



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
October 6, 2022**

NOTICE OF HYBRID IN-PERSON AND ELECTRONIC MEETING: The Council of Park City, Utah, will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on October 6, 2022. Council members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically. Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

WORK SESSION

3:30 p.m. - 2022/23 Winter Transportation Plan

(A) Public Input

[Winter Transportation Operations Plan Staff Report](#)

[Exhibit A: Community Engagement Report](#)

4:40 p.m. - 516 Marsac Avenue (Old Peace House) Project Update

[Staff Report](#)

[Exhibit A: Stereotomic Feasibility Study](#)

[Exhibit B: Sterotomic Construction Cost Estimates](#)

[Exhibit C: Basic Minimum Repair Cost Estimates](#)

[Exhibit D: Summary of Employee Survey Results](#)

4:55 p.m. - Discuss Deed Restriction Template for the Live Local Park City Lite Deed Restriction Program

[Staff Report](#)

[Exhibit A: Lite Deed Restriction - Draft Restrictive Covenant](#)

[Exhibit B: Resident Flyer](#)

[Exhibit C: Step by Step Guide](#)

[Exhibit D: Draft Comms and Marketing Outline for Live Park City](#)

5:15 p.m. - Save People Save Wildlife Presentation by Dr. Patricia Cramer, Tom Farkas, Lorelei Combs, and Erin Ferguson

[Save People Save Wildlife Presentation](#)

5:45 p.m. - Break

REGULAR MEETING - 6:00 p.m.

I. ROLL CALL

II. PRESENTATION

1. Park City Leadership Class 28 Senior Housing Project - Survey Findings and Recommendations

III. RESOLUTIONS

1. Consideration to Adopt Resolution 2022-19, a Resolution Recognizing October 2022 as Domestic Violence Awareness Month in Park City
(A) Public Input (B) Action
[Domestic Violence Awareness Month Staff Report](#)
[Exhibit A: Domestic Violence Awareness Month Resolution](#)
2. Consideration to Adopt Resolution 18-2022, a Proclamation Recognizing the Sustainable Tourism Plan
(A) Public Input (B) Action
[Sustainable Tourism Plan Staff Report](#)
[Exhibit A: Sustainable Tourism Plan Proclamation](#)

IV. APPOINTMENTS

1. Appoint Henry Sigg to the Planning Commission for a Four-Year Term Expiring July, 2026
[Planning Commission Appointment Staff Report](#)

V. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. August 2022 Budget Report and June 2022 Sales Tax Report
[June 2022 Sales Tax Report and August 2022 Budget Report](#)
[Exhibit A: June 2022 Sales Tax](#)
[Exhibit B: August 2022 YTD Expenses](#)
[Exhibit C: August 2022 YTD Revenue](#)
2. Arts District Programming Update
[Art District Fall Programming Staff Report](#)
3. Efforts to Promote Bicycle Safety
[Bicycle Safety Staff Report](#)

VI. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

VII. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from September 1, 14 and 15, 2022
[September 1, 2022 Minutes](#)
[September 14, 2022 Minutes](#)
[September 15, 2022 Minutes](#)

VIII. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Contract for Environmental Regulatory Consultant Services, in a Form Approved by the City Attorney, with AECOM Technical Services (AECOM) Inc., in an Amount Not to Exceed \$100,302

IX. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2022-21, an Ordinance Amending the Land Management Code Sections 15-2.5-2 Historic Recreation Commercial, 15-2.6-2 Historic Commercial Business, 15-2.13-2 Residential Development, 15-2.14-2 Residential Development - Medium Density, 15-2.16-2 Recreation Commercial, 15-2.17-2 Regional Commercial Overlay, and 15-2.18-2 General Commercial to Allow "Single-Family Dwelling, Fractional Ownership/Use," Enacting Section 15-4-23, Single-Family Dwelling Fractional Ownership Use, and Amending Section 15-15-1 Definitions to Define "Single-Family Dwelling, Fractional Ownership/Use"
(A) Public Hearing (B) Possible Action or Continue to October 27, 2022
[Fractional Ownership Code Amendment Staff Report](#)
[Exhibit A: Draft Ordinance No. 2022-21](#)
[Exhibit B: Public Comments](#)
[Exhibit C: Pacaso Presentation from May 25, 2022](#)
2. Consideration to Approve a Microtransit Service Agreement, in a Form Approved by the City Attorney, with High Valley Transit, to provide Microtransit Services, Not to Exceed \$850,000 for a Five-Month Pilot Program
(A) Public Input (B) Action
[Microtransit Agreement for 2022/23 Winter Pilot Staff Report](#)

X. NEW BUSINESS

1. Consideration to Approve Speed Limit Recommendations within Park City Limits
(A) Public Input (B) Action
[Speed Limit Modification Recommendations Staff Report](#)
[Exhibit A: Park City Roadway Classifications](#)
[Exhibit B: Roadway Corridor Worksheet](#)
[Exhibit C: Historic District Limits](#)
2. Consideration to Approve Ordinance 2022-39, an Extension of City Council's July 15, 2021 Approval of Ordinance No. 2021-32, an Ordinance Approving the 245 Woodside Plat Amendment, Located at 245 Woodside Avenue, Park City, Utah
(A) Public Hearing (B) Action
[245 Woodside Extension Staff Report](#)
[Exhibit A: Draft Ordinance No. 2022-39](#)
[Exhibit B: Ordinance No 2021-32](#)
[Exhibit C: Recorded Encroachment Agreement](#)
3. Consideration to Approve Ordinance No. 2022-40, an Ordinance Approving an Extension of City Council's June 18, 2020 Approval of Ordinance No. 2020-40, An Ordinance Approving the 1162 Woodside Avenue Plat Amendment, Located at 1162 Woodside Avenue, Park City, Utah
(A) Public Hearing (B) Action
[1162 Woodside Avenue Plat Amendment Extension Staff Report](#)
[Exhibit A: Draft Ordinance No. 2022-40](#)
[Exhibit B: Proposed Plat](#)
[Exhibit C: Encroachment Agreement with City](#)
[Exhibit D: Encroachment Agreement with Adjacent Property Owner](#)
[Exhibit E: Letter from Applicant](#)

4. Consideration to Approve Ordinance No. 2022-41, an Ordinance Approving the Park City Fire Station Subdivision, Located at 7805 Royal Street, Park City, Utah
(A) Public Hearing (B) Action
[Park City Fire Station Subdivision Staff Report](#)
[Exhibit A: Park City Fire Station Subdivision Draft Ordinance and Proposed Plat](#)
[Exhibit B: Project Intent](#)
[Exhibit C: PL-02-00151 Variance](#)
[Exhibit D: PL-02-00149 CUP](#)
[Exhibit E: Letter from the Chateau Deer Valley](#)
[Exhibit F: Boundary and Topography Survey](#)

XI. ADJOURNMENT

PARK CITY HOUSING AUTHORITY MEETING

I. ROLL CALL

II. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

III. NEW BUSINESS

1. Consideration to Approve Modifications to the Restrictive Covenant Protecting the Affordability and Sustainability of Units EMP-A and EMP-B at Argent at Empire Pass Condominiums, 7677 Village Way
(A) Public Hearing (B) Action
[Staff Report](#)
[Exhibit A: Draft Argent Affordable Housing Restrictive Covenant](#)
[Exhibit B: Argent Deed Restriction AMI to Deer Valley Resort Wages](#)
[Exhibit C: Employee Unit Plans](#)

IV. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Transportation Planning

Item Type: Staff Report

Agenda Section: WORK SESSION

Subject:

3:30 p.m. - 2022/23 Winter Transportation Plan

(A) Public Input

Suggested Action:

Attachments:

[Winter Transportation Operations Plan Staff Report](#)

[Exhibit A: Community Engagement Report](#)

City Council Staff Report



Subject: Winter Transportation Operations Plan
Author: Matthew Neeley, Transportation Director
Kim Fjeldsted, Transit Manager
Departments: Transit
Date: October 6, 2022
Type of Item: Administrative

Recommendation

Review service level options created by the Transportation Team to consider a comprehensive and adaptive Winter 2022/23 Transportation Operational Plan.

Looking ahead towards the winter 2022/23 ski season, there continues to be a desire to expand public transit service, implement a microtransit pilot program, and consider using the Richardson Flat Park & Ride. Taken together, and with the inclusion of Park City Mountain's paid and reservation parking, this winter creates a relatively new landscape with regard to the management and operations of our community's transportation systems.

To date, we remain encouraged by Council, community support and resort collaboration to expand access to public transit, experiment with microtransit, and provide adequate resources to protect and mitigate impacts on our residential neighborhoods.

Since April, we have met weekly with traffic and transportation operational teams — including the Utah Department of Transportation, Park City Mountain (PCM), Deer Valley Resort (DV), Summit County, HPCA, and other important stakeholders — to coordinate our collective efforts. PCM's paid and reservation parking system will require a flexible and adaptable plan that responds to real-time changes and unexpected consequences. Structural change of this magnitude (pricing, reservation, occupancy limitations, enhanced communications, signage, etc.) infrequently happen in a ski or resort town all at once.

However, given the community's goal to increase collaboration and reduce periods of extreme traffic and congestion, we remain very optimistic about the 2022/23 winter season.

As a result, we are actively working on a myriad of traffic and congestion mitigation efforts, including resort base area circulation, expanded use of technology, data, and analytics, public safety, communication, and signage and wayfinding. We are also working on an Old Town paid parking strategy with HPCA to protect Main Street businesses.

The Winter 2022/23 Transit Service Plan begins November 13, with full service starting December 3 or 11, depending on which service plan Council ultimately supports.

Background and Analysis

This work session builds upon the [July 28, 2022, Council discussion](#) that focused on various transit and park and ride options and launching a public engagement campaign to gather community sentiment.

Public Engagement

Based on stakeholder and Council input during the winter 21-22 service change, Park City Transit significantly increased public engagement and outreach efforts for winter 22-23. This year's efforts included establishing a project website, postcards, and door-to-door flyers in neighborhoods and at bus shelters, e-newsletters, social media, and radio interviews. A comment portal was made available on [EngagePC](#), and 3 three in-person and virtual open houses were held. We received 155 online comments and 39 open house attendees.

Feedback on a potential microtransit pilot program was mixed based upon the feedback received. While the HVT microtransit app appealed to many in favor, others seemed to prefer the reliability of traditional, fixed-route transit service. With regard to Richardson Park & Ride, there appeared to be support for experimenting with express routes from Richardson Flat to the resorts and increased frequency on existing routes.

A comprehensive overview of the outreach conducted is available in **Exhibit A: Public Engagement Report**.

Microtransit Pilot

Over the last few years, Park City Transit identified several areas within Park City that would benefit from a feeder/last-mile transit service. For example, many neighborhoods are either inaccessible to a 35ft. fixed-route bus or have insufficient demand (Bronze/DV route) to justify traditional transit. To increase access to public transit within Park City, and with strong support from [High Valley Transit](#), we can conduct a 5-month pilot program this winter to assess the effectiveness and cost of microtransit in certain areas of Park City.

On [July 28, 2022](#), Council supported using HVT as our microtransit service provider. The pilot includes five HVT vehicles operating from 7 am to 10 pm, 7 days a week. The service goal is 15 minutes of a request, using the same software and user interface as the existing HVT service.

On average, microtransit costs \$76 per hour, compared to fixed-route costs that tops \$140 per hour. A direct cost comparison is difficult, however, and too often oversimplified. Microtransit is typically used to expand and reach low-utilization areas, eliminate last-mile challenges, and reduce costs during slow/off-hours/seasonality. On the other hand, microtransit is sometimes overwhelmed during peak periods and special events and add vehicle volume to already congested roads.

The proposed microtransit pilot would serve several neighborhoods currently without service, including upper Park Meadows, Thaynes Canyon/Iron Mountain/Aspen Springs (north of Thaynes Canyon Dr), Quinn's Junction, and potentially PC Heights. In addition, we propose, due to low ridership and utilization, replacing the fixed-route (Bronze) Royal Street service with microtransit. As a result, and for the first time in Park City, we will obtain an apples-to-apples comparison between the two types of service (customer service, ridership, costs, etc.).

If Council supports moving forward, HVT will invoice Park City for services rendered. The total amount contemplated will not exceed \$850,000. See [Microtransit Agreement for Winter Pilot Staff Report](#) for further details.

Pros and Cons of microtransit for consideration:

Pros:

- Microtransit reaches areas not easily accessible by fixed-route services.
- Microtransit is less expensive in areas where demand doesn't warrant fixed route service yet access is still sought.
- Dynamic routing algorithms are used to provide shared rides to those traveling in the same direction.
- Typically, customer service is higher for microtransit than fixed-route.

Cons:

- Riders must wait and schedule a ride in advance vs. fixed and dependable schedules, particularly important for transit-dependent and workforce populations.
- The maximum seating capacity is 4 passengers.
- Specialized service results in fewer passengers per hour than traditional public transit services.

Note: HVT asks parents to bring appropriate child restraint devices for children 8 and under.

Richardson Flat Park & Ride

The Richardson Flat Park & Ride routes are proposed to run every 15 minutes, consistent with Council direction. Express routes would provide direct access to both Deer Valley Resort and Park City Mountain and also provide fixed service to Park City Heights.

