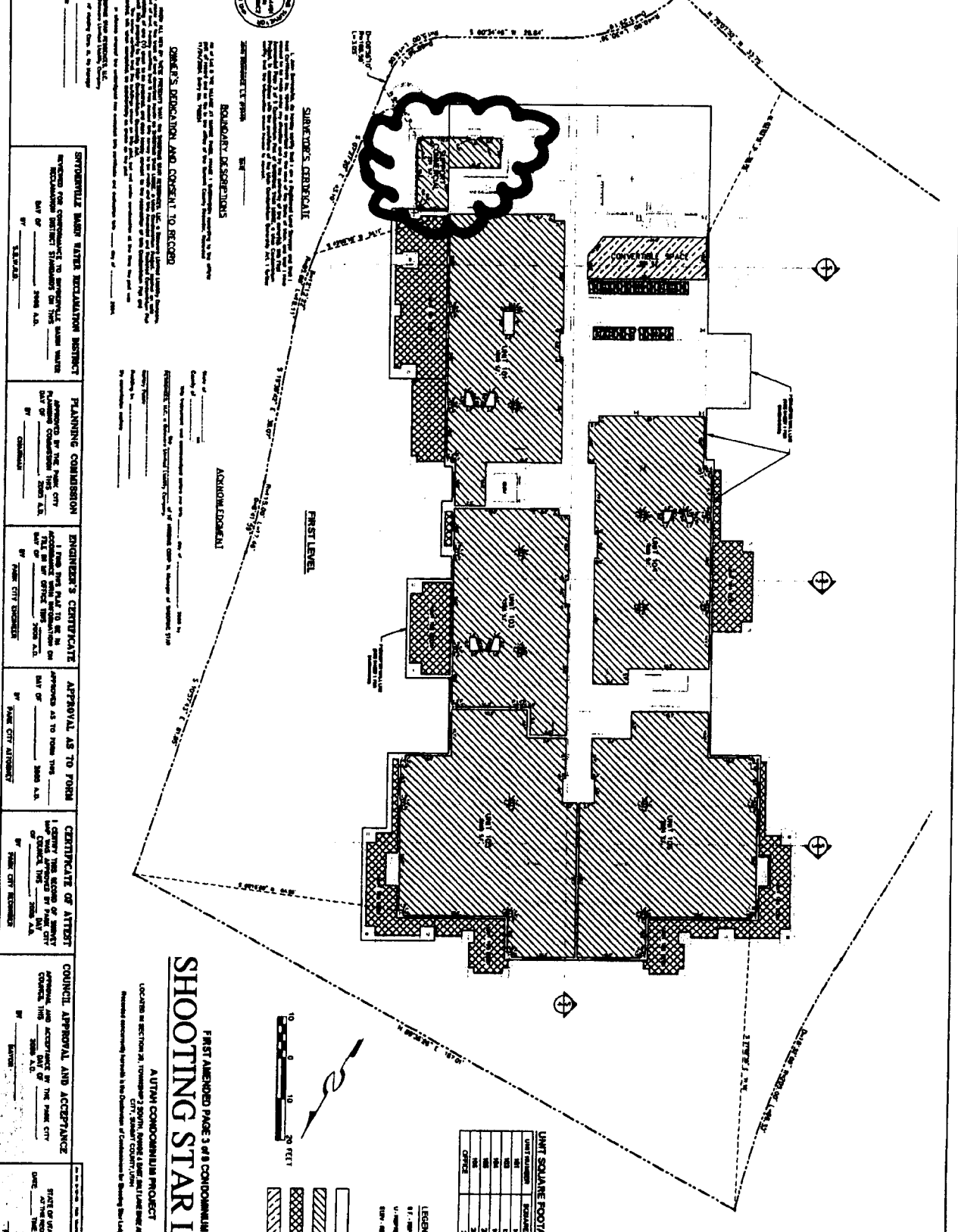
Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney

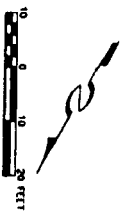




**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	FINISHED FLOOR AREA	RESERVATION
101	1,200	101.0
102	1,200	101.0
103	1,200	101.0
104	1,200	101.0
105	1,200	101.0
106	1,200	101.0
107	1,200	101.0
108	1,200	101.0
109	1,200	101.0
110	1,200	101.0
111	1,200	101.0
112	1,200	101.0
113	1,200	101.0
114	1,200	101.0
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189	1,200	101.0
190	1,200	101.0
191	1,200	101.0
192	1,200	101.0
193	1,200	101.0
194	1,200	101.0
195	1,200	101.0
196	1,200	101.0
197	1,200	101.0
198	1,200	101.0
199	1,200	101.0
200	1,200	101.0

- LEGEND**
- COMMON OWNERSHIP
  - ▨ PRIVATE OWNERSHIP
  - ▩ LIMITED COMMON OF CONVERTIBLE SPY
  - COMMON OWNERSHIP
  - PRIVATE OWNERSHIP
  - LIMITED COMMON OF CONVERTIBLE SPY



**FIRST AMENDED PAGE 3 OF 8 CONDOMINIUM PLAN**  
**SHOOTING STAR LODGE**

A UTM CONDOMINIUM PROJECT  
 LOCATED IN SECTION 26, TOWNSHIP 3 NORTH, RANGE 1 EAST, AND RANGE 10 EAST, NEAR  
 HANCOCK COUNTY, MINNESOTA  
 Approved and Accepted by the Board of Commissioners on January 14, 2008.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

I, the undersigned, do hereby dedicate and consent to record the above described property for the use and benefit of the public as a public park and recreation area, to be known as the Shooting Star Lodge Park and Recreation Area, and to be subject to the provisions of the Minnesota Statutes, Chapter 372, relating to public parks and recreation areas.

Witness my hand and seal this 14th day of January, 2008.

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

**PLANNING COMMISSION APPROVAL AS TO FORM**

Approved as to form by the Planning Commission on this 14th day of January, 2008.

\_\_\_\_\_  
 City Clerk

**ENGINEER'S CERTIFICATE**

I, the undersigned, do hereby certify that the above described property is a public park and recreation area, and that the same is subject to the provisions of the Minnesota Statutes, Chapter 372, relating to public parks and recreation areas.

Witness my hand and seal this 14th day of January, 2008.

\_\_\_\_\_  
 Engineer

**CERTIFICATE OF ATTORNEY**

I, the undersigned, do hereby certify that the above described property is a public park and recreation area, and that the same is subject to the provisions of the Minnesota Statutes, Chapter 372, relating to public parks and recreation areas.

Witness my hand and seal this 14th day of January, 2008.

\_\_\_\_\_  
 Attorney

**COUNCIL APPROVAL AND ACCEPTANCE**

Approved and Accepted by the Board of Commissioners on this 14th day of January, 2008.

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

**RECORDED**

State of Minnesota, County of Hancock  
 Date: 1/14/08

**Ordinance No. 05-65**

**AN ORDINANCE AMENDING TITLE 15, CHAPTER 12.11-3(I)(1)(b) OF THE MUNICIPAL CODE , REGARDING ZONING LANGUAGE FOR THAYNES CANYON SUBDIVISION I MINIMUM SIDE YARDS**

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 of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed change to the Land Management Code is necessary to promote consistency with the original zoning of the subdivision and eliminates inconsistent build-out patterns;

WHEREAS, it is in the best interest of the City to maintain Park City as a world class resort.

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

**SECTION 1. AMENDMENT TO TITLE 15- Land Management Code, Chapter 2.11-3**

**(I) OTHER EXCEPTIONS.**

(1) In Thaynes Canyon Subdivision I and II, and Prospector Village Subdivision, minimum required Yards are as follows:

(a) FRONT YARD. The minimum Front Yard for Main Buildings is twenty feet (20') and the Front Yard for garages is ten feet (10');

(b) SIDE YARD. The minimum Side Yard is five feet (5'). On Corner Lots the minimum Side Yard abutting a Street is ten feet (10'). In Thaynes Canyon Subdivision I the minimum Side Yard is ten feet (10');

(c) REAR YARD. The minimum Rear Yard is ten feet (10').

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

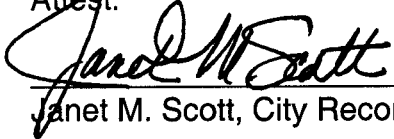
PASSED AND ADOPTED this 27th day of October, 2005.



PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:

\_\_\_\_\_  
Mark D. Harrington, City Attorney

**Ordinance No. 05-64**

**AN ORDINANCE APPROVING THE AMENDMENT TO THE RECORD OF SURVEY FOR THE LITTLE BELLE CONDOMINIUMS PLAT LOCATED AT 7155 LITTLE BELLE COURT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Little Belle Condominiums at 7155 Little Belle Court have petitioned the City Council for approval of the amendment to the Record of Survey of the Little Belle Condominium Plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 12, 2005, to receive input on the amendment to the Record of Survey for the Little Belle Condominium plat;

WHEREAS, the Planning Commission, on October 12, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 27, 2005 the City Council approved the amendment to the Record of Survey for the Little Belle Condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amendment to the Record of Survey for the Little Belle Condominium plat.

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

**SECTION 1. APPROVAL.** The amendment to the Record of Survey for the Little Belle Condominium 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 in the Residential Development (RD-MPD) zoning district.
2. The street address for the property is 7155 Little Belle Court.
3. The rear decks and balcony areas are currently platted as Limited Common Area.
4. This Plat Amendment will change the Record of Survey plat to indicate that all rear decks and balconies attached to the Little Belle Court Condominiums are private area rather than limited common area.
5. There are no proposed applications for construction at this time.
6. The proposed action does not reduce the project's required open space.
7. The applicant has submitted evidence of the appropriate Owner's vote approving the

amendment to the Limited Common Area.

**Conclusions of Law:**

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code, the General Plan, and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.

**Conditions of Approval:**

1. The City Attorney and City Engineer review the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording 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 and the plat will be void.
3. Building permit applications to enclose the rear decks and balconies must be submitted to the building department prior to construction.
4. The applicant submits evidence of the necessary owner's signatures pursuant to Utah State law.

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

PASSED AND ADOPTED this 27<sup>th</sup> day of October, 2005.

PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

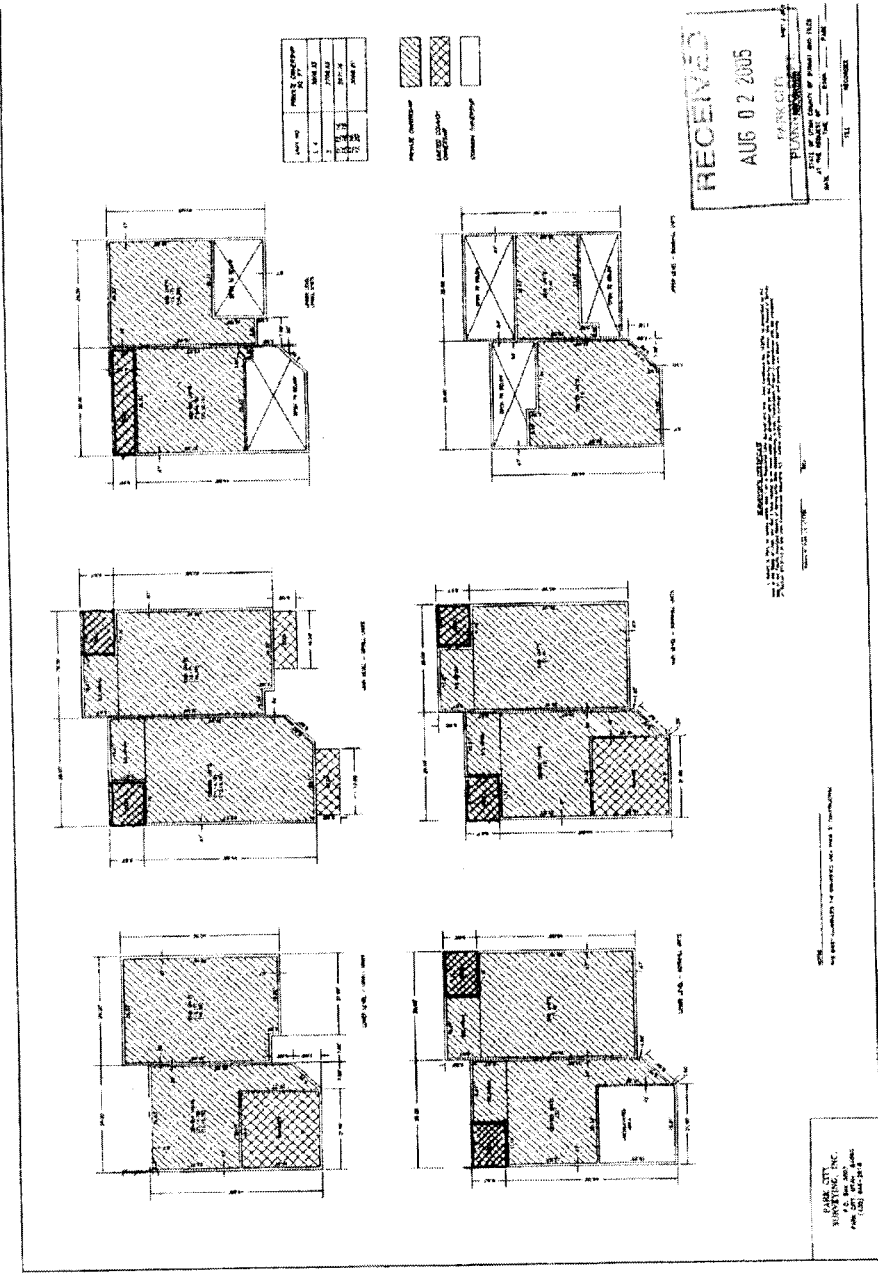
  
Janet M. Scott, City Recorder

Approved as to form:

\_\_\_\_\_  
Mark D. Harrington, City Attorney



# EXHIBIT A



**Ordinance No. 05-63**

**AN ORDINANCE APPROVING A SUBDIVISION OF THE METES AND BOUNDS PARCEL, LOCATED AT 570 DEER VALLEY DRIVE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 570 Deer Valley Drive, has petitioned the City Council for approval of a Subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on September 28, 2005 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed Subdivision allows the property owner to subdivide a metes and bounds parcel; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the Subdivision.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is zoned Residential Medium (RM) and is subject to the requirements of LMC Section 15-2.15.
2. The RM zone is a transitional zone between the historic district and the contemporary Deer Valley area.
3. Access to the property is from Deer Valley Drive and Deer Valley Loop.
4. Both Deer Valley Drive and Deer Valley Loop are street fronts, requiring a front yard setback of 25 feet.
5. The property is 27,965 square feet in size prior to right-of-way dedication.
6. There are existing utility, sidewalk and street encroachments onto the property.
7. To mitigate the encroachments, the applicant is proposing to dedicate 1,342 square feet of property on the south and 1,402 square feet of property on the north to the City. Thereby reducing the overall size of the site to 25,221 square feet.
8. No changes in density allowed in the RM zone are requested under this application.
9. The applicant stipulates to all conditions of approval.
10. Notice of this public hearing was sent to all property owners within 300 feet of the project on September 14, 2005.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. A utility, grading and drainage plan shall be submitted to the City Engineer for review and approval prior to the issue of a building permit.
3. A five foot snow storage easement along Deer Valley Loop shall be recorded on the plat.
4. This approval will expire one year from the date of approval if no building permit has been issued.

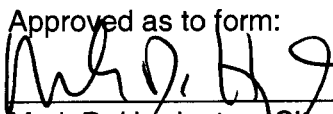
**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

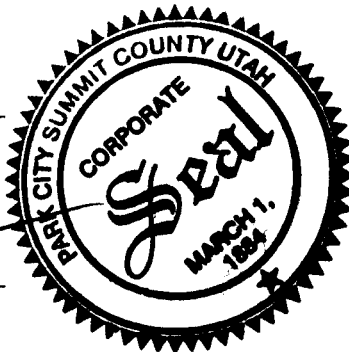
PASSED AND ADOPTED this 13<sup>th</sup> day of October 2005.

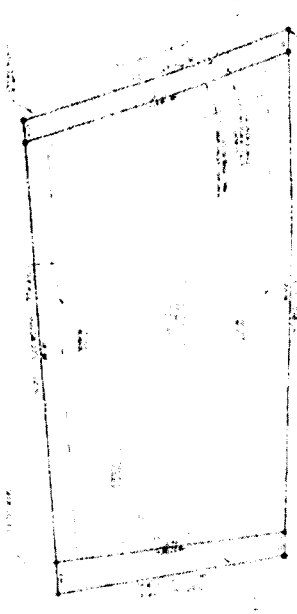
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:  
  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:  
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





NO.	DESCRIPTION OF WORK	DATE	STATUS	REMARKS
1	THE DESIGN OF THE VALLEY DRIVE CONDOMINIUMS			
2	FINAL SUBMISSION IN AT			

**REMARKS:**  
 The design of the Valley Drive Condominiums is in accordance with the requirements of the Building Code of the City of Los Angeles, California. The design is based on the information provided by the applicant and is subject to the approval of the Building Department.

**MANAGER'S CERTIFICATE:**  
 I hereby certify that the design of the Valley Drive Condominiums is in accordance with the requirements of the Building Code of the City of Los Angeles, California. The design is based on the information provided by the applicant and is subject to the approval of the Building Department.

**APPROVED BY:**  
 [Signature]  
 [Title]

**APPROVED BY:**  
 [Signature]  
 [Title]

SIDEWALK AND  
PEDESTRIAN ACCESS EASEMENT AGREEMENT

This Sidewalk and Pedestrian Access Easement Agreement ("Agreement") is entered into between Park City Municipal Corporation ("Park City") and William and Patsy Reed (the Reeds), this 28 day of August, 1992.

The Reeds are the owners of certain real property in Park City, Utah, adjacent to Deer Valley Drive. Park City has accepted dedication of Deer Valley Drive, a portion of which encroaches upon the Reed's property. Park City is constructing, and wishes to operate and maintain, a sidewalk and pedestrian right-of-way along Deer Valley Drive, across a portion of the Reed's property. The Reeds are willing to allow Park City to construct the sidewalk, but do not wish to convey title to the property to the City, because conveyance may diminish the value and development potential of the balance of their property.

In order to allow Park City to use and maintain the sidewalk, and to allow maximum flexibility in the use of the Reed's property, the parties, in consideration of the promises and conveyances made herein, agree as follows:

1. The Reeds hereby grant to Park City a perpetual public right-of-way and easement approximately eight (8) feet in width, to construct, maintain, operate, repair, inspect, protect and clean a public sidewalk and public utilities, said right-of-way and easement being more particularly described in Exhibit A hereto (the Right-of-Way).
2. In exchange for the grant of Right-of-Way contained herein, Park City agrees as follows:
  - A. That Park City shall make payment to the Reeds in the amount of \$5,000 upon execution of this Agreement;
  - B. That the area covered by the Right-of-Way conveyed herein shall be included in parcel area calculations made for the purposes of site development density calculations, and shall count toward open space requirements for future development of the Reed's property. Setbacks shall be calculated from the south boundary line of the Right-of-Way, and not from the property ownership line.
3. Park City agrees that it will construct a sidewalk no more than six feet in width in that portion of the Right-of-Way in front of the Reed's garage and extending twenty feet on each side of the garage, and will not construct or allow construction of a wider sidewalk in that area unless the Reed's garage is



shall be performed consistent with City snow removal policies of general application in the area.

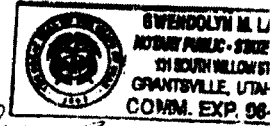
4. The Reeds agree that they shall not build or construct, nor permit to be built or constructed any building or other improvement over or across the Right-of-Way, nor change the contour of the land there without the written agreement of Park City.

5. Park City agrees that the Reeds shall have ingress and egress to their property along the entire length of the Right-of-Way.

6. Park City agrees to indemnify and hold the Reeds harmless for all claims, costs and damages arising out of Park City's use of the Right-of-Way, and its operation of the sidewalk.

7. Park City agrees that, if the City abandons the Right-of-Way, or if the Right-of-Way is no longer used for purposes of a public sidewalk, the Right-of-Way granted herein shall be extinguished, and possession of the property shall revert to the Reeds or their successors in interest.

DATED this 28 day of August, 1992.



Notary - Gwendolyn Larsen

William Reed  
WILLIAM REED

Patsy Reed  
PATSY REED

Bradley A. Glch  
PARK CITY MUNICIPAL CORPORATION  
BRADLEY A. GLCH, MAYOR



ATTEST  
Anita L. Sheldon  
ANITA L. SHELDON, CITY RECORDER

**AN ORDINANCE APPROVING THE FINNEGANS BLUFF SUBDIVISION PLAT  
LOCATED 760 SADDLE VIEW WAY, PARK CITY, UTAH**

WHEREAS, the owner of property located at 760 Saddle View Way, petitioned the City Council for approval of a final subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held public hearings on June 8, July 27, and September 14, 2005, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on September 14, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 6, 2005, the City Council held a public hearing and approved the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat.

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

**SECTION 1. APPROVAL.** The subdivision 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 in the RD, Residential Development, zoning district and is on Saddle View Way, a private street. Single family dwellings are an allowed use in the RD zoning district.
2. The property consists of 6.4 acres. Saddle View Way is a long private cul-de-sac traversing several properties, namely Saddle Office Park, Windrift Condominiums, and Saddle Condominiums. The City does not provide maintenance or snow plowing on this private street.
3. There is an easement over Saddle View Way discussed in the Declaration of Condominium of the Saddle Condominiums (recorded as Entry No. 175675 on January 23, 1981). There is also a 50' right of way shown on the recorded Windrift Condominium plat, extending from Hwy 224 to the Saddle Condominiums property line. This right-of-way is also indicated on the County Assessor's plat maps. This information is indicated on the proposed subdivision plat.
4. The property is located within the Sensitive Lands Overlay subject to the Sensitive Lands Overlay Ordinance, Section 15-2.21 of the Land

Management Code.

5. On March 23, 2005, the Planning Commission discussed the item as a pre-application meeting. The applicant provided documentation that the site is not visible from any of the designated LMC vantage points. The subject property is obscured by large evergreen trees when viewed from the Park City Golf Course "club house location" as stated in the LMC. The Planning Commission directed the applicant to conduct the visual analysis from an area near the Thaynes Canyon/Hwy 224 intersection where the property is visible. The sensitive lands photographs and analysis are based on a location in the parking lot at Hotel Park City at the entrance off of Thayne's Canyon Drive at elevation 6830'.
6. On September 14, 2005, Staff documented through photographs, the visibility of this property from the Osguthorpe Barn, Meadows Drive and Hwy 224, the Olympic sculpture parking area, Holiday Ranch Loop, Saddle View Way, and Thaynes Canyon Drive and determined that the subject property is not highly visible from the entry corridor, with the exception of the area between Saddle View Way and Thaynes Canyon Drive.
7. The Planning Commission reviewed a Sensitive Lands Analysis for the property that included a density analysis, steep slope review, ridgeline protection, fire protection, and wildlife habitat review.
8. A "sensitive ridge" is located on the property. This ridge was designated a "sensitive ridge" at the time the Sensitive Lands Overlay Ordinance was adopted and is highly visible looking west from Park Meadows and Holiday Ranchettes subdivisions. The ridge is not highly visible from the HWY 224 entry corridor, with the exception of the area between Saddle View Way and Thaynes Canyon Drive.
9. Within 150' of the sensitive ridgeline, on both sides of the ridge, is an area considered by the Sensitive Lands Ordinance to be a sensitive ridgeline area. Development may not impact this ridgeline area.
10. The applicant has demonstrated that the houses can be located on each lot in a manner such that the ridgeline and sensitive slope area will not be impacted, as viewed from the revised Park City Golf Course club house vantage point, as described in Finding #5. Specific height limitations in terms of USGS elevations are indicated on the plat for all setback corners. These elevations provide a building envelop limitation that the roofline can not exceed in order not to break the ridgeline nor impact the sensitive ridgeline area, when viewed from the vantage point as described above and illustrated on Sheet S6 of the plans. A site specific visual analysis conducted by the lot owner at the time of building permit submittal will be required, in order to demonstrate that requirements of the Sensitive Lands Ordinance have been complied with.
11. Based on the sensitive lands analysis the allowable base density is 6.27 dwelling units. The proposed density of 6 units for this 6.4 acre site (0.94 units per acre) is appropriate and the site is suitable for this density based on the conditions as outlined in LMC Section 15-2.21-5.
12. The Planning Commission conducted public hearings on June 8, July 27, and September 14, 2005.
13. The proposed street within the Finnegan's Bluff subdivision is approximately 460 feet in length from the center of the proposed cul-de-sac to the end of

existing Saddle View Way. The second point of access, Jupiter View Drive, is approximately 900' from the existing end of Saddle View Way.

14. The applicant submitted a fire protection plan to address fire and emergency access given the length of the cul-de-sac.
15. The subdivision plat creates 6 lots of record and a 3.74 acres open space parcel. Lots range in size from 10,680 sf to 25,016 sf. The applicant proposes to dedicate a 3.7 acre parcel to the City as open space for public passive recreation use, with easements for snow storage, landscaping, trails, and utilities. Landscaping and irrigation will be the responsibility of Finnegan's Bluff lot owners. Each lot is restricted to one single family dwelling unit.
16. A trail easement or general language allowing a trail within the open space parcel, in an approximate location, is necessary to connect the Snow Creek Crossing trail to the City owned property northwest of the Finnegan's subdivision. A trail easement is required across Lot 6 to complete this trail connection. No trails or easements are proposed to connect to any lot within the Holiday Ranchettes Subdivision.
17. No remnant lots will be created as a result of this subdivision.
18. All existing and proposed utilities, access drives, sidewalks, trails, public and circulation areas for emergency vehicles will be located within approved easements to be reviewed and approved by the City Engineer prior to plat recordation.
19. Saddle View Drive is a private neighborhood street where parking, snow storage and construction staging can be problematic. A construction mitigation plan will be necessary to address construction issues before any permits can be issued.
20. The City Council conducted a public hearing on October 6, 2005.

**Conclusions of Law:**

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

**Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the final subdivision plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the final subdivision plat at Summit County within one year of the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. Approval of a construction mitigation plan is a condition precedent to the issuance of any building permits for the Finnegan's Bluff subdivision. The

construction mitigation plan shall include a re-vegetation plan for re-vegetation of all disturbed areas that remain after utility, road, and trail construction.

4. A financial guarantee for public improvements in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer shall be in place as a condition precedent to plat recordation and issuance of building permits. Sidewalks, constructed to City specifications, shall be provided on the southerly side of the cul-de-sac.
5. Saddle View Way is, at the time of plat recordation, a private road existing on four separate parcels of land. Access is not guaranteed by Park City Municipal Corporation. Maintenance of Saddle View Way is not, and is never intended to be, provided by Park City. The name of the cul-de-sac in Finnegan's Bluff subdivision shall be Saddle View Way.
6. A final determination as to the location of all required snow storage, access, and utility easements, including any required storm drainage easements, consistent with LMC Chapter 7- Subdivisions will be made by the City Engineer as a condition precedent to plat recordation.
7. As a condition precedent to plat recordation the City Engineer shall have approved the final utility plans, including the storm water detention plans. No building permits shall be issued until the plat is recorded and public improvements are substantially complete.
8. As a condition precedent to issuance of any building permits, the Chief Building Official shall conduct a final assessment and grant approval of the fire protection plan. All relevant notes, requirements, and restrictions regarding fire protection shall be shown on the final plat as a condition precedent to plat recordation.
9. As a condition precedent to plat recordation, the Snyderville Basin Water Reclamation District shall have approved the utility plan and signed the subdivision plat.
10. A note shall be added to the plat, as a condition precedent to plat recordation, stating that prior to individual building permit issuance a site specific visual analysis shall be conducted by the lot owner and presented to the Planning Department with the building permit plans to demonstrate that the house is in compliance with the Sensitive Lands Ordinance and with the specific height limitations identified on the plat for each lot, or as otherwise approved during the site specific visual analysis.
11. The 3.7 acre parcel shall be dedicated to the City as open space for passive public recreation purposes, with easements for utilities, snow storage, landscaping, and trails, as a condition precedent to or concurrent with plat recordation. Irrigation and maintenance of any landscaping within this parcel shall be the responsibility of the Finnegan's Bluff lot owners.
12. A note shall be added to the plat indicating that a landscape plan for each lot shall be submitted for review and approval by the Planning Department prior to issuance of building permits for individual lots. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
13. A note shall be added to the plat stating that only one single family house may be developed on each lot.

14. Driveway width is limited to 50% of the lot frontage on Saddle View Way or LMC widths, whichever is narrower.
15. All standard project conditions shall apply to this development.

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


PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





**Ordinance No. 05-61**

**AN ORDINANCE APPROVING AN RECORD OF SURVEY PLAT FOR THE  
LOOKOUT AT DEER VALLEY, LOCATED AT  
6601 ROYAL STREET WEST, PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as the Lookout At Deer Valley , has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on September 28, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed record of survey plat allows the property owner to create a 35 unit condominium project; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Residential Medium (RD) zone.
2. The property is subject to the July 27, 2005 Lookout at Deer Valley MPD approval.
3. The plat is consistent with the Lookout at Deer Valley MPD, in terms of size and location of the building, proposed uses, and required parking.
4. The Lookout at Deer Valley MPD Development Agreement sets forth a maximum density of 35 units and a clubhouse building.
5. The Lookout at Deer Valley MPD consists of 35 residential units (22 duplex style units and 11 single family residence units) on a total of 44.22 acres.
6. The project provides approximately 40 acres of Open Space, approximately 82% of the site.
7. The location of the proposed structures is consistent with MPD site planning criteria. The buildings step horizontally and vertically with the existing topography.
8. No commercial uses are allowed on the site.
9. The condominium plat depicts on-site parking for all single family and duplex units that meets the two spaces per unit LMC requirements with a total of approximately 60 spaces provided.



10. To comply with street design standards that require safe sight distances and stopping zones, the applicant is proposing to move the entrance way 141 feet to the north from the location approved as part of the July 27, 2005 approval.
11. The modified driveway entrance will result in a retaining structure of up to 35 feet in height.
12. No public streets are vacated nor created with this plat. A private street is created to serve the units with access and egress.
13. The applicant stipulates to the conditions of approval. The Planning Commission reviewed and approved the development agreement for the project on September 14, 2005. On September 28, 2005 this record of survey plat was reviewed by the Planning Commission who forwarded a positive recommendation to the City Council.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following 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, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Lookout at Deer Valley MPD Development Agreement.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

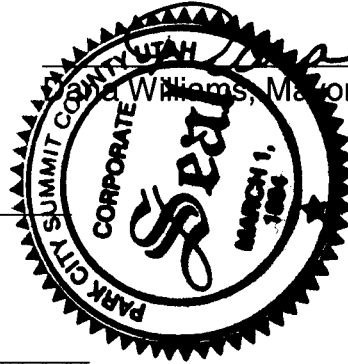
1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition subsequent to plat recordation.
3. The applicant will record the Record of Survey 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.
4. All conditions of approval of the Lookout @ Deer Valley MPD continue to apply.
5. The Owner shall certify on the plat that the condominium project will be built substantially as shown.
6. A financial guarantee for 125% of the value of public improvements shall be submitted prior to plat recordation, in an amount approved by the City Engineer and in a form approved by the City Attorney. An inspection fee of 6% is also due prior to plat recordation.
7. Driveways to the condo units may be revised from those shown on the draft plans in order to achieve proper design. Revised driveway designs will be reviewed and, if acceptable, approved by the Planning Staff and City Engineer prior to plat

recording.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 6<sup>th</sup> day of October 2005.

PARK CITY MUNICIPAL CORPORATION



*S. Williams*

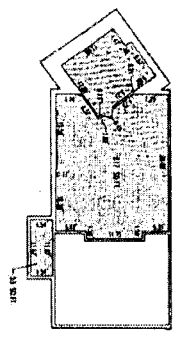
S. Williams, Mayor

Attest

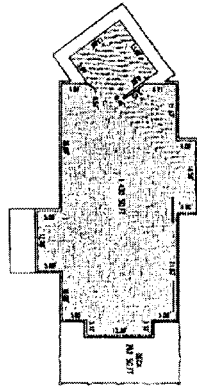
*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney

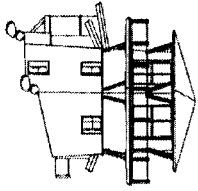
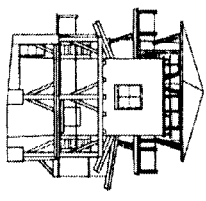


UNIT C1 - LOWER LEVEL



UNIT C1 - UPPER LEVEL

**LEGEND**  
 [Symbol] UNIT C1  
 [Symbol] UNIT C2  
 [Symbol] UNIT C3



UNIT C1 - FINISHED FLOOR ELEVATIONS			
UNIT NO.	CORNER	LEVEL	LEVEL

**RECORD OF SURVEY MAP  
 LOOKOUT AT DEER VALLEY**

2005 N.E. 1/4, SECTION 10, T12N, R10E, S10W  
 RANGE 10, COUNTY 10, STATE 10  
 SHEET 11 OF 11

**MARKET ENGINEERING  
 AND LAND SURVEYING**

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PARK CITY  
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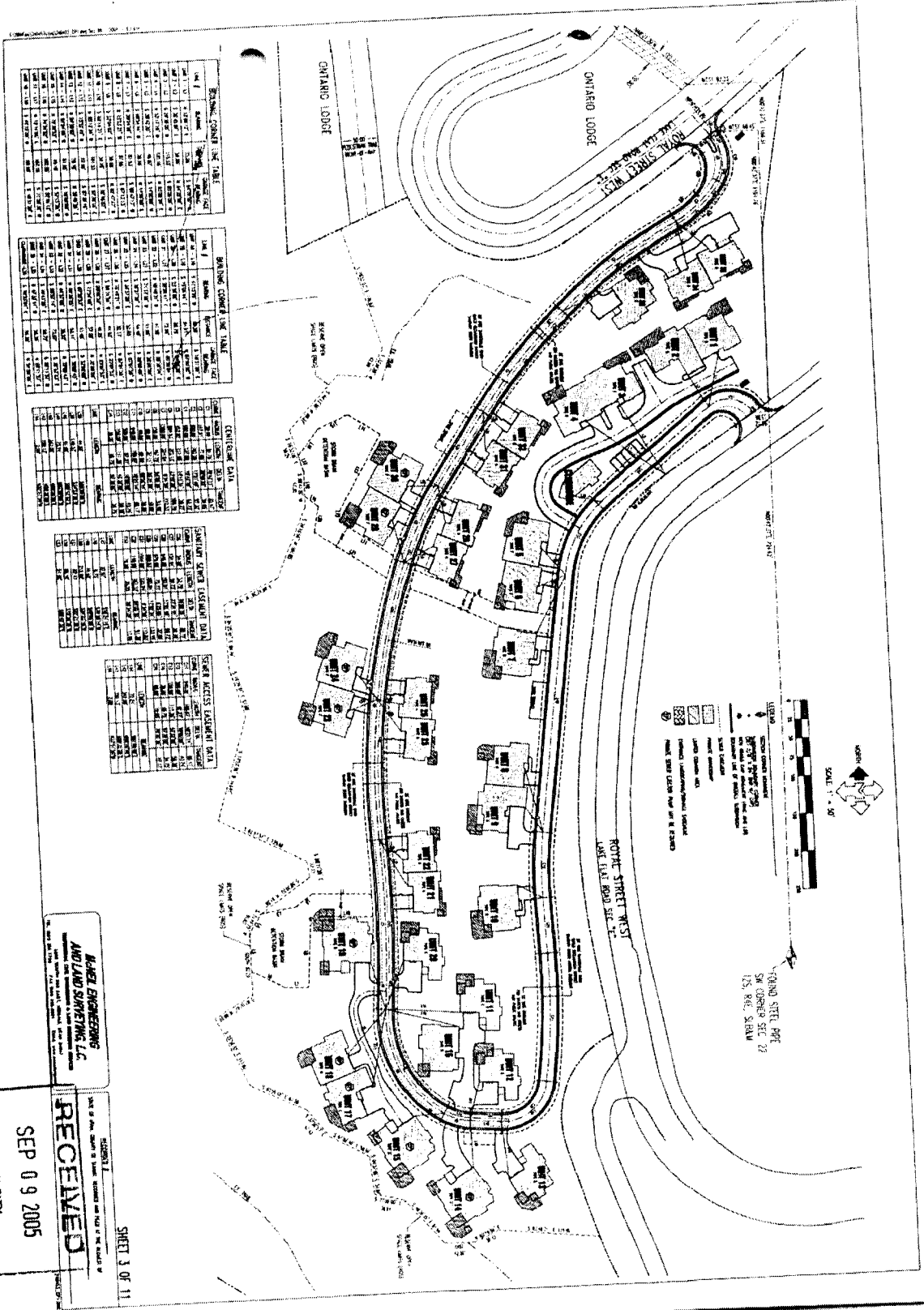
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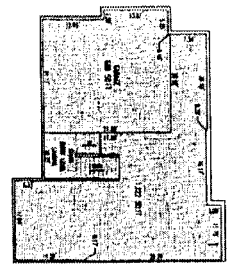
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**HAUER ENGINEERING L.C.**  
**ANGLAND SURVEYING L.C.**  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, COLORADO 80202  
 TEL: 303.733.1111 FAX: 303.733.1112  
 WWW.HAUERENGINEERING.COM

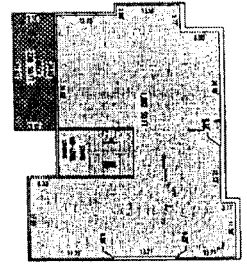
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 SEP 09 2005  
 PARK CITY  
 CITY PLANNING DEPT.

SHEET 3 OF 11

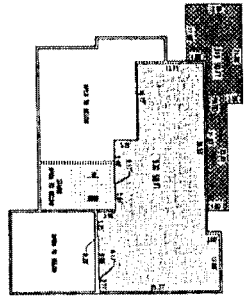




UNIT A - LOWER LEVEL  
SHEET 1-8

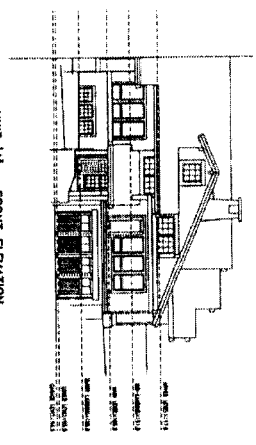


UNIT A - MAIN LEVEL  
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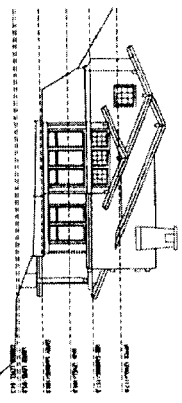


UNIT A - UPPER LEVEL  
SHEET 1-10

**LEGEND**  
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 [Symbol] FINISHED CEILING  
 [Symbol] FINISHED WALL



UNIT A - FRONT ELEVATION  
SHEET 1-11



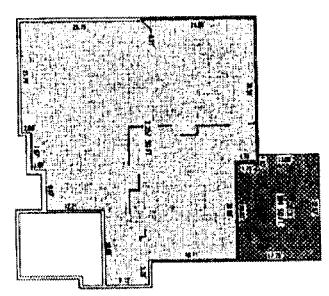
UNIT A - SIDE ELEVATION  
SHEET 1-12

UNIT NO.	GRADE	UNIT A - FINISHED FLOOR ELEVATIONS					FINISHED LEVEL
		LOWER LEVEL	ENTRY LANDING	MAIN LEVEL	UPPER LEVEL	FINISHED LEVEL	
21	7958.0	7968.0	7978.0	7988.0	7998.0	7981.0	
22	7968.0	7978.0	7988.0	7998.0	8008.0	7991.0	
23	7978.0	7988.0	7998.0	8008.0	8018.0	8001.0	
24	7988.0	7998.0	8008.0	8018.0	8028.0	8011.0	
25	7998.0	8008.0	8018.0	8028.0	8038.0	8021.0	
26	8008.0	8018.0	8028.0	8038.0	8048.0	8031.0	
27	8018.0	8028.0	8038.0	8048.0	8058.0	8041.0	
28	8028.0	8038.0	8048.0	8058.0	8068.0	8051.0	
29	8038.0	8048.0	8058.0	8068.0	8078.0	8061.0	
30	8048.0	8058.0	8068.0	8078.0	8088.0	8071.0	
31	8058.0	8068.0	8078.0	8088.0	8098.0	8081.0	
32	8068.0	8078.0	8088.0	8098.0	8108.0	8091.0	
33	8078.0	8088.0	8098.0	8108.0	8118.0	8101.0	
34	8088.0	8098.0	8108.0	8118.0	8128.0	8111.0	
35	8098.0	8108.0	8118.0	8128.0	8138.0	8121.0	
36	8108.0	8118.0	8128.0	8138.0	8148.0	8131.0	
37	8118.0	8128.0	8138.0	8148.0	8158.0	8141.0	
38	8128.0	8138.0	8148.0	8158.0	8168.0	8151.0	
39	8138.0	8148.0	8158.0	8168.0	8178.0	8161.0	
40	8148.0	8158.0	8168.0	8178.0	8188.0	8171.0	
41	8158.0	8168.0	8178.0	8188.0	8198.0	8181.0	
42	8168.0	8178.0	8188.0	8198.0	8208.0	8191.0	
43	8178.0	8188.0	8198.0	8208.0	8218.0	8201.0	
44	8188.0	8198.0	8208.0	8218.0	8228.0	8211.0	
45	8198.0	8208.0	8218.0	8228.0	8238.0	8221.0	
46	8208.0	8218.0	8228.0	8238.0	8248.0	8231.0	
47	8218.0	8228.0	8238.0	8248.0	8258.0	8241.0	
48	8228.0	8238.0	8248.0	8258.0	8268.0	8251.0	
49	8238.0	8248.0	8258.0	8268.0	8278.0	8261.0	
50	8248.0	8258.0	8268.0	8278.0	8288.0	8271.0	
51	8258.0	8268.0	8278.0	8288.0	8298.0	8281.0	
52	8268.0	8278.0	8288.0	8298.0	8308.0	8291.0	
53	8278.0	8288.0	8298.0	8308.0	8318.0	8301.0	
54	8288.0	8298.0	8308.0	8318.0	8328.0	8311.0	
55	8298.0	8308.0	8318.0	8328.0	8338.0	8321.0	
56	8308.0	8318.0	8328.0	8338.0	8348.0	8331.0	
57	8318.0	8328.0	8338.0	8348.0	8358.0	8341.0	
58	8328.0	8338.0	8348.0	8358.0	8368.0	8351.0	
59	8338.0	8348.0	8358.0	8368.0	8378.0	8361.0	
60	8348.0	8358.0	8368.0	8378.0	8388.0	8371.0	
61	8358.0	8368.0	8378.0	8388.0	8398.0	8381.0	
62	8368.0	8378.0	8388.0	8398.0	8408.0	8391.0	
63	8378.0	8388.0	8398.0	8408.0	8418.0	8401.0	
64	8388.0	8398.0	8408.0	8418.0	8428.0	8411.0	
65	8398.0	8408.0	8418.0	8428.0	8438.0	8421.0	
66	8408.0	8418.0	8428.0	8438.0	8448.0	8431.0	
67	8418.0	8428.0	8438.0	8448.0	8458.0	8441.0	
68	8428.0	8438.0	8448.0	8458.0	8468.0	8451.0	
69	8438.0	8448.0	8458.0	8468.0	8478.0	8461.0	
70	8448.0	8458.0	8468.0	8478.0	8488.0	8471.0	
71	8458.0	8468.0	8478.0	8488.0	8498.0	8481.0	
72	8468.0	8478.0	8488.0	8498.0	8508.0	8491.0	
73	8478.0	8488.0	8498.0	8508.0	8518.0	8501.0	
74	8488.0	8498.0	8508.0	8518.0	8528.0	8511.0	
75	8498.0	8508.0	8518.0	8528.0	8538.0	8521.0	
76	8508.0	8518.0	8528.0	8538.0	8548.0	8531.0	
77	8518.0	8528.0	8538.0	8548.0	8558.0	8541.0	
78	8528.0	8538.0	8548.0	8558.0	8568.0	8551.0	
79	8538.0	8548.0	8558.0	8568.0	8578.0	8561.0	
80	8548.0	8558.0	8568.0	8578.0	8588.0	8571.0	
81	8558.0	8568.0	8578.0	8588.0	8598.0	8581.0	
82	8568.0	8578.0	8588.0	8598.0	8608.0	8591.0	
83	8578.0	8588.0	8598.0	8608.0	8618.0	8601.0	
84	8588.0	8598.0	8608.0	8618.0	8628.0	8611.0	
85	8598.0	8608.0	8618.0	8628.0	8638.0	8621.0	
86	8608.0	8618.0	8628.0	8638.0	8648.0	8631.0	
87	8618.0	8628.0	8638.0	8648.0	8658.0	8641.0	
88	8628.0	8638.0	8648.0	8658.0	8668.0	8651.0	
89	8638.0	8648.0	8658.0	8668.0	8678.0	8661.0	
90	8648.0	8658.0	8668.0	8678.0	8688.0	8671.0	
91	8658.0	8668.0	8678.0	8688.0	8698.0	8681.0	
92	8668.0	8678.0	8688.0	8698.0	8708.0	8691.0	
93	8678.0	8688.0	8698.0	8708.0	8718.0	8701.0	
94	8688.0	8698.0	8708.0	8718.0	8728.0	8711.0	
95	8698.0	8708.0	8718.0	8728.0	8738.0	8721.0	
96	8708.0	8718.0	8728.0	8738.0	8748.0	8731.0	
97	8718.0	8728.0	8738.0	8748.0	8758.0	8741.0	
98	8728.0	8738.0	8748.0	8758.0	8768.0	8751.0	
99	8738.0	8748.0	8758.0	8768.0	8778.0	8761.0	
100	8748.0	8758.0	8768.0	8778.0	8788.0	8771.0	

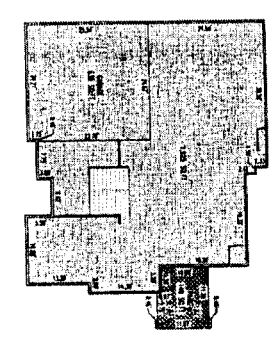
RECORD OF SURVEY MAP  
 LOOKOUT AT DEER VALLEY  
 SECTION 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100  
 SHEET 1 OF 11

**MENZEL ENGINEERING AND LAND SURVEYING**  
 1000 N. 10th Street, Suite 100, Park City, UT 84302  
 (435) 765-1111  
 www.menzel-engineering.com

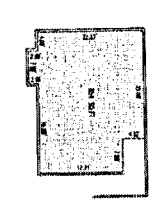
**RECEIVED**  
 SEP 19 2005  
 PARK CITY  
 BY ADMIN. DEPT.



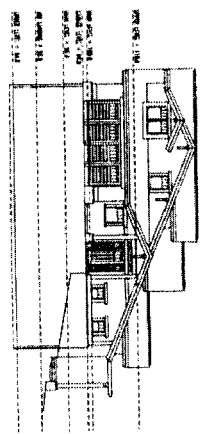
UNIT 3B - LOWER LEVEL  
SHEET 3B-1



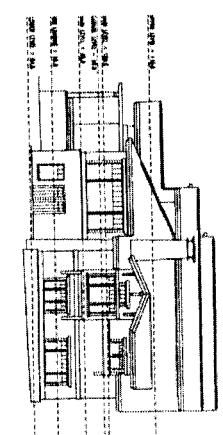
UNIT 3B - MAIN LEVEL  
SHEET 3B-2



UNIT 3B - UPPER LEVEL  
SHEET 3B-3



UNIT 3B - SIDE ELEVATION  
SHEET 3B-4



UNIT 3B - REAR ELEVATION  
SHEET 3B-5

UNIT 3B FINISHED FLOOR ELEVATIONS

UNIT NO.	FLOOR	FINISHED FLOOR ELEVATION	FINISHED FLOOR ELEVATION	FINISHED FLOOR ELEVATION	FINISHED FLOOR ELEVATION
3B	LOWER LEVEL	812.0	812.0	812.0	812.0
3B	MAIN LEVEL	812.0	812.0	812.0	812.0
3B	UPPER LEVEL	812.0	812.0	812.0	812.0

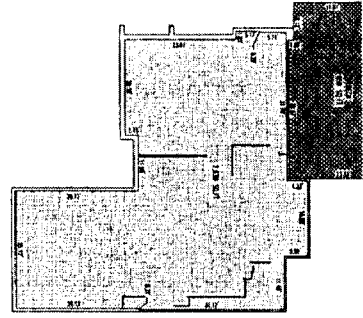
LEGEND  
 [Symbol] UNIT 3B LOWER LEVEL  
 [Symbol] UNIT 3B MAIN LEVEL  
 [Symbol] UNIT 3B UPPER LEVEL

**MENDEL ENGINEERING AND LAND SURVEYING**  
 1000 W. 10TH ST. SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111  
 www.mendel-engineering.com

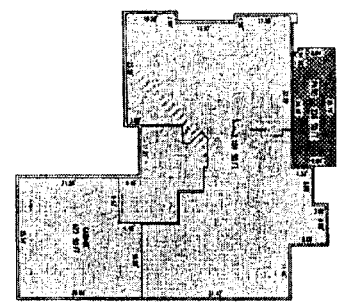
RECORD OF SURVEY MAP  
 LOOKOUT AT DEER VALLEY  
 SITES IN THE CONDUIT AND CONDUIT RIGHTS OF  
 THE CITY OF DENVER, COLORADO  
 SHEET 3B OF 11

RECEIVED  
 SEP 09 2005  
 PARK CITY  
 PLANNING DEPT.

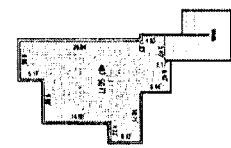
MANEL ENGINEERING STRUCTURAL, L.C. CONSULTING ENGINEERS, L.C. MANEL ENGINEERING STRUCTURAL, L.C.



UNIT 'C' - LOWER LEVEL

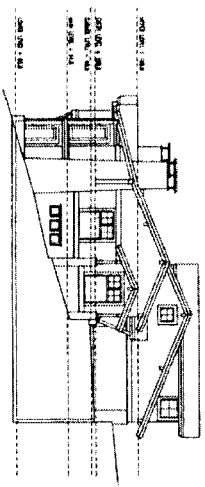


UNIT 'C' - MAIN LEVEL

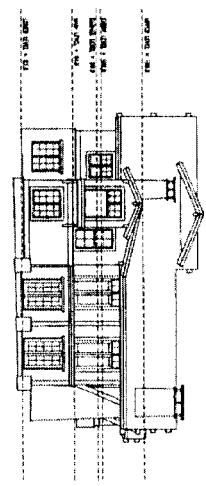


UNIT 'C' - UPPER LEVEL

LEGEND  
1/2" = 1'-0"  
1/4" = 3'-0"  
1/8" = 6'-0"



UNIT 'C' - SIDE ELEVATION



UNIT 'C' - REAR ELEVATION

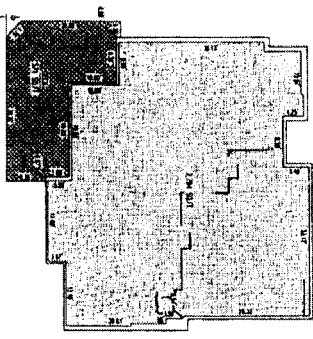
UNIT 'C' FINISHED FLOOR ELEVATIONS

UNIT NO.	LOBBY	LEVEL	GRID	LEVEL	UNIT NO.	LOBBY	LEVEL	GRID	LEVEL
1	7/23.0	7	7/23.0	7	1	7/23.0	7	7/23.0	7
2	7/23.0	7	7/23.0	7	2	7/23.0	7	7/23.0	7
3	7/23.0	7	7/23.0	7	3	7/23.0	7	7/23.0	7
4	7/23.0	7	7/23.0	7	4	7/23.0	7	7/23.0	7
5	7/23.0	7	7/23.0	7	5	7/23.0	7	7/23.0	7
6	7/23.0	7	7/23.0	7	6	7/23.0	7	7/23.0	7
7	7/23.0	7	7/23.0	7	7	7/23.0	7	7/23.0	7
8	7/23.0	7	7/23.0	7	8	7/23.0	7	7/23.0	7
9	7/23.0	7	7/23.0	7	9	7/23.0	7	7/23.0	7
10	7/23.0	7	7/23.0	7	10	7/23.0	7	7/23.0	7
11	7/23.0	7	7/23.0	7	11	7/23.0	7	7/23.0	7
12	7/23.0	7	7/23.0	7	12	7/23.0	7	7/23.0	7
13	7/23.0	7	7/23.0	7	13	7/23.0	7	7/23.0	7
14	7/23.0	7	7/23.0	7	14	7/23.0	7	7/23.0	7
15	7/23.0	7	7/23.0	7	15	7/23.0	7	7/23.0	7
16	7/23.0	7	7/23.0	7	16	7/23.0	7	7/23.0	7
17	7/23.0	7	7/23.0	7	17	7/23.0	7	7/23.0	7
18	7/23.0	7	7/23.0	7	18	7/23.0	7	7/23.0	7
19	7/23.0	7	7/23.0	7	19	7/23.0	7	7/23.0	7
20	7/23.0	7	7/23.0	7	20	7/23.0	7	7/23.0	7
21	7/23.0	7	7/23.0	7	21	7/23.0	7	7/23.0	7
22	7/23.0	7	7/23.0	7	22	7/23.0	7	7/23.0	7
23	7/23.0	7	7/23.0	7	23	7/23.0	7	7/23.0	7
24	7/23.0	7	7/23.0	7	24	7/23.0	7	7/23.0	7
25	7/23.0	7	7/23.0	7	25	7/23.0	7	7/23.0	7
26	7/23.0	7	7/23.0	7	26	7/23.0	7	7/23.0	7
27	7/23.0	7	7/23.0	7	27	7/23.0	7	7/23.0	7
28	7/23.0	7	7/23.0	7	28	7/23.0	7	7/23.0	7
29	7/23.0	7	7/23.0	7	29	7/23.0	7	7/23.0	7
30	7/23.0	7	7/23.0	7	30	7/23.0	7	7/23.0	7
31	7/23.0	7	7/23.0	7	31	7/23.0	7	7/23.0	7
32	7/23.0	7	7/23.0	7	32	7/23.0	7	7/23.0	7
33	7/23.0	7	7/23.0	7	33	7/23.0	7	7/23.0	7
34	7/23.0	7	7/23.0	7	34	7/23.0	7	7/23.0	7
35	7/23.0	7	7/23.0	7	35	7/23.0	7	7/23.0	7
36	7/23.0	7	7/23.0	7	36	7/23.0	7	7/23.0	7
37	7/23.0	7	7/23.0	7	37	7/23.0	7	7/23.0	7
38	7/23.0	7	7/23.0	7	38	7/23.0	7	7/23.0	7
39	7/23.0	7	7/23.0	7	39	7/23.0	7	7/23.0	7
40	7/23.0	7	7/23.0	7	40	7/23.0	7	7/23.0	7
41	7/23.0	7	7/23.0	7	41	7/23.0	7	7/23.0	7
42	7/23.0	7	7/23.0	7	42	7/23.0	7	7/23.0	7
43	7/23.0	7	7/23.0	7	43	7/23.0	7	7/23.0	7
44	7/23.0	7	7/23.0	7	44	7/23.0	7	7/23.0	7
45	7/23.0	7	7/23.0	7	45	7/23.0	7	7/23.0	7
46	7/23.0	7	7/23.0	7	46	7/23.0	7	7/23.0	7
47	7/23.0	7	7/23.0	7	47	7/23.0	7	7/23.0	7
48	7/23.0	7	7/23.0	7	48	7/23.0	7	7/23.0	7
49	7/23.0	7	7/23.0	7	49	7/23.0	7	7/23.0	7
50	7/23.0	7	7/23.0	7	50	7/23.0	7	7/23.0	7
51	7/23.0	7	7/23.0	7	51	7/23.0	7	7/23.0	7
52	7/23.0	7	7/23.0	7	52	7/23.0	7	7/23.0	7
53	7/23.0	7	7/23.0	7	53	7/23.0	7	7/23.0	7
54	7/23.0	7	7/23.0	7	54	7/23.0	7	7/23.0	7
55	7/23.0	7	7/23.0	7	55	7/23.0	7	7/23.0	7
56	7/23.0	7	7/23.0	7	56	7/23.0	7	7/23.0	7
57	7/23.0	7	7/23.0	7	57	7/23.0	7	7/23.0	7
58	7/23.0	7	7/23.0	7	58	7/23.0	7	7/23.0	7
59	7/23.0	7	7/23.0	7	59	7/23.0	7	7/23.0	7
60	7/23.0	7	7/23.0	7	60	7/23.0	7	7/23.0	7
61	7/23.0	7	7/23.0	7	61	7/23.0	7	7/23.0	7
62	7/23.0	7	7/23.0	7	62	7/23.0	7	7/23.0	7
63	7/23.0	7	7/23.0	7	63	7/23.0	7	7/23.0	7
64	7/23.0	7	7/23.0	7	64	7/23.0	7	7/23.0	7
65	7/23.0	7	7/23.0	7	65	7/23.0	7	7/23.0	7
66	7/23.0	7	7/23.0	7	66	7/23.0	7	7/23.0	7
67	7/23.0	7	7/23.0	7	67	7/23.0	7	7/23.0	7
68	7/23.0	7	7/23.0	7	68	7/23.0	7	7/23.0	7
69	7/23.0	7	7/23.0	7	69	7/23.0	7	7/23.0	7
70	7/23.0	7	7/23.0	7	70	7/23.0	7	7/23.0	7
71	7/23.0	7	7/23.0	7	71	7/23.0	7	7/23.0	7
72	7/23.0	7	7/23.0	7	72	7/23.0	7	7/23.0	7
73	7/23.0	7	7/23.0	7	73	7/23.0	7	7/23.0	7
74	7/23.0	7	7/23.0	7	74	7/23.0	7	7/23.0	7
75	7/23.0	7	7/23.0	7	75	7/23.0	7	7/23.0	7
76	7/23.0	7	7/23.0	7	76	7/23.0	7	7/23.0	7
77	7/23.0	7	7/23.0	7	77	7/23.0	7	7/23.0	7
78	7/23.0	7	7/23.0	7	78	7/23.0	7	7/23.0	7
79	7/23.0	7	7/23.0	7	79	7/23.0	7	7/23.0	7
80	7/23.0	7	7/23.0	7	80	7/23.0	7	7/23.0	7
81	7/23.0	7	7/23.0	7	81	7/23.0	7	7/23.0	7
82	7/23.0	7	7/23.0	7	82	7/23.0	7	7/23.0	7
83	7/23.0	7	7/23.0	7	83	7/23.0	7	7/23.0	7
84	7/23.0	7	7/23.0	7	84	7/23.0	7	7/23.0	7
85	7/23.0	7	7/23.0	7	85	7/23.0	7	7/23.0	7
86	7/23.0	7	7/23.0	7	86	7/23.0	7	7/23.0	7
87	7/23.0	7	7/23.0	7	87	7/23.0	7	7/23.0	7
88	7/23.0	7	7/23.0	7	88	7/23.0	7	7/23.0	7
89	7/23.0	7	7/23.0	7	89	7/23.0	7	7/23.0	7
90	7/23.0	7	7/23.0	7	90	7/23.0	7	7/23.0	7
91	7/23.0	7	7/23.0	7	91	7/23.0	7	7/23.0	7
92	7/23.0	7	7/23.0	7	92	7/23.0	7	7/23.0	7
93	7/23.0	7	7/23.0	7	93	7/23.0	7	7/23.0	7
94	7/23.0	7	7/23.0	7	94	7/23.0	7	7/23.0	7
95	7/23.0	7	7/23.0	7	95	7/23.0	7	7/23.0	7
96	7/23.0	7	7/23.0	7	96	7/23.0	7	7/23.0	7
97	7/23.0	7	7/23.0	7	97	7/23.0	7	7/23.0	7
98	7/23.0	7	7/23.0	7	98	7/23.0	7	7/23.0	7
99	7/23.0	7	7/23.0	7	99	7/23.0	7	7/23.0	7
100	7/23.0	7	7/23.0	7	100	7/23.0	7	7/23.0	7

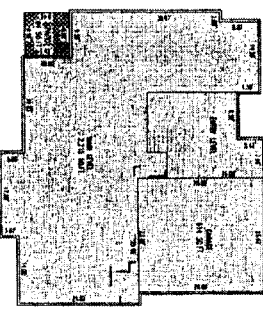
RECORD OF SURVEY MAP  
LOOKOUT AT DEER VALLEY

MANEL ENGINEERING  
AND LAND SURVEYING  
1000 N. 10TH ST., SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1111  
WWW.MANEL-ENGINEERING.COM

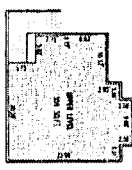
RECEIVED  
SEP 09 2005  
PARK CITY



UNIT 7 - LOWER LEVEL  
SCALE: 1/8" = 1'-0"

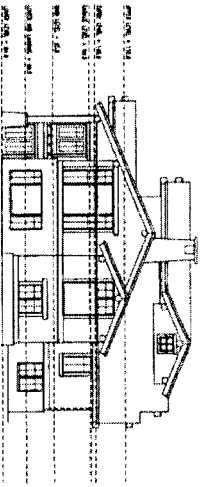


UNIT 7 - MAIN LEVEL  
SCALE: 1/8" = 1'-0"

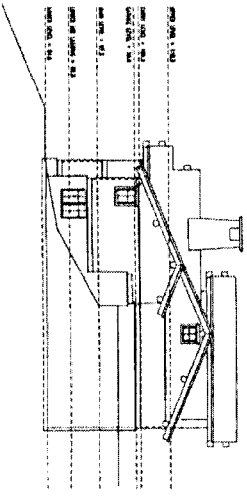


UNIT 7 - UPPER LEVEL  
SCALE: 1/8" = 1'-0"

**LEGEND**  
 [Symbol] FINISH FLOOR  
 [Symbol] FINISH CEILING  
 [Symbol] FINISH WALL



UNIT 7 - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 7 - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

**UNIT 7 - FINISHED FLOOR ELEVATIONS**

UNIT NO.	FLOOR	CONCRETE SLAB	FINISH FLOOR	FINISH CEILING	FINISH WALL
7	LEVEL	7984.5	7985.5	7985.5	7985.5
12	LEVEL	7979.5	7980.5	7980.5	7980.5
18	LEVEL	7974.5	7975.5	7975.5	7975.5
24	LEVEL	7969.5	7970.5	7970.5	7970.5

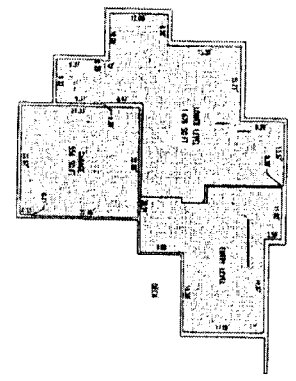
**MANTLE ENGINEERING AND LAND SURVEYING**  
 REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
 1000 N. 10TH STREET, SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111  
 WWW.MANTLE-ENG.COM

**RECEIVED**

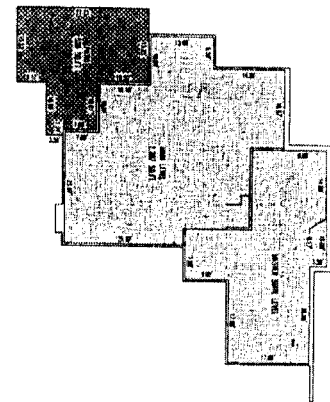
RECORD OF SURVEY MAP  
 LOOKOUT AT DEER VALLEY  
 2005 BY MANTLE ENGINEERING AND LAND SURVEYING  
 1000 N. 10TH STREET, SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111  
 SHEET 2 OF 11

SEP 03 2005  
 PARK CITY  
 BY [Signature]

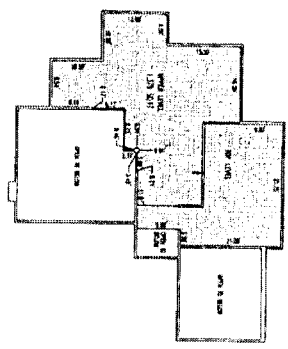




UNIT 'E' - LOWER LEVEL  
SCALE: 1/8" = 1'-0"

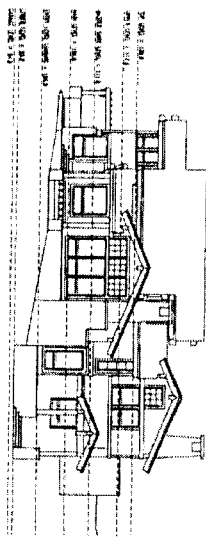


UNIT 'E' - MAIN LEVEL  
SCALE: 1/8" = 1'-0"

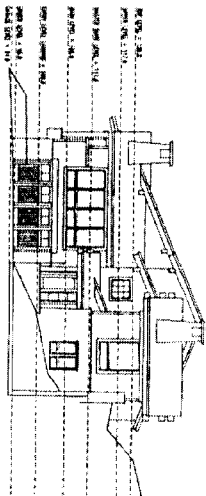


UNIT 'E' - UPPER LEVEL  
SCALE: 1/8" = 1'-0"

**LEGEND**  
 ■ FINISH FLOOR  
 ■ FINISH CEILING  
 ■ FINISH WALL



UNIT 'E' - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 'E' - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

UNIT 'E' FINISHED FLOOR ELEVATIONS

UNIT NO.	CONCRETE SLAB	FINISH FLOOR	FINISH CEILING	FINISH WALL	FINISH ROOF	FINISH BALCONY	FINISH TERRACE
11	802.0	802.0	802.0	802.0	802.0	802.0	802.0
12	803.0	803.0	803.0	803.0	803.0	803.0	803.0
13	804.0	804.0	804.0	804.0	804.0	804.0	804.0
20	797.5	797.5	797.5	797.5	797.5	797.5	797.5
21	798.5	798.5	798.5	798.5	798.5	798.5	798.5
22	799.5	799.5	799.5	799.5	799.5	799.5	799.5
23	800.5	800.5	800.5	800.5	800.5	800.5	800.5
24	801.5	801.5	801.5	801.5	801.5	801.5	801.5
25	802.5	802.5	802.5	802.5	802.5	802.5	802.5

**RECORD OF SURVEY MAP  
LOOKOUT AT DEER VALLEY**

SECTION 1  
 DEER VALLEY, PARK COUNTY, COLORADO  
 PREPARED BY: McNELL CONSULTING ENGINEERS, L.P.  
 DATE: SEP 09 2005

**McNELL ENGINEERING  
AND LAND SURVEYING**  
 1000 N. 10TH STREET, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.8800  
 FAX: 303.733.8801  
 WWW.MCNELL-ENGINEERING.COM



**RECEIVED**

SEP 09 2005

PARK CITY

**Ordinance No. 05-60**

**AN ORDINANCE APPROVING THE SPIRO CONDOMINIUMS  
COTTAGES "1"- "22" RECORD OF SURVEY PLAT, LOCATED AT  
1825 THREE KINGS DRIVE, PARK CITY, UTAH**

WHEREAS, the owner of lot 3 of the Silver Star Subdivision, located at 1825 Three Kings Drive, petitioned the City Council for approval of a condominium record of survey plat, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on September 28, 2005, to receive input on the proposed condominium plat; and

WHEREAS, the Planning Commission, on September 28, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on October 6, 2005, the City Council held a public hearing and approved the condominium record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the condominium record of survey plat, to allow individual units to be bought and sold.

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

**SECTION 1. APPROVAL.** The 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 in the RDM zoning districts.
2. The property is subject to the 2004 Spiro Tunnel MPD Development Agreement.
3. The Spiro Tunnel MPD Development Agreement sets forth a maximum density of 97 unit equivalents (UE). This first phase condominium plat identified 38 residential units (36.75 residential UE) ranging in size from 1,418 to 2,537 square feet and three commercial condominium units. Total commercial unit equivalents within the first phase are 3.54 UE.
4. This record of survey plat identifies 22 residential units (8 individual units and 14 paired units), ranging in size from 3,948 sf to 4,343 sf, with associated driveways and garages.

5. The project lies within the Theriot Springs Water Source Protection Zone.

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, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Spiro Tunnel MPD Development Agreement.

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 the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCRs, as a condition subsequent to plat recordation.
3. The applicant will record the Record of Survey 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 record of survey plat will be void.
4. All conditions of approval of the Spiro Tunnel MPD continue to apply.
5. All conditions of approval of the Silver Star subdivision plat continue to apply. All required notes regarding fire protection that are part of the Silver Star subdivision plat approval shall also be included on the record of survey plat, as a condition precedent to recordation. All easements, as shown on the subdivision plat, shall also be included on the record of survey plat for this lot.
6. The Owner shall certify on the plat that the condominium project will be built substantially as shown.
7. A financial guarantee for 125% of the value of public improvements shall be submitted prior to plat recordation, in an amount approved by the City Engineer and in a form approved by the City Attorney.

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

PASSED AND ADOPTED this 6th day of October, 2005.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:

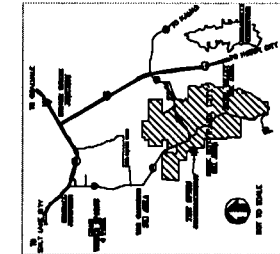
Janet M. Scott  
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney



# THE SPIRO CONDOMINIUMS COTTAGES "1" - "22"



**1. INTRODUCTION**  
This plan is submitted for approval to the Park City Planning Commission and the Park City Council. The project consists of the construction of 22 cottages on Lot 4, which is located on the east side of Main Street, between 200 North and 210 North. The project is situated on a 0.25-acre lot, which is currently zoned R-1. The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood. The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

**2. PROJECT DESCRIPTION**  
The project consists of the construction of 22 cottages, each approximately 1,200 square feet in size. The cottages are arranged in a row along the east side of Main Street, between 200 North and 210 North. The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

**3. LEGAL DESCRIPTION**  
The project is located on Lot 4, which is located on the east side of Main Street, between 200 North and 210 North. The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

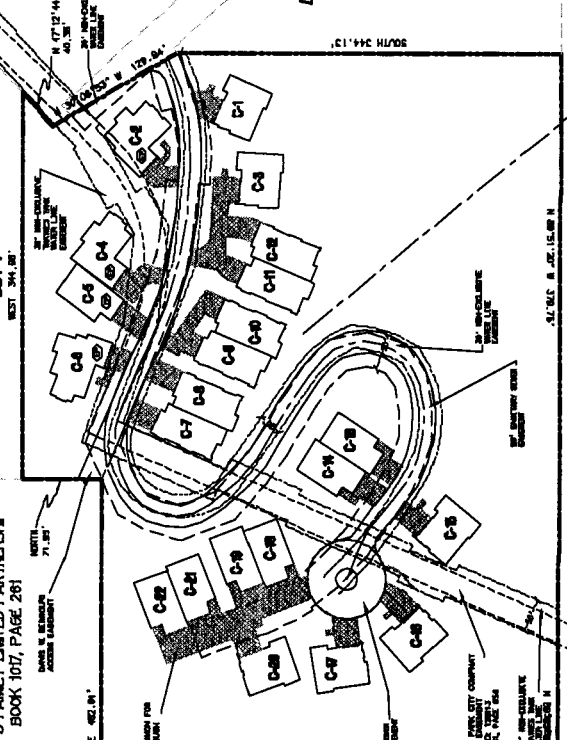
**4. CONFORMANCE WITH ZONING ORDINANCE**  
The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

**5. ACCESS TO PUBLIC UTILITIES**  
The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

**6. TRAFFIC IMPACT**  
The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

**7. ENVIRONMENTAL IMPACT**  
The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.

**8. CONCLUSION**  
The project is proposed to be developed in accordance with the Park City Comprehensive Zoning Ordinance, which requires that the project be designed to be compatible with the surrounding residential neighborhood.



BERNOLFO FAMILY LIMITED PARTNERSHIP  
BOOK 107, PAGE 261

LOT 4  
WEST 394.28'

- FRONT YARD SETBACK
- REAR YARD SETBACK
- SIDE YARD SETBACK
- CONCRETE DRIVE
- ASPHALT DRIVE

HERBERT S. ARNSTROM  
WILLIAM MELBORNE ARMSTRONG  
BOOK M28, PAGE 613

**PSOMAS**  
170 South Broadway, Suite 200  
Park City, Utah 84302  
(435) 764-1111

**SANDBERTELE BASIN WATER RECLAMATION**  
REVIEWED FOR COMPLIANCE TO SPOKANE BASIN WATER RECLAMATION DESIGN STANDARDS ON THE DAY OF \_\_\_\_\_, 2000 A.D.  
BY \_\_\_\_\_, C.S. REG. S.

**PLANNING COMMISSION**  
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.  
BY \_\_\_\_\_, CHAIRMAN

**CITY ENGINEER**  
APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.  
BY \_\_\_\_\_, CITY ENGINEER

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.  
BY \_\_\_\_\_, PARK CITY ATTORNEY

**CERTIFICATE OF ATTEST**  
I HEREBY THIS RECORD OF PLANNING MAP WAS APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.  
BY \_\_\_\_\_, PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**  
APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.  
BY \_\_\_\_\_, MAYOR

**RECORDED**  
COUNTY NO. \_\_\_\_\_ RECORD \_\_\_\_\_  
STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
RECORDED AND FILED AT THE RECORDER'S OFFICE  
COUNTY RECORDER

**SURVYOR'S CERTIFICATE**  
I, the undersigned, being a duly qualified and licensed Surveyor in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey and plat on file in my office, and that the same is in accordance with the provisions of the Utah Code, Sections 13-1-1 and 13-1-2, and that the same is in accordance with the provisions of the Utah Code, Sections 13-1-1 and 13-1-2.

DATE \_\_\_\_\_



**LEGAL DESCRIPTION**  
All of Lot 4, Block 107 of Park City, Utah, as shown on the official plat, known as the "Berkhof Family Limited Partnership Plat," recorded in the Office of the County Recorder, State of Utah, in Salt Lake County, Book 107, Page 261.

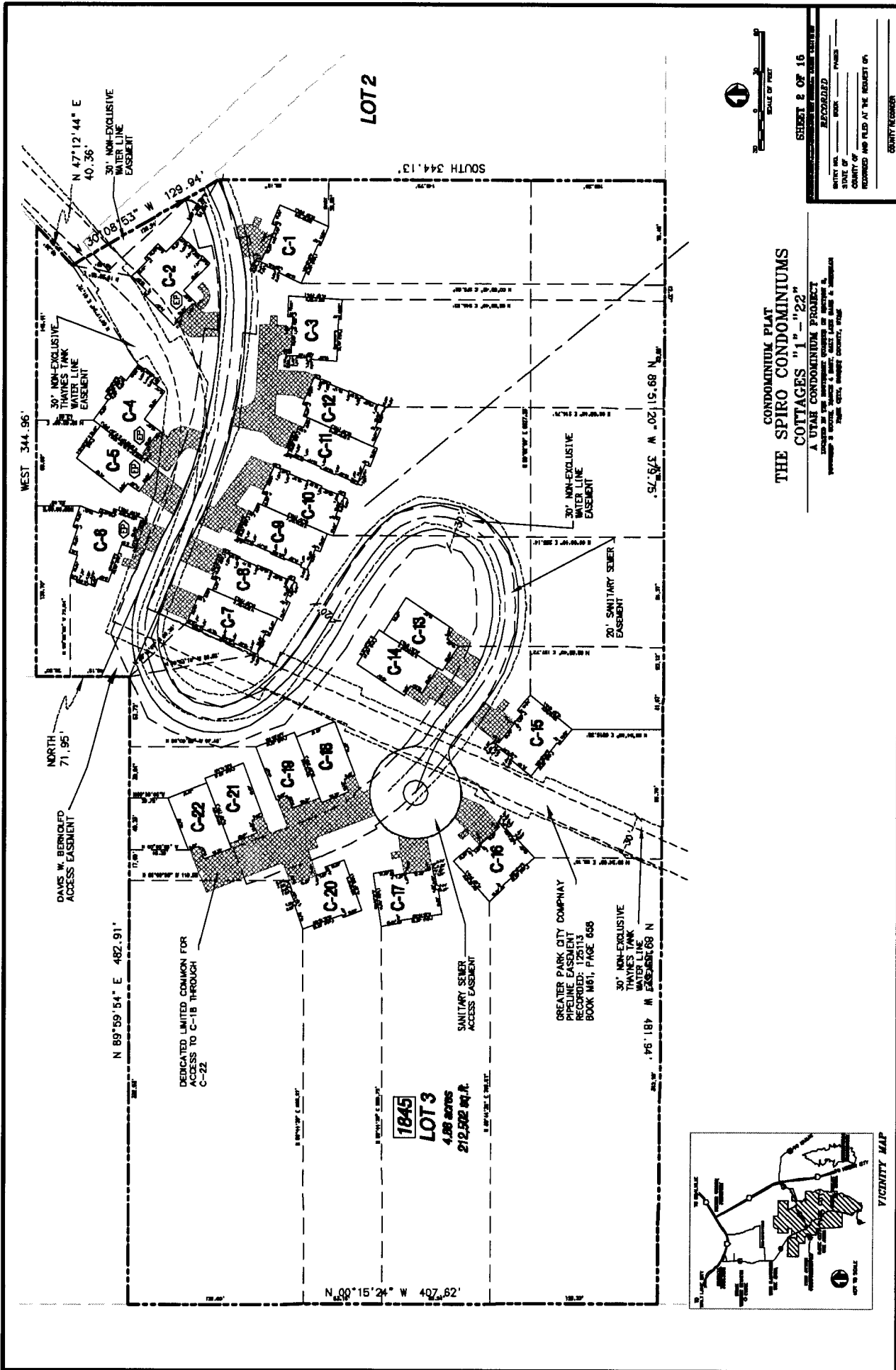
**OWNER'S DESIGNATION AND CONSENT TO RECORD**  
I, the undersigned, being the owner of the above described property, do hereby designate and consent to the recording of the above described plat, and I hereby authorize the undersigned to execute and record the same on behalf of the undersigned.

By \_\_\_\_\_  
Title \_\_\_\_\_

**ACKNOWLEDGMENT**  
I, the undersigned, being the owner of the above described property, do hereby acknowledge the recording of the above described plat, and I hereby authorize the undersigned to execute and record the same on behalf of the undersigned.

By \_\_\_\_\_  
Title \_\_\_\_\_

**CONDOMINIUM PLAT**  
**THE SPIRO CONDOMINIUMS**  
**COTTAGES "1" - "22"**  
A UTAH CONDOMINIUM PROJECT  
PREPARED BY PSOMAS ARCHITECTS & ENGINEERS  
PARK CITY, UTAH 84302



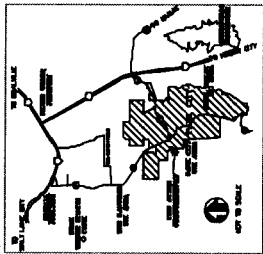
LOT 2

1845  
**LOT 3**  
 4.88 ACRES  
 212,522 sq. ft.

**CONDOMINIUM PLAT**  
**THE SPIRO CONDOMINIUMS**  
 COTTAGES "1" - "22"

A UTAH CONDOMINIUM PROJECT  
 PREPARED BY [Name] ARCHITECTS, INC.  
 1000 [Address] SALT LAKE CITY, UTAH 84143  
 PHONE: [Phone Number] FAX: [Phone Number]

SHEET 2 OF 16  
 RECORDED  
 BOOK [ ] PAGE [ ]  
 COUNTY OF [ ]  
 REQUIRED AND FILED AT THE REQUEST OF [ ]  
 COUNTY RECORDER



VICINITY MAP

**Ordinance No. 05-59**

**AN ORDINANCE APPROVING THE MUSTANG SUBDIVISION PLAT  
LOCATED AT 827 NORFOLK AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as 827 Norfolk Avenue have petitioned the City Council for approval of the Mustang Subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on September 14, 2005, to receive input on the Mustang Subdivision plat;

WHEREAS, the Planning Commission, on September 14, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 22, 2005 the City Council approved the Mustang Subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve Mustang Subdivision plat.

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

**SECTION 1. APPROVAL.** The Mustang Subdivision 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 827 Norfolk Avenue in the HR-1 zone.
2. The current legal description of the property is the northeasterly 22 feet of Lot 7 and the southerly 15.33 feet of Lot 8, Block 14 of Snyder's Addition to the Park City Survey.
3. There is a historic dwelling located on the property that has undergone extensive modifications to its original form.
4. The applicant is requesting a plat amendment to create a legal lot of record that will have 37.33 feet of frontage along Norfolk Avenue, and upto 78 feet of depth.

5. The proposed plat amendment will create a lot of approximately 2893 square feet in size, which complies with the minimum lot size requirement dictated by the LMC (15-2.2-3).
6. The new lot is to be adjacent to two other Old Town lots, on the east side of Norfolk Avenue, between 8<sup>th</sup> and 9<sup>th</sup> Street.
7. Access to the property is from Norfolk Avenue.
8. The minimum lot size in the HR-1 District is 1875 square feet.
9. Notice of this hearing was sent to property owners within 300' on August 3, 2005. Public notice was published in the Park Record August 1, 2005. No comments have yet been received.

#### **CONCLUSIONS OF LAW**

---

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the plat amendment is consistent with the Park City General Plan.

#### **CONDITIONS OF APPROVAL**

---

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
3. 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 and the plat will be void.

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

PASSED AND ADOPTED this 22<sup>nd</sup> day of September, 2005.

PARK CITY MUNICIPAL CORPORATION



\_\_\_\_\_  
Mayor Dana Williams



Attest

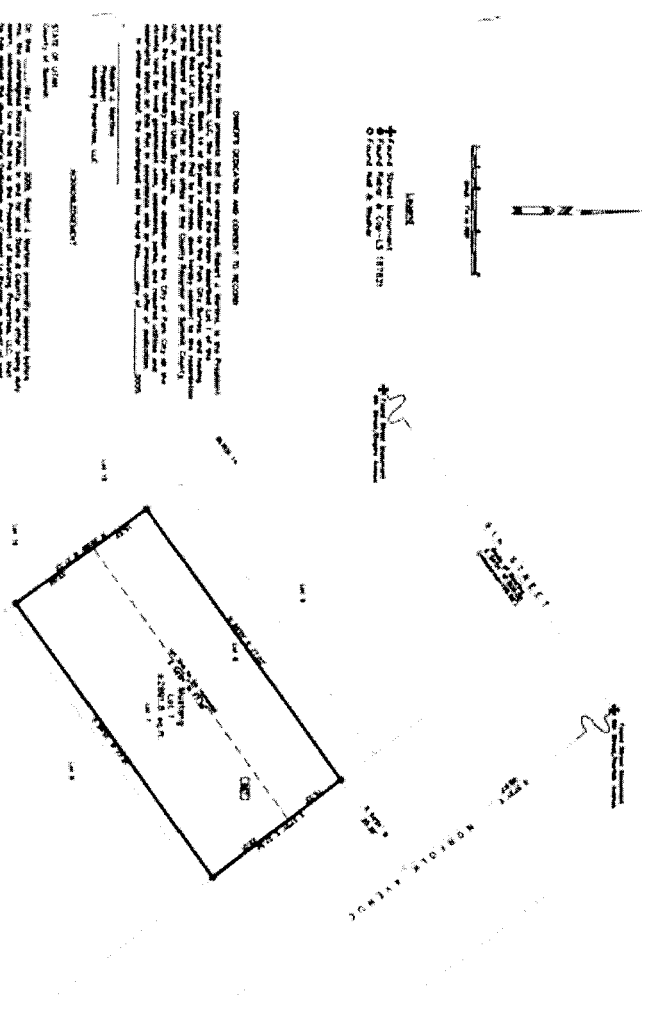
*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney



# Mustang Subdivision An Amendment to Block 14, Snyders Addition to the Park City Survey



**LEGAL DESCRIPTION**  
 Block 14, Snyders Addition to the Park City Survey, as shown on the Plat of Block 14, Snyders Addition to the Park City Survey, recorded in the County of Utah, State of Utah, Book 14, Page 14.

**LEGAL DESCRIPTION**  
 Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.

**LEGAL DESCRIPTION**  
 Mustang Subdivision

The legal description of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, is as follows: The Mustang Subdivision is a subdivision of land situated in the County of Utah, State of Utah, and is bounded by the following: On the north by the Snyders Addition to the Park City Survey, as shown on the Plat of Block 14, Snyders Addition to the Park City Survey, recorded in the County of Utah, State of Utah, Book 14, Page 14; on the south by the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14; on the east by the Norfolk Avenue, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14; and on the west by the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.

**SUBDIVISION CERTIFICATE**

I, J. C. Snyders, a Single Person, being the owner of the land hereinafter described, do hereby certify that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, and that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.

**STATE OF UTAH**  
 COUNTY OF UTAH  
 J. C. Snyders, Single Person, being the owner of the land hereinafter described, do hereby certify that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, and that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.

APPLICANT J. C. Snyders, Single Person 1234 Main Street Salt Lake City, Utah 84143	ENGINEER'S CERTIFICATE I, J. C. Snyders, a Single Person, being the owner of the land hereinafter described, do hereby certify that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, and that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.	APPROVAL BY THE BOARD I, J. C. Snyders, a Single Person, being the owner of the land hereinafter described, do hereby certify that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, and that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.	CERTIFICATE OF ATTORNEY I, J. C. Snyders, a Single Person, being the owner of the land hereinafter described, do hereby certify that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, and that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.	COUNCIL APPROVAL AND ACCEPTANCE I, J. C. Snyders, a Single Person, being the owner of the land hereinafter described, do hereby certify that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14, and that the land hereinafter described is the land of the Mustang Subdivision, as shown on the Plat of Mustang Subdivision, recorded in the County of Utah, State of Utah, Book 14, Page 14.	RECORDED JUL 11 2005 PARK CITY PLANNING DEPT.
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**Ordinance No. 05-58**

**AN ORDINANCE APPROVING THE LINE CONDOMINIUMS PLAT  
LOCATED AT 555 DEER VALLEY DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as 555 Deer Valley Drive have petitioned the City Council for approval of The Line Condominiums plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on September 14, 2005, to receive input on The Deer Valley Drive plat;

WHEREAS, the Planning Commission, on September 14, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 22, 2005 the City Council approved The Line Condominiums plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Line Condominium plat.

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

**SECTION 1. APPROVAL.** The Line Condominiums 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. Mountainlands Community Housing Association owns the land at 555 Deer Valley Drive.
2. The project will be known as 'The Line Condominiums', located in the southwest quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah.
3. In September of 2002, the City made a determination that the two houses located at 555 and 577 Deer Valley Drive are historically significant.
4. It was determined in September, 2002 that the applicant would reconstruct the historic buildings utilizing the materials from the historic buildings as identified in the Restoration Plan previously submitted by the applicant.
5. Mountainlands Community Housing Trust is currently developing the site into 22 moderate income housing units ranging from 650 square feet to 1000 square feet.

6. This request is to create a 22 unit condominium, within 12 residential structures, 10 new and two existing.
7. Units 2 to 9 and Units 11 to 22 are to be within new structures while Units 1 and 10 are within existing historic structures.
8. The two existing historic houses, originally addressed as 555 and 577 Deer Valley Drive, are to be converted into 1 bedroom apartment units.
9. There are 22 parking spaces associated with this project, each of them being integral garages located at the ground level of the units.
10. The garages are to be accessed by a shared internal shared roadway, which will have two access points from Deer Valley Drive, one at the west side of the site and the other at the east.
11. The development is consistent with the Master Plan Development and Conditional Use Permit which were approved by the Planning Commission on January 8, 2004.
12. Through a Historic District Design Review (September 2002), a Subdivision application (June 5, 2003) and a Master Plan Development (April 14, 2004) application, two metes and bounds parcels of land were combined to create one legal lot of record, and a final project design was established that incorporated the two historic houses into the proposed housing complex.
13. A Structural Report dated June 27, 2003 which indicated that the two dwellings lacked sufficient structural integrity for relocation and rehabilitation.
14. Staff has evaluated the overall project against the Land Management Code regulations for the RDM zoning district, and the project has received approval through a Master Plan Development application.
15. The plans presented with the Condominium Conversion application are consistent with the previously approved plans.
16. Notice of this hearing was sent to property owners within 300' on August 12, 2005. No formal comments have been filed at the time of this report.
17. The Planning, Engineering and Legal Departments have reviewed this request.
18. The City Engineer and City Attorney's Office will review the plat prior to recording.
19. The request was discussed at a Staff Review Meeting on July 26, 2005 where representatives from City Staff and local utility companies were in attendance.

### **Conclusions of Law**

1. There is good cause for this condominium plat.
2. This approval as conditioned is consistent with the Park City Land Management Code and applicable state law governing condominium plats.
3. This approval as conditioned does not adversely affect the health, safety, or welfare of the citizens of Park City.
4. Neither the public nor any person will be materially injured by this plat amendment.

### **Conditions of Approval**

1. City Attorney and City Engineer review and approve of the condominium plat and the CC&Rs for compliance with the Land Management Code and the

- conditions of approval.
2. This approval shall expire one year from the date of City Council approval, unless this condominium plat amendment is recorded at the Summit County Recorder's office prior to that date.
  3. All standard conditions of approval shall apply.

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

PASSED AND ADOPTED this 22<sup>nd</sup> day of September, 2005.

PARK CITY MUNICIPAL CORPORATION

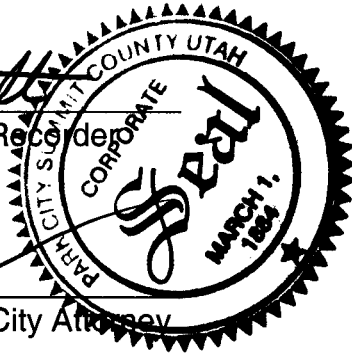
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

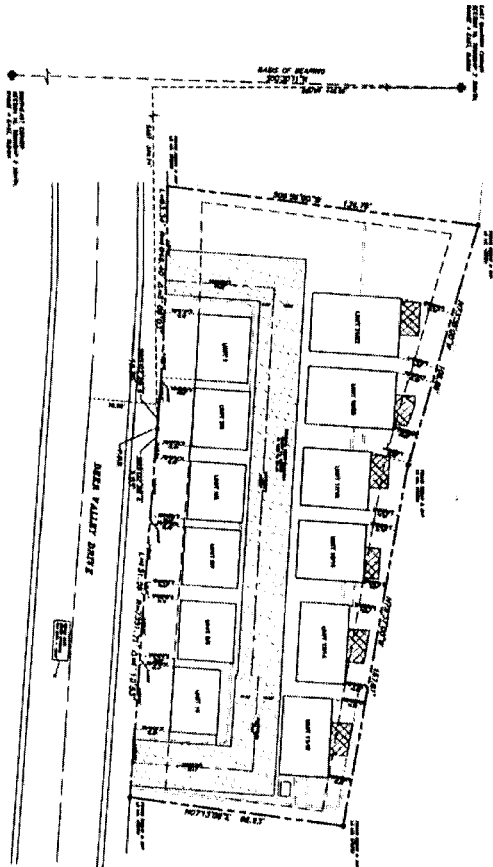
  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney



RECEIVED  
 JUL 08 2005  
 PARK CITY  
 PLANNING DEPT.



- LEGEND
- Existing Building Footprint
  - Proposed Addition to the Project



NOTES

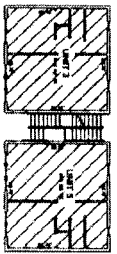
1. This plan shows the site to be subdivided.
2. The subdivision is subject to the approval of the Planning Commission.
3. The subdivision is subject to the approval of the City Council.
4. The subdivision is subject to the approval of the State Engineer.
5. The subdivision is subject to the approval of the State Board of Health.
6. The subdivision is subject to the approval of the State Board of Education.
7. The subdivision is subject to the approval of the State Board of Agriculture.
8. The subdivision is subject to the approval of the State Board of Conservation.
9. The subdivision is subject to the approval of the State Board of Public Safety.
10. The subdivision is subject to the approval of the State Board of Social Services.
11. The subdivision is subject to the approval of the State Board of Economic Development.
12. The subdivision is subject to the approval of the State Board of Labor Relations.
13. The subdivision is subject to the approval of the State Board of Public Utilities.
14. The subdivision is subject to the approval of the State Board of Transportation.
15. The subdivision is subject to the approval of the State Board of Natural Resources.
16. The subdivision is subject to the approval of the State Board of Environmental Quality.
17. The subdivision is subject to the approval of the State Board of Cultural Resources.
18. The subdivision is subject to the approval of the State Board of Historical Resources.
19. The subdivision is subject to the approval of the State Board of Archaeological Resources.
20. The subdivision is subject to the approval of the State Board of Anthropological Resources.

**THE LINE CONDOMINIUMS PLAT**

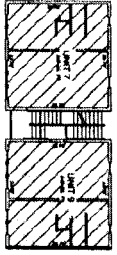
RECORD OF SURVEY MAP  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13,  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, LAKE COUNTY, UTAH

1 of 6

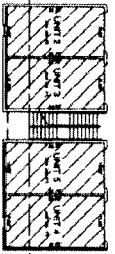
<b>BASELINE SERVICE, INC.</b> 500 East Lake Avenue Park City, Utah 84302 (801) 266-2100	CERTIFICATE OF ACTIVITY The City of Park City, Utah, hereby certifies that the above described project is in compliance with the provisions of the City of Park City Ordinance No. 10, as amended, and the provisions of the City of Park City Ordinance No. 11, as amended.	PLANNING COMMISSION The Planning Commission of the City of Park City, Utah, hereby certifies that the above described project is in compliance with the provisions of the City of Park City Ordinance No. 10, as amended, and the provisions of the City of Park City Ordinance No. 11, as amended.	COUNTY APPROVAL AND ACCEPTANCE The County of Lake, Utah, hereby certifies that the above described project is in compliance with the provisions of the County of Lake Ordinance No. 10, as amended, and the provisions of the County of Lake Ordinance No. 11, as amended.	CITY ENGINEER The City Engineer of the City of Park City, Utah, hereby certifies that the above described project is in compliance with the provisions of the City of Park City Ordinance No. 10, as amended, and the provisions of the City of Park City Ordinance No. 11, as amended.	STATEWIDE EARTH WATER REGULATION DISTRICT The Statewide Earth Water Regulation District of the State of Utah, hereby certifies that the above described project is in compliance with the provisions of the Statewide Earth Water Regulation District Ordinance No. 10, as amended, and the provisions of the Statewide Earth Water Regulation District Ordinance No. 11, as amended.	APPROVAL AS TO FORM The State Board of Surveyors, hereby certifies that the above described project is in compliance with the provisions of the State Board of Surveyors Ordinance No. 10, as amended, and the provisions of the State Board of Surveyors Ordinance No. 11, as amended.	RECORDS The State Board of Records, hereby certifies that the above described project is in compliance with the provisions of the State Board of Records Ordinance No. 10, as amended, and the provisions of the State Board of Records Ordinance No. 11, as amended.
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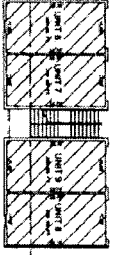
LEVEL 2 FLOOR PLAN



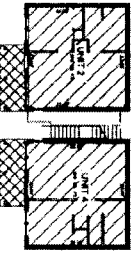
LEVEL 2 FLOOR PLAN



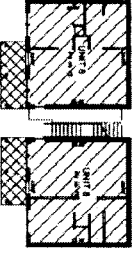
LEVEL 1 FLOOR PLAN



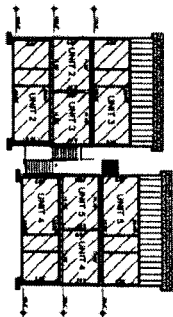
LEVEL 1 FLOOR PLAN



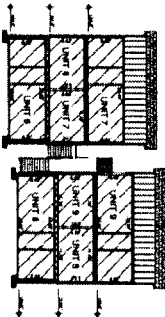
BASEMENT FLOOR PLAN



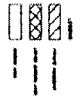
BASEMENT FLOOR PLAN



SECTION A1

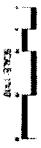


SECTION A2

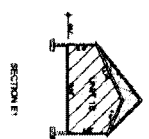
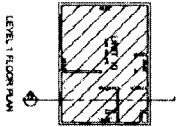
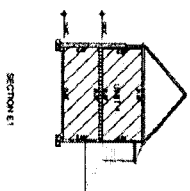
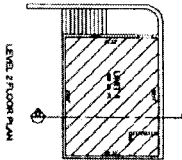
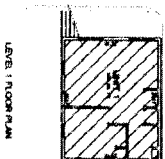


### THE LINE CONDOMINIUMS PLAT

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<p>BASELINE SURVEYING, INC.                  2801 Lake Park Avenue                  Suite 200                  Atlanta, Georgia 30305                  (404) 252-1173</p>		<p>REGISTERED PROFESSIONAL SURVEYOR                  STATE OF GEORGIA                  No. 10000                  EXPIRES 12/31/2008</p>
<p>DATE: 08/11/08                  DRAWN BY: J. W. BROWN                  CHECKED BY: J. W. BROWN</p>		<p>DATE: 08/11/08                  DRAWN BY: J. W. BROWN                  CHECKED BY: J. W. BROWN</p>



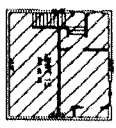
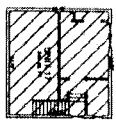
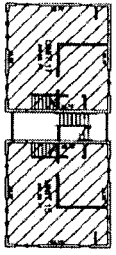
**THE LINE CONDOMINIUMS PLAT**

LOCATED IN  
 THE COUNTY OF CLATSOP, STATE OF OREGON  
 S41° 12' 00" E 1/4 Sec 10, T12N, R12E, S10W  
 S41° 12' 00" E 1/4 Sec 11, T12N, R12E, S10W

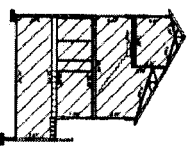
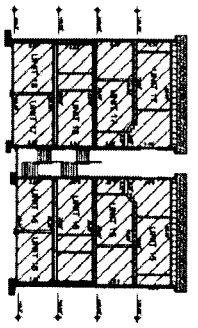
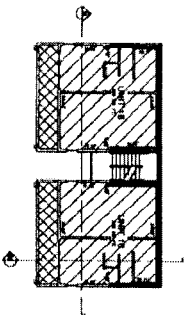
**BASELINE SURVEYING, INC.**  
 1000 SW 12th Street, Astoria, Oregon 97103  
 (503) 325-2222

**RECORDED**  
 DATE OF RECORDING: 08/11/2011  
 BOOK: 10000  
 PAGE: 3 OF 6



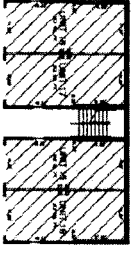


LEVEL 3 FLOOR PLAN

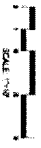
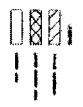


SECTION B1

SECTION B2



BASEMENT FLOOR PLAN

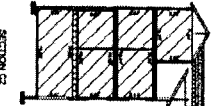
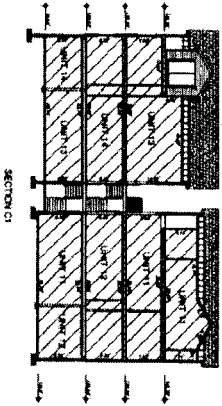
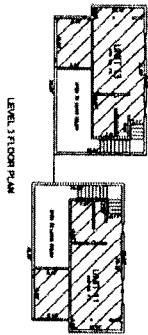
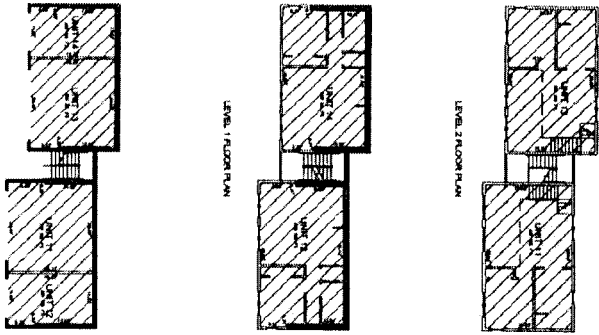


**THE LINE CONDOMINIUMS PLAT**

LOCATED IN THE CONDOMINIUM SUBDIVISION OF SECTION 13, T4S, R10E, S44W, 11TH DISTRICT, SHERIDAN COUNTY, WYOMING

**BASELINE SURVEYING, INC.**  
 1000 WEST 2ND AVENUE, SUITE 100  
 DENVER, COLORADO 80202-1113  
 (303) 733-4113

REGISTERED PROFESSIONAL SURVEYOR  
 STATE OF WYOMING  
 No. 1000  
 EXPIRES 12/31/2008



**THE LINE CONDOMINIUMS PLAT**

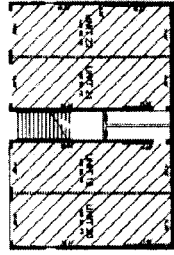
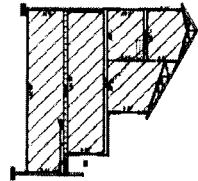
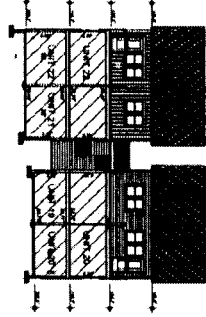
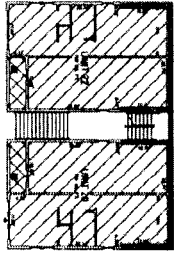
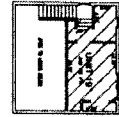
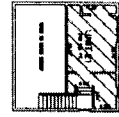
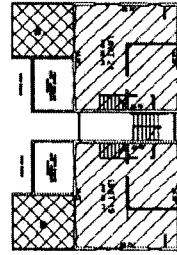
LOCATED IN SECTION 13  
 THE EASTWEST QUARTER OF SECTION 13  
 T10N 141E S04E AND NEARBY  
 STANBURY COUNTY, IOWA

**BASELINE SURVEYING, Inc.**  
 1001 East 10th Street, Des Moines, IA 50319  
 Phone: (515) 281-1111  
 Fax: (515) 281-1112  
 Website: www.baseline-surveying.com

PROJECT NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

SCALE: \_\_\_\_\_



# THE LINE CONDOMINIUMS PLAT

LOCATED IN SECTION 15  
 TOWNSHIP 1 NORTH, RANGE 4 EAST,  
 DISTRICT OF CANTON, ALBERTA

**BASELINE SURVEYING, INC.**  
 1000 - 10th Avenue, Suite 100  
 Calgary, Alberta T2C 1P3

RECORDED  
 DATE OF DEPOSIT: \_\_\_\_\_  
 DATE OF DEPOSIT: \_\_\_\_\_  
 DATE OF DEPOSIT: \_\_\_\_\_  
 DATE OF DEPOSIT: \_\_\_\_\_

**Ordinance No. 05- 57**

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH  
CREATING SECTION 15-4-20, SPECIAL EVENTS OVERCROWDING  
ADMINISTRATIVE CONDITIONAL USE PERMIT**

**WHEREAS**, There are times during the year where existing businesses would like the ability to increase their stated occupancy load on a temporary basis to accommodate increased demand; and

**WHEREAS**, City services and land use regulations are based upon the normal uses and occupancy limits established by Code.

**WHEREAS**, many individual sections of various municipal codes regulate temporary uses, but there is no centralized review process for these temporary increases; and

**WHEREAS**, The City recognizes the need for flexibility to accommodate temporary events; and

**WHEREAS**, the City supports reasonable ways to improve economic development within the City.

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

**SECTION ONE. AMENDMENT.** The Land Management Code of Park City, Title15, Chapter 4, is hereby amended to create Section 15-4-20 as follows:

**15-4 -20. SPECIAL EVENTS OVERCROWDING ADMINISTRATIVE CONDITIONAL USE PERMIT.**

**(A) PURPOSE.** The intent of these regulations is to allow temporary overcrowding of events only if adverse impacts on the character of neighboring Property can be mitigated and issues of public safety, traffic and parking are provided for. Such Uses will be permitted where the adjacent Street system is sufficient to accommodate the traffic impacts generated by said overcrowding; where the Property can accommodate adequate Off-Street parking; where the Structures are designed to safely accommodate overcrowding; and where the type of Use, and impacts are Compatible with the Uses otherwise permitted in the zone.

**(B) DURATION.** An overcrowding permit allows the increase in occupancy for a total of fifteen (15) days per calendar year per Building. These days are not required to be consecutive.

**(C) APPLICATION.** An Application must be submitted 30 days prior to the Use, to the Planning Department including the following information:

(1) General Description. A narrative and Site plan of the proposed Use, including hours of operation, maximum occupancy, private or public activity, number of invitations sent, if a private event, or estimate of overall attendance, crowd management plan, security, deliveries, music or sound plan, including use of speakers, any beer or liquor license, any sign or lighting plan, parking plan, and any other applicable information.

(2) Floor Plan. To scale, indicating in detail how the proposal will comply with applicable sections of the International Building Code. This plan will indicate any chairs, tables, exits, sanitation, heating, food service/handling etc.

(3) All applicable fees. (Refer to fee schedule resolution)

(4) Any requested additional City or governmental services or equipment.

**(D) REVIEW CRITERIA.** In addition to the criteria and standards of review from LMC Chapter 1-15-10, staff must review the following:

(1) The Applicant shall provide written notice of the Property Owner's consent to the proposed event.

(2) The proposed Use shall not preclude Public Use of public Parking Spaces.

(3) An entrance plan, including patron waiting line capacity. Any use of exterior space for wait list or lines must be mitigated through the use of barricades and/or security. Pedestrian International Building Code compliant Access along the public-way must be maintained, unless otherwise approved by the Chief Building Official.

(4) The Use shall not violate Section 6-3-9(B) of the City Noise Ordinance.

(5) The Application and all signing shall comply with the Municipal Sign and Lighting Codes.

(6) The Use shall comply with the Summit County Health Code, the Fire Code, and State regulations on mass gathering.

(7) The Use shall not violate the International Building Code (IBC).

(8) Applicant shall submit a delivery plan in compliance with the delivery ordinance.

(9) The Applicant shall adhere to all applicable City and State licensing ordinances.

(10) The Applicant must have an approved operational permit according to the requirements of the International Fire Code prior to the issue of a permit.

(11) No existing LMC or International Building Code violations are on the property.

The Fire Marshall may conduct a Site inspection at any time during the event to ensure compliance with the above criteria.

**SECTION TWO. EFFECTIVE DATE.** This Ordinance shall become effective upon publication.

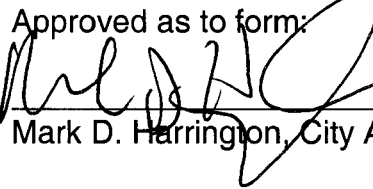
PASSED AND ADOPTED this 22<sup>nd</sup> day of September, 2005.

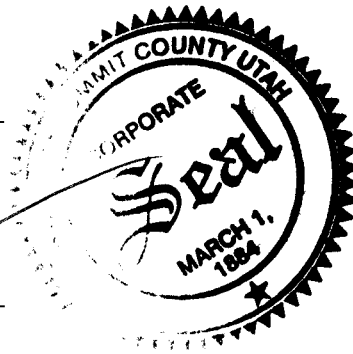
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:  
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**Ordinance No. 05-56**

**AN ORDINANCE APPROVING A ONE YEAR EXTENSION OF A PLAT AMENDMENT TO COMBINE LOTS 1-3 IN BLOCK 30 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD AT 819 EMPIRE AVENUE.**

WHEREAS, the owners of the property known as 819 Empire Avenue have petitioned the City Council for approval of an extension to a plat amendment; and

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

WHEREAS, on September 30, 2004, the City Council approved proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the one year extension to the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

**Findings of Fact**

1. The property located at 819 Empire Avenue is located in the HR-1 zone.
2. There are no existing buildings on the property.
3. Plat amendments expire one year from the date of Planning Commission approval
4. The applicant is requesting a one year time extension of the plat to combine 3 old town lots into one lot of record, for the purpose of constructing a single family home.
5. No changes to the existing approval are proposed at this time.
6. Because no changes are proposed, no change in circumstance has occurred since the previous approval that would result in an unmitigated impact to the community as a result of the extension.
7. The applicant received approval for a subdivision plat amendment on September 30, 2004
8. The approval will expire on September 30, 2005.
9. No building permits will be issued for the property until the plat amendment is recorded at the county.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

**Conclusions of Law**

1. There is good cause for this extension.

2. The extension 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 extension.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

**Conditions of Approval**

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 Park City Land Management Code, and the conditions of approval prior to recordation of the plat.
2. All conditions of approval for the plat amendment will continue to apply as found in the City Council approval on September 30, 2004.
3. 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 and the plat will be void.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PARK CITY MUNICIPAL CORPORATION

*Dana Williams*

Mayor Dana Williams

Attest:

*Janet M. Scott*

Janet M. Scott, City Recorder



Approved as to form:

*Mark D. Harrington*

Mark D. Harrington, City Attorney



**SURVEYOR'S CERTIFICATE**

I, **DAVID L. SNYDER**, Surveyor for the State of Michigan, do hereby certify that the foregoing plat of the amended lots 1-3, block 30 of Snyder's Addition to the Park City Survey, Range 4 East, T142N, R14W, Township 2 South, Range 4 East, Salt Lake Base and Meridian, is a true and correct copy of the original plat on file in my office, and that the same has been correctly surveyed and shown on the ground.

**REMARKS:**

The original plat of the amended lots 1-3, block 30 of Snyder's Addition to the Park City Survey, Range 4 East, T142N, R14W, Township 2 South, Range 4 East, Salt Lake Base and Meridian, was filed in my office on the 15th day of August, 1924, and is a true and correct copy of the original plat on file in my office, and that the same has been correctly surveyed and shown on the ground.

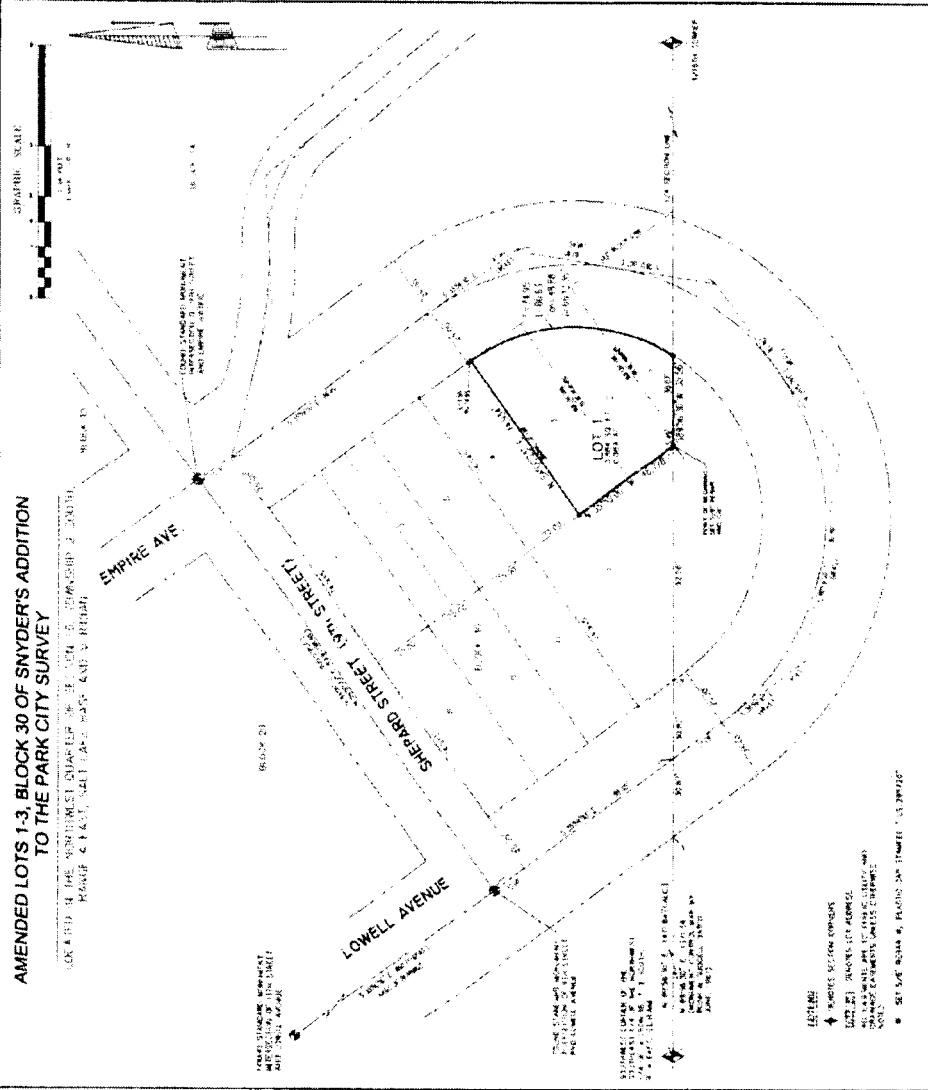
**OWNER'S DECLARATION**

I, **DAVID L. SNYDER**, do hereby declare that the foregoing plat of the amended lots 1-3, block 30 of Snyder's Addition to the Park City Survey, Range 4 East, T142N, R14W, Township 2 South, Range 4 East, Salt Lake Base and Meridian, is a true and correct copy of the original plat on file in my office, and that the same has been correctly surveyed and shown on the ground.

**ACKNOWLEDGMENT**

Subscribed and sworn to before me on the 15th day of August, 1924, at the City of Detroit, Michigan.

**NOTARY PUBLIC**  
**RESIDING IN SEBASTIAN COUNTY**



<p><b>APPROVED BY:</b>  <b>PETERSON ENGINEERING, L.C.</b>          1000 W. WASHINGTON ST.          DETROIT, MICH. 48226</p>	<p><b>APPROVED BY:</b>  <b>PETERSON ENGINEERING, L.C.</b>          1000 W. WASHINGTON ST.          DETROIT, MICH. 48226</p>	<p><b>APPROVED BY:</b>  <b>PETERSON ENGINEERING, L.C.</b>          1000 W. WASHINGTON ST.          DETROIT, MICH. 48226</p>	<p><b>APPROVED BY:</b>  <b>PETERSON ENGINEERING, L.C.</b>          1000 W. WASHINGTON ST.          DETROIT, MICH. 48226</p>	<p><b>APPROVED BY:</b>  <b>PETERSON ENGINEERING, L.C.</b>          1000 W. WASHINGTON ST.          DETROIT, MICH. 48226</p>	<p><b>APPROVED BY:</b>  <b>PETERSON ENGINEERING, L.C.</b>          1000 W. WASHINGTON ST.          DETROIT, MICH. 48226</p>
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**Exhibit A - Proposed Plat Amendment**

PETER BARNES DESIGNS INC

August 11, 2005

Patrick Putt  
Senior Planning Administrator  
Park City Municipal Corporation

Dear Pat:

819 EMPIRE AVENUE: REPLAT AND DESIGN REVIEW

As per our discussion I would like to formally request an extension of time for the recordation of the modified plat (lots 1, 2 & 3 block 30 SA). As you know, the owner Magnus Floden, lives in Australia and communication and travel difficulties have caused unforeseen delays to this particular project.

Mr Floden also owns lots 4 and 11 of the same block and encountered some minor obstacles in the pursuit of permits for those projects. Re-evaluation of our options and resolution of those concerns caused significant unforeseen delays. Whilst everything now seems to be back on track we are behind schedule and it has become apparent that we are in danger of missing the deadline for replat recordation and building permit issuance for the proposed house at 819 Empire.

We believe the city council action is dated Sept 30 2004 (notice of action dated Oct 4<sup>th</sup>). Whilst it is still our intention to move ahead as originally planned we are highly unlikely to be able to meet the Sept 30 2005 deadline. In addition and for the same reasons we would also request an extension of time to the Historic District Design Review which is scheduled to expire on October 13 2005

Sincerely,

Peter Barnes

Cc Magnus Floden

Ordinance 05-55

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 2, SECTION 3, OF  
THE MUNICIPAL CODE OF PARK CITY PROVIDING FOR THE REGULATION OF  
STOPPING OR PARKING ON STREETS IN THE PARKING CODE**

WHEREAS, the Parking Code was adopted by the City Council to establish regulations for parking on city streets and to establish safe use of public rights of way; and

WHEREAS, the City Council desires to amend the Parking Code to address occasional use by Hot Air Balloons to prevent landings which block safe vehicle passage; and

WHEREAS, the City Council finds that this amendment is necessary and proper to protect the general health, welfare and safety of its citizens, promote peace and good order, and for the protection of property in the City.

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

**SECTION I. AMENDMENT.** According to the intent of the recitals above which are incorporated herein as the legislative finding of the City Council, Title 9, Chapter 2, Section 3 of the Municipal Code of Park City is hereby amended as follows:

**9-2-3. STOPPING OR PARKING ON STREETS.**

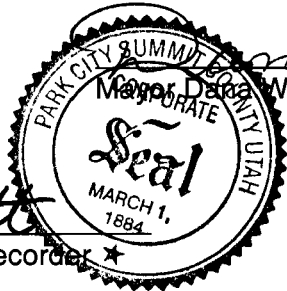
No person shall park a vehicle, whether attended or not attended, on the traveled portion of a street when it is possible under the existing conditions to park the vehicle off the traveled portion of the street. When stopping or parking a vehicle, it must be parked in a manner that leaves an unobstructed width along the vehicle for the passage of other vehicles.

This section shall not apply to vehicles which are parked as a result of mechanical failures or otherwise disabled to an extent that the vehicle cannot be moved out of the traffic lane. It is the duty of the owner or operator of the disabled vehicle to activate warning lights on the vehicle, and to open the hood in order to give notice to other vehicles on the street that traffic is blocked by a disabled vehicle. It is also the duty of the owner or operator of a disabled vehicle to obtain assistance as soon as possible under the circumstances to have the disabled vehicle removed from the traffic lane.

For purposes of this section, a Hot Air Balloon shall be considered a vehicle.

**SECTION II. EFFECTIVE DATE.** This Ordinance shall become effective upon publication.

PARK CITY MUNICIPAL CORPORATION

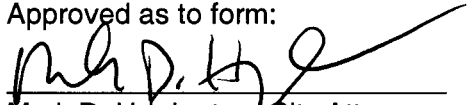


*Ma Williams*  
Mayor

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

**Ordinance No. 05-54**

**AN ORDINANCE APPROVING AN RECORD OF SURVEY PLAT FOR THE DEER VALLEY DRIVE CONDOMINIUMS, LOCATED AT 345, 355, AND 365 DEER VALLEY DRIVE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as Deer Valley Drive Condominiums, has petitioned the City Council for approval of a subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on August 10, 2005 the Planning Commission held a public hearing to receive public input on the proposed subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed subdivision allows the property owner to condominiumize three duplex buildings into six separate units; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the subdivision.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

**Findings of Fact**

1. Legally, the three parcels of land are known as; Lot A of the Ski Down Subdivision (365 Deer Valley Drive – owned by MM&G Investments, LLC), Lot B of the Ski Down Subdivision (355 Deer Valley Drive – owned by Michael Posner), and the Westerly ½ of Lot 16, all of Lots 17 and 18, and the Westerly ½ of Lot 19, Block 65, Amended Plat of Park City Survey.
2. The owners are proposing to condominiumize three duplex structures, in order to sell the units separately.
3. The applicant has received a building permit for 365 and 355 Deer Valley Drive and excessive disturbance to the hillside has occurred.
4. Because of the disturbance, excessive excavation and soils hauling is occurring.
5. This request is to create a six unit condominium, within three residential structures.
6. The first building will be constructed at 365 Deer Valley Drive, and will contain two condo units, side-by-side.
7. The next building is to be constructed at 355 Deer Valley Drive, and will also contain two side-by-side condominium units.

8. The final building will be constructed at 345 Deer Valley Drive, and will contain two condominium units, one on top of the other.
9. Front yard setbacks are 20' for each building.
10. The side yard setbacks are 5 feet.
11. Notice of this hearing was sent to property owners within 300' on July 12, 2005.
12. The Ski-Down subdivision created a 75-foot rear yard setback. This setback will remain in effect.
13. There has been significant disturbance in the rear of Units 5 and 6 up to 30 feet from the property line.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

**Conclusions of Law**

1. There is good cause for this condominium plat.
2. This approval as conditioned is consistent with the Park City Land Management Code and applicable state law governing condominium plats.
3. This approval as conditioned does not adversely affect the health, safety, or welfare of the citizens of Park City.
4. Neither the public nor any person will be materially injured by this plat amendment.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

**Conditions of Approval**

1. City Attorney and City Engineer review and approval of the condominium plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording.
2. The applicant stipulates to the conditions of approval.
3. Units 5 and 6 will maintain a 50-foot limit of disturbance area from the rear yard setback.
4. No building is allowed within the common or limited common areas shown on the condominium plat.
5. No disturbance or trespass of any kind is approved onto the City's adjacent Allison Street right-of-way during or after construction of the third duplex
6. This approval shall expire one year from the date of City Council approval, unless this condominium plat amendment is recorded at the Summit County Recorder's office prior to that date.
7. All standard conditions of approval shall apply.
8. No utility reconstruction is approved. The CC&RS shall address utility billing for any shared utility services.
9. Units 5 and 6 will maintain a 50-foot setback from the rear of the property.
10. The existing disturbed area in the rear yard setback shall not be improved with any structures, patios, decks or similar improvements.
11. Units 5 and 6 will maintain a 30-foot limit of disturbance from the rear yard

setback. No additional expansions of the limits of disturbance are permitted.  
12.A landscape/regarding plan shall be reviewed and approved by the City  
landscape architect prior to the issue of a building permit.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect  
upon publication.

PASSED AND ADOPTED this 25<sup>th</sup> day of August 2005.

PARK CITY MUNICIPAL CORPORATION



*Dana Williams*  
Dana Williams

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

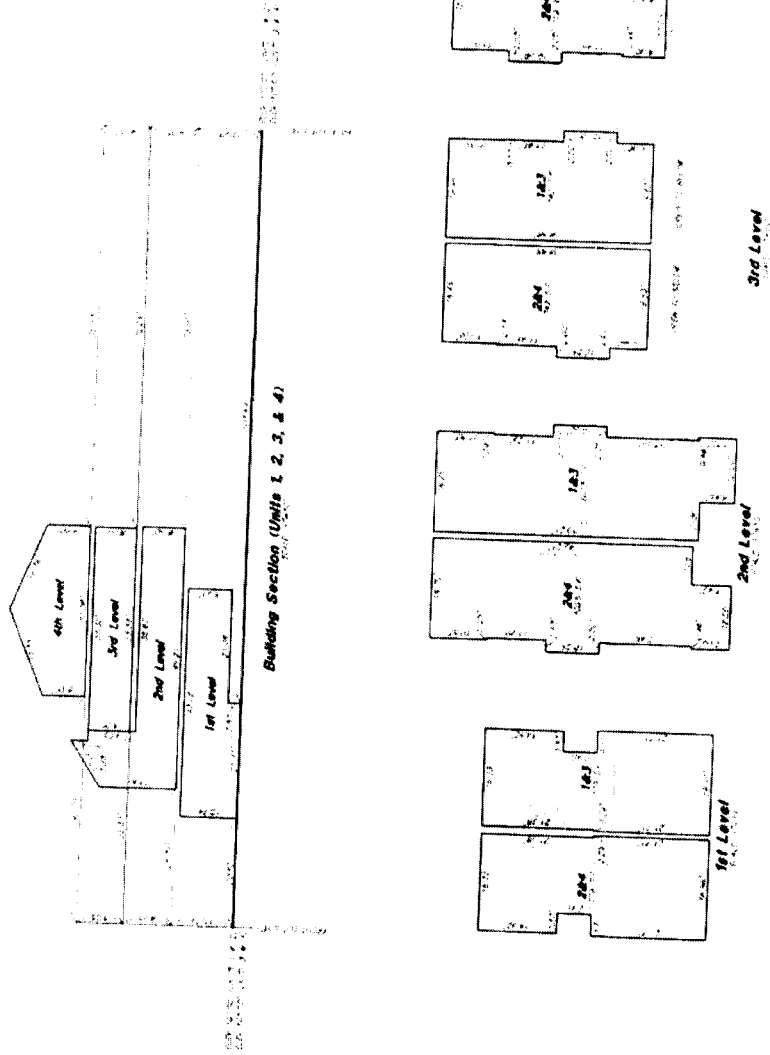
*Mark D. Harrington*  
Mark D. Harrington, City Attorney





# DEER VALLEY DRIVE CONDOMINIUMS

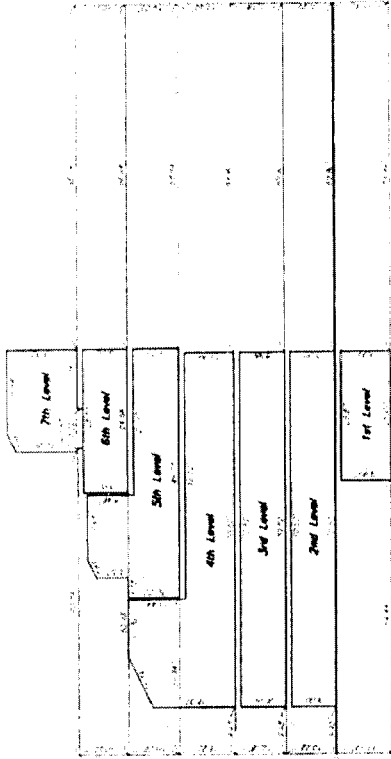
THE WESTERN HALF OF LOTS 12 & 23 AND ALL OF LOTS 13 TO 22 OF BLOCK 85, PARK CITY, UTAH, S.W. 1/4, S.1/2, R.4E, S.1/2, S.W. 1/4, U.S. SURVEY  
PARK CITY, SUMMIT COUNTY, UTAH  
MAY, 2005



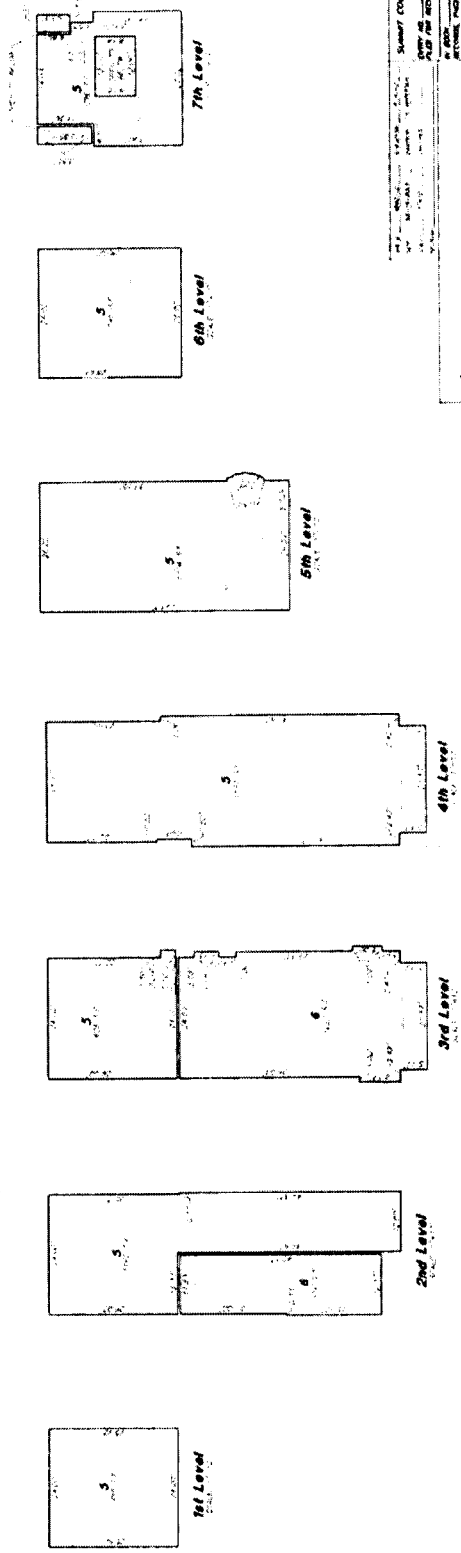
DATE: 5/10/05  
BY: [Signature]  
SCALE: AS SHOWN  
SHEET: 2 OF 3

# DEER VALLEY DRIVE CONDOMINIUMS

THE WESTERN HALF OF LOTS 12 & 21 AND ALL OF LOTS 13 TO 27 OF BLOCK 63, PARK CITY SURVEY, LOCATED IN SECTION 16, T2S, R4E, S11B&W, U.S. SURVEY, PARK CITY, SUMMIT COUNTY, UTAH



Building Section (Units 5 & 6)



REEVE & ASSOCIATES, INC.  
 Surveyors, Engineers, Planners, Architects  
 1000 N. 1000 E. SUITE 100  
 PARK CITY, UTAH 84302  
 PHONE: (435) 798-1111  
 FAX: (435) 798-1112  
 WWW: WWW.REEVE-ASSOCIATES.COM

**Ordinance No. 05-53**

**AN ORDINANCE APPROVING THE FIRST SUPPLEMENT TO AMENDED AND RESTATED RECORD OF SURVEY FOR HOTEL PARK CITY, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Hotel Park City located at 2001 Park Avenue have petitioned the City Council for approval of the first supplement to amended and restated record of survey for Hotel Park City; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 10, 2005, to receive input on the first supplement to amended and restated record of survey for Hotel Park City;

WHEREAS, the Planning Commission, on August 10, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 25, 2005 the City Council approved the first supplement to amended and restated record of survey for Hotel Park City; and

WHEREAS, it is in the best interest of Park City, Utah to approve the first supplement to amended and restated record of survey for Hotel Park City.

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

**SECTION 1. APPROVAL.** The first supplement to amended and restated record of survey for Hotel Park City 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 2001 Park Avenue and is zoned Recreation Commercial with Master Planned Development (RC-MPD).
2. The supplement amends the convertible space on sheet 2 of 14 to owner storage and creates units in the cottage buildings.
3. The proposal is for seven units (B, E, F, G, I, J, K) with two residential units plus a lockout in each building and three units (C, D, and H) with six (6) individual units for a total of 32 units and 46 "keys". The 10 buildings will utilize 16.5 Unit Equivalentents.
4. The proposed structures comply with the minimum setbacks and height requirements.
5. The existing/built parking is 210 spaces, which included these UEs in the initial

- calculation, and is available to these units as common area.
6. A subdivision approved by the Park City Council on August 9, 2001 created a single lot. A Record of Survey was approved on June 6, 2002.
  7. Condominiums are an allowed use in the RC zone.
  8. On August 10, 2005, the Planning Commission heard this item and forwards a positive recommendation.

Conclusions of Law:

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

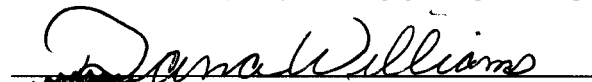
Conditions of Approval:

1. The Conditions of Approval for the Hotel Park City Master Plan Approval (Island Outpost), as amended, remain in full force and effect.
2. 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 the conditions of approval prior to recordation of the plat.
3. The applicant will record the Record of Survey 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 and the plat will be void.

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

PASSED AND ADOPTED this 25th day of August, 2005.

PARK CITY MUNICIPAL CORPORATION

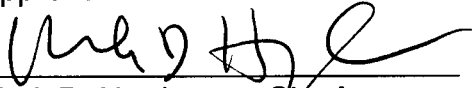
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder



Approved as to form:



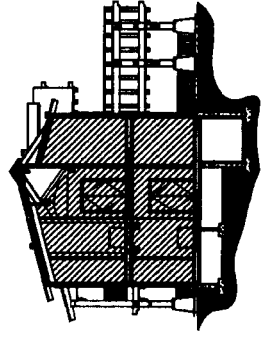
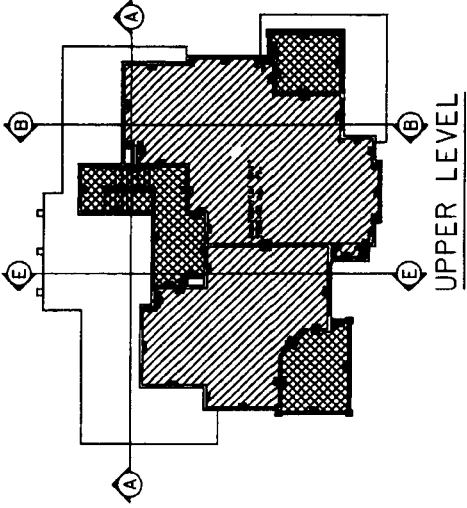
Mark D. Harrington, City Attorney



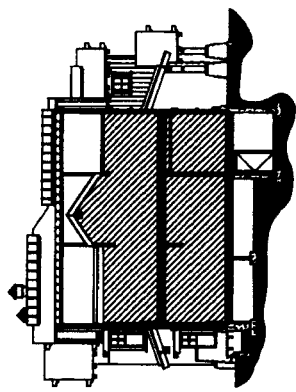
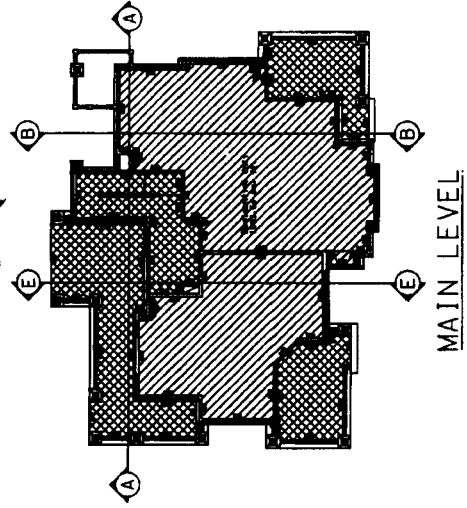


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 SUMMIT COUNTY RECORDER

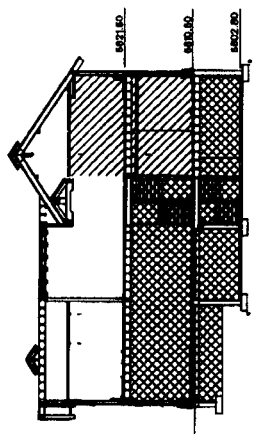
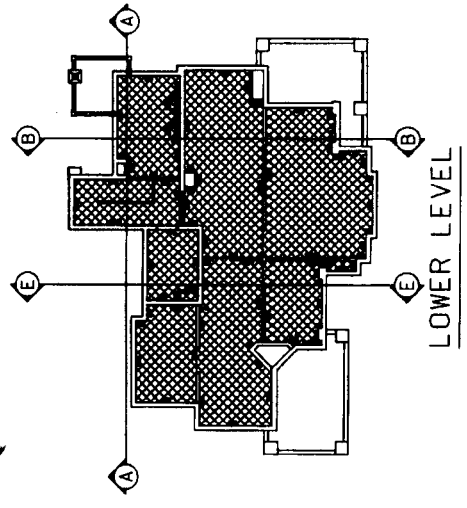
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BUILDING SECTION E-E



BUILDING SECTION B-B



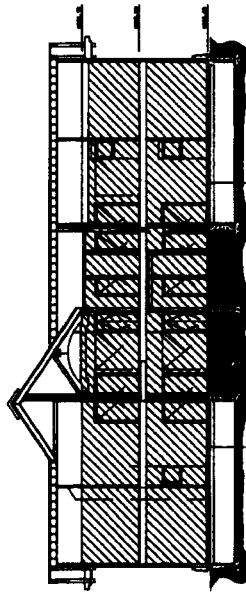
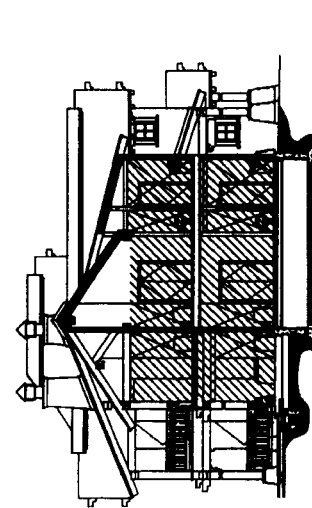
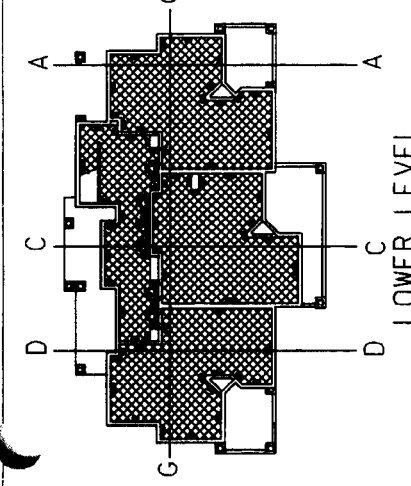
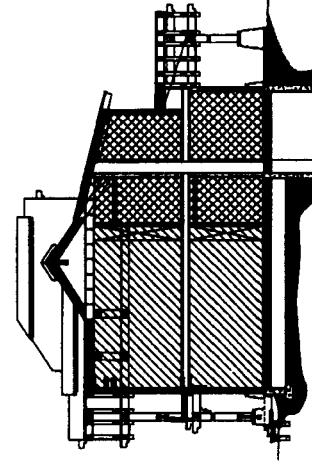
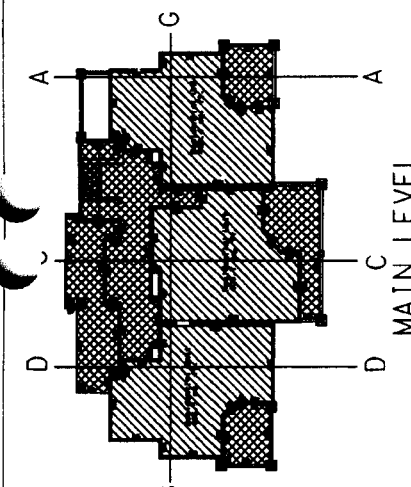
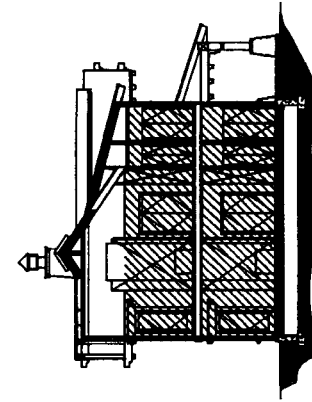
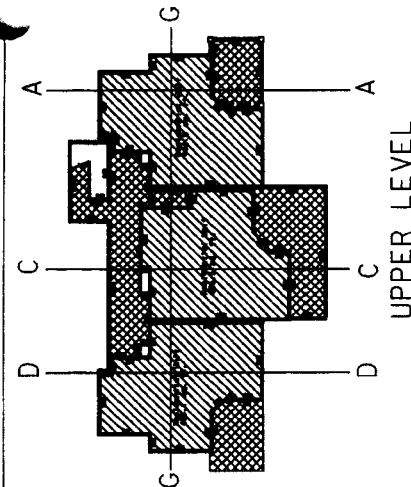
BUILDING SECTION A-A

RESIDENTIAL UNIT  
 LIMITED COMMON

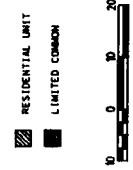


COTTAGE BUILDING B



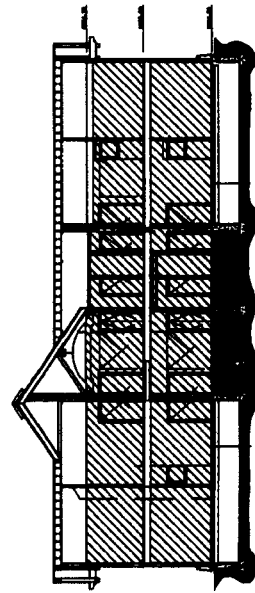
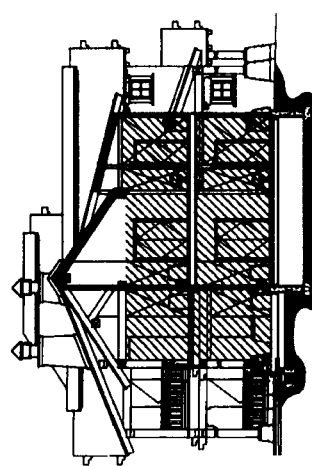
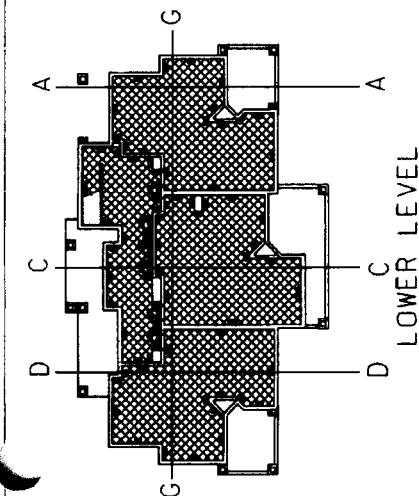
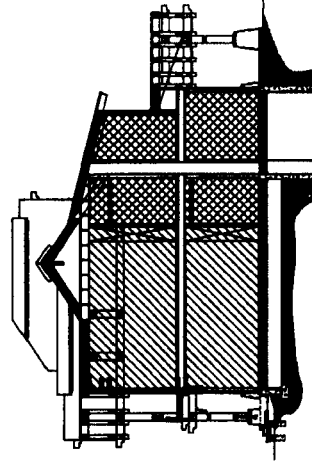
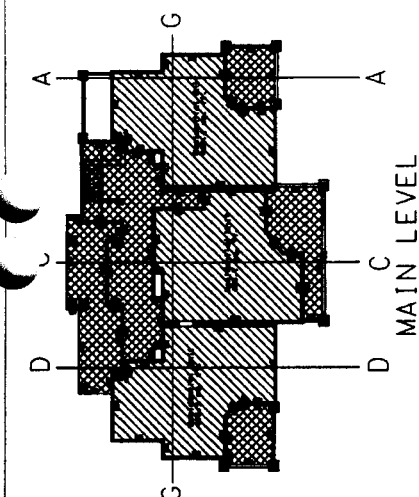
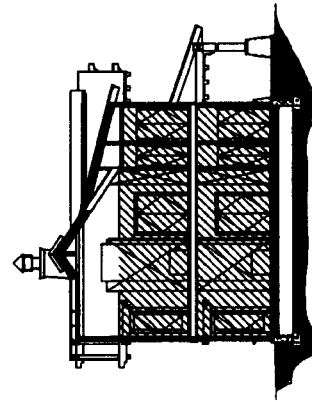
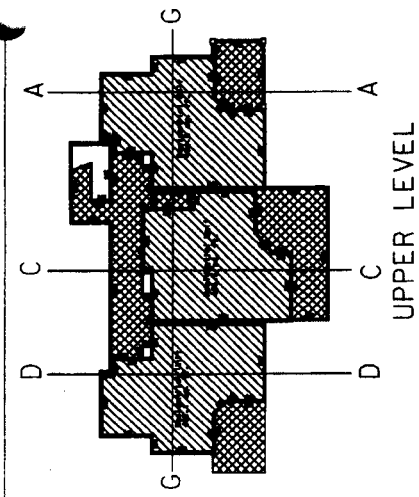


COTTAGE BUILDING C

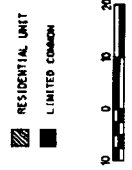


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 SUMMIT COUNTY RECORDER

JUN 20 2005

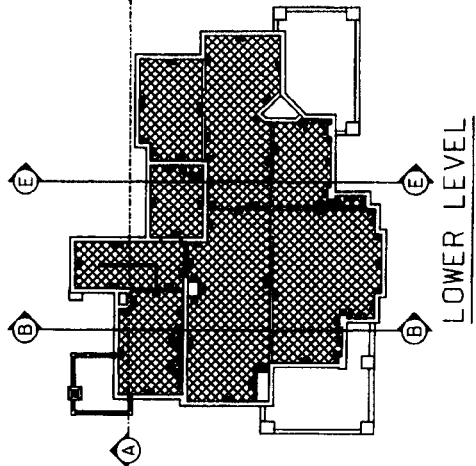


COTTAGE BUILDING D

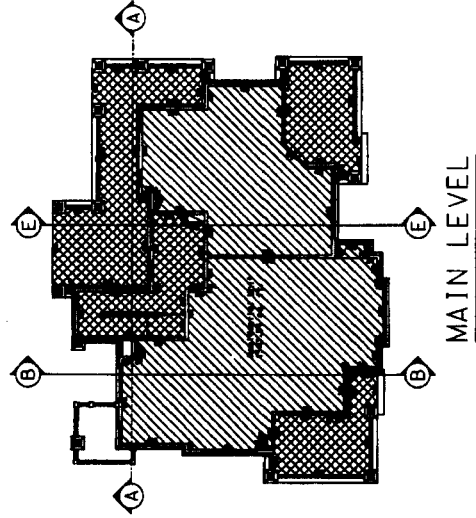


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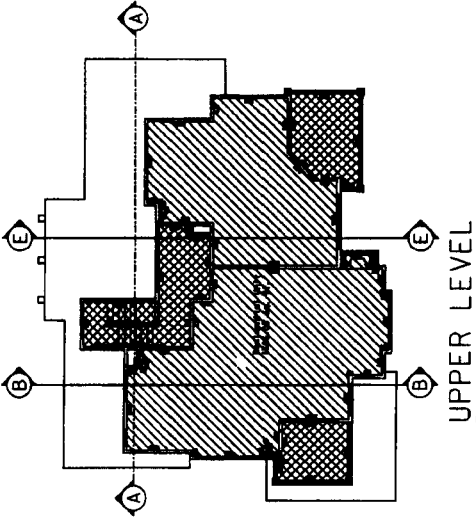
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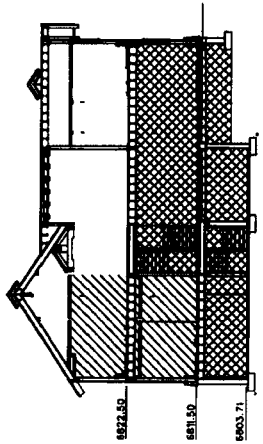
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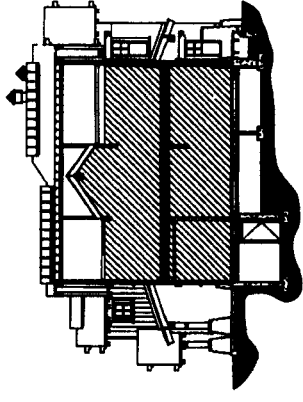
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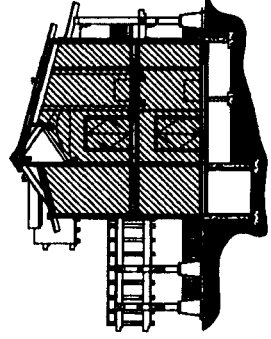
UPPER LEVEL



BUILDING SECTION A-A



BUILDING SECTION B-B



BUILDING SECTION E-E

COTTAGE BUILDING E

RESIDENTIAL UNIT  
LIMITED COMMON



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STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILE  
AT THE REQUEST OF: \_\_\_\_\_  
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SUMMIT COUNTY RECORDER

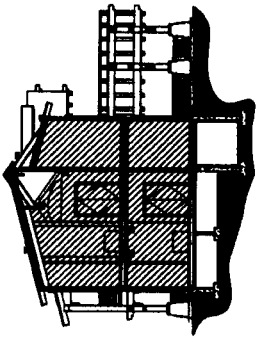
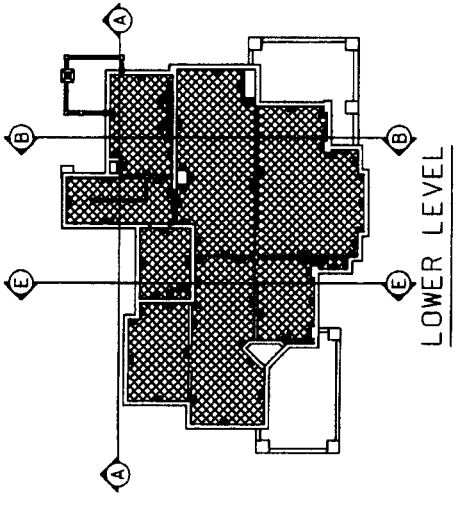
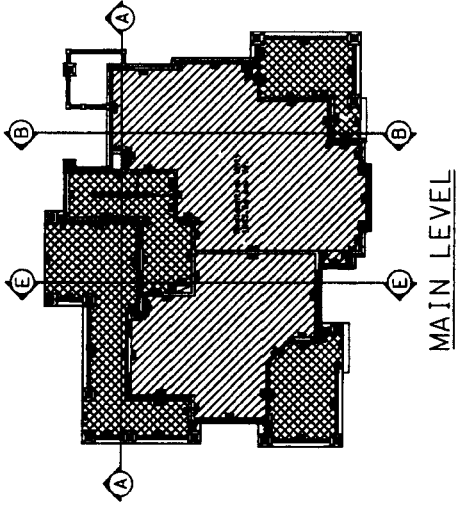
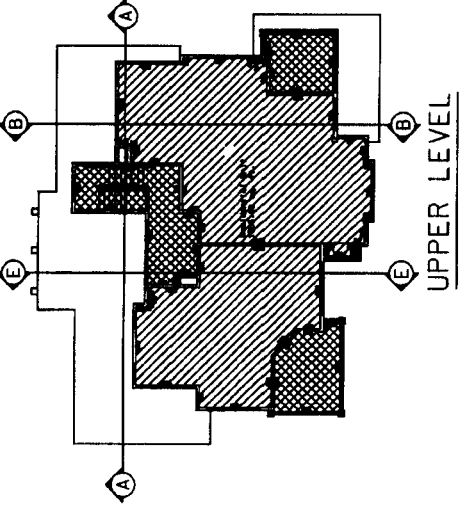
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DESIGNED LDA  
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SUPPLEMENTAL CONDOMINIUM PLAT TO  
THE HOTEL PARK CITY  
CONDOMINIUM PROJECT  
BUILDING E

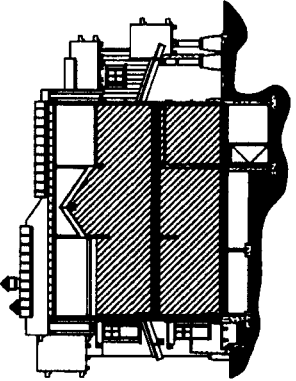
TWIN PEAKS P.C.  
ENGINEERING & LAND SURVEYING  
1808 NORTH 800 EAST  
LEICHTEN BLDG  
SALT LAKE CITY, UTAH 84143

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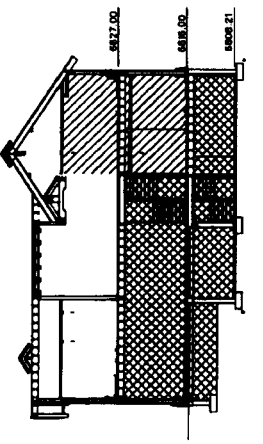
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BUILDING SECTION E-E



BUILDING SECTION B-B



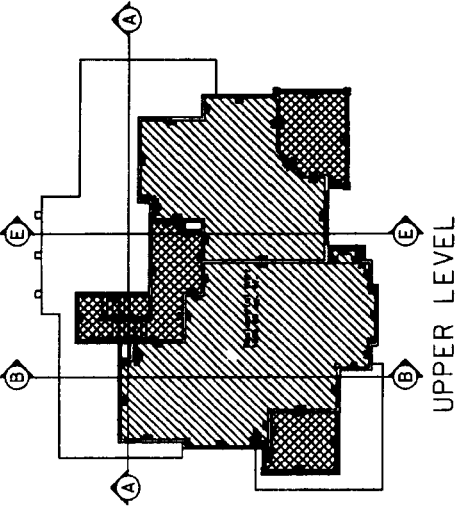
BUILDING SECTION A-A

 RESIDENTIAL UNIT  
 LIMITED COMMON

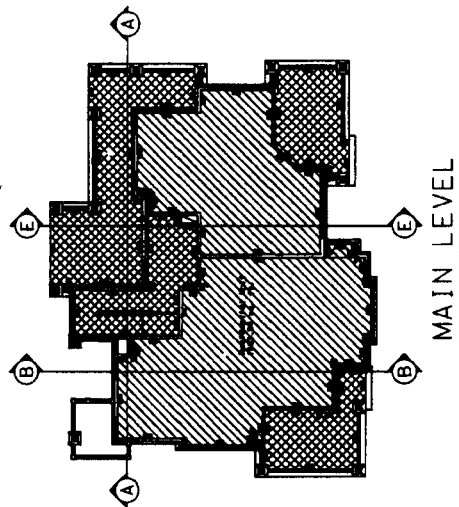


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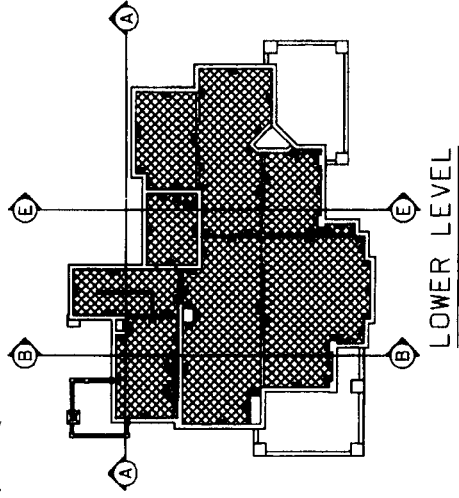
JUN 20 2005



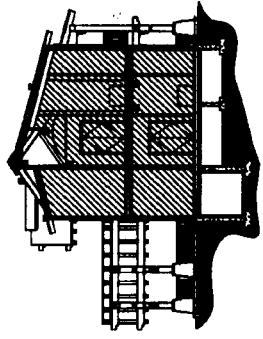
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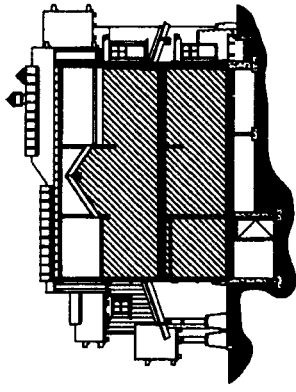
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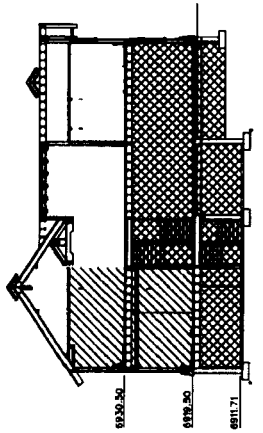
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BUILDING SECTION E-E

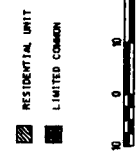


BUILDING SECTION B-B



BUILDING SECTION A-A

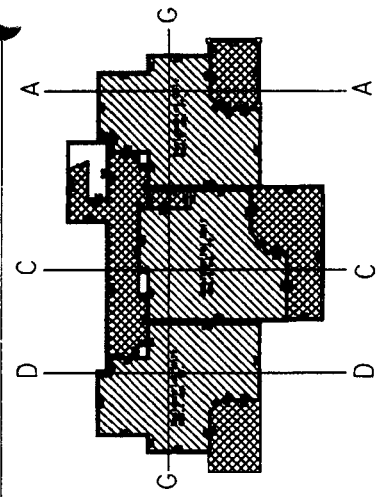
COTTAGE BUILDING G



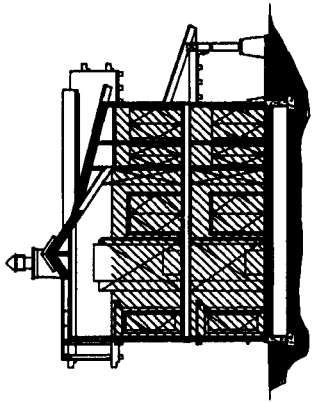
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 SUMMIT COUNTY RECORDER

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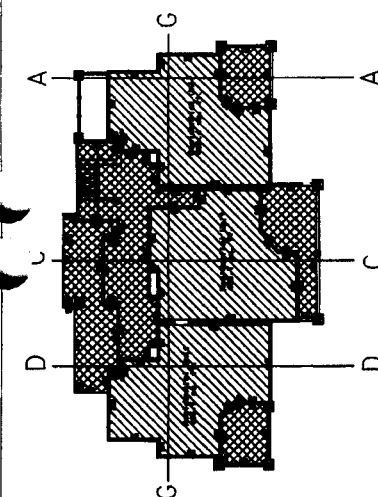
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DESIGNED: LDA		
DRAWN: LDA		
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SUPPLEMENTAL CONDOMINIUM PLAT TO THE HOTEL PARK CITY CONDOMINIUM PROJECT BUILDING G		
TWIN PEAKS P.C.		



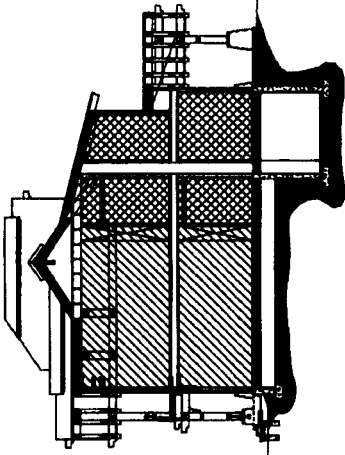
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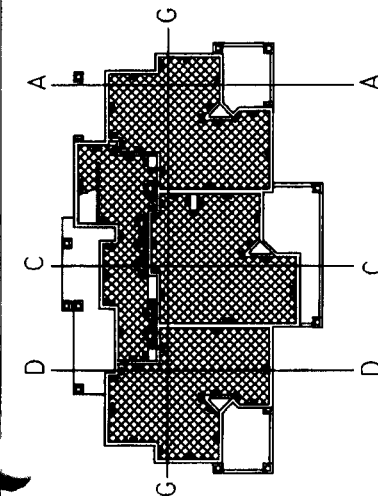
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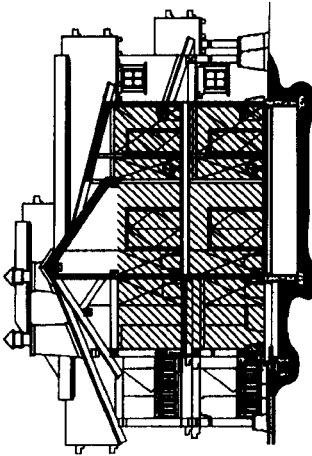
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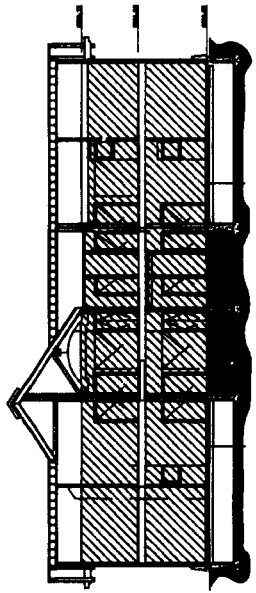
BUILDING SECTION "C"



LOWER LEVEL



BUILDING SECTION "A"



BUILDING SECTION "G"

COTTAGE BUILDING H

RESIDENTIAL UNIT  
LIMITED COMMON



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STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILE  
AT THE REQUEST OF:  
DATE \_\_\_\_\_ TIME \_\_\_\_\_  
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SUMMIT COUNTY RECORDER

JUN 20 2005

DESIGNED BY  
LDA

DATE  
MAY 2005

SHEET NO.  
8

PROJECT NO.  
HPC

DESIGNED BY  
LDA

DATE  
MAY 2005

SHEET NO.  
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PROJECT NO.  
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LDA

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MAY 2005

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PROJECT NO.  
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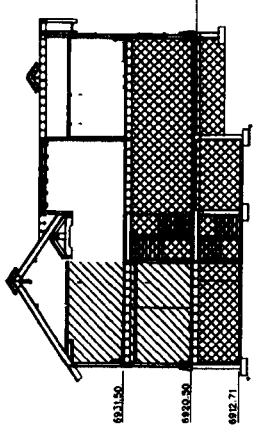
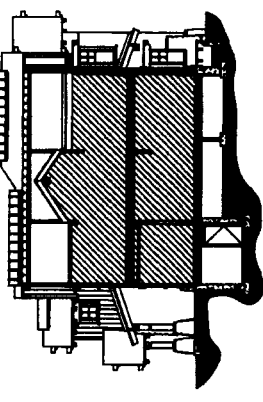
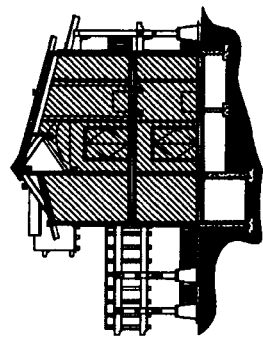
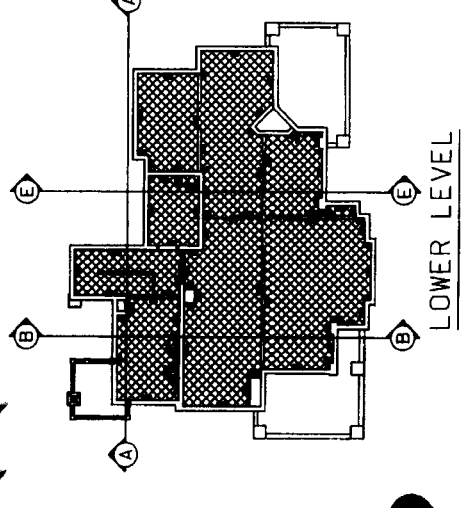
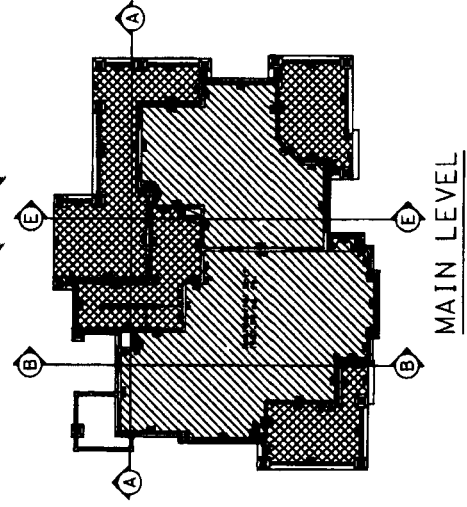
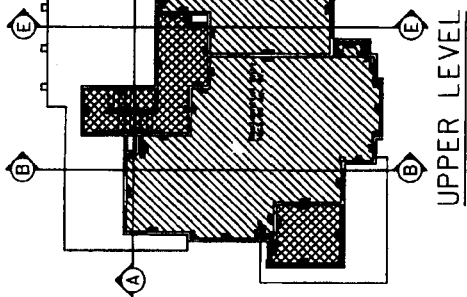
TWIN PEAKS P.C.  
 ENGINEERING & LAND SURVEYING  
 1800 NORTH 800 EAST  
 LEHI, UTAH 84043  
 (801) 489-2011

SUPPLEMENTAL CONDOMINIUM PLAN TO:  
 THE HOTEL PARK CITY  
 CONDOMINIUM PROJECT  
 BUILDING 1

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILE  
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 SUMMIT COUNTY RECORDER

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JUN 20 2005



BUILDING SECTION E-E

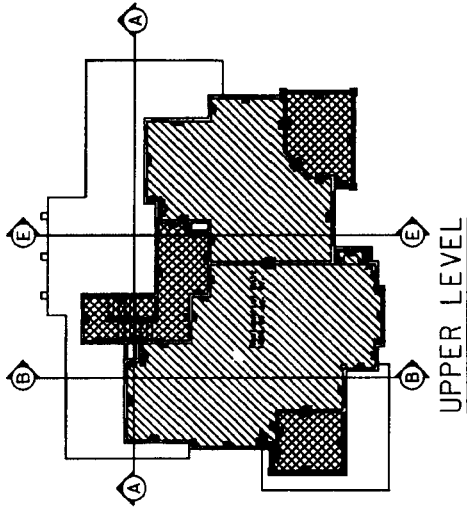
BUILDING SECTION B-B

BUILDING SECTION A-A

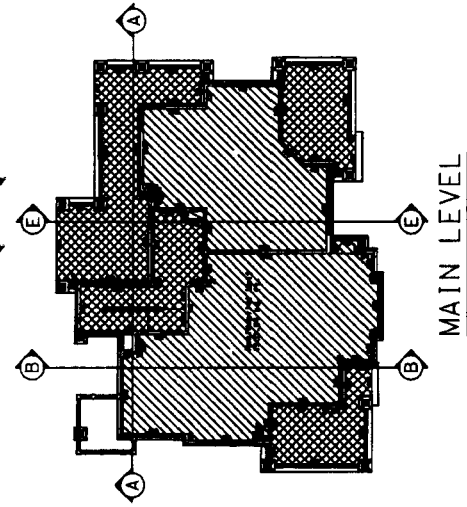
COTTAGE BUILDING I

RESIDENTIAL UNIT  
 LIMITED COMMON

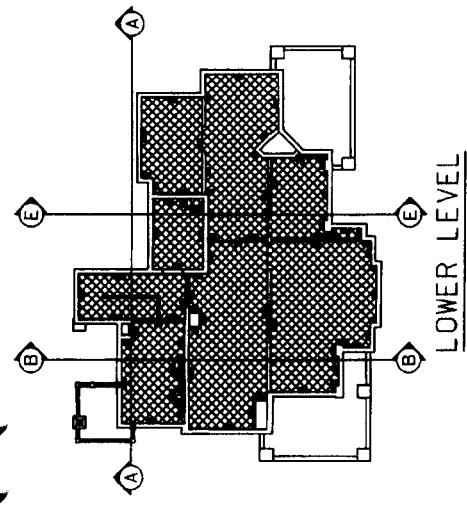




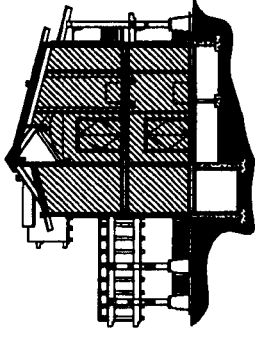
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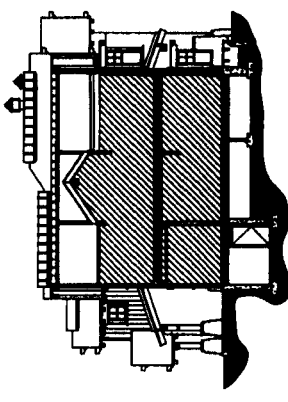
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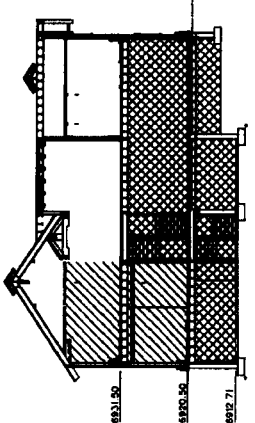
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BUILDING SECTION E-E



BUILDING SECTION B-B



BUILDING SECTION A-A

RESIDENTIAL UNIT  
LIMITED COMMON

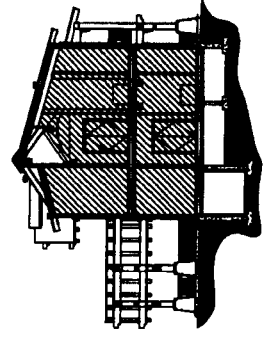
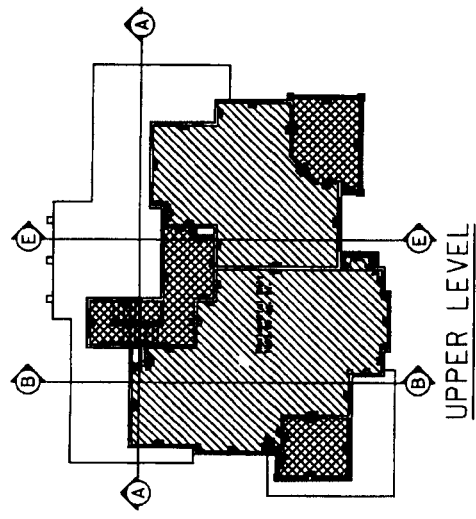


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SUMMIT COUNTY RECORDER

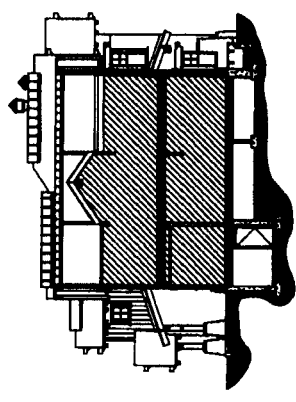
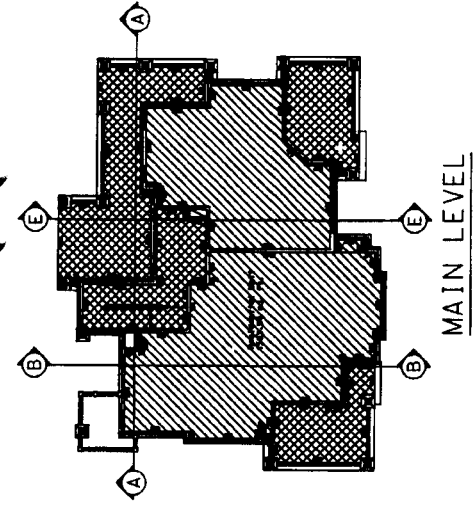
JUN 20 2005



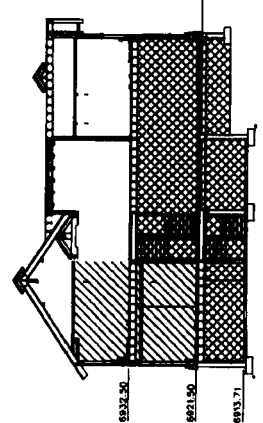
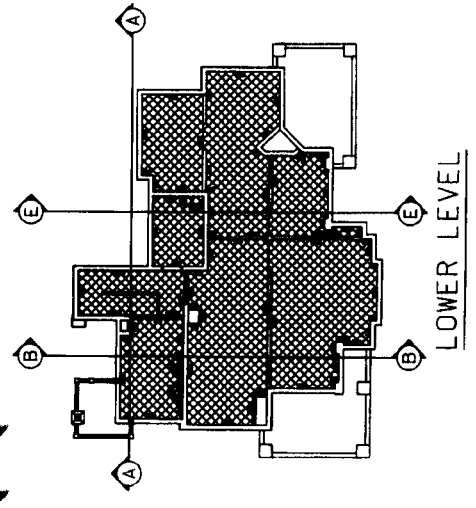
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BUILDING SECTION E-E

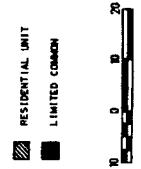


BUILDING SECTION B-B



BUILDING SECTION A-A

COTTAGE BUILDING K



JUN 20 2005

**Ordinance No. 05-52**

**AN ORDINANCE APPROVING THE FOURTH AMENDED RECORD OF SURVEY PLAT FOR THE KNOLL AT SILVER LAKE PHASE 1 CONDOMINIUMS, PARK CITY, UTAH**

WHEREAS, the owners of Units 1 and 2, and the Homeowner's Association of The Knoll at Silver Lake Condominiums, located at 7885 and 7895 Royal Street East, have petitioned the City Council for approval of record of survey plat amendment, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 27, 2005, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on July 27, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on August 18, 2005, the City Council held a public hearing and approved the proposed record of survey plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey plat amendment.

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

**SECTION 1. APPROVAL.** The plat amendment 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 condominium units known as Unit 1 and Unit 2 of the Knoll at Silver Lake Condominiums are located at 7885 and 7895 Royal Street East.
2. The property is zoned RD-MPD, subject to the Deer Valley MPD.
3. The proposed amended record of survey adds a total of 362 sf of private living space to Unit 1 on the basement and lower level along with 689 sf of patio, deck and porch space.
4. The proposed amended record of survey adds a total of 155 sf of private living space to Unit 2 on the lower level with an additional 138 sf of deck space.
5. The additional built area, or footprint, that results from these amendments is 875 sf (720 sf for Unit 1 and 155 sf for Unit 2). The resulting building footprint is 10,614 sf. The total property area is 27,184 sf.
6. All four owners within the Knoll at Silver Lake Condominiums HOA consent to these amendments. Notarized letters from each homeowner are on record in the Planning files.
7. The additions will not encroach into the required setbacks for the project.
8. The additions will not leave the project below the required 60% minimum open space for the MPD. The open space will be approximately 61% with proposed amendments to the existing footprint.
9. No additional parking is required as a result of the increased floor area.

Conclusions of Law:

1. There is good cause for this amended record of survey plat.
2. The amended record of survey plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended record of survey plat is consistent with the Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed amended record of survey plat.

Conditions of Approval:

1. The City Attorney and City Engineer shall review and approve the final form and content of the amended record of survey plat and the declaration of condominium for compliance with State law, the Land Management Code, and the conditions of approval as a condition precedent to plat recordation.
2. The applicant will record the amended record of survey plat and declaration of condominium 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 and the amended plat will be void.
3. All conditions of approval of the Knoll at Silver Lake Phase 1 Condominiums project continue to apply.

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

PASSED AND ADOPTED this 18th day of August, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

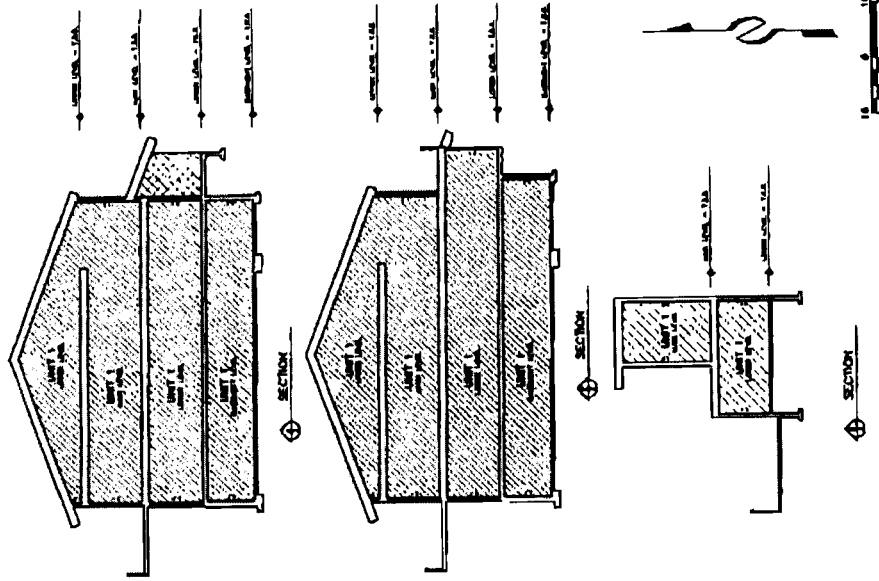
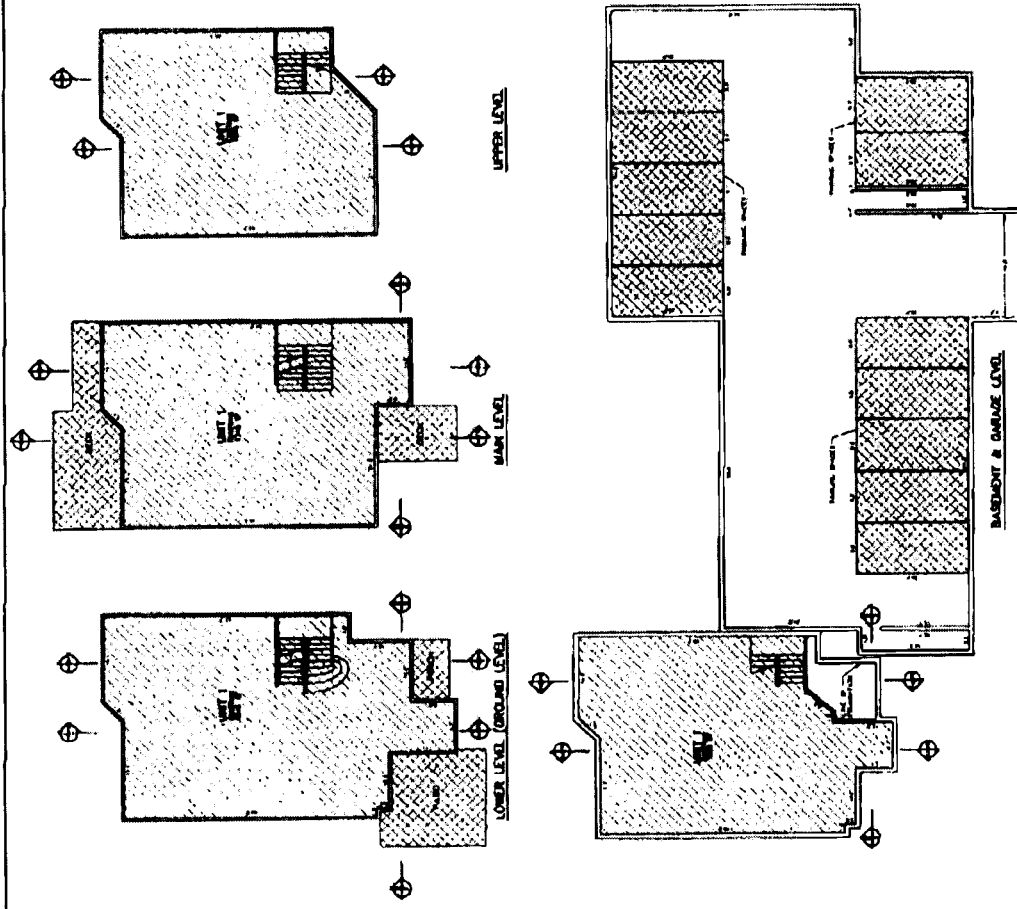
  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





# THE KNOLL AT SILVER LAKE PHASE 1

FOURTH AMENDED RECORD OF SURVEY MAP

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 32, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MORGAN, PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED

JUN 17 2005

PARK CITY PLANNING DEPT.

LEGEND

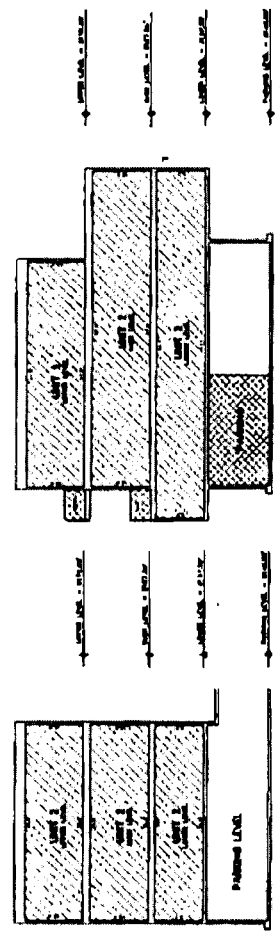
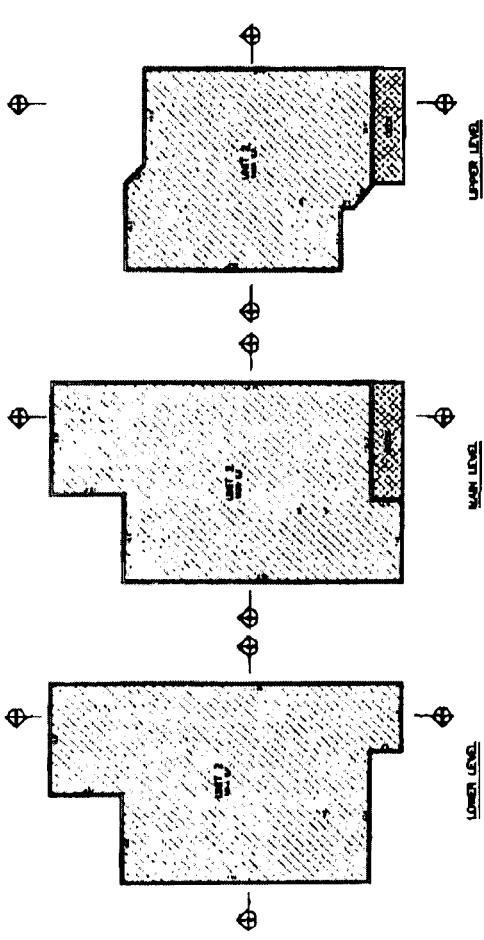
- UNIT (Private Condominium)
- UNITED COMMON AREAS AND FACILITIES ALLOCATED TO UNDEVELOPED UNIT
- COMMON AREAS AND FACILITIES

PLAN NO. 27740 PLAN NO. 27740 (PLAN NO. 27740) PAGE 2 OF 3

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED IN THE OFFICE OF THE CLERK OF COURTS DATE \_\_\_\_\_ BY \_\_\_\_\_ PAGE \_\_\_\_\_

BY \_\_\_\_\_ TITLE \_\_\_\_\_



UNIT (PRIVATE RESIDENCE)  
 UNITS COMMON AREAS AND FACILITIES  
 ALLOCATED TO INDIVIDUAL UNIT  
 COMMON AREAS AND FACILITIES  
 S.F. = SQUARE FEET



PAGE 3 OF 3  
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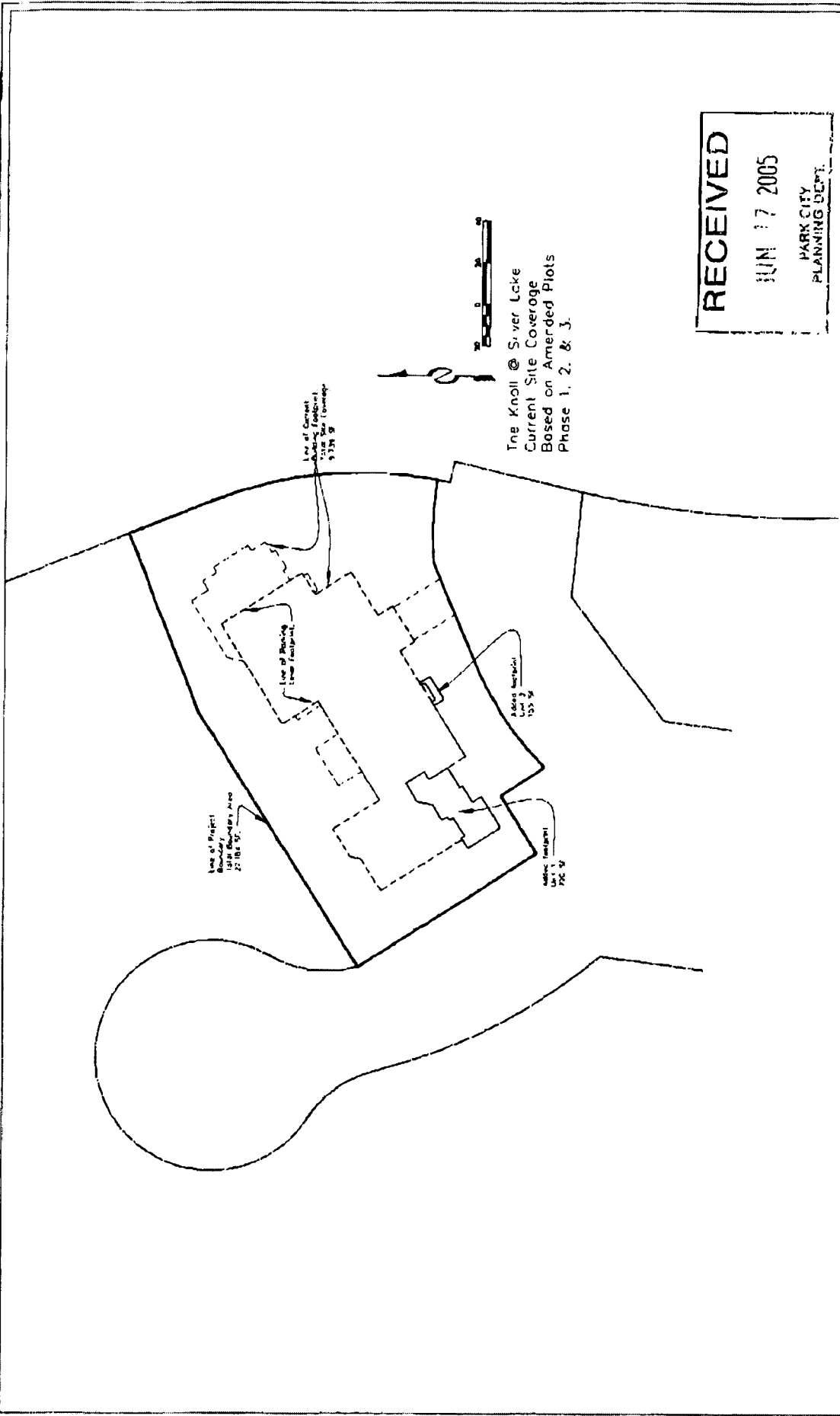
# THE KNOLL AT SILVER LAKE PHASE 1

FOURTH AMENDED RECORD OF SURVEY MAP

A UTAH COMMONS PROJECT LOCATED IN SECTION 22  
 TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASIN  
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

1. THESE INSTRUMENTS HAVE BEEN PREPARED BY THE SURVEYOR.  
 2. ALL INSTRUMENTS, QUANTITIES AND DIMENSIONS ARE CORRECT.  
 3. THE REPRESENTATION OF DIMENSIONS FOR CONVEYANCE IS THE INTENTION OF THE SURVEYOR.  
 4. THE DIMENSIONS OF THE STRIPS, SPACES AND SQUARE FEET ARE AS SHOWN AND SHALL BE THE BASIS FOR THE RECORD OF SURVEY MAP.  
 5. THE SURVEYOR HAS BEEN ADVISED BY THE OWNER THAT THE STRIPS, SPACES AND SQUARE FEET ARE CORRECT.  
 6. THE SURVEYOR HAS BEEN ADVISED BY THE OWNER THAT THE STRIPS, SPACES AND SQUARE FEET ARE CORRECT.  
 7. THE SURVEYOR HAS BEEN ADVISED BY THE OWNER THAT THE STRIPS, SPACES AND SQUARE FEET ARE CORRECT.  
 8. THE SURVEYOR HAS BEEN ADVISED BY THE OWNER THAT THE STRIPS, SPACES AND SQUARE FEET ARE CORRECT.  
 9. THE SURVEYOR HAS BEEN ADVISED BY THE OWNER THAT THE STRIPS, SPACES AND SQUARE FEET ARE CORRECT.