Demand:

- Traffic data shows:
 - Most skier traffic (60%) accesses Park City from SR 224.
 - Majority of SR 248 traffic is workforce, schools, and Wasatch Back residents.
- DV plans to incentivize employees to use the Richardson lot.
- PCM plans to continue to incentivize employees to use offsite options, restrict employee onsite parking on weekends and holidays, and incentivize use of alternative modes of transport as well as the Munchkin lot.

Pros:

- If utilized, express routes should provide relative relief by capturing some vehicles outside of town before entering high-traffic areas.
- Fixed-route bus service to Park City Heights for the first time.
- Free alternative to paid/reservation parking at Park City Mountain and Old Town.
- Traffic light at Richardson/SR 248 intersection allows buses to enter/exit efficiently.
- Opportunity to test a regional park and ride intercept concept.
- Inbound shoulder on SR 248 is available for buses to avoid some traffic congestion.
- The parking lot was recently resealed and restriped for parking.

Cons:

- Park and ride location is not ideal, intuitive, or simple, unless coming from SR/248/Kamas.
- Out of the way for most SLC or Heber Valley drivers, lacks highway visibility, and opposite direction from destination.
- Neither ski resort plans to promote or direct guests to the park and ride.
- Labor shortages (operators) remain an operational concern. This plan requires 24 additional full-time operators.
- The number of available buses to provide adequate service levels remains an operational concern.

Options

After months of planning and incorporating community and stakeholder input, we believe there are three viable options for Council to consider:

1. Implement Richardson Flat Park & Ride, Enhance Frequency on Key Existing Fixed-Routes, and Onboard a Microtransit Pilot;
2. Enhance Frequency on Key Existing Fixed-Routes and Onboard Microtransit Pilot with expansion to PC Heights; or
3. Utilize Typical Winter Service.

Option 1: Richardson Flat Park & Ride Express Service to the Resorts, Enhanced Frequency on Key Existing Fixed Routes (Green and Blue), and a Microtransit Pilot

Goal – Reduce extreme periods of traffic and congestion and expand access to transit services within Park City. Provide an alternative/intercept location to attempt to capture drivers seeking access to Park City resorts and other areas.

Cost – The additional funding needed for this option is \$1.8M.

Option 2: Enhance Frequency on Typical Winter Service (Red, Yellow, Green, and Blue), expand Microtransit Pilot to include PC Heights, and Exclude Richardson Flat Service

Goal – Provide enhanced service to Park City residents and visitors within City limits, increasing access to in-town transit.

Note: Excluding Richardson Flat service may be difficult to walk back due to community expectations to implement a park & ride intercept solution.

Cost – The additional funding needed for this option is \$580k.

Option 3: Typical Winter Service

Goal – Continue typical winter service (same level of service offered winter 2021-2022). Residents, workforce, and return visitors are familiar with our reliable service offerings. Observe the impacts of the paid reservation parking at Park City Mountain.

Note: Excluding Richardson Flat service may be difficult to walk back due to community expectations to implement a park & ride intercept solution.

Cost – No additional funding needed.

Funding

Options #1 and #2 exceed the approved FY23 Transportation Operations Budget. If selected, the Transportation Fund Balance, typically reserved for capital projects and equipment, can be used temporarily without a significant degradation in our future ability to obtain important equipment, rolling stock, and Federal and State grants. Long term, however, a more sustainable financial strategy would need to be identified.

Conversations with both ski resorts about operational plans and the potential for financial support to enhance levels of service remain ongoing and positive.

Exhibits

Exhibit A: Public Engagement Report

Winter 2022-2023 Service Change – Community Engagement Report

Introduction

Park City Transit proposed changes to transit service for winter 22-23. Many of these changes were similar to service operated in winter 21-22 with the exception of two new services: a microtransit pilot program and new express routes to the Richardson Flat park and ride. These new services were proposed to provide accessibility to neighborhoods previously not served by transit.

Based on stakeholder and Council input during the winter 21-22 service change, Park City Transit increased public engagement and outreach efforts significantly for winter 22-23 while also utilizing new methods. Efforts included a public comment form open from August 3 – September 2, in person and virtual open houses, as well as social media and virtual engagement.

Part 1: Public Engagement Efforts

Engagement Overview

Component	Dates	Additional Details
Project website	August 3 – September 2	A project website with service change information in both English and Spanish served as the main project hub and comment form
Notice of Public Input Opportunities	August	Public notices included postcards, door-to-door flyers, flyers at all shelters and the transit center, posters promoting open houses and comment forms, and Park City newsletters, social media, and news briefs.
Open Houses	August 24 – August 31	An open house for all Park City residents was held at the Park City Library on August 24. Additional open houses were held for neighborhoods specifically impacted by service changes; Royal Street and Thaynes Canyon/Upper Park Meadows. Transit also tabled at the Solomon Fund Registration Event, an event targeted primarily at Spanish-speaking audiences.
Virtual engagement	August 3 – September 2	Social media posts and ads, email outreach to social organizations, as well as one virtual open house hosted for Royal Street residents

Notice of Public Input Opportunities

Notice of public input notices were widely distributed using the engagement components listed below. Every announcement of service change proposals included information about the City-

Wide open house, as well as the comment form and project website. Neighborhood and microtransit-specific open houses were announced via more targeted methods.

Notice of Open Houses / Comment Form

- City Newsletter
- Media Outreach
 - City Brief
 - KPCW interview and stories
 - KPCW DJ-read PSA
 - Park Record ads
- Posters placed at high-traffic bus stops
- Flyers distributed along Main Street
- Door-to-door outreach in neighborhoods impacted by changes
- Postcards sent to every Park City residential, business, and PO box address in 84060 and 84068

Notice of Neighborhood-specific Open Houses

- Door-to-door outreach in impacted neighborhoods
- Email outreach to registered HOA contacts

Open Houses

A total of four open houses were held for proposed winter transit service, including three in-person and one virtual. They included a city-wide open house held at the Park City Library on August 24, an open house for Royal Street residents at Ontario Lodge on August 25, a Thaynes Canyon/Upper Park Meadows open house on August 29 at the MARC, and a virtual open house on August 31 for Royal Street residents. The city-wide and Park Meadows/Thaynes open houses included information about the Winter Parking Plan as well. The Royal Street area was heavily targeted for increased involvement based on input from last winter's service change, as well as the new microtransit service proposed for the Royal Street area.

City-Wide Open House

- 18 People Reached
- 23 Comments

Royal Street In-Person

- 10 People Reached
- 14 Comments

Thaynes Canyon/ Upper Park Meadows

- 6 People Reached
- 9 Comments

Royal Street – Virtual

- 1 Person Reached
- 1 Comment

Virtual Engagement

Social Media

The social media platforms run by Park City Transit, Twitter and Facebook, were used to promote awareness of the proposed winter transit service changes, open houses, and to encourage participation in the public comment period. Posts made to Transit's social media were shared to the City's social media pages.

Facebook	Reach	Engagement	Twitter	Impressions	Engagement
8/3 SPANISH, post promoted through social media ads	3,471	1,353	8/3 SPANISH	180	5

8/3 ENGLISH, post promoted through social media ads	5,727	1,080	8/3 ENGLISH	262	17
8/10 open house post	62	3	8/10 open house post (bilingual)	262	11
8/10, SPANISH, open house	66	4			
8/16 survey reminder post (bilingual)	398	20	8/17 survey reminder post (bilingual)	243	16
8/23 open house reminder	102	9	8/23 open house reminder	200	11
8/25 open house recap / survey reminder	102	10	8/25 open house recap / survey reminder (bilingual)	39	0
8/25 SPANISH open house recap / survey reminder	44	1			
8/31 SPANISH survey reminder	31	5	8/31 SPANISH survey reminder	61	0
8/31 ENGLISH survey reminder	204	14	8/31 ENGLISH survey reminder	248	14
TOTAL	10,207	2,499		1,495	74

Part 2: Public Comment Analysis

Facebook – 2 comments

Two comments were received via Facebook's social media posts. These comments indicated a desire for a return of line 7 with service to Canyons Village, as well as support of changes that improve transit service.

- **Response:** *While the area referenced is in High Valley Transit's service area, PCT works closely with HVT to communicate feedback we hear regarding their service.*

Solomon Fund Registration Event – 4 comments

The Solomon Fund registration event targets a primarily Spanish-speaking audience. Bilingual staff members were present at this event to gather input on winter service. Common themes from this event were:

- Desire for return of service on Routes 6 & 7 (replaced by the 101 Spiro operated by High Valley Transit)
- Increased service hours to workforce housing

- **Response:** *The former 6 Lime and 7 Pink routes are in the High Valley Transit (HVT) service area and the housing these respondents are referring to (Deer Mountain) is served by the 102 Kamas route operated by HVT. PCT works closely with HVT to communicate feedback we hear regarding their service.*

Open House, City-wide – 23 comments

An estimated 18 people attended the city-wide open house at the Park City Library. Common themes that emerged from participants' input included:

- Desire for fixed-route service to Park City Heights
- Favorable of microtransit in PC Heights
 - **Response:** *Staff are considering either fixed-route transit service or microtransit service for PC Heights. The final service implemented will be determined by council discussion on 10/6.*
- Increased bus frequency
 - Particularly during the morning commute times
 - On the Red route
 - **Response:** *The winter 22-23 service plan being presented to City council has different options to increase peak-hour frequency on many routes.*
- Overall expanded service, including:
 - Later bus schedules on existing routes, particularly those that go to Main Street.
 - **Response:** *Compared with existing summer service, we are resuming the extended evening hours we operated last winter on the Orange and Purple (6:14a-11:14p) and resuming service on the City-Wide (11:40p-1:40a). Based on available resources and expected demand, we are not extending evening hours on other routes. However, earlier and later service is a common theme we heard in the Short Range Transit Plan process and is something we are exploring as part of that plan.*

Open House, Royal Street – 14 comments

Royal Street Open House, located at the Ontario Lodge, had a total of ten attendees. Transit staff focused on microtransit at this event, as microtransit is proposed to replace the 40 bronze. Themes from this meeting included:

- Concerns over the performance and reliability of Microtransit, but if specific issues can be addressed, they are willing to try microtransit and perhaps champion it
 - **Response:** *Staff are exploring options to address specific concerns from this open house and integrate it into the pilot program. While this winter is a pilot program, our end goal is to implement service that improves upon and integrates feedback from the pilot program.*
- Wait times and service to large groups are the primary concerns
 - **Response:** *Staff are exploring options to accommodate larger groups as needed. One option is using cutaway vehicles upon request to accommodate larger groups.*
- Dedicated resources for the Royal Street zone could address some concerns
 - **Response:** *As part of the pilot program, the number of available drivers would not have to be shared with High Valley Transit's (HVT's) service area, and Royal Street would receive dedicated resources.*

Open House, Thaynes Canyon/ Park Meadows – 9 comments

6 residents of Thaynes Canyon/ Park Meadows attended the open house at PC MARC.

Comment themes were:

- Better ski access on buses
 - **Response:** *Staff are in contact with High Valley Transit and Via to learn how to best accommodate ski equipment on microtransit vans.*
- Pick-up and drop-off in convenient locations with good transit access
 - **Response:** *Transit is planning several drop-off/pickup areas for the Park Meadows / Thaynes Canyon microtransit zone. One of the main criteria for selecting a drop-off area will be frequent transit service with direct access to both resorts. Access to microtransit was also a key reason for improving frequency on the Green and Blue routes. Between both routes, there is a bus approximately every 10 minutes throughout Park Meadows and Thaynes Canyon.*

Online Comment Form – 155 English comments; 0 Spanish comments

An open-ended online comment form was available in both English and Spanish from August 3 – September 2. Each Park City resident was notified of the online form and proposed transit service via bilingual postcards. Royal Street and Park City Heights residents were also notified via door-to-door flyers. Themes from online comments include:

- Positive response to increased frequency on buses
- Positive response to Richardson Flat service
- Positive response to Richardson Flat express service to resorts
- Need for extended hours of service (earlier in the morning and later at night)
- Need for expanded service area
- Microtransit concerns and questions

Many respondents favored the second service option because of the 15-minute frequency on Richardson Flat routes. Earlier and later service hours was a concern raised for morning and evening commutes. Respondents also raised concerns over Microtransit due to lack of reliability and frequency, as well as general questions regarding what the service is and how it works.

- **Response:** *Staff believe the final winter transit plan accomplishes many of the issues raised in the public survey while also responsibly managing PC Transit's resources. Staff also heard similar input throughout the Short Range Transit Plan outreach, and we will continue to integrate this input as we implement the final Short Range Transit plan and prepare for future service changes.*

Comment Themes from Online Comment Form

Theme	Detail	# of Comments
New service	Positive response to Richardson Flat fixed routes	48
Frequency	Increase frequency on additional routes	29
Option 2	Positive response to 15-minute frequency at Richardson Flat park and ride	20
Expand Service	Requests to provide service to new areas of PC through microtransit or extending current routes	19
Resort Access	Requests for direct routes to resorts	17
Option 1	Positive response to better frequency on additional routes such as 1 Red and 5 Yellow	15

Microtransit concerns	Concerned about reliability and performance of new service	11
Microtransit	Positive response to new service	10
Extend Service	Requests for earlier and later service times	9
Ski Service	Requests for better ski infrastructure on buses	5

Public Comments

A complete list of the 202 public comments received across open houses, social media, and the online comment form.