**RECEIVED**  
 JUN 17 2005  
 PARK CITY  
 PLANNING DEPT.



The Knoll @ Silver Lake  
 Current Site Coverage  
 Based on Amended Plots  
 Phase 1, 2, & 3.

RECEIVED  
 JUN 17 2005  
 PARK CITY  
 PLANNING DEPT.

	PLANNING DEPARTMENT 100 WEST MAIN STREET PARK CITY, UTAH 84301	THE KNOLL AT SILVER LAKE PHASE 1 OPEN SPACE EXHIBIT	SHEET 1 OF 1
	DATE: 06/17/05 DRAWN BY: [Name] CHECKED BY: [Name]	PROJECT NO.: [Number] PREPARED BY: [Name]	

**Ordinance No. 05-51**

**AN ORDINANCE AMENDING THE CANYON SUBDIVISION, A TWO LOT  
SUBDIVISION, TO REDUCE A SNOW SHED EASEMENT FROM 15 FEET TO  
7 AND A HALF FEET LOCATED AT 330 AND 336 DALY AVENUE,  
PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as the Canyon Subdivision, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on July 27, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to reduce a platted snow shed easement from 15 feet to 7 ½ feet; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the subdivision.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

**Findings of Fact:**

1. The property is located in the Historic Residential Low Density (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The plat amendment will reduce an existing 15' snow shed easement to 7'.
4. The applicant is proposing a single family home on both lots.
5. Both lots have a slope greater than 30%.
6. The applicant has submitted applications for steep slope review from the Planning Commission for both lots.
7. Table 15-2.2, in the HR-1 zone establishes a side yard setback for a lot of less than 37'5" at 3'.
8. The existing lots are 37' wide.
9. No additional changes are proposed on the existing Canyon Subdivision Plat.
10. The Planning Commission reviewed the application on July 27, 2005 and forwarded a positive recommendation to the City Council.
11. No remnant lots will be created as a result of this application.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

**Conclusions of Law:**

1. There is good cause for this plat amendment.
2. The proposed plat amendment as conditioned is consistent with the Park City Land Management Code and applicable State law.



3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. No building permits shall be issued prior to the issue of a Conditional Use Permit for construction on a slope of greater than 30% by the Planning Commission.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
4. The applicant will record the plat amendment at the County prior to August 18, 2006.
5. All conditions of approval of the Canyon Subdivision shall continue to apply except as amended herein.
6. No duplex, accessory apartments or lockout uses are allowed on the property.


**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

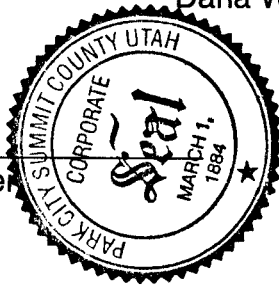
PASSED AND ADOPTED this 18<sup>th</sup> day of August 2005.

PARK CITY MUNICIPAL CORPORATION

  
Dana Williams, Mayor

Attest:

  
Janet M. Scott, City Recorder



Approved as to form:

  
Mark D. Harrington, City Attorney



**PLANNING COMMISSION**

1. The Planning Commission is a body established by the City of Park, Utah, to advise the City Council on all matters relating to the City's land use and zoning regulations, and to make recommendations to the City Council on all matters relating to the City's land use and zoning regulations.

2. The Planning Commission shall advise the City Council on all matters relating to the City's land use and zoning regulations, and to make recommendations to the City Council on all matters relating to the City's land use and zoning regulations.

**RECOMMENDATION**

3. The Planning Commission recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

**COMMISSIONER'S RECOMMENDATION AND COMMENTS TO RECORD**

4. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

5. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

6. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

7. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

**ADMINISTRATIVE**

8. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

9. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

10. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

11. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

12. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

13. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

14. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

15. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

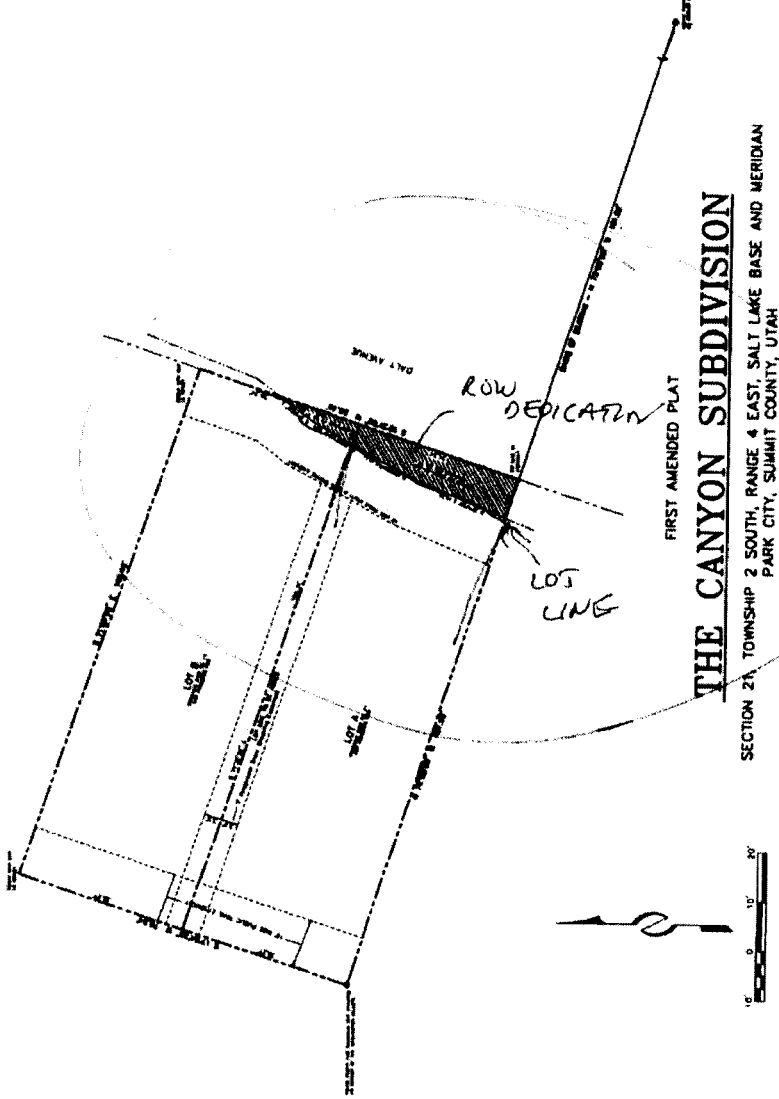
16. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

17. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

18. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

19. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.

20. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.



**RECEIVED**  
 JUN 23 2005  
 PARK CITY  
 PLANNING DEPT.

<p>1. The Planning Commission is a body established by the City of Park, Utah, to advise the City Council on all matters relating to the City's land use and zoning regulations, and to make recommendations to the City Council on all matters relating to the City's land use and zoning regulations.</p>	<p>2. The Planning Commission shall advise the City Council on all matters relating to the City's land use and zoning regulations, and to make recommendations to the City Council on all matters relating to the City's land use and zoning regulations.</p>	<p>3. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.</p>	<p>4. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.</p>	<p>5. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.</p>	<p>6. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.</p>	<p>7. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.</p>	<p>8. The Commissioner recommends that the City Council approve the proposed subdivision of the land shown on the attached plat, and that the City Council issue a plat for the subdivision.</p>
<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>	<p>APPROVAL AS TO FORM</p>
<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>	<p>CERTIFICATE OF ATTEST</p>
<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p>



**AN ORDINANCE APPROVING THE 257 McHENRY AVENUE PLAT AMENDMENT, A LOT COMBINATION OF LOTS 17 AND 18, AND A PORTION OF LOT 16, BLOCK 60 OF THE PARK CITY SURVEY**

**WHEREAS**, the owner of the property located at 257 McHenry Avenue, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on July 28, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to combine Lots 17 and 18, and a portion of Lot 16, Block 60 of the Park City Survey into one lot or record; and  
**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1) Zoning District.
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. There is an existing historic single family home on the property.
4. A portion of the existing historic single family home encroaches onto the City-owned, open-space deed restricted Virginia mining claim.
5. Existing built McHenry Avenue bisects Lot 16.
6. The applicant proposes to dedicate the lot area covered by existing built McHenry Avenue and an additional 10 feet of width measured from the easterly edge of the McHenry Avenue pavement to the City as a public right of way.
7. Any interest the applicant may have in the small remnant portion of Lot 16 located west of the existing built McHenry Avenue will be conveyed to the City for public right-of-way.
8. The applicant intends to construct a garage and additional living area to the existing historic house.
9. The applicant will remove the current house encroachment into the City-owned, deed-restricted Virginia mining claim as part of the renovation of the historic single-family structure.
10. The future renovation and addition to the historic single-family house will be subject to Land Management Code and Historic District Design Guidelines.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this amendment.
2. The amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed amendment.
4. As conditioned the amendment is consistent with the Park City General Plan.

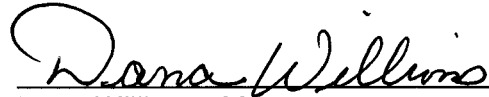
**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

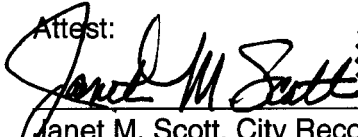
1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All building encroachments shall be removed from the City-owned, deed-restricted Virginia mining claim prior to plat recordation.
4. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
5. The applicant shall redraft the plat to show dedication of the 10 feet along McHenry Avenue to Park City as a street right-of-way.

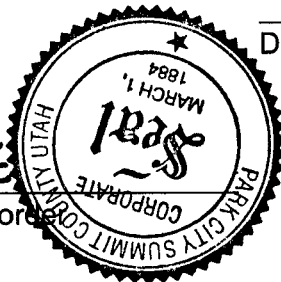
**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

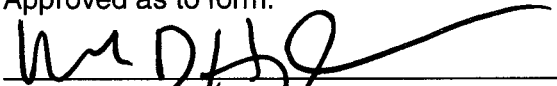
PASSED AND ADOPTED this 18th<sup>th</sup> day of August 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Dana Williams, Mayor

Attest:  
  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:  
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





**Ordinance No. 05-49**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE LAND MANAGEMENT CODE OF PARK CITY, UTAH TO ALLOW THE ADMINISTRATIVE APPROVAL OF OUTDOOR DISPLAY OF MERCHANDISE, AND DISPLAY OF MOTORIZED SCOOTERS IN THE HR-2 (15-2.3-14), HRC(15-2.5-13), HCB(15-2.6-12), RC(15-2.16-9), RCO(15-2.17-8), GC(15-2.18-9), LI(15-2.19-11), AND PUT(15-2.22-9) ZONES.**

WHEREAS, the Land Management Code places limitations on the outdoor display of merchandise, outdoor storage and outdoor dining uses; and

WHEREAS, the City Council finds that it is in the public interest to regulate the outdoor display of merchandise, in certain pedestrian-oriented commercial districts in order to reduce visual clutter, protect and preserve the unique aesthetic character of the City, and enhance the community's economic viability; and

WHEREAS, public hearings were duly held before the Planning Commission on July 13, 2005, and before the City Council on August 4, 2005; and

WHEREAS, public notice and opportunity to comment were provided, pursuant to the Land Management Code; and

WHEREAS, the City Council finds and determines that, subject to certain criteria, display of Outdoor Merchandise can enhance the pedestrian appeal and vitality of certain commercial areas; and

WHEREAS, the City Council finds and determines that, subject to certain criteria, the outdoor storage of motorized scooters promotes alternative modes of transportation and strengthens the outdoor recreation character of the City; and

WHEREAS, the City Council finds the proposed amendments in the best interest of the residents of Park City;

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

**SECTION I. FINDINGS.** The above-recitals are hereby incorporated herein as findings.

**SECTION II. AMENDMENT.** Chapter 2, Sections 15-2.3-14, 15-2.5-13, 15-2.6-12, 15-2.16-9, 15-2.17-8, 15-2.18-9, 15-2.19-11, and 15-2.22-9 of the Land Management Code is amended to read as follows:



**(3) OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, and canoes is subject to the following criteria:

(b) The Area of the proposed bicycle, kayak, motorized scooters, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.

(f) Additional outdoor bicycle storage Areas may be considered for rental bicycles or motorized scooters provided there are no or only minimal impacts on landscaped Areas, parking spaces, and pedestrian and emergency circulation.

**(5) DISPLAY OF MERCHANDISE.** Display of Outdoor Merchandise is subject to the following criteria.

(a) The display is immediately available for purchase at the business displaying the item.

(b) The merchandise is displayed on private property directly in front of or appurtenant to the business which displays it, so long as the private area is in an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned property including any sidewalk or prescriptive right-of-way regardless if the property line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned property; however, written permission for the display of the merchandise must be obtained from the owner's association.

(c) The display is prohibited from being permanently affixed to any building. Temporary fixtures may not be affixed to any historic building in a manner that compromises the historic integrity or façade easement of the building as determined by the Planning Director.

(d) The display does not diminish parking or landscaping.

(e) The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency access, or circulation. At minimum, 44" of clear and unobstructed access to all fire hydrants, egress and access points must be maintained. Merchandise may not be placed so as to block visibility of or access to any adjacent property.

(f) The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.

- (g) The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public rights-of-way, including sidewalks, or pedestrian and vehicular areas; nor shall the display restrict vision at intersections.
- (h) No inflatable devices other than decorative balloons smaller than 18" in diameter are permitted. Balloon height may not exceed the finished floor elevation of the second floor of the building.
- (i) No additional signs are allowed. A sales tag, four (4) square inches or smaller may appear on each display item, as well as an informational plaque or associated artwork not to exceed twelve (12) square inches. The proposed display shall be in Compliance with the City Sign Code, Municipal Code Title 12, the City's Licensing Code, Municipal Code Title 4, and all other requisite City Codes.

**SECTION III. EFFECTIVE DATE.** This ordinance shall become effective upon publication.

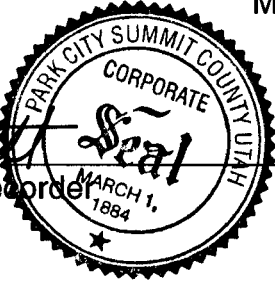
PASSED AND ADOPTED this 4th day of August, 2005

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to Form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

**Ordinance No. 05-48**

**AN ORDINANCE APPROVING THE ARROW LEAF LODGE CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Arrow Leaf Lodge located on Lodge Lot 8/9 of the Empire Pass West Side subdivision plat have petitioned the City Council for approval of the Arrow Leaf Lodge condominium record of survey; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 8, 2005, to receive input on the Arrow Leaf Lodge condominium record of survey;

WHEREAS, the Planning Commission, on June 8, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 4, 2005 the City Council approved the Arrow Leaf Lodge condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Arrow Leaf Lodge condominium record of survey.

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

**SECTION 1. APPROVAL.** The Arrow Leaf Lodge condominium record of survey 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 Arrow Leaf Lodge "A" is located in the RD-MPD zoning district.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.
4. On March 9, 2005, the Planning Commission approved a Conditional Use Permit for the Arrow Leaf Lodge "A". The approval is for a single building with 28 condominium units totaling 48,817 square feet for a total of 24.5 Unit Equivalents. In addition, 2 ADA units and 3 Employee Housing Units (EHUs) are proposed within the building.

5. On May 26, 2005 the City Council approved a Final Subdivision Plat for the Village at Empire Pass, West Side. The Arrow Leaf Lodge "A" is located on Lodge Lot 8/9
6. The proposed building is consistent with the approved Master Planned Development for the Village at Empire Pass and the Conditional Use Permit for the Arrow Leaf Lodge "A".
7. The 28 units range in size from 1242 square feet to 1942 square feet.
8. A height exception has been granted for this building for a total height of 86 feet above existing grade.
9. Arrow Leaf Lodge "B" is shown as Convertible Land on this Record of Survey.
10. The Planning Commission reviewed this application at its regular meeting of June 8, 2005, and forwards a positive recommendation.

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.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

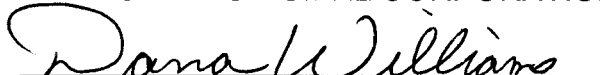
Conditions of Approval:

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 the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey 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. All conditions of approval of the Village at Empire Pass Master Planned Development, Village at Empire Pass, West Side plat and the Arrow Leaf Lodge "A" Conditional Use Permit shall continue to apply.
4. The Employee Housing Units must be deed restricted in a form acceptable to the City prior to recordation of the plat.
5. The final plat for The Village at Empire Pass, West Side shall be recorded prior to the Record of Survey for the Arrow Leaf Lodge "A".

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

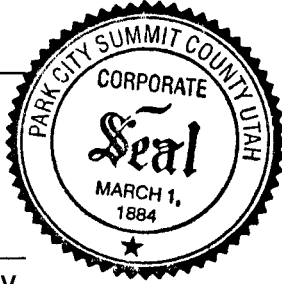
PASSED AND ADOPTED this 4th day of August, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

Janet M. Scott  
Janet M. Scott, City Recorder



Approved as to form:  
Mark D. Harrington  
Mark D. Harrington, City Attorney



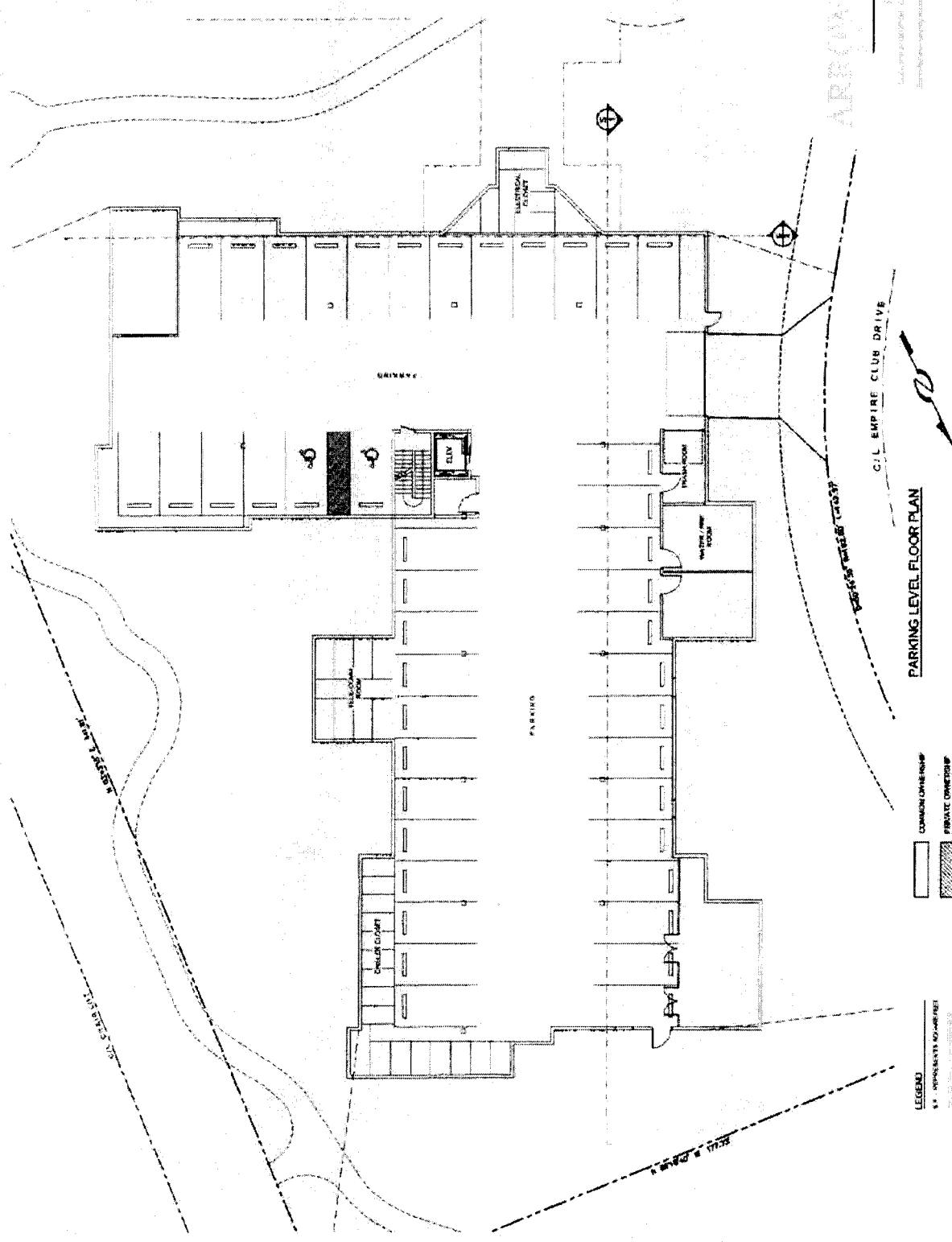
RECEIVED

APR 11 2005

PARK CITY  
PLANNING DEPT.

NOTES

1. All dimensions are in feet and inches unless otherwise noted.
2. All dimensions are in feet and inches unless otherwise noted.
3. All dimensions are in feet and inches unless otherwise noted.
4. All dimensions are in feet and inches unless otherwise noted.
5. All dimensions are in feet and inches unless otherwise noted.
6. All dimensions are in feet and inches unless otherwise noted.
7. All dimensions are in feet and inches unless otherwise noted.



PARKING LEVEL FLOOR PLAN

LEGEND

[Symbol]	COMMON USE ROOM
[Symbol]	PRIVATE USE ROOM
[Symbol]	STAIR
[Symbol]	ELEVATOR

ARCHITECTURAL FLOOR PLAN

APP NO. 1-12-05

FILE NUMBER







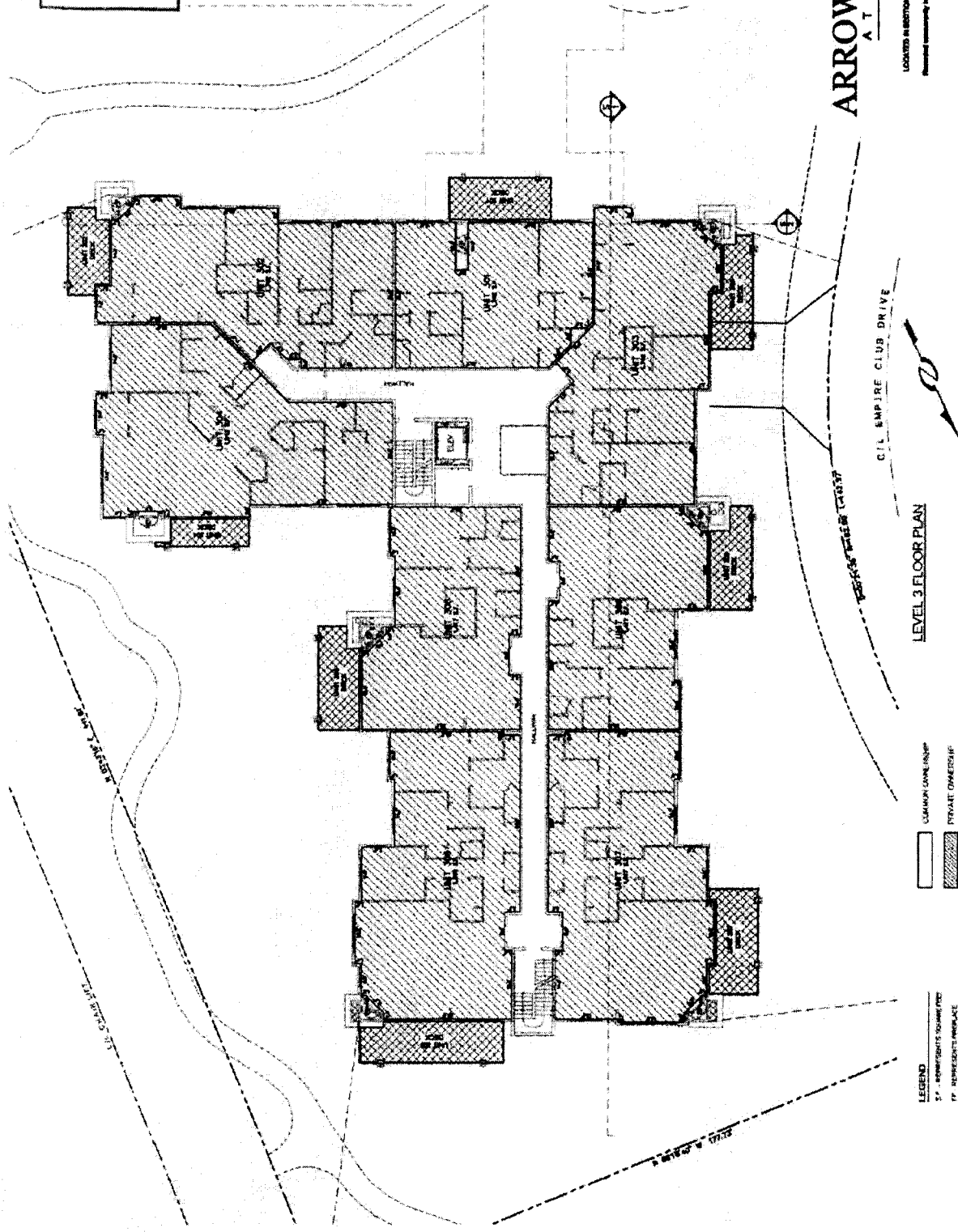
**RECEIVED**  
**APR 11 2005**  
**PARK CITY**  
**PLANNING DEPT.**

**UNIT SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION
301	1847	
302	1782	
303	1796	
304	1817	
305	1817	
306	1817	
307	1817	
308	1817	
309	1817	
310	1817	
311	1817	
312	1817	
313	1817	
314	1817	
315	1817	
316	1817	
317	1817	
318	1817	
319	1817	
320	1817	

**NOTES**

- The information shown on this map is based on the information provided in the survey report by J.C. Smith & Associates, Inc. The survey report is available for review at the Planning Department, 100 East Center Street, 2nd Floor, Park City, Utah 84302. The survey report is subject to the provisions of the Utah Surveyors' Act, Chapter 103, Utah Code, and the rules and regulations of the Utah State Board of Surveyors.
- All property boundaries are shown as they exist on the date of the survey. The surveyor is not responsible for the accuracy of the information shown on this map if it is based on information provided by others.
- All utility lines are shown as they exist on the date of the survey. The surveyor is not responsible for the accuracy of the information shown on this map if it is based on information provided by others.
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**LEGEND**

- COMMON OWNERSHIP
- ▨ PRIVATE OWNERSHIP
- ▩ LIMITED COMMON OWNERSHIP
- ▧ COMPLETE SHARE

**LEVEL 3 FLOOR PLAN**

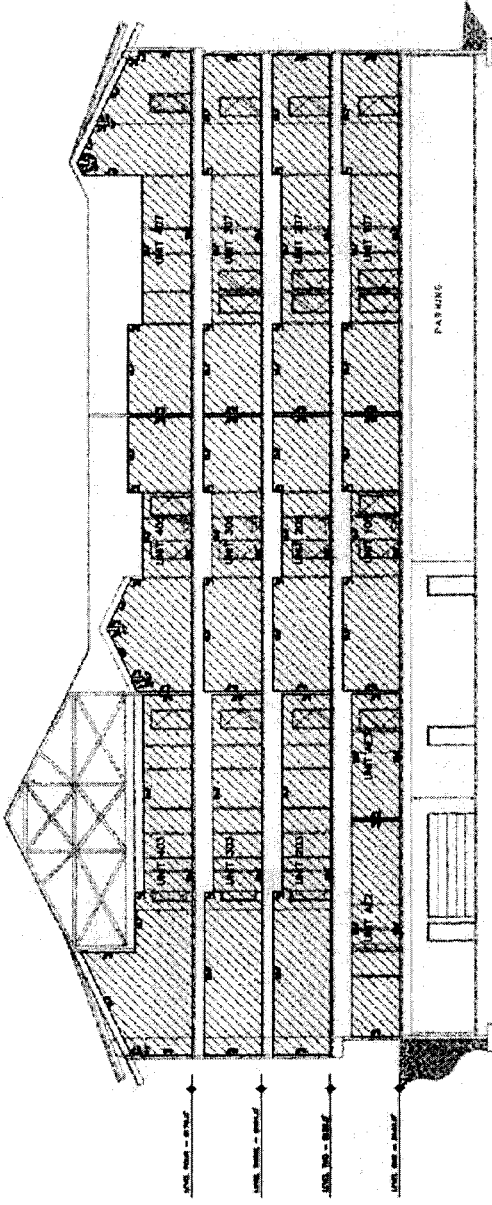
**RECORD OF SURVEY MAP**  
**ARROW LEAF LODGE "A"**  
**AT EMPIRE PASS**

**A UTAH CONDOMINIUM PROJECT**  
 LOCATED IN SECTION 16, TOWNSHIP 3 NORTH, RANGE 12 WEST, COUNTY OF SUMMIT, UTAH  
 BOUNDARY SURVEY MADE BY THE SURVEYOR OF ARROW LEAF LODGE "A" AT EMPIRE PASS

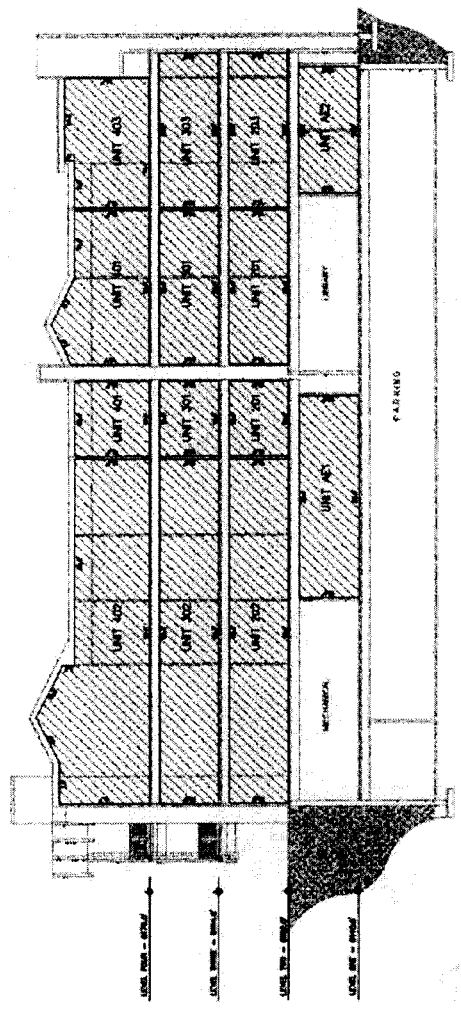
JOB NO. J-12-02  
 SHEET 3 OF 7  
 RECORDED  
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
 AT THE CLERK'S OFFICE  
 DATE: \_\_\_\_\_ HOUR: \_\_\_\_\_ MINUTE: \_\_\_\_\_  
 FILE NUMBER: \_\_\_\_\_



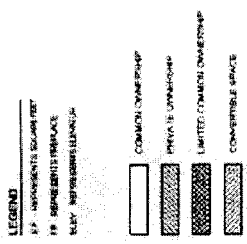
**RECEIVED**  
**APR 11 2005**  
 PARK CITY  
 PLANNING DEPT.



SECTION S-1



SECTION S-2



**NOTES:**

1. The dimensions of the common areas and improvements are shown on this plan and are subject to change without notice. The improvements shown on this plan are not intended to be construed as a warranty of any kind by the City of Park City. The City of Park City is not responsible for the accuracy of the information shown on this plan. The City of Park City is not responsible for the accuracy of the information shown on this plan. The City of Park City is not responsible for the accuracy of the information shown on this plan.
2. All common areas are shown in grey or white or outlined in black. All private areas are shown in black. All limited common areas are shown in white with a black outline. All compatible space is shown in white with a black outline.
3. All dimensions are in feet and inches. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch.
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5. All dimensions are in feet and inches. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch.
6. All dimensions are in feet and inches. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch.
7. All dimensions are in feet and inches. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch. All dimensions are shown to the nearest 1/4 inch.

**RECORD OF SURVEY MAP**  
**ARROW LEAF LODGE "A"**  
**AT EMPIRE PASS**

**AUTUMN CONDOMINIUM PROJECT**  
 LOCATED IN SECTION 16, TOWNSHIP 2 NORTH, RANGE 12 EAST, AND LANGE ROAD SUBDIVISION,  
 PARK CITY, WASHINGTON COUNTY, UTAH  
 Approved temporarily pursuant to the Ordinance of the City of Park City, Utah, Chapter 10, Section 10-10-010.

NO. 100 3-18-02  
 SHEET 7 OF 7

RECORDED  
 STATE OF UTAH COUNTY OF SHARPT ANGLE  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 FILE: \_\_\_\_\_ RECORDANT: \_\_\_\_\_



**Ordinance No. 05-47**

**AN ORDINANCE APPROVING THE GRAND LODGE CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Grand Lodge located at 8777 Marsac Avenue have petitioned the City Council for approval of the Grand Lodge condominium record of survey; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 13, 2005, to receive input on the Grand Lodge condominium record of survey;

WHEREAS, the Planning Commission, on July 13, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 4, 2005 the City Council approved the Grand Lodge condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Grand Lodge condominium record of survey.

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

**SECTION 1. APPROVAL.** The Grand Lodge condominium record of survey 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 Grand Lodge at Empire Pass is located in the RD-MPD zoning district.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. On September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II. This Master Planned Development included eighteen (18) detached single-family dwelling units utilizing 27 Unit Equivalents (UEs) on the Northside Village Subdivision II, Lot B; 25 townhouse multi-unit dwellings utilizing 37.5 UEs on Northside Village Subdivision II, Lot C; and a twenty-two (22) condominium multi-unit building utilizing 33 UEs on

Northside Village Subdivision II, Lot D. Lot C has been developed as Ironwood at Deer Valley.

4. On October 27, 2004, the Planning Commission approved an MPD amendment to lot D that increased the unit count from 22 to 27 while staying within the 33 UEs (66,000 square feet).
5. On December 8, 2004, the Planning Commission approved a Conditional Use Permit for the Grand Lodge at Empire Pass located on lot D. The approval is for a single building with 27 condominium units totaling 65,344 square feet for a total of 32.7 Unit Equivalents
6. Two ADA units and 1 Employee Housing Unit (EHU) of 944 square feet are proposed within the building. A commercial office of 1,275 square feet is included. This space will be counted against the 75,000 square feet allocated by the Flagstaff Development Agreement.
7. The proposed building is consistent with the approved Master Planned Development for the Village at Empire Pass and the Conditional Use Permit for the Grand Lodge at Empire Pass.
8. Access to the Bannerwood subdivision has been approved in accordance with the Village MPD.
9. The Planning Commission reviewed this application at its regular meeting of July 13, 2005, and forwards a positive recommendation.

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.
4. Approval of the Record of Survey, subject to the conditions stated below, 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 the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey 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. All conditions of approval of the Flagstaff Mountain Resort Master Planned Development, Phase II, the Northside Village Subdivision II plat and the Grand Lodge at Empire Pass Conditional Use Permit shall continue to apply.
4. The Employee Housing Unit must be deed restricted in a form acceptable to the City prior to recordation of the plat.
5. The portion of Silver Strike Trail within the boundary of the Grand Lodge plat shall be dedicated as a non-exclusive public utility easement on the plat.
6. A financial guarantee for the value of public improvements related to the construction of the Grand Lodge shall be submitted prior to plat recordation in a form

approved by the City Attorney and in an amount approved by the City Engineer.

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

PASSED AND ADOPTED this 4th day of August, 2005.

PARK CITY MUNICIPAL CORPORATION

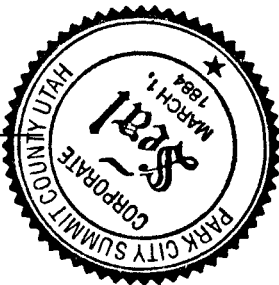
*Dana Williams*

Mayor Dana Williams

Attest:

*Janet M. Scott*

Janet M. Scott, City Recorder



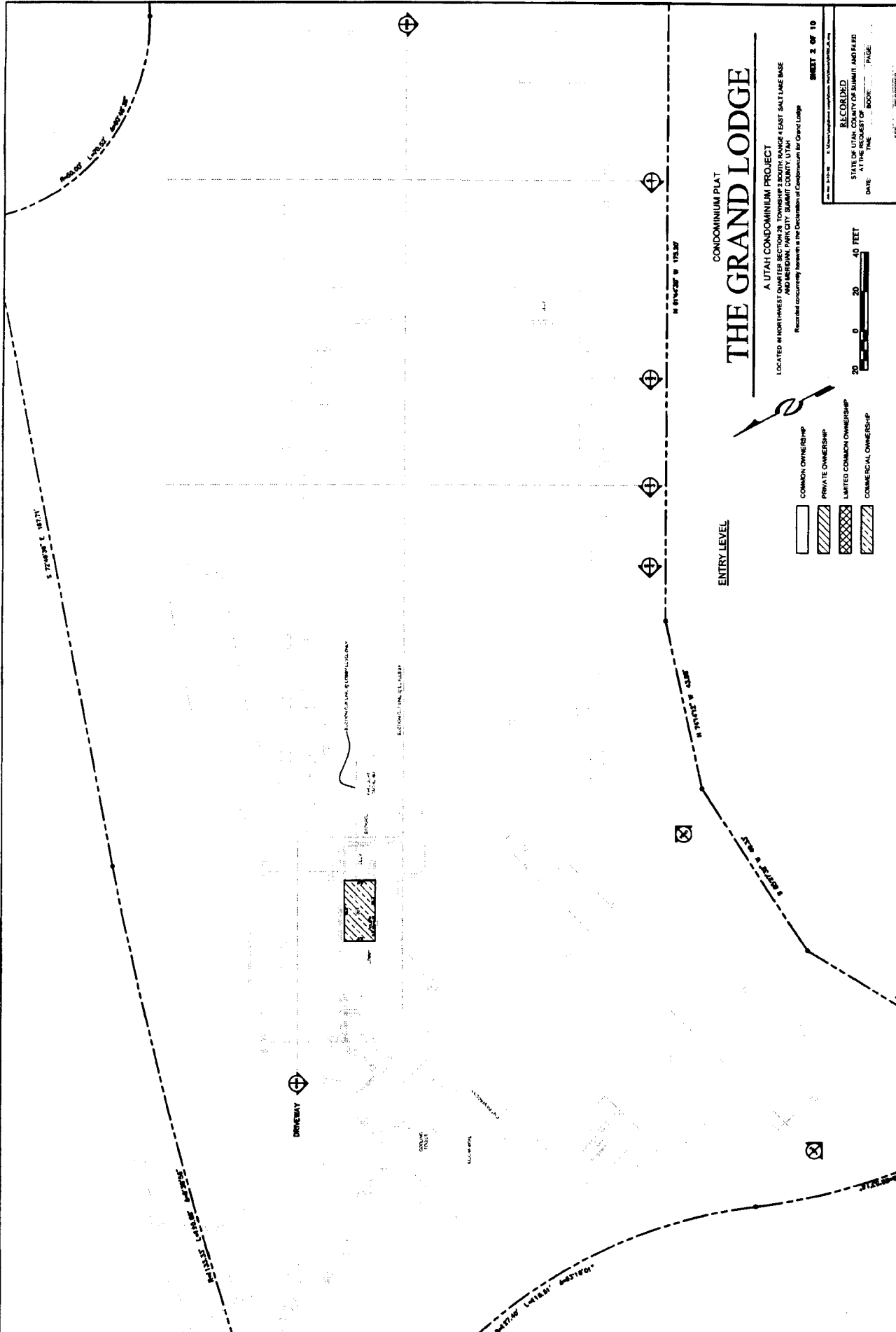
Approved as to form:

*Mark D. Harrington*

Mark D. Harrington, City Attorney







# THE GRAND LODGE

CONDOMINIUM PLAT

A UTAH CONDOMINIUM PROJECT

LOCATED IN NORTHWEST QUARTER SECTION 28, TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH





Recorded concurrently herewith is the Declaration of Condominium for Grand Lodge

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
SHEET 2 OF 10

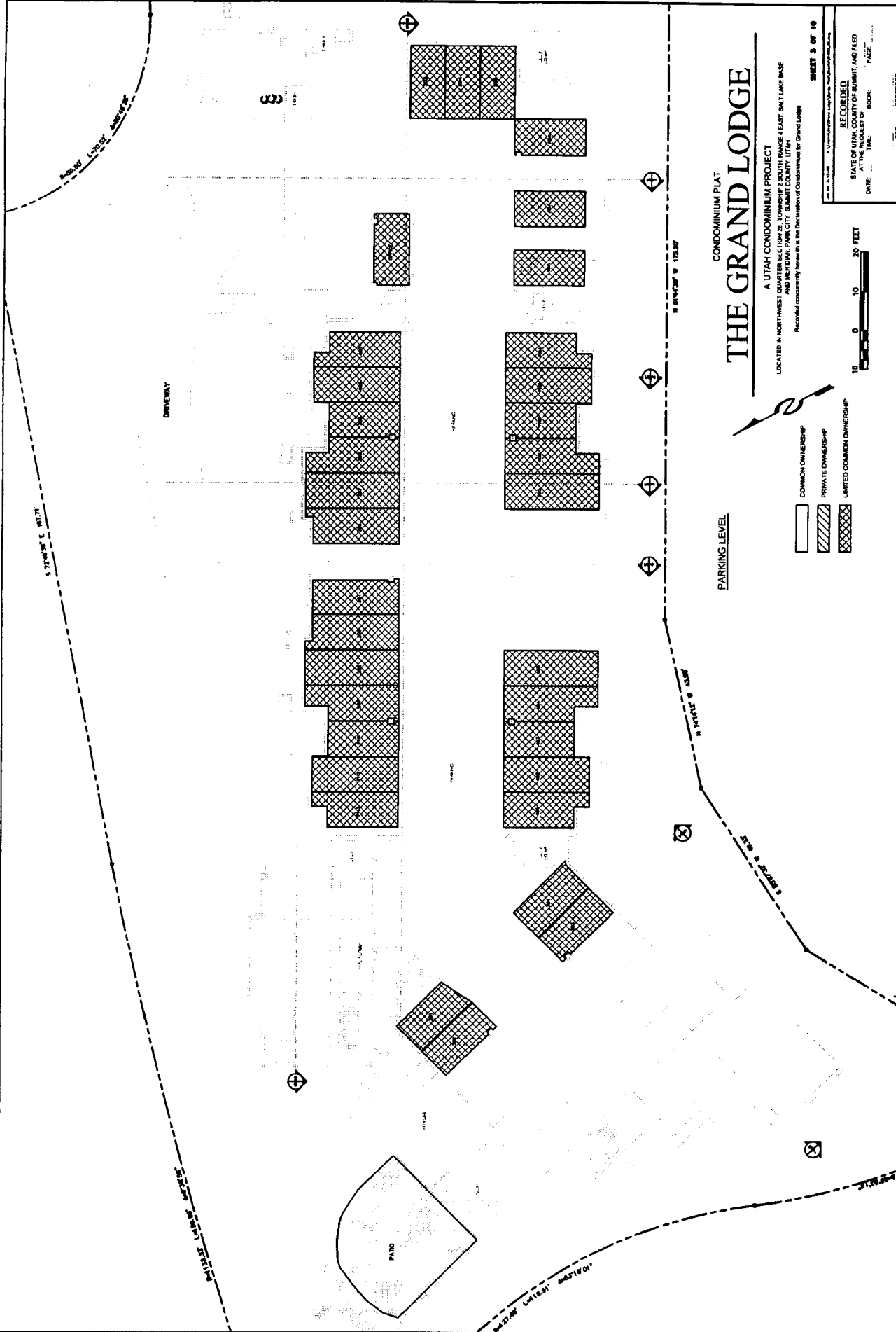
RECORDED  
STATE OF UTAH COUNTY OF SUMMIT AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

FEE RECORDER

ENTRY LEVEL

-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP
-  COMMERCIAL OWNERSHIP





# CONDOMINIUM PLAT

## THE GRAND LODGE

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN  
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Recorded concurrently herewith is the Declaration of Condominium for Grand Lodge

SHEET 3 OF 10

RECORDED  
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
 AT THE REQUEST OF \_\_\_\_\_  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

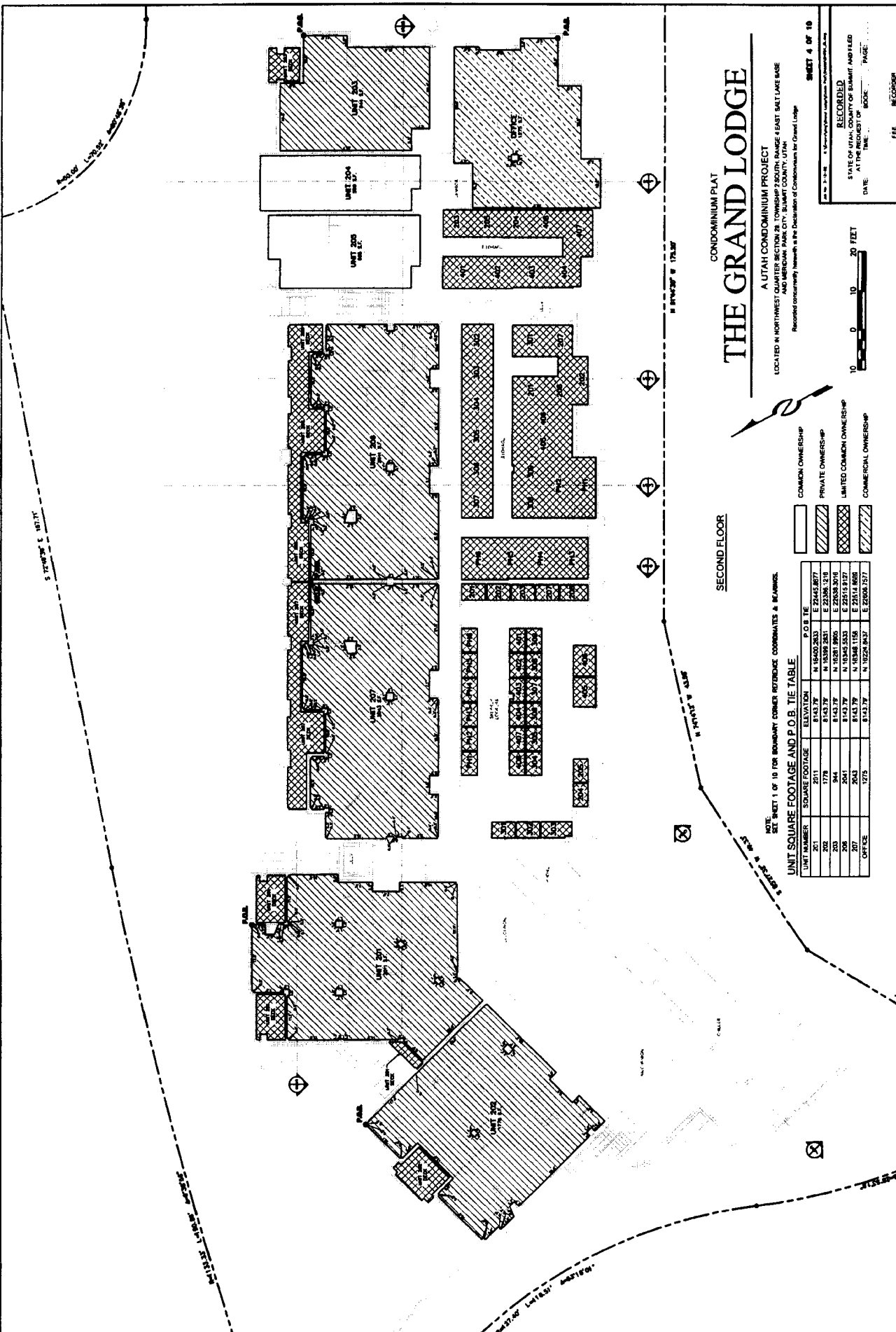


- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



PARKING LEVEL

TEE RECORDER



# THE GRAND LODGE

CONDOMINIUM PLAT  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN  
 AND MERRICK PARK CITY, SALT LAKE COUNTY, UTAH  
 Recorded concurrently herewith is the Declaration of Condominium for Grand Lodge

SHEET 4 OF 10





RECORDED  
 STATE OF UTAH, COUNTY OF SUMMIT AND FILED  
 AT THE OFFICE OF THE CLERK OF COURTS  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ CLOCK: \_\_\_\_\_ PAGE: \_\_\_\_\_

## SECOND FLOOR

NOTE: SET SHEET 1 OF 10 FOR BOUNDARY CORNER REFERENCE COORDINATES & BEARINGS.

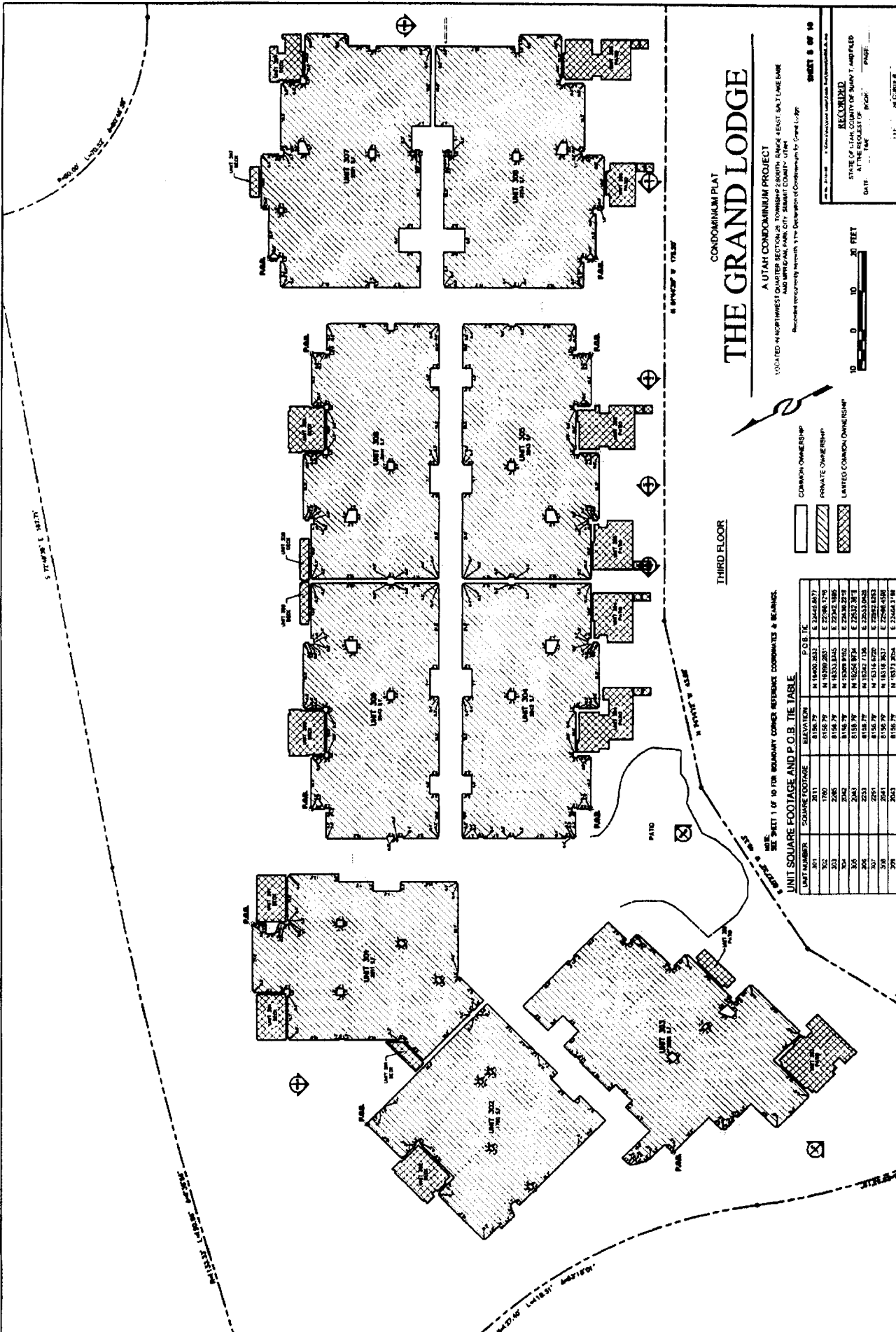
### UNIT SQUARE FOOTAGE AND P.O.B. TIE TABLE

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION	P O B TIE
201	2111	8143.79	N 16400.2633 E 22442.8077
202	1778	8143.79	N 16389.2631 E 22388.2416
203	2041	8143.79	N 16343.5533 E 22413.5127
204	2043	8143.79	N 16348.1158 E 22414.8659
207	1275	8143.79	N 12224.9437 E 22608.1571

-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP
-  COMMERCIAL OWNERSHIP



FEE RECORDED



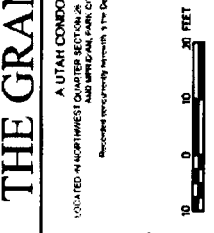
# THE GRAND LODGE

CONDOMINIUM PLAT

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 16, TOWNSHIP 28 NORTH, RANGE 4 WEST, SALT LAKE BASIN  
 AND UPRIVER PARK CITY, SALT LAKE COUNTY, UTAH  
 Recorded hereunder pursuant to the Declaration of Condominiums for Grand Lodge.

SHEET 6 OF 10

RECORDED  
 STATE OF UTAH, COUNTY OF SALT LAKE  
 DATE \_\_\_\_\_ PAGE \_\_\_\_\_  
 BY \_\_\_\_\_ BOOK \_\_\_\_\_



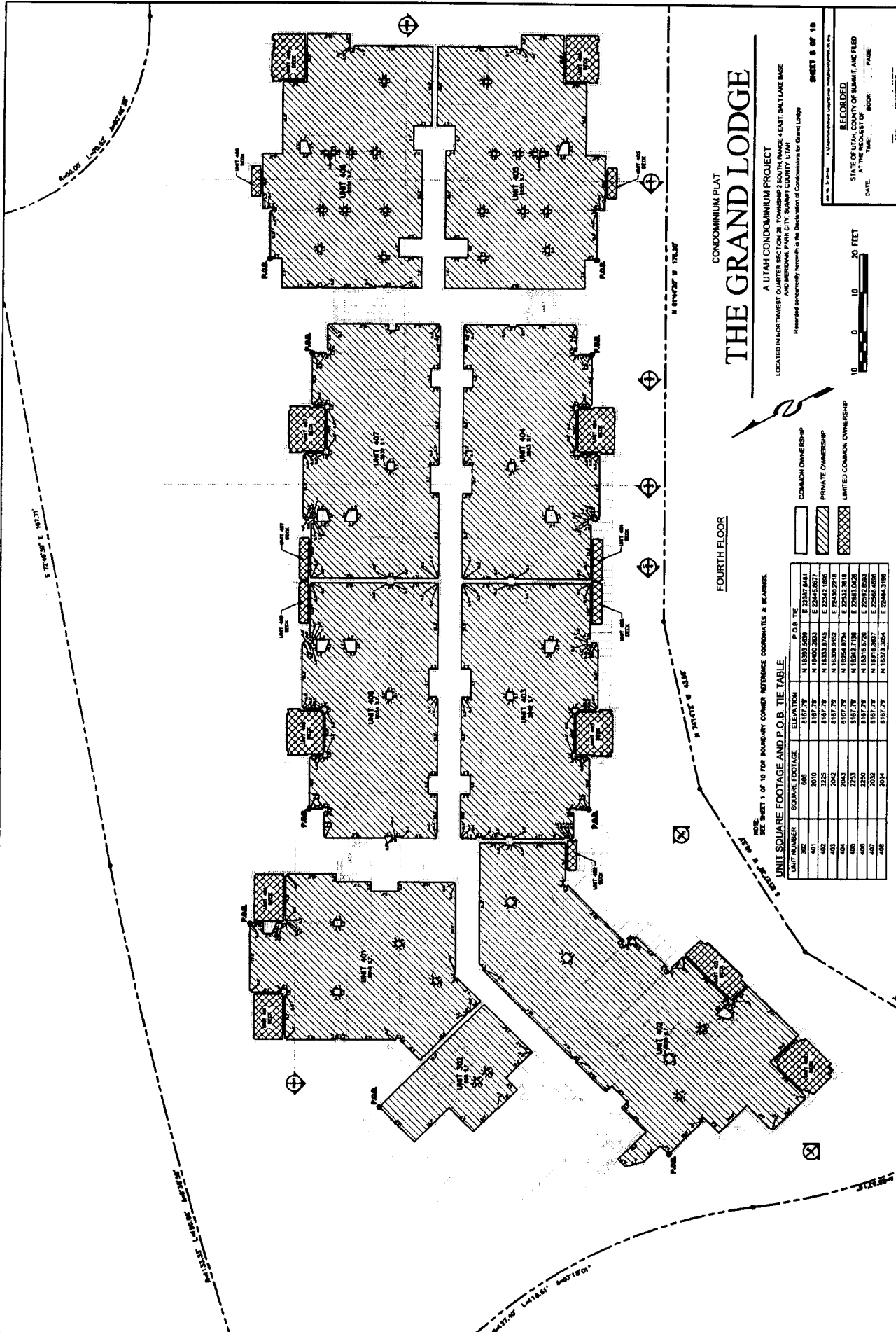
- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

THIRD FLOOR

SEE SHEET 1 OF 10 FOR BOUNDARY CORNER REFERENCE COORDINATES & BEARINGS.  
 UNIT SQUARE FOOTAGE AND P.O.B. TIE TABLE.

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION	P.O.B. TIE	
301	2811	8186.77	N 18565.2821	E 22642.8877
302	2286	8144.77	N 18333.8245	E 22342.1826
303	2042	81162.77	N 18328.8542	E 22618.2218
304	2043	81151.77	N 18324.8724	E 22612.3871
305	2253	81138.77	N 18324.1156	E 22623.0248
306	2251	81162.77	N 18316.8270	E 22622.8813
307	2041	81197.77	N 18318.9617	E 22596.6588
308	2043	81187.77	N 18317.2024	E 22542.1118

11. MCCLURE



# THE GRAND LODGE

CONDOMINIUM PLAN

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 28, TOWNSHIP 2 SOUTH RANGE 1 EAST 34N1 LAKE BASIN  
 AND MERIDIAN PARK CITY, SALT LAKE COUNTY, UTAH  
 Recorded concurrently herewith is the Declaration of Condominium for Grand Lodge

SHEET 6 OF 10

RECORDED  
 STATE OF UTAH COUNTY OF SUMMIT, AND FILED  
 AT THE REQUEST OF BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DATE \_\_\_\_\_



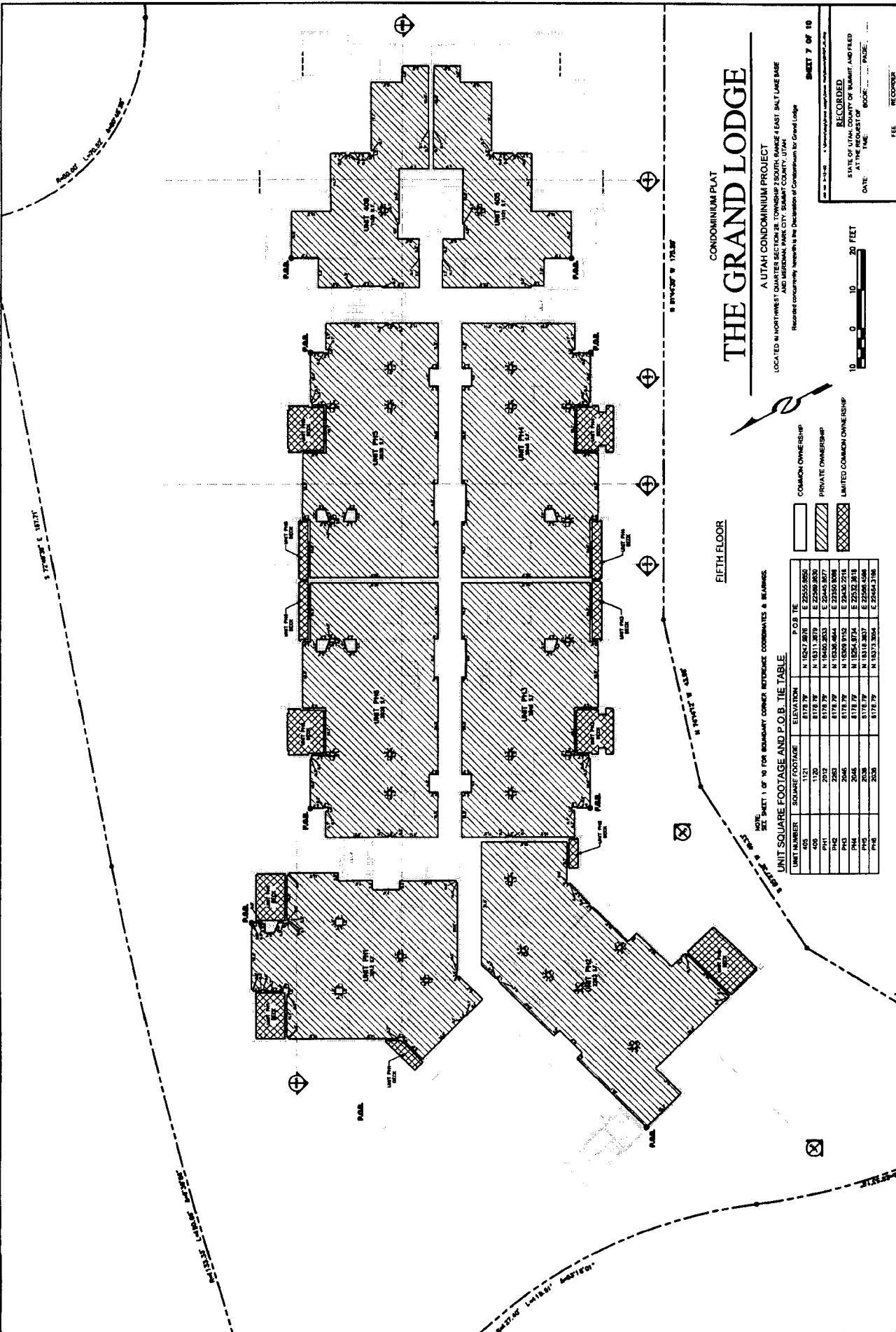
FOURTH FLOOR

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

NOTE: SEE SHEET 1 OF 10 FOR BOUNDARY CORNER REFERENCE COORDINATES & BEARINGS.

UNIT SQUARE FOOTAGE AND P.O.B. TABLE

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION	P.O.B. TABLE	
401	665	8187.79	N 18330.5639	E 22597.8481
402	513	8187.79	N 18426.2633	E 22443.8877
403	264	8187.79	N 18329.8742	E 22442.2818
404	204	8187.79	N 18254.8724	E 22523.2818
405	233	8187.79	N 18342.7136	E 22563.0238
406	226	8187.79	N 18318.6720	E 22592.8204
407	203	8187.79	N 18318.3637	E 22568.4088
408	204	8187.79	N 18371.2054	E 22444.3188



# THE GRAND LODGE

CONDOMINIUM PLAT  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE  
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH  
 Recorded concurrently herewith is the Declaration of Condominium for Grand Lodge

SHEET 7 OF 10

RECORDED  
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
 AT THE OFFICE OF THE COUNTY CLERK  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 RECORDER

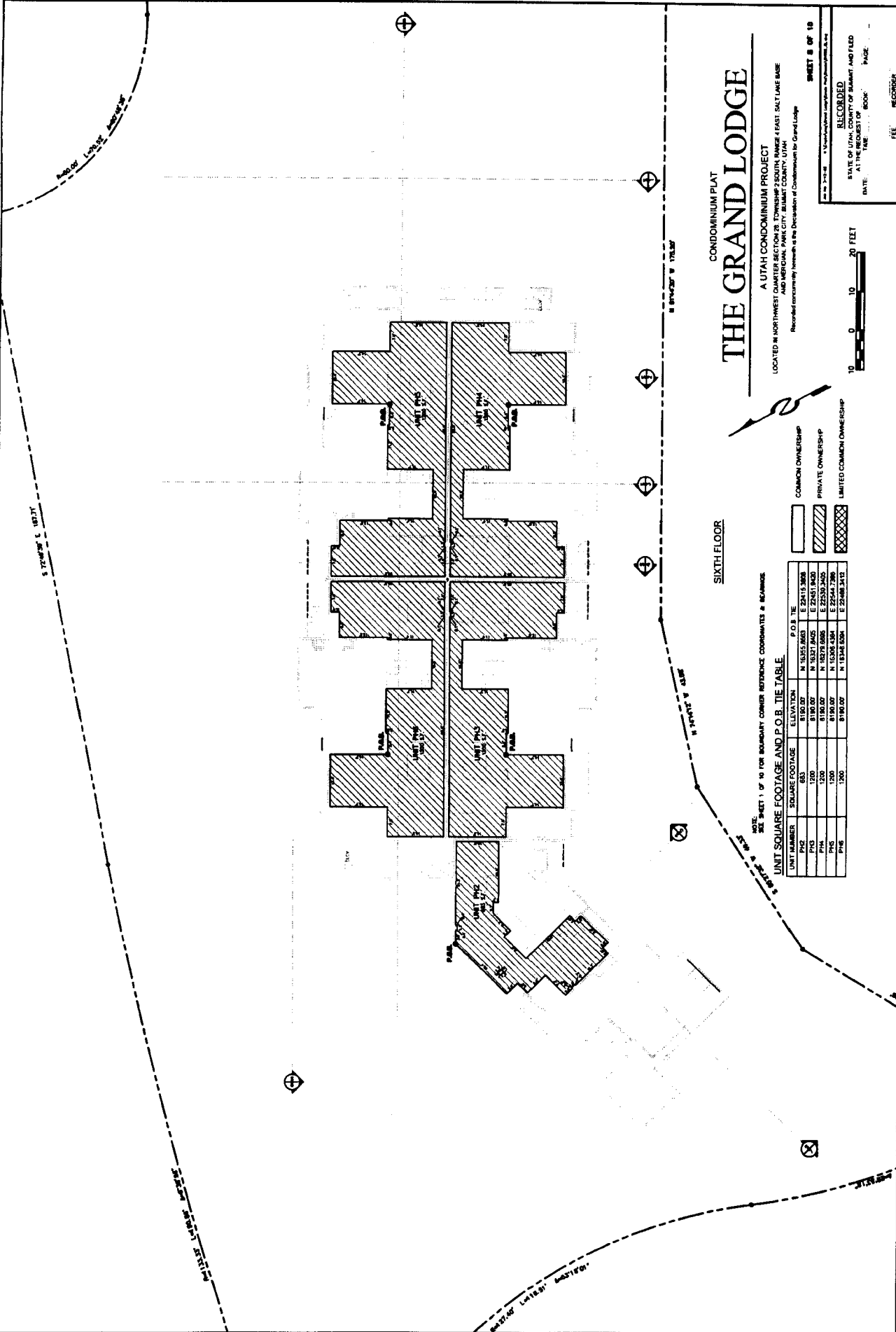


- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

NOTE: SEE SHEET 1 OF 10 FOR BOUNDARY CORNER REFERENCE COORDINATES & BEARINGS.

UNIT SQUARE FOOTAGE AND P.O.B. TABLE

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION	P. O. B. TIE
PH1	1121	E 2172.79	N 18247.2018 E 22555.8950
PH2	1120	E 2172.79	N 18311.2018 E 22598.2830
PH3	2243	E 2172.79	N 18308.8444 E 22440.8264
PH4	2045	E 2172.79	N 18300.8162 E 22430.2214
PH5	2045	E 2172.79	N 18254.8174 E 22432.2818
PH6	2038	E 2172.79	N 18318.3007 E 22408.4548
PH7	2038	E 2172.79	N 18313.3044 E 22464.2188



# THE GRAND LODGE

SIXTH FLOOR

CONDOMINIUM PLAT  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 28, TOWNSHIP 2 SOUTH RANGE 4 EAST, SALT LAKE BASIN  
 AND MERIDIAN, PARK CITY, BLAINE COUNTY, UTAH  
 Recorded conforming herewith is the Declaration of Condominium for Grand Lodge

COMMON OWNERSHIP  
 PRIVATE OWNERSHIP  
 LIMITED COMMON OWNERSHIP

NOTE: SEE SHEET 7 OF 10 FOR BOUNDARY CORNER REFERENCE COORDINATES & BEARINGS

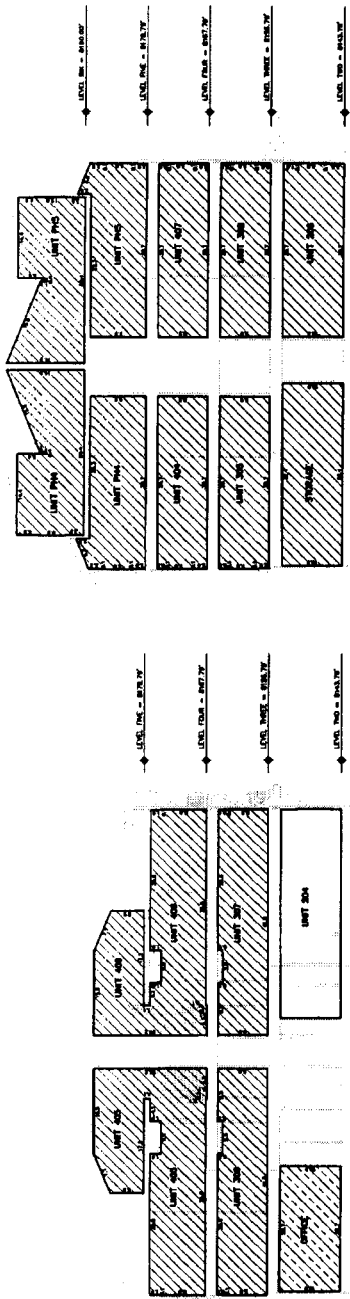
UNIT SQUARE FOOTAGE AND P.O.B. TIE TABLE

UNIT NUMBER	SQUARE FOOTAGE	ELEVATION	P.O.B. TIE
PH1	1200	8190.00	N 13472.8205 E 22415.8005
PH2	1200	8190.00	N 13472.8205 E 22415.8005
PH3	1200	8190.00	N 13472.8205 E 22415.8005
PH4	1200	8190.00	N 13472.8205 E 22415.8005
PH5	1200	8190.00	N 13472.8205 E 22415.8005
PH6	1200	8190.00	N 13472.8205 E 22415.8005



RECORDED  
 STATE OF UTAH, COUNTY OF BLAINE AND FILED  
 AT THE OFFICE OF THE COUNTY CLERK  
 DATE: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 FEE: \_\_\_\_\_ RECORDER: \_\_\_\_\_

SHEET 8 OF 10

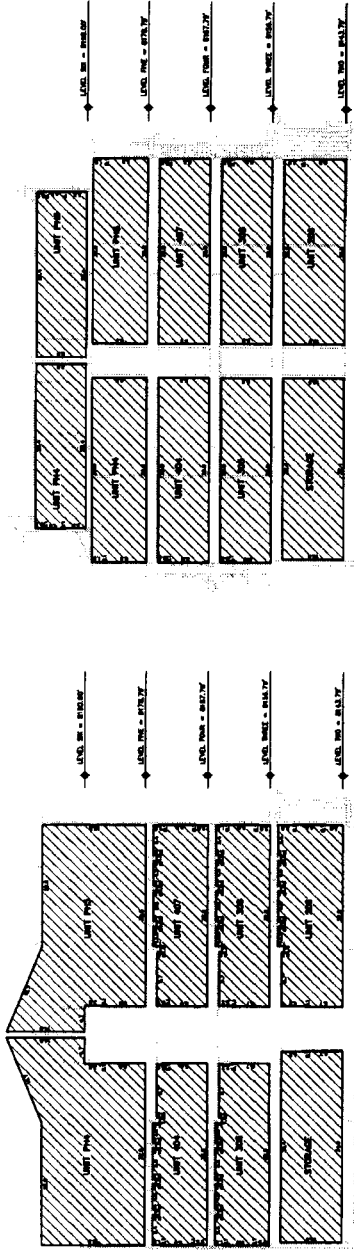


PARKING LEVEL - 800.00' - 800.00' (COMMON)

PARKING LEVEL - 800.00' - 800.00' (COMMON)

SECTION S-2

SECTION S-1



PARKING LEVEL - 800.00' - 800.00' (COMMON)

PARKING LEVEL - 800.00' - 800.00' (COMMON)

SECTION S-4

SECTION S-3

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP
- COMMERCIAL OWNERSHIP

# THE GRAND LODGE

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN NORTHWEST QUARTER SECTION 16, TOWNSHIP 3 NORTH, RANGE 11 EAST, 34TH LANE BASE  
 AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH  
 Recorded concurrently herewith is the Declaration of Condominium for Grand Lodge

RECORDED  
 STATE OF UTAH, COUNTY OF SUMMIT AND FILED  
 AT THE REQUEST OF  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 FEE: \_\_\_\_\_ RECORDED:







**Ordinance No. 05-46**

**AN ORDINANCE APPROVING THE SUBDIVISION OF FOUR METES AND BOUNDS PARCELS INTO ONE LOT OF RECORD LOCATED AT 777 AERIE DRIVE, PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 777 Aerie Drive, has petitioned the City Council for approval of a subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on June 22, 2005 the Planning Commission held a public hearing to receive public input on the proposed subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed subdivision allows the property owner to combine 4 metes and bounds parcels into one lot of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the subdivision.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is zoned Estate (E) and is located within the Sensitive Lands Overlay (SLO) and the Frontage Protection Zone (FPZ).
2. The Estate zone is characterized by large cohesive unbroken areas of open space.
3. The SLO is characterized by cluster development that allows a reasonable use of property.
4. The applicant is proposing a single family lot on approximately 3.37 acres.
5. Access to the property is from Aerie Drive.
6. The applicant has provided a slope analysis indicating that 49% of the land area on the site is considered very steep slope, exceeding 40% in grade, with 29.7% of the lot area between 30% and 40%.
7. The applicant has reduced the potential density of the project from one single family home with guest unit to one single family home.
8. No changes in density allowed in the Estate zone are requested under this application.
9. The applicant stipulates to all conditions of approval.
10. Notice of this public hearing was sent to all property owners within 300 feet of the project on May 25, 2005.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

- 1 There is good cause for this amendment.
- 2 The amendment is consistent with the Park City Land Management Code and applicable State law.
- 3 Neither the public nor any person will be materially injured by the proposed amendment.
- 4 As conditioned the amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. A utility, grading and drainage plan shall be submitted to the City Engineer for review and approval prior to the issue of a building permit.
3. A note shall be added to the plat indicating that the maximum house size for the lot is 7,770 square feet, including garage, but not a legal LMC defined basement.
4. A note shall be added to the plat indicating that the home shall have a modified 13-D sprinkler fire protection system installed prior to the issue of a certificate of occupancy by the Building Department.
5. Prior to the issue of a building permit, the Planning Commission shall review the applicant's building plans for compliance with the Sensitive Lands Overlay Ordinance.
6. Prior to the issue of a building permit, the applicant shall submit a detailed retaining plan for review by the Planning Director, City Engineer and Chief Building Official.
7. Prior to the issue of a building permit, the applicant will be required to submit a detailed landscape plan that will be reviewed and approved by the City Landscape Architect, demonstrating proper mitigation of plant removal and revegetation of cuts and exposed areas.
8. This approval will expire one year from the date of approval if no building permit has been issued.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

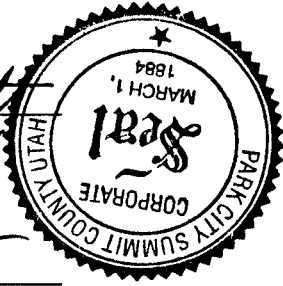
PASSED AND ADOPTED this 4<sup>th</sup> day of August 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

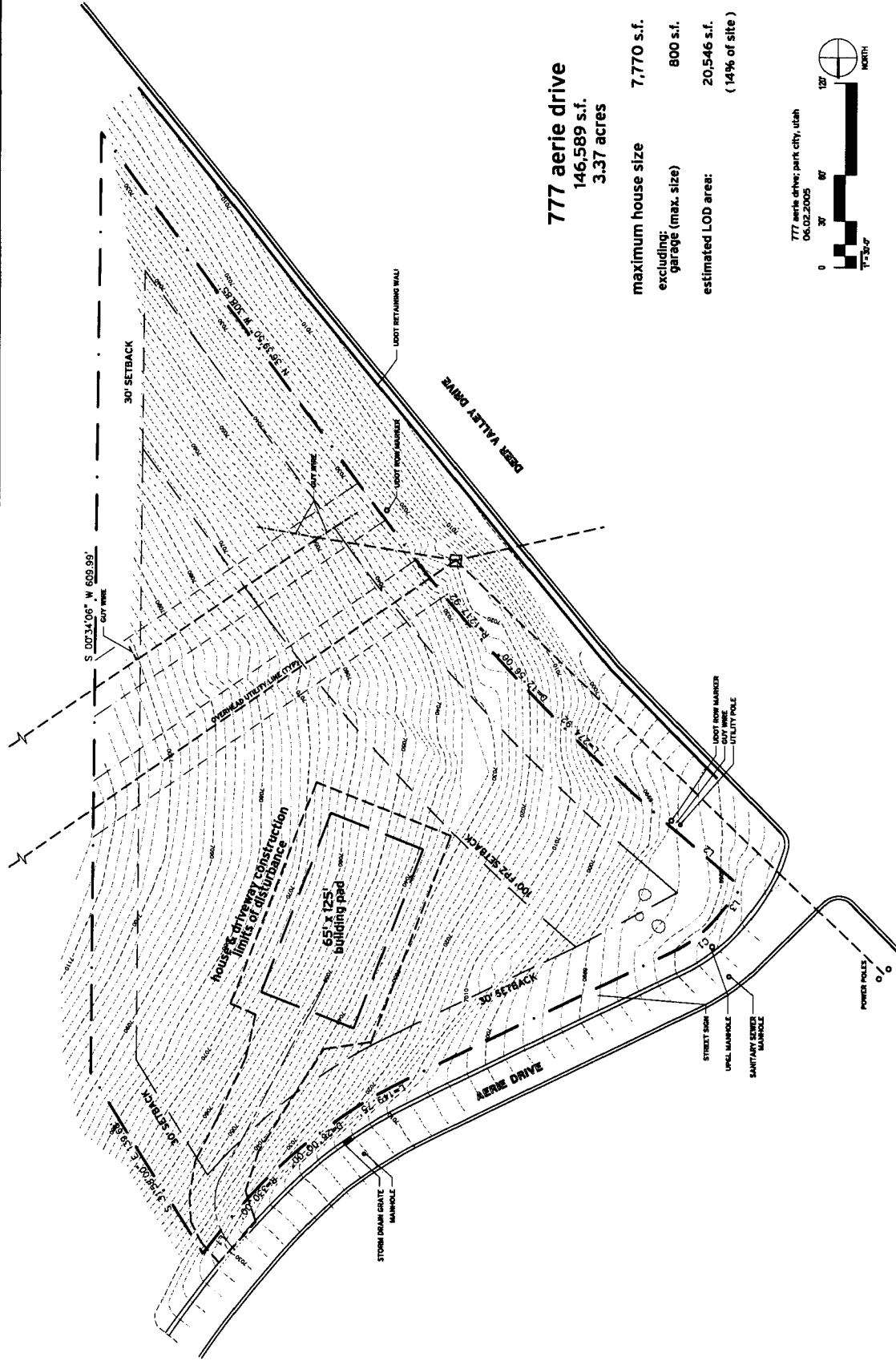
Attest

*Janet M. Scott*  
Janet M. Scott, City Recorder



Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney



**777 aerie drive**  
 146,589 s.f.  
 3.37 acres

maximum house size 7,770 s.f.  
 excluding: 800 s.f.  
 garage (max. size)  
 estimated LOD area: 20,546 s.f.  
 (14% of site)



777 aerie drive, park city, utah  
 06.02.2005

**Irans Hoffman, architect**  
 801.680.7515 FAX: 801.515.488  
 park city, utah 84301  
 www.iranshoffman.com

**CITY PLANNING COMMISSION**  
 APPROVED AND ACCEPTED BY THE PARK CITY  
 PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2005.  
 CHAIRMAN \_\_\_\_\_

**CITY ENGINEER**  
 THIS PLAN IS IN CONFORMANCE WITH INFORMATION  
 ON FILE IN THE OFFICE OF THE PARK CITY  
 ENGINEERING DEPARTMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2005.  
 CITY ENGINEER \_\_\_\_\_

**CITY COUNCIL APPROVAL**  
 PRESENTED TO THE BOARD OF \_\_\_\_\_ DAY OF \_\_\_\_\_  
 CITY COUNCIL THIS \_\_\_\_\_ A.D. 2005. AT WHICH TIME  
 THIS RECORD OF SURVEY WAS APPROVED.  
 MAYOR \_\_\_\_\_ CITY RECORDER \_\_\_\_\_

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2005.  
 CITY ATTORNEY \_\_\_\_\_

**SNYDERVILLE BASIN W.R.D.**  
 REVIEWED FOR CONFORMANCE TO  
 SNYDERVILLE BASIN WATER RECLAMATION  
 DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_ A.D. 2005.  
 BY: SNYDERVILLE BASIN WATER  
 RECLAMATION DISTRICT COUNTY RECORDER \_\_\_\_\_

**RECORDED**  
 IN STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 RECORDED AND FILED AT THE REQUEST OF: \_\_\_\_\_

Ordinance No. 05-45

**AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE A PORTION OF PLATTED UTAH (SAMPSON) AVENUE, AND PORTIONS OF A NUMBER OF PLATTED LOTS IN BLOCKS 77 AND 78 OF THE PARK CITY SURVEY INTO ONE LOT.**

**WHEREAS**, owners of the property known as 121 Sampson Avenue, have petitioned the City Council for approval of a subdivision plat; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on July 27, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The applicant is requesting a plat amendment to create one lot of record out of a portion of platted, unbuilt Utah (Sampson) Avenue, and portions of a number of platted lots in blocks 77 and 78 of the Park City Survey.
2. The Planning Commission reviewed this item at the July 27, 2005 meeting. A Public Hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
3. The parcels have access from Sampson Avenue.
4. The house is located approximately 60' from the edge of pavement on Sampson Avenue.
5. A contemporary single family home exists on this site.
6. The property is located in the HR-L zone. This application includes a portion of platted, unbuilt Utah Avenue. Equity Title Agency has provided a clear chain of title referencing a Quit-Claim Deed recorded March 23, 1983 in which the City vacated this portion of Utah Avenue and deeded it to the predecessors in interest to the current property owner.
7. Review of information provided by the County Assessor's office indicates that the property owner is paying taxes on the entire property included in this application, including the portion of vacated Utah (Sampson) Avenue.
8. The proposed lot will be approximately 6180 square feet. The maximum allowable footprint for a 6180 square foot lot is 2183. The minimum required front and rear setbacks for a 105' deep lot are 15' each. The minimum side yard setbacks required for a 59.56' wide lot are 5' for a total of 14'.
9. The proposed lot complies with all required LMC lot size, lot arrangement, lot dimension and access requirements.
10. The applicant has agreed to provide a 10' snow storage and public utility easement at the front of the lot. This will be a condition of approval of this application. The applicant has agreed to this stipulation and the proposed plat reflects this condition.

11. The 3 lot subdivision immediately across the street from 151 Sampson has maximum size limitations as a plat note: 30 Sampson is limited to 3000 square feet, 40 Sampson is limited to 3,500 square feet, and 50 Sampson Avenue is limited to 3000 square feet.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for any new construction on the lot, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.
3. 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 and the plat will be void.
4. The applicant shall dedicate the 10' public utility and snow storage easement along Sampson Avenue.


**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 4th day of August, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

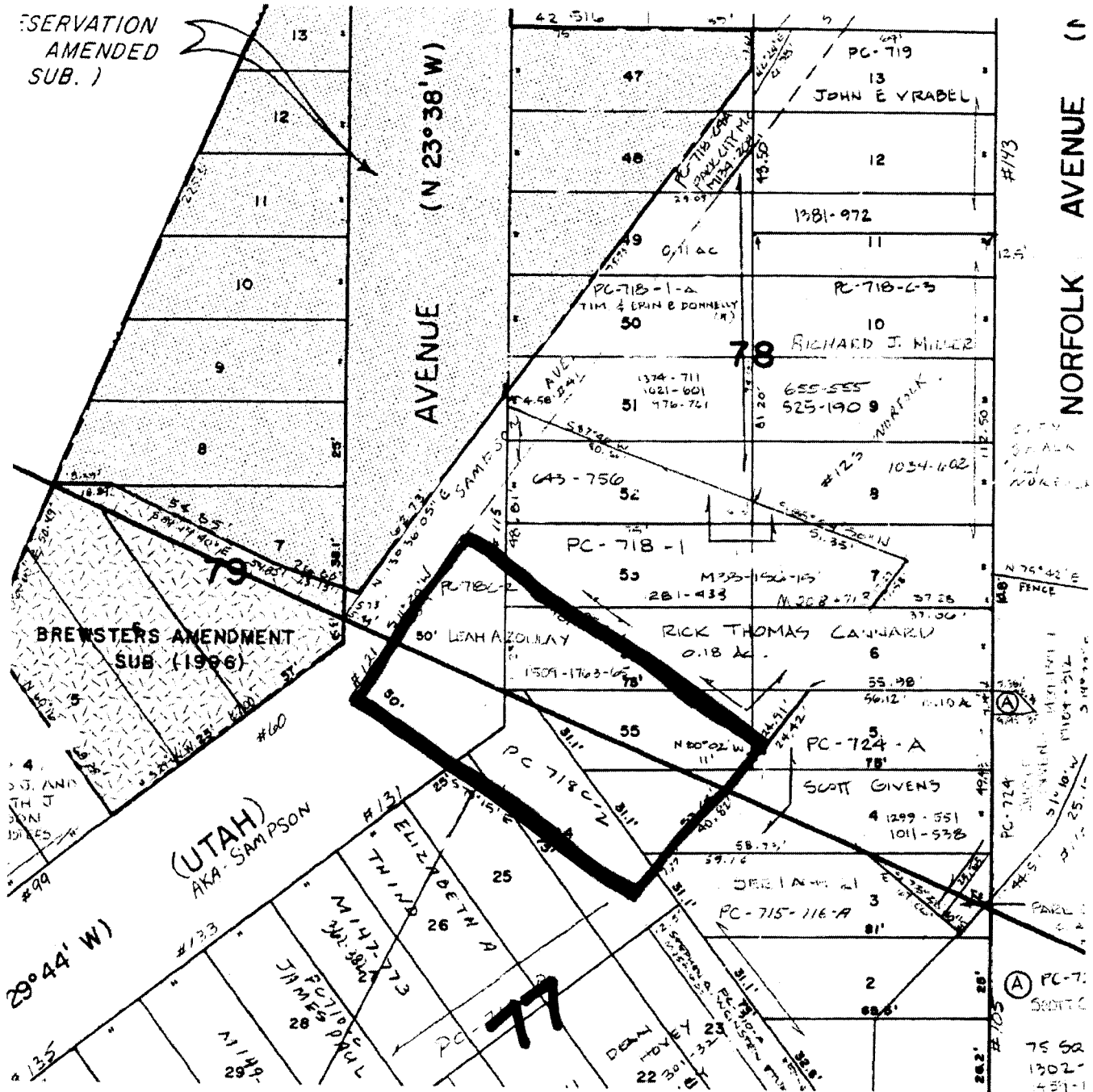
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







RESERVATION  
AMENDED  
SUB.)



# Ex. B

## RECORDER'S PLATS



**Ordinance No. 05-44**

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 3A, SECTION 7  
TO THE MUNICIPAL CODE, REGULATING VENDING BY ARTISTS ON PUBLIC  
PROPERTY TO CHANGE THE AVAILABLE PUBLIC PROPERTY TO THE PARK AT  
9<sup>TH</sup> STREET AND PARK AVENUE**

WHEREAS, Park City desires to partner with artists who wish to exhibit and sell their artwork on public property by providing an opportunity to do so at a designated area that directly advances an artist's interest for exhibit space and which also contributes to the overall sense of community in terms of a gathering space and resort experience; and

WHEREAS, the area is designated with the intent that participants will self-manage their exhibits and compliance with the agreed-upon standards set forth below; and

WHEREAS, in establishing this area for artists to exhibit and sell their artwork on public property, Park City wishes to narrowly tailor applicable content neutral regulations in a manner that minimally impact an artists ability to exhibit, and yet still protect its and its citizens' significant and important governmental interests, such as: public access and use of open space, preventing visual blight, addressing aesthetic concerns, allowing reasonable access and sight easements to businesses and residences, allowing for the free flow of traffic, both pedestrian and vehicular, and preventing and limiting the exposure of Park City's citizens to unwanted, unwelcome, and unsolicited messages, without an avenue of escape; and

WHEREAS, Park City acknowledges that these strong compelling governmental interests, although certainly shared by the artists, compete with equally important private interests of artists and other citizens, including but not limited to freedom of expression, access to limited public space, and the right to engage in truthful commercial activity/speech; and

WHEREAS, Park City wishes to balance these competing interests in a manner consistent with the constitutional protections of the United States and Utah Constitutions; and

WHEREAS, pursuant to U.C.A § 10-8-29, Park City desires, in reasonable time, place, and manner regulations codified herein, to balance those interests, and thereby protect the health, safety, and welfare of the citizens and guests of Park City, preserve the quality of life, preserve the property values and character of the neighborhoods surrounding City-owned property, as well as provide artists with the opportunity to exercise their constitutional rights; and

WHEREAS, in 2004 the City and art community tested an area north of the Library for one season and as a result, decided an area with more pedestrian circulation would be desirable; and

WHEREAS, the park space at 9<sup>th</sup> Street and Park Avenue was agreed to as an appropriate area due to it's closer proximity to Main Street and increased visibility;

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

**SECTION 1. FINDINGS:** The Council finds that:

1. The test season of 2004 concluded without any detrimental secondary effects;
2. A new location with increased pedestrian traffic and closer proximity to Main Street would better serve the purpose of this Ordinance;
3. The new Available Public Property was evaluated by staff and adjacent property owners and any potential impacts should be mitigated by the reasonable conditions of operation herein;
4. The recitals above are hereby incorporated as findings by the legislative body of Park City.

**SECTION 2. AMENDMENTS TO TITLE 4 OF THE MUNICIPAL CODE.** Title 4, Chapter 3A, Section 7 "Art Exhibit for Sale on Public Property," is hereby amended as follows:

(A) **Definitions.** For the purpose of this Chapter, the following words shall have the following meanings:

(3) "Available City Property" means the green space at the northeast intersection of Park Avenue and 9<sup>th</sup> Street, Park City, Utah, owned and operated by the City, and alternatively pursuant to subsection H(1) below, City Park.

(C) **Terms and Conditions.**

(1) Registration Required.

Any person or groups of person intending or expecting to receive valuable consideration for the Exhibition of Art shall be registered with the City as an Art Vendor before such Exhibit. The registration shall be valid annually each weekend Friday thru Sunday, and all holidays or Special Events or Master Festivals as approved by the Special Events Department.

(E) **NUMBER AND SPACING OF ARTISTS PER AVAILABLE CITY PROPERTY.** The number of exhibit areas for artists that may exhibit at the same time on any available City property is ~~thirty (30)~~ twelve (12), unless otherwise determined by the Special Events Manager upon a finding of no harm or interference with the open space nature of the area, and upon giving notice to the City Council.


(G) **SPACE RESTRICTIONS.** No artist may exhibit artwork for sale directly on the surface of any City facility or structure, including sidewalks or on top of a trash receptacle. No artist's exhibit may exceed ten feet (10') in height from the ground or ten feet by ten feet (10' X 10') in area, including a tent or other structure. Exhibits should be off the ground in a manner so as not to damage the lawn, vegetation, or other public property. No artist shall use any area other than the area immediately beneath the surface of the display area for the storage of items for exhibit. Artists may have a container for gratuity. Set-up shall not begin prior to 8:00 a.m. each day. All artwork, stands, and other equipment associated debris and structures shall be removed from available City property no later than 6:00 p.m. each night. ~~All artists should park their cars across the street in the old Mawhinney lot, or City Park.~~ Upon finding parking conflicts, the Special Events Manager may temporarily designate and/or prohibit parking at certain locations.

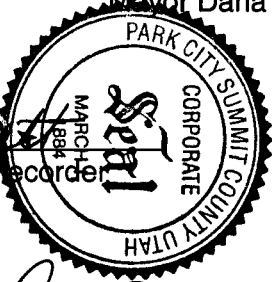
**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be effective upon publication.

PARK CITY MUNICIPAL CORPORATION

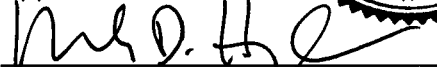
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

**Ordinance No. 05-43**

**AN ORDINANCE APPROVING THE SPIRO CONDOMINIUMS BUILDINGS A-F EXPANDABLE CONDOMINIUM RECORD OF SURVEY PLAT, LOCATED AT 1825 THREE KINGS DRIVE, PARK CITY, UTAH.**

WHEREAS, the owner of lots 1 and 2 of the Silver Star Subdivision, located at 1825 Three Kings Drive, petitioned the City Council for approval of an expandable condominium record of survey plat, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 13, 2005, to receive input on the proposed expandable condominium record of survey plat; and

WHEREAS, the Planning Commission, on July 13, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on July 14, 2005, the City Council held a public hearing and approved the expandable condominium record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the expandable condominium record of survey plat, to allow individual units to be bought and sold.

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

SECTION 1. APPROVAL. The expandable 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 in the RDM zoning district.
2. The property is subject to the 2004 Spiro Tunnel MPD Development Agreement.
3. The Spiro Tunnel MPD Development Agreement sets forth a maximum density of 97 unit equivalents (ue). This first phase condominium plat identifies 38 units (36.75 residential ue). The units range in size from 1,418 to 2,537 square feet. Three commercial condominium units are identified as well. Total commercial unit equivalents within the first phase are 3.54 ue. The remaining residential and commercial unit equivalents are subject to future condominium conversion (convertible space). The remaining floor area is designated as either common area or limited common area (exclusive use of a particular unit).

4. The pedestrian elevator from Three Kings Drive to the plaza level is located within Building C. The general public's access to portions of the site and building is restricted and further described in the Declaration of Condominium for the Spiro Condominiums.
5. The project lies within the Theriot Springs Water Source Protection Zone. Building A currently conflicts with the Spiro Bulkhead Water Line.

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, as conditioned.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Spiro Tunnel MPD Development Agreement.


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 the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition subsequent to plat recordation.
3. The applicant will record the Record of Survey 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.
4. All conditions of approval of the Spiro Tunnel MPD continue to apply.
5. All conditions of approval of the Silver Star subdivision plat continue to apply.
6. The Owner shall certify on the plat that the condominium project will be built substantially as shown.
7. A financial guarantee for 125% of the value of public improvements shall be submitted prior to plat recordation, in an amount approved by the City Engineer and in a form approved by the City Attorney. The construction cost of these improvements could exceed \$500,000.
8. Driveways to the condo units may be revised from those shown on the draft plans in order to achieve proper design. Revised driveway designs will be reviewed and, if acceptable, approved by the Planning Staff and City Engineer prior to plat recordation.
9. The conflict with Building A shall be resolved to the satisfaction of the City Engineer as a condition precedent to recordation of the plat.
10. The applicant will record the plat amendment at the County within one year from the date of City Council approval.

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

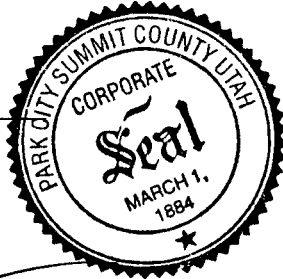
PASSED AND ADOPTED this 14th day of July, 2005.

PARK CITY MUNICIPAL CORPORATION

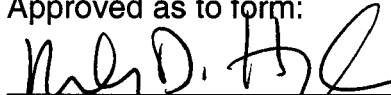
  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder



Approved as to form:

  
Mark D. Harrington, City Attorney



**Ordinance No. 05-42**

**AN ORDINANCE APPROVING THE MAZZONE SUBDIVISION PLAT LOCATED AT  
205 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as 205 Woodside Avenue have petitioned the City Council for approval of the Mazzone subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 22, 2005, to receive input on the Mazzone subdivision plat;

WHEREAS, the Planning Commission, on June 22, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 7, 2005 the City Council approved the Mazzone subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Mazzone subdivision plat.

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

**SECTION 1. APPROVAL.** The Mazzone subdivision 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 205 Woodside Avenue in the HR-1 zone.
2. The current legal description of the property is Lot 1 and South ½ of Lot 2, Block 31, Park City Survey.
3. There is a non-historic dwelling located on the property.
4. The applicant is requesting a plat amendment to create a legal lot of record that will have 38.86 feet of frontage along Woodside Avenue and 75 feet of width.
5. The new lot is to be adjacent to the Second Street Steps, and will have a total area of 2896.4 square feet consistent with the minimum requirements of the LMC for a lot within the HR-1.
6. Access to the property is from Woodside Avenue.
7. The minimum lot size in the HR-1 District is 1875 square feet.
8. The applicant is proposing to construct a 200 square foot addition, predominately to the second floor of the house, and a 20 foot by 10 foot deck to the rear of the

house.

9. The Planning Commission forwarded a positive recommendation to Council on June 22, 2005.

**Conclusions of Law:**

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the plat amendment is consistent with the Park City General Plan.

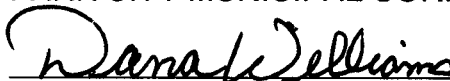
**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
3. 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 and the plat will be void.

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

PASSED AND ADOPTED this 7th day of July, 2005.

PARK CITY MUNICIPAL CORPORATION



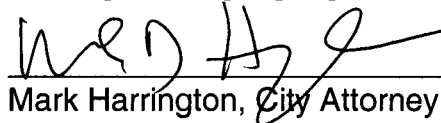
Dana Williams, MAYOR

ATTEST:



Janet M. Scott, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney





**Ordinance No. 05-41**

**AN ORDINANCE APPROVING THE HOLM SUBDIVISION PLAT LOCATED AT  
1326 PARK AVE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as 1326 Park Avenue have petitioned the City Council for approval of the Holm subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 22, 2005, to receive input on the Holm subdivision plat;

WHEREAS, the Planning Commission, on June 22, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 7, 2005 the City Council approved the Holm subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Holm subdivision plat.

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

**SECTION 1. APPROVAL.** The Holm subdivision 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 in the HRM zone.
2. The HRM zone is a residential zone characterized by a mix of low density and high density contemporary residences and historic homes.
3. The Plat Amendment will combine a metes and bounds parcel of Block 24, Snyder's Addition to the Park City Survey, and create one lot of record, Lot 1, to be called the Holm Subdivision.
4. The proposed lot would consist of 2,675 square feet.
5. The lot has 37 feet of frontage on Park Avenue.
6. The existing house on site is historic.
7. No remnant lots will be created as a result of this application.
8. The Planning Director has determined that sufficient documentation exists to indicate the BOA approved a variance for the current lot size on March 10, 1977. No additional BOA action regarding the lot size is necessary at this time.

9. The Planning Commission forwarded a positive recommendation to Council on June 22, 2005.

**Conclusions of Law:**

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the plat amendment is consistent with the Park City General Plan.


**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
3. 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 and the plat will be void.


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

PASSED AND ADOPTED this 7th day of July, 2005.

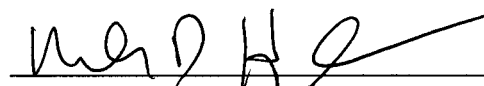
PARK CITY MUNICIPAL CORPORATION

  
Dana Williams, MAYOR

ATTEST:

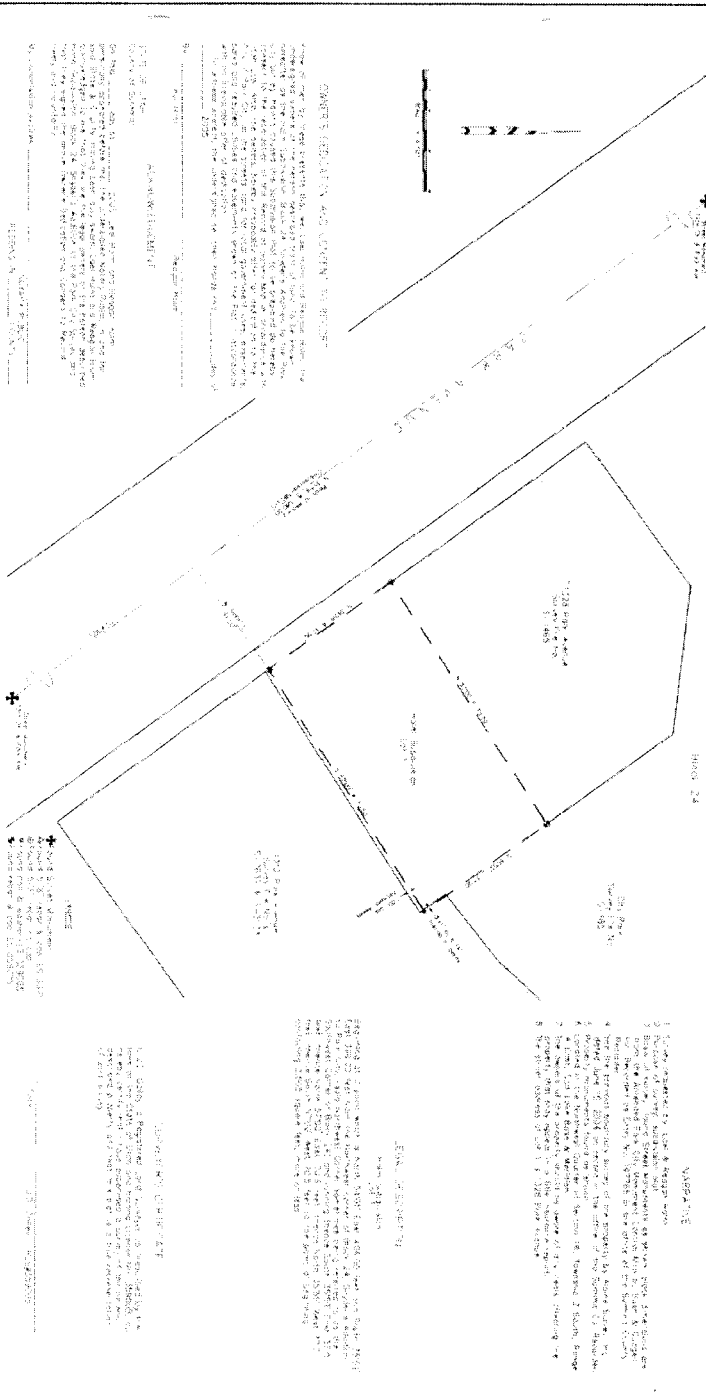
  
Janet M. Scott, City Recorder

APPROVED AS TO FORM:

  
Mark D. Harrington, City Attorney



**Holm Subdivision**  
 An Amendment to Block 21,  
 Snyder's Addition to the Park City Survey



- UNAPPORTIONED
1. To be retained by Lot 1 & 2 together.
  2. To be retained by Lot 3 & 4 together.
  3. To be retained by Lot 5 & 6 together.
  4. To be retained by Lot 7 & 8 together.
  5. To be retained by Lot 9 & 10 together.
  6. To be retained by Lot 11 & 12 together.
  7. To be retained by Lot 13 & 14 together.
  8. To be retained by Lot 15 & 16 together.

FINAL APPROVED BY  
 APR 7 2005

THE STATE OF UTAH, COUNTY OF KANE, ss. I, \_\_\_\_\_, Clerk of the County, do hereby certify that the foregoing is a true and correct copy of the original of the above and correct plat as the same appears on file in my office.

1. To be retained by Lot 1 & 2 together.  
 2. To be retained by Lot 3 & 4 together.  
 3. To be retained by Lot 5 & 6 together.  
 4. To be retained by Lot 7 & 8 together.  
 5. To be retained by Lot 9 & 10 together.  
 6. To be retained by Lot 11 & 12 together.  
 7. To be retained by Lot 13 & 14 together.  
 8. To be retained by Lot 15 & 16 together.

PLANNING COMMISSION APPROVED AS TO FORM DATE: _____	ENGINEER'S CERTIFICATE APPROVED AS TO FORM DATE: _____	CITY CLERK APPROVED AS TO FORM DATE: _____	CITY MANAGER APPROVED AS TO FORM DATE: _____	CITY COUNCIL APPROVED AS TO FORM DATE: _____	CITY CLERK APPROVED AS TO FORM DATE: _____	CITY MANAGER APPROVED AS TO FORM DATE: _____	CITY COUNCIL APPROVED AS TO FORM DATE: _____
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**RECEIVED**  
 APR - 7 2005  
 PARK CITY  
 PLANNING DEPT.

Exhibit A: Proposed Final Plat (Holm subdivision plat)

**AN ORDINANCE AMENDING SECTION 15-2.21-4(A)  
OF THE LAND MANAGEMENT CODE  
RELATING TO THE SENSITIVE AREA REGULATIONS-SLOPE PROTECTION**

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 of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed change to the Land Management Code is necessary to provide criteria for reductions to setbacks from Very Steep Slopes within the Sensitive Lands Overlay;

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

**SECTION 1. AMENDMENT TO TITLE 15- Land Management Code,  
2.21-4(A) – SENSITIVE AREA REGULATIONS-SLOPE PROTECTION**

15-2.21-4(A) **Prohibitions.** No Development is allowed on or within fifty feet (50') (map distance) of Very Steep Slopes, Areas subject to landsliding, and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically (upslope or downslope) and fifty feet (50') horizontally in any direction to be subject to this prohibition.

The Planning Commission may vary the setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the Suitability Review:

1. Varying the setback does not create an intrusion by buildings into the Ridgeline Area when viewed from LMC designated Vantage Points (15-2.21-3(A) (4)) or other Vantage Points designated by the Planning Staff or Commission (15-2.21-3 (B));
2. Building areas in the setback do not create excessive cut or fill slopes; minimal retaining walls to limit disturbance and meet grade may be required by the Planning Commission subject to sections 15-2.21-4 (B), (C), and (E).
3. Limits of Disturbance around any structure within the setback shall be limited to the minimal area necessary to excavate and backfill the foundation. Decks and patios may not extend more than fifteen feet (15') beyond the foundation walls or the minimal

excavation/backfill area, whichever is greater.


4. No additional erosion, land subsidence, or avalanche hazard is created;
5. The site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public areas, and reduction of site disturbance; and
6. The reduction in setback results in a reduction in overall project density as established by the Planning Commission's Suitability Review.
7. In no case shall additional disturbance be allowed beyond the maximum determined in the Suitability Analysis. See definition of Development.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

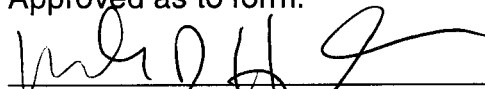
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





**Ordinance No. 05-39**

**AN ORDINANCE APPROVING THE HENDERSON SUBDIVISION CREATING ONE LOT OF RECORD OUT OF A METES AND BOUNDS PARCEL LOCATED AT 1499 PARK AVENUE.**

**WHEREAS**, the owner of the metes and bounds parcel known as 1499 Park Avenue, located in the southwest corner of Section 9, Township 2 South, Range 4 East has petitioned the City Council for approval of a subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on June 22, 2005 the Planning Commission held a public hearing to receive public input on the proposed subdivision, and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to create one legal lot of record out of a metes and bounds parcel; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The lot is an approximately 15,712 sf metes and bounds parcel.
2. The creation of a lot of record out of a metes and bounds parcel is required prior to development on the lot.
3. The lot is located across from the 7-11 Convenience store on Park Avenue.
4. The lot is the site of the old Texaco Station and is currently vacant.
5. Multi-Unit Dwellings are a Conditional Use in the RC District.
6. The property is identified in FEMA's National Flood Insurance Rate Map as being a special flood hazard area inundated by 100 year flood.
7. The RC zone requires the following setbacks from the three adjoining streets: Park Avenue – front (20'); 15th Street – front (20'); Woodside Avenue – street side (10').
8. A 10' Public Utility and Snow Storage easement will be required along Woodside Avenue.
9. A major overhead power line runs parallel to 15th Street, within the property lines for this parcel. A 20' Power Easement will be required for the power line, 10' on either side of the pole line.
10. The Planning Commission reviewed this item at the June 22, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted to forward a positive recommendation to the City Council to approve the plat amendment.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.


**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat 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 Subdivision Plat 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 and the plat will be void.
3. Approval of a construction mitigation plan is a condition precedent to the issuance of final building permits.
4. A financial guarantee for public improvements in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer shall be in place prior to plat recordation or building permit.
5. Easements are dedicated on the plat as shown.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 30<sup>th</sup> day of June, 2005.


PARK CITY MUNICIPAL CORPORATION

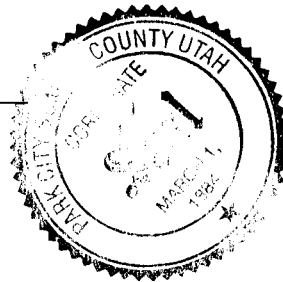
  
\_\_\_\_\_  
Dana Williams, Mayor

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



# Exhibit A – Proposed Subdivision Plat

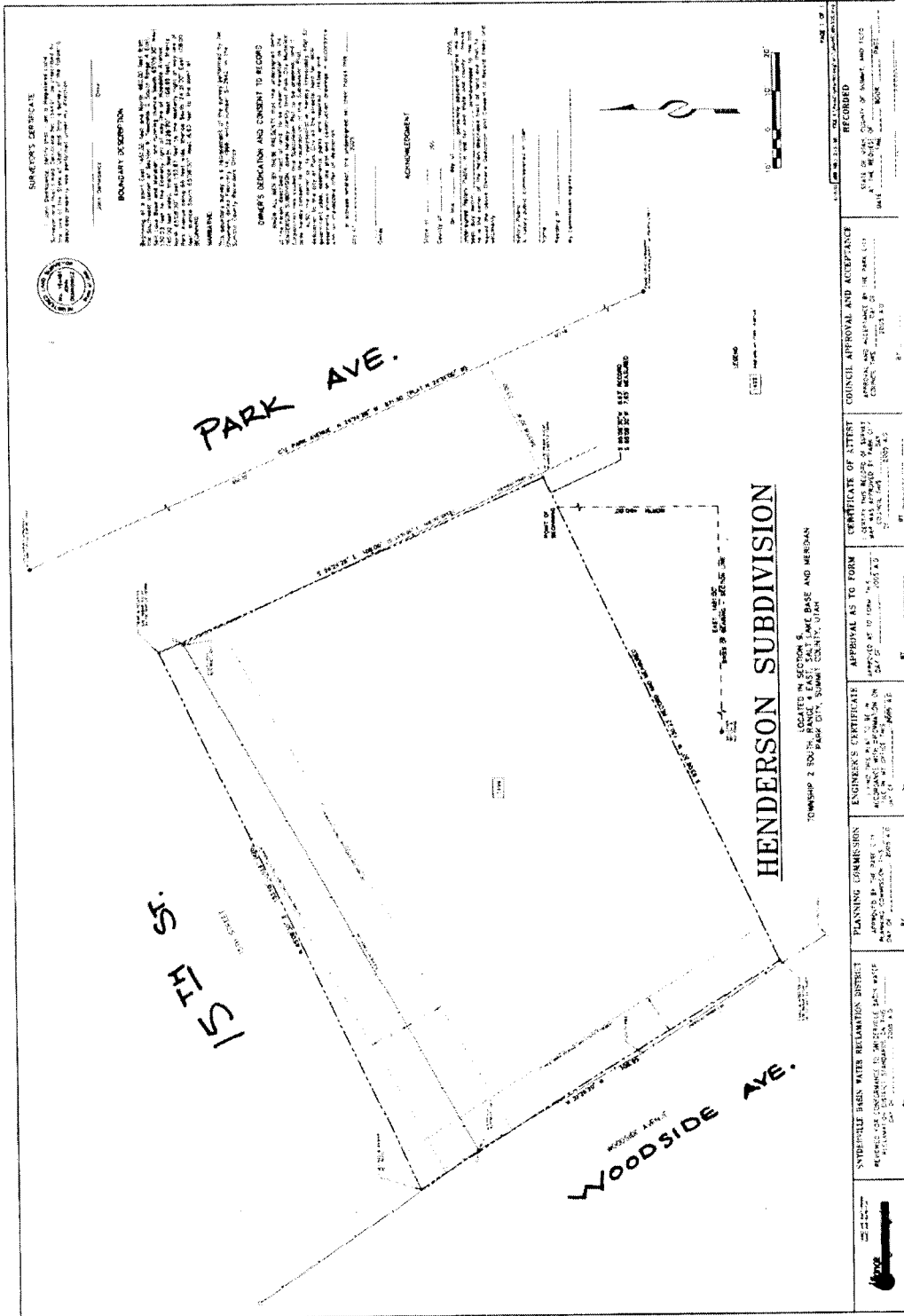


Exhibit A

**Ordinance No. 05-38**

**AN ORDINANCE APPROVING THE SUMMER SUBDIVISION PLAT LOCATED AT 88 KING ROAD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as 88 King Road have petitioned the City Council for approval of the Summer subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 25, 2005, to receive input on the Summer subdivision plat;

WHEREAS, the Planning Commission, on May 25, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 9, 2005 the City Council approved the Summer subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Summer subdivision plat.

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

**SECTION 1. APPROVAL.** The Summer subdivision 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 Summer Subdivision is located at 88 King Road in the HRL zoning district.
2. The lots are 12, 13, 34 and 35 of the Millsite Reservation located between platted Sampson and Utah Avenues.
3. The property is currently vacant. The four lots slope steeply to the east.
4. Platted Sampson is improved with King Road and existing Sampson bisects lots 34 and 35. The westerly portions of lots 34 and 35, including existing Sampson, are proposed to be dedicated to the City.
5. Two small retaining wall easements will be granted to the adjacent property to the south for encroaching walls.
6. The minimum lot area in the HRL zone is 3,750 square feet. The proposed single lot will be 5,739 square feet in size.
7. The minimum lot width is 37.5 feet; proposed is 50 feet.
8. Front and rear setbacks are required to be 15 feet minimum, 30 feet total. Minimum side yard setbacks are 5 feet; 10 feet total.

9. The maximum height allowed is 27 feet; however, since this lot is subject to the Steep Slopes Conditional Use permit process, additional height may be granted subject to the criteria listed in Section 15-2.1-6 of the Land Management Code.
10. Any structure must follow the Historic District Design Review.
11. The Planning Commission heard this proposal at its regular meeting of May 25, 2005, and forwards a positive recommendation.

Conclusions of Law

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

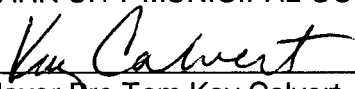
Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat 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 Subdivision Plat 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 and the plat will be void.
3. A ten foot snow storage easement is required along King Road (platted Sampson) and existing and newly dedicated Sampson (near platted Utah).

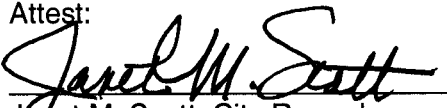
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 9th day of June, 2005.

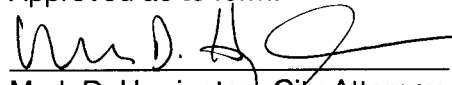
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Pro Tem Kay Calvert

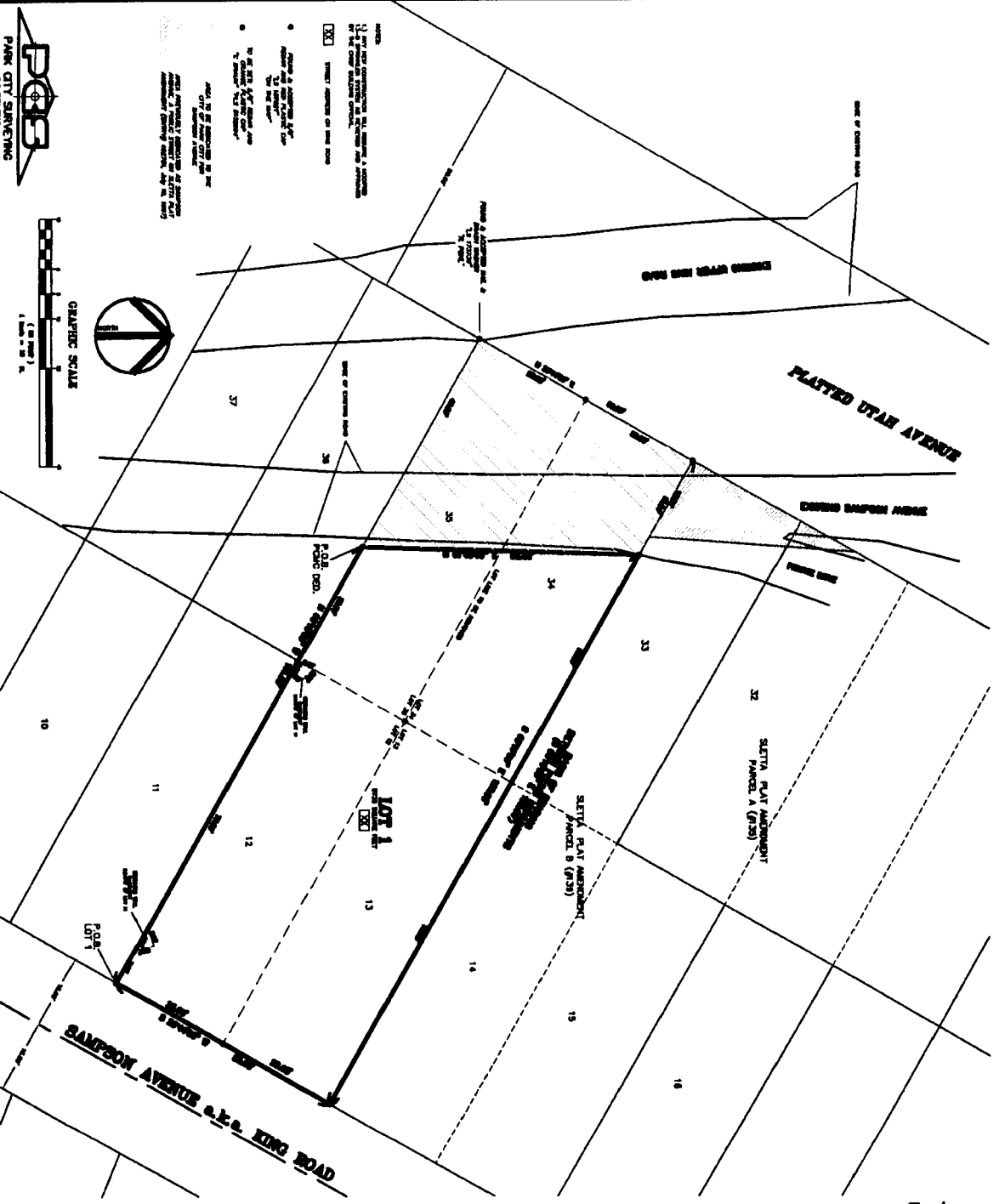
Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

**SUMMER SUBDIVISION PLAT**  
 LYING WITHIN BLOCK 77 OF THE  
 MILLSITE RESERVATION TO THE PARK CITY SURVEY  
 PARK CITY, SUMMIT COUNTY, UTAH



THESE PLATS AND MAPS HAVE BEEN PREPARED BY THE UNDERSIGNED, A LICENSED SURVEYOR, AND I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH AND THAT I AM THE AUTHOR OF THESE PLATS AND MAPS AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING.

DATE OF SURVEY: \_\_\_\_\_  
 BY: \_\_\_\_\_

APPROVED AND ACCEPTED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

THESE PLATS AND MAPS HAVE BEEN PREPARED BY THE UNDERSIGNED, A LICENSED SURVEYOR, AND I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH AND THAT I AM THE AUTHOR OF THESE PLATS AND MAPS AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING.

APPROVED AND ACCEPTED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

APPROVED AND ACCEPTED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

APPROVED AND ACCEPTED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**PARK CITY SURVEYING**  
 PARK CITY SURVEYING  
 1000 WEST MAIN STREET  
 PARK CITY, UTAH 84302  
 (435) 799-1111

**PARK CITY PLANNING COMMISSION**  
 APPROVED AND ACCEPTED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**CERTIFICATE OF ATTORNEY**  
 I HEREBY CERTIFY THAT I AM A LICENSED ATTORNEY IN THE STATE OF UTAH AND THAT I AM THE AUTHOR OF THESE PLATS AND MAPS AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING.

**ENGINEER'S CERTIFICATE**  
 I HEREBY CERTIFY THAT I AM A LICENSED ENGINEER IN THE STATE OF UTAH AND THAT I AM THE AUTHOR OF THESE PLATS AND MAPS AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING AND THAT I AM NOT PROVIDING ANY INFORMATION HEREON THAT IS FALSE OR MISLEADING.

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**CONCURRENCE, APPROVAL AND ACCEPTANCE**  
 APPROVED AND ACCEPTED AS TO FORM AND CONTENT BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF UTAH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**RECORDED**  
 RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SUMMIT COUNTY, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**Ordinance No. 05-37**

**AN ORDINANCE AMENDING THE CAPITAL FACILITIES PLAN, AN IMPACT FEE ANALYSIS, AND AMENDING TITLE 11, CHAPTER 13 OF THE MUNICIPAL CODE OF PARK CITY, UTAH SETTING FORTH THE ASSESSMENT AND CALCULATION OF IMPACT FEES**

WHEREAS, Park City Municipal Corporation is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the City has created a Capital Facilities Plan and requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of facilities relating to growth; and

WHEREAS, the City Council has caused an Impact Fee Study and Analysis to be completed for the City and consistent with the Impact Fees Act Section 11, Chapter 36 Parts 101-401, Utah Code Ann.; and

WHEREAS, the Impact Fee Study contains an analysis and an executive summary that clearly defines the methodology by which the impact fees have been calculated and which identifies the impact upon parks, trails, open space, police facilities, and roadway systems required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity; and

WHEREAS, a public hearing was duly noticed and held at the regular scheduled City Council meeting of June 9, 2005;

NOW THEREFORE BE IT ORDAINED:

**SECTION 1. PURPOSE.** This Impact Fee Ordinance is promulgated pursuant to the requirements of the Impact Fees Act, Utah Code Annotated §11-36-101-401 (the "Act"). The purpose of this ordinance is to provide for the generation of sufficient revenue to pay the costs of capital projects and debt service related to or required due to new development.

**SECTION 2. CAPITAL FACILITIES PLAN ADOPTED.** The Capital Facilities Plan dated May 2005 relating to capital projects to be funded through impact fees is hereby adopted.

**SECTION 3. IMPACT FEE ANALYSIS ADOPTED.** The May 2005 Impact Fee Study and Analysis generated by the City pursuant to the Act is hereby adopted.

**SECTION 4. AMENDMENTS TO THE MUNICIPAL CODE OF PARK CITY, UTAH ADOPTED -**

**(A) Amendment to 11-13-2, Assessment and Calculation of Impact Fees.**

**11-13- 2. ASSESSMENT AND CALCULATION OF IMPACT FEES.**

**(A) ASSESSMENT OF IMPACT FEES.** The City shall collect the following Impact Fees from any applicant seeking a Building Permit:

~~(1) Parks, Trails, and Open Space Impact Fee: 1.35% of Construction Value.~~

~~(2) Public Safety Facilities Impact Fee: 0.05% of Construction Value.~~

~~(3) Streets and Storm Water Facilities Impact Fee: 0.60% of Construction Value.~~

(1) Parks, Trails, Open Space, Public Safety Facilities, Streets and Storm Water Facilities Impact Fees.

<b>2005 PCMC IMPACT FEE ANALYSIS UPDATE</b>				
<i>Proposed Impact Fee Schedule (Calendar Year 2005)</i>				
	Parks, Trails, Open Space	Police	Roadway Facilities	Total
<b>New Construction</b>				
Single Family				
Average Unit	\$3,855.00	\$605.00	\$315.00	\$4,775.00
Unit Less Than 3,000 sq. ft.	\$1,925.00	\$300.00	\$155.00	\$2,380.00
Unit More Than 5,000 sq. ft.	\$5,780.00	\$910.00	\$470.00	\$7,160.00
Duplex & Multi-Family				
Average Unit	\$3,150.00	\$495.00	\$290.00	\$3,935.00
Unit Less Than 2,000 sq. ft.	\$1,575.00	\$245.00	\$145.00	\$1,965.00
Unit More Than 4,000 sq. ft.	\$4,725.00	\$740.00	\$435.00	\$5,900.00
Hotel Room				
Average Unit	\$2,005.00	\$315.00	\$170.00	\$2,490.00
Unit Less Than 750 sq. ft.	\$1,000.00	\$155.00	\$85.00	\$1,240.00
Unit More Than 2,000 sq. ft.	\$3,005.00	\$470.00	\$255.00	\$3,730.00
Commercial	NA	\$555.00	\$410.00	\$965.00
Light Industrial	NA	\$445.00	\$320.00	\$765.00
<b>Additions</b>				
Single Family				
0-500 Square Feet	NA	NA	NA	\$0.00
501-1500 Square Feet	\$480.00	\$75.00	\$35.00	590.00
1501-3000 Square Feet	\$960.00	\$150.00	\$75.00	1,185.00
3001-5000 Square Feet	\$1,925.00	\$300.00	\$155.00	2,380.00
More than 5000 Square Feet	\$3,855.00	\$605.00	\$315.00	4,775.00
Duplex & Multi Family				
0-500 Square Feet	NA	NA	NA	0.00
501-1000 Square Feet	\$390.00	\$60.00	\$35.00	485.00
1001-2000 Square Feet	\$785.00	\$120.00	\$70.00	975.00
2001-4000 Square Feet	\$1,575.00	\$245.00	\$145.00	1,965.00
More than 4000 Square Feet	\$3,150.00	\$495.00	\$290.00	3,935.00
Hotel Room				
0-200 Square Feet	NA	NA	NA	0.00
201-750 Square Feet	\$500.00	\$75.00	\$40.00	615.00
751-2000 Square Feet	\$1,000.00	\$155.00	\$85.00	1,240.00
More than 2000 Square Feet	\$2,005.00	\$315.00	\$170.00	2,490.00
Commercial (per sq. ft.)	NA	\$0.55	\$0.41	\$0.96
Light Industrial (per sq. ft.)	NA	\$0.44	\$0.32	\$0.76

**(4) (2) Water Impact Fee Schedule:**

Further calculation and presentation is included in the Impact Fee Analysis Draft, Exhibit A.

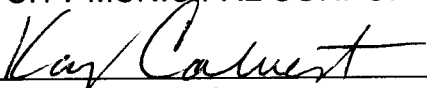


**SECTION 5. REPEALER.** This ordinance amends and repeals Title 11, Chapter 13, of the Municipal Code of Park City to the extent it is inconsistent with this Ordinance.

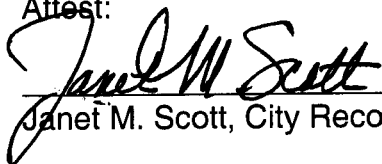
**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective July 1, 2005. All projects submitted after this date are subject to the fees set forth above.

PASSED AND ADOPTED this 9<sup>th</sup> day of June, 2005.

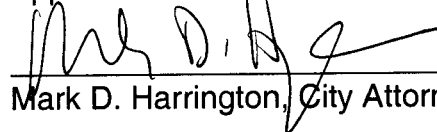
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Pro Tem Kay Calvert

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



PARK CITY MUNICIPAL CORP, UTAH

**IMPACT FEE ANALYSIS**  
And New Development Capital Facilities Plan

Prepared by  
Park City Municipal Corp., Utah

May 16, 2005

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## CHAPTER 1 - EXECUTIVE SUMMARY

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Impact fees are intended to offset the cost of capital facilities needed to meet demand from new development. The amount of the fee corresponds directly to the cost of requisite capital facilities. The current impact fee analysis was completed mid-year 1997. Since then capital plans for Public Safety buildings, Parks, Trails and Open Space, and Roadway facilities have changed significantly. This analysis was undertaken in order to incorporate current capital facility plans and funding assumptions.

This analysis shows an aggregate increase of about 3% in the amount of the proposed impact fees.

This is a relatively small increase, in part the result of substantial impact fee discounts (67%, 44% and 63%, for *Roads*, *Public Safety*, and *Parks*, respectively) included at the direction of the City Manager, in order to limit the potential increase. Maximum supportable fees are higher than that shown in the fee schedule which means that fees may increase in the future.

The Public Safety fee is increased because of an increase in the cost of the planned new Police building. A new building was first envisioned, and the Police fee first assessed, in 1997. Since then the facility plan has been enhanced. The current plan differs in that the facility is designed (and plan level costs defined) based on a detailed needs assessment prepared by an Architectural firm. The new plan provides space for more comprehensive service provision – the implementation over time of a “full service shop” – the provision of services in-house, which are now contracted with outside agencies. This is driven by rising expectations on the part of the public (typical of a maturing community nearing build-out). The new facility will position the Department to meet those expectations as they arise.

The Parks and Roads fees are, on average, unchanged. Aggregate capital cost for these facilities is higher compared to 1997, but the allocation of cost to new development is lower.

Impact fees are calculated so as to incorporate differences in capital facility demand that exist among general categories of new development. This analysis updates those “demand differentiation” assumptions.

Though proposed fees are “on average” unchanged – meaning that the fee for a single family unit is unchanged – certain fees for other property types are increased. Parks demand is estimated based on household size, which is updated in this analysis – now based on information from the 2000 Census. New household size yields relatively higher demand for Multi Family and Hotel and therefore higher impact fees. For the same reason, the Police fee for Multi Family and Hotel is increased. Because the Roads fee is based on per unit trip generation and because those rates are unchanged compared to the 1997 analysis, the Roads fee for each category of new development is unchanged.

## CHAPTER 1 - EXECUTIVE SUMMARY

---

The impact fee schedule for *Roads, Public Safety Buildings, and Parks, Trails and Open Space* is shown on the following page.

Fees as shown are proportionate, and reasonably related to benefit (with respect to type of facility and class of new development).

Staff has directed that this analysis implement a single impact fee service area because each area of the city has the same level-of-service standard (LOS) and because capital facilities as planned in Park City are designed and intended to benefit all new development, citywide. A single service area means that fees for a given facility type and class of development are charged at the same rate citywide.

The *Parks, Trails and Open Space* fee includes the cost of existing excess capacity, built in anticipation of new development (a “reimbursement fee”), and, as for *Roads and Police*, a “capacity expansion fee” for that part of the cost of future facilities attributable to demand from new development. *Roads and Police* do not include a reimbursement component because for these facility types, the cost of excess capacity is not precisely quantifiable.

Calculation of each fee includes numerous reductions – credits for future payments by new development for facilities for existing development, credits for debt service payments in support of existing facilities, credits for future planned debt service, and credits for future general fund and sales tax related payments by new development. Capital cost attributable to new development is about 15% of planned total spending. Finally, because of the way in which the site was acquired, land for the *Police Building* is included in the analysis at less than 1/3 of market value.

The effect this calculation methodology is to define a fee schedule that is both equitable and reasonable.

## CHAPTER 1 - EXECUTIVE SUMMARY

<b>2005 PCMC IMPACT FEE ANALYSIS UPDATE</b>				
<i>Proposed Impact Fee Schedule (Calender Year 2005)</i>				
	Parks, Trails, Open Space	Police	Roadway Facilities	Total
<b>New Construction</b>				
Single Family				
Average Unit	\$3,855.00	\$605.00	\$315.00	\$4,775.00
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Hotel Room				
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Unit Less Than 750 sq. ft.	\$1,000.00	\$155.00	\$85.00	\$1,240.00
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More than 4000 Square Feet	\$3,150.00	\$495.00	\$290.00	3,935.00
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Commercial (per sq. ft.)	NA	\$0.55	\$0.41	\$0.96
Light Industrial (per sq. ft.)	NA	\$0.44	\$0.32	\$0.76

- The fee schedule shown above applies to typical categories of new development. This analysis includes methodology for case specific *Impact Fee Calculation* for atypical or contested assessments, described beginning on page 34.

## CHAPTER 1 - EXECUTIVE SUMMARY

---

Growth projections prepared by the City Planning Department show an increase in capital facility demand of about 30% through build-out. About 15% of the cost of planned capital projects is allocated to new development and subject to fee assessment. The shortfall in fee revenue, and the cost of facilities attributable to demand from existing development, will be funded by debt, taxes, grants, donations, and other sources, in turn serviced by the existing tax base, and the tourist economy.

Impact fees have been used in Park City since 1981 as a tool to allocate the cost of capital facilities among direct beneficiaries. Impact Fee assessment is the means by which PCMC implemented, and continues to maintain, an on-going and equitable cost/benefit relationship with respect to the provision of capital facility capacity. In context of this system, new development is charged for the cost of facilities it requires and from which it benefits and – under the same analytical methodology – existing development is assigned the cost of facilities from which it benefits. Existing development pays, for example, for deficiency correction, deferred maintenance, attributable service provision upgrade, and other costs not specifically identifiable as in service of capacity expansion for new development.

The City Council has determined that impact fees continue to be necessary, in part for the following reasons:

1. as a component of its strategy to preserve the level of service now afforded existing development;
2. in order to preserve an on-going capital facilities “cost/benefit” relationship;
3. as a way to fund facilities demanded by new development; and
4. as a way to support (in so far as possible) the provision of capital facility capacity to new development in a timely manner.

It is the purpose of this report is to document analytical methodology by which a part of total planned capital spending is allocated to new development and apportioned among classes of beneficiaries in an equitable and reasonable manner.

## **CHAPTER 1 - EXECUTIVE SUMMARY**

---

### ***CONTENTS OF THE FEE STUDY***

This analysis is organized in eight sections.

**Chapter 1** is the Executive Summary. It outlines calculation of the fee and discusses key estimating assumptions, decisions, criteria, and conclusions. It provides an overview of impact fee administration, and outlines the regulatory background governing the imposition of impact fees in Utah.

**Chapter 2** discusses impact fee assessment guidelines.

**Chapter 3** details Park City Capital Improvement Plans (CIP), the basis for calculation of the impact fee. It describes current capacity utilization, the City's long-range capital planning objectives and the cost of work needed to meet demand from new development.

**Chapter 4** shows calculation of each impact fee. Narrative for each fee is divided into two parts. The first discusses impact fee calculation and demand differentiation. The second discusses fee reductions, quantified in order to account for the value of payments by new development for which no benefit will be received. Impact fee reductions lower the amount of the fee to each unit of new development.

**Chapter 5** discusses Proportionate Share Analysis. It addresses specific criteria of the Utah Impact Fee Act (U.C.A. 11-36) in order to demonstrate that the proposed impact fees are roughly proportionate and reasonably related to impacts caused by new development.

**Chapter 6** is the Technical Reference. It illustrates details of research and analysis that underlie demand apportionment and fee calculation. Chapter 6 also contains a glossary of some impact fee specific terms, and acronyms used in the analysis.



## CHAPTER 1 - EXECUTIVE SUMMARY

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### *IMPACT FEE OVERVIEW*

Impact fees are assessed for the purpose of providing capital facility capacity needed to meet demand from new development. By means of this analysis the City intends to assess three of seven possible impact fees allowed under U. C. A. 11-36 (the "Impact Fee Act") – fees for transportation facilities (added roadway capacity), public safety facilities (police building space) and for Parks, Trails and Open Space (land and improvements).

The objective of an impact fee analysis is to *equitably allocate capital facility capacity expansion cost* between existing and new development based on an estimate of benefit conferred, and for that part of cost attributable to new development, to calculate *proportionate share impact fees* which assign costs to each unit of new development in a way that recognizes relative service demand. Under this methodology new development is charged only for facilities that it requires, at a rate which corresponds to its demand on capacity, and is not charged for the cost of improvements attributable to demand from existing development.

Under this methodology, the amount of the fee relates directly to the cost of the work.

Demand for added capital facility capacity is significant. With respect only to facility types addressed in this analysis (a subset of total planned capital spending) the CIP shows about \$43.9 mil in spending over the next 15 years. About \$6.4 mil, or 15%, will be funded by impact fees.

For the same period, facility capacity demand is projected to increase by about 30% (calculated in terms of REs, or *residential equivalent demand units*.) This is driven by new development. Planning Staff anticipate an increase of about 31% in the number of residential units and a 36% increase in commercial space – from 9,267 to 12,123 residential units and 1,841,750 to 2,495,590 square feet of commercial.

Impact fees will not pay for about \$37.5 mil of requisite capital spending. This shortfall will be made up from other revenue sources, including general fund, debt, sales tax, grants, donations, and other sources as may be identified.

Impact fees are considered by the City to be a necessary component of the capital facility funding strategy. Fees are also considered to be necessary as a matter of equity. Fee assessment is the means by which new and existing development each undertake to fund a proportionate share of capacity, and in so doing preserve an ongoing cost/benefit relationship which ensures that each class is treated the same (and equitably) across time.

Fees are also necessary because they make it *possible* for growth to occur. With multiple priorities and competition for limited resources, City financial planners advise that in the absence of impact fee assessment capacity expansion cannot occur (or cannot occur in a timely manner). The alternative to impact fees is at best, slowed development and restricted development patterns. The City Manager advises that it is the Council's intention to support the reasonable infrastructure demands of new development, and as such, that fees assessment is necessary.

## CHAPTER 1 - EXECUTIVE SUMMARY

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### ***THE RATE AND STRUCTURE OF IMPACT FEES***

The amount of an impact fee can not be greater than the highest fee justified by the impact fee analysis. An impact fee may not be imposed to cure existing deficiencies and cannot be collected at a rate that would result in a higher level of service. A Parks fee for example cannot be so high that new development is providing more acres of parkland per person or household than that provided by existing development. While "level of service" (LOS) is not specifically cited in the Impact Fee Act, this analysis assumes the maximum justifiable fee to be one no greater than the amount needed to maintain the current LOS.

This ***maximum fee*** can be charged however only if the Capital Facilities Plan ("CFP") includes sufficient projects to maintain the current LOS. Were the CFP to include projects insufficient to maintain the LOS, a ***calculated fee*** is the highest amount that could be charged. It is the purpose of this analysis to determine the maximum supportable fee amount by evaluating the quantity, cost, and timing of planned capital improvements, as that relates to projected new development.

Park City intends to assess impact fees no greater than the maximum supportable amount.

### ***SUMMARY OF CALCULATION METHODOLOGY***

Impact fees in this analysis are calculated based on the cost of capital facilities needed to meet demand from new development. Cost is calculated over the long run – a 15 year planning "window" – based on the direct cost of projects needed to provide added capacity.

Average cost attributable to each class of new development consists of allocated land, construction and financing cost, and is based on Capital Improvement Plans (CIP) summarized beginning on page 17, and on fee calculation methodology shown beginning on page 32.

Basic to the calculation of an impact fee is definition of a long-range Capital Improvement Plan (the "CIP"). Park City Staff has defined plans which describe current expectations as to capital projects needed over the next 15 years. A subset of the CIP, the *Capital Facilities Plan* or "CFP", describes projects and parts of projects calculated to be attributable to demand from new development. Because the CFP is limited to costs specific to new development, it is used as the basis for quantifying the impact fees.

Capital plans are long-range planning documents. They will be implemented (specific projects selected for construction in a given order and at a given time) by means of "rolling", short-term implementation plans defined by Staff and approved by the City Council as part of its on-going financial planning and budgeting process. These implementation plans will be funded in part by impact fees and by other revenue, in a manner consistent with City financial planning guidelines, and as required by the Utah Impact Fee Act.

## CHAPTER 1 - EXECUTIVE SUMMARY

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The fee calculation process can be illustrated in terms of four general steps, as follows:

- Step 1 Develop a *long range CIP* and define a subset, the *CFP*, attributable specifically to demand from new development. The CFP is the basis for the calculating average cost of capital facilities attributable to each unit of new development (in this analysis average cost is defined in terms of cost per *RE*, or cost per *residential equivalent demand unit*). Cost per RE defines the gross impact fee amount. The CFP is derived based on the advice of City Staff, consultants retained by the City with specific expertise in the area under examination, and based on information from prior analysis by the City's consultants. The CFP is defined in such a way as to *preserve the current level of service* for existing development and provide service *at the same level* for new development. It includes the cost of work sufficient to meet demand from new development without degradation of the service level presently enjoyed by existing development. The CFP excludes costs for projects and parts of projects not attributable to demand from new development – deficiency correction for example, along with service provision upgrade, and other costs attributable to the benefit of existing development. In this way CFP cost is set at its maximum supportable value, and new development is provided service at the same level as existing development (not higher and not lower) at a minimum per unit cost.
- Step 2 Develop methodology to *proportionately assign CFP cost* to each unit of new development. "Proportionality" is a way to recognize varying levels of capital facility capacity demand presented by different types and sizes of new development. A proportionate share impact fee assigns costs in a way that relates capital facility demand to the amount of the assessment, and therefore differentiates the fee by type or class of new development.

A single-family home for example consumes less roadway capacity than does a shopping mall or restaurant (a single family home generates fewer "trips per day"). Single family is therefore assigned a lower roads *demand index* and by means of that a lower share of CFP cost, and a lower impact fee.

Proportionality is estimated based on criteria specific to each capital facility type – Roads according to relative trip generation; Public Safety Facilities according to relative number of calls for service; and Parks Trails and Open Space according to relative household size. These measures are estimates of actual capital facility service demand. They are used here as a way to approximate benefit and thereby define the amount of the impact fee for each class of beneficiary.

With respect to estimated service demand, note that impact fee calculation is held to a standard of *average* rather than case specific impact and that proportionality is properly

## CHAPTER 1 - EXECUTIVE SUMMARY

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assessed based on *average demand* attributable to each class of new development.<sup>1</sup>

PCMC fees are also differentiated (within each capital facility type and class of development) in terms of unit size. Non-residential properties are assessed in terms of unit area (square feet). Size indices for residential properties (single family, multi family and hotel) are estimated by facility managers, and applied in this analysis in order to recognize relatively higher or lower demand attributable to units larger or smaller than the average.

Step 3 Quantify the *gross impact fee*. Based on the number of demand units to be served by the planned new facilities, a *cost per demand unit* is calculated – in this case, cost per RE. For each property type, the gross impact fee is the product of cost per demand unit and the demand index. (As noted, demand is indexed to single-family and expressed in terms of number of RE's, or number of *residential equivalent* demand units). As an example, using roads, an average single family home presents capacity demand of 14 trips per day, and has a demand index of 1.0 (one RE). The gross impact fee is therefore equal to the cost of one demand unit. Other property types have indices which are fractions or multiples of one RE, depending on trip generation, and their fee is a fraction or multiple of the fee for one demand unit.

Step 4 Quantify the *net impact fee*. The gross impact fee is reduced by credits (“fee reductions”) to recognize payments attributable to new development for which no benefit will be received. Fee reductions have the effect of preserving an ongoing capital facilities cost/benefit relationship and therefore of maintaining equity across “generations” of new entrants. This net fee amount is the maximum amount that can be charged to new development.

This methodology is consistent with the requirements of the Utah Impact Fee Act and yields total revenue which, in the case of Park City, is less than the cost of facilities required to meet demand from new development.<sup>2</sup> Such a shortfall is typical of requisite fee calculation methodology and will be made up from other revenue sources.

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<sup>1</sup> This analysis is based on five categories of new development – Single Family; Multifamily; Hotel; Commercial; and Service/Light Industrial.

<sup>2</sup> Net revenue to the city is reduced because of impact fee reductions.

## CHAPTER 1 - EXECUTIVE SUMMARY

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### ***ASSUMPTIONS, DECISIONS CRITERIA AND CONCLUSIONS***

During the course of an impact fee analysis various decisions must be made which affect the outcome of the analysis and the amount of the impact fee. These decisions are based on information from Park City officials, Staff, and professional consultants, and by reasonable estimating assumptions regarding the cost of capacity and the likely level of new demand. Key assumptions, decisions, criteria, and conclusions are summarized as follows:

- Total new development and growth rate are as estimated by Planning Staff, assuming a 15 year buildout (current inventory and remaining development potential are summarized in Figure 52). On average about 7% of remaining demand is expected to build-out each year, which, for the housing stock, corresponds to an average annual rate of about 2%, or about 204 units per year – similar to the rate experienced since 2000.
- The City has in the past, had limited funds (other than impact fees) to support capital facility capacity expansion. Staff advises that although increased sales tax revenue may be available in the future, such revenue is subject to statutory changes and additionally is not likely to keep pace, propositionally, with expected growth. Staff does not foresee other new revenue sources available to replace impact fees, and at a purely practical level considers that, if demand is to be met, the continued assessment of fees is strictly necessary.
- The Council has determined to implement a single, citywide impact fee service area because all areas of the City have the same target LOS, (level of service standard) and based on managers advice that capital facility service provision is planned based on the resources of the entire network. A single district means that fees for a given facility type and class of development are charged at the same rate citywide.
- This analysis does not distinguish between impacts attributable to primary vs. non-primary homes. Managers advise that there is no evidence to support a difference in demand based on occupancy type. Furthermore, occupancy type is subject to change as properties are resold so capacity must be planned and cost apportioned based on a reasonable estimate of maximum demand.
- Impact fees are calculated based on peak demand. This is consistent with on-going planning practice in Park City and acknowledges the unique circumstances of a resort community. Park City regularly experiences peak occupant loads three times the number of full time residents and the Council considers that capital planning for peak demand is both prudent and required, for a community which depends for continued viability on adequate service provision.
- Restaurant, retail and office are assessed based on a single *Commercial* impact fee category. A single category provides the most equitable assessment because over time, a given commercial location in Park City can be expected to alternate between various use types.

## CHAPTER 1 - EXECUTIVE SUMMARY

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- This analysis is based on reasonable demand estimating assumptions. Fees are calculated so as to be proportionate to demand and the assessment is differentiated by facility type, property class and size.
- Capital facility cost allocated to the CFP, the level of expected growth, and expected service demand, are reasonable estimates that do not overstate costs or demand attributable to new development.
- Capital improvement plans defined by Staff are based on a level of service standard (LOS) determined to be the minimum required to preserve the standard enjoyed now, by existing development. New development is provided service at the same level and is not held to a higher or more expensive standard.
- Impact fees calculation includes only the cost of capacity expansion projects or parts of projects, required specifically to meet demand from new development.
- Impact fees are reduced to reflect the extent to which new development will pay for facilities for the benefit of existing development (by means of future debt service, General Fund and Sales Tax related payments). These reductions preserve an ongoing cost/benefit relationship.
- CFP cost includes (as appropriate) land, construction and financing expense. Cost is calculated in present value terms using industry standard discount rates, intended to account for the actual cost of improvements, when built.
- CFP cost for Police building space is allocated based on relative service demand in 1997, when impact fees for the subject building were first collected. Accumulated fee revenue is applied to the existing development component of CIP cost. Current building space is adequate to support current service demand so the CFP does not include specific deductions for deficiency correction or service provision upgrade for the benefit of existing development
- CFP cost allocation for Roads is as defined by the City Engineer and excludes the cost of deficiency correction and service provision upgrade.
- CFP cost for Parks is allocated in terms of a dollar-based service standard which includes both land and improvements. Current service provision is adequate so the CFP does not include deficiency correction or service provision upgrade for existing development. The reimbursement component of the fee is based on acquisition cost for the subject facilities, defined by a less than complete list of facilities owned by the City. (Facilities for which acquisition cost is unclear are excluded.) This reduces the amount of the reimbursement fee, but also assures that it is based on a reasonable and supportable capital cost.

## CHAPTER 1 - EXECUTIVE SUMMARY

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### ***ADMINISTRATION OF THE IMPACT FEE SYSTEM***

Impact fee administrative guidelines established by the City include the following:

- Impact fee payment is required no later than the time a building permit is issued.
- As required by the Fee Act, impact fees are accounted for separately and are spent or encumbered within six years of collection.
- The City will periodically review and update the impact fee analysis, CIPs, and allocation of CIP cost to each CFP as part of a regular and ongoing process of financial planning. The cost of capital projects is expected to change over time as priorities are revised and projects slated for implementation. Accordingly, the amount of each impact fee may change in the future. Impact fee calculation will be updated to assure continued, equitable and proportionate assessment.
- Fees in this analysis are defined so as to be assessed based on an impact fee schedule. The analysis defines methodology for case specific *Impact Fee Calculation* to allow either the City or applicant to call for specific analysis in the case of contested fee amounts, or with respect to the calculation of fees for atypical property types or sizes.
- The City has defined an appeals procedure for contested impact fee amounts in the event the procedure for *Impact Fee Calculation* does not yield acceptable resolution.

### ***IMPACT FEE REGULATORY BACKGROUND***

Development impact fees have been allowed in Utah by case law since 1972. However, until 1995 local jurisdictions did not have explicit statutory authority for impact fees. The Governor signed the Impact Fee Act into law on April 24, 1995. The Act describes how impact fees are to be imposed and collected. The Act requires that all impact fees be in compliance by July 1997. This analysis has been prepared to meet the requirements of the Act.

The Act limits the type of activities for which local government entities may charge impact fees. By means of this analysis Park City intends to charge only three of seven possible impact fees.

The Act specifies that fees are to be used for capital projects needed to meet demand from new development and not to be used to fund operations, maintenance, repair, or service provision upgrade for the benefit of existing development. It also specifies certain requirements for impact fee calculation methodology, and administrative and bookkeeping requirements that guide collection, accounting and use of the funds.

## **CHAPTER 1 - EXECUTIVE SUMMARY**

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By means of ordinance, the City Council has adopted rules and regulations consistent with requirements of the Impact Fee Act.

### ***DETERMINATION THAT IMPACT FEES ARE NECESSARY***

The City Council has determined that impact fees are necessary in order to achieve an equitable allocation of the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. The City has, since 1981, used impact fee to fund Roads, Public Safety, and Parks, Trails and Open Space facilities as a means to assign costs to direct beneficiaries – new development has paid its share of cost, and existing development has paid its share. The Council has determined that capacity expansion plans in this analysis, and impact fees quantified by means of this analysis, are necessary in order to maintain this ongoing cost/benefit relationship

Staff and the Council have reviewed other sources of revenue potentially available to fund capacity expansion for new development and have determined that impact fees are a necessary component of the funding plan if the current LOS is to be maintained and demand from new development met in a timely manner. This determination is based on a comparison of historic funding sources (both impact fee, and non-impact fee revenue), and capital spending estimated to be necessary in the future to maintain the system, and meet demand from new development. General fund revenue is expected to be devoted largely to operations expense and is not expected to be available in significant amount, to fund capital facility capacity expansion.



## **CHAPTER 2 – RECOMMENDED IMPACT FEE SCHEDULE**

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The impact fee schedule for *Roads, Public Safety Buildings, and Parks, Trails and Open Space* is shown on the following page. Fees are assessed against all new development within City-limits, for the purpose of providing capital facility capacity to meet demand from new development.

Fees as shown are proportionate, and reasonably related to benefit (with respect to type of facility and class of new development).

The *Parks, Trails and Open Space* fee includes the cost of existing excess capacity, built in the past for the purpose of accommodating new development (a “reimbursement fee”), and, as for *Roads and Police*, includes a “capacity expansion fee” for that part of the cost of future facilities attributable to demand from new development. *Roads and Police* do not include a reimbursement component because for these facility types the cost of excess capacity is not precisely quantifiable.

Each fee includes numerous reductions – credits for future payments by new development for facilities for existing development, credits for debt service payments in support of existing facilities, credits for future planned debt service, and credits for future general fund and sales tax related payments by new development. Capital cost attributable to new development is about 15% of planned total spending. Finally, the site for the Police Building is included in the analysis at about 1/3 of market value.

The fee schedule is substantially discounted. Maximum supportable fees are 67%, 44% and 63% higher than the scheduled assessment, for *Roads, Public Safety, and Parks*, respectively. This discount is included at the direction of the City Manager in order to limit the amount of the potential increase.

## CHAPTER 2 – RECOMMENDED IMPACT FEE SCHEDULE

Figure 1

<b>2005 PCMC IMPACT FEE ANALYSIS UPDATE</b>				
<i>Proposed Impact Fee Schedule (Calendar Year 2005)</i>				
	Parks, Trails, Open Space	Police	Roadway Facilities	Total
<b>New Construction</b>				
Single Family				
Average Unit	\$3,855.00	\$605.00	\$315.00	\$4,775.00
Unit Less Than 3,000 sq. ft.	\$1,925.00	\$300.00	\$155.00	\$2,380.00
Unit More Than 5,000 sq. ft.	\$5,780.00	\$910.00	\$470.00	\$7,160.00
Duplex & Multi-Family				
Average Unit	\$3,150.00	\$495.00	\$290.00	\$3,935.00
Unit Less Than 2,000 sq. ft.	\$1,575.00	\$245.00	\$145.00	\$1,965.00
Unit More Than 4,000 sq. ft.	\$4,725.00	\$740.00	\$435.00	\$5,900.00
Hotel Room				
Average Unit	\$2,005.00	\$315.00	\$170.00	\$2,490.00
Unit Less Than 750 sq. ft.	\$1,000.00	\$155.00	\$85.00	\$1,240.00
Unit More Than 2,000 sq. ft.	\$3,005.00	\$470.00	\$255.00	\$3,730.00
Commercial	NA	\$555.00	\$410.00	\$965.00
Light Industrial	NA	\$445.00	\$320.00	\$765.00
<b>Additions</b>				
Single Family				
0-500 Square Feet	NA	NA	NA	\$0.00
501-1500 Square Feet	\$480.00	\$75.00	\$35.00	\$590.00
1501-3000 Square Feet	\$960.00	\$150.00	\$75.00	\$1,185.00
3001-5000 Square Feet	\$1,925.00	\$300.00	\$155.00	\$2,380.00
More than 5000 Square Feet	\$3,855.00	\$605.00	\$315.00	\$4,775.00
Duplex & Multi Family				
0-500 Square Feet	NA	NA	NA	0.00
501-1000 Square Feet	\$390.00	\$60.00	\$35.00	\$485.00
1001-2000 Square Feet	\$785.00	\$120.00	\$70.00	\$975.00
2001-4000 Square Feet	\$1,575.00	\$245.00	\$145.00	\$1,965.00
More than 4000 Square Feet	\$3,150.00	\$495.00	\$290.00	\$3,935.00
Hotel Room				
0-200 Square Feet	NA	NA	NA	0.00
201-750 Square Feet	\$500.00	\$75.00	\$40.00	\$615.00
751-2000 Square Feet	\$1,000.00	\$155.00	\$85.00	\$1,240.00
More than 2000 Square Feet	\$2,005.00	\$315.00	\$170.00	\$2,490.00
Commercial (per sq. ft.)	NA	\$0.55	\$0.41	\$0.96
Light Industrial (per sq. ft.)	NA	\$0.44	\$0.32	\$0.76

The fee schedule shown above applies to typical categories of new development. This analysis includes *methodology for case specific* Impact Fee Calculation for atypical or contested assessments, described beginning on page 33.

## CHAPTER 2 - RECOMMENDED IMPACT FEE SCHEDULE

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### *FEE SCHEDULE APPLICATION NOTES*

- Figure 1 shows the proposed impact fee amount for each class of new development for calendar year 2005.
- The City has chosen to implement a single citywide impact fee service area so fees are assessed at the same rate citywide.
- Impact Fees in Figure 1 are assessed against all new development for which a building permit is certified as complete after the effective date of the resolution adopting the fees. The current impact fee schedule applies to any application certified as complete before the adoption date.
- Fees can be calculated on a case-specific basis for contested or atypical fee applications – according to the procedure for *Impact Fee Calculation* (page 34).
- Impact fee deferment or waiver for affordable housing is possible. The City has indicated a willingness to evaluate deferment of impact fees for qualified affordable housing projects on a case-by-case basis. Qualified projects are those which meet governing standards for affordability, and which utilize deed restrictions to cap rental rates or resale prices, and allow priority access to local employees.
- Fee amounts in this analysis have no effect until enacted by the City Council. The Council may elect to reduce fees recommended in this analysis, to the extent that it considers such reduction to be equitable to all concerned and consistent with its planning objectives.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

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### *INTRODUCTION*

Impact fees are defined based on the average cost of capital facilities needed to meet demand from new development. For each category, cost is defined by capital facilities plans shown on the following pages. Calculation of each impact fee, based on these capital plans, is discussed in the next chapter of this report.

CIP's for each facility type describe capital improvement projects estimated to be needed over the planning period (15 years). A subset of the CIP, the Capital Facilities Plan (*CFP*), is used to quantify cost subject to impact fee assessment. The CFP is the basis for calculating impact fees because it is limited specifically to costs attributable to demand from new development.

- CIP's for each facility type in this analysis are defined by City Staff as the result of a periodic and ongoing capital planning process by which community priorities are identified, competing demands for limited resources resolved, and an implementation plan established.
- Capital plans are expressed in this analysis in terms of "constant dollars" – that is, cost is projected at a constant or "real" value for the life of the planning period. This has the advantage of allowing for a better estimate of the cost of the work, financing expense, earned interest (credited to fee payers), Pro Forma debt (timing and amount) and debt origination fees.

Capital plans are derived as shown on the following pages of this chapter. The analysis is summarized in Figure 2 on the following page.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

Figure 2

	CIP Cost (CY 2004)	CIP Cost (constant \$)	Cost A ttributable to Existing Development (project cost less current fee revenue)	Cost A ttributable to New Development			Net Cost (net cost to new development & net fee revenue)
				Project Cost	Impact Fee Reductions, Discount, & Current Balance	Financing Expense (not incl. earned interest)	
Roads	\$21,210,000	\$26,061,979	\$17,829,777	\$8,232,202	(\$6,588,627)	\$72,839	\$1,716,415
Public Safety Buildings - Police	\$4,106,771	\$4,272,528	\$708,563	\$3,563,965	(\$2,080,167)	\$522,866	\$2,006,665
Parks, Trails, Open Space	\$11,954,000	\$13,573,890	\$3,721,066	\$9,852,825	(\$7,663,846)	\$501,607	\$2,690,586
<b>TOTAL</b>	<b>\$37,270,771</b>	<b>\$43,908,398</b>	<b>\$22,259,405</b>	<b>\$21,648,992</b>	<b>(\$16,332,639)</b>	<b>\$1,097,312</b>	<b>\$6,413,665</b>
% of CIP (constant \$)							15%

Figure 2 shows that about 15% of the total cost of planned capital facilities is attributable to existing development.

Total capital planned spending is \$43.9 mil. Spending attributable to demand from new development is \$22.3 mil. Net cost to new development (and projected net impact fee revenue) is \$6.4 mil—actual cost reduced by earned interest, financing expense, impact fee reductions and discounts.

The City has not yet estimated financing expense for *CIP Cost* and *Cost Attributable to Existing Development* so that cost is not shown in Figure 2.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

### ROADWAY FACILITIES

The Park City Engineer has defined the following road projects, and parts of projects, as system improvements, with construction cost and approximate priority as shown:

Figure 3

CAPITAL IMPROVEMENT PLAN SUMMARY (partial)							
Roadway Facilities							
CIP Summary (and approx. priority)	Schedule	CIP Project#	Description	CIP Cost (project total cost)	CFP Cost (cost attributable to new development)		
					CFP %	CFP Cost	
<b>Source</b>							
OTIS	Year 1 to 5	2005 to 2010	787	Prospect Ave	\$1,100,000	20%	\$220,000
OTIS	Year 1 to 5	2005 to 2010	781	Lower Norfolk	\$1,500,000	20%	\$300,000
OTIS	Year 1 to 5	2005 to 2010	741	Upper Park Avenue	\$2,000,000	35%	\$700,000
OTIS	Year 1 to 5	2005 to 2010	784	Intersection - Marsac and Hillside	\$600,000	50%	\$300,000
OTIS	Year 1 to 5	2005 to 2010	782	Woodside - North of 13th	\$900,000	20%	\$180,000
OTIS	Year 6 to 10	2011 to 2015	620	Sandridge Parking Lot	\$700,000	20%	\$140,000
OTIS	Year 6 to 10	2011 to 2015	37	Hillside Avenue Design & Widening	\$550,000	50%	\$275,000
OTIS	Year 6 to 10	2011 to 2015	Not Assigned	Empire & Upper Lowel	\$1,900,000	50%	\$950,000
OTIS	Year 6 to 10	2011 to 2015	Not Assigned	Sullivan Drive	\$1,100,000	20%	\$220,000
OTIS	Year 6 to 10	2011 to 2015	Not Assigned	Rossi Hill Drive	\$1,800,000	20%	\$360,000
OTIS	Year 6 to 10	2011 to 2015	Not Assigned	Swede Alley	\$1,900,000	40%	\$760,000
OTIS	Year 11 to 15	2016 to 2020	Not Assigned	8th, 9th, 10th, 11th, 12th Streets	\$1,400,000	20%	\$280,000
OTIS	Year 11 to 15	2016 to 2020	Not Assigned	13th, 14th, 15th Streets	\$600,000	30%	\$180,000
OTIS	Year 11 to 15	2016 to 2020	Not Assigned	Silver King	\$500,000	30%	\$150,000
OTIS	Year 11 to 15	2016 to 2020	Not Assigned	Ridge Avenue	\$1,200,000	20%	\$240,000
OTIS	Year 11 to 15	2016 to 2020	Not Assigned	McHenry Drive	\$1,600,000	20%	\$320,000
2006 Budget	Year 1 to 5	2005 to 2010	Not Assigned	Bonanza Drive	\$1,860,000	40%	\$744,000
2006 Budget	Year 6 to 10	2011 to 2015	Not Assigned	Deer Valley Drive	Not Incl		\$0
<b>Summary</b>							
	Year 1 to 5	2005 to 2010			\$7,960,000	31%	\$2,444,000
	Year 6 to 10	2011 to 2015			\$7,950,000	34%	\$2,705,000
	Year 11 to 15	2016 to 2020			\$5,300,000	22%	\$1,170,000
<b>TOTAL</b>					\$21,210,000	30%	\$6,319,000

Source – Old Town Improvement Study and PCMC FY 2005 Budget.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

Roads CFP cost is summarized in Figure 4. CFP cost includes right-of-way and construction, financing, and capital planning expense. *CIP Cost* is summarized in Figure 6. Financing expense for improvements attributable to new development is calculated in the next chapter, as part of impact fee calculation. Financing expense for improvements attributable to existing development is not included because the City has not completed a financing plan for those improvements.

Figure 4

<b>ROADS CFP COST (constant \$s)</b>	
	Total
CIP Cost	\$26,061,979
Cost not Attributable to New Development	(\$17,829,777)
Existing Impact Fees	(\$551,836)
Cost Attributable to New Development	\$7,680,367
Impact Fee Discount	(\$5,172,727)
Net Cost Attributable to New Development	\$2,507,640
Capital Facilities Planning	Incl.
Financing Expense	
Interest Expense	\$101,298
Debt Origination Fees	\$7,559
Earned Interest	(\$36,018)
Sub-Total	\$72,839
Fee Reduction	(\$864,064)
CFP Total Cost (construction & financing)	\$1,716,415

- Note that CFP cost, and cost to new development, is discounted by \$5.2 mil.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

The nominal value of the CIP is shown in Figure 5 which summarizes the Master Plan and timing recommendations. Capital planning expense (for this and other capital plans) is as estimated by the PCMC Budget, Debt and Grants Department. The *Fee Account Balance* reduces cost attributable to existing development because the fees were paid by existing development.

Figure 5

CAPITAL IMPROVEMENT PLAN (current \$s)										
Roadway Facilities										
CIP Implementation Plan			Cost Attributable to New Development			Cost Attrib. to Existing Devp.				
Year	Project Cost	Cap. Facility Planning	Total	Project Cost	Cap. Facility Planning	Total	Project Cost	Cap. Facility Planning	Fee Acct. Balance	Total
0 2004	\$0		\$0	\$0	\$0	\$0				
1 2005	\$1,592,000	\$10,000	\$1,602,000	\$488,800	\$2,979	\$491,779	\$1,103,200	\$7,021	(\$275,918)	\$834,303
2 2006	\$1,592,000		\$1,592,000	\$488,800	\$0	\$488,800	\$1,103,200	\$0	(\$275,918)	\$827,282
3 2007	\$1,592,000		\$1,592,000	\$488,800	\$0	\$488,800	\$1,103,200	\$0		\$1,103,200
4 2008	\$1,592,000		\$1,592,000	\$488,800	\$0	\$488,800	\$1,103,200	\$0		\$1,103,200
5 2009	\$1,592,000	\$10,000	\$1,602,000	\$488,800	\$2,979	\$491,779	\$1,103,200	\$7,021		\$1,110,221
6 2010	\$1,590,000		\$1,590,000	\$541,000	\$0	\$541,000	\$1,049,000	\$0		\$1,049,000
7 2011	\$1,590,000		\$1,590,000	\$541,000	\$0	\$541,000	\$1,049,000	\$0		\$1,049,000
8 2012	\$1,590,000		\$1,590,000	\$541,000	\$0	\$541,000	\$1,049,000	\$0		\$1,049,000
9 2013	\$1,590,000	\$10,000	\$1,600,000	\$541,000	\$2,979	\$543,979	\$1,049,000	\$7,021		\$1,056,021
10 2014	\$1,590,000		\$1,590,000	\$541,000	\$0	\$541,000	\$1,049,000	\$0		\$1,049,000
11 2015	\$1,060,000		\$1,060,000	\$234,000	\$0	\$234,000	\$826,000	\$0		\$826,000
12 2016	\$1,060,000		\$1,060,000	\$234,000	\$0	\$234,000	\$826,000	\$0		\$826,000
13 2017	\$1,060,000	\$10,000	\$1,070,000	\$234,000	\$2,979	\$236,979	\$826,000	\$7,021		\$833,021
14 2018	\$1,060,000		\$1,060,000	\$234,000	\$0	\$234,000	\$826,000	\$0		\$826,000
15 2019	\$1,060,000		\$1,060,000	\$234,000	\$0	\$234,000	\$826,000	\$0		\$826,000
16 2020			\$0	\$0	\$0	\$0	\$0	\$0		\$0
17 2021			\$0	\$0	\$0	\$0	\$0	\$0		\$0
18 2022			\$0	\$0	\$0	\$0	\$0	\$0		\$0
19 2023			\$0	\$0	\$0	\$0	\$0	\$0		\$0
20 2024			\$0	\$0	\$0	\$0	\$0	\$0		\$0
21 2025			\$0	\$0	\$0	\$0	\$0	\$0		\$0
<b>TOTAL</b>	<b>\$21,210,000</b>	<b>\$40,000</b>	<b>\$21,250,000</b>	<b>\$6,319,000</b>	<b>\$11,917</b>	<b>\$6,330,917</b>	<b>\$14,891,000</b>	<b>\$28,083</b>	<b>(\$551,836)</b>	<b>\$14,367,247</b>

Figure 6 (on the following page) shows CIP cost in terms of real or "constant dollars".



## CHAPTER 3 – CAPITAL FACILITIES PLANS

Figure 6

Year	Total Cost		Attrib. to Existing Devp.		Attrib. to New Devp.		Total		Attrib. to Existing Devp.		
	Attrib. to New Devp.	Fee Acct Bal	Fee Acct Bal	Total	Discount	Net Cost	Fee Acct Bal	Total	Fee Acct Bal	Total	
(nominal value)											
(constant \$)											
Estimated Annual Cost Inflation				2.7%				2.7%		0.0%	2.7%
2004	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2005	\$1,602,000	\$491,779	(\$275,918)	\$834,303	(\$340,224)	\$164,934	(\$275,918)	\$864,505	(\$275,918)	\$888,121	\$1,195,706
2006	\$1,592,000	\$488,800	(\$275,918)	\$827,282	(\$347,362)	\$168,394	(\$275,918)	\$888,121	(\$275,918)	\$1,228,234	\$1,269,675
2007	\$1,592,000	\$488,800	\$0	\$1,103,200	(\$356,811)	\$172,975	\$0	\$1,195,706	\$0	\$1,228,234	\$1,269,675
2008	\$1,592,000	\$488,800	\$0	\$1,103,200	(\$366,518)	\$177,681	\$0	\$1,228,234	\$0	\$1,269,675	\$1,269,675
2009	\$1,602,000	\$491,779	\$0	\$1,110,221	(\$378,784)	\$183,627	\$0	\$1,269,675	\$0	\$1,269,675	\$1,269,675
2010	\$1,590,000	\$541,000	\$0	\$1,049,000	(\$428,031)	\$207,501	\$0	\$1,232,297	\$0	\$1,232,297	\$1,232,297
2011	\$1,590,000	\$541,000	\$0	\$1,049,000	(\$439,675)	\$213,146	\$0	\$1,265,821	\$0	\$1,265,821	\$1,265,821
2012	\$1,590,000	\$541,000	\$0	\$1,049,000	(\$451,636)	\$218,944	\$0	\$1,300,256	\$0	\$1,300,256	\$1,300,256
2013	\$1,600,000	\$543,979	\$0	\$1,056,021	(\$466,477)	\$226,139	\$0	\$1,344,567	\$0	\$1,344,567	\$1,344,567
2014	\$1,590,000	\$541,000	\$0	\$1,049,000	(\$476,543)	\$231,019	\$0	\$1,371,963	\$0	\$1,371,963	\$1,371,963
2015	\$1,060,000	\$234,000	\$0	\$826,000	(\$211,727)	\$102,641	\$0	\$1,109,695	\$0	\$1,109,695	\$1,109,695
2016	\$1,060,000	\$234,000	\$0	\$826,000	(\$217,487)	\$105,434	\$0	\$1,139,883	\$0	\$1,139,883	\$1,139,883
2017	\$1,070,000	\$236,979	\$0	\$833,021	(\$226,248)	\$109,681	\$0	\$1,180,844	\$0	\$1,180,844	\$1,180,844
2018	\$1,060,000	\$234,000	\$0	\$826,000	(\$229,481)	\$111,248	\$0	\$1,202,745	\$0	\$1,202,745	\$1,202,745
2019	\$1,060,000	\$234,000	\$0	\$826,000	(\$235,724)	\$114,274	\$0	\$1,235,464	\$0	\$1,235,464	\$1,235,464
2020	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2021	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2022	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2023	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2024	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2025	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$21,250,000	\$6,330,917	(\$551,836)	\$14,367,247	(\$5,172,727)	\$2,507,640	(\$551,836)	\$17,829,777	(\$551,836)	\$17,829,777	\$17,829,777

• *Estimated Annual Cost Inflation* is the average between 1993 and 2003, of the inflation rate for construction projects as published in April 2004 internet edition of *Engineering News Record*.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

### PUBLIC SAFETY FACILITIES – POLICE

A new building is planned for the Police Department, scheduled for construction in 2005 – 2006. The facility will include only Police Department space and is sized and designed to meet service demand through build-out. The nominal value of the CIP is shown in Figure 7 along with a preliminary implementation plan for the project.

Figure 7

CAPITAL IMPROVEMENT PLAN (current \$s)											
Public Safety Buildings - Police											
	CIP Implementation Plan				Cost Attributable to New Development				Cost Attrib. to Existing Devp.		
	Land	Building	Cap. Fac. Planning	Total	Land	Building	Cap. Fac. Planning	Total	Total	Fee Acct Bal	Total
2004	\$0	\$0		\$0	\$0			\$0			
2005	\$229,271	\$1,933,750	\$10,000	\$2,173,021	\$141,764	\$1,195,685	\$6,183	\$1,343,632	\$829,389	(\$461,078)	\$368,311
2006		\$1,933,750		\$1,933,750		\$1,195,685		\$1,195,685	\$738,065	(\$461,078)	\$276,987
2007				\$0				\$0			\$0
2008				\$0				\$0			\$0
2009				\$0				\$0			\$0
2010				\$0				\$0			\$0
2011				\$0				\$0			\$0
2012				\$0				\$0			\$0
2013				\$0				\$0			\$0
2014				\$0				\$0			\$0
2015				\$0				\$0			\$0
2016				\$0				\$0			\$0
2017				\$0				\$0			\$0
2018				\$0				\$0			\$0
2019				\$0				\$0			\$0
2020				\$0				\$0			\$0
2021				\$0				\$0			\$0
2022				\$0				\$0			\$0
2023				\$0				\$0			\$0
2024				\$0				\$0			\$0
2025				\$0				\$0			\$0
<b>TOTAL</b>	\$229,271	\$3,867,500	\$10,000	\$4,106,771	\$141,764	\$2,391,370	\$6,183	\$2,539,317	\$1,567,454	(\$922,157)	\$645,297

Design, size, and cost of the facility are as defined by the *Police Facility Space Needs Assessment* prepared by McClaren, Wilson & Lawrie. *Cost Attributable to New* and that attributable to *Existing Development* is based on a service provision standard (LOS) of square 437 feet per sworn officer. *Cost Attributable to New Development* ("CIP Benefit Allocation") is calculated as shown in Figure 10.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

CFP cost for Police Building space is summarized as follows. Cost includes land, construction, financing, and capital planning expense. The cost of land and construction is derived as shown in Figure 9. *CIP Cost* is summarized in Figure 11. Financing expense for improvements attributable to new development is calculated in the next chapter as part of impact fee calculation. Financing expense for improvements attributable to existing development is not included because the City has not completed a financing plan for those improvements.

Figure 8

<b>CFP COST (constant \$s)</b>	
<i>Public Safety Buildings - Police</i>	
	Total
CIP Cost	\$4,272,528
Cost not Attributable to New Development	(\$708,563)
Existing Impact Fees	(\$922,157)
Cost Attributable to New Development	\$2,641,809
Impact Fee Discount	(\$1,149,187)
Net Cost Attributable to New Development	\$1,492,622
Capital Facilities Planning	Incl.
Financing Expense	
Interest Expense	\$684,411
Debt Origination Fees	\$32,692
Eamed Interest	(\$194,236)
Sub-Total	\$522,866
Fee Reduction	(\$8,823)
<b>CFP Total Cost (construction &amp; financing)</b>	<b>\$2,006,665</b>

- Note that CFP cost, and cost to new development, is discounted by \$1.1 mil.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

Project construction cost is the product of planned building space (square feet) and the estimated unit cost of construction, plus land, calculated as follows:

Figure 9

<b>PRO FORMA LAND &amp; CONSTRUCTION COST</b>			
<i>Public Safety Buildings - Police</i>			
	Area	Unit Cost	Total
Land (acres)	1.87	\$122,605	\$229,271
Building (Police only - excludes Courts)			
Building			\$3,500,000
Design & Construction Mgmt. (10.5%)			\$367,500
Total	25,214	\$153	\$3,867,500
<b>TOTAL</b>			<b>\$4,096,771</b>

Source – Building and lot area from Police Facility Space Needs Assessment, McClaren, Wilson & Lawrie, February 2004. Building construction cost and designed/management expense as estimated by the PCMC Capital Projects and Economic Development Department.

- Land cost is included in this analysis at a price substantially below market. The new Police building will be located on a site purchased by the Municipal Redevelopment Agency (RDA) in 1998 at a price of \$364,892 per acre. Purchase price for purposes of impact fee calculation is set equal to the minimum requisite RDA sales price, which is \$122,605 per acre<sup>3</sup> – about 1/3 of 1998 market value.

<sup>3</sup> RDA sales price is calculated based on the area of the building footprint, rather than total site area. On this basis total land cost for the project is \$229,271, or \$122,605 per acre.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

Facility benefit attributable to new and existing development is calculated as follows:

Figure 10

<b>CIP BENEFIT ALLOCATION</b>					
<i>Public Safety Buildings - Police</i>					
	LOS	Staffing (sworn officers)	Allocated Building Space		
			Sq. Ft.	Cost	% of Total
LOS (building space service provision at build-out)					
Building Area	25,214				
Total Sworn	58				
Sq. Ft. per Officer	437				
Benefit Allocation					
Existing Development (1997)	437	22	9,624	\$1,563,637	38%
New Development (1997 to build-out)	437	36	15,590	\$2,533,134	62%
Total		58	25,214	\$4,096,771	

- Benefit is allocated based on an average service provision standard of 437 square feet per sworn officer at build-out.
- Because impact fees for the subject facility were first collected beginning in 1997, benefit is allocated based on 1997 staffing.

The Council plans a long-run increase in the Public Safety level of service. This analysis therefore assumes an increasing staffing rate (number of officers per 1,000 service population) and an increasing building space LOS, through build-out. The trend towards enhanced service provision is driven by rising expectations on the part of the public. Current facilities and staffing are adequate to meet current service demand but the Department foresees a need to move towards more comprehensive services – a “full service shop” with additional functions provided in-house – and increased staffing rates, as the community nears build-out. The planned Police building is designed to meet that need as it occurs. The trend in Police service provision is illustrated in Figure 56 of the *Technical Reference*.

Allocated CIP cost expressed in real or “constant dollar” terms is shown in Figure 11 on the following page.



## CHAPTER 3 – CAPITAL FACILITIES PLANS

### PARKS, TRAILS & OPEN SPACE

The City Council has defined land and improvement objectives for *Parks, Trails and Open Space* which continue an ongoing program of capacity expansion. The plan includes provision of a recreation facility with athletic fields, and \$269,333 per year for Parks, Trails and Open Space. The nominal value of the CIP and annual implementation plan is shown in Figure 12.

Figure 12

#### CAPITAL IMPROVEMENT PLAN (current \$s)

*Parks, Trails, Open Space*

	CIP Implementation Plan			Cost Attributable to New Development			Cost Attrib. to Existing Devp.				
	Recreation Facility	Parks & Trails & OS	Cap. Fac. Planning	Total	Recreation Facility	Parks & Trails & OS	Cap. Fac. Planning	Total	Sub-Total	Existing Impact Fees	Total
0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1	\$2,362,200	\$269,333	\$10,000	\$2,641,533	\$1,455,718	\$165,978	\$6,163	\$1,627,859	\$1,013,674	(\$495,948)	\$517,727
2	\$1,377,950	\$269,333	\$10,000	\$1,647,283	\$849,169	\$165,978	\$0	\$1,015,147	\$632,136	(\$495,948)	\$136,189
3	\$1,377,950	\$269,333	\$10,000	\$1,647,283	\$849,169	\$165,978	\$0	\$1,015,147	\$632,136	(\$495,948)	\$136,189
4	\$1,377,950	\$269,333	\$10,000	\$1,647,283	\$849,169	\$165,978	\$0	\$1,015,147	\$632,136		\$632,136
5	\$1,377,950	\$269,333	\$10,000	\$1,647,283	\$849,169	\$165,978	\$6,163	\$1,021,310	\$635,974		\$635,974
6		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
7		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
8		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
9		\$269,333	\$10,000	\$279,333	\$0	\$165,978	\$6,163	\$172,141	\$107,193		\$107,193
10		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
11		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
12		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
13		\$269,333	\$10,000	\$279,333	\$0	\$165,978	\$6,163	\$172,141	\$107,193		\$107,193
14		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
15		\$269,333		\$269,333	\$0	\$165,978	\$0	\$165,978	\$103,355		\$103,355
16				\$0	\$0	\$0	\$0	\$0	\$0		\$0
17				\$0	\$0	\$0	\$0	\$0	\$0		\$0
18				\$0	\$0	\$0	\$0	\$0	\$0		\$0
19				\$0	\$0	\$0	\$0	\$0	\$0		\$0
20				\$0	\$0	\$0	\$0	\$0	\$0		\$0
21				\$0	\$0	\$0	\$0	\$0	\$0		\$0
TOTAL	\$7,874,000	\$4,040,000	\$40,000	\$11,954,000	\$4,852,394	\$2,489,671	\$24,650	\$7,366,716	\$4,587,284	(\$1,487,843)	\$3,099,441

Source – Park City Budget, Debts & Grants Department.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

The Parks plan is comprehensive and is defined by the Council based on a strategy that makes use of existing excess capacity (built in anticipation of demand from new development) and planned future facilities, to meet the target level-of-service standard – \$4,434 per demand unit at build-out.

Current and planned future LOS is summarized as follows:

Figure 13

<b>PARKS, TRAILS &amp; OPEN SPACE LOS</b>			
	Current LOS	Buildout LOS	New Devp LOS (discounted)
Acquisition Cost - Current Facilities (part)	\$36,862,576	\$36,862,576	
Planned Future Facilities (FV)		\$13,573,890	
<b>Total</b>	<b>\$36,862,576</b>	<b>\$50,436,466</b>	<b>\$2,690,586</b>
Demand Units	11,376	11,376	2,582
LOS (\$s per demand unit)	\$3,240	\$4,434	\$1,042

- *New Development LOS* is discounted in order to maintain the proposed future Parks impact fee at its current rate.

*Cost Attributable to New Development* (Figure 17) is allocated as follows, based on the current service provision standard of \$3,240 per demand unit. The service provision standard is derived based on acquisition cost (part) of current facilities.<sup>4</sup>

Figure 14

<b>CIP BENEFIT ALLOCATION</b>	
<i>Parks, Trails, Open Space</i>	
CIP Cost (FV)	\$13,573,890
LOS (\$ per demand unit)	\$3,240
Total New Development (demand units)	2,582
Cost Attributable to New Development	\$8,364,982
New Development % of CIP	62%

<sup>4</sup> As explained on page 52 acquisition cost, and the current LOS, is understated because it includes only those facilities for which cost can be specifically quantified – land and improvements purchased in the distant past are excluded.



## CHAPTER 3 – CAPITAL FACILITIES PLANS

CFP cost for Parks, Trails and Open Space is summarized as follows. Cost includes land, improvements, financing, and capital planning expense. *CIP Cost* is summarized in Figure 17. Cost for the Recreation Center is derived as shown in Figure 16. Financing expense for improvements attributable to new development is calculated in the next chapter, as part of impact fee calculation. Financing expense for improvements attributable to existing development is not included because the City has not completed a financing plan for those improvements.

Figure 15

<b>CFP COST (constant \$s)</b>	
<i>Parks, Trails, Open Space</i>	
	Total
CIP Cost	\$13,573,890
Cost not Attributable to New Development	(\$3,721,066)
Existing Impact Fees	(\$1,487,843)
Impact Fee Discount	(\$5,249,863)
Net Cost Attributable to New Development	\$3,115,119
Capital Facilities Planning	Incl.
Financing Expense	
Interest Expense	\$648,434
Debt Origination Fees	\$33,488
Earned Interest	(\$180,315)
Sub-Total	\$501,607
Fee Reduction	(\$926,141)
CFP Total Cost (construction & financing)	\$2,690,586

Figure 16

<b>RECREATION CENTER - PRO FORMA</b>	
<b>FACILITY COST (NET)</b>	
	Total
Land & Building	\$10,000,000
Less - Contribution (Snyderville Basin Rec. District)	(\$2,000,000)
Less - Contribution (County RAP Tax)	(\$126,000)
Net Cost	\$7,874,000

Source – Park City Budget, Debts & Grants Department.

CIP cost expressed in terms of real or "constant dollar" is shown in Figure 17 on the following page.

## CHAPTER 3 – CAPITAL FACILITIES PLANS

Figure 17

Year	Attrib. to New Devp.		Attrib. to Existing Devp.		Total Cost		Attrib. to New Devp.		Attrib. to Existing Devp.		
	Total Cost	Fee Acct Bal	Total	Fee Acct Bal	Total	Discount	Net Cost	Total	Fee Acct Bal	Total	
(nominal value)											
(constant \$s)											
Estimated Annual Cost Inflation					2.7%			2.7%		0.0%	2.7%
2004	\$0	\$0	\$517,727	\$0	\$0		\$0	\$0		\$0	\$0
2005	\$2,641,533	\$1,627,859	\$136,189	(\$495,948)	\$2,713,393		\$622,706	\$1,672,143	(\$1,049,437)	\$545,303	(\$495,948)
2006	\$1,647,283	\$1,015,147	\$136,189	(\$495,948)	\$1,738,128		\$398,889	\$1,071,130	(\$672,241)	\$171,050	(\$495,948)
2007	\$1,647,283	\$1,015,147	\$632,136	\$0	\$1,785,412		\$409,740	\$1,100,269	(\$690,529)	\$189,195	(\$495,948)
2008	\$1,657,283	\$1,021,310	\$635,974	\$0	\$1,833,982		\$420,887	\$1,130,201	(\$709,314)	\$703,781	\$0
2009	\$269,333	\$165,978	\$103,355	\$0	\$1,895,310		\$434,961	\$1,167,995	(\$733,033)	\$727,315	\$0
2010	\$269,333	\$165,978	\$103,355	\$0	\$316,395		\$72,611	\$194,980	(\$122,370)	\$121,415	\$0
2011	\$269,333	\$165,978	\$103,355	\$0	\$325,003		\$74,586	\$200,285	(\$125,699)	\$124,718	\$0
2012	\$279,333	\$172,141	\$107,193	\$0	\$333,844		\$76,615	\$205,733	(\$129,118)	\$128,111	\$0
2013	\$269,333	\$165,978	\$103,355	\$0	\$355,658		\$81,621	\$219,176	(\$137,555)	\$136,482	\$0
2014	\$269,333	\$165,978	\$103,355	\$0	\$352,255		\$80,840	\$217,079	(\$136,239)	\$135,176	\$0
2015	\$269,333	\$165,978	\$103,355	\$0	\$361,838		\$83,039	\$222,984	(\$139,945)	\$138,853	\$0
2016	\$279,333	\$172,141	\$107,193	\$0	\$371,681		\$85,298	\$229,050	(\$143,752)	\$142,631	\$0
2017	\$269,333	\$165,978	\$103,355	\$0	\$395,968		\$90,872	\$244,017	(\$153,145)	\$151,950	\$0
2018	\$269,333	\$165,978	\$103,355	\$0	\$392,178		\$90,002	\$241,682	(\$151,680)	\$150,496	\$0
2019	\$269,333	\$165,978	\$103,355	\$0	\$402,847		\$92,451	\$248,257	(\$155,806)	\$154,590	\$0
2020	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0
2021	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0
2022	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0
2023	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0
2024	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0
2025	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0
TOTAL	\$11,954,000	\$7,366,716	\$3,099,441	(\$1,487,843)	\$13,573,890		\$3,115,119	\$8,364,982	(\$5,249,863)	(\$1,487,843)	\$3,721,066

• *Estimated Annual Cost Inflation* is derived from the average inflation rate (1993 to 2003) for construction projects as published in April 2004 internet edition of *Engineering News Record*.