Comments from Social Media - Facebook	
Porfavor que regrese la línea 7 que subía a Canyons, somos muchas personas que tenemos que bajar incluso desde Apex residence, caminando hasta la 7 eleven Canyons, porque los autos que la suplantaron de High Valley transit, nunca llegan, el servicio es poco y siempre sale que en esos momentos esta muy congestionado y al final bajamos a pie con lluvia, sol o nieve. Porfavor tómenlo en cuenta	
<i>English Translation: Please bring back line 7 which used to go up to Canyons. We are many people who have to walk down from Apex residence to 7-Eleven at Canyons, because the buses that replaced it from High Valley transit, never arrive, the service is poor and it is always very congested at those times, and in the end, we walk down with rain, sun or snow. Please consider this.</i>	
Mientras sea para mejorar todo está bien	
<i>English Translation: As long as it's for the better, it's all good.</i>	
Comments from Social Media - Twitter	
N/A	
Comments from Solomon Fund Registration Event (Translated from Spanish)	
I would like to see the bus routes return to normal. Routes 7-6.	
I would like the route 6-7 bus to be available again.	
I wish there were more bus time.	
Deer mountain apartments need more service hr.	
Comments from Open House – Library City-wide	
Please consider expanding on-demand service from PC Height to MARC and library. It would be great to use public transit to all public facilities	
On-demand vrs scheduled bus: a 15 minute frequency bus is much more preferable to on-demand/micro for PC Heights/Richard Ft during commuting hours	
MicroTransit @ overlook. Drive to Mellow MT. Permit to park @ nearest bus stop	
I love the on-demand staff	
On-demand: scheduling a ride with on-demand is clunky and antiquated. An app (like HVT) is critical to success	
On-demand: I am a PC Height resident and use on-demand often. Getting a ride in the morning commuting hours is VERY difficult. If we keep on-demand at PCH please increase capacity during morning commute hours. I often request a ride at 7:00 w/ no availability until 9	

A reliable bus that comes up Main Street early in the morning and on a predictable schedule. Especially during times when Town Lift is not running such as the beginning of the ski season.
20 min frequency on the red would be excellent. Last winter the red buses were <u>very crowded</u> with many folks waiting a long time for a bus!
CRITICAL: Service from Richardson Flats to PCMR & DV. PCMR most important since paid parking will be implemented. 750 spaces are empty at Richardson Flats and will serve Jordanelle area residents. Traffic on 248 will also be reduced with this new service
248 has definite peak hours in the mornings and will need high frequency to service people who work at the resorts
Richardson Flat bus should run every 15 minutes or less for the early morning employees
Have Vail run the Richardson Flats + PCMR → high school buses. Vail provides the buses + drivers on contract! I spoke with Mike from Vail and they are open to this possibility
Promote more than 2 buses running from Richardson Flats. More specific ski bus to Deer Valley & PCMR only
Feedback system for real-time plan efficacy. Website portal
Feedback channel
20 min frequency on red during day is needed
PCH micro transit still useful with fixed route.
Direct/Rapid bus from PCH to Silver Star
15 min frequency from PCH to PCMR
Please have Blue & Green bus go through Prospector Dr off 224
Keep 3 Blue running as late into evening as other lines, not stopped after ski day like last year
All buses should run to & from Main St much later in evening to allow realistic bus access for Main St patrons
[Green] Monitor dr cont to Am Saddler – Sunny sloops – Fairway V – townhomes cove, ctry club – 4 Lakes → Amsad 2 Lucay John. [up] monitor [down] Park – miss 1 stop 6 min longer
Comments from Open House – Royal Street In-Person
Request: add Old Town Transit Center as a stop for microtransit service
Request: can we not have to revisit transit [service to Royal Street] again?? Please!
Microtransit pro: limited service area
Microtransit pro: sleek app
Microtransit pro: dedicated resources, not shared [with HVT micro service area]
Microtransit pro: PC managed (vs. Summit County)
Microtransit pro: pick up [near] home
For what it's worth, I'm open to and would even champion microtransit if we can solve these concerns
Microtransit Con: small size of vans
Microtransit Con: limited drop off locations
Concern: what is summer schedule/summer route? (and spring/fall)

The engagement and partnership is a solution here. Please feel free to contact [Royal Street stakeholders]
Thanks so much for coming up here... we're a tough audience! We appreciate
I was against it last year but with the app, it makes sense
Comments from Open House – Thaynes Canyon/Upper Park Meadows
[microtransit service to] Canyons Hub?
Utilize McPolin Farm trailhead as a Park & Ride
Need to look at data of who is riding microtransit [visitors, residents, etc.]
Can we add ski racks?
How many people can sit comfortably with skis [inside vehicles]?
Make sure it drops off where there's frequent service to Snow Park Lodge
Need more ski lockers
Park & Ride at arts & culture district
OTTC should be primary transfer point for microtransit service
Comments from Open House – Royal Street Virtual
The microtransit pilot program with a dedicated app and better pickup locations near homes is an improvement over the on-demand option presented as an alternative to the Bronze last year.
Comments from Online Form
See attachment on the following page for a full list of online responses.

Q3 Share your comments here!

Answered: 155 Skipped: 0

#	RESPONSES	DATE
1	Could a bus stop be added at the corner of Webster Drive and Three Kings Court in the Thaynes Canyon neighborhood? Particularly one that goes to PCMR base? Thank you for your consideration!	9/2/2022 10:52 PM
2	Option 2, looking forward to Richardson Flat service!!	9/2/2022 5:11 PM
3	Please put some thought into a parking lot dedicated to locals within the city limits that we can use to access public transportation. Currently there isn't one so if you don't live along a bus route there is not an easy way to ride the bus. How about expanding the lot for McPolin Farm, make parking permits available ONLY for those who have an address within Park City and improve the bus stops in that area. That would give locals who live in Park Meadows and Thaynes Canyon an option for accessing public transportation.	9/2/2022 5:05 PM
4	I vote Option 1 for the winter service transit proposal. My guess is people who live locally will have a preference for that along with whoever is lodging in town along those routes.	9/2/2022 11:49 AM
5	Prior to the pandemic, as an in town resident (Prospector) I was able to get to the PC Hospital where I work easily on the red route. It was great and I was happy to take my car off the road to help with 248 traffic. I also know other hospital employees who are disappointed this service ended. When looking at routes I would encourage you to put the hospital back on a regular bus route. When I have called to inquire I am told I could walk in the opposite direction about 15 minutes and then catch a micro-transit ride. I have a car so if I am going to be in a private vehicle I would rather drive myself as this is way more convenient. It seems crazy to me that the hospital, a very important resource in our community is not on the regular bus routes any more. Another thing to consider that could help traffic would be to make sure the public bus routes in town run at a time where school kids could use the public bus if they are not eligible for the school bus (in town neighborhoods). My kids are grown but I had kids in the school system and would drive them, or they would drive themselves because no options were available. This is feedback I have given before, but as things are being looked at again I thought I would give the suggestions again. Both of these could help traffic, which is such an issue!	9/2/2022 7:38 AM
6	Where can I comment on High Valley? Service in Kimball has suffered greatly since they took over the routes including the elimination of all stops near the three major condo complexes of Liberty Peak, Crestview and Powderwood (the former lime green route).	9/1/2022 7:05 PM
7	I applaud a direct bus line to the ski resorts from Richardson flats. With the exploding growth our this direction it is absolutely needed and my husband and I would surely use it! Either option is good.	9/1/2022 4:14 PM
8	I would like to primarily address the 2Green and 3Blue lines, as I have lived for the past 17 years full-time in lower Park Meadows on the bus line. However, I also am extremely concerned that, due to inadequate public transit, Park City has devolved into a town of the "haves" and the "have-nots" – those who are ok with paying high parking rates (if they have a designated driver) or for Uber and Lyft to enjoy a visit to Main St vs. the workers who need to get to their jobs and the locals who are increasingly saying they no longer want to go to Main Street, the Egyptian, etc because it is such an expensive hassle to enjoy what our town prides itself on. The 2Green should be a 20 min frequency at all times PLUS 15 min frequency between 7AM and noon on Fridays, Saturdays, and Sundays. This bus line was insanely crowded on these days for the past 2 ski seasons. When PCMR did not operate the Silver Star lift until halfway through the season, all the visitors who booked lodgings in Thaynes and thought they could walk to that lift ended up on the 2Green into PCMR, causing delays, jam-packed overcrowding etc. I listened to many passengers expressing utter disbelief that this was the situation they found themselves in. I routinely had to get off the bus AT Silver Star because the traffic was so backed up, until the police started controlling car traffic on Three Kings, such that I could not even get to work at PCMR on those days unless I caught the bus 1 ½ hours before my shift start time in order to accommodate traffic and having to walk the	8/31/2022 5:23 PM

final mile to work (this is normally a 9-min bus ride from near the MARC to PCMR!). Having the 3Blue at 30 min intervals, particularly in the 7AM to 12 noon window, is inadequate. Similar to the 2Green, this bus should run at 15 min intervals during the AM's on Fridays, Saturdays, and Sundays. The 3Blue and 2Green schedules should be coordinated so that they reach key stops (such as PCMR or the MARC) at offset times – having the 2 buses trying to pass each other on Three Kings is dangerous and difficult, particularly in snow season. There has been a problem with the 3Blue getting to PCMR in the winter mornings. Since AM car traffic turning from Park Ave onto Empire Ave to PCMR was so backed up the last 2 seasons, all buses trying to share that road both inbound and outbound simply got stuck in traffic. There needs to be a dedicated bus lane for buses approaching and leaving the PCMR bus stop. The 3Blue is an important bus route year-round for anyone in Park Meadows to get to Park Ave for Fresh Market, UPS, or any of the businesses in that shopping area. Since the 2Green goes on Three Kings all the way to PCMR by the back route, there is no bus service between the MARC and the Park Ave shopping area. The 3Blue goes by Walgreens and is within walking distance of that shopping area. This is another reason the 3Blue should not be treated as just a 30 min interval ski-season adjunct to the 2Green. Up until March 2020, the 2Green was a reliable 20 min schedule at all times. I used the bus to get to work at PCMR, work on Main St, and almost all of my trips to the library, Main St, Fresh Market, Holiday Village Cinema, UPS, etc etc. Now I barely take it; other than my work commute to PCMR and occasional skiing at DV, I drive pretty much everywhere instead because trying to catch a bus that runs only at 30 min intervals stretches a simple errand to well over 1 ½ hours; I doubt that I'm the only person having this problem. Bus service in the evenings is an issue for both the 3Blue ceasing service after 6PM and the 2Green running at only 30 min intervals. Neither approach is effective for anyone trying to get back to Haynes or lower Park Meadows in the evening from Main St or PCMR. - In my own case, many times I just have to drive to my evening shifts on Main St because if, after my shift, I miss the 30-min-interval 2Green, it can take me over 50 min to get home (all of 2.5 miles ...) at 9:30 or 10PM. Are workers on Main St in the evenings supposed to drive in (contributing to congestion) and pay for peak parking every work shift? That is not sustainable. - It is a contortion and internal inconsistency to say that patrons interested in evening activities (dinner, a show at the Egyptian, cocktails afterwards) should not drive due to congestion (especially apres-ski), BUT not have access to frequent bus service, or to then be charged excessive rates for parking because they cannot count on getting a bus to get home in anything less than 45 min at night. The only remaining alternative for patrons hanging out at PCMR or Deer Valley apres-ski or spending an evening on Main St - we're talking about hundreds of folks (the Egyptian alone holds well over 200 people) – is Uber, Lyft, and microtransit, none of which have such a capacity. This puts us back in the dilemma of "haves" vs. "have-nots" for patrons (visitors OR residents) to pay for taxi services purely because there are no buses (or just barely the 2Green for Park Meadows) running at a useful frequency if this city believes that it values the people who support and frequent our tourism businesses. I don't understand why Park Meadows is being treated as the poor stepchild of the Park City Transit System. Much of Park Meadows consists of full-time residents, paying our taxes and supporting our town's infrastructure by working and shopping here, having kids in the school system (they would like to take the buses around town, too, without waiting 30 min for one to show up!). Well over 75% of this neighborhood gets no bus service at all. Microtransit is not going to be effective for the large numbers of folks trying to get to and from ski bases, shopping, schools, etc. on a regular basis, and microtransit simply adds to the road congestion. Anyone living in Park Meadows more than 2 min from the 2Green bus route obviously drives into town (ski resorts, shopping, library, etc). Have you accounted for how much car congestion is due to NOT providing reliable and frequent bus service to the vast majority of Park Meadows? Having frequencies less than 20 min makes the bus service fairly useless for anything other than random, no-time-constraint travel. There is no way to get between Park Meadows and Prospector or the Canyons without allowing least an hour and transferring buses that are only running at 30 min intervals. While I don't generally use the other bus lines, the idea of 30 min bus route intervals makes the entire public transit system seem like some ancillary courtesy that cannot be taken seriously. Residents have had to complain repeatedly about threatened reductions and changes in bus routes and schedules for years – the time the 1Red was changed and had to be reinstated, the furor about the 9Purple being cut back, the fact that Silver Lake was now inaccessible in the off-season because there was (is?) no longer ANY visitor parking and there was no way for visitors to get to Silver Lake, etc. It seems that Park City Transit and the City of Park City don't take the needs of our residents and visitors seriously enough to provide realistic frequent reliable bus service in spite of the insane car congestion, exhortations to not drive but not provide useful bus service to ALL parts of Park City, expensive downtown parking, and now upcoming paid parking requirements at the Park City PCMR base. I question how the Richardson Flat bus system will

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work – have you crunched the numbers to see how many snowsport commuters would need to be transported to PCMR, Canyons, and Deer Valley in the 2 hours of peak incoming travel demands? Will the bus service be adequate to meet these demands? I visited Avon/Beaver Creek, CO last ski season and was impressed by the 15 min bus intervals, compliance with requirements for masking and bus windows to be kept open (yes, everyone was dressed in winter clothing), and the near-universal patronage of the bus system in virtually every part of town. Park City looks appalling in comparison, devaluing our residents, our visitors, and our town's sustainability.