## CHAPTER 4 – IMPACT FEE CALCULATION

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### *INTRODUCTION*

Impact fees are quantified based on the average cost of facilities needed to meet demand from new development. The basis for this is the cost of requisite capital facilities, which is quantified in the previous chapter. This chapter discusses impact fee calculation methodology.

With respect to the calculation of impact fees, note that attributable cost includes only the cost of facilities required to meet demand from new development and does not include costs attributable to deficiency correction, service provision upgrade for the benefit of existing development or future payments by new development attributable to capital facility capacity expansion for new development.

### *SUMMARY OF METHODOLOGY – CALCULATION OF IMPACT FEE PER RE*

Impact fees in this analysis are calculated in a consistent manner – as the quotient of CFP cost and total new development (demand units).

Figure 20 and Figure 21 are illustrative. Fees are calculated by means of an iterative process under the following constraints:

- The year-one fee (and fees in subsequent years) is set at a minimum such that total fee revenue equals CFP cost (net of fee reductions), Pro Forma debt is minimized, and the Pro Forma annual account balance is at a minimum positive value, adequate to meet planned annual capital spending (cash flow requirements are satisfied).
- The fee account is maintained at a minimum balance throughout the planning period
- Borrowing is minimized and occurs "just-in-time" so as to reduce debt service.
- Earned interest accrues to the account and is calculated as part of cash available to meet annual payments (this reduces the amount of fee).
- Fee reductions (as may be applicable) are taken in the current year.
- The fee account shows a zero balance at the end of the planning period.

## CHAPTER 4 –IMPACT FEE CALCULATION

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The year-one impact fee is calculated as:

$$\frac{\text{CFP Cost} + \text{Financing Expense (net of earned interest)}}{\text{Total New Demand (REs)}} - \text{Impact Fee Reductions} = \text{Fee per Demand Unit}$$

- *CFP COST* includes the cost of construction and allocated *Capital Facilities Planning Cost*.
- *Financing Expense* includes interest and debt origination fees, reduced by interest earned on the impact fee account.
- *Impact Fee Reductions* reduce the amount of the impact fee to account for payments by new development for which no benefit will be received. Fee reductions include for example, future General Fund payments and debt service payments for facilities attributable to the benefit of existing development. Fee reductions are calculated as the present value of a series of future payments.

Staff has directed that future fees be calculated in terms of nominal value, and plans periodic reevaluation and revision of calculated fee amounts, so as to incorporate the effects of inflation.

Estimating assumptions are highlighted earlier in this report and restated in the following narrative. The City plans to review estimating assumptions periodically, and as appropriate, recalculate fees to incorporate the necessary revisions. This update process may change the amount of the impact fee.

Fees in this analysis are calculated in terms of a single impact fee service area, in part, for the following reasons

- The Police Department makes use of resources in various locations to meet demand citywide. Police planners advise that service provision and response capacity are designed as fully integrated, with the intent that the entire capability of the Department be available to a service a call at any particular location.
- For Parks, Trails and Open Space, Staff advise that facilities are frequented primarily based on the particular offerings of each, rather than proximity to a given neighborhood. Open space in particular is considered to be a citywide resource.
- Similar to Public Safety capital facility capacity, the City Engineer advises that the Roads system functions as a single, integrated network which as a whole, provides both adequate capacity and a measure of redundancy, citywide.

## CHAPTER 4 –IMPACT FEE CALCULATION

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### *IMPACT FEE CALCULATION – ATYPICAL OR CONTESTED FEE AMOUNTS*

This analysis defines impact fees by means of a fee schedule, for typical categories of new development. For atypical or contested fee amounts, and in accord with the City's impact fee administrative appeals procedure, fees can be calculated specifically for a given impact fee application, as follows:

$$\text{Net Impact Fee per RE} \times \text{Number of Demand Units (REs)} = \text{Impact Fee Amount}$$

- *Net Impact Fee per RE* is defined for each capital facility category, later in this chapter.
- *Number of Demand Units (REs)* is the product of *Number of Units of New Development* and the *Demand Index*. Demand Indices are defined in this chapter for three impact fees, and six categories of property use. Calculation methodology is illustrated, in charts labeled *Demand Index*.
- For atypical or contested assessments the *Demand Index* is quantified by the Park City Impact Fee Administrator, derived as may be appropriate, from indices or methodology shown in this analysis for standard property use types.

## CHAPTER 4 - IMPACT FEE CALCULATION

### ROADS IMPACT FEE

The roads impact fee is calculated based on (previously defined) CFP cost.

The fee is discounted 67% order to maintain proposed assessment at its current rate, and includes reductions for the value of future payments by new development for facilities attributable to the benefit of existing development, the purpose of which is to preserve the ongoing cost/benefit relationship whereby new development pays only for facilities from which it derives benefit.

Figure 18

<b>RECOMMENDED IMPACT FEE SCHEDULE</b>			
<i>Roadway Facilities</i>			
Calendar Year	Impact Fee per RE (res. equivalent demand Unit)		
	Gross Impact Fee	Fee Reduction	Net Impact Fee
2005	\$713.52	(\$397.71)	\$315.81
2006	\$713.52	(\$387.77)	\$325.75

Recommended fees are shown only for the period of the next two years. During that time, capital plans, estimating assumptions, CFP and impact fee calculations will be reviewed and as necessary revised, and a new fee schedule prepared so as to incorporate the effect of changed economic and financial conditions.

Figure 19 shows the amount of the impact fee by property type. The fee is calculated as the product of *Fee per Demand Unit* and the *Demand Index*. The Demand Index is calculated as shown later in this chapter.

Figure 19

<b>IMPACT FEE SCHEDULE (calculated fee)</b>				
<i>Roadway Facilities</i>				
Property Type	Capacity Expansion Fee			
	Impact Fee per Demand Unit	Demand Index	Calculated Impact Fee	
Single Family				
Average Unit (dwelling unit)	\$315.81	1.00	\$316	
Unit Less Than 3,000 sq. ft. (dwelling unit)		0.50	\$158	
Unit More Than 5,000 sq. ft. (dwelling unit)		1.50	\$474	
Duplex & Multi Family				
Average Unit (dwelling unit)		0.93	\$293	
Unit Less Than 2,000 sq. ft. (dwelling unit)		0.46	\$147	
Unit More Than 4,000 sq. ft. (dwelling unit)		1.39	\$440	
Hotel Room				
Average Unit (room)		0.55	\$173	
Unit Less Than 750 sq. ft. (room)		0.27	\$86	
Unit More Than 2,000 sq. ft. (room)		0.82	\$259	
Commercial (1,000 sf gross leasable area)		1.31	\$413	
Light Industrial (1,000 sf gross leasable area)		1.03	\$325	

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 20 and Figure 21 detail calculation of the *Impact Fee per Demand Unit*.

Figure 20

<b>IMPACT FEE CALCULATION (1 of 2)</b>								
<i>Roadway Facilities - Cost per Demand Unit (land, building &amp; financing)</i>								
	Fee Reduction - Payments by New Devp. for Facilities Attributable to the Benefit of Existing Devp				Impact Fee per RE			Net Impact Fee Revenue
	Annual Total	Per RE		New Devp Share of Total	Gross	Fee Reduction	Net	
		Annual	Total (PV)					
Share/Ann. Rate	45%		6.00%		0.0%			
2004	\$0							
2005	\$386,349	\$31.89	\$397.71	\$95,889	\$713.52	(\$397.71)	\$315.81	\$76,143
2006	\$396,903	\$32.12	\$387.77	\$93,493	\$713.52	(\$387.77)	\$325.75	\$78,539
2007	\$534,363	\$42.41	\$376.99	\$90,895	\$713.52	(\$376.99)	\$336.53	\$81,137
2008	\$548,900	\$42.75	\$354.66	\$85,509	\$713.52	(\$354.66)	\$358.86	\$86,523
2009	\$567,421	\$43.38	\$330.62	\$79,714	\$713.52	(\$330.62)	\$382.90	\$92,318
2010	\$550,716	\$41.34	\$304.48	\$73,411	\$713.52	(\$304.48)	\$409.04	\$98,621
2011	\$565,698	\$41.71	\$278.93	\$67,250	\$713.52	(\$278.93)	\$434.59	\$104,781
2012	\$581,087	\$42.09	\$251.45	\$60,626	\$713.52	(\$251.45)	\$462.07	\$111,406
2013	\$600,890	\$42.78	\$221.92	\$53,506	\$713.52	(\$221.92)	\$491.60	\$118,526
2014	\$613,133	\$42.92	\$189.89	\$45,782	\$713.52	(\$189.89)	\$523.63	\$126,249
2015	\$495,925	\$34.14	\$155.79	\$37,561	\$713.52	(\$155.79)	\$557.73	\$134,471
2016	\$509,416	\$34.49	\$128.95	\$31,091	\$713.52	(\$128.95)	\$584.57	\$140,941
2017	\$527,722	\$35.16	\$100.13	\$24,141	\$713.52	(\$100.13)	\$613.39	\$147,891
2018	\$537,509	\$35.24	\$68.87	\$16,604	\$713.52	(\$68.87)	\$644.65	\$155,428
2019	\$552,132	\$35.64	\$35.64	\$8,593	\$713.52	(\$35.64)	\$677.88	\$163,439
2020	\$0	\$0.00	\$0.00	\$0	\$713.52	\$0.00	\$713.52	\$0
2021	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2022	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2023	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2024	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2025	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
	\$7,968,164			\$864,064				\$1,716,415

In Figure 20 *Net Impact Fee Revenue* is the product of *New Development* ( ) and *Net Impact Fee per RE* (the fee amount per “residential equivalent” demand unit).

*Total Fee Reduction per RE (PV)* is the present value of the quotient of *Annual Total Fee Reduction* and *Total (Cumulative) New Demand* (Figure 25). This fee reduction offsets the cost of that part of future roads projects attributable to the benefit of existing development.

The fee reduction is calculated under the assumption that the non-CFP component of total cost will be funded by the General Fund. The amount of the reduction is the proportion of General Fund revenue attributable to property owners, which consists of Property Tax revenue and a part of Sales Tax Revenue. For FY 2004, 45% of General Fund revenue is directly attributable to property owners, and the *Annual Total Fee Reduction* is therefore calculated as 45% of the per-demand-unit of that part of Roads total roads cost attributable to existing development (shown as *Attributable to Existing Development* in Figure 6). Calculation of the property owner share is shown the *Technical Reference*.

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 21 shows the remainder of the fee calculation.

*Facility Cost* is calculated as shown in the prior chapter, which discusses Capital Improvement Plans.

*Fee Account Balance* is the cumulative total of *Net Impact Fee Revenue*, *Fee Reduction* and *Earned Interest*, less *Roads Cost*, *Debt P & I*, and *Debt Origination & Legal Fees*. Debt P & I and Debt Fees constitute Financing Expense, referenced in this, and other impact fees in this analysis.

Figure 21

IMPACT FEE CALCULATION (2 of 2)							
Roadway Facilities - Cost per Demand Unit (land, building & financing)							
Pro Forma Cost, Net Fee Revenue & Fund Balance						Pro Forma Debt	
Facility Cost	Debt P & I	Debt Orig. & Legal Fees	Interest Earnings	Net Revenue	Fee Account Balance		
	4.50%	2.50%	4.00%				
2004					\$0		
2005	\$164,934	\$0	\$0	\$0	\$7,098	\$7,098	
2006	\$168,394	\$0	\$0	\$0	\$3,637	\$10,735	
2007	\$172,975	\$0	\$0	\$0	(\$944)	\$9,792	
2008	\$177,681	\$0	\$0	\$0	(\$5,649)	\$4,143	
2009	\$183,627	\$0	\$211	\$0	(\$11,807)	\$791	\$8,455
2010	\$207,501	\$753	\$935	\$0	(\$37,157)	\$1,027	\$37,392
2011	\$213,146	\$4,234	\$1,162	\$0	(\$46,510)	\$985	\$46,468
2012	\$218,944	\$8,780	\$1,422	\$0	(\$57,115)	\$761	\$56,891
2013	\$226,139	\$14,655	\$1,753	\$0	(\$70,516)	\$369	\$70,124
2014	\$231,019	\$22,346	\$2,076	\$0	(\$83,408)	\$1	\$83,040
2015	\$102,641	\$32,082	\$0	\$0	\$37,309	\$37,310	
2016	\$105,434	\$32,082	\$0	\$1,561	\$36,077	\$73,387	
2017	\$109,681	\$32,082	\$0	\$3,058	\$33,327	\$106,714	
2018	\$111,248	\$32,082	\$0	\$4,511	\$33,212	\$139,927	
2019	\$114,274	\$32,082	\$0	\$5,939	\$31,614	\$171,541	
2020	\$0	\$32,082	\$0	\$6,220	(\$25,862)	\$145,679	
2021	\$0	\$32,082	\$0	\$5,186	(\$26,896)	\$118,783	
2022	\$0	\$32,082	\$0	\$4,110	(\$27,972)	\$90,811	
2023	\$0	\$32,082	\$0	\$2,991	(\$29,091)	\$61,720	
2024	\$0	\$32,082	\$0	\$1,827	(\$30,255)	\$31,465	
2025	\$0	\$32,082	\$0	\$617	(\$31,465)	\$0	
	\$2,507,640	\$403,668	\$7,559	\$36,018			\$302,371



## CHAPTER 4 - IMPACT FEE CALCULATION

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Figure 20 and Figure 21 illustrate calculation methodology typical of other impact fees in this report. The objective of this methodology is twofold:

1. Provide a reasonable estimate of the actual cost of the work, plus financing expense and earned interest, in "real" terms.
2. Demonstrate that the impact fee is calculated in a manner consistent with the Utah Impact Fee Act, so as to recognize the "time/price differential inherent in fair comparisons of amounts paid at different times".

The amount of fees in this or any other impact fee analysis is sensitive to underlying assumptions, decisions, criteria and conclusions. Key financial assumptions are apparent in the foregoing. Because these assumptions change over time Figure 20 should not be taken as a fee schedule for purposes of future assessment, but rather, underlying assumptions should be periodically reviewed and fees updated, to incorporate the effect of changing economic and financial conditions.

Financial assumptions which drive the amount of each fee in this analysis include the following:

- *Interest Earnings* rate is the average for the last 10 years, for the Utah *Public Treasurers Investment Fund*.
- *Debt Principal & Interest* is the estimated borrowing rate for the City, assuming a 1.5% spread between the PTIF rate and the effective debt rate. (Annual P & I is calculated based on a Pro Forma debt schedule of varying term, which assumes that debt originated during the planning period will be extinguished by the end of the planning period.)
- *Debt Origination & Legal Fees* is as estimated by the PCMC Staff.
- The discount rate for the *Fee Reduction* is the assumed rate for long-term private-sector investment.
- *Roads Cost*, calculated as shown in Figure 6, is based on the rate of *Estimated Annual Cost Inflation*. This is the average between 1993 and 2003, of the inflation rate for construction projects as published in April 2004 internet edition of *Engineering News Record*.

These rates maintain calculated impact fees at a constant or "real" value through the life of the planning period. They capture financing expense and earned interest, and because of that provide a reasonable estimate the true cost of requisite capital facilities. Rates now are at historic lows. For that reason these assumptions should be monitored and fee calculations updated, as circumstances dictate.

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 20 and Figure 21 illustrate calculation of the per-demand unit cost of capital facility capacity required by new development.

Cost by property type is the product of *Cost per Demand Unit*, and the *Demand Index*. Demand indices are different for each facility type and are estimated based on measures of relative demand thought to be most representative for each type.

The *Demand Index* for Roads as follows:

Figure 22

DEMAND INDEX		Trips per Unit	Pass-By Adjustment	Effective Trips Per Unit	Demand by Property Type
Single Family	(dwelling unit)	14.0	1.00	14.0	1.00
Duplex & Multi-Family	(dwelling unit)	13.0	1.00	13.0	0.93
Hotel Room	(room)	7.7	1.00	7.7	0.55
Commercial	(1,000 sf gross leasable area)	47.2	0.39	18.3	1.31
Light Industrial	(1,000 sf gross leasable area)	14.4	1.00	14.4	1.03

Source – Park City Engineer.

The Park City Engineer has advised that modified ITE trip generation rates, as shown above, are the best measure of relative capital facility capacity demand. Trips attributable to *Commercial* development are reduced by a *Pass-By Adjustment* which accounts for the secondary nature of a proportion of commercial trips.

The *Demand Index* by *Property Type* defines relative capacity demand, indexed to Single-Family – i.e., for each property type, the demand index is the quotient of *Effective Trips per Unit* and Trips per Unit for Single-Family.

## CHAPTER 4 - IMPACT FEE CALCULATION

The City engineer advises that residential units larger and smaller than the average present relatively higher and lower service demand. The demand index relative to unit size is estimated as follows:

Figure 23

DEMAND INDEX BY SIZE Roadway Facilities			
Property Tax	Demand by Property Type	Size Index	Demand Index
Single Family			
Average Unit	(dwelling unit)	1.00	1.00
Unit Less Than 3,000 sq. ft.	(dwelling unit)	0.50	0.50
Unit More Than 5,000 sq. ft.	(dwelling unit)	1.50	1.50
Duplex & Multi-Family			
Average Unit	(dwelling unit)	0.93	0.93
Unit Less Than 2,000 sq. ft.	(dwelling unit)	0.50	0.46
Unit More Than 4,000 sq. ft.	(dwelling unit)	1.50	1.39
Hotel			
Average Unit	(room)	1.00	0.55
Unit Less Than 750 sq. ft.	(room)	0.50	0.27
Unit More Than 2,000 sq. ft.	(room)	1.50	0.82

Source - Park City Engineer

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 24 shows calculation of the number of existing and new development demand units, which is the basis for calculation of the impact fee.

Figure 24

Property Type	Existing Units	New Development Units	Demand Index	Demand Units	
				Existing	New Development
Single Family (dwelling unit)	3,107	1,112	1.00		
Duplex & Multi Family (dwelling unit)	6,160	1,744	0.93		
Hotel (room)	1,256	86	0.55		
Commercial (1,000 sf gross leasable area)	1,678	596	1.31		
Light Industrial (1,000 sf gross leasable area)	164	58	1.03		
<b>Total</b>				11,876	3,617

Source – inventory of existing and estimated new development from Park City Planning Department.

- Total Demand Units is sum of the annual product of number of units and the Demand Index.
- The number of existing and estimated new development units is derived based on information from the Park City Planning Department, as shown in the *Technical Reference*.

Annual new roads demand, and cumulative total demand, is calculated as shown on the following page.

## CHAPTER 4 - IMPACT FEE CALCULATION

The estimated annual growth rate is based on Planning Staff advice that remaining new development should be expected to occur over a period of the next 15 years. This means that on average about 7% of remaining demand will build-out each year, which corresponds to an average annual rate of growth in the housing stock of about 2%, or about 204 units per year. Calculation of the current property inventory and expected new development is shown at the end of this chapter. Note that each impact fee in this analysis uses the same rate of growth as shown below.

Figure 25

<b>AVERAGE ANNUAL NEW DEMAND UNITS</b>			
<i>Roadway Facilities</i>			
	New Devp % of Total	Estimated New Demand (residential equivalent demand units - RE)	
		New Development	Total (cumm)
2004			11,876
2005	7%	241	12,117
2006	7%	241	12,358
2007	7%	241	12,599
2008	7%	241	12,840
2009	7%	241	13,081
2010	7%	241	13,322
2011	7%	241	13,563
2012	7%	241	13,804
2013	7%	241	14,046
2014	7%	241	14,287
2015	7%	241	14,528
2016	7%	241	14,769
2017	7%	241	15,010
2018	7%	241	15,251
2019	7%	241	15,492
2020	0%	0	15,492
2021	0%	0	15,492
2022	0%	0	15,492
2023	0%	0	15,492
2024	0%	0	15,492
2025	0%	0	15,492
<b>TOTAL</b>	<b>100%</b>	<b>3,617</b>	

Source –number of new demand units from analysis of build-out potential by Park City Planning Department. Annual growth rate is derived based on 15 year build-out, as defined by Planning Staff.

## CHAPTER 4 - IMPACT FEE CALCULATION

Cost of the work, net impact fee revenue, and the difference between the total cost and that part planned to be funded by impact fees, is summarized as follows:

Figure 26

ROADS IMPACT FEE REVENUE SUMMARY		
Total Construction Cost	\$26,061,979	Total planned capital spending, not including financing expense
Construction Cost Not A ttributable to New Development	(\$17,829,777)	Cost of improvements attributable to existing development & external demand (thru trips and other).
Impact Fee Current Account Balance	(\$551,836)	Fee revenue attributable to existing development
Construction Cost A ttributable to New Development	\$7,680,367	Construction cost of capacity expansion projects for new development
Financing Expense	\$72,839	Estimated financing expense and debt origination fees for new development, net of earned interest
Total Cost of Facilities for New Development	\$7,753,205	Total cost of capacity expansion for new development
Fee Reduction & Discount	(\$6,036,791)	Reductions to preserve on-going cost/benefit relationship - discount to maintain current fee rates
Net Cost to New Development	\$1,716,415	Total cost of capacity expansion for new development
Shortfall - Cost A ttributable to Existing Development & External Demand	\$24,418,403	(including financing expense)

## CHAPTER 4 - IMPACT FEE CALCULATION

### **PUBLIC SAFETY FACILITIES – POLICE**

The impact fee for Police building space is shown below, calculated based on the same methodology as discussed for Roads.

The Public Safety fee is discounted 44% order to limit the amount of the fee increase. It is further discounted by means of below-market site cost, and includes reductions for the value of future payments by new development for facilities attributable to the benefit of existing development.

The fee includes only Police space and is based on a service provision standard (LOS) of 437 square feet per sworn officer (as discussed earlier in the chapter describing capital improvement plans).

Figure 27

<b>RECOMMENDED IMPACT FEE SCHEDULE</b>			
<i>Public Safety Buildings - Police</i>			
Calendar Year	Impact Fee per RE (res. equivalent demand)		
	Gross Impact Fee	Fee Reduction	Net Impact Fee
2005	\$636.06	(\$28.71)	\$607.35
2006	\$636.06	(\$13.06)	\$623.00

Figure 28 shows the amount of the impact fee by property type. The fee is calculated as the product of *Fee per Demand Unit* and the *Demand Index*. The Demand Index is calculated as shown later in this chapter.

Figure 28

<b>IMPACT FEE SCHEDULE</b> (calculated fee)				
<i>Public Safety Buildings - Police</i>				
Property Tax	Net Impact Fee per Demand Unit	Demand Index	Impact Fee	
<b>Single Family</b>				
Average Unit (dwelling unit)	\$607.35	1.00	\$607.35	
Unit Less Than 3,000 sq. ft. (dwelling unit)		0.50	\$303.68	
Unit More Than 5,000 sq. ft. (dwelling unit)		1.50	\$911.03	
<b>Duplex &amp; Multi Family</b>				
Average Unit (dwelling unit)		0.82	\$496.33	
Unit Less Than 2,000 sq. ft. (dwelling unit)		0.41	\$248.17	
Unit More Than 4,000 sq. ft. (dwelling unit)		1.23	\$744.50	
<b>Hotel Room</b>				
Average Unit (room)		0.52	\$315.96	
Unit Less Than 750 sq. ft. (room)		0.26	\$157.98	
Unit More Than 2,000 sq. ft. (room)	0.78	\$473.94		
Commercial (1,000 sf gross leasable area)	0.91	\$555.05		
Light Industrial (1,000 sf gross leasable area)	0.74	\$447.04		

## CHAPTER 4 - IMPACT FEE CALCULATION

Calculation of the impact fee is as follows (Figure 29 and Figure 30):

Figure 29

<b>IMPACT FEE CALCULATION (1 of 2)</b>								
<i>Public Safety Buildings - Police - Cost per Demand Unit (land, building &amp; financing)</i>								
	Fee Reduction - Payments by New Devp. for Facilities Attributable to the Benefit of Existing Devp				Impact Fee per RE			Net Impact Fee Revenue
	Annual Total	Per RE		New Devp Share of Total	Gross	Fee Reduction	Net	
		Annual	Total (PV)					
Share/Ann. Rate	45%		6.00%		0.0%			
2004	\$0							
2005	\$174,682	\$16.39	\$28.71	\$6,064	\$636.06	(\$28.71)	\$607.35	\$128,302
2006	\$141,976	\$13.06	\$13.06	\$2,759	\$636.06	(\$13.06)	\$623.00	\$131,607
2007	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2008	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2009	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2010	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2011	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2012	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2013	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2014	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2015	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2016	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2017	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2018	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2019	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$134,366
2020	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$0
2021	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$0
2022	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$0
2023	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$0
2024	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$0
2025	\$0	\$0.00	\$0.00	\$0	\$636.06	\$0.00	\$636.06	\$0
				\$8,823				
	\$316,658							\$2,006,665



## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 30

IMPACT FEE CALCULATION (2 of 2)						
Public Safety Buildings - Police - Cost per Demand Unit (land, building & financing)						
Pro Forma Cost, Net Fee Revenue & Fund Balance						Pro Forma Debt
Facility Cost	Debt P & I	Debt Orig. & Legal Fees	Interest Earnings	Net Revenue	Fee Account Balance	
	4.50%	2.50%	4.00%			
2004					\$0	
2005	\$779,804	\$0	\$16,621	\$0	(\$662,059)	\$2,767
2006	\$712,818	\$51,109	\$16,072	\$0	(\$645,633)	\$1
2007	\$0	\$102,158	\$0	\$644	\$32,853	\$32,853
2008	\$0	\$102,158	\$0	\$1,958	\$34,167	\$67,020
2009	\$0	\$102,158	\$0	\$3,325	\$35,533	\$102,553
2010	\$0	\$102,158	\$0	\$4,746	\$36,955	\$139,508
2011	\$0	\$102,158	\$0	\$6,224	\$38,433	\$177,941
2012	\$0	\$102,158	\$0	\$7,762	\$39,970	\$217,911
2013	\$0	\$102,158	\$0	\$9,361	\$41,569	\$259,480
2014	\$0	\$102,158	\$0	\$11,023	\$43,232	\$302,711
2015	\$0	\$102,158	\$0	\$12,753	\$44,961	\$347,672
2016	\$0	\$102,158	\$0	\$14,551	\$46,759	\$394,432
2017	\$0	\$102,158	\$0	\$16,421	\$48,630	\$443,061
2018	\$0	\$102,158	\$0	\$18,367	\$50,575	\$493,636
2019	\$0	\$102,158	\$0	\$20,390	\$52,598	\$546,234
2020	\$0	\$102,158	\$0	\$19,806	(\$82,351)	\$463,883
2021	\$0	\$102,158	\$0	\$16,512	(\$85,645)	\$378,238
2022	\$0	\$102,158	\$0	\$13,086	(\$89,071)	\$289,166
2023	\$0	\$102,158	\$0	\$9,524	(\$92,634)	\$196,532
2024	\$0	\$102,158	\$0	\$5,818	(\$96,339)	\$100,193
2025	\$0	\$102,158	\$0	\$1,965	(\$100,193)	(\$0)
	\$1,492,622	\$1,992,103	\$32,692	\$194,236		\$1,307,692

Calculation of the Demand Index and number of new demand units is shown in Figure 31 to Figure 33.

Figure 31

NON-RESIDENTIAL DEMAND (1997)			
Public Safety Buildings - Police			
		Calls per Unit	Demand Index (Res Avg=1)
Residential Average	(dwelling unit)	1.49	1.00
Commercial	(1,000 sf gross leasable area)	1.54	1.04
Light Industrial	(1,000 sf gross leasable area)	1.24	0.83

Source - Calls per Unit from the Park City Police Department, Feb 1997.

## CHAPTER 4 - IMPACT FEE CALCULATION

The *Demand Index* in Figure 31 is based on average per unit calls for service reported by the PCMC Police Department (1997). Calls are viewed by the Department as the best measure of capital facilities demand given that calls drive staffing, which in turn drives the need for building space. Calls of different types are known to require different amounts of time to resolve, so *Calls per Unit* is weighted by the Departments estimate of average duration.

Call data as available from the Department is aggregated at the level of total residential, commercial, and light industrial. Residential demand by property type is estimated based on household size, as follows. Calculation of household size for each property type is shown in Figure 47.

Figure 32

<b>RESIDENTIAL AVERAGE DEMAND (1997)</b>		
<i>Public Safety Buildings - Police</i>		
	Persons per Unit	Demand Index (Res Avg=1)
Residential Average	2.12	1.00
Single Family	2.40	1.13
Duplex & Multi-Family	1.96	0.93
Hotel Room	1.25	0.59

*Source – single-family, multifamily, and average residential household size calculated as shown in Figure 47, based on information from the 2000 Census. Average persons per unit for Hotel calculated based on average annual occupancy as reported by the Park City Chamber Bureau as shown in Figure 46.*

Of necessity, each of the foregoing two demand indices are calculated relative to the residential average. Demand restated in terms of single-family – the basis for impact fee calculation in this analysis – is as follows:

Figure 33

<b>DEMAND INDEX</b>			
<i>Public Safety Buildings - Police</i>			
Property Tax		Demand by Property Type	
		Index=Res. Average	Index=Single Family
Residential Average		1.00	
Single Family	(dwelling unit)	1.13	1.00
Duplex & Multi-Family	(dwelling unit)	0.93	0.82
Hotel	(room)	0.59	0.52
Commercial	(1,000 sf gross leasable area)	1.04	0.91
Light Industrial	(1,000 sf gross leasable area)	0.83	0.74

## CHAPTER 4 - IMPACT FEE CALCULATION

The Department advises that residential units larger and smaller than the average present relatively higher and lower service demand. The demand index relative to unit size is estimated as follows:

Figure 34

<b>DEMAND INDEX BY SIZE</b>				
<i>Public Safety Buildings - Police</i>				
Property Tax		Demand by Property Type	Size Index	Demand Index
Single Family				
Average Unit	(dwelling unit)	1.00	1.00	1.00
Unit Less Than 3,000 sq. ft.	(dwelling unit)		0.50	0.50
Unit More Than 5,000 sq. ft.	(dwelling unit)		1.50	1.50
Duplex & Multi-Family				
Average Unit	(dwelling unit)	0.82	1.00	0.82
Unit Less Than 2,000 sq. ft.	(dwelling unit)		0.50	0.41
Unit More Than 4,000 sq. ft.	(dwelling unit)		1.50	1.23
Hotel				
Average Unit	(room)	0.52	1.00	0.52
Unit Less Than 750 sq. ft.	(room)		0.50	0.26
Unit More Than 2,000 sq. ft.	(room)		1.50	0.78

Source – Park City Police Department estimate.

Figure 35 shows calculation of the number of existing and new development demand units.

Figure 35

<b>DEMAND UNITS</b>						
<i>Public Safety Buildings - Police</i>						
Property Type		Existing Units	New Development Units	Demand Index	Demand Units	
					Existing	New Development
Single Family	(dwelling unit)	3,107	1,112	1.00		
Duplex & Multi Family	(dwelling unit)	6,160	1,744	0.82		
Hotel	(room)	1,256	86	0.52		
Commercial	(1,000 sf gross leasable area)	1,678	596	0.91		
Light Industrial	(1,000 sf gross leasable area)	164	58	0.74		
Total					10,449	3,169

Source – inventory of existing units and new development from Park City Planning Department.

## CHAPTER 4 - IMPACT FEE CALCULATION

Annual new demand, and cumulative total demand, is calculated as shown below.

Figure 36

<b>AVERAGE ANNUAL NEW DEMAND UNITS</b>			
<i>Public Safety Buildings - Police</i>			
New Devp % of Total	Estimated New Demand (residential equivalent demand units - RE)		
	New Development	Total ((cumm))	
2004			10,449
2005	7%	211	10,660
2006	7%	211	10,871
2007	7%	211	11,082
2008	7%	211	11,294
2009	7%	211	11,505
2010	7%	211	11,716
2011	7%	211	11,927
2012	7%	211	12,139
2013	7%	211	12,350
2014	7%	211	12,561
2015	7%	211	12,772
2016	7%	211	12,984
2017	7%	211	13,195
2018	7%	211	13,406
2019	7%	211	13,617
2020	0%	0	13,617
2021	0%	0	13,617
2022	0%	0	13,617
2023	0%	0	13,617
2024	0%	0	13,617
2025	0%	0	13,617
<b>TOTAL</b>	<b>100%</b>	<b>3,169</b>	

Source –number of new demand units from analysis of build-out potential by Park City Planning Department. Annual growth rate is derived based on 15 year build-out, as defined by Planning Staff.

## CHAPTER 4 - IMPACT FEE CALCULATION

Cost of the work, net impact fee revenue, and the difference between the total cost and that part planned to be funded by impact fees, is summarized as follows:

Figure 37

<b>PUBLIC SAFETY BUILDINGS IMPACT FEE REVENUE SUMMARY (Police)</b>		
Total Construction Cost	\$4,272,528	Total planned capital spending, not including financing expense
Construction Cost Not Attributable to New Development	(\$708,563)	Cost reduction for projects attributable to existing development
Impact Fee Current Account Balance	(\$922,157)	Fee revenue attributable to existing development
Construction Cost Attributable to New Development	\$2,641,809	Construction cost of capacity expansion projects for new development
Financing Expense	\$522,866	Estimated financing expense and debt origination fees for new development, net of earned interest
Total Cost of Facilities for New Development	\$3,164,675	Total cost of capacity expansion for new development
Fee Reduction & Discount	(\$1,158,010)	Reductions to preserve on-going cost/benefit relationship - discount to reduce calculated fee rates
Net Cost to New Development	\$2,006,665	Total cost of capacity expansion for new development
Shortfall - Cost Not Subject to Impact Fee Assessment	\$2,788,729	(not including financing expense)

## CHAPTER 4 - IMPACT FEE CALCULATION

### *PARKS, TRAILS & OPEN SPACE*

The impact fee for Parks, Trails and Open Space is shown below. The Parks fee includes two components – one for capacity expansion, calculated based on the same methodology as discussed for Roads, and a reimbursement fee calculated based on acquisition cost of existing facilities, included in order to recoup the cost of existing excess capacity built in the past to accommodate demand from future new development.

The capacity expansion fee is discounted 63% order to maintain the proposed assessment at its current rate. It is further discounted by a capital cost reduction that recognizes contributed funds (Summit County and the Snyderville Basin Recreation District), and by reductions for the value of future general fund and sales tax payments by new development for facilities attributable to the benefit of existing development.

The fee is based on a discounted service provision standard (LOS) of \$1,042 per demand unit (as discussed earlier in the chapter describing capital improvement plans).

The Parks fee is assessed only against direct beneficiaries – Single Family, Multi Family and Hotel.

Figure 38

<b>RECOMMENDED IMPACT FEE SCHEDULE</b>					
<i>Parks, Trails, Open Space</i>					
Calendar Year	Capacity Expansion Fee			Reimburs. Fee	Total
	Gross Impact Fee	Fee Reduction	Net		
2005	\$1,401	(\$786)	\$615	\$3,240	\$3,856
2006	\$1,401	(\$718)	\$683	\$3,240	\$3,923

Figure 39

<b>REIMBURSEMENT FEE</b>	
<i>Parks, Trails, Open Space</i>	
	Total
Acquisition Cost (land & improvements, partial)	\$36,862,576
Total Demand Units (build-out)	11,376
Cost per Demand Unit	\$3,240

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 40

<b>IMPACT FEE SCHEDULE</b> (capacity expansion fee, calculated amount)						
<i>Parks, Trails, Open Space</i>						
Property Type	Capacity Expansion Fee			Reimbursement Fee	Total	
	Impact Fee per Demand Unit	Demand Index	Calculated Impact Fee			
<b>Single Family</b>						
Average Unit	(dwelling unit)		1.00	\$615.28	\$3,240	\$3,856
Unit Less Than 3,000 sq. ft.	(dwelling unit)		0.50	\$307.64	\$1,620	\$1,928
Unit More Than 5,000 sq. ft.	(dwelling unit)		1.50	\$922.92	\$4,861	\$5,783
<b>Duplex &amp; Multi Family</b>						
Average Unit	(dwelling unit)	\$615.28	0.82	\$502.81	\$2,648	\$3,151
Unit Less Than 2,000 sq. ft.	(dwelling unit)		0.41	\$251.41	\$1,324	\$1,575
Unit More Than 4,000 sq. ft.	(dwelling unit)		1.23	\$754.22	\$3,972	\$4,726
<b>Hotel Room</b>						
Average Unit	(room)		0.52	\$320.09	\$1,686	\$2,006
Unit Less Than 750 sq. ft.	(room)		0.26	\$160.04	\$843	\$1,003
Unit More Than 2,000 sq. ft.	(room)		0.78	\$480.13	\$2,529	\$3,009

The reimbursement fee is based on the acquisition cost of land and improvements for parks, trails, and open space, purchased by the City (donations and grants are excluded). The fee is calculated using a subset of total owned facilities, which includes only those for which cost is specifically quantifiable. (Certain facilities purchased or improved in the past are excluded.) Although this understates the amount of the fee it ensures that the assessment is defined based on a reasonable and supportable cost. An inventory of current facilities is shown in the *Technical Reference*.

Debt service attributable to current facilities, which will be paid in part by new development, is credited as part of calculation of the capacity expansion fee (shown beginning with Figure 41).

## CHAPTER 4 - IMPACT FEE CALCULATION

Calculation of the capacity expansion fee is as follows (Figure 41 and Figure 42):

Figure 41

<b>IMPACT FEE CALCULATION (1 of 2)</b>								
<i>Parks, Trails, Open Space - Cost per Demand Unit (land, building &amp; financing)</i>								
Fee Reduction - Payments by New Devp. for Existing Devp.. Share of Existing & Future Facilities					Impact Fee per RE			Net Impact Fee Revenue
Annual Total	Per RE		New Devp Share of Total	Gross	Fee Reduction	Net		
	Annual	Total (PV)						
Ann. Rate		6.00%		0.0%				
2004	\$0							
2005	\$968,031	\$107.96	\$785.73	\$135,225	\$1,401.01	(\$785.73)	\$615.28	\$105,890
2006	\$798,994	\$87.43	\$718.44	\$123,644	\$1,401.01	(\$718.44)	\$682.57	\$117,471
2007	\$806,779	\$86.65	\$668.87	\$115,113	\$1,401.01	(\$668.87)	\$732.14	\$126,002
2008	\$1,037,296	\$109.38	\$617.16	\$106,213	\$1,401.01	(\$617.16)	\$783.85	\$134,902
2009	\$1,047,562	\$108.50	\$538.24	\$92,631	\$1,401.01	(\$538.24)	\$862.77	\$148,484
2010	\$777,605	\$79.13	\$455.52	\$78,396	\$1,401.01	(\$455.52)	\$945.49	\$162,719
2011	\$780,996	\$78.10	\$398.98	\$68,665	\$1,401.01	(\$398.98)	\$1,002.03	\$172,450
2012	\$783,096	\$76.99	\$340.13	\$58,536	\$1,401.01	(\$340.13)	\$1,060.88	\$182,579
2013	\$788,364	\$76.22	\$278.93	\$48,004	\$1,401.01	(\$278.93)	\$1,122.08	\$193,112
2014	\$783,571	\$74.51	\$214.87	\$36,980	\$1,401.01	(\$214.87)	\$1,186.14	\$204,136
2015	\$612,201	\$57.28	\$148.78	\$25,605	\$1,401.01	(\$148.78)	\$1,252.23	\$215,510
2016	\$365,454	\$33.65	\$96.99	\$16,692	\$1,401.01	(\$96.99)	\$1,304.02	\$224,423
2017	\$325,008	\$29.46	\$67.14	\$11,554	\$1,401.01	(\$67.14)	\$1,333.87	\$229,561
2018	\$324,001	\$28.92	\$39.94	\$6,873	\$1,401.01	(\$39.94)	\$1,361.07	\$234,242
2019	\$132,854	\$11.68	\$11.68	\$2,010	\$1,401.01	(\$11.68)	\$1,389.33	\$239,105
2020	\$0	\$0.00	\$0.00	\$0	\$1,401.01	\$0.00	\$1,401.01	\$0
2021	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2022	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2023	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2024	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
2025	\$0	\$0.00	\$0.00	\$0	\$0.00	\$0.00	\$0.00	\$0
	\$10,331,811		\$926,141					\$2,690,586

*Total Fee Reduction per RE (PV)* is the present value of the quotient of *Annual Total Fee Reduction* and *Total (Cumulative) New Demand* (Annual new demand, and cumulative total demand, is calculated as shown below.

Figure 50). This fee reduction offsets the cost of that part of future new Parks facilities attributable to the benefit of existing development, which includes future payments for existing debt service, an existing purchase contract, and future payments for a planned sales tax bond.

The fee reduction is calculated in a manner similar to that for Roads, assuming that the non-CFP component of total cost will be funded by the General Fund. The amount of the reduction is the proportion of General Fund revenue attributable to property owners, which consists of Property Tax revenue and a part of Sales Tax Revenue. For FY 2004, 45% of General Fund revenue is directly attributable to property owners, and the *Annual Total Fee Reduction* is therefore calculated as 45% of the per-demand-unit cost of that part of Parks total cost attributable to existing development. Calculation of the property owner share is shown the *Technical Reference*.



## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 42 shows the remainder of the fee calculation.

Figure 42

IMPACT FEE CALCULATION (2 of 2)						
Parks, Trails, Open Space - Cost per Demand Unit (land, building & financing)						
Pro Forma Cost, Net Fee Revenue & Fund Balance						Pro Forma Debt
Facility Cost	Debt P & I	Debt Orig. & Legal Fees	Interest Earnings	Net Revenue	Fee Account Balance	
	4.50%	2.50%	4.00%			
2004					\$0	
2005	\$622,706	\$0	\$9,890	\$0	(\$391,481)	\$4,104
2006	\$398,889	\$30,411	\$4,795	\$0	(\$192,980)	\$2,924
2007	\$409,740	\$45,641	\$5,443	\$0	(\$219,709)	\$928
2008	\$420,887	\$63,545	\$6,227	\$0	(\$249,544)	\$464
2009	\$434,961	\$84,821	\$7,133	\$0	(\$285,801)	\$0
2010	\$72,611	\$110,221	\$0	\$0	\$58,284	\$58,284
2011	\$74,586	\$110,221	\$0	\$2,084	\$58,393	\$116,677
2012	\$76,615	\$110,221	\$0	\$4,582	\$58,861	\$175,538
2013	\$81,621	\$110,221	\$0	\$7,047	\$56,320	\$231,858
2014	\$80,840	\$110,221	\$0	\$9,536	\$59,590	\$291,448
2015	\$83,039	\$110,221	\$0	\$12,103	\$59,958	\$351,406
2016	\$85,298	\$110,221	\$0	\$14,634	\$60,230	\$411,637
2017	\$90,872	\$110,221	\$0	\$17,035	\$57,057	\$468,694
2018	\$90,002	\$110,221	\$0	\$19,428	\$60,320	\$529,014
2019	\$92,451	\$110,221	\$0	\$21,889	\$60,333	\$589,347
2020	\$0	\$110,221	\$0	\$21,369	(\$88,851)	\$500,496
2021	\$0	\$110,221	\$0	\$17,815	(\$92,405)	\$408,091
2022	\$0	\$110,221	\$0	\$14,119	(\$96,101)	\$311,990
2023	\$0	\$110,221	\$0	\$10,275	(\$99,945)	\$212,044
2024	\$0	\$110,221	\$0	\$6,277	(\$103,943)	\$108,101
2025	\$0	\$110,221	\$0	\$2,120	(\$108,101)	(\$0)
	\$3,115,119	\$1,987,949	\$33,488	\$180,315		\$1,339,515

Figure 43 on the following page shows calculation of future payments which comprises the fee reduction.

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 43

<b>FEE REDUCTION</b>				
<i>Parks, Trails, Open Space</i>				
Year	Existing Development Share of Future Facilities		Debt Service (current & projected)	Total
	Total	Share		
Subject to Credit		45%		
2004	\$0	\$0	\$0	\$0
2005	\$545,303	\$243,697	\$724,334	\$968,031
2006	\$171,050	\$76,442	\$722,551	\$798,994
2007	\$189,195	\$84,551	\$722,227	\$806,779
2008	\$703,781	\$314,521	\$722,775	\$1,037,296
2009	\$727,315	\$325,039	\$722,524	\$1,047,562
2010	\$121,415	\$54,261	\$723,345	\$777,605
2011	\$124,718	\$55,737	\$725,259	\$780,996
2012	\$128,111	\$57,253	\$725,843	\$783,096
2013	\$136,482	\$60,994	\$727,370	\$788,364
2014	\$135,176	\$60,410	\$723,160	\$783,571
2015	\$138,853	\$62,054	\$550,147	\$612,201
2016	\$142,631	\$63,742	\$301,712	\$365,454
2017	\$151,950	\$67,907	\$257,101	\$325,008
2018	\$150,496	\$67,257	\$256,743	\$324,001
2019	\$154,590	\$69,087	\$63,768	\$132,854
2020	\$0	\$0	\$0	\$0
2021	\$0	\$0	\$0	\$0
2022	\$0	\$0	\$0	\$0
2023	\$0	\$0	\$0	\$0
2024	\$0	\$0	\$0	\$0
2025	\$0	\$0	\$0	\$0
	\$3,721,066	\$1,662,952	\$8,668,859	\$10,331,811

- The *Existing Development Share of Future Facilities* is defined by the capital facilities plan (Figure 17), a part of which (45%) is assumed to be directly funded by local property owners. Calculation of the property owner share is shown the *Technical Reference*.
- *Debt Service (current and projected)* is shown in the following page.

## CHAPTER 4 - IMPACT FEE CALCULATION

Figure 44

<b>DEBT SERVICE FEE REDUCTION</b>							
<i>Parks, Trails, Open Space</i>							
Year	Estimated Annual Debt Service						Debt Service Credit
	1999 GO Bond	2000 GO Bond	2003 GO Bond	Purchase Contract	Sales Tax Bond	Sub-Total	
	(actual)				(projected)		
Debt Service Share Subject to Credit	45%	45%	45%	45%	68%		
2004							\$0
2005	\$392,077	\$554,050	\$431,975	\$100,000	\$93,114	\$1,571,216	\$724,334
2006	\$389,837	\$552,800	\$431,475	\$100,000	\$93,114	\$1,567,226	\$722,551
2007	\$386,712	\$555,800	\$430,875	\$100,000	\$93,114	\$1,566,501	\$722,227
2008	\$388,063	\$552,800	\$433,750	\$100,000	\$93,114	\$1,567,727	\$722,775
2009	\$388,625	\$554,050	\$431,375	\$100,000	\$93,114	\$1,567,164	\$722,524
2010	\$389,125	\$555,287	\$431,475	\$100,000	\$93,114	\$1,569,001	\$723,345
2011	\$389,180	\$555,367	\$435,625	\$100,000	\$93,114	\$1,573,286	\$725,259
2012	\$393,500	\$554,052	\$433,925	\$100,000	\$93,114	\$1,574,591	\$725,843
2013	\$396,500	\$556,530	\$431,865	\$100,000	\$93,114	\$1,578,009	\$727,370
2014	\$388,500	\$552,530	\$434,445	\$100,000	\$93,114	\$1,568,589	\$723,160
2015		\$557,030	\$431,305	\$100,000	\$93,114	\$1,181,449	\$550,147
2016			\$432,430	\$100,000	\$93,114	\$625,544	\$301,712
2017			\$432,608		\$93,114	\$525,722	\$257,101
2018			\$431,808		\$93,114	\$524,922	\$256,743
2019					\$93,114	\$93,114	\$63,768
2020						\$0	\$0
2021						\$0	\$0
2022						\$0	\$0
2023						\$0	\$0
2024						\$0	\$0
2025						\$0	\$0
<b>TOTAL</b>	<b>\$3,902,119</b>	<b>\$6,100,296</b>	<b>\$6,054,936</b>	<b>\$1,200,000</b>	<b>\$1,396,707</b>	<b>\$18,654,058</b>	<b>\$8,668,859</b>
% of Total							46%

Source – annual debt service payments for existing debt from Park City Finance Department.

- *Debt Service Share Subject to Credit* is that part of the total attributable to property owners, calculated shown in the *Technical Reference*.

Debt service estimated for the planned sales tax bond is summarized as follows:

Figure 45

<b>FINANCING EXPENSE</b>					
<i>Parks, Trails, Open Space</i>					
	Principal	Term (years)	Rate (annual)	Debt Service	Loan Year 0
PCMC Sales Tax Bond (planned)	\$1,000,000	15	4.50%	\$93,114	2005

## CHAPTER 4 - IMPACT FEE CALCULATION

Calculation of the demand index and number of new demand units is as follows.

Figure 46

<b>DEMAND INDEX</b>			
<i>Parks, Trails, Open Space</i>			
		Persons per Dwelling Unit	Demand by Property Type
Single Family	(dwelling unit)	2.40	1.00
Duplex & Multi-Family	(dwelling unit)	1.96	0.82
Hotel Room	(room)	1.25	0.52

Source – number of persons per unit from 2000 Census. Hotel room occupancy from Park City Chamber of Commerce

Relative capacity demand is defined by number of persons per household. Household size for single-family and multifamily is from the 2000 Census, calculated as shown below. Average occupancy for Hotel is calculated as the product of peak occupancy (Q1, average of 2002 and 2003) and average number of occupants ("pillows") per room, as reported by the Park City Chamber of Commerce. Peak occupancy is used because capital facilities must be designed to accommodate peak loads.

Household size for private residential includes seasonal units, weighted to reflect less than year-round occupancy. Seasonal units are assumed to be occupied at the same annual rate as is Hotel.

Figure 47

<b>ESTIMATED AVERAGE HOUSEHOLD SIZE</b>				
<i>Parks, Trails, Open Space</i>				
		Population	Dwelling Units	Average Household Size
		2000 Census		
<b>Occupied Units</b>				
Single Family		4,163	1,516	2.75
Multi Family & Other		3,302	1,225	2.70
Total		7,465	2,741	2.72
<b>Seasonal Units</b>				
Assumed Occupancy (peak season, Q1 average)				62.5%
Single Family			758	1.72
All Other			3,215	1.68
Total			3,973	1.70
<b>Estimated Average (weighted)</b>				
Single Family			2,274	2.40
Multi Family & Other			4,440	1.96
Total			6,714	2.12

## CHAPTER 4 - IMPACT FEE CALCULATION

Staff advises that residential units larger and smaller than the average present relatively higher and lower service demand. The demand index relative to unit size is estimated as follows:

Figure 48

<b>DEMAND INDEX BY SIZE</b> <i>Parks, Trails, Open Space</i>				
Property Tax		Demand by Property Type	Size Index	Demand Index
<b>Single Family</b>				
Average Unit	(dwelling unit)	1.00	1.00	1.00
Unit Less Than 3,000 sq. ft.	(dwelling unit)		0.50	0.50
Unit More Than 5,000 sq. ft.	(dwelling unit)		1.50	1.50
<b>Duplex &amp; Multi-Family</b>				
Average Unit	(dwelling unit)	0.82	1.00	0.82
Unit Less Than 2,000 sq. ft.	(dwelling unit)		0.50	0.41
Unit More Than 4,000 sq. ft.	(dwelling unit)		1.50	1.23
<b>Hotel</b>				
Average Unit	(room)	0.52	1.00	0.52
Unit Less Than 750 sq. ft.	(room)		0.50	0.26
Unit More Than 2,000 sq. ft.	(room)		1.50	0.78

Source – Parks planning staff estimate.

Calculation of the number of existing and new development demand units is as follows:

Figure 49

<b>DEMAND UNITS</b> <i>Parks, Trails, Open Space</i>						
Property Type		Existing Units	New Development Units	Demand Index	Demand Units	
					Existing	New Development
Single Family	(dwelling unit)	3,107	1,112	1.00		
Duplex & Multi Family	(dwelling unit)	6,160	1,744	0.82		
Hotel	(room)	1,256	86	0.52		
<b>Total</b>					8,795	2,582

Source – inventory of existing units and new development from Park City Planning Department.

## CHAPTER 4 - IMPACT FEE CALCULATION

Annual new demand, and cumulative total demand, is calculated as shown below.

Figure 50

<b>AVERAGE ANNUAL NEW DEMAND UNITS</b>			
<i>Parks, Trails, Open Space</i>			
New Devp % of Total	Estimated New Demand (residential equivalent demand units - RE)		
	New Development	Total (cumm)	
2004			8,795
2005	7%	172	8,967
2006	7%	172	9,139
2007	7%	172	9,311
2008	7%	172	9,483
2009	7%	172	9,655
2010	7%	172	9,827
2011	7%	172	9,999
2012	7%	172	10,171
2013	7%	172	10,344
2014	7%	172	10,516
2015	7%	172	10,688
2016	7%	172	10,860
2017	7%	172	11,032
2018	7%	172	11,204
2019	7%	172	11,376
2020	0%	0	11,376
2021	0%	0	11,376
2022	0%	0	11,376
2023	0%	0	11,376
2024	0%	0	11,376
2025	0%	0	11,376
<b>TOTAL</b>	<b>100%</b>	<b>2,582</b>	

Source –number of new demand units from analysis of build-out potential by Park City Planning Department. Annual growth rate is derived based on 15 year build-out, as defined by Planning Staff.

## CHAPTER 4 - IMPACT FEE CALCULATION

Cost of the work, net impact fee revenue, and the difference between the total cost and that part planned to be funded by impact fees, is summarized as follows:

Figure 51

<b>PARKS, TRAILS, OPEN SPACE IMPACT FEE REVENUE SUMMARY</b>		
Total Construction Cost	\$13,573,890	Total planned capital spending, not including financing expense
Construction Cost Not Atributable to New Development	(\$3,721,066)	Cost reduction for projects attributable to existing development
Impact Fee Current Account Balance	(\$1,487,843)	Fee revenue attributable to existing development
Construction Cost Atributable to New Development	\$8,364,982	Construction cost of capacity expansion projects for new development
Financing Expense	\$501,607	Estimated financing expense and debt origination fees for new development, net of earned interest
Total Cost of Facilities for New Development	\$8,866,589	Total cost of capacity expansion for new development
Fee Reduction - Funding for Existing Facilities	(\$6,176,003)	Reductions calculated to preserve on-going cost/benefit relationship
Net Cost to New Development	\$2,690,586	Total cost of capacity expansion for new development
Shortfall - Cost Atributable to Existing Development	\$11,384,912	(not including financing expense)

## CHAPTER 4 - IMPACT FEE CALCULATION

### *ASSUMPTIONS, DECISIONS, CRITERIA AND CONCLUSIONS*

The quantity of new development (number of new units expected through build-out) is fundamental to the calculation of an impact fee. In this analysis, the inventory of existing units and projected new development is defined by the Park City Planning Department.

The current property inventory and quantity of new development is summarized as follows:

Figure 52

<b>PROPERTY STOCK SUMMARY (2004)</b>			
<i>2005 PCMC Impact Fee Analysis Update</i>			
		Existing	New Devp
Single Family Residential	(dwelling unit)	3,107	1,112
Multi-Family Residential	(dwelling unit)	6,160	1,744
Hotel	(room)	1,256	86
Commercial	(1,000 sf gross leasable area)	1,678	596
Light Industrial	(1,000 sf gross leasable area)	164	58

An estimate of the rate of growth (the proportion of build-out expected to occur each year) is the means by which impact fees, financing expense and fee reductions are calculated. Planning Staff advise that remaining new development should be expected to occur over a period of the next 15 years. This means that on average about 7% of remaining demand will build-out each year. A seven percent annual share corresponds to an average annual growth rate in the housing stock of about 2%, or about 204 units per year – a rate similar to that experienced since 2000.

This projected growth rate should be viewed as a baseline, long run average. The actual rate will no doubt vary, year-to-year. To the extent that growth occurs at a faster or slower rate, annual impact fee revenue will be different than projected but over the long run total revenue is expected to be as shown in this analysis.



## CHAPTER 4 - IMPACT FEE CALCULATION

The Planning Department estimate of the current property stock and remaining new development is as follows:

Figure 53

### ESTIMATED RESIDENTIAL BUILD-OUT BY PROPERTY TYPE (YEAR END 2003) 2005 PCMC Impact Fee Analysis Update

Area	PCMC Planning Staff Summary				Estimated UEs per Unit	Total Dwelling Units	UE Conversion			Summary by DU Type		
	Unit Equivalent (UE)		Total	Net			Total	DU by Type		Single Family	Multi Family	Total
	Total	Less - UEs Built as Hotel						Single Family	Multi Family			
<b>Total (development potential)</b>												
Resort	67	1,152	333	333	0.75	444						
Old Town	710	907	197	197	0.70	282						
Rest of Town	2,796	4,553	698	698	0.74	945						
Quins Annexation			400	400	1.50	267						
<b>Sub-Total</b>	<b>3,573</b>	<b>6,612</b>	<b>1,628</b>	<b>0</b>	<b>1,628</b>	<b>1,938</b>	<b>646</b>	<b>1,292</b>	<b>4,219</b>	<b>7,904</b>	<b>12,123</b>	
<b>Built</b>												
Resort	67	1,152	49	49		1,268						
Old Town	608	903	0	0		1,511						
Rest of Town	2,103	3,886	324	324		6,313						
Quins Annexation	0	0	0	0		0						
<b>Sub-Total</b>	<b>2,778</b>	<b>5,941</b>	<b>373</b>	<b>0</b>	<b>373</b>	<b>9,092</b>	<b>548</b>	<b>329</b>	<b>3,107</b>	<b>6,160</b>	<b>9,267</b>	
<b>Remaining</b>												
Resort	0	0	284	11	273	273	364					
Old Town	102	4	197	11	186	292	267	25	242			
Rest of Town	693	667	374	11	363	1,723	492	25	467			
Quins Annexation			400	400	400	400	267	267	267			
<b>Sub-Total</b>	<b>795</b>	<b>671</b>	<b>1,255</b>	<b>32</b>	<b>1,223</b>	<b>2,689</b>	<b>1,390</b>	<b>317</b>	<b>1,073</b>	<b>1,112</b>	<b>1,744</b>	<b>2,856</b>

Source - Park City Planning Department

- UEs Built as Hotel assumes that remaining hotel rooms comprise 10% of remaining UEs. Average Hotel room size is assumed to be 750 square feet (an average of 2.66 hotel rooms per UE).

## CHAPTER 4 - IMPACT FEE CALCULATION

Estimated nonresidential property stock and remaining new demand is as follows

Figure 54

	1996 Total Sq. Ft. (1,000)	Average Annual Growth Rate			1997 to 2004 New Sq. Ft. (1,000s)	2004 Total Sq. Ft. (1,000s)	2005 to Build- Out (15 years)
		Total DU (1996)	Historic Growth Rate (DU)	Est. Ann. New Sq. Ft.			
Commercial	1,360	5,959	174	40	318	1,678	596
Light Industrial	133	5,959	174	4	31	164	58

### ESTIMATED NON-RESIDENTIAL PROPERTY STOCK 2005 PCMC Impact Fee Analysis Update

- Current information is not available from the Planning Department as to the quantity of existing, or expected future new development for *Commercial* and *Light Industrial*. Quantities are estimated as shown above, based on 1996 data (the most recent available).
- The current property stock is derived based on information from the Summit County Assessor's Office (as modified in 1996 by the Park City Manager). Growth in the nonresidential sector is assumed to be driven by residential development, at the rate of 228 square feet of commercial per new residential unit, and 22 square feet of light industrial per residential unit.

## CHAPTER 4 - IMPACT FEE CALCULATION

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### *CALCULATION OF IMPACT FEE REDUCTIONS*

Impact fees pay for capital facility capacity expansion and are assessed based on a relationship to benefit conferred. In order to preserve the cost/benefit relationship which has prevailed in the City until now, and to properly assign costs to beneficiaries, an impact fee assessment must in certain cases be reduced to offset payments by new development for which no benefit was (or will be) received – payments for example, applied to capacity expansion, deficiency correction or service provision upgrade for the benefit of existing development.

The following factors have been taken into account in calculation of each impact fee:

Roads – Calculation of the impact fee is based on 30% of CIP total cost – that is, based only on the cost of projects attributable to demand from new development.

Calculation of the fee includes a credit for future General Fund payments by new development, planned to be applied to non-CFP projects – projects and parts of projects attributable to the benefit of existing development.

Cost to new development is also reduced by an impact fee discount in the amount of 67% included in order to maintain the proposed new impact fee equal to the current amount.

Public Safety, Police – Calculation of the impact fee is based on 62% of CIP total cost – that is, based only on that part of project cost attributable to demand from new development.

Calculation of the fee includes a credit for future General Fund payments by new development, planned to be applied to non-CFP projects – projects and parts of projects attributable to the benefit of existing development.

The fee is reduced by discounted building site cost (land is included in the fee analysis at about one third of market value).

Cost to new development is also reduced by an impact fee discount in the amount of 44% included in order to maintain the proposed new impact fee equal to the current amount.

## CHAPTER 4 - IMPACT FEE CALCULATION

---

Parks, Trails and Open Space – Calculation of the impact fee is based on 62% of CIP total cost – that is, based only on that part of project cost attributable to demand from new development.

Calculation of the fee includes a credit for future General Fund payments by new development for future projects and parts of projects attributable to the benefit of existing development.

The fee includes credits for future debt service payments for existing facilities and for planned new facilities.

Capital facility's cost attributable to new development is reduced to recognize external funding sources – contributions by Summit County and by the Snyderville Basin recreation District for the planned recreation Center and fields.

By means of the impact fee discount (63%) the LOS attributable to new development is substantially reduced, from \$3,240 to \$1,042

Fee reduction for earned interest – each impact fee account is projected at various times in the future to carry a positive balance. Fees in this analysis are calculated so as to recognize that revenue as an offset against costs attributable to new development. This reduces CFP cost and the amount of each impact fee. Projected interest earnings total \$411,000.

## CHAPTER 5 – PROPORTIONATE SHARE ANALYSIS

---

Impact fees in this analysis are roughly proportionate and reasonably related to the impacts caused by planned development. Consistent with Section 11-36-201 (5) (b) of the Impact Fee Act, the following factors have been considered in determining proportionate share, calculation of the impact fee, and preparation of the Fee Study. They are restated here as a matter of reference.

- a. The cost of existing public facilities.
- b. The manner of financing existing public facilities.
- c. The relative extent to which the newly developed properties have already contributed to the cost of existing facilities.
- d. The relative extent to which the newly developed properties and other properties will contribute to the cost of existing public facilities.
- e. The extent to which the newly developed properties are entitled to a credit to offset the costs of system improvements provided by new development.
- f. Extraordinary costs in servicing the newly developed properties, and
- g. The time/price differential inherent in fair comparisons of amounts paid at different times.

### **ROADS**

- *Cost of existing public facilities.*  
Not applicable.
- *Manner of financing existing facilities.*  
Financing for existing facilities has been considered in calculating the amount of the impact fee. Existing facilities were obtained by contribution, impact fee revenue, and grants. "C" Road funds have been used primarily for maintenance. There is no outstanding debt for current facilities.

Property tax revenue attributable to undeveloped land (by means of the general fund) has been used primarily for maintenance expense. Any individual property owner who claims they may have contributed in the past to capital improvements may apply for a credit at the time of impact fee payment.

## **CHAPTER 5 – PROPORTIONATE SHARE ANALYSIS**

---

- *Relative extent to which newly developed properties and existing properties have already contributed to the cost of existing public facilities.*

Existing facilities were funded by impact fees attributable to existing development (with possible exceptions as noted above). New development has not contributed to existing facilities.

- *Relative extent to which newly developed properties and existing properties will contribute to the cost of existing public facilities.*

General Fund revenue is planned to be used to fund a part of future system capacity expansion. By means of impact fee reductions, new development will not contribute to the existing development share of those future facilities, or to the cost of existing facilities. Future capacity expansion projects for the benefit of new development will be paid by new development, by means of impact fees.

- *Credit for system improvements to be provided by new development.*

The City has obtained certain capital improvements by means of contribution from new development. The value of those improvements is not included in calculation of the impact fee. To the extent that new development contributes facilities included in the Capital Facilities Plan, the impact fee assessment will be reduced by the CFP value of that contribution.

- *Extraordinary costs required to service new development.*

No extraordinary costs are anticipated in servicing new development.

- *Time- price differential.*

Past and future payments, impact fee amounts and CFP cost are calculated in present value terms. The City will periodically review and update this analysis to maintain calculations in "real" (constant value) terms.

### ***PUBLIC SAFETY BUILDINGS – POLICE***

- *Cost of existing public facilities.*

Not applicable.

- *Manner of financing existing facilities.*

Police Department building space is part of City Hall, built in the 1936 (the source of funding is unknown). There has been no significant spending on existing Police building space except for a minor rehab in 200-2001, which was funded primarily by the general fund and possibly by grant revenue. There is no outstanding debt for current facilities.

## CHAPTER 5 – PROPORTIONATE SHARE ANALYSIS

---

Property tax revenue attributable to undeveloped land (by means of the general fund) has been used primarily for maintenance expense. Any individual property owner who claims they may have contributed in the past to capital improvements may apply for a credit at the time of impact fee payment.

- *Relative extent to which newly developed properties and existing properties have already contributed to the cost of existing public facilities.*

Existing facilities were funded by general fund revenue, attributable to existing development (with possible exceptions as noted above). New development has not contributed to existing facilities.

- *Relative extent to which newly developed properties and existing properties will contribute to the cost of existing public facilities.*

General Fund revenue is planned to be used to fund a part of future system capacity expansion. By means of impact fee reductions, new development will not contribute to the existing development share of those future facilities, or to the cost of existing facilities. Future capacity expansion projects for the benefit of new development will be paid by new development, by means of impact fees.

- *Credit for system improvements to be provided by new development.*

The City has obtained certain capital improvements by means of contribution from new development. The value of those improvements is not included in calculation of the impact fee. To the extent that new development contributes facilities included in the Capital Facilities Plan, the impact fee assessment will be reduced by the CFP value of that contribution.

- *Extraordinary costs required to service new development.*

No extraordinary costs are anticipated in servicing new development.

- *Time- price differential.*

Past and future payments, impact fee amounts and CFP cost are calculated in present value terms. The City will periodically review and update this analysis to maintain calculations in "real" (constant value) terms.

### ***PARKS, TRAILS & OPEN-SPACE***

- *Cost of existing public facilities.*

Cost of existing excess facility capacity is assessed against new development as a reimbursement fee. Only a subset of all facilities owned by the City is included in the calculation of the reimbursement fee amount – those for which cost is specifically known. Calculations are based on acquisition cost.

## CHAPTER 5 – PROPORTIONATE SHARE ANALYSIS

---

- *Manner of financing existing facilities.*

Existing facilities were obtained primarily by means of contribution, impact fees, grants and the General Fund revenue. Certain existing facilities were financed by debt which is currently outstanding.

Property tax revenue attributable to undeveloped land (by means of the general fund) has been used primarily for maintenance expense. Any individual property owner who claims they may have contributed in the past to capital improvements may apply for a credit at the time of impact fee payment.

- *Relative extent to which newly developed properties and existing properties have already contributed to the cost of existing public facilities.*

Existing facilities were funded by impact fees and other sources (as noted above) attributable to existing development. New development has not contributed to existing facilities.

- *Relative extent to which newly developed properties and existing properties will contribute to the cost of existing public facilities.*

Existing facilities were funded by debt which is currently outstanding. Future capacity expansion is planned to be paid, in part, by the General Fund. By means of impact fee reductions (for existing and future debt service and for the cost share of future projects for existing development) new development will contribute only to its share of existing and future facilities. Future projects for the benefit of new development will be paid by new development, by means of impact fees.

- *Credit for system improvements to be provided by new development.*

The City has obtained certain capital improvements by means of contribution from new development. The value of those improvements is not included in calculation of the impact fee. To the extent that new development contributes facilities included in the Capital Facilities Plan, the impact fee assessment will be reduced by the CFP value of that contribution.

- *Extraordinary costs required to service new development.*

No extraordinary costs are anticipated in servicing new development.

- *Time- price differential.*

Past and future payments, impact fee amounts and CFP cost are calculated in present value terms. The City will periodically review and update this analysis to maintain calculations in "real" (constant value) terms.



## CHAPTER 6 – TECHNICAL REFERENCE

Figure 55 shows current and projected capital facility demand, derived as shown in the narrative describing calculation of each impact fee.

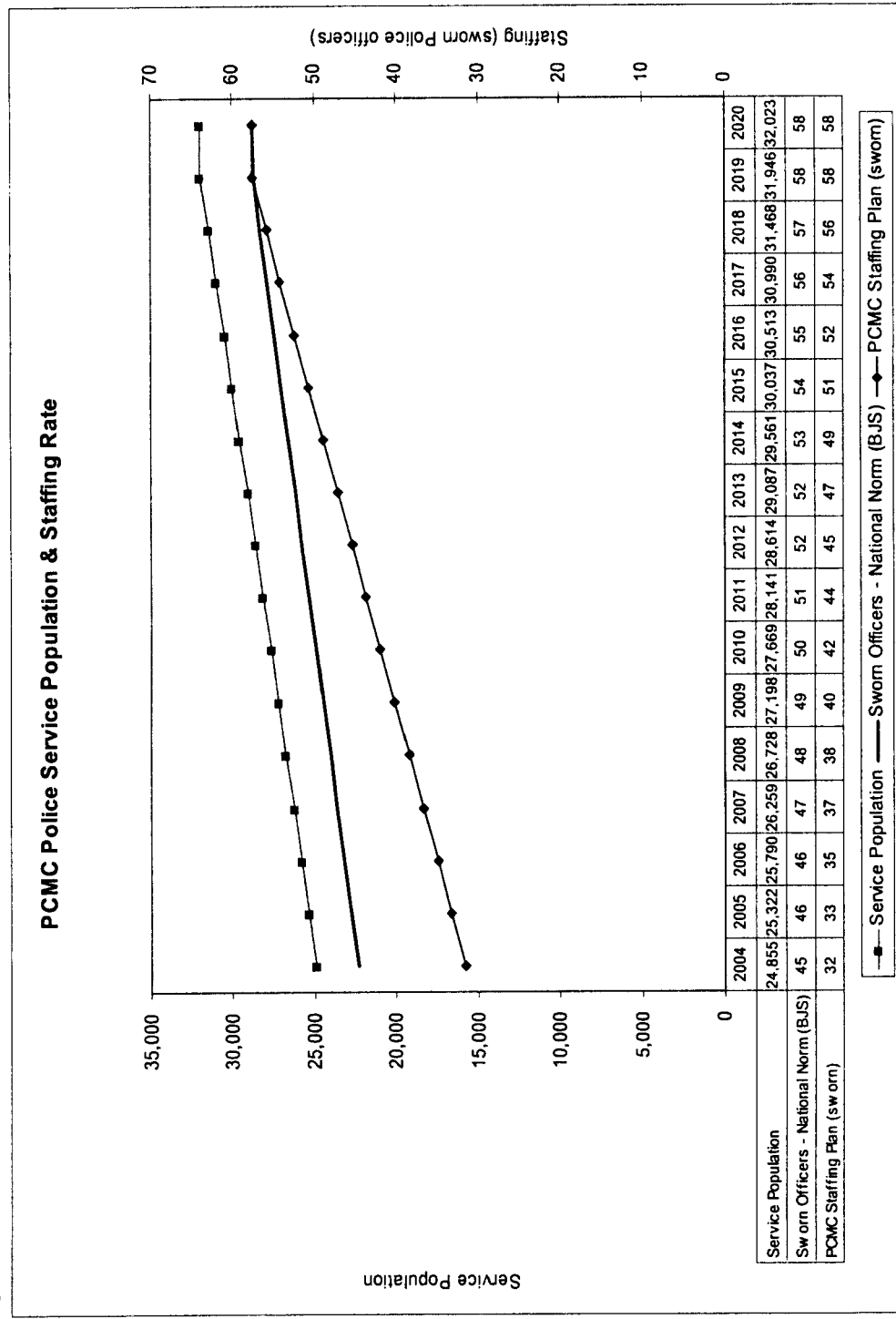
Figure 55

<b>EXISTING AND FUTURE DEMAND UNITS</b>				
<i>2005 PCMC Impact Fee Analysis Update</i>				
Capital Facility Type	City Total Capital Facility Demand Units (REs - residential equivalent demand units)			
	Existing	New Devp	Total	Increase
Roads	11,876	3,617	15,492	30%
Public Safety Buildings - Police	10,449	3,169	13,617	30%
Parks, Trails, Open Space	8,795	2,582	11,376	29%
<b>TOTAL</b>	<b>31,119</b>	<b>9,367</b>	<b>40,486</b>	<b>30%</b>

Figure 56 the following page illustrates projected Police staffing. Demand for Police building space is driven by projected staffing which in turn is a function of service expectations, Department objectives, and estimated future service population. The Department is now staffed at a rate below that reported by the Bureau of Justice statistics for cities of similar size (shown as *National Norm (BJS)* in Figure 56). The plan is to move the Department towards the national norm (1.8 sworn officers per 1,000 population for cities between 25,000 and 50,000) over a period of the next 15 years.

**CHAPTER 6 - TECHNICAL REFERENCE**

Figure 56



## CHAPTER 6 - TECHNICAL REFERENCE

The Police Department staffing plan is summarized as follows:

Figure 57

<b>STAFFING SUMMARY</b>			
<i>Public Safety Buildings - Police</i>			
	1997 (actual)	Build-Out (2020, projected)	Increase
<b>Staffing</b>			
Sworn Officers	22	58	36
Communications, Records, Clerical	7	17	10
<b>Total</b>	<b>29</b>	<b>74</b>	<b>45</b>
<b>Target Staffing Rate</b>			
Service Population	17,459	32,023	
Sworn per 1,000 service population	1.3	1.8	
<b>Total Staff per 1,000 service population</b>	<b>0.76</b>	<b>0.77</b>	

- Baseline Police staffing is taken to be that for the year 1997 – the first year that impact fees for the planned new police building were collected.
- Note that the staffing plan projects an increase in the number of sworn officers but that the overall staffing rate (*Total Staff per 1,000 Service Population*) remains essentially the same throughout the planning period.
- The target staffing rate – 1.8 sworn officers per 1,000 – is that reported by the Bureau of Justice statistics for cities between 25,000 and 50,000 population.

Ordinance No. 05-36

**ORDINANCE ESTABLISHING COMPENSATION  
FOR THE MAYOR AND CITY COUNCIL FOR FISCAL YEAR 2006  
AND FISCAL YEAR 2007 IN PARK CITY, UTAH**

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, according to state law, a public hearing was duly advertised and held on June 2, 2005;

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

SECTION 1. REPEALER: All previous compensation ordinances regarding elected officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR AND CITY COUNCIL ADOPTED: The following salary levels are hereby adopted:

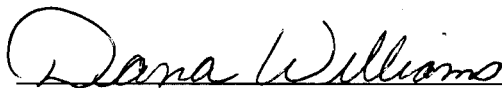
	<u>FY 2006</u>	<u>FY 2007</u>
Mayor	\$1,842.83 per month	\$1,879.67
City Council	\$ 931.75 per month	\$ 950.42

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive \$250 per month in car allowance.

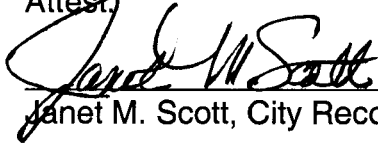
SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on July 1, 2005.

PASSED AND ADOPTED this 2<sup>nd</sup> day of June, 2005.


PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney

**Ordinance No. 05-35**

**AN ORDINANCE APPROVING THE SECOND AMENDED RECORD OF SURVEY MAP FOR THE FASHION COALITION CONDOMINIUMS.**

**WHEREAS**, the owner of 613 Main street, known as the Fashion Coalition Condominiums has petitioned the City Council for approval of an amended record of survey; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on May 25, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment, and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner reconfigure existing private, common, and limited common areas in order to expand stairwells and add an elevator; and

**WHEREAS**, owners representing 66.6 percent of the ownership of the project desire to amend the record of survey to bring the property into compliance with the Americans with Disabilities Act; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is within the General Commercial Zone.
2. The original Fashion Coalition Condominium plat was recorded on November 12, 1985.
3. The Fashion Coalition Building is a 5 level, 8 unit building.
4. This amendment reconfigures existing common and limited common areas between Units 1, 2 and 3, located on Levels 1 and 2.
5. This reconfiguration will modify/expand the stairwells and add an elevator.
6. All ceiling and floor elevations will remain unchanged.
7. Only Levels 1 and 2 of sheet 2 of 3 of the existing record of survey will be modified.
8. Sheets 1 and 3 of the original ROS will not be amended. Level 3 on sheet 2 will not be amended. The specific ownership changes are listed as findings 9-11.
9. Level 1 – Unit 2 - Approx. 25 sf of private area converted to common area
10. Level 1 – Unit 2 - Approx. 20 sf of private area converted to limited common
11. Level 2 – Unit 3 - Approx. 67 sf of limited common converted to private area.
12. No exterior changes to the building are approved
13. The applicant has agreed to the conditions of approval.
14. The Planning Commission reviewed this item at the May 25, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:  
There is good cause for this plat amendment.

1. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the amended record of survey is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer shall review and approve the condominium plat for compliance with the Land Management Code and conditions of approval, as a condition precedent to recording the plat.
2. All standard project conditions shall apply.
3. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year of City Council's approval, this approval and the plat shall be void.
4. An inspection of the Building's transformer vault by the City's Building Department is required prior to recordation of the record of survey.
5. The exterior walls of the building shall not be amended.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 2<sup>nd</sup> day of June, 2005.

PARK CITY MUNICIPAL CORPORATION

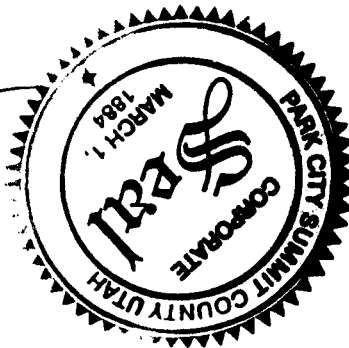
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







**Ordinance No. 05-34**

**AN ORDINANCE APPROVING A SUBDIVISION OF THE METES AND BOUNDS PARCELS, LOCATED AT 291 DALY AVENUE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 291 Daly Avenue, has petitioned the City Council for approval of a Subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on May 11, 2005 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed Subdivision allows the property owner to modify the subdivide a metes and bounds parcel; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the Subdivision.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will subdivide two metes and bounds parcel into three lots of record.
4. Proposed Lot A would consist of approximately 4,970 square feet.
5. Proposed Lot B would consist of approximately 2,662 square feet.
6. Proposed Lot C would consist of approximately 4,957 square feet.
7. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
8. There are two existing historic single family homes on the property.
9. There are seven historic accessory buildings on the property.
10. In their current location, the historic homes would not respect the newly created lot lines and could not meet the required HR-1 setbacks for proposed lots.
11. The applicant filed historic design guideline review applications for the 2 historic homes. The plans show the homes being moved to proposed lots A and C.
12. The lots are within zone A of the Flood Insurance Rate Map.
13. The Planning Commission reviewed the proposal and forwarded a positive recommendation to the City Council on May 11, 2005.

14. No remnant lots will be created as a result of this application.
15. Minimal construction staging area is available along Daly Avenue.
16. Snow removal is necessary for emergency access, and snow storage areas are necessary for good snow removal.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the recordation of the plat, the two historic residences shall be moved and inspected for building code compliance to a final location on the new lot that is compliant with all applicable LMC setback requirements in the HR-1 zone.
3. Prior to the demolition of any accessory buildings on the site, a Determination of Historical Significance application shall be submitted and a finding that they are not historically significant shall be made by the Historic Preservation Board.
4. Prior to the receipt of a building permit, the applicant shall submit a plan for flood protection that will be reviewed by the Building Department. A flood elevation certificate or flood proofing certificate is required.
5. 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 and the plat will be void.
6. A financial guarantee for public improvements including road repairs from utility installation shall be provided in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer prior to plat recordation.
7. A ten-foot-wide snow storage easement shall be provided along the Daly Avenue frontage of all lots.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 2<sup>nd</sup> day of June 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

Janet M. Scott  
Janet M. Scott, City Recorder

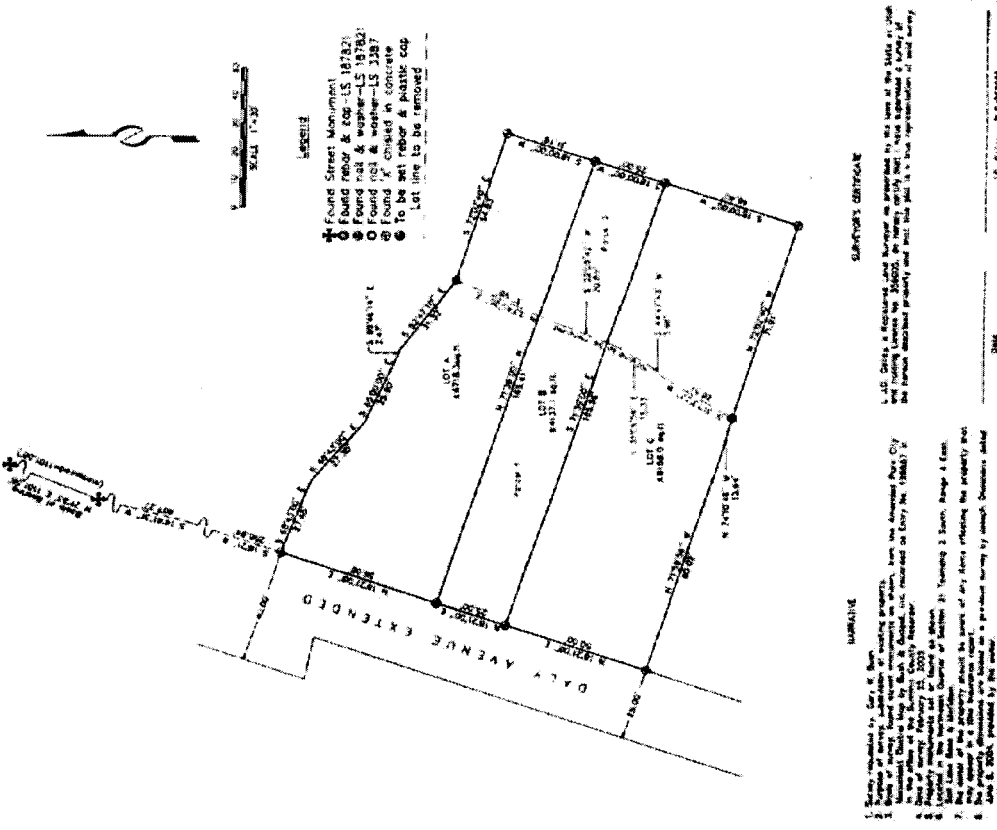
Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney



# 291 Daly Subdivision Plat

Located in the Northeast Quarter of Section 21,  
Township 2 South, Range 4 East,  
Salt Lake Base & Meridian



## PARCEL 1 DEED DESCRIPTION

Beginning on the Easterly right-of-way line of Daly Avenue extended, as shown on the subdivision plat thereof, recorded September 12, 1983 as Entry #210640 in the Office of the Recorder, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 266.94 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence along the Southerly line of the land described in the deed to Joanne A. Courtni recorded as Entry #222714, the following courses: 40°11'56" E, 27.30 feet; thence S 65°00' E, 20.30 feet; thence S 65°45' E, 27.30 feet; thence S 52°47'10" E, 31.32 feet; thence S 23°45'28" W, 37.98 feet; thence S 22°05'47" W, 20.85 feet; thence S 31°08'58" W, 15.33 feet; thence S 44°47'43" W, 3.96 feet; thence S 31°13'31" W, 28.51 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to the said Easterly right-of-way line at Daly Avenue thence N 18°21' E, 131.06 feet along said right-of-way line to the point of beginning.

## PARCEL 2 DEED DESCRIPTION

Beginning at a point which is S 13°27' W, 1620.00 feet and S 18°10' W, 641.63 feet from N 18°21' W, 197.50 feet from the Northeast Corner of Section 21, Township 2 South, Range 4 East, said point being on the East Boundary of the Washington Millsite, Lot 80-B, thence N 77°02'40" W, 71.91 feet along the North boundary line of the property conveyed in Quit-Claim Deed recorded December 28, 1994 as Entry No. 421928 in Book 859 County Records, thence along the East boundary of property at Page 330 of the Official Records in the Office of the Summit County Recorder, thence along the following courses: S 44°47'43" W, 28.51 feet; thence S 31°13'31" W, 28.51 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to the East boundary of said Washington Millsite, thence along said boundary S 18°21' W, 104.588 feet to the point of beginning.

## OWNER'S DEDICATION AND CONSENT TO RECORDING

That all of the lands herein described are owned by the authorized Statutory Agent of Enterprise West, LLC, a Utah limited liability company, and that the undersigned, as the authorized Statutory Agent of Enterprise West, LLC, do hereby consent to the recording of this Plat Amendment to be permanent, irrevocable and binding on the undersigned and all persons claiming by, through, under or in interest in the property herein described. Also, the undersigned hereby irrevocably offers for dedication to the City of Park City all of the streets, lands for local government uses, easements, parks and required utility and easements shown on the plat in accordance with the provisions of the Utah Subdivision Map Act, Chapter 2, Title 20, Utah Code, in witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

By: Gary W. Bush  
Statutory Agent, Enterprise West, LLC.

## ACKNOWLEDGEMENT

STATE OF UTAH  
County of Summit.  
On this \_\_\_\_\_ day of \_\_\_\_\_, 2005, Gary W. Bush, individually appearing before me, the undersigned Notary Public, in and for the State of Utah, being duly sworn, acknowledged to me that he is the Statutory Agent for Enterprise West, LLC, that he has signed the above Declaration and that he is duly authorized to execute the same on behalf of said Enterprise West, LLC, and that the undersigned hereby irrevocably offers for dedication to the City of Park City all of the streets, lands for local government uses, easements, parks and required utility and easements shown on the plat in accordance with the provisions of the Utah Subdivision Map Act, Chapter 2, Title 20, Utah Code, in witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

My commission expires: \_\_\_\_\_  
NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_

## LOT A

LEGAL DESCRIPTION  
Beginning on the Easterly right-of-way line of Daly Avenue extended, as shown on the subdivision plat thereof, recorded September 12, 1983 as Entry #210640 in the Office of the Recorder, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 266.94 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence along the Southerly line of the land described in the deed to Joanne A. Courtni recorded as Entry #222714, the following courses: 40°11'56" E, 27.30 feet; thence S 65°00' E, 20.30 feet; thence S 65°45' E, 27.30 feet; thence S 52°47'10" E, 31.32 feet; thence S 23°45'28" W, 37.98 feet; thence S 22°05'47" W, 20.85 feet; thence S 31°08'58" W, 15.33 feet; thence S 44°47'43" W, 3.96 feet; thence S 31°13'31" W, 28.51 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to the said Easterly right-of-way line at Daly Avenue thence N 18°21' E, 131.06 feet along said right-of-way line to the point of beginning; containing 6718.73 square feet, more or less.

## LOT B

LEGAL DESCRIPTION  
Beginning on the Easterly right-of-way line of Daly Avenue extended, as shown on the subdivision plat thereof, recorded September 12, 1983 as Entry #210640 in the Office of the Recorder, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 266.94 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence along the Southerly line of the land described in the deed to Joanne A. Courtni recorded as Entry #222714, the following courses: 40°11'56" E, 27.30 feet; thence S 65°00' E, 20.30 feet; thence S 65°45' E, 27.30 feet; thence S 52°47'10" E, 31.32 feet; thence S 23°45'28" W, 37.98 feet; thence S 22°05'47" W, 20.85 feet; thence S 31°08'58" W, 15.33 feet; thence S 44°47'43" W, 3.96 feet; thence S 31°13'31" W, 28.51 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to the said Easterly right-of-way line at Daly Avenue thence N 18°21' E, 131.06 feet along said right-of-way line to the point of beginning; containing 4137.1 square feet, more or less.

## LOT C

LEGAL DESCRIPTION  
Beginning on the Easterly right-of-way line of Daly Avenue extended, as shown on the subdivision plat thereof, recorded September 12, 1983 as Entry #210640 in the Office of the Recorder, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 266.94 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence along the Southerly line of the land described in the deed to Joanne A. Courtni recorded as Entry #222714, the following courses: 40°11'56" E, 27.30 feet; thence S 65°00' E, 20.30 feet; thence S 65°45' E, 27.30 feet; thence S 52°47'10" E, 31.32 feet; thence S 23°45'28" W, 37.98 feet; thence S 22°05'47" W, 20.85 feet; thence S 31°08'58" W, 15.33 feet; thence S 44°47'43" W, 3.96 feet; thence S 31°13'31" W, 28.51 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to the said Easterly right-of-way line at Daly Avenue thence N 18°21' E, 131.06 feet along said right-of-way line to the point of beginning; containing 8158.0 square feet, more or less.

Alpine Survey, Inc. 18 Proscaper Dr. Park City, Utah 84080 (435) 655-8015	WATER RECLAMATION DISTRICT OF THE STATE OF UTAH COUNTY OF SUMMIT	ENGINEER'S CERTIFICATE I, _____, a duly licensed Professional Engineer in the State of Utah, do hereby certify that the above plat is a true and correct copy of the original as shown to me by the Statutory Agent of Enterprise West, LLC, and that the same has been approved by the Planning Commission of the City of Park City, Utah, on this _____ day of _____, 2005.	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2005.	CERTIFICATE OF ATTEST I, _____, the Recorder of Sumner, and Filed at the Office of the Recorder, Summit County, Utah, on this _____ day of _____, 2005.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL, THIS _____ DAY OF _____, 2005.	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
	Snydertville Basin Water Reclamation District of the State of Utah County of Summit	ENGINEER'S CERTIFICATE I, _____, a duly licensed Professional Engineer in the State of Utah, do hereby certify that the above plat is a true and correct copy of the original as shown to me by the Statutory Agent of Enterprise West, LLC, and that the same has been approved by the Planning Commission of the City of Park City, Utah, on this _____ day of _____, 2005.	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2005.	CERTIFICATE OF ATTEST I, _____, the Recorder of Sumner, and Filed at the Office of the Recorder, Summit County, Utah, on this _____ day of _____, 2005.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL, THIS _____ DAY OF _____, 2005.	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____

**Ordinance No. 05-33**

**AN ORDINANCE APPROVING THE VAN OORDT-MATSUMOTO SUBDIVISION PLAT LOCATED AT 1002 AND 1002 ½ NORFOLK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as 1002 and 1002 ½ Norfolk Avenue have petitioned the City Council for approval of the Van Oordt-Matsumoto subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 25, 2005, to receive input on the Van Oordt-Matsumoto subdivision plat;

WHEREAS, the Planning Commission, on May 25, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 2, 2005 the City Council approved the Van Oordt-Matsumoto subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Van Oordt-Matsumoto subdivision plat.

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

**SECTION 1. APPROVAL.** The Van Oordt-Matsumoto subdivision 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 Van Oordt-Matsumoto Subdivision is located at 1002 and 1002 ½ Norfolk Avenue in the HR-1 zoning district.
2. The lots are 29, 30, 31 and 32 of the Snyder's Addition to the Park City Survey. Each property owner has one half of each lot.
3. 1002 and 1002 ½ Norfolk Ave. abut platted 10<sup>th</sup> Street.
4. Both properties are improved with historic homes.
5. Historic homes are exempt from the LMC parking requirements.
6. 1002 Norfolk Av. Has vehicular access via Norfolk Ave.

7. 1002 ½ Norfolk currently has no year-round vehicular access. Occupants either park on Norfolk or Woodside.
8. Tenth Street is a narrow, steep City street that is used seasonally for vehicular traffic and not plowed in the winter. Snow removal on 10<sup>th</sup> St poses public safety risks due to the steep grade of the street.
9. Modifications to the grade of 10<sup>th</sup> St. are extremely unlikely due to the grade, length, and utilities under the street.
10. The City stair/walkway along the north side of 10<sup>th</sup> St. impairs vehicular connections to 1002 and 1002 ½ Norfolk
11. The current application is to create two lots of record from four current lots. If approved, a single plat for both properties will be required.
12. The minimum lot area in the HR-1 zone is 1,875 square feet. Each lot will be 3,750 square feet.
13. The minimum lot width is 25 feet; proposed is 37.5 feet for each lot with the front of each lot on 10<sup>th</sup> Street.
14. The lot depth for each lot is 100 feet. With this configuration the front (10th St) and rear (north) setbacks are required to be 12 feet minimum, 25 feet total.
15. Minimum side yard setbacks are 3 feet; 6 feet total. The side setback from Norfolk for 1002 is required to be 5 feet as it is a corner lot taking access from 10th Street. Any new construction on either of these lots are required to meet these setbacks.
16. Any additions or remodel to the structures must follow the Historic District Design Review.