9	Would love to see the blue and green run every 20 min till 4 pm. Then go to every 30 min after that.	8/31/2022 3:38 PM
10	For the few hundred folks who live in the Ironhorse & Fireside condos, we don't have the best bus system. We get the bus at Julie Nester Gallery but it's already gone to the Highschool and filled up with skiers, and sometimes the buses go up to Main St from there. I am in full support of additional buses traveling on this Bonanza route and when the bus gets to DV drive, make a RIGHT to go straight to the resort. We live so close to the mtn and yet transportation is not easy. Thanks!	8/30/2022 4:08 PM
11	The new service to Richardson Flat park & ride should include one additional stop at Park City Heights. The City spent time and effort to get those bus stops built and dedicated. Between the new microtransit service, the addition of frequent, regular bus service at these stops would be a game changer. Besides bus service to Richardson Flats, I don't know what other possible future service would actually service these existing, unused stops.	8/30/2022 9:49 AM
12	I live in Hideout and would be more than willing to park at Richardson Flat and ride the bus. That being said, the bus needs to be direct to Park City Mountain Base and/or Deer Valley Base and direct on the return and at set times, so I can plan accordingly. The bus needs to use the designated bus lane at all times. If the bus stops multiple times or I have to transfer at the transit center at bottom of Swede Alley, I will not ride the bus, as I am not going to add 30+ minutes to my commute.	8/29/2022 7:50 PM
13	The original Orange Line has severed the residents, guests and renters on Royal street as well as staff for the various employers in the area for decades. Transit services is already sending a bus to Silver Lake from the transit center to serve Deer Valley staff and guests but it excludes the residents. We just need to resume the original route at no additional costs to the residents, city, county or federal government. I appreciate your time, efforts and commitment to a high quality transit service for all stakeholders...	8/29/2022 4:27 PM
14	Given the new parking restrictions bus service to Quinns / PC heights / Richardson flats is essential. The bus should also be able to bypass traffic along 248. Doing so would provide additional incentive to use transit and improve the overall experience.	8/29/2022 4:10 PM
15	Hello. First, I appreciate the opportunity to comment. I'm excited about the new options for transit. The microtransit is vague in terms of "directness" of a route. For example, if I want to go to Main Street for my job from PC Heights, will I be taken to a bus stop or can I go direct to Main Street? Will microtransit be available to the ski areas, or will we be directed to the Richardson Flats lot? For the new Richardson Flats service to DV or PCMR. These will be a huge help if planned correctly. Will these be non-stop? I expect the buses will be full at peak times. I'm a PC Heights resident. Will I be able to get on the bus on it's way to Richardson Flats (at the bus stops outside our neighborhood). I'm concerned the inbound (parking lot to DV or PCMR) will fill up at the parking lot. I'm also concerned about the increased traffic and speeding on Richardson Flats. Has anyone studied the road capacity and what's needed to handle an influx of more cars? The road last winter had backups from the 248/R Flats intersection to the Rt. 40 overpass. Thanks again and feel free to contact me at [REDACTED]	8/29/2022 7:00 AM
16	WliveinFawgrove,DeerValleyandwanttomakesurewegetrfrequentssservice to the ski area at Deer Valley	8/28/2022 10:43 AM
17	Let's start with the Trolley. The trolley is the mascot of Park City. #1 The trolley needs to run to at least 10 PM #2 The trolley needs to go not only up Main Street but down Main Street. #3 The Trolley should not cut across on Heber Ave to take a right onto Main Street. There are literally three crosswalks and bumper-to-bumper intersection that the trolley would have to deal with. Going down to ninth Street to Main Street turn around that's silly and its constantly blocked by a vehicle. It's much wiser to send the trolley down deer Valley Drive to ninth Street. And for the trolley to go not only up Main Street but down Main Street and then out on 9th	8/27/2022 4:14 PM

street to deer Valley Drive to the transit Center Or go back up Main Street and take a left at the top of Main to Sweet. Also there are numerous workers who work at Kimball Junction who live up on Daley Avenue who need to take the trolley to get back up to daily Avenue area with groceries and back home from work and you're forcing them to have to walk up to daily Avenue from the transit center because service is ending too early. Also there are passengers elderly and others with injuries who try to attend gallery walks and once again the trolley is only going up Main Street instead of up and down Main Street. And then you have others both elderly and families with children when weather may be an issue wanting to ride the trolley either up or down Main Street or back over to the transit center and again trolley service ending too early before dinner hours are over. The trolley needs to run till at least 10 PM you guys have got to stop running this like a business thinking you're cutting costs. And it's absurd to put the trolley on Heber Avenue going across three different crosswalks and a four-way intersection to take a right onto Main Street that's silly. The way that it was going down deer Valley Drive to ninth Street was correct and going up and down Main Street is correct. There was no reason for the changes that took place they don't make sense and there not logical. Next Let me touch on microtranstransit I don't see it cost effective. This is a resort town it's not Mayberry USA where aunt B needs a ride to drop off her apple pies. Lol The reason I say this is because demand will always out way supply and you will never possibly give the type of coverage that would be necessary in a cost-effective way furring tourist seasons. Despite what the county may tell you constantly passengers have told me and I myself have tried the micro transit and constantly no rides are available so don't kid yourselves with micro transit it's not gonna be cost-effective and it is unnecessary let Lyft and Uber do what they do. And it's my understanding in other parts of the country high Valley transit may actually be charging for some rides possibly ? Micro transit there is no way that it's cost-effective and there is no way that you can handle a surge in a tourist town where demand would always outweigh supply. Only in Mayberry USA were Anut B needs a ride does that make any sense Next Richardsons flats sounds like maybe a good idea. Next I'm one that believes that the blue line and the green line should crisscross through SnowCreek shopping center just as the red dose. having the blue line and the green line go through Snow Creek behind the liquor store it allows for shopping and banking and eating out even to get to Dentist and doctors offices for those individuals who live along the green and Blue line. And it acts as a away to get back over to the sports facility in Park Meadows the Marc. Guys support that shopping center By having the green line the blue line and the red line going through Snow Creek it acts as a mini hub location. You don't understand the demographics because most of you don't live here and you don't ride the transit system and really understand logistics with all due respect. Again there's logical reasons why the blue line and the green line should crisscross through Snow Creek shopping center behind the liquor store. Excuse I've heard is we've tried that you didn't leave it in place long enough let it run for a couple years and you'll see that it's affective. Next The ice arena out by the hospital should be supported with service. And the road behind the hospital should be allowed to be opened for transit use only. I've heard the excuses the people who donated the property don't want it for that use nonsense. More likely the excuses is controlling traffic one way in one way out. They had that road open behind there for Covid testing so there's no reason that road can't be opened for transit services. Having a bus come in first servicing the ice Arena side then heading up behind the ice Arena to the hospital and then out servicing the other facilities in that area. There is a multi million dollar ice Arena out there there should be constant service supporting that ice arena and those fields. I say this because personally I would go skating I would pay to go skating if there was transit service on a fixed route and I'm positive others would as well. And I don't wanna have to call up for a ride or use an app to get there. Next for the drivers not just for Roc and supervisors drivers would perform better especially in the evening with a 4 10 schedule four days on 3 days off. Again I realize there's only so many and that's where sonority comes in to play. And then seasonal part-timers pick up the rest And working a 4-10 schedule more night drivers would be willing to pick up an extra shift when needed as well. I'm convinced that a 4 days on 10 hour schedule is more healthier. And that drivers are more than willing to work a fifth day in that scenario. Also knowing that you'll have the high school express to the resort as we do every winter. That if you create schedules with routes in which drivers are working four days on three days off you'll find your have evening drivers more than willing to work those Saturdays and Sunday mornings to cover those extra express shifts in the winter. Next Also when designing schedules preferably 4 days on 3 days off and or 5 days on 2 days off. Especially for the full-time senior drivers if possible make it so there Fridays whichever day that may land on that they get off earlier preferably like working on lunch shift. And on their return day like a Monday or whatever day it falls on that they have a late start like a R15 which doesn't start till 6:15 PM. So off earlier on their Friday and start late on their Monday. Also in the past the lunch shifts were designed in such a way that the driver was off early and did not have to take care of a bus at

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the end of the shift this was a bonus for the driver for that night. What am I suggesting is that lunch shifts be designated on peoples fourth or fifth day so they're off a little earlier. I realize there's not enough to go around and only a few with the most highest seniority benefit from that. Next Lunch shifts literally need to be designed as a 45 minute lunch because then realistically the driver gets 30 minutes. Give the driver the time that it takes to walk to and from the bus use the bathroom wash his hands and have 20 or 30 minutes to eat his food and digest before getting back behind the wheel. Let's keep in mind that it may not be as many miles as driving from Park city to say Chicago but it's just as many hours every week behind the wheel. If you drive from Park city Utah to Chicago Illinois and then turn around and drive back from Chicago to Park city this is what your drivers are feeling and you can imagine how you would feel working that kind of a schedule just something to think about because honestly that's what the drivers put themselves through every week again it may not be the same mileage but it's the hours behind the wheel and that can be exhausting. Its another reason why I suggested a 4-10 schedule is healthier for a driver giving him more time to rest. My background my family bought property in Park City in 1975 on main Street And for 20 years the family owed a restaurant on Main Street. And In 1985 we started building townhomes on Marsac Avenue. I've lived in Park City and out of Since 1986. So sense the mid 1970s I was coming out here on ski vacations as a kid. And then I myself moved out here in 1986 originally. And yes I drive for Park city transit for more than 6 years now so take it from Driver who knows. Hope you'll take some of my suggestions to heart. Sincerely good luck.

18	It's difficult getting from Newpark into Park City past 7:30 p.m. so people will continue to drive their cars.	8/27/2022 2:39 PM
19	I am a full time resident of Prospector and take the Red bus to PCMR around 50 times each winter. I strongly support option 1. I think that we need an increase in the frequency of the red and yellow busses to make it easier to take the bus to the resorts.	8/27/2022 10:08 AM
20	Increased frequency is a big plus to encouraging usage. I think your micro transit is flawed. Why would I take a bus to another bus stop and have to wait again for a bus that may not take me directly to my destination. You are creating a system doomed to failure, but I don't think you care what the locals need or want.	8/27/2022 9:55 AM
21	during ski season, please have the Blue bus go directly to Deer Valley..	8/26/2022 10:18 AM
22	august 28 is Sunday not Monday, so which day and date is the meeting at the MARC. Also how do you contact Senior transit? Where does the Blue Route go?	8/25/2022 1:45 PM
23	Hi, The trailside and north round valley neighborhoods have zero access to public transport under the current winter proposals. This area consists of several hundred primary residences and tax paying families of Park city and Summit county. It is the only area in park city that does not have any access via a public transport route not counting the on demand service which in the busier months is not reliable or consistent. Please add a bus route in the north round valley area to restart service to this so far neglected area of park city transit. There are established routes and bus stops that would very easily be reestablished. This lack of public transport causes the entirety of this majority primary residence neighborhood to rely on personal vehicles to navigate park city and the mountain resorts contributing to the congestion that Park city transit is trying to improve. By no serving this neighborhood with even a single public transit route, park city transit is guaranteeing hundreds more cars on the roads that are not necessary if public transit was available.	8/25/2022 9:12 AM
24	iTunes option 1	8/25/2022 7:55 AM
25	My request is to institute Option 1. Thank you.	8/25/2022 7:51 AM
26	Bus routes are great except on snow days when the bus lanes can't be plowed. Why would i sit for 2 hours on a bus in my ski boots when it's the same time in my car? Sorry, but bus routes are non starters until this is solved reliably.	8/24/2022 3:00 PM
27	Option 2. Also the buses from Richardson Flats should go directly to the resorts and not stop along the way to best entice folks to park at Richardsons Flats and reward riders who go there.	8/24/2022 2:57 PM
28	I live in prospector and last winter I had multiple occasions where the prospector bus did not make the full route 3 times in a row. I had to wait 1.5 hours to catch the bus. looking on the app i saw the bus that was supposed to come get to the high school and then turn around and go back to the resort. I believe the 20 min frequency will help with this somewhat. However if the bus that is supposed to go to Richardson flat is not a separate bus from the prospector bus I don't think the timing nor the capacity of the bus will be sufficient on a 20 min cycle and will	8/24/2022 1:44 PM

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need to likely be on a 10 min cycle. Additionally i do not understand why park city transit is running shuttles on behalf of vail and Alterra they should have to run their own shuttles from the Richardson flat lot. I dont think a bus to park city heights is needed either. There is a small population that lives out there and they are technically not within park city limits. I believe buses doing a larger loop in park meadows is more beneficial to the residents of park city.