#### Conclusions of Law

1. There is good cause for this Final Subdivision Plat.
2. The Final Subdivision Plat is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Final Subdivision Plat, subject to the conditions stated below, 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 Subdivision Plat 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 Subdivision Plat at the County within one year from the date of City Council approval. The plat will include both properties. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. A ten foot snow storage easement is required along 10<sup>th</sup> Street. Maintenance of 10<sup>th</sup> Street is at the discretion of the City.
4. Year round vehicular access is not guaranteed to 1002 ½ Norfolk Avenue.

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

PARK CITY MUNICIPAL CORPORATION

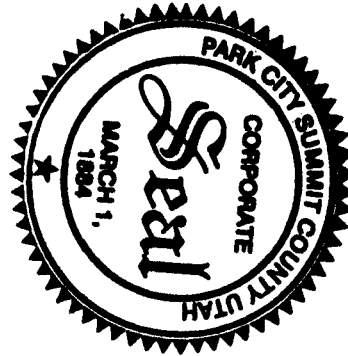
*Dana Williams*  
Mayor Dana Williams

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*  
Mark D. Harrington, City Attorney







**Ordinance No. 05-32**

**AN ORDINANCE APPROVING THE VILLAGE AT EMPIRE PASS WEST SIDE SUBDIVISION PLAT, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Village at Empire Pass West Side subdivision plat have petitioned the City Council for approval of the Village at Empire Pass West Side subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 25, 2005, to receive input on the Village at Empire Pass West Side subdivision plat;

WHEREAS, the Planning Commission, on May 25, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 26, 2005 the City Council approved the Village at Empire Pass West Side subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Village at Empire Pass West Side subdivision plat.

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

**SECTION 1. APPROVAL.** The Village at Empire Pass West Side subdivision 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 Village at Empire Pass West Side Plat is located in the Residential Development (RD) -MPD District.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.

3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
4. The MPD and subdivision are subject to the 14 Technical Reports approved on December 12, 2002.
5. On July 28, 2004 the Planning Commission approved a Master Planned Development for the Village at Empire Pass, also known as Pod A. Included in this MPD approval are nine multi-family, stacked-flat, buildings. The plat creates lots for Lodges 5-9, inclusive. In addition, two lots are created for future townhouse and PUD-style condominium projects and one lot as a Conservation Easement.
6. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). The Planning Commission granted height exceptions to the nine Lodges in the Village Master Plan.
7. The applicant's prior dedication of the realigned SR 224 is subject to a claim resulting from ownership of the Marsac Claim. The applicant and UDOT have committed to maintaining public access and taking necessary corrective action.
8. Legal and safe road access is necessary for the public health, safety and welfare.
9. The pedestrian trail system is internal to the Village. A sidewalk on Empire Club Drive was not considered necessary in the approved Trails section of the Village Master Plan.
10. The Planning Commission discussed this plat at its regular meeting of May 25, 2005, and forwards a positive recommendation to the City Council.

#### Conclusions of Law

1. There is good cause for this Final Subdivision Plat.
2. The Final Subdivision Plat is consistent with the Flagstaff Annexation and Development Agreement, the Village at Empire Pass Master Plan Development, Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Final Subdivision Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval

1. City Engineer approval of a utility and infrastructure plan is a condition precedent to the plat recordation. The utility plan shall show sewer lines no deeper than 12 feet. The master Empire Pass storm drain detention structure must be completed prior to occupancy of any structure within the Village at Empire Pass (Pod A) West Side Subdivision.
2. Both utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.

3. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Building Permit and for the west side infrastructure. No snow hauling off site will be permitted.
4. A financial security to guarantee the installation of public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer. All street improvements are privately maintained.

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

PASSED AND ADOPTED this 26th day of May, 2005.

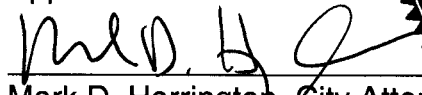
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







**Ordinance No. 05-31**

**AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT FOR THE DEER CREST HOTEL EXPANDABLE CONDOMINIUM PROJECT LOCATED AT 2300 DEER VALLEY DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners, Deer Crest Associates I, L.C., of the property located at 2300 Deer Valley Drive, located in the Southeast Quarter of Section 14 and 15, the Northeast Quarter of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit and Wasatch Counties, Utah, petitioned the City Council for approval of a record of survey plat for the Deer Crest Hotel expandable condominium project; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 11, 2005, to receive input on the proposed record of survey plat;

WHEREAS, the Planning Commission, on May 11, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 26, 2005, the City Council held a public hearing and approved the proposed record of survey plat; and

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

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

SECTION 1. APPROVAL. The 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 in the RC and RD-MPD zoning districts.
2. The property is subject to the 1995 Deer Crest Settlement Agreement and the Deer Crest Hotel conditional use permit as amended on May 11, 2005.
3. The Settlement Agreement and Deer Crest Hotel CUP set forth a maximum density of 130 unit equivalents (ue) for the Deer Crest Hotel, including both the Roosevelt Gap and Snow Park sites. The condominium plat identifies 67 units. The

condominium hotel units range in size from 987 to 2,700 square feet, the 26 residence units range in size from 1,295 to 3,627 square feet, and the two larger penthouse units on the 11<sup>th</sup> floor are 6,240 sf and 5,409 sf in floor area. The plat shows 99.5 ue at Roosevelt Gap and 1 unit (1 ue) at Snow Park, with the remaining units (29.5 ue) at Snow Park subject to future condominium conversion (expandable area). The remaining floor area is designated as either common area, limited common area (exclusive use of a particular unit), or private area for non-residential uses. The general public's access to portions of the site and building is restricted.

### **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.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Deer Crest Settlement Agreement and amended Deer Crest Hotel CUP.

### **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 the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the Condominium Declaration and CCR's, as a condition subsequent to plat recordation.
3. As a condition precedent to recordation of this Record of Survey plat, the Applicant shall record the Deer Crest Hotel subdivision plat and provide the City with written documentation that the subdivision plat has been recorded at both Wasatch and Summit Counties.
4. The applicant will record the Record of Survey 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.
5. All conditions of approval of the Deer Crest Hotel Conditional Use Permit (formerly known as the Rosewood CUP, as amended on May 11, 2005) continue to apply.
6. All conditions of approval of the amended Roosevelt Gap Subdivision plat continue to apply.
7. The Owner shall certify on the plat that the condominium project will be built substantially as shown.

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

PASSED AND ADOPTED this 26th day of May, 2005.

PARK CITY MUNICIPAL CORPORATION

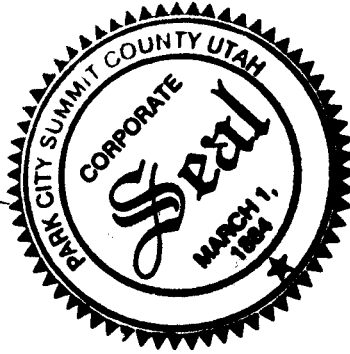
Dana Williams  
Mayor Dana Williams

Attest:

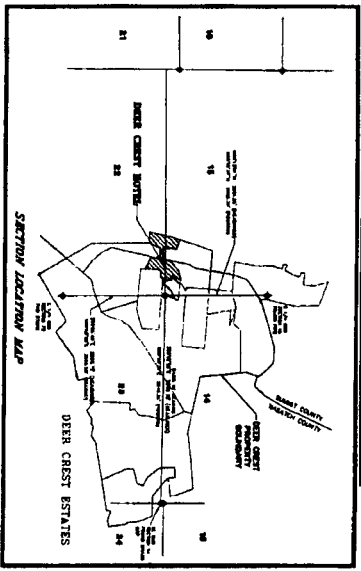
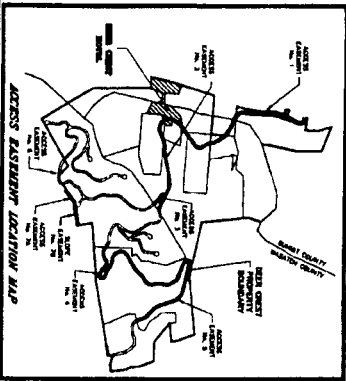
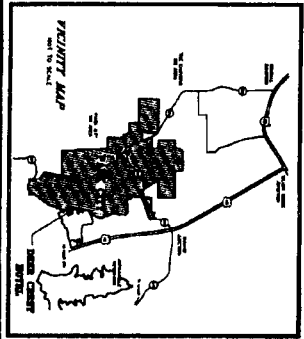
Janet M. Scott  
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney







**NOTES:**

- The City Engineer, upon the filing of this plat, shall cause the same to be recorded in the office of the Recorder of Deeds, St. Louis, Missouri.
- The City Engineer shall cause the same to be recorded in the office of the Recorder of Deeds, St. Louis, Missouri.
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- The City Engineer shall cause the same to be recorded in the office of the Recorder of Deeds, St. Louis, Missouri.

**SYDNEYVILLE BASIN WATER RECLAMATION DISTRICT**  
 APPROVED FOR CONFORMANCE TO DISTRICT ORDINANCE NO. 10000 ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2004. CHAIRMAN _____	JORDANVILLE SPECIAL SERVICE DISTRICT APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2004. BY JORDANVILLE SPECIAL SERVICE DISTRICT ALIQUOTED REPRESENTATIVE _____	CITY ENGINEER RECEIVED FOR CONFORMANCE WITH AVAILABLE INFORMATION IN THE PARK CITY ENGINEERING DEPARTMENT ON THE _____ DAY OF _____, 2004. CITY ENGINEER _____	CITY COUNCIL PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2004, AT WHICH TIME THE PLAT WAS APPROVED. MAYOR _____ CITY CLERK _____	APPROVAL AS TO FORM APPROVED AS TO FORM ON THE _____ DAY OF _____, 2004. CITY ATTORNEY _____	RECORDED & FILED IN THE COUNTY OF _____ RECORDED AND FILED AT THE OFFICE OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ COUNTY RECORDER _____
--	--	--	---	--	--

**DEER CREST HOTEL EXHIBIT A  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP**  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14 AND THE NORTHEAST QUARTER OF SECTION 22 TOWNSHIP 2 SOUTH RANGE 6 EAST MERIDIAN 10 WEST AND BOUNDARIES PLAT CITY SQUARE AND ADJACENT COURTYARD, CITY OF ST. LOUIS, MISSOURI.

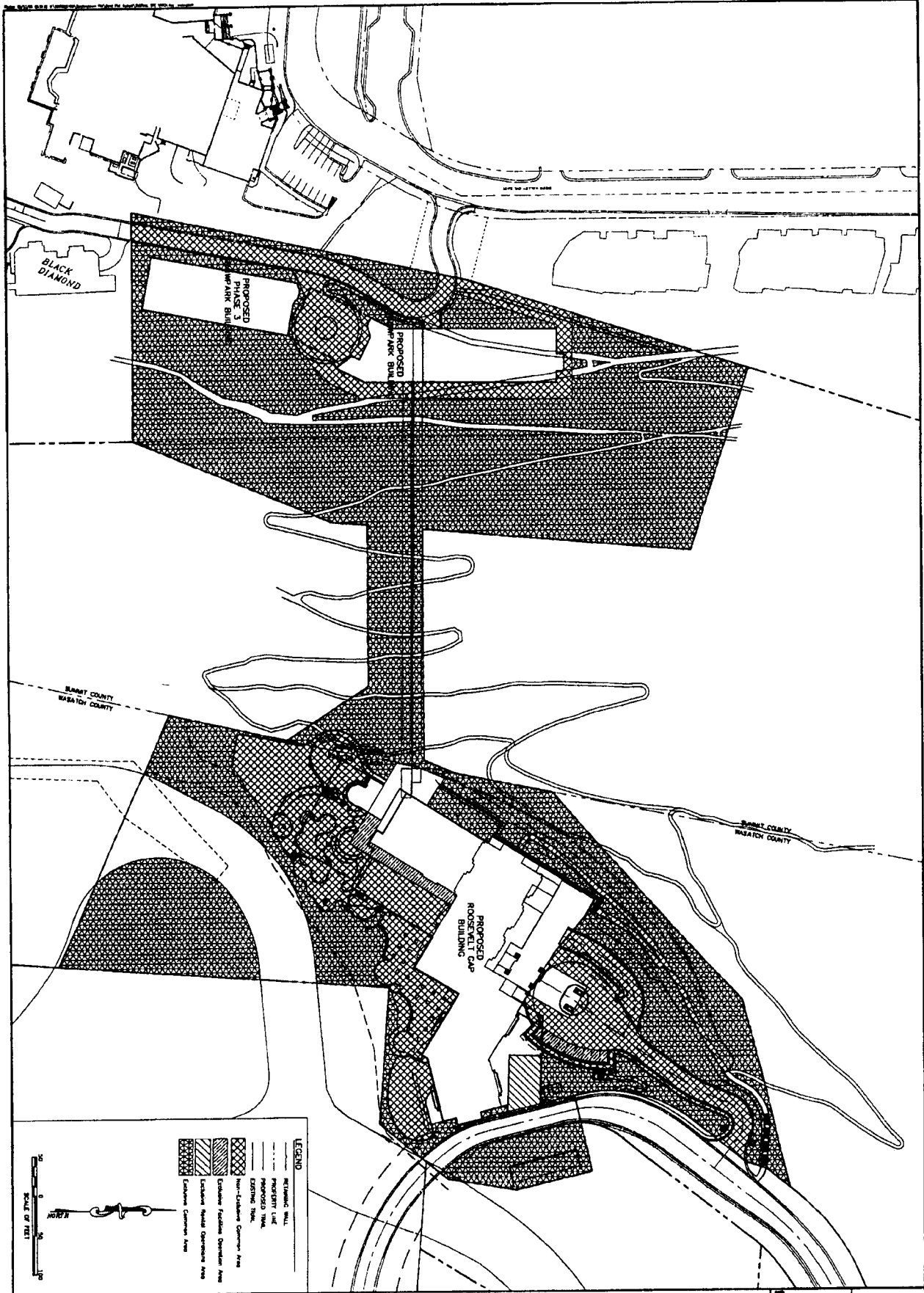
*only 1/2*

**DEER CREST HOTEL  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP**

DATE: APRIL 2005  
 SCALE: NTS  
 PROJECT NO.: 080R020100

CEA  
 CCA  
 BDA  
 1  
 16





**LEGEND**

- METEOROLOGICAL WALL
- PERMITS LINE
- PROPOSED TRAIL
- EXISTING TRAIL
- EXISTING ROAD
- EXISTING FUTURE COMMON AREA
- EXISTING FUTURE COMMON AREA
- EXISTING ROAD OPERATIONAL AREA
- EXISTING ROAD OPERATIONAL AREA
- EXISTING COMMON AREA

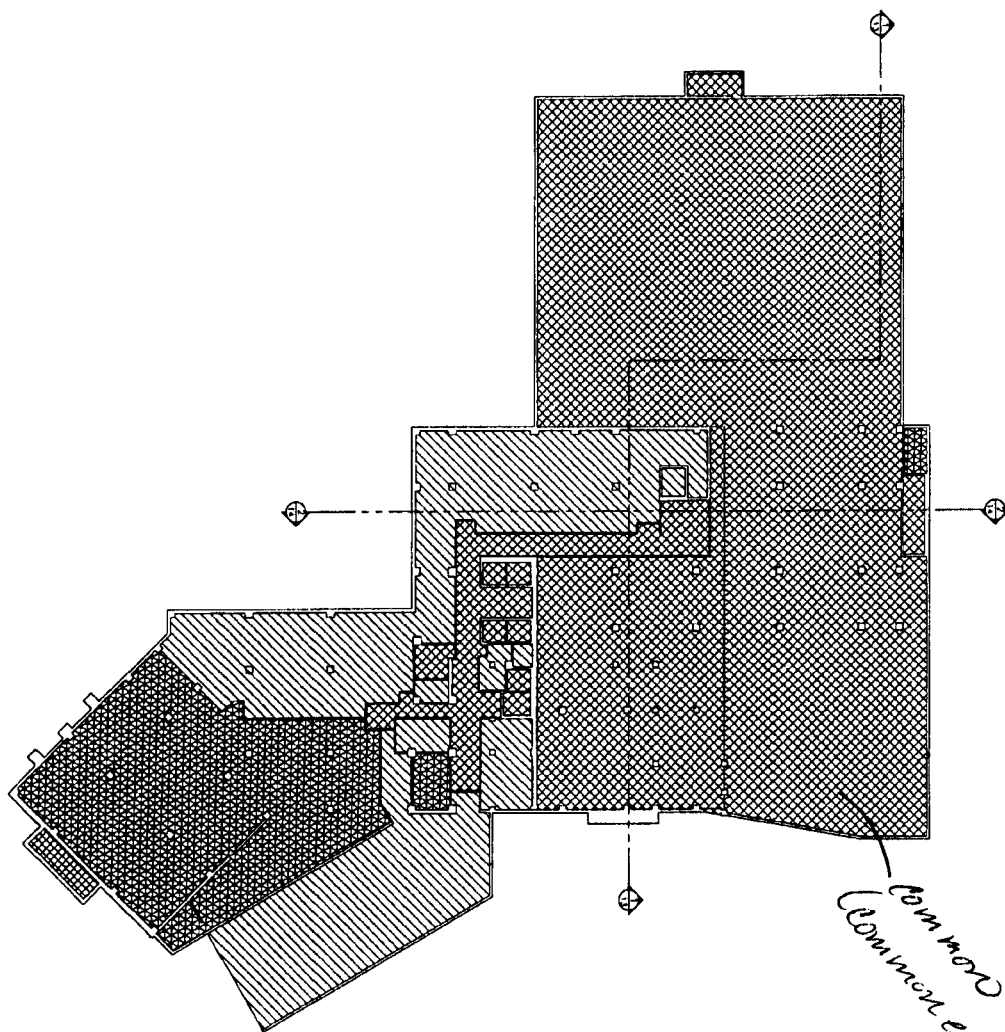
SCALE OF FEET: 0 10 20 30 40 50

N

3	16
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**DEER CREST HOTEL  
CONDOMINIUM PROJECT  
RECORD OF SURVEY MAP  
OUTSIDE LAND USES**

DATE	APRIL 2005
MAP DATE	
SCALE	
PROJECT	
PROJECT NO.	80CRO20100



*(Common Easement)*

BASEMENT  
CON. PLAN

- LEGEND
- Non-Exclusive Common Area
  - Exclusive Parking/Storage Area
  - Exclusive Shared Operation Area
  - Exclusive Common Area
  - Exclusive Condo-Style Units
  - Exclusive Condo-Style Units
  - Exclusive Common Area
  - Exclusive Common Area

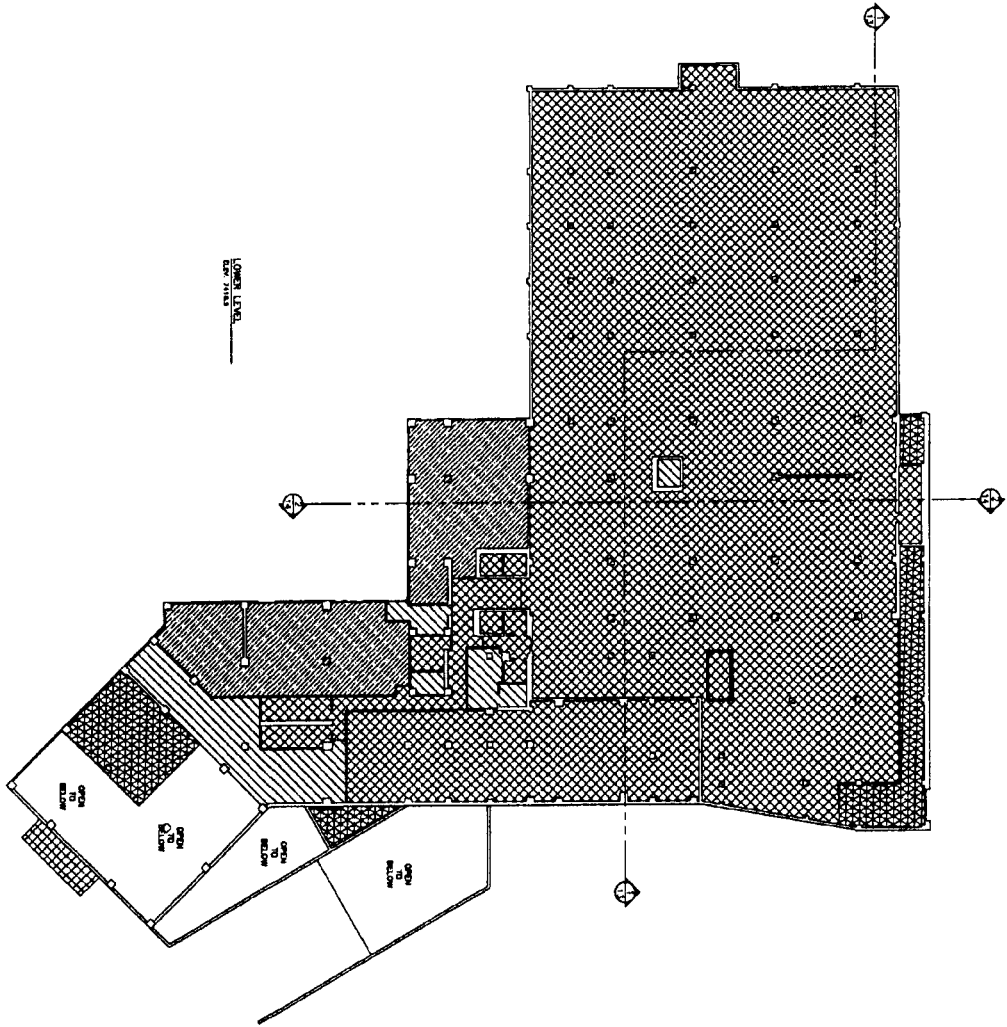


RECORDED  
STATE OF UTAH, COUNTY OF \_\_\_\_\_, RECORDING AND FILED  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ ROOM \_\_\_\_\_  
PAGE \_\_\_\_\_ OF \_\_\_\_\_  
COUNTY RECORDS

DEER CREST HOTEL  
CONDOMINIUM PROJECT  
RECORD OF SURVEY MAP  
ROOSEVELT GAP BASEMENT

DATE APRIL 2005  
BY  
TITLE  
SCALE  
PROJECT NO. 050402100

SSC  
4  
16  
SSC



- LEGEND:
- Non-Exclusive Common Area
  - Exclusive Facilities Operation Area
  - Exclusive Rental Operation Area
  - Exclusive Common Area
  - Exclusive Condo-Holder Units
  - Exclusive Condo-Holder Area
  - Exclusive Residents Units
  - Exclusive Residents Area

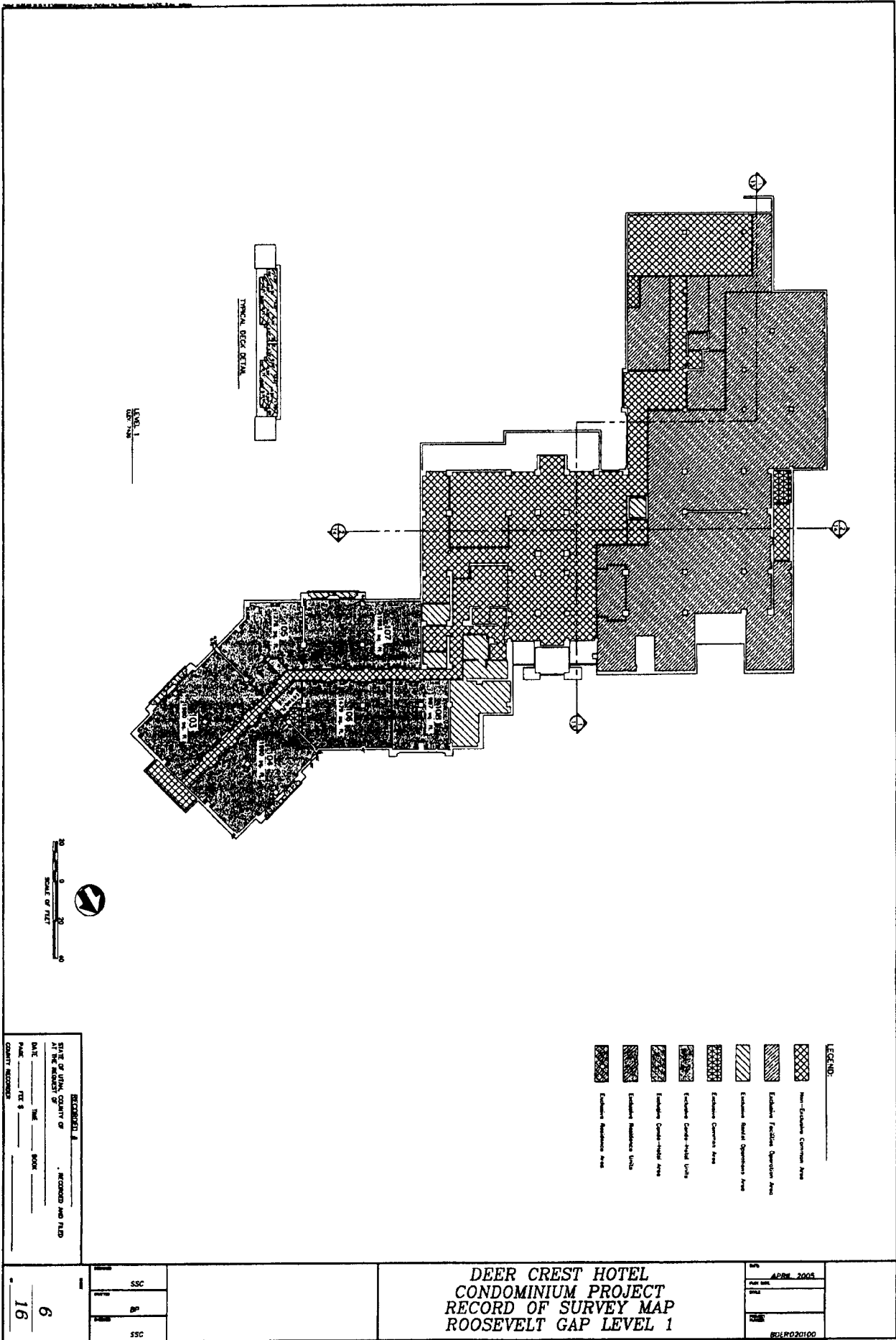


RECORDED &  
 STATE OF UTAH, COUNTY OF \_\_\_\_\_, RECORDED AND PAID  
 AT THE OFFICE OF \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ROOM \_\_\_\_\_  
 PAGE \_\_\_\_\_ OF \_\_\_\_\_ COUNTY RECORDS

DEER CREST HOTEL  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP  
 ROOSEVELT GAP LOWER LEVEL

DATE APRIL 2005  
 BY  
 FOR  
 PROJECT BDCR020100

SSC  
 5  
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 SSC



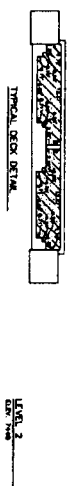
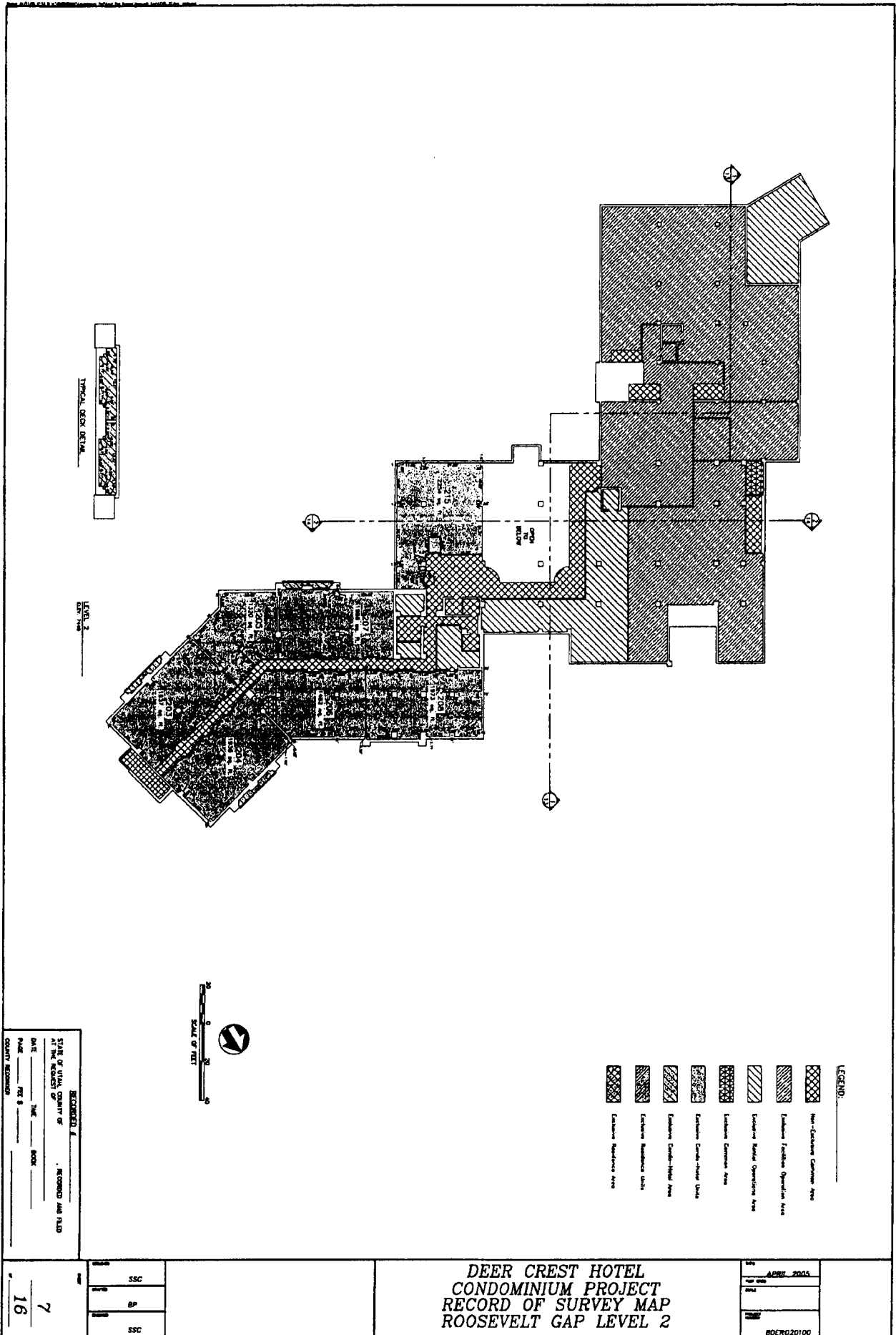
DEERCREST 1  
 SITE OF PLANS, COUNTY OF \_\_\_\_\_, RECORDED AND FILED  
 IN THE RECORDS OF \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ROOM \_\_\_\_\_  
 NAME \_\_\_\_\_ FEE \$ \_\_\_\_\_  
 COUNTY RECORDS

6  
 16

SSC  
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DEER CREST HOTEL  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP  
 ROOSEVELT GAP LEVEL 1

APRIL 2005  
 884R020100



TYPICAL DECK DETAIL

- LEGEND:
- New-Existing Common Area
  - Existing Foundation Operation Area
  - Existing Single Operation Area
  - Existing Common Area
  - Existing Corridor/High Ceiling
  - Existing Common Area
  - Existing Corridor/High Ceiling
  - Existing Common Area
  - Existing Corridor/High Ceiling
  - Existing Common Area
  - Existing Corridor/High Ceiling
  - Existing Common Area

RECORDED & RETURNED TO THE RECORDS AND FILED AT THE OFFICE OF THE COUNTY CLERK OF THE COUNTY OF SHERMAN, TEXAS, THIS 7th DAY OF APRIL, 2008. COUNTY RECORDS

SSC	
AP	7
SSC	16

DEER CREST HOTEL  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP  
 ROOSEVELT GAP LEVEL 2

APRIL 2008  
 808020100

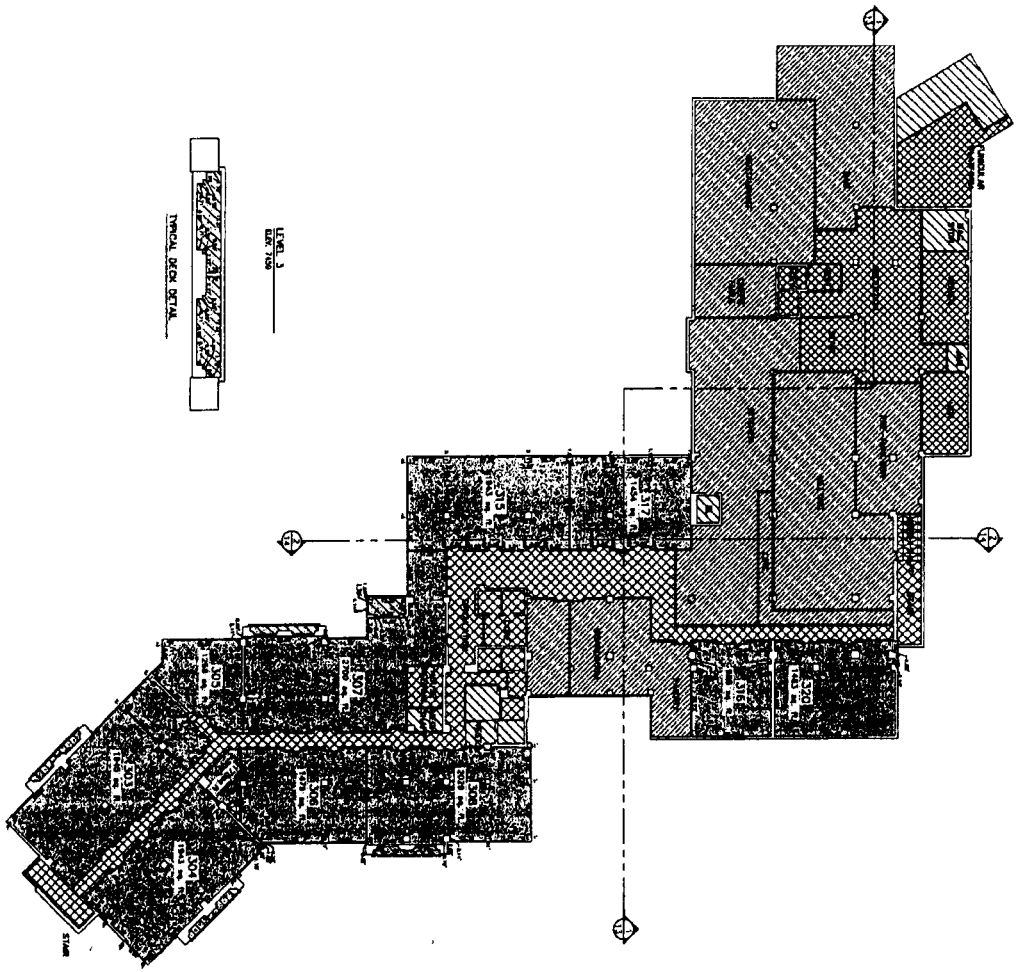


FIGURE 3  
OPEN METAL

Common →  
 Casement  
 Limited  
 Common  
 Exits/doors

- LEGEND:
- Manufacture Common Area
  - Exclude Foundation Operation Area
  - Exclude Road Operation Area
  - Exclude Common Area
  - Exclude Outer-Hall Units
  - Exclude Condo-Hall Area
  - Exclude Resident Units
  - Exclude Resident Area

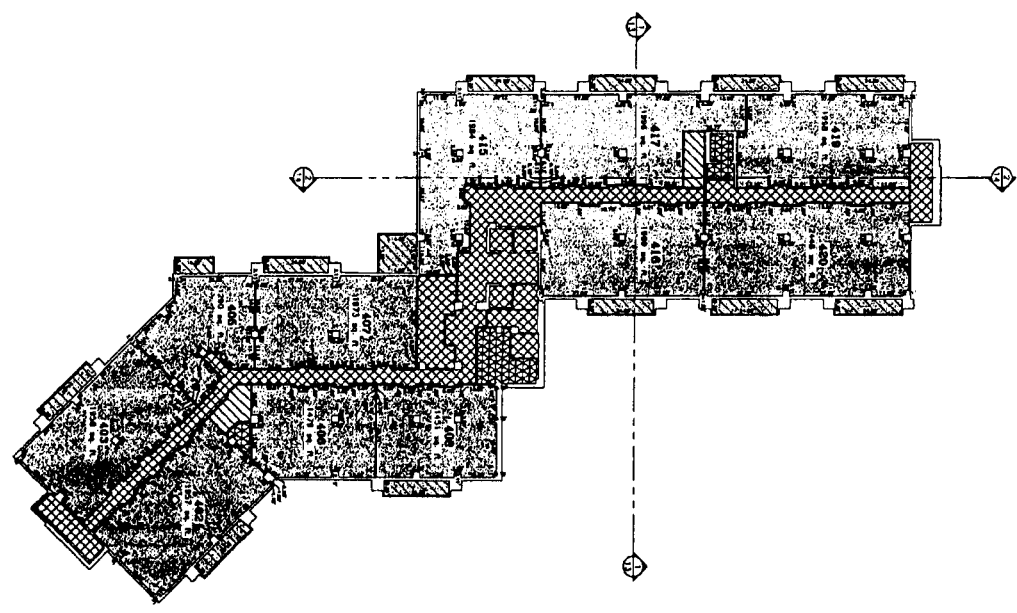


RECORDED  
 STATE OF UTAH, COUNTY OF \_\_\_\_\_, RECORDED MAP FILED  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 PAGE \_\_\_\_\_ OF \_\_\_\_\_  
 COUNTY RECORDS

APRIL 2004		80PR020100
SSC	BP	
SSC	SSC	
<b>DEER CREST HOTEL          CONDOMINIUM PROJECT          RECORD OF SURVEY MAP          ROOSEVELT GAP LEVEL 3</b>		
8		16



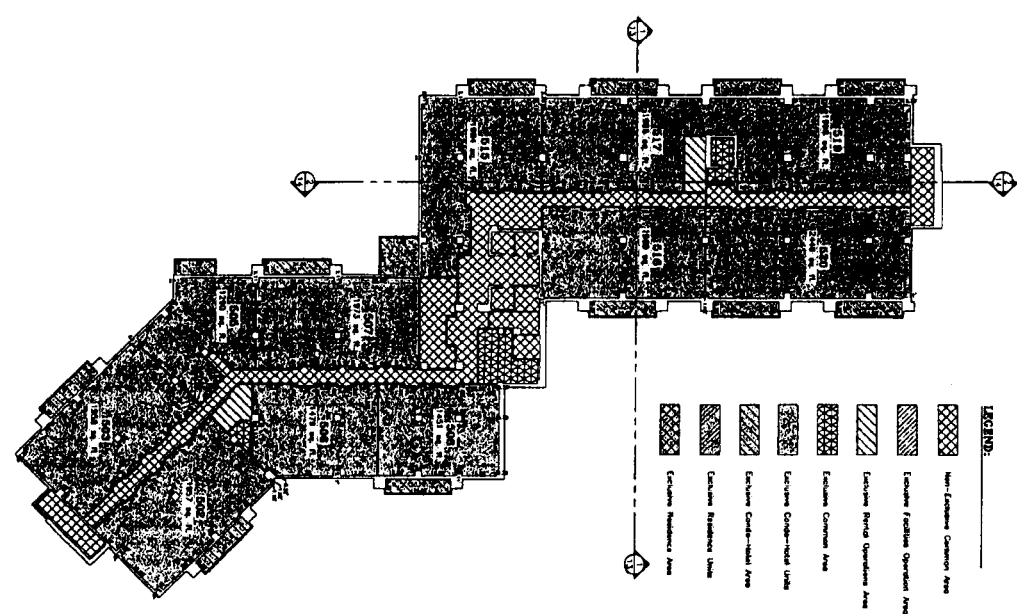
- LEGEND:
- Non-Exclusive Common Area
  - Exclusive Facilities Operation Area
  - Exclusive Rental Operation Area
  - Exclusive Common Area
  - Exclusive Condo-Unit Area
  - Exclusive Condo-Unit Area
  - Exclusive Residence Area



LEVEL 4



- LEGEND:
- Non-Exclusive Common Area
  - Exclusive Facilities Operation Area
  - Exclusive Rental Operation Area
  - Exclusive Common Area
  - Exclusive Condo-Unit Area
  - Exclusive Condo-Unit Area
  - Exclusive Residence Area



LEVEL 5

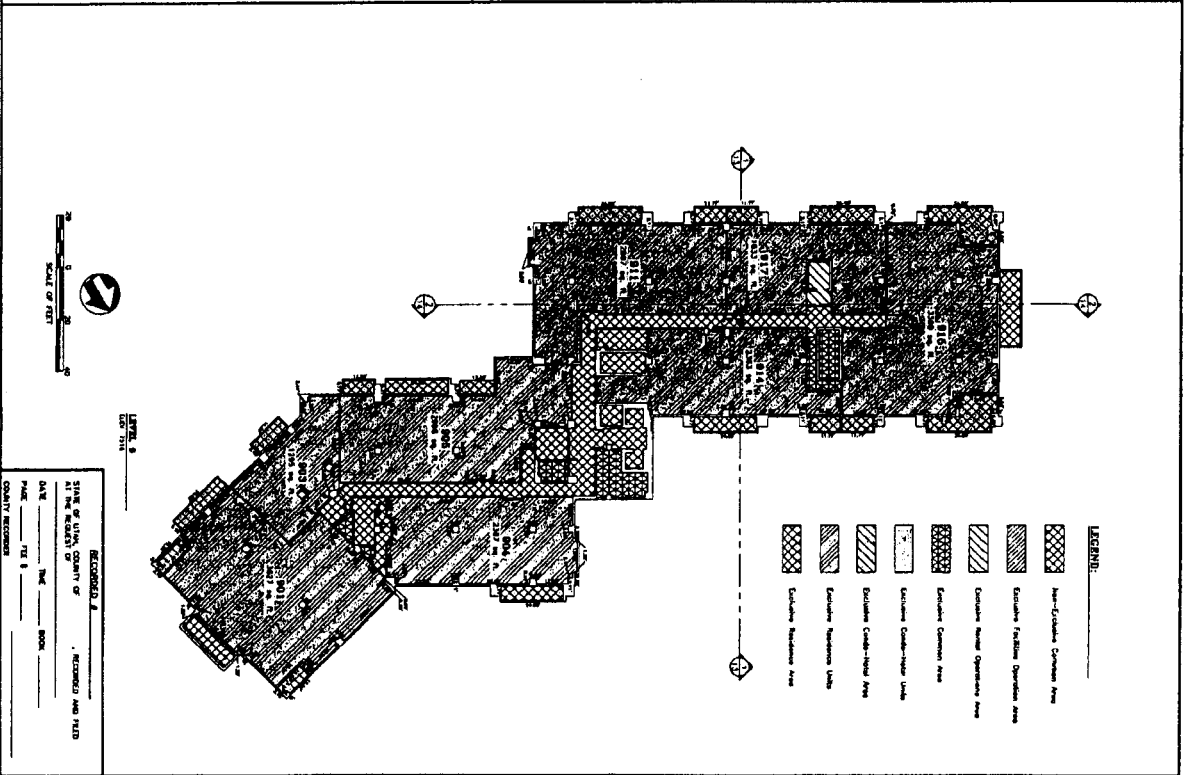
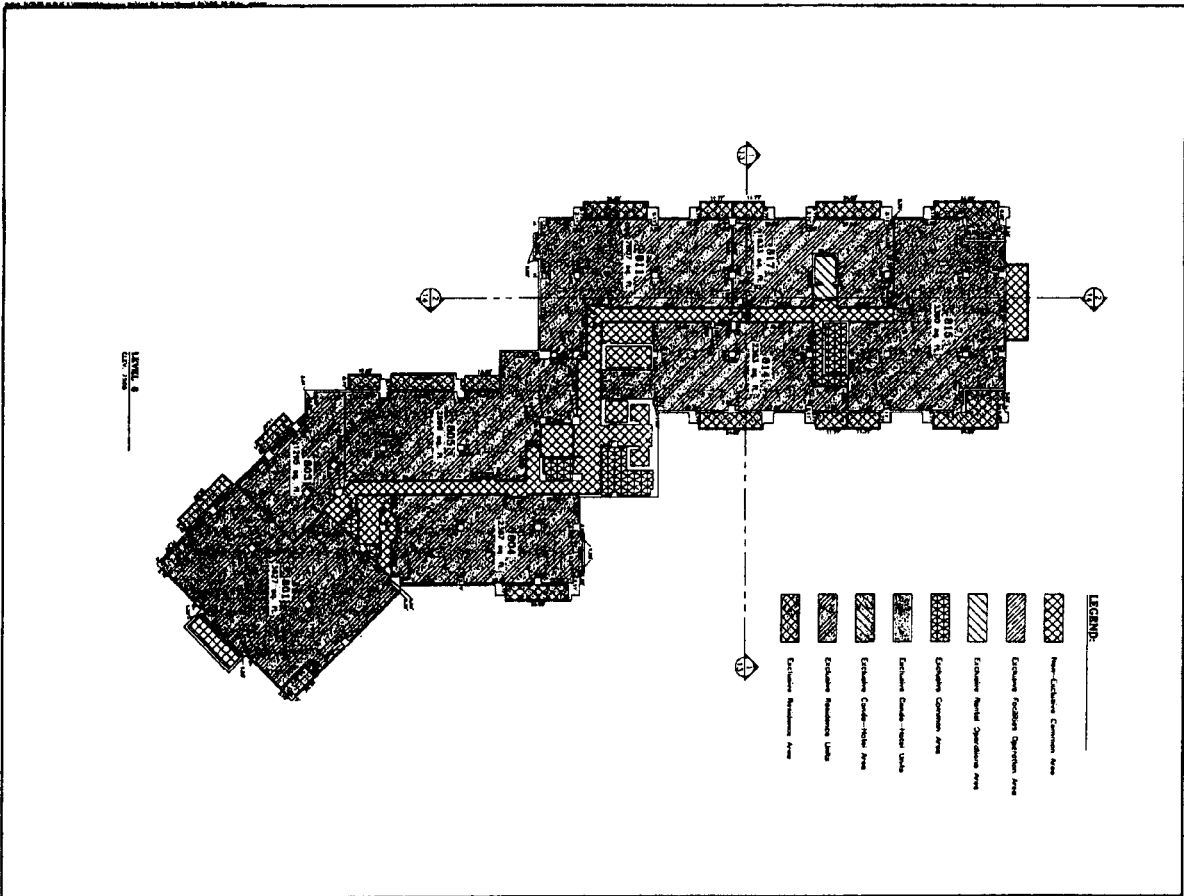
RECORDED & INDEXED  
 STATE OF ILLINOIS, COUNTY OF DEER CREST  
 AT THE REQUEST OF \_\_\_\_\_, RECORDING MAP FILED  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ROOM \_\_\_\_\_  
 COUNTY RECORDER

SSC	
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9	16

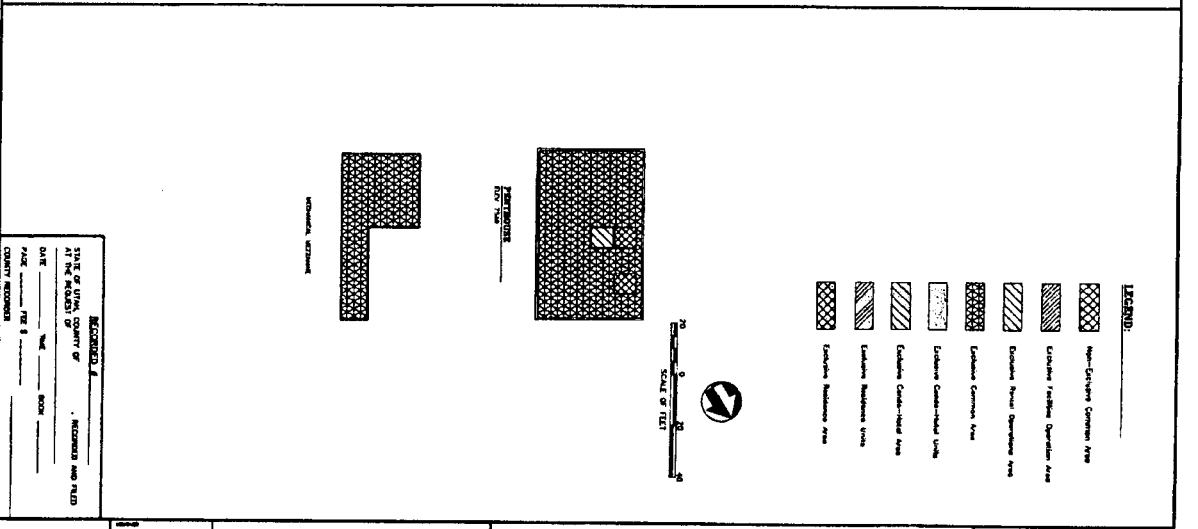
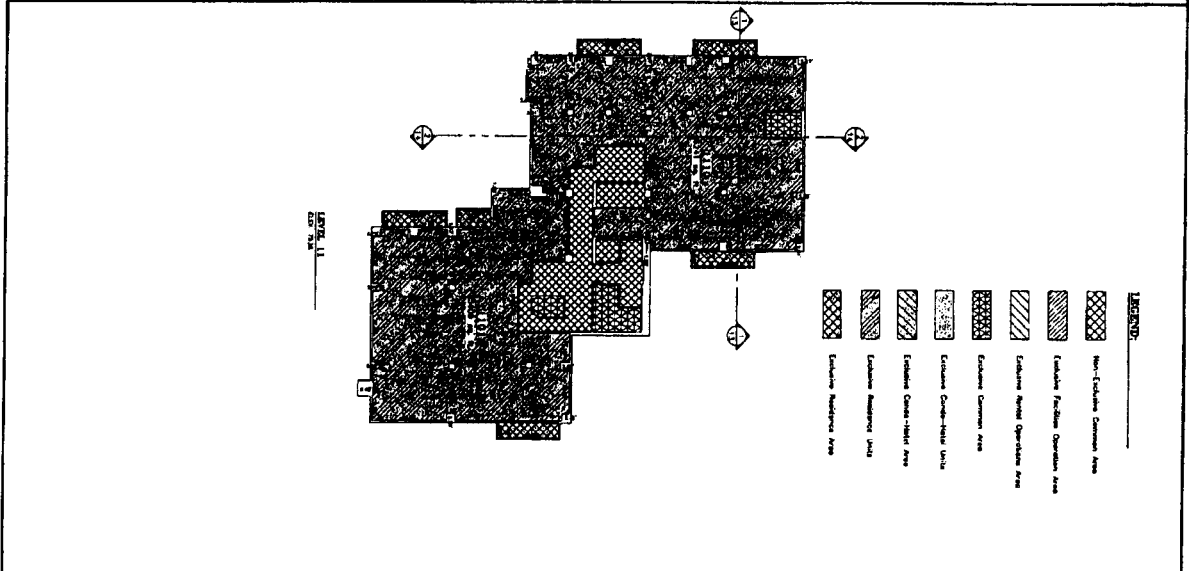
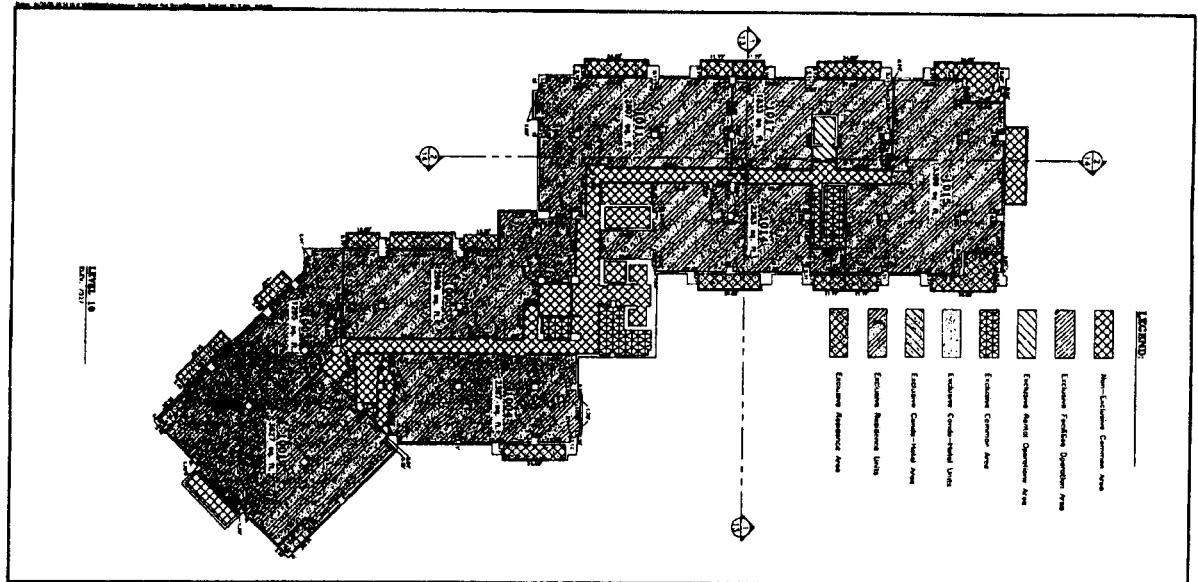
DEER CREST HOTEL  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP  
 ROOSEVELT GAP LEVEL 4 & 5

APRIL 2004  
 APR 20 2004  
 80CR020100





DEER CREST HOTEL CONDOMINIUM PROJECT RECORD OF SURVEY MAP ROOSEVELT GAP LEVEL 8 & 9		DATE: APRIL 2005 PLAN NO.: SHEET NO.: PROJECT NO.:
RECORDED & FILED IN PUBLIC RECORDS COUNTY OF STATE OF ALIEN DATE: _____ TIME: _____ BY: _____ QUALITY INSPECTOR	SSC BP SSC	11 16



**RECORDED & FILED**  
 TITLE OF MAP: DEER CREST HOTEL CONDOMINIUM PROJECT  
 DATE: APRIL 2004  
 COUNTY: DEER CREST

**DEER CREST HOTEL CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP  
 ROOSEVELT GAP LEVEL 10, 11 & PENT.**

APRIL 2004

12  
16

SSC  
SSC

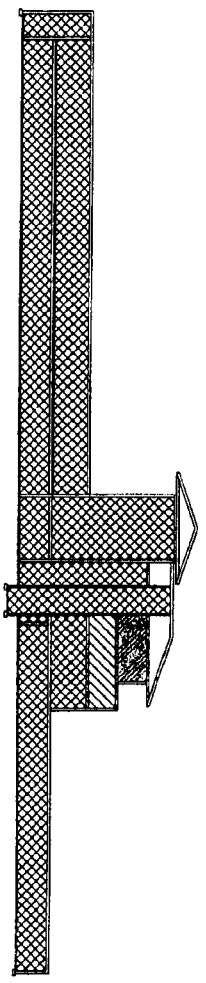
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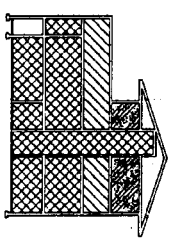


THIRD FLOOR 17' 0" x 71' 0" 17' 0" x 71' 0"  
 SECOND FLOOR 17' 0" x 71' 0" 17' 0" x 71' 0"  
 MAIN FLOOR 17' 0" x 71' 0" 17' 0" x 71' 0"  
 UNDERGROUND 17' 0" x 71' 0" 17' 0" x 71' 0"



1. SNOW PARK CROSS-SECTION  
 SCALE: 1" = 10'

THIRD FLOOR 17' 0" x 71' 0" 17' 0" x 71' 0"  
 SECOND FLOOR 17' 0" x 71' 0" 17' 0" x 71' 0"  
 MAIN FLOOR 17' 0" x 71' 0" 17' 0" x 71' 0"  
 UNDERGROUND 17' 0" x 71' 0" 17' 0" x 71' 0"



2. SNOW PARK CROSS-SECTION  
 SCALE: 1" = 10'

- LEGEND:
- Non-Exclusive Common Area
  - Exclusive Facilities Operation Area
  - Exclusive Shared Operation Area
  - Exclusive Common Area
  - Exclusive Common-Ward Units
  - Exclusive Owner-Rent Area
  - Exclusive Residential Units
  - Exclusive Residential Area

RECORDED & INDEXED  
 SALE OF A PART, COUNTY OF \_\_\_\_\_, RECORDS AND PLAT  
 AT THE REQUEST OF \_\_\_\_\_  
 DATE \_\_\_\_\_ PER \$ \_\_\_\_\_ BOOK \_\_\_\_\_  
 COUNTY RECORDS

MS	16
HC	16
SSC	16

DEER CREST HOTEL  
 CONDOMINIUM PROJECT  
 RECORD OF SURVEY MAP  
 SNOW PARK SECTION

APR 2004  
 80CR020100



**Ordinance No. 05-30**

**AN ORDINANCE TO COMBINE ALL OF LOT 3 AND THE NORTH HALF OF LOT 2 OF BLOCK 3 OF THE SNYDERS ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD, LOCATED AT 909 PARK AVENUE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 909 Park Avenue, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on May 11, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to remove the lot lines between two lots of record creating one lot of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission forwarded a positive recommendation on May 11, 2005.
2. The property is located in the Historic Residential (HR-1) zone.
3. The street address for the property is 909 Park Avenue.
4. The HR-1 zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.
5. The amendment will combine all of Lot 3 and the North half of lot 2 of Block 3 of the Snyders Addition to the Park City Survey.
6. The proposed lot size is 2,812.5 square feet.
7. The required front and rear yard setbacks in the HR-1 district are 10 feet each and the side yard setbacks are a minimum of 3 feet on each side.
8. The maximum allowed height is 27 feet in the HR-1 zone.
9. There is an existing historic home located on the property.
10. The existing historic home is to be relocated on the lot.
11. An application for an addition to the home is pending.
12. The amendment will provide 37.5 feet of frontage on Park Avenue.

13. No remnant lots will be created as a result of this application.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. Review and approval of a historic design review application and any other applicable LMC provisions is a condition precedent to the issuance of any building permits for relocation of the historic home and/or construction of addition.
3. If relocated on the new lot, the historic home must be located to meet all applicable HR-1 setbacks. Any new additions to the historic home must meet applicable HR-1 setback requirements.
4. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
5. 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 and the plat will be void.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 26<sup>th</sup> day of May 2005.

PARK CITY MUNICIPAL CORPORATION

*Rona Williams*

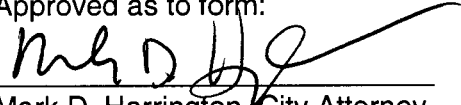
Rona Williams

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

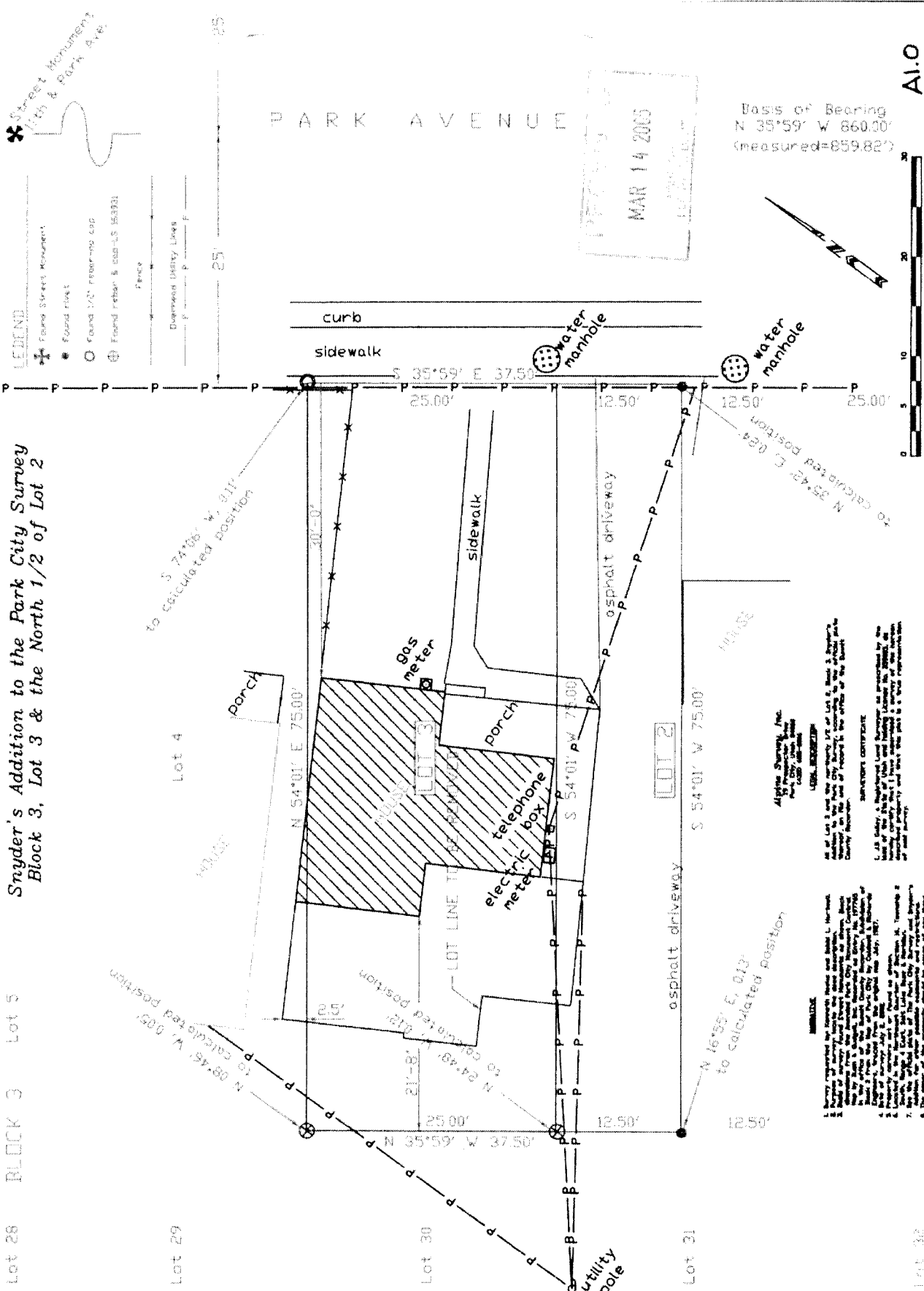


Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



Snyder's Addition to the Park City Survey  
Block 3, Lot 3 & the North 1/2 of Lot 2



Alpine Survey, Inc.  
 Park City, Utah  
 430 733-2279

LEGAL REPRESENTATIVE

As of Lot 3 and the northern 1/2 of Lot 4, Block 3, Snyder's Addition to the Park City Survey, the entire of the Survey.

Surveyor's Certificate

I, J. B. Snyder, a Registered Land Surveyor as provided for by the laws of the State of Utah, and being Licensed No. 20000, do hereby certify that the above is a true and correct representation of the facts as shown to me by the parties to the above described plat.

NOTICE

Survey prepared by Alpine Survey and John L. Harwell, a Registered Professional Engineer, under the supervision of J. B. Snyder, a Registered Land Surveyor, for the purpose of the Park City Survey, Block 3, Snyder's Addition to the Park City Survey, the entire of the Survey.

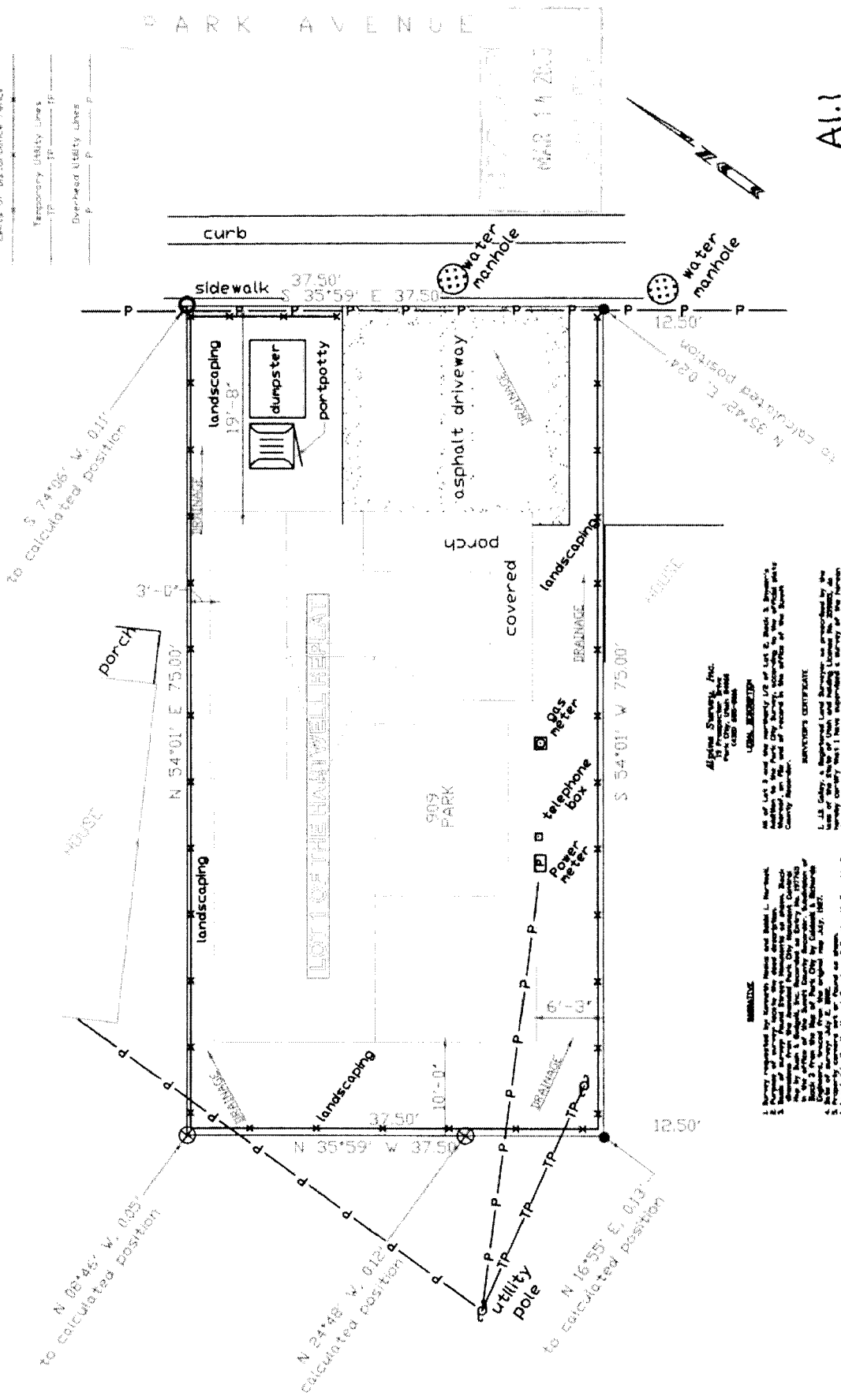
Surveyed July 1, 2005. The above plat was filed for record on July 1, 2005, at the County Clerk's Office, Salt Lake County, Utah.

7. Any other official acts of the Park City Surveyor, as provided for by the laws of the State of Utah, shall be deemed to be the acts of the Surveyor.

A.I.O

**LEGEND**

- Found Street Monument
- Found rivet
- Found 1/2" rebar-in: cap
- Found rebar & cap-LS 16393L
- Limits of Disturbance Fence
- Temporary Utility Lines
- Overhead Utility Lines



**ALIGNED SURVEY, INC.**  
 1001 1/2 PARK AVENUE  
 PARK CITY, UTAH 84303  
 (435) 734-1111

**LEGAL DESCRIPTION**

All of Lot 3 and the northerly 1/2 of Lot 2, Block 3, District 1, Addition to the Park City Survey, according to the official plat recorded in the County Clerk's Office, Salt Lake County, Utah.

**SURVEYOR'S CERTIFICATE**

I, J. D. Gentry, a Registered Land Surveyor, am authorized by the State of Utah to certify that I have personally and truthfully surveyed the above described property and that this plat is a true representation of said survey.

**MINUTE**

1. Survey represented by this plat was made and laid out in accordance with the laws of the State of Utah.
2. The boundaries of the property shown on this plat were determined by a survey of the Park City Survey, District 1, Addition to the Park City Survey, recorded in the County Clerk's Office, Salt Lake County, Utah, on July 18, 1878.
3. The survey was made by J. D. Gentry, a Registered Land Surveyor, on July 18, 1878.
4. The survey was made in accordance with the laws of the State of Utah.
5. The survey was made in accordance with the laws of the State of Utah.
6. The survey was made in accordance with the laws of the State of Utah.
7. The survey was made in accordance with the laws of the State of Utah.
8. The survey was made in accordance with the laws of the State of Utah.

**Ordinance 05-29**

**AN ORDINANCE APPROVING THE 1414 EMPIRE AVENUE REPLAT TO COMBINE THE WESTERLY 5' OF LOTS 9, 10, 11, AND 12 WITH ALL OF LOTS 14, 15, 16, 17, AND 18, BLOCK 21 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY, INTO THREE LOTS OF RECORD, LOCATED AT 1414 EMPIRE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the westerly 5' of Lots 9, 10, 11, and 12 and all of lots 14, 15, 16, 17, and 18, Block 9 of the Snyder's Addition to the Park City Survey, located at 1414 Empire Avenue, petitioned the City Council for approval of a plat amendment, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 11, 2005, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on May 11, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 26, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment 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 in the Recreation Commercial (RC) zoning district.
2. The RC zone is a residential zone characterized by a mix of contemporary residences, resort residential condominiums, some smaller historic homes, Park City Mountain Resort base area, and resort support related retail uses.
3. The amendment will combine all of Lots 14, 15, 16, 17, and 18 of Block 21 Snyder's Addition to the Park City and the westerly 5' of Lots 9, 10, 11, and 12, Block 21, Snyder's Addition and reconfigure the property into three platted lots of record.

4. The proposed lots would consist of approximately 2,867 sf (Lot A), 4,038 sf (Lot B), and 3,183 sf (Lot C).
5. The proposed lots have access and frontage along Empire Avenue (platted Norfolk Avenue). Snow removal is important to the health, safety, and welfare of residents and visitors.
6. No remnant lots will be created as a result of this application. The remnant portions (westerly 5') of Lots 9, 10, 11, and 12, Block 21 of the Snyder's Addition to the Park City Survey, left behind when these lots were combined to create lots of record for the Frandsen Subdivision (recorded in 2000), will be combined with Lots 14, 15, 16, 17, and 18, thereby eliminating these as remnant parcels.
7. The lots are vacant and there are no existing encroachments of structures or streets.
8. A triangular (6.65' to 0' in width by 70' in length) portion of the original Norfolk Avenue right-of-way is identified by the assessor's maps as being owned by the property owner of Lots 16, 17, and 18 and is being combined with these lots with this plat amendment. The title report confirms that this is not an exception parcel and that this property has been properly vacated. Empire Avenue (the street itself) is not located within this triangular portion of property.
9. The property is not located within 2 blocks of the HR-1 zoning district and new construction does not require compliance with the Historic District Design Guidelines.
10. There are existing utilities within the first 10' of these lots along Empire Avenue.

**Conclusions of Law:**

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. All new construction shall comply with the applicable LMC provisions, including the RC District Lot and Site Requirements in LMC Section 15-2.16-5.
3. No building permits shall be issued prior to final recordation of the plat at the County Recorder's Office.
4. Ten (10) foot non-exclusive snow storage and utility easements shall be dedicated to the City on the plat along the property lines fronting Empire Avenue.
5. The applicant will record the plat amendment at the County within one year from the date of City Council approval.

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



PASSED AND ADOPTED this 26th day of May, 2005.

PARK CITY MUNICIPAL CORPORATION

*Dana Williams*  
Mayor Dana Williams

Attest:

*Janet M. Scott*  
Janet M. Scott, City Recorder

Approved as to form:

*MDH*  
Mark D. Harrington, City Attorney







**Ordinance No. 05-28**

**An Ordinance Approving a Plat Amendment to Combine Lots 27-30, Block 6 of the Park City Survey Into One Lot of Record Known As The 650 Woodside Subdivision, Located at 650 Woodside Avenue in Park City, Utah.**

WHEREAS, the owner of property located at 650 Woodside Avenue has petitioned the City Council for approval of a plat amendment as shown in attached Exhibit 1; and

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

WHEREAS, proper legal notice was sent to all affected property owners and service providers; and

WHEREAS, the Planning Commission held a public hearing on June 9, 2004, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on June 9, 2004, further discussed the plat amendment and forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 19, 2005 the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

**SECTION 1. APPROVAL.** The plat amendment, as shown in Exhibit 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.
3. The amendment will combine Lots 27-30, Block 6 of the Park City Survey into one (1) lot of record.
4. The proposed lot area is approximately 5,880 square feet.
5. A segment of the historic Crescent Tramway/Railroad grade bisects the subject property.
6. The tramway grade was originally developed for a narrow gauge railroad operated by the Crescent Mining Company until approximately 1901.
7. The Crescent Tramway is a primary utility corridor and pedestrian trail connection between the Main Street area and the residential neighborhoods west of the commercial core.

8. The width of the Crescent Tramway through the subject property is approximately 10-15 feet.
9. Two (2) City water lines (*a 6" and 8" line*) exist within, and in some cases outside of, the current tramway. The lines serve the culinary and fire protection needs for the Upper Park Avenue and nearby neighborhoods.
10. The City maintains the Crescent Tramway infrastructure.
11. The applicant proposes to dedicate a public non-vehicular access and utility easement on the existing Crescent Tramway running through the subject property. The easement will permit the City to maintain, and if necessary improve, the easement consistent with public trail and utility purposes.
12. The City asserts a prescriptive right-of-way over the Crescent Tramway by virtue of its historic use as a public transportation and public utility corridor, as well as a public pedestrian trail. Public use of the Crescent Tramway has been documented back to 1901.
13. The applicant owns the northerly 21.10 feet of Lot 8, Block 6 of the Park City Survey and has offered to convey the property to the City for open space, non-vehicular pedestrian access and utility purposes.
14. The property owner has agreed to fund the entire cost of any necessary relocation of the water lines existing on the property. This cost could be as high as \$25,000.
15. No remnant lots will be created as a result of this application.

**Conclusions of Law:**

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**Conditions of Approval:**

1. The City Attorney and City Engineer shall review and approve the final form and content of the plat for compliance with the Land Management Code and conditions of approval prior to recording the plat.
2. An easement covering the historic Crescent Tramway Railroad Grade prescriptive right-of-way shall be shown on the plat and dedicated to the City for non-vehicular pedestrian trail, and utility purposes in a manner approved by the City Engineer and City Attorney. Said easement shall be consistent with the easement shown on the Alpine Survey, Inc. survey submitted to staff and identified as Exhibit 2.
3. The applicant shall dedicate the northerly 21.10 feet of Lot 8, Block 6 of the Park City Survey to the City for open space, non-vehicular pedestrian access and utility purposes.
4. A financial guarantee in an amount satisfactory to the City Engineer and in a form approved by the City Attorney for any public improvements, including the water line relocation, shall be in place prior to plat recordation.

5. This approval shall expire unless the final plat is recorded within one (1) year from the date of City Council approval.

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

PASSED AND ADOPTED this 19<sup>th</sup> day of May, 2005.

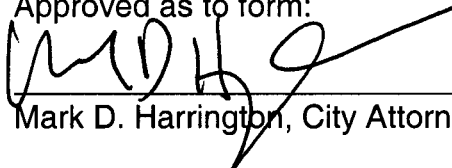
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

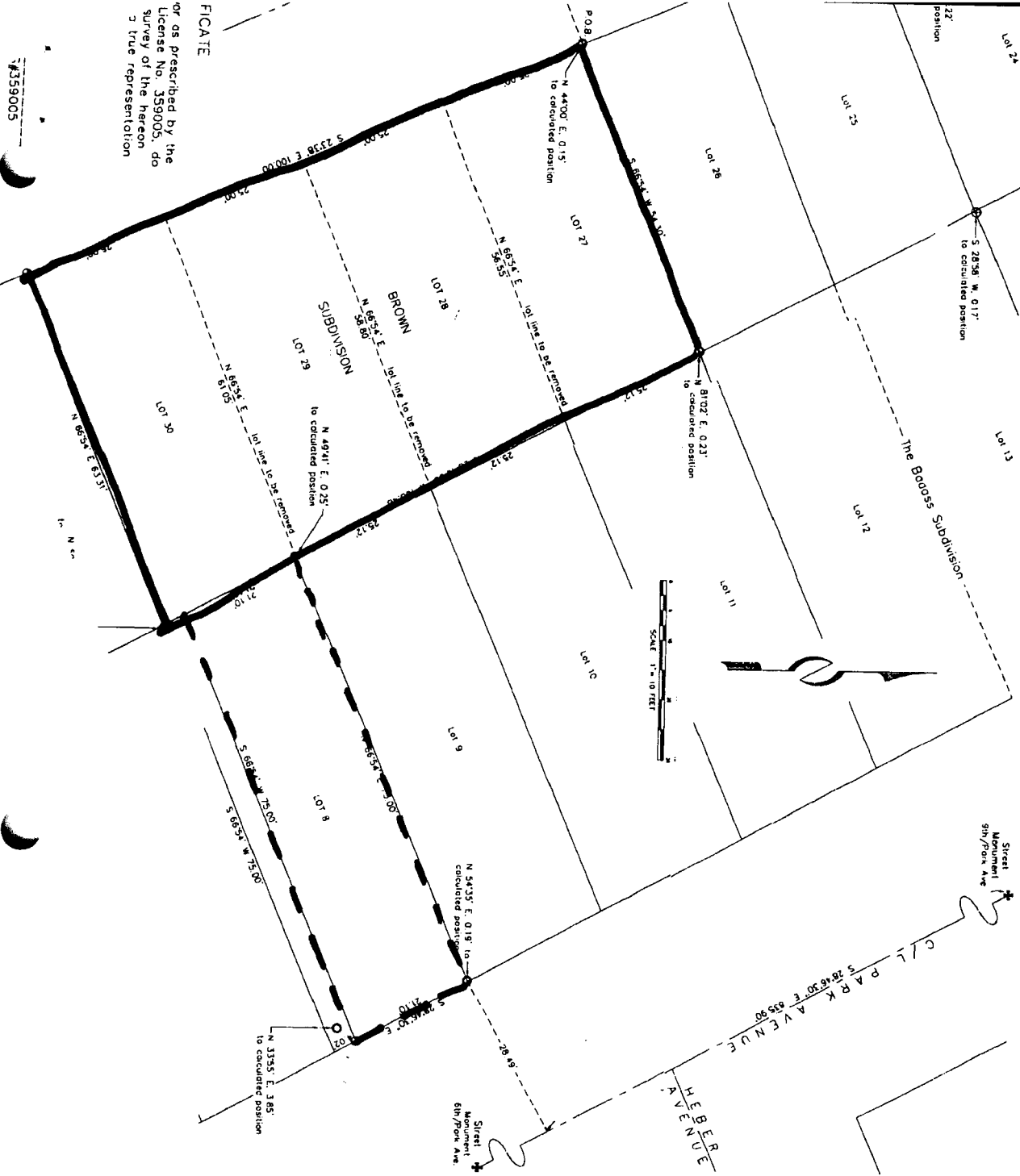
Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

# 650 Woodside Subdivision Block 6, Park City Survey Lot Line Amendment



or as prescribed by the License No. 359005, do the Survey of the hereon & true representation

#359005

## NARRATIVE

1. Survey requested by: Lowell A. Brown, Jr
2. Purpose of survey: Lot Line Amendment: Lots 27, 28, 29 & 30
3. Basis of survey: found Street Monuments as shown. Block diagram from the Amended Park City Monument Control Map by Bush & Richards Engineers, traced from the original map July, 1922. Recorded as Entry No. 199887 in the office of the Summit Recorder, Subdivision of Block 6 from the Map of Park City & Richards Engineers, traced from the original map July, 1922.
4. Date of survey: September 8, 2003.
5. Property monuments set or found as shown.
6. Located in the Southeast Quarter of Section 16, T2S, R4E, S14E.
7. See the official plats of The Park City Survey for other possible easements and restrictions.
8. The owners of the property should be aware of any items of property that may appear in a title insurance report.
9. For previous surveys in the immediate area see Survey File No. and Entry No.'s 176770 & 456985, on file in the office of the County Recorder.

## LEGAL DESCRIPTION

All of Lots 27, 28, 29 & 30, Block 6, Park City Survey, according to the official plats thereof, on file and of record in the office of the County Recorder.

More particularly described as follows:  
Beginning at the northwesterly corner of Lot 27, Block 6, Park City Survey, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, said point also being on the west way line of Woodside Avenue, and running thence South 23°38' East, 100.00 feet to the southeast corner of Lot 30 of said Block 6, thence North 66°54' East, 65 feet to the southeasterly corner of said Lot 30, thence North 28°46' 30

**Ordinance No. 05-27**

**AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE ALL OF LOTS 12, 13, 14, AND PORTIONS OF LOTS 11, 15, AND 16 OF BLOCK 13 OF THE PARK CITY SURVEY INTO ONE LOT.**

**WHEREAS**, owners of the property known as 147 and 151 Main Street, have petitioned the City Council for approval of a subdivision plat; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on May 12, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. This application re-submits a lot combination plat that originally was reviewed and approved by City Council on June 6, 2002. The plat was never recorded, and the approval has expired, necessitating this new submission.
2. The Planning Commission reviewed this item at the May 12, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
3. The project site is located at 151 Main Street. A historic building exists on the property which currently is operated as the restaurant Grappa.
4. The applicant proposes to combine the two lots under the existing building and patio area (lots 13&14) with the adjacent 1 1/2 lots to the south (11&12) and 2 adjacent 1/4 lots (15&16) to the west.
5. The applicant intends to expand the existing commercial use by installing a kitchen addition on the lots to the South, site of the temporary pocket park.
6. Lots 11, 12, 13 and 14 are zoned HCB, Historic Commercial Business. Lots 15 and 16 are zoned and HR-2, Historic Residential - 2.
7. The proposed plat creates a 7,166 square foot (s.f.) lot, 5,916 s.f. of which is zoned HCB, 1,250 s.f. of which is HR-2.
8. The lots in this application are zoned HCB, Historic Commercial Business and HR-2, Historic Residential - 2 (Exhibit C). The proposed plat creates a 7,166 square foot (s.f.) lot, 5,916 s.f. of which is zoned HCB, 1,250 s.f. of which is HR-2. No addition/expansion will be permitted on the HR-2 zoned portion of the property.
9. The LMC limits building area to a Floor Area Ratio (FAR) of 4.0 in the HCB District. Development of a FAR up to 1.5 is exempt from meeting a parking



- requirement if fees have been paid into the Main Street Special Improvement District (MSSID).
10. City records indicate that fees have been paid into the MSSID for lot 12, but not lot 11. The addition on lot 12 is exempt from any parking requirement, provided the proposed FAR does not exceed 1.5.
  11. Development on lot 11, as well as any proposed addition that exceeds a FAR of 1.5 for the entire project will be required to provide parking on site or pay by fee in lieu of.
  12. This project will undergo a Historic District Design Review process prior to any building permits being issued.
  13. The easterly 25' of lots 15 and 16 are undeveloped except for only partially at grade decks and landscaping. They are used by Grappa for outdoor dining.
  14. A Conditional Use Permit (CUP) was approved for Outdoor Dining at this location in 1991. In 1993, the applicant received an expansion to the existing CUP that allowed for expansion of the use from the second deck to the third and fourth decks at the rear of the building.
  15. Outdoor Dining is prohibited in the HR-2 Zone. The use continues as an Existing, Non-Conforming Use. Section 15-9-5(B) of the LMC allows for exterior or interior improvements to a structure containing a non-conforming use to be allowed provided there is no expansion of the area of the non-conforming use.
  16. Section 6-3-9(K) of the Park City Municipal Code incorporates regulations on noise. The existing CUP also has conditions regulating noise from outdoor speakers. Any complaints in regards to noise will be responded to on a complaint basis by the Park City Police Department.
  17. In August 1998 the Redevelopment Agency of Park City (RDA) and Bill White entered into a 5 year renewable Public Recreation License Agreement to install a pocket park on portions of Mr. White's land. The applicant has exercised his right to terminate the agreement by providing notice to the RDA. As required by the agreement, the RDA anticipates removal of the existing landscaping improvements upon approval of a building permit application.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approve the final form and content of the plat for compliance with the Land Management Code and conditions of approval prior to recordation.
2. The applicant will record the plat amendment at the County within one year from

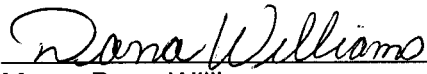
the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void

3. No addition/expansion will be permitted on the HR-2 zoned portion of the property.
4. No building permit will be issued prior to recordation of the Plat Amendment.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 19th day of May, 2005.

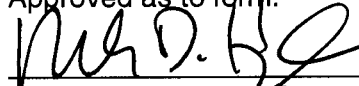
PARK CITY MUNICIPAL CORPORATION

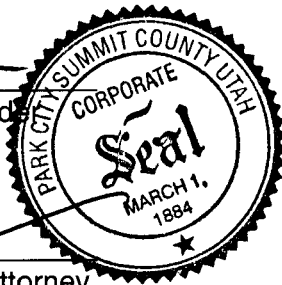
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

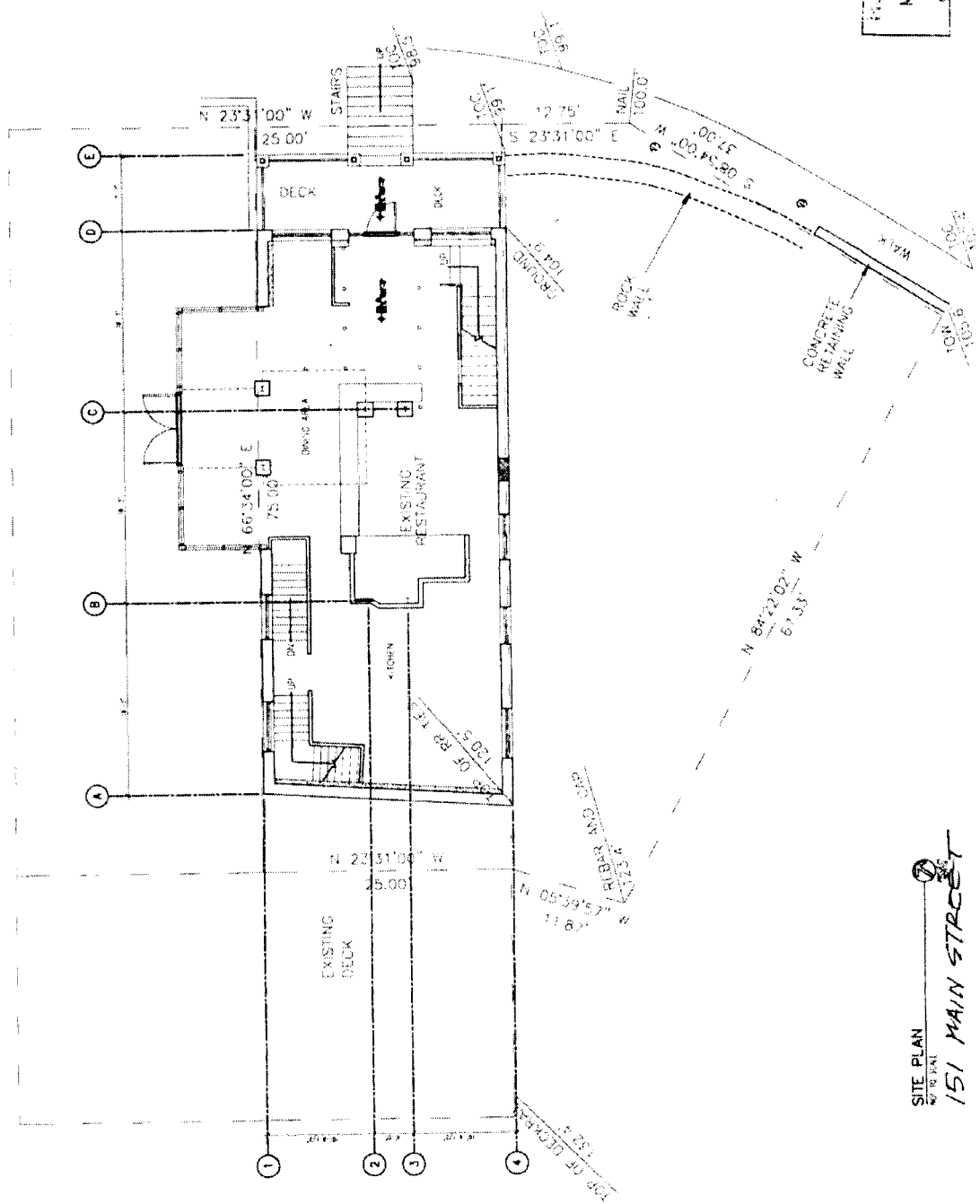
  
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Mark D. Harrington, City Attorney





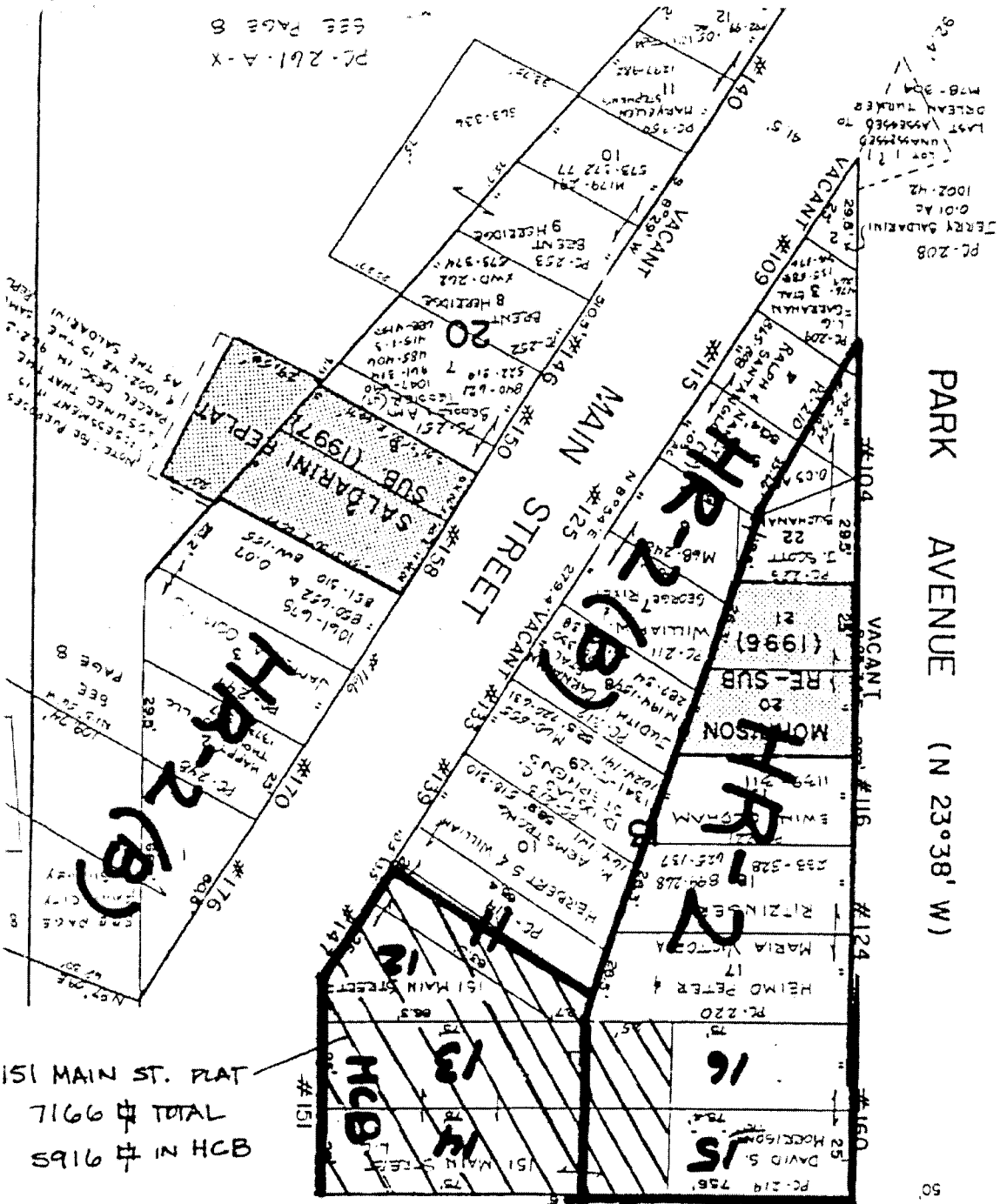
MAIN STREET

RECORDED  
MAR 15 2015



SITE PLAN  
151 MAIN STREET

EX. B - EXISTING CONDITIONS



PC-261-A-X  
SEE PAGE B

NOTE: BE PLEASED TO ASSUME THAT THE PARCEL EXC. IN 9 & 10 IS THE SALDARINI TRACT AS THE SALDARINI TRACT.