29	I am very happy to see the proposal to increase the frequency of the Green and Blue busses during peak hours. Way to go!!!	8/24/2022 11:52 AM
30	Please provide a proposed route map with your proposal. The current regional transit map on the parkcity.org website does not reflect a "blue" route nor a "City-Wide" route therefore its hard to evaluate the proposed service. Clarify the differences between Option 1 and Option 2 (it is not clear in the materials). It is unclear what is meant by "fixed route service to PC Heights is "also" proposed" (it should be included in one of the Options). Microtransit should be made available w/in City limits - not limited to just certain neighborhoods. Aerie, Prospector Lower DV and OT need to be included in microtransit.	8/24/2022 11:29 AM
31	I am glad to see that Richardson Flat is finally in the plans to be utilized. While that will target people traveling in from out of town, I have a concern about locals, specifically those of us living in Park Meadows. The nearest bus stop to me is 1.5 miles and that is at the PC MARC. I am doubtful they will be happy about me parking there to catch the bus so I'd like to know - how do you expect those of us who do not live by a bus stop to access public transportation. There is not a lot close by that I can utilize and it makes NO sense for me to drive to Richardson Flat to catch the bus. So here's a suggestion - how about enlarging the parking area for McPolin Farm? That is on the bus route, there's plenty of space to add more parking and that would give an option for locals to park and ride. Transit planning should not be just for folks who are visiting and/or do not live here - make plans for locals as well if you want us on the bus!!	8/24/2022 10:30 AM
32	I like the Richardson Flats Parking lot pick up...every 15 minutes please!	8/23/2022 10:33 PM
33	I think that the transit system is very good, especially for our tourists. I like the microtransit plan that will be very helpful for our residents. As a resident in Park Meadows I plan to use it during our ski season.	8/23/2022 1:41 PM
34	please have a public transport option from PC Heights to PC Mountain Base for winter skiing. It's too much hassle to ride on demand to highschool then back.....difficult to coordinate ride times with bus schedule and causes too much wait time.	8/23/2022 9:39 AM
35	Option 1	8/22/2022 10:08 PM
36	Really happy to see the Richardson flat option to Park City Mountain . A dedicated route to and from PCMR is something I would use almost everyday during ski season. I would like more information when you have it, about pick up locations at the mountain and times for the return trip back to the lot. Great Idea !!!!! Thank you.	8/22/2022 9:46 PM
37	every 20min is just not going to be sufficient in the morning hours to get to pcmr. and even DV if they announce paid parking. every 15min from like 7:45-10 would be ideal to really decrease the red snake.	8/22/2022 9:42 PM
38	Has there been any consideration for transportation for the Trailside area? Most of the people in this area have kids. We have 2 small children that require car seats/boosters, so we can't use the High Valley Transit micro transit. Technically, we could use micro transit but where would we store the car seats when we were skiing? (Utah law: Children must ride in a car seat or booster seat until the age of 8 or until they reach a height of 57 inches (4' 9").) Is there a discussion for an option for a bus to come through the area at all? There is no public transportation option for families with kids in the Trailside area at this time. Thanks for your consideration!	8/22/2022 9:22 PM
39	With the charge being imposed at PCMR and probably DV will follow, the buses need to be more frequent during ski season. We use the 3 Blue Bus. 30 minutes apart is tooooooo infrequent. It should be every 10 or 15 minutes during ski season. Can I receive feedback about my input? Carole	8/22/2022 5:31 PM
40	We live in Aspen Springs (20 years) and use the bus extensively in the winter. We understand that this hearing regards PC buses specifically, not the new Summit County buses. However, the PC Lime line on 224 between Kimball Junction and resorts was discontinued last year and replaced by County 101 We were dismayed last winter when the County 101 did not run	8/22/2022 5:07 PM

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regularly and reliably on 15 minute intervals as the Lime did. Makes our use of bus transportation very difficult. I notice that the 101 seems to be running on 15 minute intervals this summer. It is essential that continues through the winter season. It is heavily used by residents like us, and winter visitors. Since you chose to discontinue the Lime in coordination with County 101, please convey to them the importance of continued and reliable 15 minute service through every winter. Respectfully /David Avrin

41	I support Option 1.	8/22/2022 3:10 PM
42	Green line. Seems like 20 minutes is to long to wait. Imporved frequency is good. Richardson Flat --15 minutes is better.	8/22/2022 2:50 PM
43	Two of the largest employers in Park City are PCMR and Deer Valley and many of the employees live in the developments along 248 east of 40. Since employees need to get to work on time there should be a non-stop bus in the morning from Richardsons Flat to each of the resorts. The city need to monitor the morning rush hour to get to work and might need to have more than one bus every 15 minutes until 12:00 to accommodate the ridership. Also since it is a bus going to a ski resort the bus should have ski racks on the side to hold the skis like the busses in other ski towns.	8/22/2022 2:31 PM
44	Please, please, please continue the Blue Bus through Park Meadows! It's so helpful to have a bus that goes in the opposite direction from the Green Bus. Two routes also give us more frequent service, which means it's easier to hope on a bus. Thank you!	8/22/2022 11:53 AM
45	Option one seems like the best. Red, Green, and Yellow are so popular I think those running every 20 minutes is a better option than the park-and-rides coming more regularly.	8/22/2022 11:18 AM
46	To minimize expense and maximize ridership, the obvious solution is to return the Orange line to its original route along Royal Street. If Deer Valley wants an express bus for their employees, they should pay for it. If the City is determined to subsidize Deer Valley, then run an early morning and afternoon "express" to Silver Lake via Marsac and limit Royal Street service to resort hours. We don't need early morning or late night service. Maximize the use of the busses already running to Silver Lake and you won't need additional, unproven micro transit or another Bronze bus.	8/22/2022 9:43 AM
47	For this winter season you really need to reintroduce the pink line (or some other option) that provides real bus service between the silver springs neighborhood and the base of the canyons resort. The micro transit option doesn't work at all during the winter so everyone end up driving to the mountain which literally adds hundreds of cars and congestion on 224. With the paid parking at the mountain bases it is now also much more expensive for locals to go to the mountain which dramatically decrease the local populations support of Vail Resorts and all the tourists that come to our city. Bringing the pink bus back during the morning and afternoon during the ski season would go a long way in restoring our support for the increased tourism and traffic.	8/21/2022 8:05 PM
48	We would very much like to see transit service to Richardson Flats. The growth in this area has been tremendous and bu service would be very worthwhile.	8/21/2022 7:13 PM
49	I live in Park Meadows and work at Ski Area PCMR Use Green bus every day to get to work (5-6 days) Walk home mainly because buses get stuck in Deer Valley and wait time at PCMR is untenable ... not because I need the extra exercise! Green and Blue busses rarely busy ... keep every 30 mins Save some money and put it elsewhere in system Micro Transit from Upper Meadows and Thaynes should help if uptake at Jeremy Ranch and Pinebrook an indication of potential use Make sure vehicles have Cargo Carriers for skis/boards Park City Heights needs solid bus service Micro Transit my help shuttle people to stop and resist getting in the car!	8/21/2022 6:36 PM
50	PCMR patrollers and lifts will need earlier buses this winter if the resort is only going to allow paid parking and not let workers park at the resort. Could Green have a 6:30ish am bus?	8/21/2022 5:54 PM
51	Why do both busses from Park Meadows go to Park City Mountain on the way to and from Deer Valley? The blue should go straight up Deer Valley Drive, giving people a quick option. The difference between driving (7 minutes) and taking the bus (30 minutes) is too great for most people, but, if there were a direct route, many more of us would bus to Deer Valley. Thanks for your consideration.	8/21/2022 3:16 PM
52	Richardson Flat buses should go directly to the ski areas after stopping at Park City Heights. The high school is serviced by other routes. Richardson Flat lot should be monitored in the	8/21/2022 2:26 PM

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peak morning rush so that additional service could be added to move the people waiting. Bike racks on some buses are too narrow to accommodate current MTB tires requiring that the bikes go inside the bus.

53	I would like to propose either removing or re-routing the additional winter bus service (Blue) that runs along Three Kings Drive. There are safety issues along this road in winter because pedestrians walk along the road, the road is narrower due to snow, and Three Kings Drive already experiences significant road traffic during the winter months from recreational users/visitors in addition to the construction vehicles from the water treatment plant construction. These safety issues will be exacerbated with the proposed increased bus frequency. If it is deemed that the second bus service is necessary (though in past years I have seen poor passenger utilization of these buses, which makes me question its necessity), could we please choose an alternate route that doesn't already have bus service on it? Thank you	8/21/2022 2:25 PM
54	Run bus service nonstop around Deer Valley Drive during peak hours (8:15-10:15 am and 2:00 - 4:00 pm) to supplement existing bus service. Drive clockwise around the loop to avoid the stop sign at the "Y". An alternative would be to turn onto Solamere Dr, down to Telemark Dr and back out to Deer Vally Dr via Queen Esther Dr.	8/20/2022 7:13 PM
55	Bus route direct to each ski resort, NOT transit center. We both work and play at them.Thanks!	8/19/2022 5:47 PM
56	The Park City Planning Committee did a disservice to the residents of Park City when they objected to the Expansion of the Eagle Chairlift at Park City Mountain. As a frequent skier, I know that the primary users of the First Time Parking Lot and the Eagle Chair are locals with seasons passes. With the advent of paid parking, the many locals with season passes will be looking a transit alternative. I recommend you expand or extend the green bus to the Park Meadows Golf Club area and along American Sadelir to at least Lucky John Drive.	8/19/2022 11:26 AM
57	1 - Please do not continues with the long stops at Snow Park... As proven last winter, they do not help to "stay on schedule" when traffic very busy or snow days... All the long stops at Snow Park do is frustrate and inconvenience the public riders... Even the bus drivers have commented that it is confusing to the guests when they get on the bus at Snow Park, and then it sits there for 10-20 minutes..... 2- At PCMR base, do not use the bus stop that is out in the street, instead of the loop that stops right in front of the curbside sidewalks/stairs. When that was used for "public dropoff" last year it was a very unsafe situation as those public vehicles did not care about the people and families trying to cross past them - even worse on icy days as the road was a slippery mess... 3- More coordination with the two bus systems to be efficient and provide best service. 4 - Make sure paper maps are made... The App does not work for many of us and should not be relied on. 5- Fix and maintain the electronic timetables... Often they are not working or just not even close to accurate... 6 - Keep the Purple bus to Empire and Orange bus to Siler Lake. 7 - Overall, the bus system is much appreciated and as well as using it a lot, I encourage all of our guests to use the bus, and thank the drivers.	8/19/2022 8:10 AM
58	You talk about the blue bus line which I believe is the backwards running Park Meadows bus but it is on on this page showing the loops. https://www.parkcity.org/departments/transit-bus/routes-schedules Maybe because it is not running during the summer. May want to point that out.	8/18/2022 10:55 PM
59	I don't understand even with the improved efficiencies/frequency for rRichardson flats why you would lessen the frequency of the yellow and Red busses. or at least keep the 20 minute schedule from 7am on. There are a lot of empyoeees living in the high-density areas in Prospector(Prospector Square Hotel/New Claim/the area around Monarch Drive) who need to be on snow at 9am at the resorts. You are making them walk over to the High School if they cannot make that schedule. Maybe have a 15 person van that circles sidewinder to Comstock to Kearns to sweep people to those buses at the HS. Frankly running a couple of loops like that in Park Meadows to get people to the stops would help eliminate the need for on demand micro transit. (Little Kate east to Meadows to American Saddler to Lucky John to Little Kate and have another going the opposite way. Don't even have a frequency just keep looping in the winter 2 vans in the summer with a determined schedule.	8/18/2022 10:49 PM
60	Improved service the Richardson flats would be greatly appreciated! Any plans to connect to wanship exit or coalville anytime soon?	8/18/2022 9:01 PM
61	Hello, my name is Antonio, and I would just like to share my opinion regarding the bus schedule. Practically I do know a lot of Park City people (including me) that would like to have	8/18/2022 7:34 PM

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an even earlier red/yellow, from around 5:50 am. I am looking forward to discuss this idea even further if it is possible. I do know that a lot of employees need to get to work as early as 6:30, so having an earlier bus would be better. Thank you!

62	Several years ago we used the high school to park and ride to the mountain. It was convenient and reliable. Covid hit. The buses were crowded, masks inconsistent and the wait for a bus was long. We live in Black Rock Ridge and would welcome a park and ride at Richardson Flat. However, it needs to go straight to the mountain. I can see many times that the bus will fill up at the Flat. If it is full by the time it gets to the high school then those folks will get frustrated and not use the high school. If I have to wind all over town from Richardson Flat I won't use that lit either. Tom Clyde made these excellent points in his editorial in the Park Record	8/18/2022 6:59 PM
63	Option 2!	8/18/2022 5:51 PM
64	Option 2 is preferred to increase frequency to and from Richardson flats. Should also consider moving 10 white and richardson flats to 10 min frequency for beginning and end of ski day. People won't use park and rides until it is as convenient as driving.	8/18/2022 5:09 PM
65	Option 1, please consider a bus route out to Black Rock resort, it can just be one additional stop and turn around spot. We would love to be able to get out there and back. Please!!	8/18/2022 3:49 PM
66	I'm very concerned about the microtransit replacement of the Bronze line. I have to get to work before 8am at Silver Lake and have to carry skis and other heavy equipment. I live across the street from the bus stop. I'm worried about being on time and I don't want to have to transfer to other buses during my commute since I'm carrying so much and it's early in the morning.	8/18/2022 2:15 PM
67	I live in Park City for 7 years now and this is my 8th winter season. I frequently use the transit, as it is very convenient. For Red and Yellow Lines, the proposed Peak-Hour Frequency is a great idea. I believe it used to be like this, every 20mins. However having it only until 5pm is not a good idea. Ski resorts chairlifts run until 4pm, I think. And every time I finished at 5pm, people could barely get on the bus (from OTTC). Overly packed by skiers trying to leave. There were times I had to skip a bus, because I couldn't fit anymore. Plus around 5pm, 6pm is when also employees got off work from morning shift, and tourists going around to have dinner. I suggest extending the hours to until 7pm. There's not much of a rush in the morning, 8am, as compared to the afternoon when resorts are closing. This is because employees are already at work before 8am. I believe our transit system is not just for tourists but also for employees and seasonal employees. Thank you so much!! To be honest a lot of seasonal employees love working in Park City due to our very accessible Transit System. That's all. thank you!!	8/18/2022 12:02 PM
68	Proposing to attach ski/snowboard racks to outside of buses during winter. This will make it safer for passengers who rely on public transportation to avoid being hit with gear. Aspen has it so why can't our resorts?	8/18/2022 8:16 AM
69	1. For Richardson Flats service, if skiers arrive at Richardson Flats and see a line of skiers with no bus, they will not park & wait; rather, they will instead continue to drive in to Park City. The peak load problem is severe. In the morning from, say, 8am through 9:30am, you need a small shuttle every 5 mins. With the price of daily ski tickets in the \$200 range, spending a half hour waiting for a bus only not to get on because there are 100 people in front of you waiting to get to the slopes is a non-starter. 2) Need shuttle service from Lower Deer Valley/Solamere Drive to Deer Valley skier drop off.	8/18/2022 7:40 AM
70	Hello team we are new to town and just learning about the available transit system. So far very impressed! We arrived last January and had seen much of the chatter about local traffic, resort parking, etc. and what appears to be a lot of complaints. We know this is a complicated subject, but so far it seems like Introducing the new lines from Richardson flat to the ski resorts is a great idea! Thank you for introducing this option. We will be living out by the Jordanelle, so we would def take advantage of this service. My vote would be for running transit every 15 minutes from Richardson flat to the ski resorts to really drive the incentive and eliminate any obstacles to folks wanting to use this option. Apart from the high school (weekend only) are there any other park and rides to the ski areas? Given that PCMR just introduced a parking fee, perhaps considering another route from another part of town midweek would be attractive. Thank you!!	8/17/2022 9:08 PM
71	Good evening! i wanted to ask if there will be a bus for Silver Creek village?? i know there are a lot of people that work for Deer Valley and they need a Transportacion ,specially during snowy days. Thank you!	8/17/2022 7:52 PM
72	for richardson flat to be successful, it needs to be serviced every 15 minutes. Given that	8/17/2022 5:24 PM

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PCMR has just instituted paid and reserved parking in an effort to reduce parking at the base, the transit system has to step up and provide more frequent service. While I'm willing to wait 15 minutes for a bus, if the first bus is filled before I can board, and I have to wait for a second bus, I'm much happier waiting another 15 minutes than another 20 minutes.

73	I have lived in PC for 16 years, and in Park Meadows on Crestline Drive for 12 years. As long as we've lived here, we have wanted bus service that we could use for getting to Old Town and to the ski resort, and especially during events such a Sundance. Unfortunately, despite our living inside city limits, we have never had bus service available. We are very concerned about getting to PCMR once winter arrives. Micro transit seems completely impractical to the point of absurd when thinking about a powder day morning. Assuming that we call a car an hour before pickup, where will the micro transit vehicle even take us? What is a reasonable expectation for time to get to the resort on such a day? I feel that the planners in this town fail to recognize that when public transit is available, reliable, and easy to use, people will use it. When availability is uncertain, unreliable, complicated, and inconvenient, people will not use it. A shuttle bus once an hour around Meadows Drive in the morning and afternoon seems like a significantly better option than micro transit...people might actually use it. Micro transit? I'm not so sure that will result in adoption. I'd love more detail, and what can be done to make reliable, usable public transit available for those of us living in town.	8/17/2022 5:20 PM
74	PLEASE establish the new bus routes with service to the Richardson Flat park & ride. Not only is that large parking lot drastically under utilized, but this action will significantly lessen the gridlock on 248 that happens every morning in the winter.	8/17/2022 5:04 PM
75	Would you consider add some EV charging station at Richardson Flat Park and Ride to make it more attractive for employees form DV and PC. I will definitely will use it we have a charging station for my EV.	8/17/2022 5:01 PM
76	Yes please increase vote commuter service to Hideout, Kamas, and add Richardson Flat service!	8/17/2022 4:31 PM
77	I'm all for an expanded bus service that makes sense for both employees and guests to get around town with ease!!	8/17/2022 4:21 PM
78	Please add the every 15 minute service from Richardson Flat to PCMR and DV. With paid parking in place we need better options as a local and for visitors to get to the mtns and hopefully reduce congestion. This issue will be worse when construction starts at Snow Park for DV. We need cars off the streets	8/17/2022 3:51 PM
79	Please make sure the trolley on main st in old town runs early enough to get to town lift before it opens! thanks!!	8/17/2022 3:49 PM
80	Looks good	8/17/2022 2:23 PM
81	Strongly support the added bus service to Park City Heights along with the new Richardson Flat route.	8/17/2022 2:12 PM
82	Please add Richardson Flat route to the winter service: PCMR and DV every 15 minutes!	8/17/2022 11:53 AM
83	Richardson Flat would be a well used and awesome point of access to DV and PCMR every fifteen minutes. Please add!	8/17/2022 11:53 AM
84	Would LOVE and use DAILY Richardson Flat to PCMR and Deer Valley every 15 minutes.	8/17/2022 11:52 AM
85	I live in Deer Mountain...I would love to see a direct bus from Richardson Flats Park & Ride to DV resort!! Fewer cars on the mountain/snow roads, will help with traffic flow too	8/17/2022 8:25 AM
86	Please consider mandatory parking lots outside of the city (e.g. Kimball junction and Richardson flat area) for skiers traveling from outside the neighborhoods to park and take shuttles/buses to the ski areas (similar to what is done in other congested cities like London and Milan).	8/17/2022 8:15 AM
87	Regarding microtransit service, what is meant by "Upper Park Meadows"? That isn't a term that we in Park Meadows use. The map is useless. I don't know if my street is in or out.	8/17/2022 7:57 AM
88	Would love to have service from Richardson Flats area	8/17/2022 7:34 AM
89	Yes please option 2. I'm a hundred day a year pcmr skier, and I would use the Richardson Flats shuttle most of those days.	8/17/2022 7:29 AM

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90	Direct route to ski area	8/17/2022 6:49 AM
91	New Richardson Flat park and ride service should go express straight to the bus' resort destination and run as frequently as possible for people to use it. But you must also solve the access problem getting to the lot to maximize its use and otherwise make parking in this perceived remote location feel safe and convenient for day skiers.	8/17/2022 6:20 AM
92	I like the proposals, but here is what should be added. Early morning City Wide and Red 1 should both start at 545/550 going till 730.	8/17/2022 5:33 AM
93	It would be great to be able to get transportation to the resort from Richardson Flats	8/16/2022 9:28 PM
94	I'm all for both Richardson flat and micro transit option for Pc heights being that it is an affordable housing development without any public transit options!	8/16/2022 9:12 PM
95	- Option #2 - Bus service from Richardson Flats directly to the resorts, bypassing Transit Center.	8/16/2022 4:59 PM
96	I be live in jordanelle full time. I think the idea of a shuttle at Richardson park and ride is a disaster. 2 lane highway will back up traffic in both directions. Only 2 ways out. Light at Richardson/248 will be unusable to locals.	8/16/2022 4:50 PM
97	This probably applies to the Micro transit proposals for Park Meadows. We have lived at [REDACTED] for almost 24 years. Both wife and I have worked part time at both the Park City and Deer Valley resorts. Kids grew up skiing on the Park City race programs up through the PCST A levels. Point being.....we use the resorts a lot. In the past few years as a local.....our worst experiences skiing are getting to and from the resorts and the parking. Parking is just the worst. It has gone from going skiing at a reasonable time.....to if you don't arrive an hour early you end up fighting to find a place to park. A horrible experience. We have always said, if there was a reasonable and fast way to get to and from the resort....we would never take our car. We have "heard" that Aspen has such a system for the local tax paying residents. Something that has minimal to no costs to the local resident. Seniors basically free and those not senior some nominal cost, and it is basically on demand and takes you to and from your house ? Would be worth looking into. Whatever it is..... It has to be easy Has to be as fast or faster than taking your own car to the resort. Costs need to be minimal I think it should apply to the people who live in and pay taxes if Park City. An argument could be made that the resorts should contribute to the cost of this program. It would free up more parking spaces at the resort. Reduce traffic to a from the resort. Be a PR plus for the resorts as "their" growth, building, Epic and Icon pass sales have brought lots of money into them.....but made for a significantly worse overall experience skiing for those of us who live and pay taxes here. I suggest that if they/you can come up with a plan to easily and quickly get us from our home and to and from the resorts.....that will go a long way in soothing over some of the bad feelings and complaints we all have and are facing with the overcrowding, growth, and negative impacts it made and will continue to make on the local residents quality of life living here.	8/16/2022 3:44 PM
98	Bus every 20 to 30 minutes at Richardson's park and ride to Deer Valley during ski season.	8/16/2022 3:32 PM
99	I mostly ride the White bus from Kimball Junction. Times are great. On very busy (snow days especially), bus drivers need to utilize the bus lanes. Then the bus would arrive much sooner than one could drive in the bumper to bumper, stop-stop and go traffic. Many more people would take the bus. Traffic problem improved. If bus drivers are afraid of being cut off in the bus lanes, IT'S TIME FOR SOME ENFORCEMENT. It is unforgivable to reserve two lanes of traffic for buses that are stalled in four other lanes along with cars.	8/16/2022 3:04 PM
100	I love the idea of the Richardson Flat bus. That sounds incredible. My only concern is the traffic on the bus. Would there be a possibility of a "bus only" lane on the shoulder to motivate people to take the bus between 8a.m.-10a.m.? Help reduce traffic and motivate more bus usage?	8/16/2022 11:59 AM
101	As a resident of Wasatch county (and countless more residents and tourist) just across the county line, I will absolutely use the new Richardsons Flat Parking to PC base as long it's direct(not take a 30 stop tour of PC) and is on a frequent schedule. I think it would be a big hit and keep lots of traffic out of Park City. Too bad you don't offer service in the Hwy 248/ Browns Canyon area as so many work in PC and drive there daily from this area. Thank you for this option and look forward to using the service.	8/16/2022 11:57 AM
102	I would love to see the new route to/from Richardson Flat P&R to PCMR & Deer Valley and would likely use it frequently to eliminate driving into town to park at these resorts - removing	8/16/2022 11:11 AM

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one car from the Kerns Blvd entry into PC to get to these resorts at least 3-4 days per week throughout the winter.