151 MAIN ST. PLAT  
7166 # TOTAL  
5916 # IN HCB

X1.5 F.A.R.  
= 8874 #

EXISTING BLDG =  
4493 #

MAX EXPANSION =  
4381 #

HR-2(B)	32
HCB	2

ION	
121 PARK AVE	
HR-1	
ATHOLIC	
WALKER	
CSLEER	
YADANES	
DAVID S. MOORE	

PARK AVENUE (N 23°38' W)

24  
Exhibit C

**Ordinance No. 05-26**

**AN ORDINANCE APPROVING A PLAT NOTE AMENDMENT FOR THE PARCEL 2 AMENDED WALTER DANIELS SUBDIVISION PLAT TO REMOVE NOTE #1, LOCATED AT 617 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of lot 2 of the Parcel 2 Amended Walter Daniels Subdivision, located at 617 Woodside Avenue have petitioned the City Council for approval of plat amendment, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 27, 2005, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on April 27, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 12, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment 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 in the Historic Residential (HR-1) zone.
2. The property at 617 Woodside consists of a 50' wide by 75' deep lot, known as Lot 2 of the "Parcel 2-Amended Walter Daniels Subdivision" approved by the City Council via Ordinance No. 97-45.
3. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and a mix of smaller and larger historic homes, including the Old Miner's Lodge at 615 Woodside.
4. The applicant is requesting approval of a plat note amendment to delete note #1 from the Parcel 2- Amended Walter-Daniels Subdivision. Note #1 states that "the total building volume on Lot 2 shall not exceed 1900 square feet."
5. As of April 21, 2005, Park City business license records indicate that no lodging

use (B&B) license is issued to 615 Woodside Avenue (Old Miners Lodge). These records further indicate that the Old Miners Lodge ceased Bed and Breakfast operations on August 15, 2004.

6. Section 15-2.2-3 of the amended Land Management Code specifies lot size, setbacks, maximum building pad and footprint area, setback exceptions, height, and snow shedding requirements for all lots in the HR-1 district. The maximum building footprint area allowed for a 50' by 75' lot is 1,519 square feet.
7. The Old Miner's Lodge at 615 Woodside Avenue commenced operating as a bed and breakfast prior to the City's enactment of B&B regulations. The Lodge had been operating without a CUP as a valid, non-conforming use.
8. A conditional use permit is required for bed and breakfast inns, boarding houses, and hotels in the HR-1 district. There are no valid conditional use permits for these uses for the historic building on Lot 1. Nightly rental is an allowed use in the HR-1 district.
9. In addition to plat note #1, a restrictive covenant limiting the structure on Lot 2 to 1900 sf was dedicated to the City and recorded separately (as evidenced by the title report for the property). A separate action by the City will be required to remove that 1,900 square foot limitation.
10. Condition of approval #3 of Ordinance 97-45 states "The applicant shall dedicate to the City a deed restriction, equitable servitude or real covenant which ties off-street parking to use of the Old Miner's Lodge and which binds the use of the new structure (Lot 2) as a caretaker's unit for the Old Miner's Lodge so long as the Old Miner's Lodge remains a lodging use. "
11. Removal of the 1,900 sf limitation for the structure on Lot 2 does not remove or rescind the covenant binding use of the structure on Lot 2 to a caretaker's unit so long as the Old Miner's Lodge is used as a lodging use.
12. All plat notes, with the exception of note #1, remain in full force and effect.
13. Notice of this hearing was sent to property owners within 300' on April 13, 2005. The property was properly posted and legal notice was published in the Park Record.
14. An application for Historic Design Review for an addition to the non-historic house at 617 Woodside was submitted on January 25, 2005.
15. On April 27, 2005, the Planning Commission held a public hearing and forwarded to the City Council a positive recommendation to approve this plat note amendment.

#### **Conclusions of Law:**

1. There is good cause for this plat amendment to remove plat note #1.
2. The plat note amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment to remove plat note #1.
4. As conditioned the plat note amendment is consistent with the Park City General Plan.

#### **Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. All new construction on Lots 1 and 2 shall comply with the HR-1 District Lot and Site Requirements in LMC Chapter 15-2.2.
3. No full building permits shall be issued prior to final recordation of the plat note amendment at the County Recorder's Office.
4. The applicant will record the plat note amendment at the County within one year from the date of City Council approval.
5. All remaining plat notes and conditions of approval from Ordinance No. 97-45 continue to apply.

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

PASSED AND ADOPTED this 12th day of May, 2005.

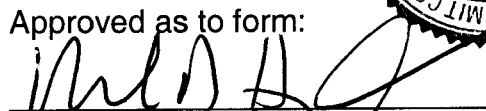
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







**Ordinance No. 05-25**

**AN ORDINANCE APPROVING THE SILVER DEER CHATEAUX AT OLDE HAWKE POINTE ON LEGACY MOUNTAIN SUBDIVISION WHICH WILL COMBINE LOTS 7, 8, 25, AND 26 OF BLOCK 8 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD – 1127 WOODSIDE AVENUE**

**WHEREAS**, the owner of 4 platted lots known as 1127 Woodside Avenue, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on April 27, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment, and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to remove lot lines between four platted lots and create one lot of 7,500 square feet; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
2. The property is located in the Historic Residential (HR-1).
3. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
4. The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's addition to the Park City Survey into one lot of approximately 7,500 square feet.
5. There is an existing historic single family home on the property. The historic home straddles the lot line between lots 7 and 8.
6. The existing home at 1127 Woodside Avenue is historic. Section 15-2.2-4 of the LMC exempts the home from off-street parking requirements.
7. There is an existing non-historic, detached garage on the property. The second floor has a Lockout Unit located in it. Lockout Units are an allowed use in the HR-1 Zone, as long as the site provides code required parking. There are 3 code compliant parking spaces on this lot, which exceeds the number required. The garage straddles the lot line between lots 7 and 26.
8. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.
9. The required front/ rear yard setbacks in the HR-1 zone for a 150' deep lot is a minimum of 15' with a total of 30'. The house and garage meet these requirements.
10. The required side yard setback in the HR-1 zone for a 50' wide lot is 5'. The historic home currently has 4.5' and will continue to exist as a non-complying structure.
11. The required side yard setback for an outbuilding located on a 50' wide lot for is 3'. The detached garage currently has 1.4' and will continue to exist as a non-complying structure.
12. The required height for an accessory building is 18'. The detached garage is currently 21' in height and will continue to exist as a non-complying structure.
13. No greater degree of non-compliance will be created as a result of this plat amendment.
14. The footprint of the current home is approximately 744 s.f. The footprint of the garage is approximately 940 s.f. The two buildings total approximately 1684 s.f. of footprint. The maximum allowed footprint for the combined lots is 2460 s.f.
15. The project will be reviewed for compliance with the Historic District Design Review Guidelines prior to the issue of a building permit for any addition or exterior remodel.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

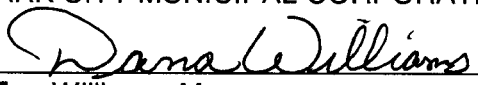
**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

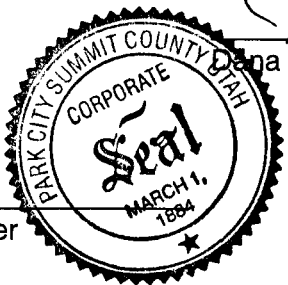
1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.

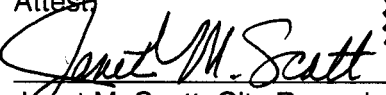
**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

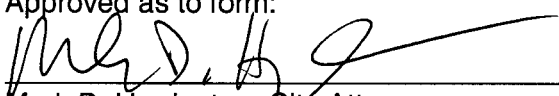
PASSED AND ADOPTED this 5<sup>th</sup> day of May, 2005.

PARK CITY MUNICIPAL CORPORATION

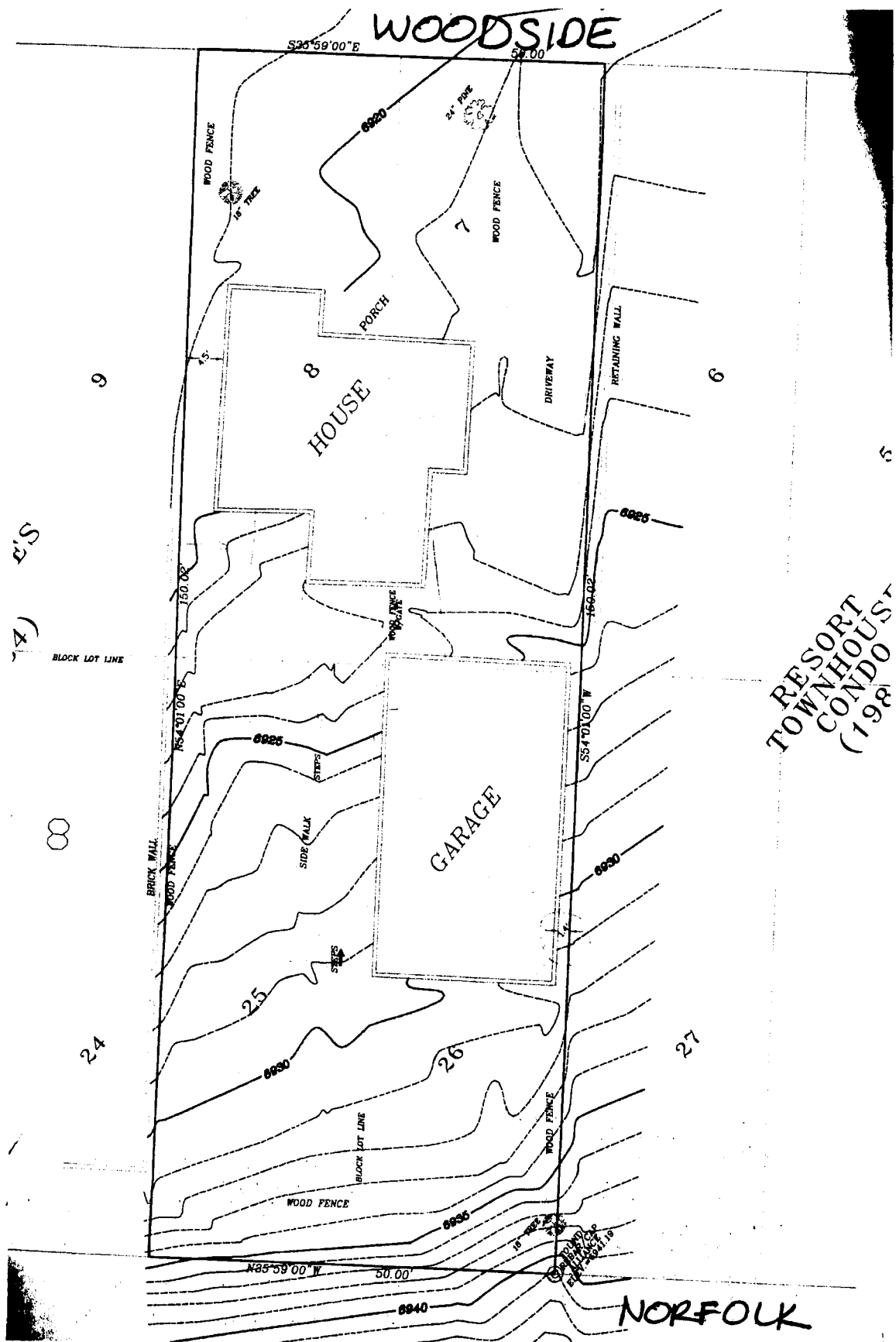
  
Dana Williams, Mayor



Attest:  
  
Janet M. Scott, City Recorder

Approved as to form:  
  
Mark D. Harrington, City Attorney





RESORT  
TOWNHOUSE  
(198)

Exhibit B - Site Survey

**Ordinance No. 05-24**

**An Ordinance Approving a Plat Amendment to Combine Four Metes and Bounds Parcels in Block 13 of the Snyders Addition Into One Lot of Record Known As The Kuhle Subdiivision, and Approving a Conveyance of City-Owned Portion of The Crescent Tramway Walkway Across Said Property, located at 713 Norfolk Avenue in Park City, Utah.**

WHEREAS, the owner of property located at 713 Norfolk Avenue have petitioned the City Council for approval of a plat amendment and have petitioned for the conveyance of a portion of the Crescent Tramway Walkway as shown in attached Exhibit 1; and

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

WHEREAS, proper legal notice was sent to all affected property owners and service providers; and

WHEREAS, the Planning Commission held a public hearing on January 12, 2005, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on January 12, 2005, further discussed the plat amendment and conveyance of a portion of the City-owned Crescent Tramway and forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 28, 2005 the City Council held a public hearing and approved the proposed plat amendment and conveyance of said City-owned property in exchange for an equivalent-sized public pedestrian and utility easement; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment and conveyance of a portion of the City-owned Crescent Tramway; and

WHEREAS, the City-owned property conveyance request is consistent with the Council Resolution No. 8-98.

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

**SECTION 1. APPROVAL.** The plat amendment and conveyance of a portion of the City-owned Crescent Tramway, as shown in Exhibit 1, are approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will combine four metes and bounds parcels in Block 13 of

- the Snyder's Addition into one lot of record.
4. The proposed lot will be 6,332 square feet.
  5. The lot has access off of Norfolk Avenue.
  6. A historically significant residential building is located on the property.
  7. A segment of the historic Crescent Tramway bisects the property varying in width from 5-11 feet in width and is approximately 115 feet in length.
  8. The segment of the Crescent Tramway walkway crossing the applicant's property was acquired by the City on August 30, 1990 from the Sweeney Land Company.
  9. The Crescent Tramway walkway is not a significant parcel of real property per Municipal Code Section 2-3-15.
  10. The applicants filed a request for the City to convey the segment of the historic Crescent Tramway which bisects the property on October 7, 2004 in exchange for the applicant dedicating an equivalent-sized public pedestrian and utility easement as to be determined by the City Engineer and rehabilitating/reconstructing the existing walkway in its current location and width. The Crescent Tramway walkway easement is approximately 5-11 feet in width and approximately 115 feet in length.
  11. No additional density of the property is created as a result of this application
  12. No remnant lots will be created as a result of this application.
  13. Extended Norfolk Avenue, south of 8<sup>th</sup> Street, is a dead-end street with limited vehicular maneuverability, limited on-street parking, and limited snow storage area.

**Conclusions of Law:**

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The final plat shall include a public pedestrian and utility easement for the segment of the historic Crescent Tramway which crosses the property. The width and location of the easement shall be approved by the City Engineer and Legal Department prior to plat recordation.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
4. The applicant shall at his/her full expense rehabilitate/reconstruct the Crescent Tramway pedestrian walkway in a manner approved by the City Engineer. Any additional survey information necessary pertaining to the walkway and/or easement shall be at the property owner's expense. The rehabilitation/reconstruction of the Crescent Tramway pedestrian walkway is a condition precedent to any future Certificate of Occupancy and/or

Certificate of Completion for improvements to the property.

5. 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 and the plat will be void.
6. Park City Municipal Corporation will convey its interest of the walkway identified on the plat to the applicant via quit claim deed, reserving to itself a public pedestrian and utility easement in a form to be approved by the Legal Department.
7. City "no parking" signs shall be installed at the property owner's expense along the east wall of the proposed garage and driveway retaining wall to prohibit on-street parking along the owner's east property line.

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

PASSED AND ADOPTED this 28<sup>th</sup> day of April, 2005.

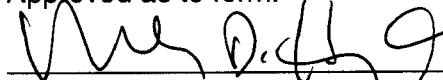
PARK CITY MUNICIPAL CORPORATION

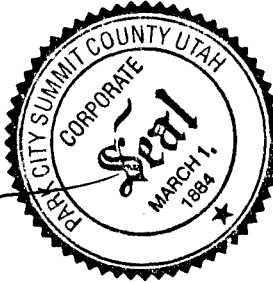
  
\_\_\_\_\_  
Mayor Dana Williams

Attest

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







**ORDINANCE NO. 05-23**

Recorded at the request of and return  
to: Park City Municipal Corp.  
Attn: City Recorder  
P. O. Box 1480, Park City, UT 84060

Fee Exempt per Utah Code  
Annotated 1953 21-7-2

**AN ORDINANCE ACCEPTING CERTAIN PUBLIC IMPROVEMENTS AT EMPIRE PASS (IN AND NEAR THE FOLLOWING SUBDIVISIONS IN PARK CITY, UTAH: NORTHSIDE VILLAGE, MARSAC AVENUE RIGHT-OF-WAY, NORTHSIDE VILLAGE SUBDIVISION II, PARCEL A EMPIRE VILLAGE SUBDIVISION.)**

WHEREAS, recorded subdivision plats for Marsac Avenue and Northside Village in Empire Pass were reviewed by the Park City Planning Commission and approved by the City Council; and

WHEREAS, construction of streets known as Marsac Avenue, also known as State Route 224, and Northside Court, and Hawkeye Place have been completed by the developer; and

WHEREAS, related water system infrastructure has been completed by the developer; and

WHEREAS, Park City has adopted Land Management Code Section 15-7.2-3, which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Title 15 Chapter 7 of the Land Management Code; and

WHEREAS, certain water system improvements within and adjacent to the developments described above were installed in accordance with the ordinances in effect at the time of plat recordation, and have been duly inspected by the City Engineer.

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

**SECTION 1. PUBLIC IMPROVEMENTS.** The City hereby accepts from the Developer the following water system improvements at Empire Pass: The 1,000,000-gallon Lodge water tank, together with its drain valve vault, drain line, and on-site appurtenances;

- The Marsac Avenue water lines, including valves, and adjacent fire hydrants, and the Northside Village pressure-reducing valve vault;
- Pump Station #2, located east of the Empire Canyon Day Lodge and the components within the pump station serving the Lodge water tank;
- The supply line to Pump Station #2 from Bald Eagle Club Condominium;
- The water lines and appurtenances within Northside Village up to the meter boxes.

**BK1702 PG0352**

00737020 BK01702 PG00352-00353  
ALAN SPRIGGS, SUMMIT CO RECORDER  
2005 MAY 24 11:29 AM FEE \$1.00 BY GGB  
REQUEST: PARK CITY MUNICIPAL CORP

The City does not accept the water line in Empire Canyon below Empire Pass at this time.

SECTION 2. MAINTENANCE Nothing in the ordinance shall be construed to modify or eliminate any maintenance obligations assigned to the developer or the Empire Pass Master Owner's Association under the separate maintenance agreement between the parties. Park City specifically does not accept any maintenance responsibility for the stone veneer on Pump Station #2, nor for the grass and the flowers, or the lack thereof, on top of or near the Lodge water tank. Marsac Avenue remains a State Highway until such time as the jurisdictional transfer shall have been approved by the Park City Council and the Transportation Commission of the State of Utah. The developer is responsible for repairs to the improvements described in Section 1 arising from improper materials or installation for a period of one year. A financial guarantee shall be retained by the City for this one-year period.

SECTION 3. WATER SOURCES Nothing in this ordinance relieves the developer of its obligations to provide source(s) of water for Empire Pass in accordance with the Development Agreement between the parties, together with related agreements.

SECTION 4. EFFECTIVE DATE This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 28<sup>th</sup> day of April, 2005.

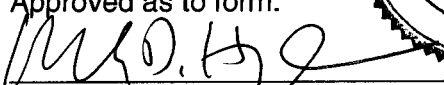
PARK CITY MUNICIPAL CORPORATION

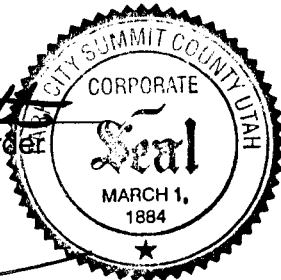
  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney



BK1702 PG0353

**Ordinance No. 05-22**

**AN ORDINANCE APPROVING A PLAT AMENDMENT FOR THE PROPERTY AT 2180 AND 2186 MONARCH DRIVE, PROSPECTOR VILLAGE SUBDIVISION, PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 2180 and 2186 Monarch Drive, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on March 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to modify the existing building pad; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. APPROVAL.** The plat amendment for the property at 2180 and 2186 Monarch Drive is approved subject to the following Findings of Fact, Conclusions of Law and Conditions of Approval:

**Findings of Fact:**

1. The property is located in the Single Family (SF) zone at 2180 and 2186 Monarch Drive.
2. The property is located on Lots 75 and 76 of the Prospector Village Subdivision.
3. There is an existing duplex on both lot 75 and lot 76.
4. Each of the lots was platted as a duplex lot on the Prospector Village Subdivision.
5. The Land Management Code requires setbacks of ten feet in the front, 15 in the rear and five feet on the sides for a structure of this size.
6. The structure meets the setback requirements.
7. There is no maximum square footage requirement for buildings in the Prospector Village Subdivision.
8. The project complies with the LMC requirements for maximum, height, and lot setbacks.
9. There are 8 parking spaces provided on site. Two for each unit.
10. The condominium conversion creates a 4 unit condominium project.
11. No additions or other structural changes are proposed as part of this plat.
12. No remnant lots are created as part of this application.
13. The condominium plat will allow the applicant to sell each unit separately.

Conclusions of Law:

1. There is good cause for this condominium plat.
2. This approval as conditioned is consistent with the Park City Land Management Code and applicable state law governing condominium plats.
3. This approval as conditioned does not adversely affect the health, safety, or welfare of the citizens of Park City.
4. Neither the public nor any person will be materially injured by this plat amendment.


Conditions of Approval:

1. City Attorney and City Engineer review and approval of the condominium plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording
2. This approval shall expire one year from the date of City Council approval, unless this condominium plat amendment is recorded at the Summit County Recorder's office prior to that date.
3. All standard conditions of approval shall apply.
4. No utility reconstruction is approved. The CC&RS shall address utility billing for any shared utility services.

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

PASSED AND ADOPTED this 7<sup>th</sup> day of April 2005.

PARK CITY MUNICIPAL CORPORATION

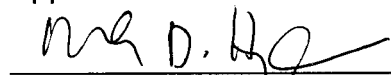
  
\_\_\_\_\_  
Dana Williams, Mayor

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder



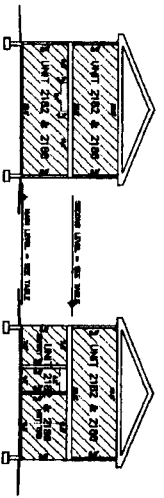
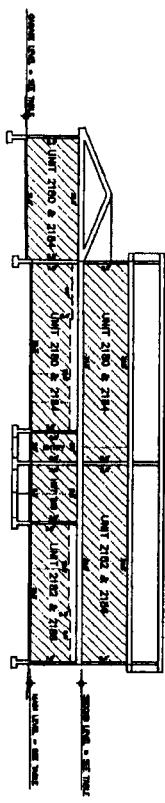
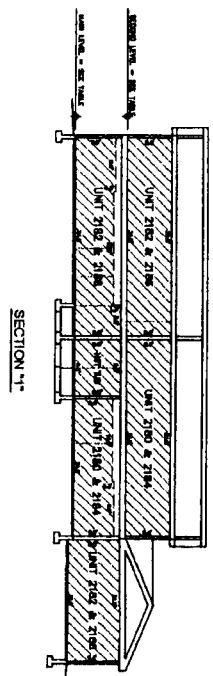
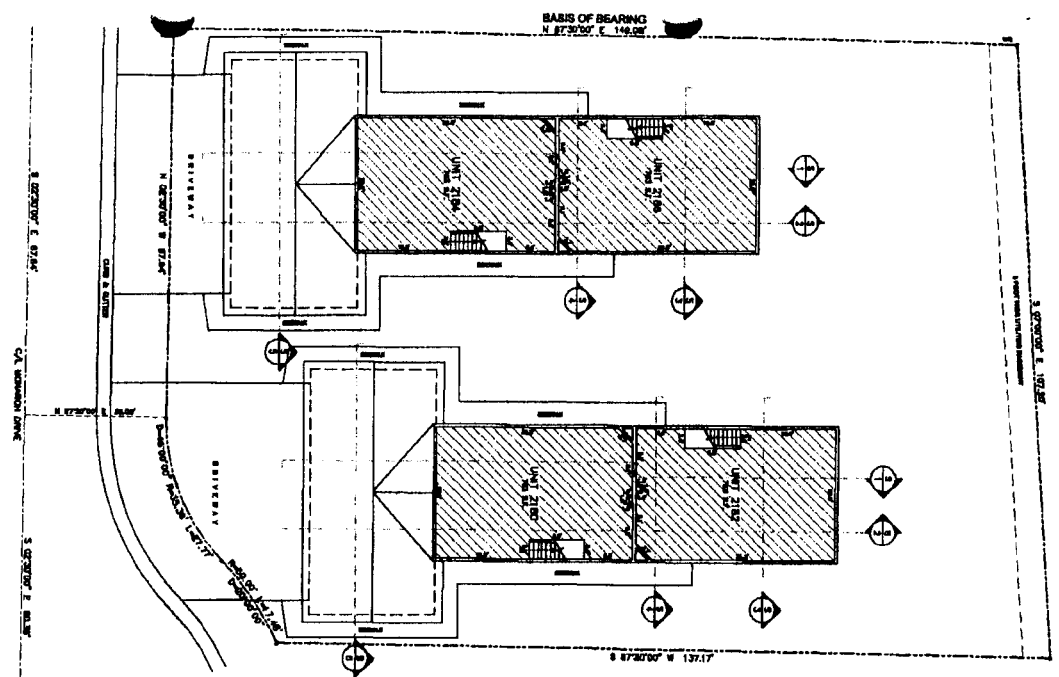
Approved as to form:

  
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Mark D. Harrington, City Attorney

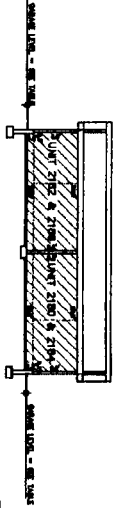




SECOND LEVEL PLAN



SECTION 3'-2'



SECTION 3'-1'

LEGEND

- 1. 1/4\"/>

FLOOR ELEVATION TABLE

UNIT NUMBER	MINIMUM FLOOR ELEVATION	MINIMUM CEILING ELEVATION	MINIMUM FINISH FLOOR ELEVATION
UNIT 2104	602.0	601.0	601.0
UNIT 2105	602.0	601.0	601.0
UNIT 2106	602.0	601.0	601.0
UNIT 2107	602.0	601.0	601.0

SQUARE FOOTAGE TABLE

UNIT NUMBER	NET AREA	GROSS AREA	COMMON AREA
UNIT 2104	122	150	28
UNIT 2105	122	150	28
UNIT 2106	122	150	28
UNIT 2107	122	150	28



NOTES

1. FLOOR LINE AND DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.
2. ALL DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.
3. ALL DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.
4. ALL DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.
5. ALL DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.
6. ALL DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.
7. ALL DIMENSIONS SHOWN ON THIS PLANING COMPLETION DATE.

RECORD OF SURVEY MAP  
**MONARCH CONDOMINIUMS  
 OF PARK CITY**

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE UNINCORPORATED TOWNSHIP OF SOUTHERN SALT LAKE COUNTY, UTAH  
 PLANNED AND DEVELOPED BY MONARCH CONDOMINIUMS, INC., PARK CITY, UTAH

NO. 2-12-04 REC. NUMBER-23  
 SHEET 3 OF 5  
 RECORDED  
 STATE OF UTAH, COUNTY OF SALT LAKE  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ PAGE \_\_\_\_\_  
 FILE \_\_\_\_\_  
 RECORDER



Ordinance No. 05-21

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE ALL OF  
LOTS 2, 3, 4, 16, 17, and 18 of BLOCK 19 of the PARK CITY SURVEY,  
LOCATED AT 9 HILLSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of Lots 2, 3, 4, 16, 17, and 18 of Block 19 of the Park City Survey, located at 9 Hillside Avenue have petitioned the City Council for approval of plat amendment to combine these lots into one 8,207 sf platted lot of record; and

WHEREAS, there is an historic structure at 9 Hillside that straddles the existing lot lines; and

WHEREAS, the property owner wishes to remodel and construct an addition on to the existing historic structure; and

WHEREAS, there are existing encroachments onto existing Lots 4 and 16, consisting of a deck and stone wall and the amended plat includes two separate encroachment easements to accommodate said encroachments; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 23, 2005, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on March 23, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on April 7, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment 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 in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary

- residences and smaller historic homes.
3. The amendment will combine all of Lots 2, 3, 4, 16, 17, and 18 of Block 19 of the Park City Survey into one lot of record.
  4. The proposed lot would consist of 8,207 square feet.
  5. The plat amendment will not increase density on the lot.
  6. The proposed lot has frontage along platted Prospect Avenue, Marsac Avenue, as well as Hillside Avenue.
  7. No remnant lots will be created as a result of this application.
  8. An historic single family residence is located on the property and straddles the existing property lines. The existing house would comply with the required setbacks for the new Lot 1.
  9. There is an existing shed structure on existing Lots 3 and 4. This structure does not maintain the required setbacks and is considered a legal non-conforming structure.
  10. An existing non-historic deck belonging to an adjacent property owner at 14 Prospect Avenue encroaches onto the subject property, specifically onto existing Lots 4 and 16.
  11. An existing masonry retaining wall is located along the west side of the entire property as well as on existing Lot 16 between the houses at 9 Hillside and 27 Hillside.
  12. The applicant is proposing to record two (2) separate easements as part of this plat amendment to accommodate the encroaching deck and the masonry retaining wall.
  13. Required setbacks are 10' front yard setbacks from Prospect, Hillside, and Marsac Avenues and a 12' side yard setback along the side lot line adjacent to the properties to the south.
  14. Parking, snow storage and construction staging is problematic in this neighborhood.
  15. The property is within the Historic District and any new construction requires Historic Design review and approval.
  16. On March 23, 2005, the Planning Commission conducted a public hearing. No public input was given at that hearing.

**Conclusions of Law:**

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable

Historic District Design Guidelines.

3. All new construction shall comply with the HR-1 District Lot and Site Requirements in LMC Section 15-2.2-3, which may include a Conditional Use Permit for development on steep slopes if such new construction involves areas of 30% or greater slope.
4. Encroachment easements to resolve the encroaching deck and retaining walls are shown on the proposed plat.
5. No building permits, with the exception of interior remodels, shall be issued prior to final recordation of the plat at the County Recorder's Office.
6. Ten (10) foot non-exclusive snow storage easements shall be dedicated to the City on the plat along the property lines fronting Prospect, Hillside, and Marsac Avenues.
7. 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 and the plat will be void.
8. The City Engineer shall review the slope, configuration and drainage pattern of any proposed driveway, as well as the utility plan for the property. No construction, grading, or construction staging is permitted within the Hillside Avenue, Prospect Avenue, or Marsac Avenue rights-of-way without prior approval from the City Engineer.

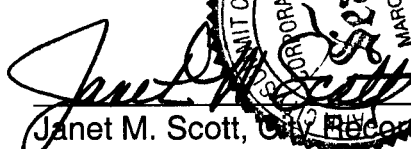
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

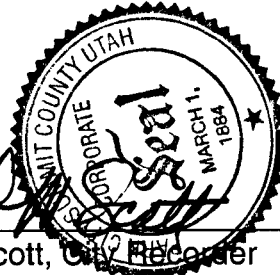
PASSED AND ADOPTED this 7th day of April, 2005.

PARK CITY MUNICIPAL CORPORATION

  
Dana Williams, MAYOR

ATTEST:

  
Janet M. Scott, City Recorder



APPROVED AS TO FORM:

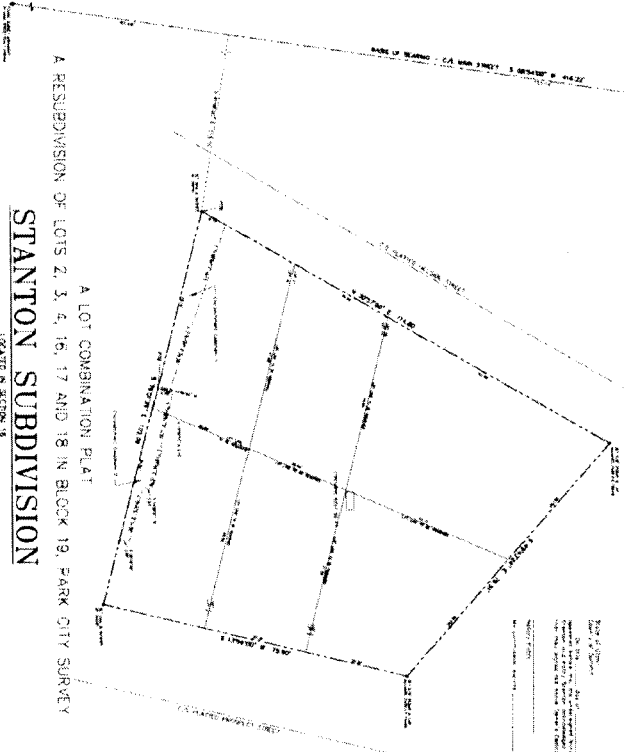
  
Mark Harrington, City Attorney

THESE PLANS HAVE BEEN PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA. I HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA AND THAT I AM THE AUTHOR OF THESE PLANS.

DATE OF PREPARATION OF THESE PLANS: FEBRUARY 2, 2005

PROJECT NUMBER: 05-00000000

RECEIVED  
FEB - 2 2005  
PLANNING DEPT.



ENGINEER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being duly licensed as a Professional Engineer in the State of California, do hereby certify that I am the author of these plans and that I am a duly licensed Professional Engineer in the State of California. I hereby consent to the recording of these plans and the subdivision of the land shown thereon.

ACKNOWLEDGMENT

I, the undersigned, do hereby acknowledge that I have read the contents of the foregoing plans and that I understand the nature and consequences of the same. I hereby consent to the recording of these plans and the subdivision of the land shown thereon.

NOTICE TO CONTRACTORS: The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws, rules, and regulations. The contractor shall also be responsible for obtaining all necessary approvals from the appropriate authorities.

<p>APPROVED FOR THE CITY OF SAN JOAQUIN</p> <p>DATE: FEBRUARY 2, 2005</p>	<p>APPROVED FOR THE COUNTY OF SAN JOAQUIN</p> <p>DATE: FEBRUARY 2, 2005</p>	<p>APPROVED FOR THE STATE OF CALIFORNIA</p> <p>DATE: FEBRUARY 2, 2005</p>	<p>APPROVED FOR THE CITY OF SAN JOAQUIN</p> <p>DATE: FEBRUARY 2, 2005</p>	<p>APPROVED FOR THE COUNTY OF SAN JOAQUIN</p> <p>DATE: FEBRUARY 2, 2005</p>	<p>APPROVED FOR THE STATE OF CALIFORNIA</p> <p>DATE: FEBRUARY 2, 2005</p>
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**Ordinance No. 05-20**

**AN ORDINANCE APPROVING THE SILVER BARON LODGE RECORD OF SURVEY PLAT, 2800 DEER VALLEY DRIVE EAST, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Silver Baron Lodge, located at 2800 Deer Valley Drive East have petitioned the City Council for approval of the Silver Baron Lodge Record of Survey; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 23, 2005, to receive input on the Silver Baron Lodge Record of Survey plat;

WHEREAS, the Planning Commission, on March 23, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 7, 2005 the City Council approved the Silver Baron Lodge Record of Survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Silver Baron Lodge Record of Survey plat.

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

**SECTION 1. APPROVAL.** The Silver Baron Lodge 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 Silver Baron Lodge at Deer Valley is located at 2800 Deer Valley Drive East in the RD-MPD zoning district.
2. On April 5, 1996, the Planning Commission approved a Conditional Use Permit for The Lodges at Deer Valley encompassing 125 residential condominium units utilizing 108 Unit Equivalents.
3. In 2001 the Planning Commission approved an amendment to The Lodges CUP and the Deer Valley MPD to transfer 7 UEs from neighboring Courchevel.
4. Building F was approved for 20.75 Unit Equivalents but the construction of the building produced 21.25 UEs.
5. Silver Baron Lodge (Building F) has 24 units requiring 48 parking spaces. Currently 35 spaces are in the underground parking lot. The Planning Commission finds that

these 35 spaces are sufficient to park the Silver Baron Lodge until such time that the future building is constructed.

6. The Planning Commission may vary the Side Yard in subdivisions and MPDs pursuant to section 15-2.13-3(H) as long as there is ten feet between structures. Building F is separated from Building E by at least eighty (80) feet. The Planning Commission granted this exception on March 23, 2005.
7. The proposed is consistent with the approved Deer Valley Master Planned Development and the Conditional Use Permit for The Lodges at Deer Valley.
8. The Planning Commission held a public hearing on March 23, 2005, and forwards a positive recommendation on this condominium Record of Survey.

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.
4. Approval of the Record of Survey, subject to the conditions stated below, 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 the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey 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. All conditions of approval of the Deer Valley Master Planned Development, and The Lodges Conditional Use Permit, as amended, shall continue to apply.

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

PASSED AND ADOPTED this 7<sup>th</sup> day of April, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Dana Williams, MAYOR

ATTEST:

Jan Scott  
Jan Scott, City Recorder



APPROVED AS TO FORM:

Mark Harrington  
Mark Harrington, City Attorney

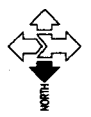




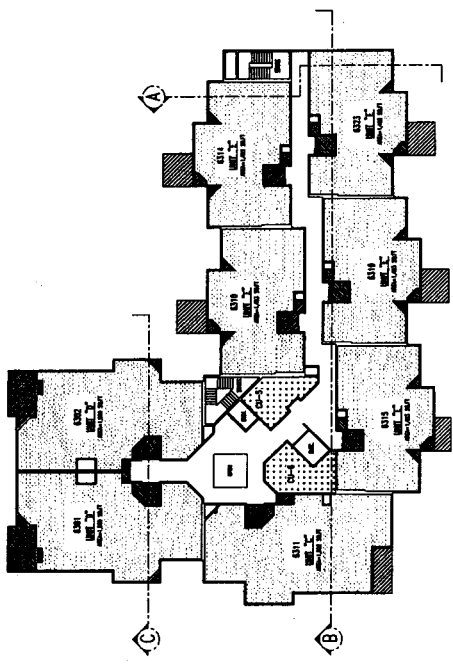
**RECEIVED**  
**APR - 7 2005**  
 PARK CITY  
 PLANNING DEPT.

**SILVER BARON LODGE**  
 AN EXPANDABLE UTAH CONDOMINIUM PROJECT

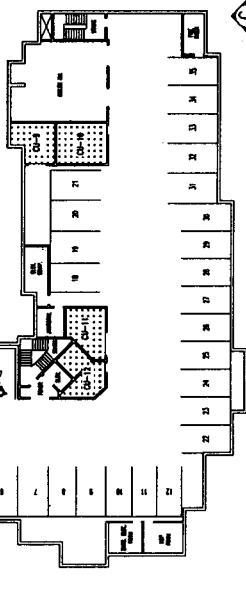
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN & MOUNTAIN



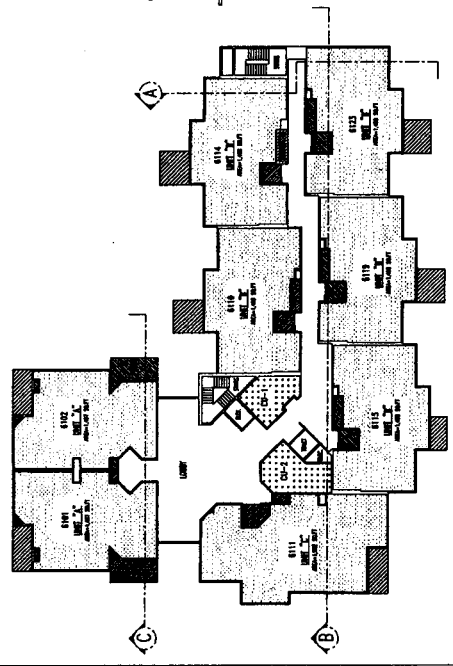
- LEGEND**
- PRIVATE OWNERSHIP
  - LIMITED COMMON AREAS AND FACILITIES
  - COMMON AREAS AND FACILITIES
  - CONDEMNED AREA
  - CURRENT PLANS AND FACILITIES



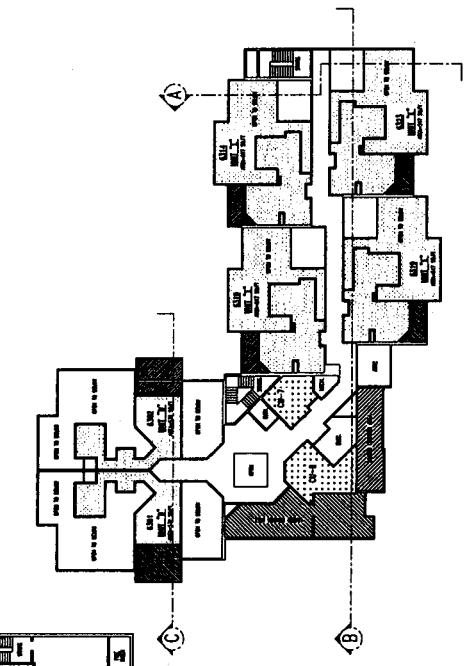
LEVEL ONE FLOOR PLAN



PARKING GARAGE FLOOR PLAN



LEVEL TWO FLOOR PLAN



LEVEL THREE FLOOR PLAN



LEVEL FOUR FLOOR PLAN

SCALE: 1" = 20'



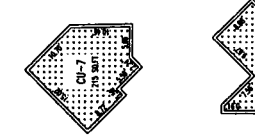
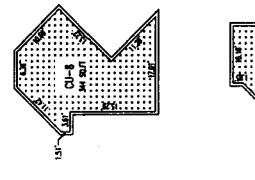
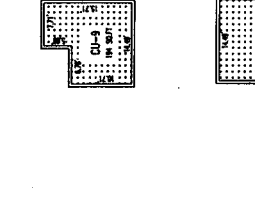
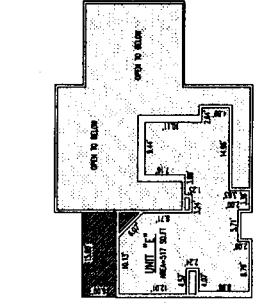
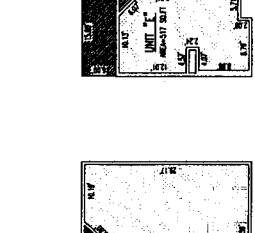
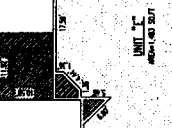
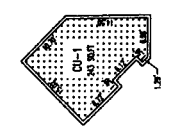
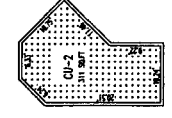
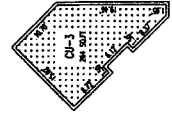
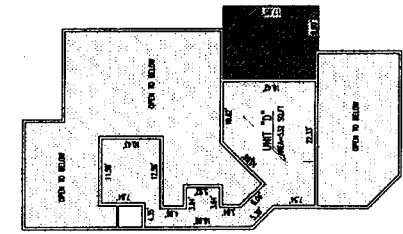
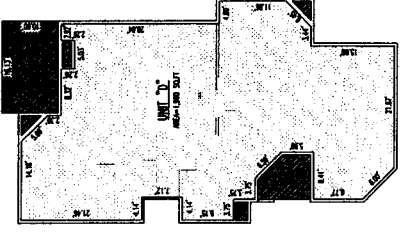
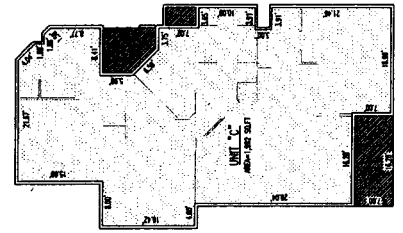
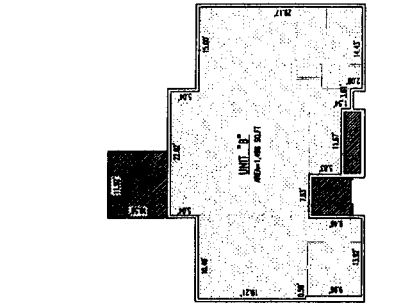
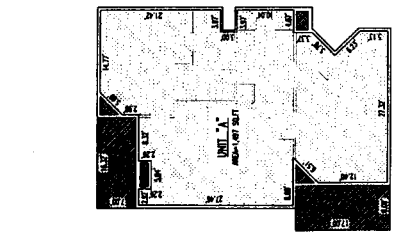
RECORDED J  
 STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF  
 DATE: \_\_\_\_\_ PAGE: \_\_\_\_\_ FILE: \_\_\_\_\_  
 BY: \_\_\_\_\_

**MCNEEL ENGINEERING  
 AND LAND SURVEYING, L.C.**  
 PROFESSIONAL CORP. ENGINEERS & LAND SURVEYORS  
 4875 SOUTH 800 EAST, MIDVALE, UTAH 84047  
 TEL: (801) 252-7700 FAX: (801) 252-9071 EMAIL: mcneel@mcneel.com

**RECEIVED**  
**APR - 7 2005**  
 PARK CITY  
 PLANNING DEPT.

**SILVER BARON LODGE**  
 AN EXPANDABLE UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, & THE NORTHWEST QUARTER OF SECTION 16 THROUGHOUT 7 SOUTH RANGE 4 EAST S&1 U&E USE IN ACCORDANCE



**LEGEND**

- PUBLIC ENCROACHMENT
- LIMITED COMMON AREA AND ENCLOSURE
- COMMON AREA
- COMMON AREA AND ENCLOSURE



**McNEEL ENGINEERING AND LAND SURVEYING, L.C.**  
 PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
 6805 SOUTH 900 EAST, MERRILL, UTAH 84047  
 TEL: (801) 225-7700 FAX: (801) 225-0071 EMAIL: mcneel@mcneel.com

RECORDED IN  
 STATE OF UTAH, COUNTY OF SUMNER, RECORDED AND FILED AT THE REQUEST OF  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BY: \_\_\_\_\_  
 BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 REC-1



Ordinance 05-19.

AN ORDINANCE APPROVING THE SILVER STAR SUBDIVISION CREATING FOUR PLATTED LOTS FROM THREE METES AND BOUNDS PARCELS LOCATED AT 1825 THREE KINGS DRIVE, IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, UTAH.

WHEREAS, the owners of the property at 1825 Three Kings Drive petitioned the City Council for approval of a subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 23, 2005, to receive input on the proposed subdivision plat, and;

WHEREAS, the Planning Commission, on March 23, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on March 31, 2005, the City Council held a public hearing and approved the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat.

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

SECTION 1. APPROVAL. The subdivision 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 in the RD, RDM, and SF zoning districts and is addressed at 1825 Three Kings Drive.
2. The property is subject to the Spiro Tunnel Master Planned Development and Conditional Use Permit approved by the Planning Commission on October 27, 2004, and memorialized by the Spiro Tunnel MPD Development Agreement which was ratified by the Planning Commission on February 23, 2005.
3. The final subdivision plat creates 4 lots of record. Lot One is 4.88 acres and provides a platted lot for the condominiums and townhouses and

associated parking approved as Area A of the Spiro Tunnel MPD. Lot Two is 4.8 acres and provides a platted lot for the Plaza buildings, historic buildings, and support commercial buildings, and surface parking approved as Area B of the MPD. Lot Three is 8.64 acres and provides a platted lot for the cottage style units approved as Area C of the MPD. Lot Four is 1.64 acres and provides a platted lot for an existing historic building and future single family lot approved with the MPD on the "Donile parcel".

4. Lots 1, 2, and 4 have frontage on Three Kings Drive. Lot 3 does not have frontage on a public street. Access to all lots is from Three Kings Drive with a platted access easement for Lot 3 across Lot 2.
5. No remnant lots will be created as a result of this subdivision.
6. Several historic structures are located on this property. Restoration of these structures is a condition of the Spiro Tunnel MPD approval.
7. There are existing utilities and access drives on the property, as well as the need for shared access and utility easements within the subdivision. All existing and proposed utilities, access drives, sidewalks, trails, public plazas, and circulation areas for emergency vehicles shall be located within approved easements to be reviewed and approved by the City Engineer prior to plat recordation.
8. Three Kings Drive is a neighborhood street where parking, snow storage and construction staging can be problematic.
9. The Spiro Tunnel MPD approval identified a general building pad location for both the relocated historic home and the future new single family house on Lot 4.

#### **Conclusions of Law:**

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

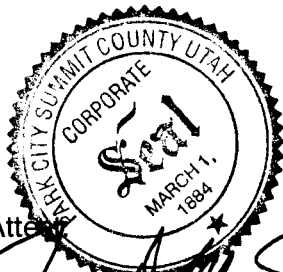
#### **Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the final subdivision plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the final subdivision plat at Summit County within one year of the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. Approval of a construction mitigation plan is a condition precedent to the

- issuance of building permits for the Spiro Tunnel MPD development.
4. A financial guarantee for public improvements in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer shall be in place prior to plat recordation or issuance of building permits.
  5. An access easement for the benefit of Lot 3 across Lot 2 shall be dedicated on the final plat, consistent with the Spiro Tunnel MPD site plan.
  6. Non-exclusive snow storage easements, typically 10' wide, may be required along Three Kings Drive. A final determination as to the location of these easements, consistent with LMC Chapter 7- Subdivisions will be made by the City Engineer prior to plat recordation.
  7. This subdivision plat is subject to the conditions and parameters of the Spiro Tunnel Master Planned Development Agreement ratified by the Planning Commission on February 23, 2005.
  8. The Chief Building Official prior to issuance of any building permits must grant a final assessment and approval of the final fire protection plan.
  9. The City Engineer shall review the final subdivision plat prior to recordation to ensure that all access and utility easements are properly dedicated for all future and existing water lines, tunnels, trails, driveways, access ways, sidewalks, emergency access, and other utilities as may be required by utility providers and that such easements are consistent with the Spiro Tunnel MPD Development Agreement, site plan, and final utility plans.
  10. The Snyderville Basin Water Reclamation District shall sign the subdivision plat prior to plat recordation.
  11. Sale of any individual dwelling unit, with the exception of the single family house on Lot 4, requires approval and recordation of a condominium record of survey plat.
- General building pad locations for the existing historic house and for the future new single family house on Lot 4 shall be indicated on the plat , consistent with the approved Spiro Tunnel MPD, as a condition precedent to plat recordation.

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

PASSED AND ADOPTED this 31st day of March, 2005.



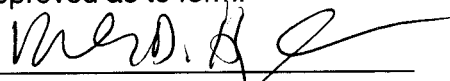
Attest

*Janet M. Scott*  
Janet M. Scott, City Recorder

PARK CITY MUNICIPAL CORPORATION

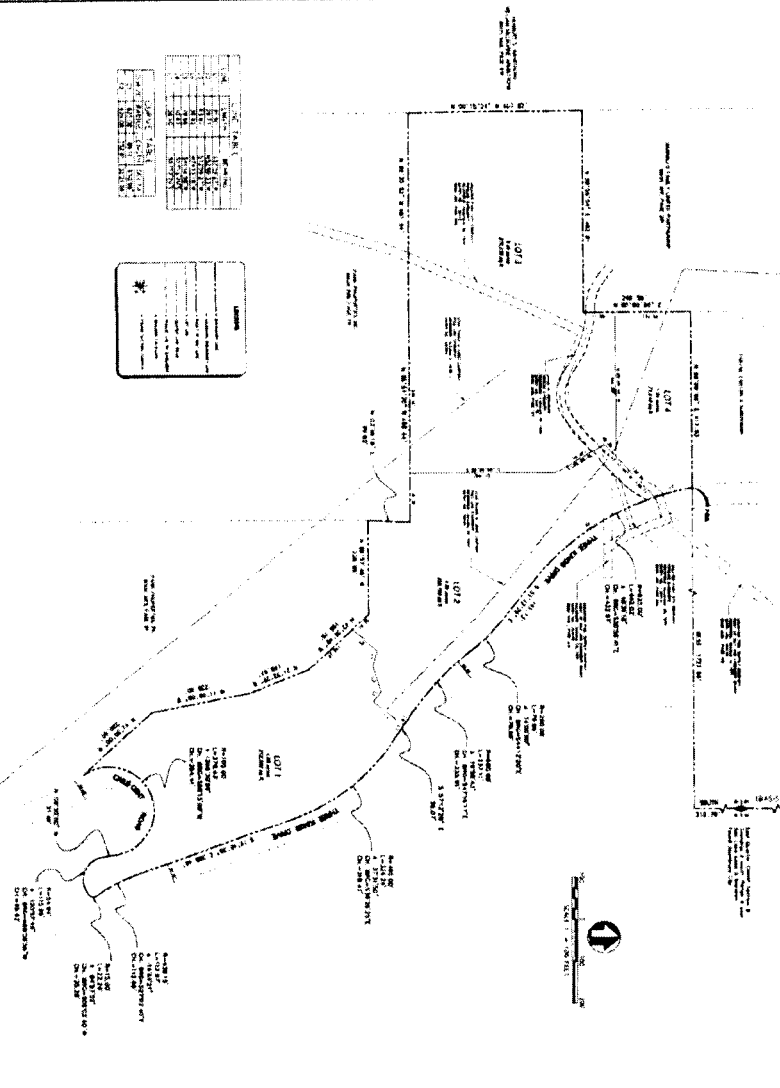
*Dana Williams*  
Mayor Dana Williams

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**SITE PLAN AT PARK CITY**  
**MINOR SUBDIVISION**  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 3 NORTH,  
 RANGE 10 WEST, SHERIDAN COUNTY, WYOMING



Lot No.	Area (Acres)	Area (Sq. Ft.)
1071	0.10	4,356
1072	0.10	4,356
1073	0.10	4,356
1074	0.10	4,356
1075	0.10	4,356
1076	0.10	4,356
1077	0.10	4,356
1078	0.10	4,356
1079	0.10	4,356
1080	0.10	4,356
1081	0.10	4,356
1082	0.10	4,356
1083	0.10	4,356
1084	0.10	4,356
1085	0.10	4,356
1086	0.10	4,356
1087	0.10	4,356
1088	0.10	4,356
1089	0.10	4,356
1090	0.10	4,356
1091	0.10	4,356
1092	0.10	4,356
1093	0.10	4,356
1094	0.10	4,356
1095	0.10	4,356
1096	0.10	4,356
1097	0.10	4,356
1098	0.10	4,356
1099	0.10	4,356
1100	0.10	4,356
<b>Total</b>	<b>10.00</b>	<b>435,600</b>

**NOTES:**  
 1. All lots shown on this plan are subject to the provisions of the Subdivision Map Act, Wyoming Statutes, Chapter 2-10, and the rules and regulations of the Wyoming Department of Transportation, Chapter 10-10, and the rules and regulations of the Wyoming Department of Natural Resources, Chapter 10-10.

<b>OWNER'S DECLARATION</b>	<b>OWNER'S SIGNATURE</b>
<b>OWNER'S ADDRESS</b>	<b>OWNER'S PHONE NUMBER</b>
<b>DATE OF PREPARATION</b>	<b>DATE OF RECORDING</b>
<b>PREPARED BY</b>	<b>REVIEWED BY</b>
<b>APPROVED BY</b>	<b>APPROVED BY</b>

**SUBDIVISION CERTIFICATE**  
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original subdivision map as filed in my office on this day of \_\_\_\_\_, 19\_\_\_\_.

**BOUNDARY DESCRIPTION**  
 The boundary description of the subdivision is as follows: ...

**OWNER'S DECLARATION**  
 I, the undersigned, do hereby declare that the foregoing is a true and correct copy of the original subdivision map as filed in my office on this day of \_\_\_\_\_, 19\_\_\_\_.

**CORPORATE ACKNOWLEDGMENT**  
 I, the undersigned, do hereby acknowledge that the foregoing is a true and correct copy of the original subdivision map as filed in my office on this day of \_\_\_\_\_, 19\_\_\_\_.

**NOTARIAL CERTIFICATE**  
 I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original subdivision map as filed in my office on this day of \_\_\_\_\_, 19\_\_\_\_.

**PSOMAS**  
 PROFESSIONAL SURVEYORS OF MONTANA AND SOUTHERN OREGON  
 1000 N. 10th Street, Billings, Montana 59102  
 Phone: (406) 243-1111

<b>OWNER'S SIGNATURE</b>	<b>OWNER'S ADDRESS</b>
<b>OWNER'S PHONE NUMBER</b>	<b>DATE OF PREPARATION</b>
<b>PREPARED BY</b>	<b>REVIEWED BY</b>
<b>APPROVED BY</b>	<b>APPROVED BY</b>

**Ordinance No. 05-18**

**AN ORDINANCE APPROVING A PLAT AMENDMENT FOR THE PROPERTY KNOWN AS LOT 23 AND TRACT A OF THE MEADOWS ESTATES SUBDIVISION #1A, LOCATED AT 2858 ESTATES DR, PARK CITY, UTAH.**

WHEREAS, the owner of the property known as 2858 Estates Drive, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 9, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to combine one lot of record and another adjacent parcel into one lot of record; and

WHEREAS, the City Council held a public hearing and approved the plat on March 24, 2005.

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

**SECTION 1. APPROVAL.**

The plat amendment shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**FINDINGS OF FACT:**

1. Lot 23 and Tract A of Meadows Estates are located in the Residential Development (RD-MPD) zone.
2. The combined parcels will be used for one single family dwelling.
3. The combined parcels will total approximately 0.485 acres (21,126.6 square feet).
4. The parcels have frontage on Estates Drive.
5. The parcels are vacant.
6. Construction of a single family house on the proposed lot 1 will be an allowed use in the zone.
7. Park Meadows golf course borders the Property on the North side.
8. No remnant lots will be created as a result of this application.
9. The Planning Commission reviewed this item at the March 9, 2005 meeting. A Public hearing was held, and the Planning Commission forwarded a positive recommendation.

CONCLUSIONS OF LAW:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

CONDITIONS OF APPROVAL:

1. Construction of structures shall be prohibited within the utility easement.
2. All Land Management Code setback requirements must be met.
3. The City Attorney and City Engineer review the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
4. 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 and the plat will be void.
5. The five foot (5') utility easement existing along the easterly boundary of lot 23 shall be shown on the plat with an accompanying plat note prohibiting the installation, construction, or placement of any structures within the easement area.

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

PASSED AND ADOPTED this 24<sup>th</sup> day of March, 2005.

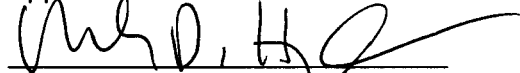
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

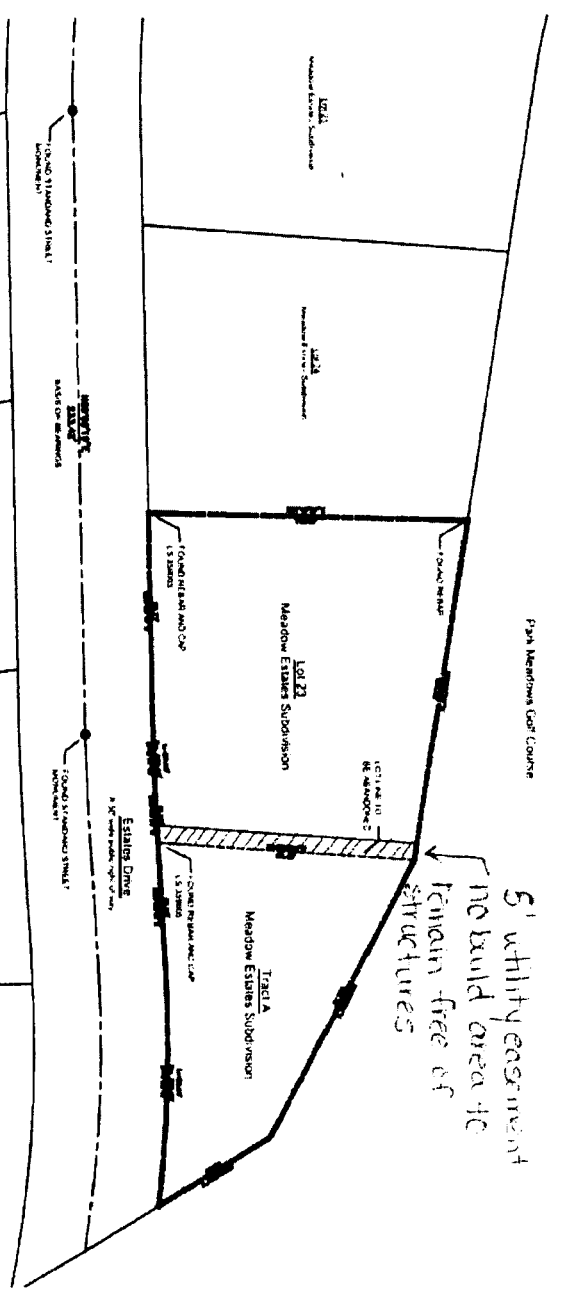
Attest

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney





5' utility easement  
no build area to  
remain free of  
structures

**GENERAL NOTES:**  
1. THE PLAT IS TO BE CONSIDERED AS A PART OF THE RECORD MAP AND SHALL BE SUBJECT TO THE SAME RIGHTS AND INTERESTS AS THE UNDERLYING LAND.  
2. THE PLAT IS TO BE CONSIDERED AS A PART OF THE RECORD MAP AND SHALL BE SUBJECT TO THE SAME RIGHTS AND INTERESTS AS THE UNDERLYING LAND.  
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**ADDITIONAL NOTES:**  
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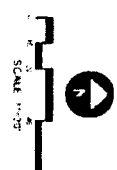
**NOTES:**  
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3. THE PLAT IS TO BE CONSIDERED AS A PART OF THE RECORD MAP AND SHALL BE SUBJECT TO THE SAME RIGHTS AND INTERESTS AS THE UNDERLYING LAND.  
4. THE PLAT IS TO BE CONSIDERED AS A PART OF THE RECORD MAP AND SHALL BE SUBJECT TO THE SAME RIGHTS AND INTERESTS AS THE UNDERLYING LAND.  
5. THE PLAT IS TO BE CONSIDERED AS A PART OF THE RECORD MAP AND SHALL BE SUBJECT TO THE SAME RIGHTS AND INTERESTS AS THE UNDERLYING LAND.

**NOTES:**  
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**SCOTT KEALEY**  
**LOT LINE ADJUSTMENT PLAT**  
BEING LOT 23 AND TRACT 1,  
MEADOW ESTATES SUBDIVISION  
LOCATED IN SECTION 4, TOWNSHIP 2  
SOUTH RANGE 4 EAST  
SALT LAKE COUNTY AND MERIDIAN 1  
PLAT CITY, SOUTHERN COUNTY, UTAH

Sheet 1 of 1

<b>CITY PLANNING COMMISSION</b>	<b>APPROVED:</b>	<b>CITY ENGINEER</b>	<b>CITY CLERK</b>	<b>APPROVED:</b>	<b>RECORDING</b>
<b>DATE:</b>	<b>DATE:</b>	<b>DATE:</b>	<b>DATE:</b>	<b>DATE:</b>	<b>DATE:</b>
<b>BY:</b>	<b>BY:</b>	<b>BY:</b>	<b>BY:</b>	<b>BY:</b>	<b>BY:</b>

**DAVID JOHNSON COMPANY**  
PLANNING ENGINEERS  
1000 WEST 1000 SOUTH  
SALT LAKE CITY, UTAH 84119  
TEL: 325-1111 FAX: 325-1112

**Ordinance No. 05-17**

**AN ORDINANCE APPROVING THE KNUDSON SUBDIVISION CREATING TWO PLATTED LOTS FROM ONE 6,072 SQUARE FOOT METES AND BOUNDS PARCEL IN BLOCK 24 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY, LOCATED AT 1301 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of 1301 Park Avenue petitioned the City Council for approval of a subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 9, 2005, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on March 9, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 24, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment 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 in the Historic Residential Medium Density (HRM) zone.
2. The HRM zone is a residential zone characterized by a mix of smaller historic homes and larger condominium developments. This subdivision plat will subdivide one 6,072 sf metes and bounds parcel into two platted lots for two existing structures. Lot 1 will be 3,003 sf in area and Lot 2 will be 2,838 sf in area. An additional 231 sf is for dedication of right-of-way for an encroaching sidewalk.
3. Lot one would contain the existing historic duplex located at 1301 Park Avenue. Lot two would contain an existing, non-historic A-frame house, which may be removed or remodeled in the future.
4. The proposed Lot 1 will be 3,003 sf and is 747 sf less in area than that required

for a duplex structure and proposed Lot 2, is 2,838 sf and is 26 sf larger in area than that required for a single family structure. There is an existing duplex on Lot 1. There is an existing single family A-frame house on Lot 2.

5. The existing home at 1301 Park Avenue is historic. LMC Section 15-2.4-6 exempts it from off-street parking requirements, building setbacks and driveway location standards (not including any new construction).
6. No remnant lots will be created as a result of this application. As conditioned, no non-conforming lots will be created.
7. There is a large existing evergreen tree to the north of 1301 Park Avenue.
8. Each house is required to have individual water and sewer services.
9. Maintenance of a functional street network is fundamental to the public health, safety, and welfare.
10. On March 9, 2005, the Planning Commission conducted a public hearing and voted to forward to the City Council a positive recommendation to approve the Knudson subdivision plat.

**Conclusions of Law:**

1. There is good cause for this subdivision plat as it will allow the property owner to sell the houses separately.
2. The subdivision plat as conditioned is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the subdivision plat is consistent with the Park City General Plan.

**Conditions of Approval:**

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for any new construction on the lots, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines and the LMC.
3. The applicant will record the plat at the County within one year of the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
4. Recordation of this subdivision plat shall not occur unless and until the applicant is able to provide proof of compliance with lot area requirements set forth in LMC Section 15-2.4-4. The applicant's options for such compliance include (a) obtaining approval of a special exception or variance permit allowing the duplex to exist on Lot 2 despite not meeting applicable lot area requirements; or (b) obtaining written confirmation from the Chief Building Official that each structure is considered a single family dwelling.
5. A tree replacement mitigation plan shall be submitted for review and approval by the City's Landscape Arborist prior to removing any Significant Vegetation on the property, including the large evergreen tree located to the north of 1301 Park Avenue.

6. Prior to plat recordation a financial security, adequate as to amount in the opinion of the City Engineer and satisfactory as to form in the opinion of the City Attorney, shall be provided to the City to guarantee that each house shall have individual water and sewer services meeting all requirements of the City and the Snyderville Basin Water Reclamation District.
7. The 3.5' sidewalk encroachment along Park Avenue (66' by 3.5') shall be dedicated as right-of-way to Park City in reasonable satisfaction of the road dedication requirement of the Subdivision Ordinance.

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

PASSED AND ADOPTED this 24th day of March, 2005.

PARK CITY MUNICIPAL CORPORATION

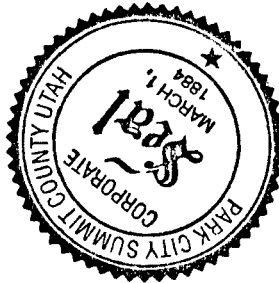
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney









**Ordinance No. 05-16**

**AN ORDINANCE APPROVING THE ROSOL PLAT AMENDMENT TO COMBINE ALL OF LOTS 13 and 14, BLOCK 9 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY, INTO ONE LOT OF RECORD, LOCATED AT 1053 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of lots 13 and 14, Block 9 of the Snyder's Addition to the Park City Survey, located at 1053 Woodside Avenue, petitioned the City Council for approval of a plat amendment, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 9, 2005 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on March 9, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 24, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment 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 in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will combine all of Lots 13 and 14 of Block 9 of the Park City Survey into one lot of record.
4. The proposed lot would consist of 3,750 square feet.
5. The lot has 50 feet of frontage on Woodside Avenue.
6. No remnant lots will be created as a result of this application.
7. A single family residence is located on the property and straddles the property line between Lots 13 and 14.
8. The residence on the adjacent Lot 15 encroaches by 1'4" onto Lot 14.

9. The garage for 1053 Woodside encroaches onto adjacent Lots 12 and 21.
10. Lots 15, 12, and 21 are not commonly owned by the owner of Lots 13 and 14.
11. On March 9, 2005 the Planning Commission conducted a public hearing and voted to forward to the City Council a positive recommendation to approve the plat amendment.

**Conclusions of Law:**

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.
3. All new construction shall comply with the HR-1 District Lot and Site Requirements in LMC Section 15-2.2-3.
4. An encroachment easement shall be shown on the plat identifying the 1'4" encroachment of a portion of the house located on Lot 15, onto Lot 14. Any new construction shall meet all applicable code required setbacks from the encroaching structure.
5. A note shall be added to the plat requiring the encroaching garage to be relocated onto the new lot, meeting all applicable code required setbacks, if the garage is remodeled to include additional floor or garage area.
6. No building permits, with the exception of interior remodels, shall be issued prior to final recordation of the plat at the County Recorder's Office.
7. 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 and the plat will be void.

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

PASSED AND ADOPTED this 24th day of March, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

Janet M. Scott  
Janet M. Scott, City Recorder

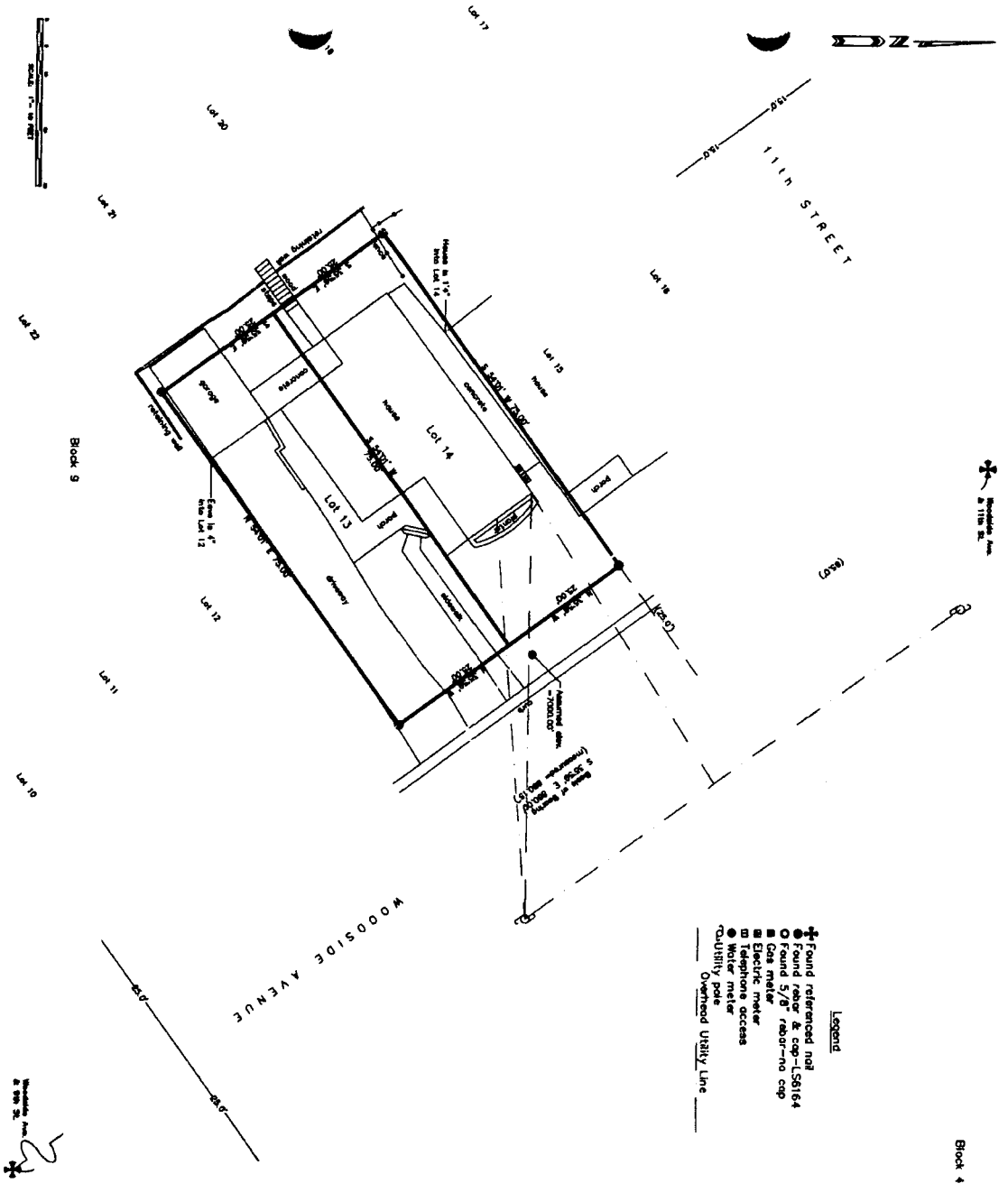
Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney





# Snyder's Addition to the Park City Survey Block 9, Lots 13 & 14



**NARRATIVE**

1. Survey requested by Maie Rosal.
2. Purpose of survey: locate the deed description and the topographic relief.
3. Basis of survey: found property monuments as shown.
4. Date of survey: May 18, 2004.
5. Property monuments found as shown.
6. Located in the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Basin & Meridian.
7. See the original plat, Snyder's Addition to the Park City Survey for other possible restrictions.
8. The owner of the property should be aware of any terms affecting the property that may appear in a title insurance report.
9. An assumed elevation of 7000.00 feet was assigned to the top of the water meter cover on the westerly side of the property, as shown.

**LEGAL DESCRIPTION**

All of Lots 13 & 14, Block 9 of Snyder's Addition to the Park City Survey, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, each Lot containing 0.043 acres, more or less.

**SURVEYOR'S CERTIFICATE**

I, J.D. Gately, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the herein described property and that this plat is a true representation of said survey.

Date \_\_\_\_\_ J.D. Gately RLS4359005

**Alpine Survey, Inc.**  
19 Prospector Drive  
Park City, Utah 84060  
(435) 855-8016

**Ordinance No. 05-15**

**AN ORDINANCE APPROVING A REZONE OF CITY-OWNED PROPERTY IN SWEDE ALLEY FROM HISTORIC RESIDENTIAL AND HISTORIC COMMERCIAL BUSINESS TO PUBLIC USE TRANSITIONAL, AND AMENDING THE OFFICIAL PARK CITY ZONING MAP.**

WHEREAS, The Planning Commission reviewed the creation of the PUT District in a work session on November 10, 2004 and a public hearing on December 8, 2004; and

WHEREAS, The Planning Commission forwarded a positive recommendation to City Council to create the PUT District on December 8, 2004, and the City Council approved the creation of the new zoning district on March 3, 2005; and

WHEREAS, on March 9, 2005, the Planning Commission held a public hearing to receive public input on the proposed rezone of most of Swede Alley to the PUT District; and

WHEREAS, the Planning Commission forwarded to City Council a unanimous positive recommendation to rezone the City-owned property; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on March 24, 2005; and

WHEREAS, the rezone will relieve the non-complying status of the Marsac Building and China Bridge Parking structure as it relates to height; and

WHEREAS, proper notice was sent, publication of the intent to rezone, and the property was posted on February 23, 2005 according to requirements of the Land Management Code and State Law; and

WHEREAS, the rezone will allow the City to expand the existing China Bridge parking structure; and

WHEREAS, the change from Historic Commercial Business and Historic Residential to Public Use Transitional, is consistent with the Park City General Plan; and

WHEREAS, it is in the best interest of Park City Utah to rezone the City-owned property in Swede Alley from Historic Commercial Business and Historic Residential to Public Use Transitional

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

**SECTION 1. REZONE OF MULTIPLE CITY OWNED METES AND**

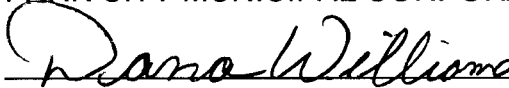
**BOUNDS PARCELS IN SWEDE ALLEY FROM HISTORIC RESIDENTIAL AND HISTORIC COMMERCIAL BUSINESS TO PUBLIC USE TRANSITIONAL.** The City-owned property in Swede Alley, generally from the north end of Grant Avenue northerly to the Transit Center, and from the eastern edge of Swede Alley, easterly to Marsac Avenue, currently zoned Historic Commercial Business and Historic Residential should be and is hereby rezoned to the to Public Use Transitional District. The property subject to this zone change is described in Exhibit A, and exhibited as Exhibit B, attached. The official zoning map is hereby amended to reflect this zone change.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby concludes that there is good cause for this rezone, the rezone is consistent with the Park City Land Management Code, and General Plan, neither the public nor any person will be materially injured by the rezone, and approval of the rezone does not adversely affect the health, safety, and welfare of the citizens of Park City.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 24<sup>th</sup> day of March, 2005.

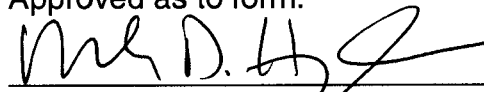
PARK CITY MUNICIPAL CORPORATION

  
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Mayor Dana Williams

Attest:

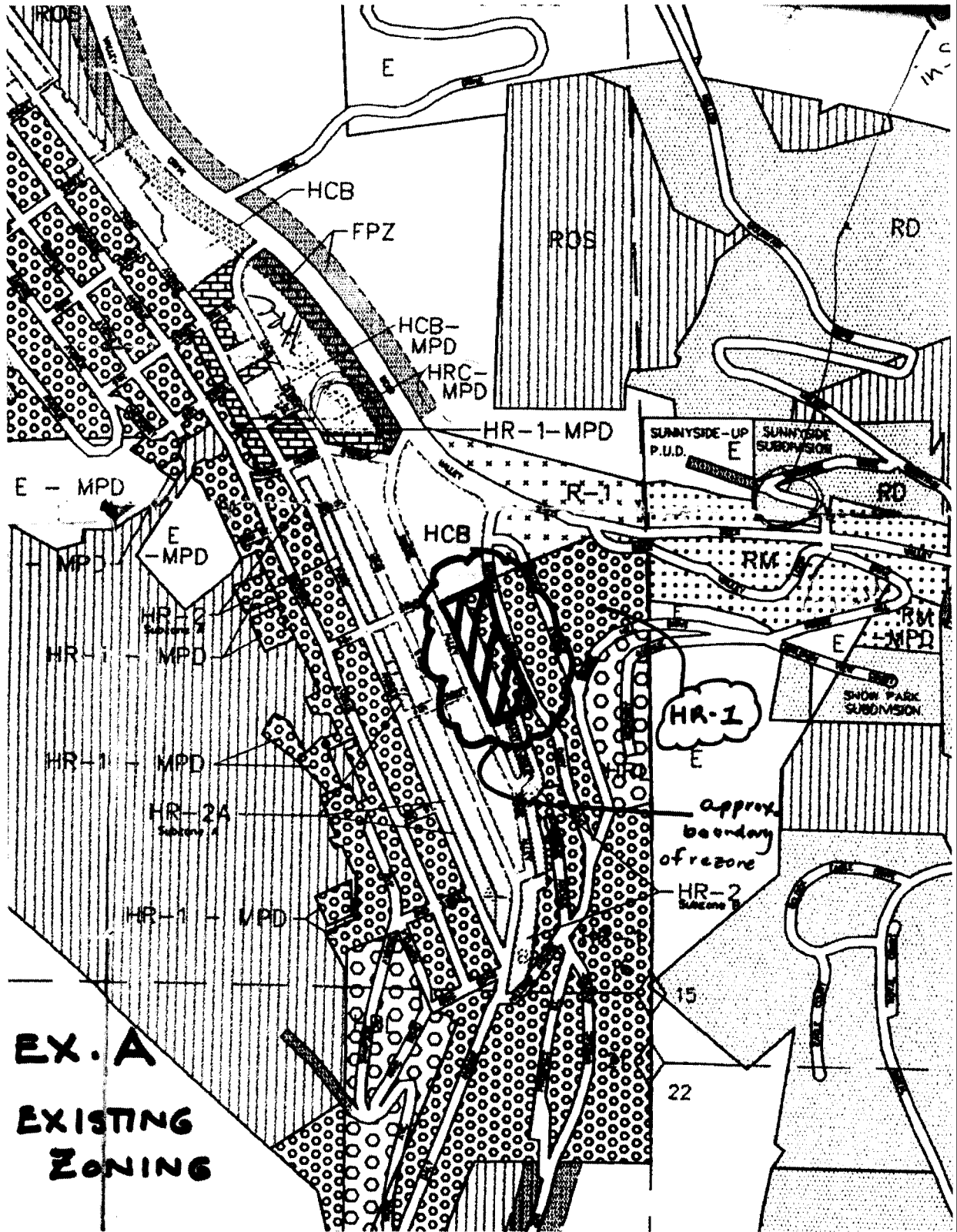
  
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Janet M. Scott, City Recorder

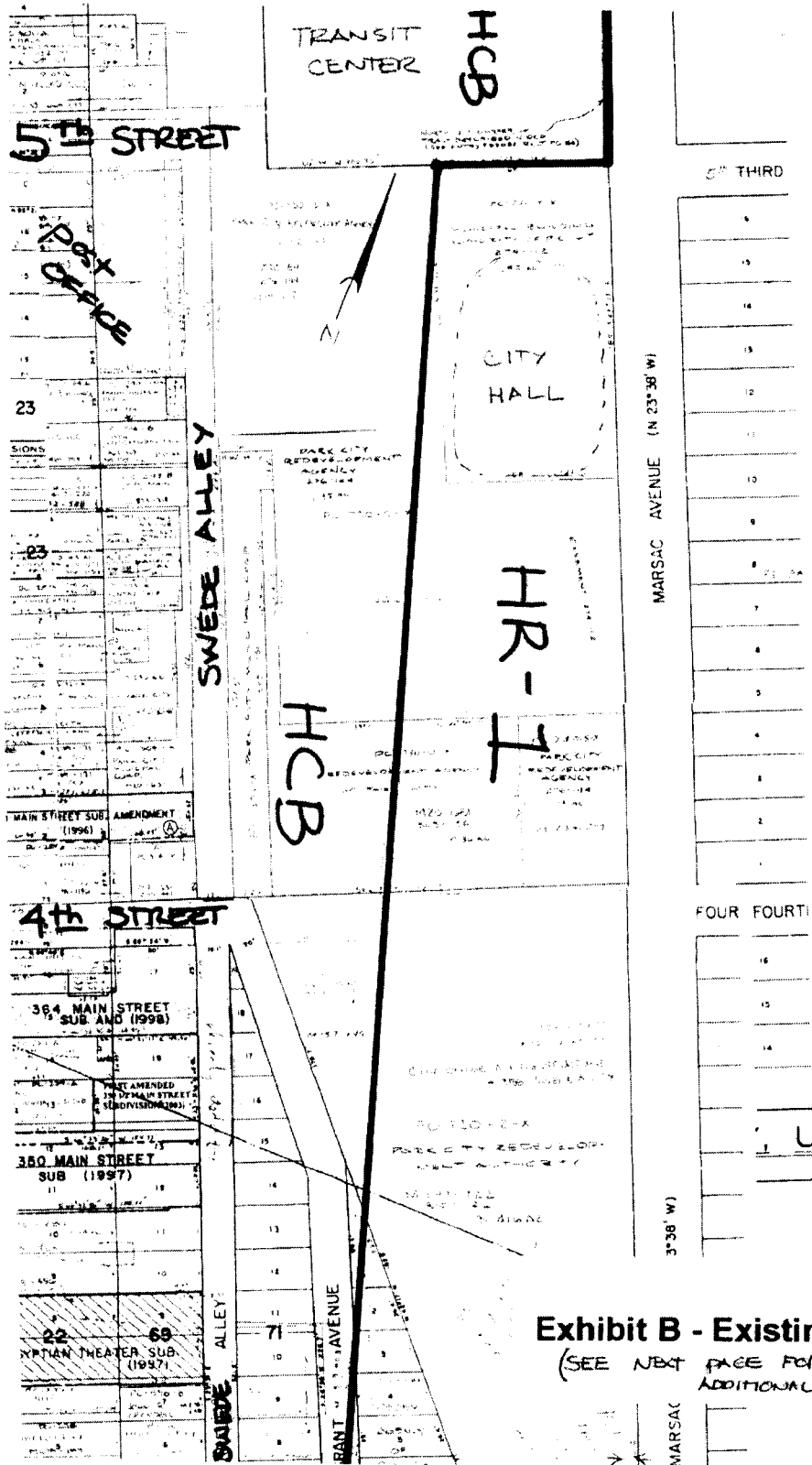
Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





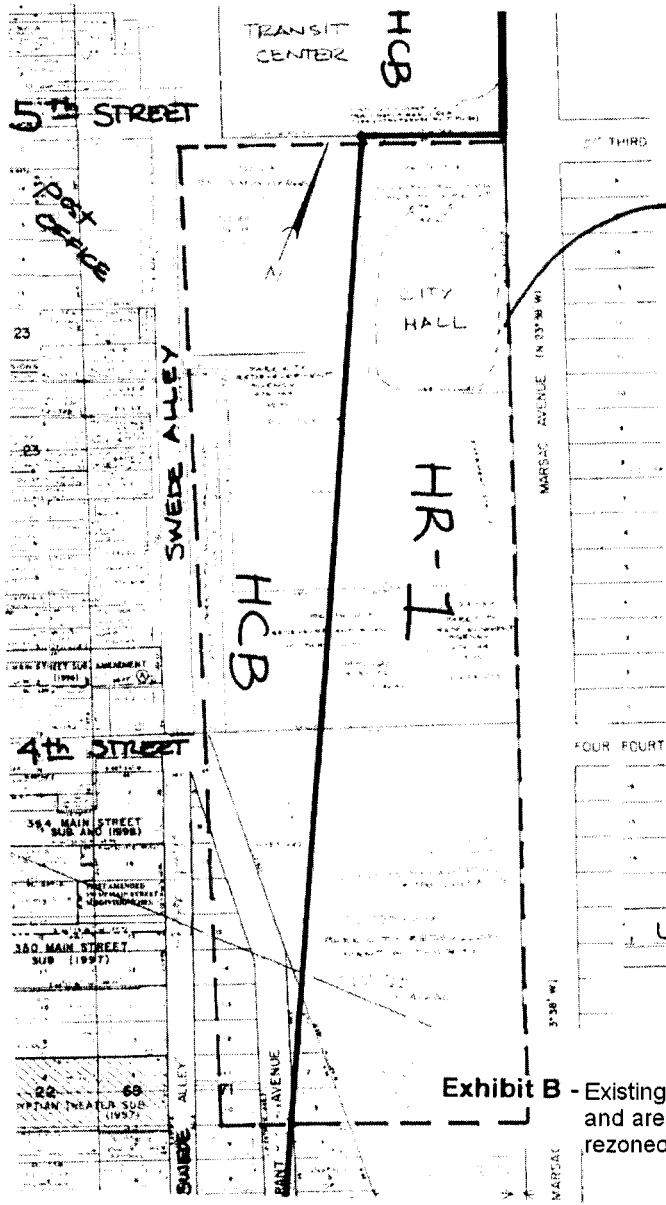




**Exhibit B - Existing Zoning**  
 (SEE NEXT PAGE FOR ADDITIONAL DETAIL)

HR-1

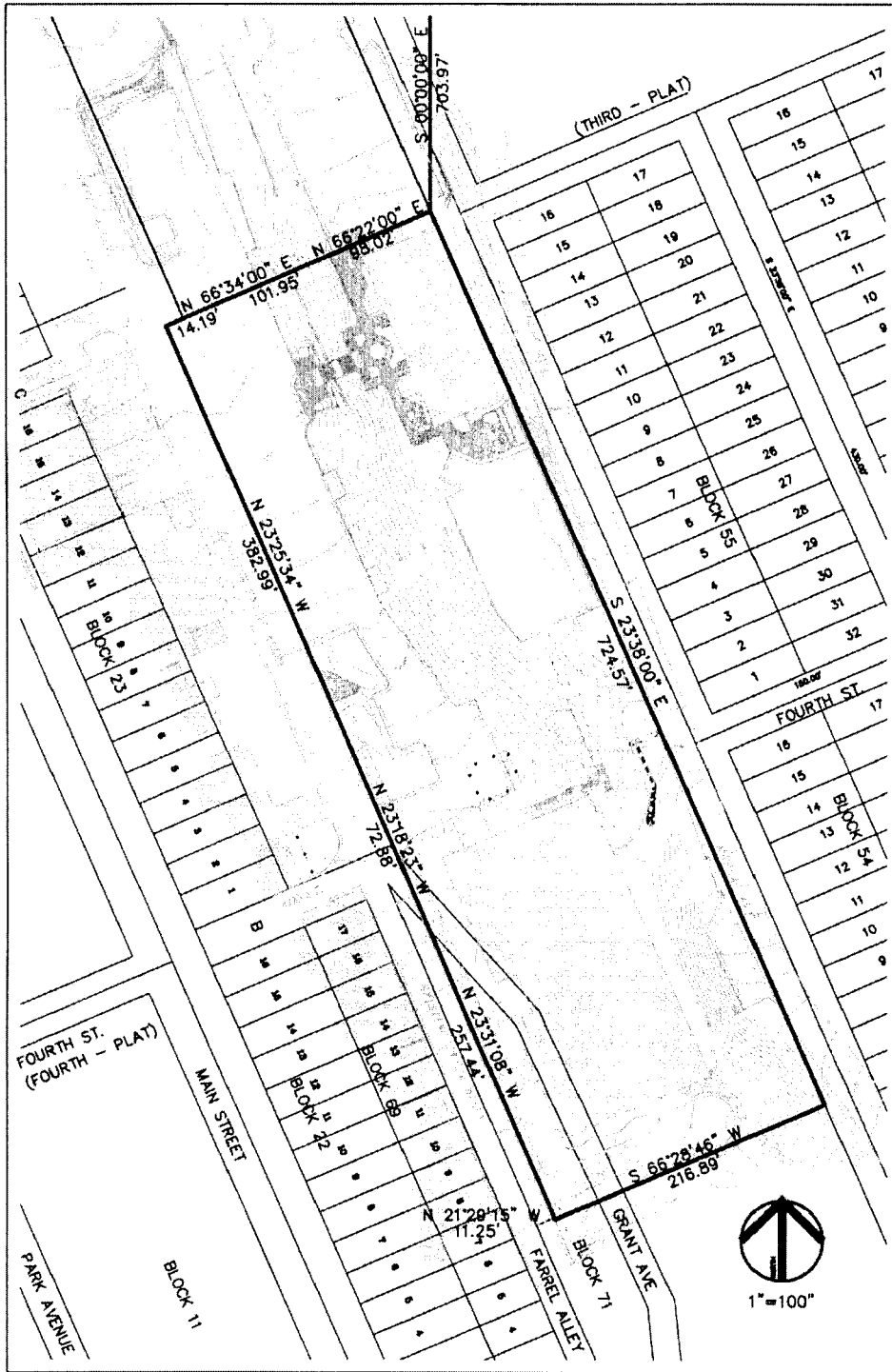
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Approximate area to be rezoned

HR-1

Exhibit B - Existing zoning and area to be rezoned



Ex. C

PROPOSED LEGAL DESCRIPTION FOR PARK CITY MUNICIPAL CORP  
NEW PARKING STRUCTURE

A parcel located in the southeast quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Summit County, also located in the Amended Plat of Park City, on file and of record in the office of the Summit County Recorder, more particularly described as follows;

Beginning at a point which is North 89°58'40" West along the center section line, a distance of 715.93 feet, and South 00°00'00" East a distance of 703.97 feet from the East quarter corner of said Section 16 (a found iron pipe and brass cap), said point also being on the Southeasterly corner of the Plat Amendment and Subdivision for the Marsac Transit Center Replat, on file and of record in the Office of the Summit County Recorder, said point also being on the westerly right-of-way of Marsac Avenue, as shown on the said Amended Plat of Park City, said point being the true POINT OF BEGINNING; thence along said westerly right-of-way of Marsac Avenue, South 23°38'00" East, a distance of 724.57 feet; thence leaving said right-of-way South 66°28'46" West, a distance of 216.89 feet; thence North 21°29'15" West, a distance of 11.25 feet; thence North 23°31'08" West, a distance of 257.44 feet; thence North 23°18'23" West, a distance of 72.88 feet; thence North 23°25'34" West, a distance of 382.99 feet; thence North 66°34'00" East, a distance of 14.19 feet to the southwest corner of the said Marsac Transit Center Replat; thence along said Marsac Transit Center Replat southerly boundary North 66°34'00" East, a distance of 101.95 feet; thence continuing along said Marsac Transit Center Replat boundary North 66°22'00" East, a distance of 98.00 feet to the POINT OF BEGINNING.  
Containing 156,088 square feet or 3.583 acres, more or less.