103	It is not at all clear what your proposal is for Thaynes Canyon Microtransit. The page says it is for "north of Thaynes Canyon Drive" -- since Thaynes Canyon Drive runs north/south I cannot figure out at all what the proposal is. Throughout the Thaynes Canyon area, there are a number of full time residents who cannot access public transit without at least a 1/2 mile walk -- not feasible in the winter generally let alone with ski equipment. With Vail's new parking plan for the Park City base, bus routes and micro transit routes need to be modified to serve the full time residents of the Thaynes community to permit them to access the mountain through transit services.	8/16/2022 10:22 AM
104	I prefer Red option 1	8/16/2022 9:35 AM
105	Would use park and ride direct to Deer valley for work days. Usually need to clock in at 8am.	8/16/2022 9:33 AM
106	My husband and I would both benefit from a bus at Richardson Flat. I could take it to work and we both would take it to ski. We live in the Black Rock area.	8/16/2022 8:54 AM
107	As a resident of the Parks Edge/Jordanelle community I support the Richardson Flat transit station being put back into use!	8/16/2022 8:02 AM
108	I like option 2 but think a direct bus to the mountain is more appealing and efficient.	8/16/2022 7:53 AM
109	I would love any options to DV and PCMR from Richardson Flat. I live at The Retreat at Jordanelle and I would totally use it.	8/16/2022 7:38 AM
110	That's a lot of buses and pollution, we're hoping these are electric buses?? We live in prospector off the bus route but here it all day long. It gets Old, wish they didn't go right through our neighborhood. We all are pretty athletic in this town, we are able to walk farther to a bus stop, then having them every block.... We would like less bus stops in prospector.... And the rest of the residential neighborhoods... Thank you!	8/16/2022 7:30 AM
111	We would love to use the Richardson flats park-and-ride. we think this is a great alternative to driving to the mountain parking and we will use it. We are full-time residents that live in the Jordanelle area	8/16/2022 7:13 AM
112	Option 2 please. As someone who commutes in on Kearns, greater frequency from Richardson Flat would be a huge benefit.	8/15/2022 7:16 PM
113	Option 2 please	8/15/2022 7:09 PM
114	Please Please open Richardson Flats. My biggest complaint about living on the edge of Summit County is no busline. Again Please Please. I have suggested this option to everyone I can think of. This would free up so many parking spaces at the resort areas.	8/15/2022 7:01 PM
115	Yes to the Richardson Flats option 2. The town made a terrible choice when it voted against the 248 improvement. The save PC Hill initiative that helped defeat the 248 improvements was a complete sham. The beauty of PC hill was never in jeopardy. We need a wider road so the busses don't have to run on the shoulder and nearly clip every vehicle waiting to get by the high school. Maybe signal the unused center lane, 2 lanes in during the morning and 2 lanes out in afternoon? Unfortunately, much of the funding is now not available due to poor decision-making.	8/15/2022 5:49 PM
116	Would really like to see option 1 or 2 for route from Richardson Flats park and ride	8/15/2022 5:42 PM
117	Yes! So happy to see the Richardson Flat route! The fact that the park and ride lot has been virtually unused boggles the mind. Will make a big difference in morning traffic especially. Thank you!	8/15/2022 5:20 PM
118	Definitely support the Richardson Flat direct to Park City Mountain and Richardson Flat direct to Deer Valley Resort.	8/15/2022 4:51 PM
119	An excellent idea... it would be great to see several other multi directional bus routes, such as to Heber, Kamas, Pinebrook, summit park. Perhaps a regular fast bus to SLC and other ski areas and an airport link perhaps. It would be great to see them all. What hours will the Richardson flat bus route be running? The buses run really well in Vail Co... loads of multi directional routes every 15-30 mins and evenings.	8/15/2022 4:25 PM
120	As a resident of Black Rock Ridge, I fully support having buses go to the resorts from	8/15/2022 4:04 PM

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Richardson Flat. That might actually convince me to ski again as parking at the resorts has become too much of a production. I have only cross country skied the past couple of seasons. I know activating this as a park and ride will also help reduce the 248 traffic that everyone complains about regularly.

121	We want a direct bus from Richardson Flats to the resorts. If you have to go to the transit & transfer, no one is going to do that with the ski gear	8/15/2022 4:03 PM
122	Would love, love, love a bus stop at Richardson Flats to the ski resorts	8/15/2022 3:46 PM
123	I live in Hideout and plenty of people are chatting about this. Everyone agrees that there needs to be a direct bus line running from Richardson Flats to the PC base area. If it makes a run to the transit center then nobody will ride it including me because I'd rather sit in the traffic on 248 and probably get to the base area at the same time. But...the only reason I do that along with many others is to be able to get a parking spot. None of us enjoy getting there so early and would rather go up to ski around 10-11:00 for a few hours. But because of parking we are forced to go at 8am. Make it convenient just like Jackson Hole's off area parking lots or Park City is wasting their money. Everyone is so fed up with the ski area and crowds that some have just given up on skiing here. I hope this works or we will be exiting this town like many long time residents are doing and moving to small non Epic and Ikon ski area in Idaho and Colorado.	8/15/2022 3:20 PM
124	I think we all learned to survive with 30 minute frequency for buses. Why confuse the matter and do 20 minutes during peak hours? As for Richardson Flat, please, please, please make the buses express to the mountains. Don't make riders get off and transfer to another line: won't work. Could you imagine a parent with 2-3 kids, carrying all the equipment, trying to get off one bus and onto another? No one will ride the bus if you're going to do that. For Richardson Flat, I def vote for 15 minute frequency. Thank you for offering this survey!	8/15/2022 2:50 PM
125	When will you consider microtransit service or a bus route in Solamere? There has been a great need for us to have service year round, but never considered. Since the pandemic the number of permanent homeowners in this area has significantly increased and it adds to the congestion on Deer Valley Drive. Other residential areas are considered but have not noticed any interest in this part of Lower Deer Valley.	8/15/2022 2:13 PM
126	Has any thought been given to transportation to the 250-300 homes in Solamere, Oakes and other associations in that area? A van or micro bus running through the neighborhoods would be very helpful, especially during the winter, dropping off at Deer Valley base for bus service.	8/15/2022 2:11 PM
127	I live in Prospector and take the Red bus to the resorts to ski. My stop is on Wyatt Earp. I appreciate Park City Transit continuously looking for ways to improve transit. I think the Richardson Flat Park & Ride is a fantastic idea. I just wish we could fit a bus-only lane for the entire route to the resorts. Either way, I think many skiers will opt to avoid traffic in Quinn's and instead will park at Richardson and skip the traffic where they can. Ensuring this area is well-served and operating below capacity seems like it will be key to adoption. Increasing the intervals in which buses pick up from Richardson will ensure commuters are not waiting for a bus long and the bus will never be crowded. Option 2's increase in bus volume would increase convenience but from my experience taking the red bus, there is always plenty of room on the bus. Therefore, it does not seem the increase in buses would significantly move more passengers. One thing I do not see mentioned, and fear that residents may forget is that the Yellow and Red schedules combine on, and West of, Comstock to create a 10-15 minute interval. I fear that lowering this interval to closer to 5-10 minutes is too much service for the demand on that line.	8/15/2022 12:27 PM
128	I like Option 2! Thanks!	8/15/2022 11:08 AM
129	I vote for option 1	8/15/2022 9:04 AM
130	Prefer Option 2 to maximize incentives for usage of Richardson Flats	8/14/2022 6:42 PM
131	I cannot tell from the map the street outlines of "Thaynes Canyon" - is it the voting boundaries or less extensive than that? -- are Iron Canyon & Aspen Springs included? Thanks	8/14/2022 5:51 PM
132	I strongly support a dedicated bus-only lane during peak commute / traffic hours / days!	8/14/2022 11:44 AM
133	Definitely recommend option one as I use red, yellow & teal -we have lots of workers on our street that also use the bus (Wyatt Earp)	8/13/2022 8:49 PM
134	The PC Heights community has grown tremendously in the past 3 years, a fixed stop would be	8/13/2022 11:55 AM

Winter 2022-2023 Feedback Form

very advantageous to the families here and I believe it would be sufficiently used!! Helping decrease commuting traffic to the resorts

135	Bus/micro transit from Richardson Flat to Empire/Montage Improve frequency of 901/902 buses and have them end at Montage/Empire Tram/gondola/trax from Richardson Flats along Rail Trail or 248 to Prospector Tram/gondola/trax from Ecker Hill to Kimball to Canyons to PCMR along 224. Micro bus from Market Place/Albertsons to Park Meadows	8/13/2022 11:19 AM
136	Is there a way to improve transit between Deer Mountain and PC? It's technically in HVTs area but has a lot of PC commuters and has very limited transportation and is not included in any micro transit system.	8/13/2022 9:45 AM
137	I definitely favor increasing frequency. Making people wait a long time for a bus in the winter is the best way to discourage ridership!	8/13/2022 8:32 AM
138	Increasing the frequency isn't going to matter if they are all stuck in traffic on Deer Valley Dr., Bonanza, Kearns Blvd., Park Ave. and Empire Ave. that are not moving in Peak times. It's just going to take more employee's that we don't have. Unless you make a designated bus lane. When you can get there faster walking in a blizzard, why take the bus? :)	8/12/2022 9:10 PM
139	My family lives on Aerie. Currently, there is no bus or micro transit that comes up the hill. We currently have to either drive to the deer valley grocery to pick up the bus or walk the long way down Mellow mountain to get to a bus stop. (As it is very dangerous in all season to attempt to cross Deer Valley drive from Aerie). Neither is ideal. Is there any consideration being given to adding micro transit to the Aerie?	8/12/2022 2:33 PM
140	Strongly support going back to 20 minute intervals for red bus during winter. Oftentimes, could not get on bus due to overcrowding. Also, any chance of a dedicated bus lane along 248? This would motivate people to take public transit from Richardson Flat I stead of driving to PCMR	8/12/2022 1:21 PM
141	Definitely prefer option 1 (even if Richardson flat bus will pass through Prospector on it's way into and out of town - it will already be full inbound making it no real help for the already popular Yellow and Red bus routes). The Richardson Flat bus service should be as direct as possible to the resort (with inbound and outbound stops only at Park City Heights, the High School and the resort). It should have high frequency [10 mins or less]) for the peak period at the start and end of the day (perhaps 08:00-9:30 and 15:30-17:00) but can be less frequent (perhaps 30 mins or even 40 mins) the rest of the time. We also need to find a way to make buses faster and more consistent than driving. Without this people will continue to drive because there will be no benefit to them from taking the bus. To do this we should create dedicated routes/lanes for buses so they can bypass the traffic. Possible examples are: make the right lane on inbound 248 and Park Ave buses (or HOV 3+) only and provide a buses only route from the Park Ave turn off up to PCMR. Without this the bus will just get stuck in the traffic and so folks will continue to choose to use their cars.	8/12/2022 12:08 PM
142	As a driver and rider with Park City Transit I prefer to remain anonymous. All of these ideas sound great on paper, however none of it is reality. Traffic gridlocks and riders come all at once. People stay away from the busses because they are cramped at peak times. Drivers drive aggressively in order to try to stay on time, causing riders standing in ski boots falling down and risking injury. Are you aware that in town routes currently leave drivers with less than 2 minutes to use the bathroom, and that is only if busses are empty and there is no traffic. Drivers who use the bathroom regardless of time points get written up by management and punished for it. There is a driver shortage for a reason here. Transit is a burnout job in this town. Routes and so tight it is unbearable as a driver. Pay may be alright hourly, however drivers do not make money in tips so it becomes much less appealing compared to other jobs. If the new goal is to make routes 20 minutes than congratulations you made it look nice on paper, however these routes will never keep up on those time points. Riders will just become more angry expecting a bus every 20 minutes and not seeing a bus for an hour plus. Drivers will be harassed by riders for not keeping these unrealistic time points.	8/12/2022 8:58 AM
143	Increase peak hour transit for #2 and #3 park meadows access services!!	8/11/2022 7:11 PM
144	Have you considered keeping the bronze loop by using a small mini bus?	8/11/2022 3:01 PM
145	Option 1!	8/11/2022 2:30 PM
146	As a "lower" Park Meadows resident, I am glad to see the green/blue mix back for winter again and with higher frequency so it does make it easier for use to the resort base at PCMR. Since the Resort has still not updated and provided additional details on their parking plans for the	8/11/2022 11:13 AM

Winter 2022-2023 Feedback Form

coming season, I think it's very important for the City Transit to focus on providing the best possible service options as it seems like there is a lot of potential for locals to switch to using transit more than in past years. I would add that I think the resorts should be encouraged to provide their own additional transit options when their guests use park and ride lots like the High School as that very much impacts the PC Transit system. Thanks for trying to get ahead of this.