3/3/2005 Park City Surveying

Ex. D

# Exhibit E – PUT District Language

## TITLE 15 - LAND MANAGEMENT CODE

### CHAPTER 2.22 - PUBLIC USE TRANSITION DISTRICT

15-2.22-1.	PURPOSE.....	1
15-2.22-2.	USES .....	1
15-2.22-3.	LOT AND SIZE REQUIREMENTS.....	2
15-2.22-4.	MAXIMUM BUILDING HEIGHT .....	3
15-2.22-5.	ARCHITECTURAL REVIEW .....	3
15-2.22-6.	PARKING REGULATIONS .....	4
15-2.22-7.	MECHANICAL SERVICE .....	4
15-2.22-8.	ACCESS, SERVICE AND DELIVERY .....	4
15-2.22-9.	GOODS AND USES TO BE WITHIN ENCLOSED BUILDING..	5
15-2.22-10.	VEGETATION PROTECTION .....	6
15-2.22-11.	SIGNS .....	7
15-2.22-12.	RELATED PROVISIONS.....	7



**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 2.22 - PUBLIC USE TRANSITION DISTRICT**  
**REGULATIONS**

*Chapter adopted by Ordinance No. 05-12*

**15-2.22-1. PURPOSE.**

The purpose of the Public Use Transition (PUT) District is to:

- (A) preserve the cultural heritage of the City's original Business, governmental, and residential center;
- (B) allow the Use of land for recreational and institutional purposes with limited commercial support to enhance and foster the economic and cultural vitality of the City;
- (C) facilitate the continuation of the visual character, scale, and Streetscape of the original Park City town core;
- (D) encourage the preservation of Historic Structures within the district;
- (E) encourage pedestrian-oriented, pedestrian-scale Development;
- (F) minimize the impacts of new Development on parking constraints of Old Town;
- (G) minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes;
- (H) support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces;
- (I) allow for community input on Development design within the District through the public Conditional Use permit review process; and
- (J) to provide a transition between the HCB and the HR-1 Districts for the purpose of providing municipal Uses and public gathering and activity Areas.

**15-2.21-2. USES.**

Uses in the Public Use Transition District are limited to the following:

(A) **ALLOWED USES.**

- (1) Municipal/Institutional Accessory Building and Use 600 sf or less
- (2) Conservation Activity
- (3) Parking Lot, Public or Private with four (4) or fewer spaces

- (4) Public Utility or Essential Services
- (5) Public Assembly Uses
- (6) Outdoor Events

(B) **CONDITIONAL USES.**

- (1) Public and Quasi-Public Institution, Church, School, Post Office
- (2) Entertainment Facility, Outdoor
- (3) Essential Municipal Public Utility Use, Facility, or Service Structure
- (4) Parking Area or Structure for five (5) or more cars
- (5) Liquor Store
- (6) Commercial Retail and Service, Minor
- (7) Outdoor Recreation Equipment
- (8) Outdoor Grills/Beverage Service Stations
- (9) Restaurant, Outdoor Dining<sup>1</sup>
- (10) Restaurant, Café or Deli
- (11) Accessory Building or Use greater than 600 sf
- (12) Telecommunication Antenna<sup>2</sup>
- (13) Satellite Dish, greater than thirty-nine inches (39") in diameter<sup>3</sup>
- (14) Temporary Improvement/Outdoor Use
- (15) Salt Lake City 2002 Winter Olympic Legacy Displays<sup>4</sup>
- (16) Master Planned Developments
- (17) Passenger Tramways, ski towers, and ski lift facilities.

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

**15-2.21-3. LOT AND SITE REQUIREMENTS.**

Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(A) **LOT SIZE.** There is no minimum Lot size in the PUT District.

(B) **FRONT, REAR AND SIDE YARDS.** There are no minimum required Front, Rear, or Side Yard dimensions in the PUT District; however, where new construction abuts a residential zone, the new construction shall meet the required minimum Setback of the abutting zone.

(C) **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

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<sup>1</sup> Required Administrative Conditional Use permit

<sup>2</sup> See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

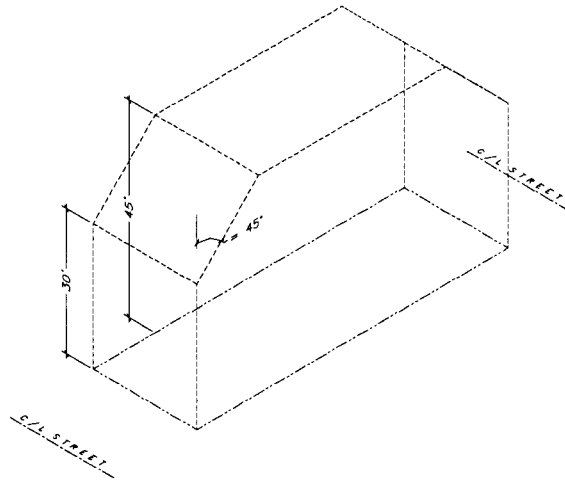
<sup>3</sup> See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>4</sup> Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.



#### 15-2.21-4. MAXIMUM BUILDING HEIGHT.

(A) The maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane. The maximum Building Height shall be forty-five feet (45') as measured from Existing Grade.



(B) **MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.** To allow for pitched roofs and to provide usable space within the Structure, the following exceptions apply:

- (1) A gable, hip, gambrel or similarly pitched roof may extend up to five feet (5') above the Zone Height.
- (2) An antenna, chimney, flue, vent, or similar Structure may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.
- (3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- (4) A church spire, bell tower, and like architectural features may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning and Building Departments.
- (5) An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.
- (6) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').

#### 15.-2.22-5. ARCHITECTURAL REVIEW.

(A) **REVIEW.** Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with the Architectural

Review standards, Chapter 15-9. Restorations, rehabilitations, adaptive reuses, and additions to Historic Structures within the PUT shall be reviewed by the Planning Department for compliance with the Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Planning Department determines that proposed Development plans comply with all LMC and/or Historic District Design Guidelines, the staff shall post the Property and provide written notice to Owners immediately adjacent to the Property, directly abutting the Property and across Public Streets and/or Rights-of-Way.

The notice shall state that the Planning Department staff has made a preliminary determination finding that the proposed plans comply with the LMC and/or Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed Development project and shall establish a ten (10) day period to appeal staff's determination of compliance to the Planning Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Code provisions violated by the staff determination.

#### **15-2.22-6. PARKING REGULATIONS.**

Off-Street parking shall be provided per the LMC parking standards set forth in Chapter 15-3. The parking must be on-Site or paid by fee in lieu of on-Site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee.

#### **15-2.22-7. MECHANICAL SERVICE.**

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to eliminate visual impacts on nearby Properties, including those Properties located above the roof tops of Structures in the HCB District.

All mechanical equipment must be shown on the plans prepared for architectural review by the Planning and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

#### **15-2.22-8. ACCESS, SERVICE AND DELIVERY.**

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible from a Public Street. Refuse storage must be fully enclosed and properly ventilated. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.

#### **15-2.22-9. GOODS AND USES TO BE WITHIN ENCLOSED BUILDING.**

(A) **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration, which exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.6-1(B)(3) for outdoor display of bicycles, kayaks, and canoes.

(B) **OUTDOOR USES PROHIBITED/ EXCEPTIONS.** The following outdoor Uses may be allowed by the City upon the issuance of an Administrative Permit. The Applicant must submit the required Application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

- (1) **OUTDOOR DINING.** Outdoor dining is subject to the following criteria:
  - (a) The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.
  - (b) The proposed seating Area does not impede pedestrian circulation.
  - (c) The proposed seating Area does not impede emergency Access or circulation.
  - (d) The proposed furniture is Compatible with the Streetscape.
  - (e) No music or noise is in excess of the City Noise Ordinance, Title 6.
  - (f) No Use after 10:00 p.m.
  - (g) No net increases in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.
  
- (2) **OUTDOOR GRILLS/ BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations are subject to the following criteria:
  - (a) The Use is on private Property or leased public Property, and does not diminish parking or landscaping.
  - (b) The Use is only for the sale of food or beverages in a form suited for immediate consumption.
  - (c) The Use is Compatible with the neighborhood.
  - (d) The proposed service station does not impede pedestrian circulation.
  - (e) The proposed service station does not impede emergency Access or circulation.
  - (f) Design of the service station is Compatible with the adjacent Buildings and Streetscape.
  - (g) No violation of the City Noise Ordinance, Title 6.
  - (h) Compliance with the City Sign Code, Title 12.
  
- (3) **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an Administrative Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:
  - (a) Notification of adjacent Property Owners.

- (b) No violation of the City Noise Ordinance, Title 6.
- (c) Impacts on adjacent residential Uses.
- (d) Proposed plans for music, lighting, Structures, electrical signs, etc.
- (e) Parking demand and impacts on neighboring Properties.
- (f) Duration and hours of operation.
- (g) Impacts on emergency Access and circulation.

#### **15-2.22-10. VEGETATION PROTECTION.**

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½') above the ground, groves of small trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning, Building, and Engineering Departments shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with landscape criteria in LMC Chapter 15-3-3(D) and Title 14.

#### **15-2.22-11. SIGNS.**

Signs are allowed in the PUT District as provided in the Park City Sign Code, Title 12.

#### **15-2.22-12. RELATED PROVISIONS.**

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Park City Sign Code. Title 12.
- Architectural Design. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

**Ordinance No. 05-14**

**AN ORDINANCE APPROVING THE MARSAC PARKING STRUCTURE SUDIVISION WHICH WILL COMBINE MULTIPLE CITY-OWNED METES AND BOUNDS PARCELS LOCATED IN THE SWEDE ALLEY AREA OF THE PARK CITY SURVEY INTO ONE LOT OF RECORD.**

**WHEREAS**, Park City Municipal Corporation, owners of the multiple parcels in Swede Alley, have petitioned the City Council for approval of a subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on March 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed subdivision allows the property owner to create a one lot subdivision on a parking structure will be built; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission reviewed this application at their March 23, 2005 meeting and forwarded a positive recommendation to approve the application. A public hearing was held.
2. During the spring 2003 City Budget review, City Council initiated a Downtown Task Force to take an overall approach to reviewing capital project needs in the downtown area.
3. These Downtown Task Force findings and recommendations for capital projects and other programming ideas aimed at promoting vitality in the downtown area were fully endorsed by the City Council during the November 20, 2003 City Council Meeting.
4. During the spring 2004 City Budget Review funding was allocated for three major downtown capital improvements: a town plaza; an expansion of the China Bridge parking structure; and a seismic upgrade/remodel of the Marsac City Hall building.
5. The City's Capital Projects and Economic Development Department will phase these three major projects. At this time they are finalizing the design for a new parking structure only. This is planned to be built during the 2005 building season.
6. The proposed parking structure will cross the existing interior common parcel lines. Recordation of the proposed one-lot subdivision is necessary prior to the commencement of construction.
7. The subject property is a 3.6 acre site located south of the transit center, north of Grant avenue, and between Swede Alley and Marsac Avenue.
8. The site includes multiple City-owned metes and bounds parcels which currently exist as: Marsac City Hall, the China Bridge parking structure, and the Swede Alley surface parking lots.
9. The current zoning is a mix of Historic Commercial Business (HCB) and Historic Residential (HR-1). Staff is concurrently processing a rezone of this area to the newly created Public Use Transitional (PUT) District. The Planning Commission forwarded a positive recommendation to the City Council for this rezone on March 9, 2005. The City Council is scheduled to consider this rezone on March 24, 2005.

10. The rezone from HR-1/HCB the PUT District will allow for the construction of municipal Capital Improvement Projects in the downtown area including the new parking structure, town plaza, and Marsac Building renovation, subject to conditional use permit review.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

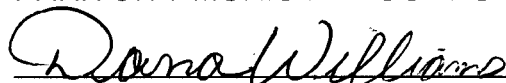
**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat 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 Subdivision Plat 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 and the plat will be void.
3. Approval of a construction mitigation plan is a condition precedent to the issuance of final building permits.
4. A financial guarantee for public improvements in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer shall be in place prior to plat recordation or building permit.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

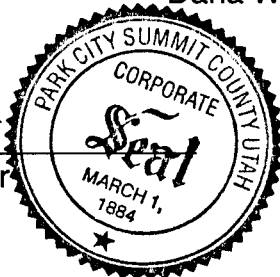
PASSED AND ADOPTED this 24th day of March, 2005.

PARK CITY MUNICIPAL CORPORATION

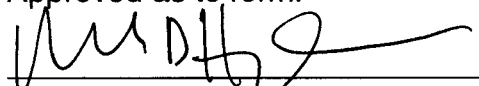
  
Dana Williams, Mayor

Attest:

  
Janet M. Scott, City Recorder



Approved as to form:

  
Mark D. Harrington, City Attorney









**Ordinance No. 05-13**

**AN ORDINANCE APPROVING THE SERNYAK SUBDIVISION WHICH WILL COMBINE 3 METES AND BOUNDS PARCELS IN BLOCK 24 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO TWO LOTS OF RECORD.**

**WHEREAS**, the owner of the three metes and bounds parcels known as 1359 Park Avenue, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on January 26, 2005, and March 9, 2005 the Planning Commission held a public hearings to receive public input on the proposed plat amendment. On March 9, 2005 they forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to remove two lot lines and create one lot line, thereby reducing three metes and bounds parcels into two legal lots of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. This project received a positive recommendation from the Planning Commission on January 26, 2005. Following the January 26, 2005 Planning Commission meeting, but before presentation to the City Council, concerns over access to Lot 1 was raised by the City Engineer. The access issue warranted additional Planning Commission review.
2. The proposals consistency with the language from the LMC Section 15-7.3-3. General Lot Design Requirements as it relates to allowing access from a Collector Street was in question.
3. Park Avenue is a Collector Street.
4. Off-street parking and driveway access from Park Avenue to the historic home located at 1359 Park Avenue is contemplated. At the time of initial presentation to the Planning Commission, it was unclear that the applicant would propose off-street parking, and therefore driveway access from Park Avenue to the renovated historic home.
5. Off-street parking and driveway access from Woodside Avenue to the newly created duplex lot (Lot 2) is also contemplated.
6. Renovation to the existing historic home provides ample community benefit to consider allowing access from a Collector road, namely Park Avenue.
7. The Planning Commission reviewed this item at the March 9, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
8. This application is for a plat amendment to subdivide 3 metes and bounds parcels into 2 lots.
9. The parcels sit between Park Avenue and Woodside Avenue, and have frontage on both streets.
10. Currently a historic single family home exists, along with a non-contributory garage/ outbuilding on the parcels.
11. The applicant is proposing a relocation and remodel of the historic home onto newly

created Lot 1, which will be 3,874 square feet. The other lot will be a vacant lot of 5019 square feet, on which the applicant proposes a duplex.

12. The property is located in the HR-M zone.
13. The parcels are heavily vegetated in the front.
14. Renovation of the historic home on the proposed lot 1 will be an allowed use in the zone. Construction of a duplex will also be an Allowed Use, provided it meets the criteria in LMC Chapter 15-2.2, and the Historic District Design Guidelines.
15. The LMC Section 15-2.2-4 exempts the historic home from off-street parking requirements (not including lockouts and accessory apartments).
16. The property sits in a FEMA designated flood zone.
17. The property has frontage on both Park and Woodside Avenues. Access to the renovated historic home will be via Park Avenue, and access to the new duplex will be via Woodside Avenue. Section 15-7-3(C) of the City's Land Management Code requires that all public improvements through the subdivision process conform with, among other things, the Park City Street Master Plan (SMP).
18. Woodside Avenue, between 13<sup>th</sup> and 15<sup>th</sup> Street, is a street located outside of the existing, platted right-of-way. Table II of the SMP indicates that Woodside Avenue requires a 50' right-of-way. The existing pavement width in this location is 23'. The City Engineer, will request a dedication of 10' to add to the Woodside right-of-way. The applicant has agreed to this stipulation and the proposed plat reflects this condition.
19. The metes and bounds parcel at Park Avenue also exists into the Park Avenue right-of-way in what otherwise exists as a sidewalk. The applicant will dedicate 5' of property to the Park Avenue right-of-way in this location. The applicant has agreed to this stipulation and the proposed plat reflects this condition.
20. Properly designed streets are prerequisite to public health, safety, and welfare.
21. No remnant lots will be created as a result of this application.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for any new construction on the vacant lot (Lot 2), the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.
3. 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 and the plat will be void.
4. The applicant shall dedicate the necessary street rights-of-way on the plat pursuant to the Park City Streets Master Plan. Said dedications shall be: 10' to add to the Woodside

right-of-way; and 5' to the Park Avenue right-of-way.

5. No footing and foundation or full building permits can be issued for construction on Lot 2 until the historic home is relocated onto a permanent foundation on Lot 1 and is inspected and approved by the Building Department. The inspection shall consist of the contractor notifying the Planning and Building Departments that the renovated historic building has been reinstalled on the new foundation and that verification of this is requested.
6. No Certificate of Occupancy shall be granted for any structure on Lot 2 until the relocated and renovated historic house has been granted a Certificate of Occupancy on Lot 1.
7. Planning, Building, and Engineer Department approval of a complete relocation and renovation plan for the historic structure at 1359 Park Avenue is a condition precedent to the issuance of any grading or building permits.
8. No basements are allowed on either lot.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

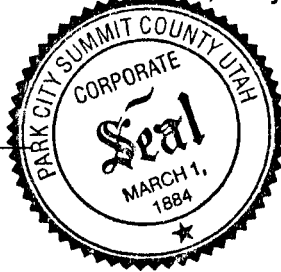
PASSED AND ADOPTED this 24<sup>th</sup> day of March, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Dana Williams, Mayor

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





**Ordinance No. 05-10**

**AN ORDINANCE APPROVING THE ONTARIO CANYON SUBDIVISION PLAT  
PARK CITY, UTAH**

WHEREAS, the owners of the property known as the 44 Ontario Canyon Road (Chambers Street) have petitioned the City Council for approval of the Ontario Canyon subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 9, 2005, to receive input on the Ontario Canyon subdivision plat;

WHEREAS, the Planning Commission, on February 9, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 3, 2005 the City Council approved the Ontario Canyon subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Ontario Canyon subdivision plat

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

**SECTION 1. APPROVAL.** The Ontario Canyon subdivision 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 44 Ontario Canyon Road, to be addressed as Chambers Street.
2. The zoning is HR-1.
3. The property is two metes and bounds parcels with an existing house on the northern parcel 1.
4. The subdivision will create two lots of record, 4,389 square feet and 4,292 square feet in size.
5. State Highway 224 is a very busy road.
6. Water and sewer service is desirable for newly subdivided lots.
7. The property currently fronts State Highway 224/Marsac Avenue.
8. The approved State Route 224/ Marsac Avenue reconstruction plans will leave this lot with access to the south end of new Chambers Street.

Conclusions of Law:

1. There is good cause for this Subdivision Plat.
2. The Subdivision Plat is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Subdivision Plat, subject to the conditions stated below, 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 Subdivision Plat 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 Subdivision Plat 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 and the plat will be void.
3. A note shall be added to the plat stating, "Lot 1 will need to extend utility services to the new lot at the time of building permit."

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

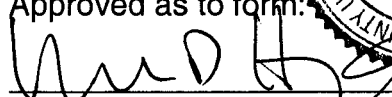
PASSED AND ADOPTED this 3rd day of March , 2005.

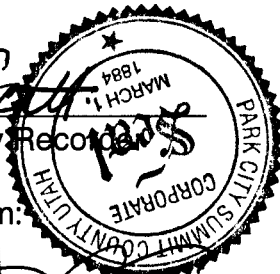
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:  
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney







**Ordinance No. 05-11**

**AN ORDINANCE APPROVING A PLAT AMENDMENT FOR THE PROPERTY KNOWN AS 239 WOODSIDE AVENUE, LOCATED AT LOTS 8 AND 9 OF BLOCK 31 OF THE PARKCITY SURVEY, PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as 239 Woodside Avenue, has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on February 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to combine two lots of record into one lot of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held.
1. This plat was reviewed at the January 26, 2005 Planning Commission work session.
2. The Planning Commission provided direction to waive the requirement, from the LMC SECTION 15-7.1-5(B) (2), to submit all contiguous holdings of the owner.
3. The property is located in the Historic Residential (HR-1) zone.
4. The South half of lot 8 is owned by Paul E. Susan. The North half of lot 9 is owned by James M. Titora.
5. The HR-1 zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.
6. The amendment will combine the North half of Lot 8 and South half of Lot 9 lying within Block 31 of the amended plat of the Park City Survey.
7. The proposed lot size is 1,875 square feet with a maximum footprint of 844 square feet.
8. The lot has 25 feet of frontage on Woodside Avenue.
9. No remnant lots will be created as a result of this application.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. Prior to the receipt of a building permit, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
4. 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 and the plat will be void.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3<sup>rd</sup> day of March 2005.

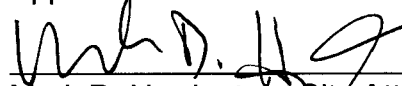
PARK CITY MUNICIPAL CORPORATION

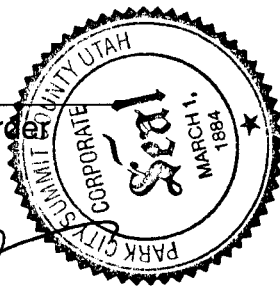
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney





Ordinance No. 05-12

**AN ORDINANCE AMENDING TITLE 15 OF THE PARK CITY MUNICIPAL CODE, CHAPTER 15, LAND MANAGEMENT CODE, ESTABLISHMENT OF SECTION 15-2-22: PUBLIC USE TRANSITION DISTRICT**

WHEREAS, it is in the public interest to create a zoning district in the Main Street/Town Core area specifically limited to municipal/public related uses and limited commercial uses; and

WHEREAS, the proposed amendments were properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a work session on November 10, 2004 and a public hearing on December 8, 2004 to receive public input on the establishment of the proposed zoning district; and

WHEREAS, the Planning Commission, on December 8, 2004, forwarded a positive recommendation on the proposed zoning district to the City Council; and

WHEREAS, on March 3, 2005 the City Council held public hearings to receive input on the proposed zoning district; and

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

**SECTION 1. LAND MANAGEMENT CODE AMENDMENT.** Title 15 of the Park City Municipal Code, Land Management Code is amended as described in Exhibit A to create Section 15-2-22: Public Use Transition District.

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

PASSED AND ADOPTED this 3<sup>rd</sup> day of March 2005.

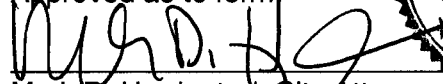
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark B. Harrington, City Attorney





**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 2.22 - PUBLIC USE TRANSITION (PUT) DISTRICT**

*Chapter adopted by Ordinance No. \_\_\_\_*

**15-2.22-1. PURPOSE.**

The purpose of the Public Use Transition (PUT) District is to:

- (A) preserve the cultural heritage of the City's original Business, governmental and residential center,
- (B) allow the Use of land for recreational, and institutional purposes with limited support commercial to enhance and foster the economic and cultural vitality of the City,
- (C) facilitate the continuation of the visual character, scale, and Streetscape of the original Park City town core,
- (D) encourage the preservation of Historic Structures within the district,
- (E) encourage pedestrian-oriented, pedestrian-scale Development,
- (F) minimize the impacts of new Development on parking constraints of Old Town,

- (G) minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and
- (H) support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.
- (I) To allow for community input on development design within the District through the public conditional use permit review process.
- (J) To provide a transition between the HCB and the HR-1 Districts for the purpose of providing Municipal uses and public gathering and activity areas.

**15-2.22-2. USES.**

Uses in the Public Use Transitional District are limited to the following:

(A) **ALLOWED USES.**

- (1) Municipal/Institutional Accessory Building and Use 600 sf or less
- (2) Conservation Activity
- (3) Parking Lot, Public or Private with four (4) or fewer spaces
- (4) Public Utility or Essential Services
- (5) Public Assembly Uses
- (6) Outdoor Events

(B) **CONDITIONAL USES.**

- (1) Public and Quasi-Public Institution, Church, School, Post Office
- (2) Entertainment Facility, Outdoor
- (3) Essential Municipal Public Utility Use, Facility, or Service Structure
- (4) Parking Area or Structure for five (5) or more cars
- (5) Liquor Store
- (6) Commercial Retail and Service, Minor
- (7) Outdoor Recreation Equipment
- (8) Outdoor Grills/Beverage Service Stations
- (9) Restaurant, Outdoor Dining<sup>1</sup>
- (10) Restaurant, Cafe or Deli
- (11) Accessory Building or Use greater than 600 sf
- (12) Telecommunication Antenna<sup>2</sup>
- (13) Satellite Dish, greater than thirty-nine inches (39") in diameter<sup>3</sup>

<sup>1</sup> Required Administrative Conditional Use permit

<sup>2</sup> See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>3</sup> See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving

- (14) Temporary Improvement/Outdoor Use
- (15) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>4</sup>
- (16) Master Planned Developments
- (17) Passenger Tramways, ski towers, and ski lift facilities.

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

*(Amended by Ord. No. 02-38; 04-39)*

**15-2.22-3. LOT AND SITE REQUIREMENTS.**

Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(A) **LOT SIZE.** There is no minimum lot size in the PUT District.

Antennas

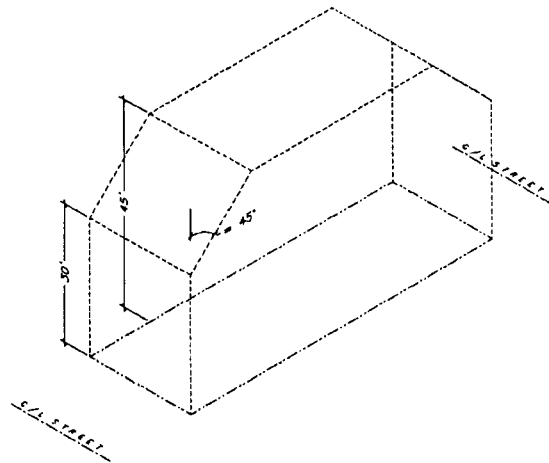
<sup>4</sup> Olympic Legacy Displays limited to those specific Structures approved under the SLOC/ Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

(B) **FRONT, REAR AND SIDE YARDS.** There are no minimum required Front, Rear, or Side Yard dimensions in the PUT District; however, where new construction abuts a residential zone, the new construction shall meet the required minimum setback of the abutting zone.

(C) **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

**15-2.22-4. MAXIMUM BUILDING HEIGHT.**

(A) The maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane. The maximum building height shall be 45 feet from as measured from Existing Grade.



(B) **MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.** To allow for pitched roofs and to provide usable space within the Structure, the following exceptions apply:

- (1) A gable, hip, gambrel or similarly pitched roof may extend up to five feet (5') above the Zone Height.
- (2) An antenna, chimney, flue, vent, or similar Structure may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.
- (3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.



(4) A church spire, bell tower, and like architectural features may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning and Building Departments.

(5) An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

(6) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').

*(Amended by Ord. No. 03-38)*

**15-2.22-5. ARCHITECTURAL REVIEW.**

(A) **REVIEW.** Prior to issuance of a Building Permit for any Conditional or Allowed Use, Planning Department must review the proposed plans for compliance with the Architectural Review standards, Chapter 15-9. Restorations, rehabilitations, adaptive reuses, and additions to Historic Structures within the PUT shall be reviewed by the Planning Department for compliance with the Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Planning Department determines that proposed Development plans comply with all LMC and/or Historic District

Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property, directly abutting the Property and across Public Streets and/or Rights-of-Way.

The notice shall state that the Planning Department staff has made a preliminary determination finding that the proposed plans comply with the LMC and/or Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed Development project and shall establish a ten (10) day period to appeal Staff's determination of compliance to the Planning Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Code provisions violated by the Staff determination.

**15-2.22-7. PARKING REGULATIONS.**

Off street parking shall be provided per the LMC Parking Standards set forth in Chapter 15-3. The parking must be on-Site or paid by fee in lieu of on-Site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee.

**15-2.22-8. MECHANICAL SERVICE.**

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to eliminate visual impacts on nearby Properties, including

those Properties located above the roof tops of Structures in the HCB District.

All mechanical equipment must be shown on the plans prepared for architectural review by the Planning and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

**15-2.22-9. ACCESS, SERVICE AND DELIVERY.**

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible from a public street. Refuse storage must be fully enclosed and properly ventilated. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.

**15-2.22-0. GOODS AND USES TO BE WITHIN ENCLOSED BUILDING.**

(A) **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration, which exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.6-12(B)(3) for outdoor display

of bicycles, kayaks, and canoes.

(B) **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the City upon the issuance of an Administrative Permit. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

(1) **OUTDOOR DINING.**

Outdoor dining is subject to the following criteria:

(a) The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.

(b) The proposed seating Area does not impede pedestrian circulation.

(c) The proposed seating Area does not impede emergency Access or circulation.

(d) The proposed furniture is Compatible with the Streetscape.

(e) No music or noise is in excess of the City Noise Ordinance, Title 6.

(f) No Use after 10:00 p.m.

(g) No net increases in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.

**(2) OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations are subject to the following criteria:

(a) The Use is on private Property or leased public Property, and does not diminish parking or landscaping.

(b) The Use is only for the sale of food or beverages in a form suited for immediate consumption.

(c) The Use is Compatible with the neighborhood.

(d) The proposed service station does not impede pedestrian circulation.

(e) The proposed service station does not impede emergency Access or circulation.

(f) Design of the service station is Compatible with

the adjacent Buildings and Streetscape.

(g) No violation of the City Noise Ordinance, Title 6.

(h) Compliance with the City Sign Code, Title 12.

**(3) OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an Administrative Use Permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

(a) Notification of adjacent Property Owners.

(b) No violation of the City Noise Ordinance, Title 6.

(c) Impacts on adjacent residential Uses.

(d) Proposed plans for music, lighting, structures, electrical signs, etc.

(e) Parking demand and impacts on neighboring Properties.

(f) Duration and hours of operation.

- (h) Impacts on emergency Access and circulation.

**15-2.22-11. VEGETATION PROTECTION.**

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning, Building, and Engineering Departments shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with landscape criteria in LMC Chapter 15-3-3(D) and Title 14.

**15-2.22-15. SIGNS.**

Signs are allowed in the PUT District as provided in the Park City Sign Code, Title 12.

**15-2.22-16. RELATED PROVISIONS.**

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.

- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Park City Sign Code. Title 12.
- Architectural Design. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

**Ordinance No. 05-09**

**AN ORDINANCE APPROVING THE STREET NAME CHANGE FROM  
ASHLEY AVENUE TO ASHLEY COURT  
PARK CITY, UTAH.**

WHEREAS, the sixteen owners of property addressed on Ashley Avenue have petitioned the City Council for approval of the street name change to Ashley Court; 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 affected property owners; and

WHEREAS, Utah Code Section 10-8-8.1 the City must notify the owners and operators of all underground utilities within the street, hold a public hearing, and determine that there is good cause for the rename and that the rename will not be detrimental to the public interest; and

WHEREAS, on March 3, 2005 the City Council approved the street name change from Ashley Avenue to Ashley Court; and

WHEREAS, it is in the best interest of Park City, Utah to rename Ashley Avenue to Ashley Court.

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

**SECTION 1. APPROVAL.** The street name change from Ashley Avenue to Ashley Court is approved subject to the following Findings of Facts, Conclusions of Law, and Condition of Approval:

**Findings of Fact:**

1. The application is for a street name change within the Risner Ridge II subdivision.
2. The current name of the street is Ashley Avenue.
3. The zoning is Residential Development (RD).
4. The subdivision was approved by the City Council on March 16, 1989.
5. The application requests that Ashley Avenue be renamed to Ashley Court.
6. All 16 property owners along Ashley Avenue have agreed to the proposed name change.
7. The two lots addressed on American Saddler are unaffected.
8. The property owners have submitted a notification letter for all effected entities for compliance with Utah Code 10-8-8.1(2)(a).

Conclusions of Law:

1. There is good cause for this street name change.
2. The street name change will not be detrimental to the public interest.
3. This application complies with the requirements of Utah Code 10-8-8.1.

Condition of Approval:

1. If any of the effected governmental entities or public utilities object to this name change, this approval is void.

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

PASSED AND ADOPTED this 3rd day of March , 2005.

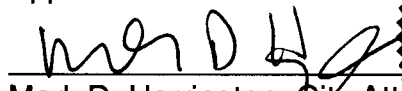
PARK CITY MUNICIPAL CORPORATION

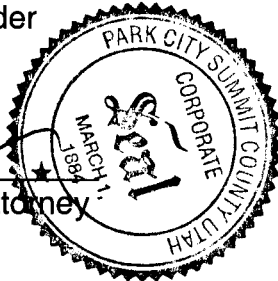
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**Ordinance No. 05-08**

**AN ORDINANCE APPROVING THE NOLAN REPLAT WHICH WILL COMBINE  
LOTS 7-8 IN BLOCK 4 OF THE PARK CITY SURVEY INTO ONE LOT OF RECORD  
437 PARK AVENUE, PARK CITY, UTAH**

**WHEREAS**, the owners of Lots 7 and 8 of Block 4 of the Park City Survey, known as 437 Park Avenue, have petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on February 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to remove one lot line and create one legal lot of record and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1).
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. There is an existing historic single family home on the property.
4. The existing historic single family home straddles lots 7 and 8 of block 4 the Park City Survey
5. The amendment will combine lots 7 and 8 of Block 4 of the Park City Survey into one (1) platted lot.
6. The proposed lot will combine two standard 25' x 75' old town lots. The resulting lot size will be 3,750 square feet (50' x 75')
7. The required front yard setback in the HR-1 zone for a 75' deep lot is ten feet (10').
8. The required side yard setback in the HR-1 zone for a 25' lot is three feet (3'). The required side yard setback for a 50' wide lot is five feet (5').
9. The applicant intends to renovate the existing home, and put an addition onto the rear of the structure.
10. An existing railroad tie retaining wall exists in the existing south side yard (3') and runs along the southern lot line of Lot 6 of the Park City Survey. The portion of the wall that exists along the lot line is approximately 7' in length. As proposed in the submitted design review application, this retaining wall will be removed during the construction of the proposed addition.
11. The current home is approximately 1,200s.f. The proposed addition will add

- approximately 1600 s.f. to the structure and will result in a 2,800 s.f. home.
12. The maximum allowed footprint for the combined lots is 1,519. The proposed footprint including the addition is approximately 1277.
  13. The project will be reviewed for compliance with the Historic District Design Review Guidelines prior to the issue of a building permit for any addition or exterior remodel.
  14. The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

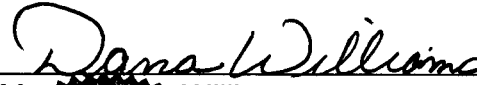
**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording 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 and the plat will be void.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of March, 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

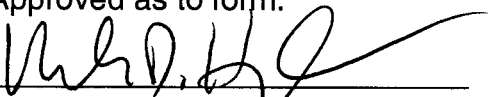
Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder





Approved as to form:



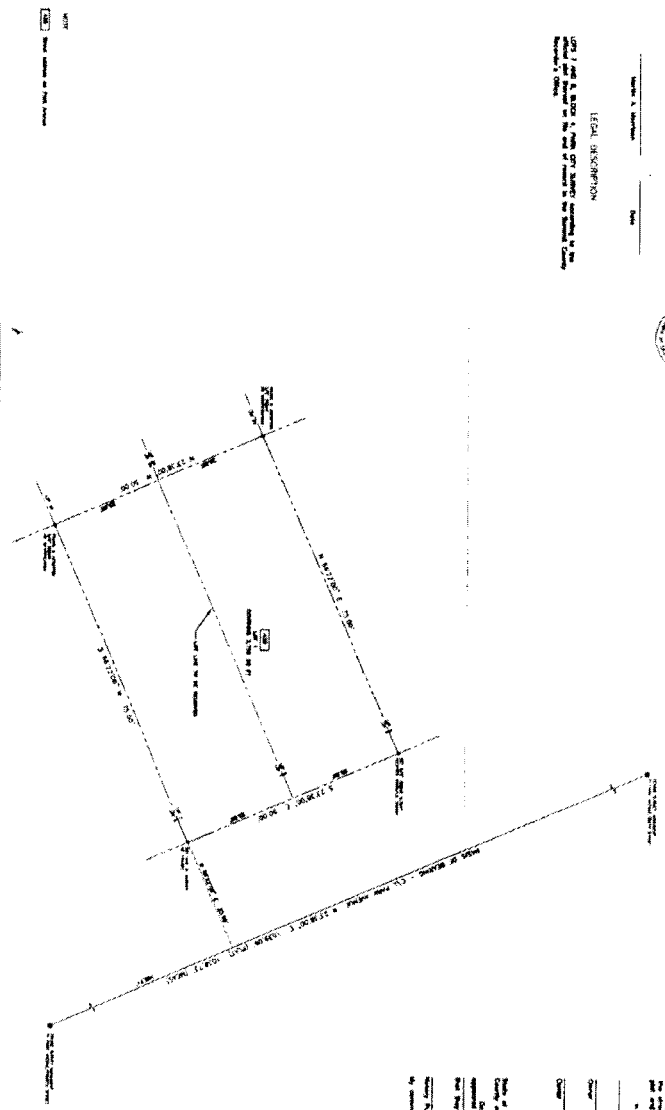
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Mark D. Harrington City Attorney

**SUBJECT'S CERTIFICATE**  
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original of the above and correct description of the same as the same appears in the records of the County of Park, State of Missouri.

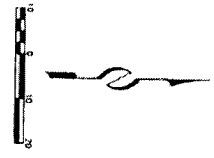


**LEGAL DESCRIPTION**  
 The above described premises are situated in the City of Park, State of Missouri, and are more particularly described as follows: ...



**A PARCEL COMBINATION PLAT  
 A RESUBDIVISION OF LOTS 7-8 IN BLOCK 4, PARK CITY SURVEY  
 NOLAN REPIAT**

LOCATED IN SECTION 16  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
 PARK CITY, SOUWAI COUNTY, UTAH



<p><b>SPRINGFIELD BURN STATE EXAMINATION DISTRICT</b>          APPROVED AS TO COMPLIANCE WITH THE STATE FIRE MARSHAL'S REQUIREMENTS FOR THE PROPOSED PLAT          DATE: _____ BY: _____</p>	<p><b>PLANNING COMMISSION</b>          APPROVED AS TO THE PLAT CITY OF PARK CITY          DATE: _____ BY: _____</p>	<p><b>ENGINEER'S CERTIFICATE</b>          I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original of the above and correct description of the same as the same appears in the records of the County of Park, State of Missouri.          DATE: _____ BY: _____</p>	<p><b>APPROVAL AS TO ROAD</b>          APPROVED AS TO ROAD          DATE: _____ BY: _____</p>	<p><b>CERTIFICATE OF ATTORNEY</b>          I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original of the above and correct description of the same as the same appears in the records of the County of Park, State of Missouri.          DATE: _____ BY: _____</p>	<p><b>COUNCIL APPROVAL AND ACCEPTANCE</b>          APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL          DATE: _____ BY: _____</p>	<p><b>FILED IN THE PUBLIC RECORDS</b>          FILED IN THE PUBLIC RECORDS OF THE COUNTY OF PARK, STATE OF MISSOURI          DATE: _____ BY: _____</p>
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**Ordinance No. 05-07**

**AN ORDINANCE APPROVING THE PARK CITY RECREATION COMPLEX SUBDIVISION WHICH WILL CREATE A THREE LOT SUBDIVISION OUT OF A 70.5 ACRE METES AND BOUNDS PARCEL.**

**WHEREAS**, Park City Municipal Corporation, owners of the 70.5 acre parcel deeded to the city from Florence J Gillmor, have petitioned the City Council for approval of a subdivision; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on February 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed subdivision allows the property owner to create a 3 lot subdivision on which a recreation complex will be built; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. On October 21, 2004, the City Council adopted an ordinance approving annexation of the 136 acre National Ability Center and Municipal Recreation Complex Annexation. This annexation brought 3 metes and bounds parcels into City limits: A City-owned open space parcel (approx. 39.5 acres of a 119 acre parcel), the NAC parcel (approx 26.2 acres), and an approximately 70.4 acre City-owned parcel deeded to PCMC by Florence Gillmor for recreational uses.
2. The zoning adopted for the parcel through the annexation is Recreation Open Space with underlying Master Planned Development.
3. The City intends to develop a recreation complex on the Gillmor Parcel.
4. An MPD and CUP application for the design of this complex was approved on January 26, 2005.
5. The subdivision of the parcel will create 3 lots oriented around the proposed roadway system (Exhibit B). Lot 1 is 35.3 acres and will hold the ice sheet and concessions building. It is located toward the eastern portion of the lot, along SR 248. Lot 2 is 16.3 acres and is located in the south west corner of the parcel, directly in front of the NAC. This lot will hold the recreation complex's maintenance building. Lot 3 will be the remaining land north and west of the ice sheet, and is 8.6 acres.
6. All lots meet minimum standards of the ROS District (Exhibit C – MPD site plan). The lot arrangement, building site, square footage, lot dimension, and access, and road design are consistent with the Land Management Code, Section 15.7.3-3: Subdivisions—General Lot Design Requirements.

7. Utilities necessary for the recreation complex are available either on site or within close proximity. Utility easements are dedicated on the plat.
8. Each of the utility companies has expressed an ability to connect existing infrastructure located in Fairway Hills or SR 248 or both.
9. The NAC is currently served with all necessary utilities.
10. Public rights-of-way and easements are dedicated on the plat
11. The City Engineer finds the existing and proposed roadway systems are adequate to support a recreation complex in this area.
12. The project team has designed a roadway system that allows for future reconfiguration of the frontage road to meet the needs of future development by adjacent private property owners.
13. The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

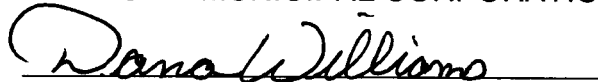
**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. Execution of a line extension agreement with SBWRD to extended service to the recreation complex must be completed prior to issuance of occupancy permits.
3. A fire management plan has been submitted and must be approved prior to issuance of occupancy certificates.
4. The applicant will record the Subdivision Plat 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 and the plat will be void.
5. No vehicular access will be allowed from Fairway Hills.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of March, 2005.

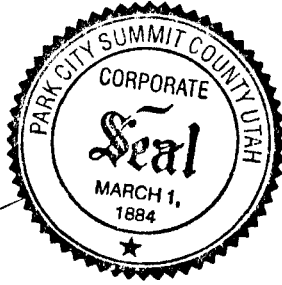
PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:

Janet M. Scott  
Janet M. Scott, City Recorder



Approved as to form:  
Mark D. Harrington  
Mark D. Harrington, City Attorney



**Ordinance No. 05-06**

**AN ORDINANCE APPROVING AN RECORD OF SURVEY PLAT FOR THE NORTH SILVER LAKE LODGE, LOCATED AT 7101 NORTH SILVER LAKE DRIVE PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as North Silver Lake Lodge , has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on February 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed record of survey plat allows the property owner to create six lots of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is zoned RD-MPD, Residential Development Master Planned Development.
2. There is no approved utility, grading, or drainage plan for the project.
3. At their December 12, 2001 meeting, the Planning Commission approved a CUP at 7101 Silver Lake Drive consisting of a main building of 47 units, 6 detached cottages along the perimeter of the property, and 14,535 square feet of commercial area.
4. On December 11, 2002, January 14, 2004 and again on February 9, 2005 the Planning Commission granted the applicant a one year extension to the approval.
5. There is a significant amount of existing vegetation on the site.
6. The proposed plan is consistent with the approved CUP for the North Silver Lake Lodge.
7. The applicant is proposing a hammerhead turnaround at the end of the driveway for the six cottage units.
8. The hammerhead turnaround is necessary to provide adequate fire protection.

9. No changes in density are requested under this application.
10. The applicant stipulates to all conditions of approval.
11. Notice of this public hearing was sent to all property owners within 300 feet of the project on January 12, 2005.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

- 1 There is good cause for this amendment.
- 2 The amendment is consistent with the Park City Land Management Code and applicable State law.
- 3 Neither the public nor any person will be materially injured by the proposed amendment.
- 4 As conditioned the amendment is consistent with the Park City General Plan.

**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. All Conditions of approval from the December 12, 2001 CUP for the North Silver Lake project approval shall apply to the units created by this plat.
3. A utility, grading and drainage plan shall be submitted to the City Engineer for review and approval prior to the issue of a building permit.
4. A note shall be added to the plat indicating that all units shall have a modified 13-D sprinkler fire protection system installed prior to the issue of a certificate of occupancy by the Building Department.
5. The applicant shall submit a tree preservation plan, identifying all of the trees that are to be saved as shown on the Revegetation Plan. The tree preservation plan shall include the method of preservation, such as fencing, pruning, spading of the site specific trees in relationship to utilities, roads grading, storage, staging and siting of the residential units.
6. This approval will expire one year from the date of approval if no building permit has been issued.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3<sup>rd</sup> day of March 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

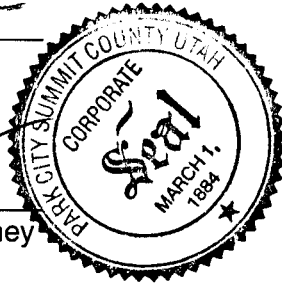


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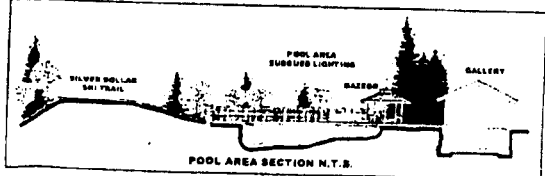
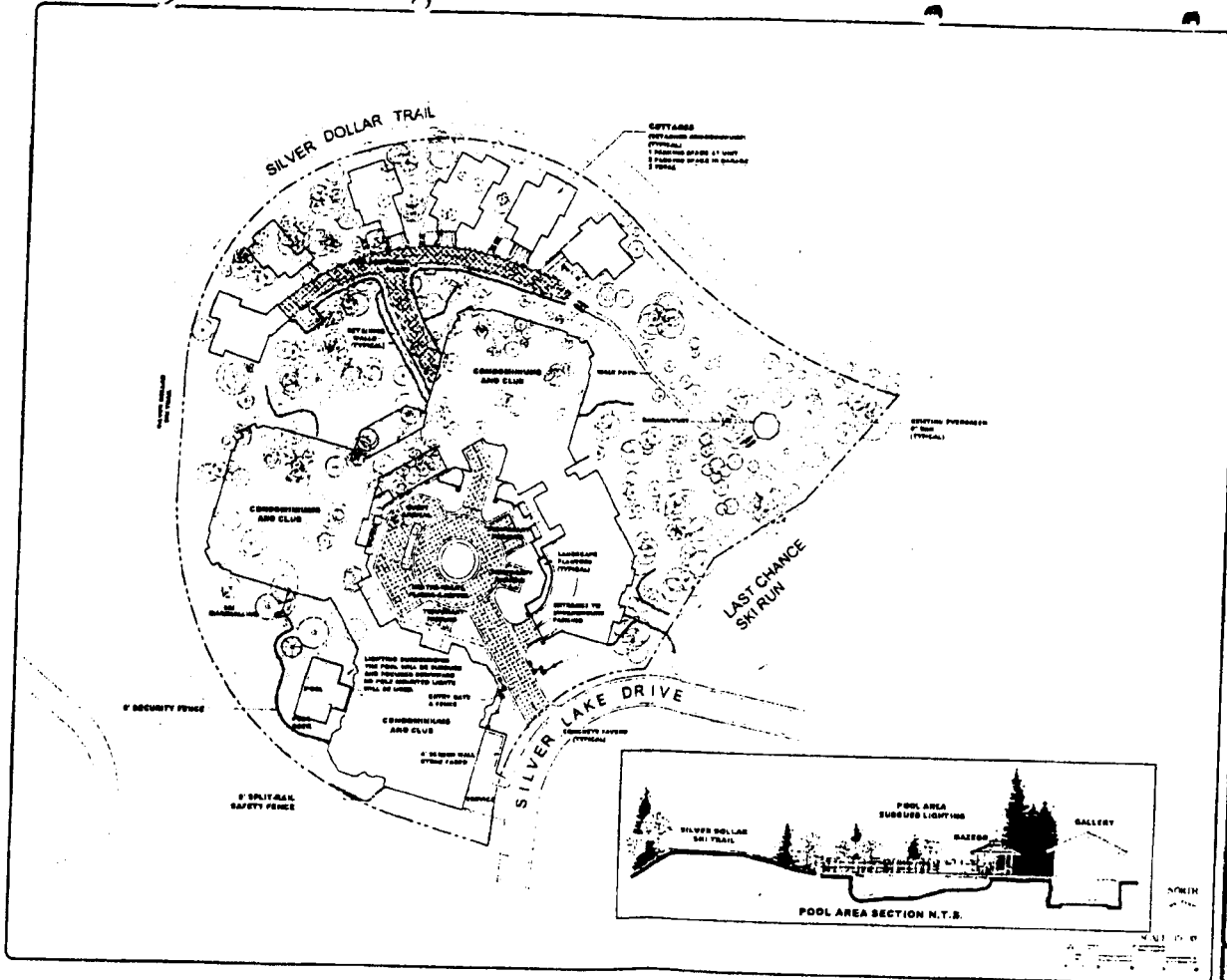
Jared M. Scott  
Jared M. Scott, City Recorder

Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney







**THE JACK JOHNSON COMPANY**

ARCHITECTS

---

**SILVER DOLLAR TRAIL CONDOMINIUM AND CLUB**  
SILVER VALLEY, UTAH

SITE PLAN

DATE: 12/15/80

SCALE: AS SHOWN

**Ordinance No. 05-05**

**AN ORDINANCE APPROVING THE BANNER WOOD SUBDIVISION PLAT  
PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Banner Wood subdivision plat have petitioned the City Council for approval of the Banner Wood subdivision plat; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on January 26, 2005, to receive input on the Banner Wood subdivision plat;

WHEREAS, the Planning Commission, on January 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 10, 2005 the City Council approved the Banner Wood subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Banner Wood subdivision plat

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

**SECTION 1. APPROVAL.** The Banner Wood subdivision 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 Banner Wood Subdivision Plat is located in the Residential Development (RD) - MPD District.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.

4. The MPD and subdivision are subject to the 14 Technical Reports approved on December 12, 2002.
5. On July 28, 2004 the Planning Commission approved a Master Planned Development for the Village at Empire Pass, also known as Pod A. Included in this MPD approval and as stipulated in the Development Agreement are six single-family lots.
6. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over length cul de sac. A secondary emergency access road is required with an all-weather 20-foot wide surface.
7. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof).
8. The applicant's prior dedication of the realigned SR 224 is subject to a claim resulting from ownership of the Marsac Claim. The applicant and UDOT have committed to maintaining public access and taking necessary corrective action. Accordingly, the applicant is proceeding at their own risk.
9. The Planning Commission heard this application on January 26, 2005, and forwards a positive recommendation to the City Council.

#### Conclusions of Law

1. There is good cause for this Final Subdivision Plat.
2. The Final Subdivision Plat is consistent with the Flagstaff Annexation and Development Agreement, the Village at Empire Pass Master Plan Development, Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Final Subdivision Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval

1. City Engineer approval of a utility and infrastructure plan is a condition precedent to the plat recordation.
2. Both utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
3. The proposed over-length cul de sac that ends in the six single-family lots will have a secondary emergency access from the Banner Wood road. The emergency access will continue as a minimum 20-foot wide all-weather surface road. This emergency access road must be installed prior to building permit issuance for any of the single-family homes.
4. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Building Permit and for the Banner Wood Subdivision infrastructure.
5. A financial security to guarantee the installation of public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer. All street improvements are privately maintained.
6. If at any time, public access or the State's acceptance of dedication of SR 224 is

invalidated or withdrawn, such that public access is materially interrupted, all future development activity shall be subject to immediate stop work order and any pending and future Certificate of Occupancy and Building Permit shall be suspended until (i) a Certificate of Immediate Occupancy is obtained for public access, or (ii) alternative access acceptable to the City is provided, or (iii) the City receives public access assurances satisfactory to the City from UDOT or others. This condition shall be noted on the plat, and shall be of no force or effect and may be removed from the plat at any point in time when the applicant, on its own initiative, provides (i) alternative access solutions satisfactory to the City, or (ii) assurances from UDOT satisfactory to the City that SR 224 will remain in its existing location.

7. The final subdivision plat will include plat notes on development standards and review process as follows:

### General

1. Development Approval. These criteria are in addition to the conditions imposed on the project by the project's CC&Rs, Design Guidelines and other conditions imposed by the Empire Pass Design Review Board (AKA the Design Review Committee in the Design Guidelines, exhibit 2 of the 1999 LSMPD for the Project). All references to defined terms in the Land Management Code (LMC) are references to the LMC in effect at the time of this plat approval. All references to defined terms in the Design Guidelines (DGs) and Emergency Response Plan (ERP) are references to exhibits to the project's 1999 Large Scale Master Plan (LSMPD) and are subject to any future revision of those documents. All Development (as defined under the LMC) is subject to the approval of both the City and the Design Review Board. Written approval by the Design Review Board must be submitted to the City with any Building Permit within this subdivision plat.

2. Building Height and Setbacks. All current LMC zone restrictions on building height and setbacks apply. Building setbacks are minimum RD Zone setbacks unless noted otherwise, or as restricted by ski or utility easements.

3. Defensible Space Plan. Prior to vertical construction of residential units, a Defensible Space plan, consistent with the project Emergency Response Plan (Exhibit 7 of the LSMPD), shall be approved by the City and implemented by the developer.

4. Water Efficient Irrigation and Limited Turf. Each platted lot, when developed, must incorporate a water efficient irrigation system (to the extent an irrigation system is used), and must limit the area of turf, consistent with the Design Guidelines.

### Building Approval Process

1. General Applicability of Design Review Guidelines. All Development is subject to applicable requirements of the Design Review Guidelines, as such may be amended or superseded from time to time.

2. Building Location. The Building Location will be no greater than 10,000 sq ft. The Building Locations are established on an individual lot basis with the approval of the Design Review Board. Such approvals must be obtained prior to the issuance of a building permit. Site-specific plans must be developed within these locations and submitted to the Design Review Board, whose approval must be received before the issuance of a building permit. Any such Design Review Board approval is subject to review and approval by the Planning Department in accordance with the provisions of the LMC and applicable Design Guidelines.

3. Building Footprint and Site Disturbance. In order to encourage lower building forms, the maximum building footprint is allowed up to the total area shown within the Building Location (Design Guidelines). Second story square footage cannot be more than 2/3rds of the first floor. Total Limits of Disturbance cannot extend more than 20' beyond the outside walls of the building. Driveways, utility corridors, paths, drainage features, ski trails and their associated retaining structures are exceptions to this restriction. Limits of Disturbance (LMC) plans shall be submitted to the City Planning Department for review and approval. These plans must demonstrate compliance with the goal of maximum retention of Significant Vegetation (LMC) and minimization of overall site disturbance.

4. Defensible Space. Vegetation outside of the Limits of Disturbance will be managed in accordance with the Defensible Space Plan consistent with the Urban Wildland Fire Interface Code and will focus on fire hazard reduction as well as good forest health, and may not be improved for additional yard area. Removal of vegetation beyond the Limits of Disturbance will be done only by hand-held equipment. All vegetation removal and management must be approved by both the Planning and Building Departments whose requirements may include that a licensed professional arborist prepare the plan.

5. Irrigated Area. Each individual lot must submit landscape plans consistent with the project's Design Guidelines and a Defensible Space Plan (Emergency Response Plan). The maximum irrigated area within the landscaped area that will be considered for any lot is 5,000 sq ft. This does not limit the City's ability to require additional intermittent irrigation of existing vegetation in the Defensible Space zone adjacent to the landscaped area.

6. Design Review Board Approval. The Design Review Board's review shall consist of, but not be limited to, insuring the maximum preservation of existing vegetation, minimizing grading impacts, providing for solar access and views, and minimizing impacts on adjacent lots.

7. Landscaping Plans. Landscaping plans are subject to the review and approval of the Design Review Board and the Planning Department in accordance with the project's Design Guidelines.

## House Size

1. Gross Floor Area. The maximum Gross Floor Area (LMC) of a house is 10,000 sq ft. Gross Floor Area includes all enclosed areas designed for human occupation. Unenclosed porches, balconies, patios and decks, vent shafts and courts are not calculated in Gross Floor Area. Garages, up to a maximum area of 600 square feet, are not considered Gross Floor Area. Basement Area (LMC) below Final Grade (LMC) is not considered Gross Floor Area. The square footage of all Accessory Structures (LMC) is deducted from the house Gross Floor Area. Garage square footage in excess of 600 square feet is deducted from the house Gross Floor Area.

2. Lot Combinations. Lot combinations are subject to Design Review Board approval. Adjoining lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If lots are combined, the Design Review Board will designate a new Building Location.

## Limits of Disturbance and Vegetation Protection

1. Limits of Disturbance. As required by the LMC and the Design Guidelines, limits of disturbance plans must be reviewed and approved by both the City Planning Department and the Design Review Board.

2. Ski Run Vegetative Buffer. The vegetative buffer between the buildings and the existing ski runs are defined by the Building Location as designated on this plat. Existing Significant Vegetation (LMC) within the buffer to the ski runs must be maintained. Vegetation management within the buffer and/or beyond the approved limits of disturbance on approved building plans will be maintained in accordance with good forest health practices and fire hazard reduction, but all such maintenance shall be approved by the Design Review Board, and the Park City Planning and Building Departments.

## Lot Line Adjustments

1. Lot Line Adjustments. Individual lot lines are subject to adjustment as approved by the Design Review Board and in accordance with the Park City Land Management Code and applicable State law.

## Other Specific Conditions, Restrictions and Benefits Affecting the Plat

1. Master Declaration. The property and lots depicted on this plat are subject to the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Flagstaff, a Planned Community, recorded on December 14, 2004, as entry No. 00719855 in Book No. 01666, Pages 01054 to 01155, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.



2. Restrictive Covenants. The property and lots depicted on this plat are subject to the Declaration of Covenants, Conditions and Restrictions for Banner Wood Subdivision, Park City, Utah, to be recorded concurrently with recordation of this Plat in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.

3. Emergency Secondary Access. The property depicted on the Plat has secondary emergency access for controlled evacuation and for access by fire and safety personnel and equipment by virtue of a grant of easement recorded \_\_\_\_\_, 2005, in Book No. \_\_\_\_\_, Pages \_\_\_\_\_, in the office of the Summit County Recorder.

Utility Notes

1. At the time of the resurfacing of the road within the subdivision, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWD) Standards.

2. Private wastewater ejector pumps may be required for certain Lots as determined by Park City and/or SBWRD.

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

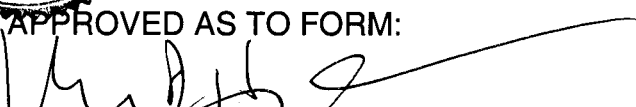
PASSED AND ADOPTED this 10th day of February , 2005.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Dana Williams, MAYOR



  
\_\_\_\_\_  
Janet M. Scott, City Recorder

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



**Ordinance No. 05-04**

**AN ORDINANCE APPROVING A PLAT AMENDMENT FOR 7013 SILVER LAKE DRIVE, Lot 10 AMENDED EVERGREEN SUBDIVISION, PARK CITY, UTAH.**

WHEREAS, the owners of lot 10 of the Evergreen Subdivision, located at 7013 Silver Lake Drive have petitioned the City Council for approval of plat amendment, 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on January 12, 2005, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on January 12, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 27, 2005 and February 3, 2005, the City Council held a public hearings; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment 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 7013 Silver Lake Drive, also known as Lot 10 of the Evergreen Subdivision. The property is zoned Residential Development (RD) within the Deer Valley Master Planned Development. The property is developed with one single family residence.
2. A non-exclusive ski easement exists on the lot for the benefit of the owners in Evergreen.
3. The Declarant of the easement, in a letter from Bob Wells of Deer Valley, has given approval of the revised ski easement and plat amendment.
4. The Evergreen Codes, Covenants and Restrictions state that the Ski Easements "shall not limit or restrict the right of the Owner of any lot in the Subdivision to construct buildings or structures upon said lot at the locations and in a manner permitted by this Declaration."

5. The existing 30' wide ski easement between Lots 9 and 10 is located on a very steep slope that is landscaped with large boulders and trees.
6. Lots 1, 2, and 3 likely have never used the ski easement across Lot 10 and those Lots have other safe and ski-able access to and from the Last Chance ski trail making the change to the ski easement between Lots 9 and 10 immaterial.
7. The revised and re-graded ski easement across the back of Lot 10 will not diminish the ski access for any Lot, specifically for Lots 11, 12, and 13.
8. Relocation of the ski easement enables an addition to occur on the lot which is consistent with adjacent lots and the subdivision generally. There are existing decks within the ski easement at this time.
9. Owner is aware that the City's authority to approve this plat amendment is currently being litigated in two cases (ABS v. Park City and Brad and Lisa Wilson (case No. 20040295); and ABS v. Brad and Lisa Wilson, Evergreen Architectural Review Committee, et. al (case No. 020500398)) and owner agrees to proceed at their own risk.
10. On January 12, 2005 the Planning Commission conducted a public hearing and voted to forward to the City Council a positive recommendation to approve the plat amendment. There was no public input given at the meeting.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval:

1. The Conditions of Approval for the Evergreen subdivision, as amended remain in full force and effect.
2. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
3. The applicant will record the plat 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 and the plat will be void.
4. If it is determined by final judgment of a court of competent jurisdiction in a legal proceeding that the City does not have the authority to approve relocation of the easements as set forth in this ordinance, then owner acknowledges that this ordinance may be rendered null and void by said final judgment.

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

PASSED AND ADOPTED this 3rd day of February, 2005.

PARK CITY MUNICIPAL CORPORATION

*Dana Williams*

Mayor Dana Williams

Attest:

*Janet M. Scott*

Janet M. Scott, City Recorder



Approved as to form:

\_\_\_\_\_  
Mark D. Harrington, City Attorney

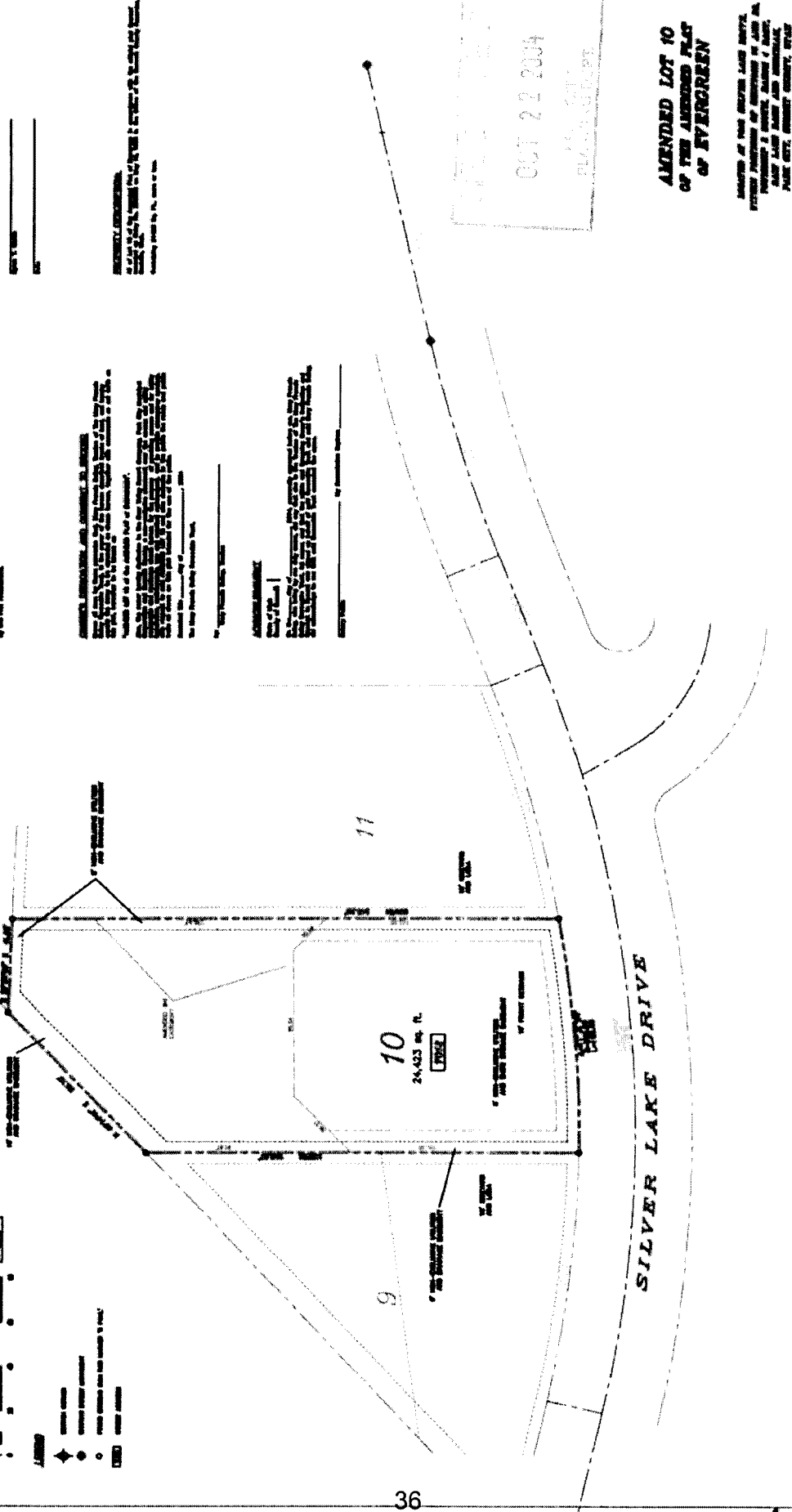
**AMENDMENT TO THE ZONING ORDINANCE**  
 The City of Silver Lake is hereby amending the Zoning Ordinance to allow for the use of the property located at 24,423 sq. ft. of land, located at the intersection of Silver Lake Drive and [unclear] Street, Silver Lake, Oregon, for the use of [unclear].

**APPROVALS**  
 The following persons have approved this amendment to the Zoning Ordinance:

**APPROVALS**  
 The following persons have approved this amendment to the Zoning Ordinance:

**APPROVALS**  
 The following persons have approved this amendment to the Zoning Ordinance:

**APPROVALS**  
 The following persons have approved this amendment to the Zoning Ordinance:



**AMENDED LOT 10  
 OF THE AMENDED PLOT  
 OF EVERGREEN**

AMENDMENT OF THE ZONING ORDINANCE  
 THE CITY OF SILVER LAKE, OREGON, IS HEREBY AMENDING THE ZONING ORDINANCE TO ALLOW FOR THE USE OF THE PROPERTY LOCATED AT 24,423 SQ. FT. OF LAND, LOCATED AT THE INTERSECTION OF SILVER LAKE DRIVE AND [unclear] STREET, SILVER LAKE, OREGON, FOR THE USE OF [unclear].

COUNTY ADDRESS <b>SILVER LAKE, OREGON</b>	CITY PLANNING COMMISSION <b>COMMISSIONER [unclear]</b>	CITY ENGINEER <b>[unclear]</b>	CITY COUNCIL <b>[unclear]</b>	CITY CLERK <b>[unclear]</b>	CITY MANAGER <b>[unclear]</b>	CITY ATTORNEY <b>[unclear]</b>
APPROVAL AS TO FORM APPROVED AS TO FORM ON [unclear] DATE [unclear] BY [unclear]						
RECORDED RECORDED ON [unclear] DATE [unclear] BY [unclear]						
CURTIS & ASSOCIATES, INC. LAND SURVEYORS 1000 N. 10TH ST., SUITE 100 SILVER LAKE, OREGON 97138 PHONE: 503-865-1111 FAX: 503-865-1112						

**Ordinance No. 05-03**

**AN ORDINANCE APPROVING AN AMENDMENT TO AMEND THE  
RECORD OF SURVEY PLAT FOR THE LIFT LINE CONDOMINIUMS,  
LOCATED AT 1402 PARK AVENUE, PARK CITY, UTAH**

**WHEREAS**, the owner of the property known as Lift Line Condominiums units 304 and 204 , has petitioned the City Council for approval of a plat amendment; and

**WHEREAS**, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

**WHEREAS**, on January 12, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, the proposed plat amendment allows the property owner to remove one lot line between two lots of record creating one lot of record; and

**WHEREAS**, it is in the best interest of Park City Utah to approve the plat amendment.

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

**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential Medium (HRM) zone.
2. The HRM zone is a residential zone characterized by a mix of contemporary residences, condominiums and smaller historic homes.
3. Work on the building to combine units 204 and 304 of the Lift Line Condominiums was completed in 1998.
4. An amendment to the Record of Survey Plat to accommodate the work was reviewed by the Planning Commission on July 28, 1999.
5. The City Council approved the amendment to the Record of Survey on September 2, 1999.
6. The record of survey approval from 1999 was not recorded within one year of City Council approval and therefore expired.
7. The amendment will combine units 304 and 204 of the Lift Line Condominiums into one unit, thereby memorializing the work done in 1998.
8. The proposed amendment will not result in an increase to the square footage of the Lift Line Condominiums.
9. The proposed amendment will not reduce the number of parking spaces available at the Lift Line Condominiums.
10. The property has frontage on Park Avenue.
11. No remnant lots will be created as a result of this application.

**SECTION 2. CONCLUSIONS OF LAW.** The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this amendment.
2. The amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed amendment.
4. As conditioned the amendment is consistent with the Park City General Plan.


**SECTION 3. CONDITIONS OF APPROVAL.** The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. The private ownership garage for unit 304 shall remain as a parking space.
3. All other conditions of approval of the Lift Line Condominium project continue to apply.
4. 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 and the plat will be void.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 27<sup>th</sup> day of January 2005.

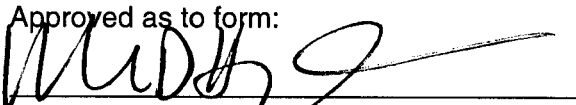
PARK CITY MUNICIPAL CORPORATION

  
Dana Williams, Mayor

Attest:

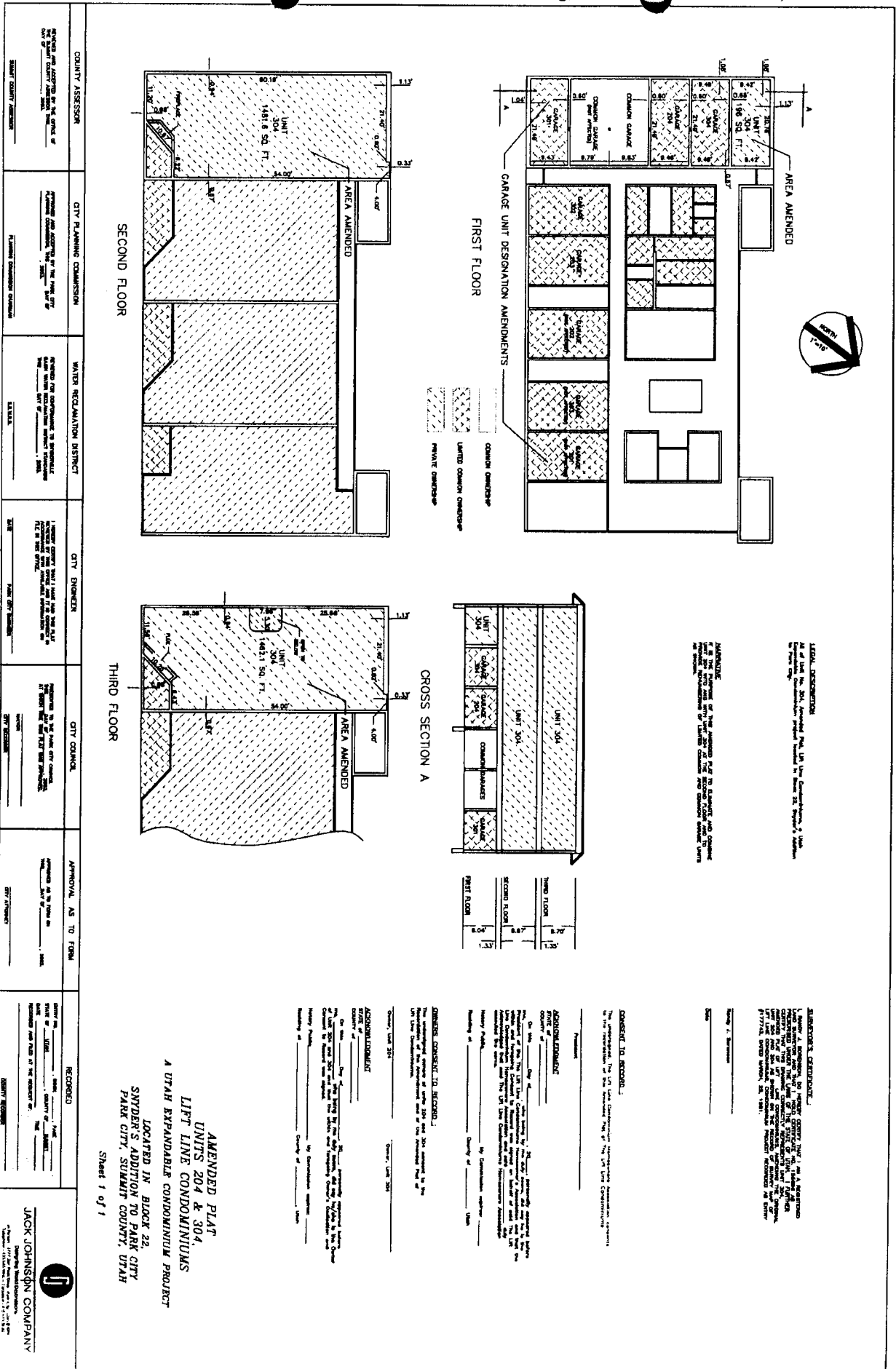
  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney







**LEGAL DESCRIPTION**  
 All of Unit 304, Amended Plat Unit Line Condominiums, a Unit  
 in the City of Park City, Utah, as shown on the attached plat.

**AMENDMENT**  
 The purpose of this amendment is to amend the Unit  
 Line Condominium Project located in Block 22, Snyder's Addition to Park City,  
 Park City, Summit County, Utah.

THIRD FLOOR	1
SECOND FLOOR	2
FIRST FLOOR	3

**AMENDED PLAT**  
**UNITS 204 & 304**  
**LIFT LINE CONDOMINIUMS**  
 A UTAH EXPANDABLE CONDOMINIUM PROJECT  
 LOCATED IN BLOCK 22,  
 SNYDER'S ADDITION TO PARK CITY  
 PARK CITY, SUMMIT COUNTY, UTAH

Sheet 1 of 1

COUNTY ASSESSOR	CITY PLANNING COMMISSION	WATER RECLAMATION DISTRICT	CITY ENGINEER	CITY COUNCIL	APPROVAL AS TO FORM	RECORDED
REVIEWED AND APPROVED BY THE OFFICE OF COUNTY ASSESSOR	REVIEWED AND APPROVED BY THE CITY PLANNING COMMISSION	REVIEWED AND APPROVED BY THE WATER RECLAMATION DISTRICT	REVIEWED AND APPROVED BY THE CITY ENGINEER	REVIEWED AND APPROVED BY THE CITY COUNCIL	APPROVED AS TO FORM BY THE CITY ENGINEER	RECORDED BY THE COUNTY ASSESSOR
SIGNATURE	SIGNATURE	SIGNATURE	SIGNATURE	SIGNATURE	SIGNATURE	SIGNATURE
DATE	DATE	DATE	DATE	DATE	DATE	DATE

**JACK JOHNSON COMPANY**  
 ARCHITECTS  
 1111 1/2 SOUTH MAIN STREET, SUITE 200  
 PARK CITY, UTAH 84302  
 (435) 798-1111

OCT 29 2004

**Ordinance No. 05-02**

**ORDINANCE APPROVING AMENDMENTS TO TITLE 11, CHAPTER 15,  
PARK CITY LANDSCAPING AND MAINTENANCE OF SOIL COVER  
OF THE MUNICIPAL CODE OF PARK CITY, UTAH  
TO INCLUDE THE SPIRO ANNEXATION AREA**

WHEREAS, Chapter 15 of the Municipal Code was originally promulgated in 1988 to protect residents residing in areas that were suspect for underlying mine tailings; and

WHEREAS, the US Environmental Protection Agency (EPA) and the Utah Department of Environmental Quality (UDEQ) strongly believe that both the soil cover ordinance and the Environmental Management System (EMS) should be current and consistently applied by including other areas impacted by mining activity upon discovery; and

WHEREAS, based on a Phase II Environmental Assessment published in a report dated January 23, 2004, the site exhibits elevated lead levels that exceed EPA's Health Based Risk Standard of 400 ppm; and

WHEREAS, Paladin, the property owner, agreed that the property should be included in the Soils Ordinance and expressed its agreement with its inclusion within the annexation Agreement and/or the approved Master Planned Development.

WHEREAS, a public hearing was held before the City Council on the inclusion of the Spiro Annexation Area within the Soils Ordinance Boundary on January 13, 2005; and

WHEREAS, adoption of the revisions outlined in Exhibit A will reinforce Park City's commitment of protecting human health and the environment by including the Spiro Annexation Area into the ordinance boundaries, and will further strengthen the ordinance in a manner that will assist the City in gaining regulatory acceptance.

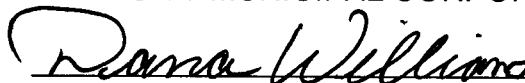
NOW, THEREFORE, BE IT RESOLVED that:

SECTION 1. AMENDMENTS TO TITLE 11, CHAPTER 15. Sections 11-15-1, 11-15-2 and 11-15-3 are hereby amended as shown on Exhibit A.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 13<sup>th</sup> day of January, 2005.

PARK CITY MUNICIPAL CORPORATION

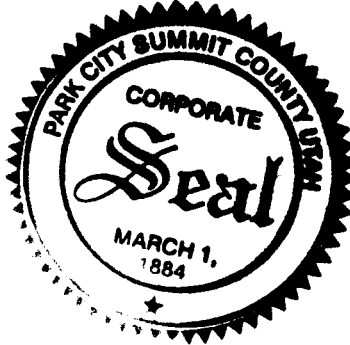
  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

Janet M. Scott  
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington  
Mark D. Harrington, City Attorney



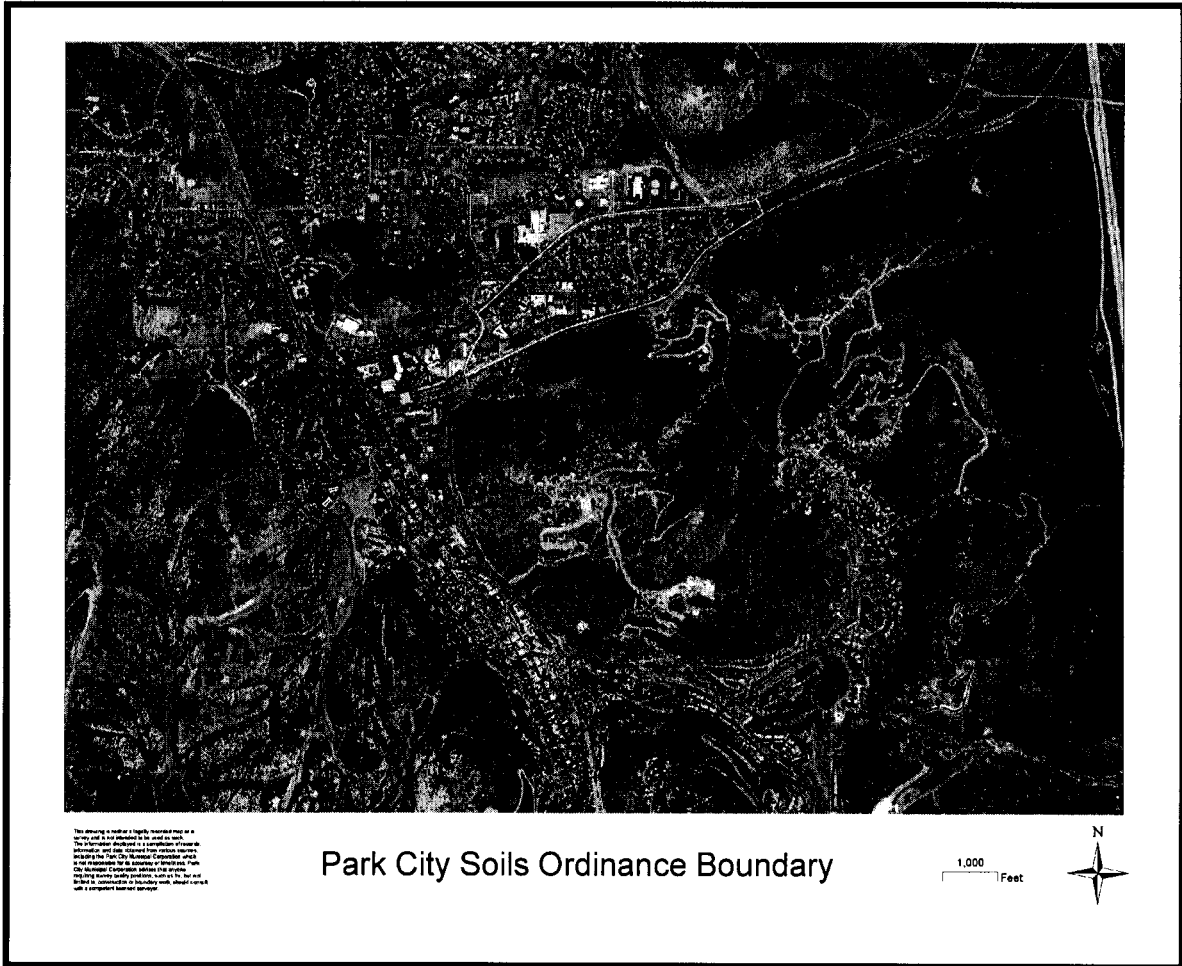
**EXHIBIT A**

**CHAPTER 15 - PARK CITY LANDSCAPING AND MAINTENANCE OF SOIL COVER**

**11-15- 1. AREA.**

This Chapter shall be in full force and effect only in that area of Park City, Utah, which is depicted in the map below and accompanied legal description, hereinafter referred to as the Soils Ordinance Boundary.

*(Amended by Ord. No. 03-50)*



**MAP OF AREA SUBJECT TO LANDSCAPING AND TOPSOIL REQUIREMENTS (ORIGINAL MAP ON FILE IN THE CITY RECORDER'S OFFICE) and as described as follows:**

**(Insert Legal Description Title)**

Beginning at the West 1/4 Corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base & Meridian; running thence east along the center section line to the center of Section 10, T2S, R4E; thence north along the center section line to a point on the easterly Park City limit line, said point being South 00°04'16" West 564.84 feet from the north 1/4 corner of Section 10, T2S, R4E; thence along the easterly Park City limit line for the following thirteen (13) courses: North 60°11'00" East 508.36'; thence North 62°56' East 1500.00'; thence North 41°00' West 30.60 feet; thence North 75°55' East 1431.27'; thence North 78°12'40" East 44.69 feet; thence North 53°45'47" East 917.79 feet; thence South 89°18'31" East 47.22 feet; thence North 00°01'06" East 1324.11 feet; thence North 89°49'09" West 195.80 feet; thence South 22°00'47" West 432.52'; thence South 89°40'28" West 829.07 feet; thence North 00°09'00" West 199.12

feet; thence West 154.34 feet to a point on the west line of Section 2, T2S, R4E; thence south on the section line to the southerly right-of-way line of State Route 248; thence westerly along said southerly right-of-way line to the easterly right-of-way line of State Route 224, also known as Park Avenue; thence southerly along the easterly line of Park Avenue to the west line of Main Street; thence southerly along the westerly line of Main Street to the northerly line of Hillside Avenue; thence easterly along the northerly line of Hillside Avenue to the westerly line of Marsac Avenue, also known as State Route 224; thence northerly along the westerly line of Marsac Avenue to the westerly line of Deer Valley Drive; thence northerly along the westerly line of Deer Valley Drive, also known as State Route 224, to the southerly line of Section 9, T2S, R4E; thence easterly to the west line of Section 10, T2S, R4E; thence northerly to the point of beginning.

**Spiro Annexation Area Legal Description:**

A parcel of land located in Summit County, Utah, situated in the southeast quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point that is South 396.80 feet and West 1705.14 feet from the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being a 5/8" rebar on the westerly right-of-way line of Three Kings Drive, as described on the Arsenic Hall Annexation Plat, recorded no. 345954 in the office of the Summit County Recorder, said point also being on a curve to the left having a radius of 625.00 feet of which the radius point bears North 71°08'49" East; and running thence southeasterly along said right-of-way line the following three (3) courses: (1) southeasterly along the arc of said curve 352.91 feet through a central angle of 32°21'09"; thence (2) South 51°12'20" east 141.13 feet to a point on a curve to the right having a radius of 290.00 feet, of which the radius point bears South 38°47'40" West; thence (3) along the arc of said curve 70.86 feet through a central angle of 14°00'00"; thence along the southwesterly right-of-way line of Three Kings Drive and along the arc of a 680.00 foot radius curve to the left, of which the chord bears South 47°16'17" East 235.91 feet; thence along the westerly boundary of the Dedication Plat of Three Kings Drive and Crescent Road, recorded no.116010 in the office of the Summit County Recorder, the following eight (8) courses: (1) South 57°12'20" east 39.07 feet to a point on a curve to the right having a radius of 495.00 feet, of which the radius point bears South 32°47'40" West; thence (2) along the arc of said curve 324.24 feet through a central angle of 37°31'50"; thence(3) South 19°40'30" East 385.45 feet to a point on a curve to the left having a radius of 439.15 feet, of which the radius point bears North 70°19'30" East; thence (4) along the arc of said curve 112.97 feet through a central angle of 14°44'21" to a point of reverse curve to the right having a radius of 15.00 feet, of which the radius point bears South 55°35'09" West; thence (5) southerly along the arc of said curve 22.24 feet through a central angle of 84° 57'02" to a point of compound curve to the right having a radius of 54.94 feet, of which the radius

point bears North 39°27'49" West; thence (6) westerly along the arc of said curve 115.99 feet through a central angle of 120°57'49"; thence (7) North 08°30'00" West 31.49 feet to a point on a curve to the left having a radius of 105.00 feet, of which the radius point bears South 81°30'00" West; thence (8) along the arc of said curve 378.43 feet through a central angle of 206°30'00" to a point on the easterly line of Park Properties, Inc. parcel, Entry no. 129128, Book M73, page 31, in the office of the Summit County Recorder; thence along the easterly boundary of said parcel the following five (5) courses: (1) North 42°30'00" West 220.00 feet; thence (2) North 11°00'00" West 235.00 feet; thence (3) North 21°32'29" West 149.57 feet (deed North 21°30'00" West 150.00 feet) to a 5/8" rebar; thence (4) North 42 30'49" West 195.18 feet (deed North 42°30'00" West 195.29 feet) to a 5/8" rebar; thence (5) North 89°57'46" West 225.95 feet (deed West 224.19 feet) to a 5/8" rebar; thence along a boundary of Park Properties, Inc. parcel, Entry no. 324886, Book 565, Page 717, in the office of the Summit County Recorder the following three (3) courses: (1) North 02°45'19" East 99.92 feet (deed North 100.20 feet) to a 5/8" rebar; thence (2) North 89°51'20" West 496.04 feet to a 5/8" rebar; thence (3) North 89°35'52" West 481.94 feet (deed North 89 45'00" West 992.17 feet for courses (2) and (3) to a point on the west line of the southeast quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Basin and Meridian; thence along said quarter section line North 00°15'24" West 407.62 feet to a point on the Bernolfo Family Limited Partnership parcel, Entry no. 470116, Book 1017, Page 262, in the office of the Summit County Recorder, thence North 89°59'54" East 482.91 feet (deed East 493.92 feet) to a point on the Vince D. Donile parcel, Entry no. 423999, Book 865, Page 287, in the office of the Summit County Recorder, said point being a 5/8" rebar and cap; thence along said parcel the following five (5) courses: (1) South 89°59'49" East 358.30 feet (deed East 358.35 feet) to a point on a non tangent curve to the right having a radius of 110.00 feet, of which the radius point bears South 88°41'47" East (deed South 88°44'18" East); thence (2) northerly along the arc of said curve 24.32 feet (deed 24.14 feet) through a central angle of 12°39'58" to a 5/8" rebar cap; thence (3) North 13°46'17" East 49.98 feet (deed North 13°50'00" East 50.00 feet) to a 5/8" rebar and cap on a curve to the right having a radius of 60.00 feet (chord bears North 27 16'47" East 28.00 feet); thence (4) northeasterly along the arc of said curve 28.26 feet (deed 28.27 feet) through a central angle of 26°59'09" to a 5/8" rebar and cap; thence (5) North 40°46'38" East 83.23 feet (deed North 40°50'00" East 83.24 feet) to the point of beginning.

The basis for bearing for the above description is South 00°16'20" West 2627.35 feet between the Northeast corner of Section 8, and the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base & Meridian. TAX SERIAL NOS. PP-25-A AND PCA-1002-C-1

To be combined with a parcel of land located in Summit County, Utah, situated in the southeast quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point that is West 1727.82 feet and South 310.72 feet from the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the westerly right-of-way of Three Kings Drive and running thence West 417.99 feet; thence South 246.59 feet; thence East 358.35 feet to a point on a curve to the right, the radius point of which bears South 88°44'18" east 110.00 feet; thence northeasterly along the arc of said curve 24.14 feet to the point of tangency; thence North 13°50'00" East 50.00 feet to the point of a 60.00 foot radius curve to the right; thence northeasterly along the arc of said curve 28.27 feet to the point of tangency; thence North 40°50'00" East 83.24 feet to a point on the westerly right-of-way of Three Kings Drive, said point being on a curve to the right, the radius point of which bears North 71°07'38" East 625 feet; thence northwesterly along the arc of said curve and along the right-of-way 89.33 feet to the point of beginning. TAX SERIAL NOS. PCA-1002-F

EXCEPTING THEREFROM all lots and parcels platted as Chatham Crossing Subdivision, Hearthstone Subdivision, Aerie Subdivision and Aerie Subdivision Phase 2, according to the official plats thereof recorded in the office of the Summit County Recorder.

*(Amended by Ord. No. 03-50)*

**11-15- 2. MINIMUM COVERAGE WITH TOPSOIL OR OTHER ACCEPTABLE MEDIA.**

- (A) All real property within the Soils Ordinance Boundary must be covered and maintained with a minimum cover of six inches (6") of approved topsoil and acceptable cover described in Section 11-15-3 over soils exceeding the lead levels specified in Section 11-15-7, except where such real property is covered by asphalt, concrete, permanent structures or paving materials.
- (B) As used in this Chapter, "approved topsoil" is soil that does not exceed 200 mg/Kg (total) lead representatively sampled and analyzed under method SW-846 6010.
- (C) Parking of vehicles or recreational equipment shall be contained on impervious surfaces and not areas that have been capped with acceptable media.**

*(Amended by Ord. No. 03-50)*



**Ordinance No. 05-01**

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE REGARDING SALT LAKE CITY 2002 OLYMPIC WINTER GAMES LEGACY DISPLAYS**

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 of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that proposed changes to the Land Management Code are necessary to amend the definition of Salt Lake City 2002 Olympic Winter Games Legacy Displays to allow the use of replacement displays intended to commemorate and celebrate the Salt Lake City 2002 Olympic Winter Games and permitting limited use of the Displays for events authorized by and subject to a Master Festival License.

WHEREAS, the City Council finds it is in the City's best interest to amend the Land Management Code and that the amendments are consistent with sound economic development policies and strategies; are not harmful to the health, safety, and welfare of the residents of Park City; are consistent with the purpose statements of the zoning districts where these Displays are located; and are consistent with the overall purposes of the Land Management Code; and

WHEREAS, it is in the best interest of the City to maintain Park City as a world class resort and to provide an opportunity for Park City's venues of the Salt Lake City 2002 Olympic Winter Games to continue to celebrate and commemorate the Games with replacement displays when the original Olympic Displays reach the end of their functional life spans; and

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

SECTION 1. AMENDMENT TO TITLE 15- Land Management Code, Chapter 15-15-1.190. Salt Lake City 2002 Olympic Winter Games Legacy Displays is hereby amended as redlined (see Exhibit A).

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

PASSED AND ADOPTED this 13<sup>th</sup> day of January 2005.

PARK CITY MUNICIPAL CORPORATION

Dana Williams  
Mayor Dana Williams

Attest: Janet M. Scott  
Janet M. Scott, City Recorder

Approved as to form: Mark D. Harrington  
Mark D. Harrington, City Attorney



## Exhibit A

**15-15-1.190. Salt Lake City 2002 Olympic Winter Games Legacy Displays:** Official exhibits from the Salt Lake City 2002 Olympic Winter Games created and/or provided by the Salt Lake Organizing Committee (SLOC) as part of the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and approved by the City Council for installation on City property, public rights-of-way and/or within the areas that were Olympic Venue sites during the 2002 Winter Olympic Games at Park City Mountain Resort and Deer Valley Resort, **or replacement exhibits that expressly commemorate the Salt Lake City 2002 Olympic Winter Games.** ~~Olympic Legacy Displays are specifically limited to Olympic way-finding towers, flagpoles, banner poles, and banners.~~ **Olympic Legacy Displays may include the following additional information:**

- a. **Park City Municipal Corporation or Venue name and/or logo provided said information does not exceed 20% of the Display area; and/or**
- b. **Master Festival Event identification provided said information does not exceed 20% of the Display area, and is not displayed for more than two weeks unless otherwise approved as part of the Master Festival License.**