147	Is it possible to stagger the busses so that when you want to go to prospector or fresh market or somewhere in that direction from 3 kings drive there is a bus headed there. As it is now when the green bus gets to silver king often cannot catch a red bus or another bus going in that direction . Often times it just misses and the only buses going by are headed downtown. It would be helpful if the high valley 101 and 102 were visible in the app.	8/11/2022 10:32 AM
148	Objective 1: Create major parking lots with amenities and direct-to-resort transportation Modify or build major parking lots (modify the ones that exist such as Ecker Hill and Richardson Flats) These major lots should be located on the perimeter of Park City for easy access from I-80 and 40, providing buses that go to each resort DIRECTLY. • Each lot should be well-designed, paved and well-lit. The resorts, county and city (working together) should provide restrooms, food trucks and/or coffee shops and locker rooms. Volunteer hosts (or resort employees) should be available to assist with loading and unloading equipment and providing directions and guidance to guests. • Each resort should have color-coded buses that run DIRECT from these lots to and from the resorts. Buses should be easy to locate and well marked. NO STOPS - just direct to each resort. For example - Green for Deer Valley, Red for Park City and Blue for Canyons. Objective 2: Neighborhood parking with small buses Create "pocket parking" within specific neighborhoods where there are existing smaller parking lots, such as Willow Creek, Trailside, Park Meadows, Redstone, Jeremy Ranch, etc. These pocket neighborhoods could be serviced by smaller buses for residents. Also, bus service DIRECT to each resort! Objective 3: Airport transportation direct to resorts Anecdote: Years ago, we went to Disney World in Florida. We wanted the full experience by staying at a hotel inside the park. When planning the trip, we were told "NO NEED TO RENT A CAR". We were sent color-coded wrist bands indicating the resort we were staying at which matched up to the bus color to get on. From the time we landed at the airport, we were guided to the bus area, someone picked up our luggage and off we went onto our bus based on our wrist band color. We were dropped directly at our hotel and our luggage was waiting for us there. Why can't we do these things in Park City? Nothing far-fetched. We continue to struggle with the same traffic issues every year. We complete surveys year after year. Give people places to park and it will really help! These goals should not be difficult to implement! No need to do another survey ... people will park in lots provided if the lots are well- designed and direct transportation is provided both ways throughout the day. There are people that live in Park City or Summit County that drive multiple cars to the resorts when they have house guests. It would be great to have auxiliary lots for people to park in to get quick and efficient transportation direct to the resorts. The free bus system could remain for other purposes of course, but they are not always efficiently routed for ski resort transportation since there are frequent stops and they don't go direct to resorts. Also Micro transit is great for certain things but not if you have a large group going to a resort. Imagine 6 adults, 5 kids with all the gear. Get picked up by micro transit, dropped at bus stop, wait for bus with enough room to fit everyone, stop at a few stops or maybe even have to switch busses at transportation center. It's too much to ask of people. Park and rides within neighborhoods with direct to resort service will work!	8/9/2022 7:13 PM
149	Currently the connections from the purple towards OTTC to the 2 green are not very good. The purple arrives 5 minutes after the green departs the transit center, which means we have to wait 25 minutes for the next bus. I think this should be adjusted for the winter, when employees at deer valley and the montage will need to get back to the surrounding neighborhoods of park city. Thanks	8/7/2022 5:18 PM
150	Love the plan to use the Richardson Flat parking lot!	8/5/2022 9:41 PM
151	FIX THE FUCKING BUSTOPS! STOP THE POLE IN A HOME DEPOT CEMENT BUCKETS	8/5/2022 3:17 PM
152	Please choose option 1, I am on the red bus route and would love the flexibility of busses every 20 mins	8/5/2022 1:59 PM
153	I am so excited to be able to ride on transit from Richardson Flats To PCMR. As s Hideout resident, it will be a welcome option for ski days! Thank you for expanding transit in our direction!	8/4/2022 12:48 PM
154	OK, I'm not sure how this change happened last year, but it happened when the Lime service	8/4/2022 11:01 AM

Winter 2022-2023 Feedback Form

changed. Last winter, there was no longer a bus that left the OTTC, went down Park Ave to PCMR, and then continued on to the County, mainly the Canyons, like the lime did. Now, with High Valley and PC splitting up the two districts, in the winter, a person who wants to climb onto a bus in ski boots lugging their skis and poles doesn't want to change busses if possible. And that's what I had to do last year, to go from 10th and Park to the Canyons. I think that bus took the belt route from the OTTC to the Resort instead? So my request...if there is a bus that goes from the OTTC to the Resort to the Canyons, can you please have it travel on Park Avenue to pick up passengers instead of zipping down the belt route?

155	I'd love to use Richardson Flat instead of driving from Silver Creek to park at PCMR. Are there any plans for weekday service?	8/3/2022 7:49 PM
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Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Community Development

Item Type: Work Session

Agenda Section: WORK SESSION

Subject:

4:40 p.m. - 516 Marsac Avenue (Old Peace House) Project Update

Suggested Action:

Attachments:

[Staff Report](#)

[Exhibit A: Stereotomic Feasibility Study](#)

[Exhibit B: Sterotomic Construction Cost Estimates](#)

[Exhibit C: Basic Minimum Repair Cost Estimates](#)

[Exhibit D: Summary of Employee Survey Results](#)

City Council Staff Report



Subject: 516 Marsac Avenue (Old Peace House)
Authors: Browne Sebright, Housing Program Manager
Department: Housing
Date: October 6, 2022
Type of Item: Administrative

Recommendation

Receive a property summary and consider several affordable housing redevelopment options at the City-owned property located at 516 Marsac Avenue. The Housing Team requests Council direction on a preferred targeted use and housing-focused redevelopment of the property.

Executive Summary

Park City Municipal Corporation owns the property at 516 Marsac Avenue. This property was the former site of the Peace House Shelter. The City purchased the building to use for seasonal Transit housing. In recent years, the building has become less desirable due to the unconventional configuration (designed for the building's former use), decrease in demand due to separation from High Valley Transit (HVT), and the aging condition of the property.

Following the work session on June 23, 2022 ([Staff Report](#), [Meeting Minutes](#) – beginning on p.4), the Housing Team commissioned a second feasibility study (Exhibit A) to evaluate Council's preferred development options. This report presents the findings and possible options moving forward. **We request Council direction on a preferred targeted use and redevelopment of the property.**

Background

516 Marsac Avenue is a 0.18-acre (7,660 sf) lot in the Old Town neighborhood of Park City. The property fronts Marsac Avenue and Ontario Avenue and contains steep slopes in the rear of the Lot. The current structure is one residential unit, containing 5 bedrooms, 3 bathrooms, a community kitchen, and a four-car garage ([link to map](#)).

The City acquired the property through a sales agreement with the Peace House on January 26, 2017.¹ The property had previously been used as a shelter for victims of domestic violence for over two decades until the Peace House relocated to a new facility.

The City paid \$1.25M for the property utilizing Transit Funds with the intent to house seasonal Transit employees. With the split in operations from HVT, the Transit Department's need for short-term and seasonal housing diminished. However, demand for long-term housing by City employees, in general, has increased. Therefore, to

¹ January 26, 2017, [Council Meeting Agenda](#) (p. 44).

redevelop the property and consider expanding the potential applicant pool, the Transit Department must be reimbursed to allow for non-Transit employees.

In early 2022, the City conducted a feasibility study ([Link](#)) to review the existing zoning and to identify challenges and opportunities. As a result, several conceptual designs were completed and provided to Council at the June 23, 2022 meeting. Following the Council work session, the City conducted a second feasibility study (Exhibits A and B) based on the direction given by Council.

Analysis I – Development Options

Development Challenges

516 Marsac Avenue is Lot 2 of the Ontario Avenue Subdivision ([Link](#)). The subdivision contains a plat note that restricts the maximum house size of Lot 2 to 2,600 square feet. Because this plat note likely did not contemplate multiple homes on each lot, future multi-unit development on the property would be subject to regulatory approvals. Plat notes also require Historic District Design Guidelines review for construction. The property is in the R-1 Zoning District. Allowed residential uses of the R-1 Zoning District include Single Family Dwellings and Duplex Dwellings, and Conditional Uses include Triplex Dwellings.² The current R-1 zoning does not allow for Affordable Master Planned Developments (AMPDs)³ or Multi-Unit Dwellings⁴.



Figure 1. 516 Marsac Avenue Property and Zoning Context.

² LMC § [15-2.12-2 Uses](#)

³ LMC § [15-6.1-3 Zoning Districts and Uses](#)

⁴ LMC § [15-2.12-2 Uses](#)

Targeted Use

On June 23, 2022, City Council provided input regarding the preferred target use for the property. Council directed staff to investigate two potential uses that the Housing Team had previously identified as viable:

City Employee Housing – Lack of long-term affordable housing continues to be a top challenge with the recruitment and retention of employees. The City would benefit greatly by expanding the number of units dedicated to City employees – police, public works, water, recreation, and general administration. However, to consider this property for long-term use, the property would require a major renovation.

Transitional Housing – Several local non-profits have approached the Housing Team requesting the property for transitional housing. Transitional housing is generally for a limited time. Stays can be from two weeks to twenty-four months. The building's floor plan was designed for transitional housing. The property requires a renovation due to considerable wear and tear to continue this use.

Based on Council's previous input, the Housing Team has conducted additional research and analysis to understand the costs, challenges, and opportunities associated with each potential use.

City Employee Housing - Needs

PCMC currently owns five duplex units (two and three bedrooms) and one condominium unit (three-bedrooms) to help recruit, retain, and assist City employees attempting to live within a community with an exceptionally high cost of living and challenging housing market. Historically, these units have only been offered as short-term rentals. However, the City is currently working on updating this policy to meet the present needs of municipal employees.

On August 8, 2022, PCMC conducted an internal survey of municipal employees to understand their housing and commuting needs. The survey (summarized in Exhibit D) received 159 responses, representing approximately 49% of full-time employees.

The survey found that 81.7% of PCMC employees currently do not live within Park City. Of the employees not residing in Park City, 30.1% of employees not residing in Park City responded that they do wish to live in town. In total 67.1% of employees not currently living in Park City said that they do or may prefer to live in the City if it were an option.

Of those who do or may want to live in Park City, the results of the survey show a strong first choice demand to own their next home, a strong second choice for a long-term rental (1 year or more), and the last choice for short-term rentals (1 year or less).

Preference to Own, Rent Long-Term, or Rent Short-Term

	Own	Long-Term Rent	Short-Term Rent
--	-----	----------------	-----------------

1st Preference	79.4%	7.4%	1.8%
2nd Preference	6.5%	57.9%	6.5%
3rd Preference	1.8%	5.6%	58.8%

Figure 4. Survey Results: “What do you prefer?”

When asked what size of home the employee’s household wants/needs, respondents who want to live in Park City strongly preferred homes with two- and three-bedroom.

<u>Preferred Number of Bedrooms</u>	
Size of Home	Percent Response
One Bedroom	14.0%
Two Bedroom	27.1%
Three Bedroom	35.5%
Four Bedroom	15.8%
Five Bedroom	4.6%
Other	2.8%

Figure 5. Survey Results: “What size home does your household want/need?”

The survey results also showed that most employee respondents would be willing to live in something other than a detached single-family home:

<u>Willingness to Live in a Non-Single-Family Detached Home</u>	
Only willing to live in a single-family detached home	25.2%
Willing to live in other types of units	74.7%

Figure 6. Survey Results: “Would you consider living in something other than a single family detached home?”

Please see Exhibit D for a more detailed summary of the survey results.

City Employee Housing – Costs

For this property to be used for long-term employee housing, the property would need to be remodeled into a new layout, in addition to general health and safety upgrades that are required to meet current code requirements. Based on the desired unit size found in the employee survey and the development restrictions imposed by the land use regulations and zoning, the Housing Team conducted an updated feasibility study (Exhibits A and B) for converting the property into a triplex.

In summary, the study found that within the existing footprint of the building, the property could be converted into a triplex with two (2) one-bedroom units and one (1) two-bedroom unit. The total estimated construction costs for the conversion, including

energy efficiency upgrades and landscaping/exterior improvements, are estimated to be \$960,092. This estimate (as detailed in Exhibit B) includes allowances for design contingency and inflation/escalation costs.

Transitional Housing – Needs

The City has received interest from outside groups in using 516 Marsac Avenue for transitional housing. The City has not received a housing needs assessment or similar analysis that articulates the scope of those needs and what type of units are required to fill that need. To consider these requests for the use of the property, the City would need to issue a new Request for Proposals (RFP) to formally announce the intention to allow outside entities to use the property, elicit responses, and consider any submitted proposals. This process could take several months and may result in a finding that none of the submitted proposals are financially or logistically viable.

The City would also have to consider whether to conduct general health and safety upgrades to the property to meet current code requirements or pass this cost on to future tenants of the property. Based on initial conversations, the City should anticipate that applicants will request that the City pay for these costs prior to their use of the property. The City may also consider that other municipal housing units may be appropriate for transitional housing if Council sees this direction as a priority.

Transitional Housing – Costs

To determine potential costs associated with using the property as a form of transitional housing, the Housing Team worked with the City's property manager to assess the bare minimum repairs and upgrades required to enable the property to be used again as a transitional housing use.

The complied bids (Exhibit C) show the total cost for the bare minimum repairs to enable a new transitional housing use would be \$97,385. This cost estimate includes basic landscaping/exterior maintenance but does not include energy efficiency upgrades.

Based on initial conversations with outside groups, the City should anticipate that the use of the property for transitional housing would be temporary, in the range of 3-5 years, to allow an organization to establish themselves before moving into more permanent facilities. Thus, the City should expect that in 3-5 years, we would need to conduct additional renovation of the property to utilize the property for its next use.

Analysis II – Capital Investment Scenarios

The Housing Team worked with the Budget Team to analyze the two options and provide a relative comparison of the cost and subsidies associated with each option. The model used assumptions of AMI at 3% per year, a vacancy rate of 0%, and an operations cost increase of 5% per year. To determine the financial scenario of using the property for City employee housing, the model also utilizes the income of the average full-time City employee, which is approximately 86% of AMI.

While transitional housing requires fewer upfront capital improvements to the property, it also generates less revenue. Similarly, while the triplex option for City employees

requires greater upfront capital improvements, it also generates more annual revenue. Because of this, the model shows that the operating characteristics for both options are similar when you compare the capitalization rates, gross rent multiplier, and operating expense ratios of transitional housing to housing for City employees. When revenues and operating costs are extrapolated, both options appear to have a payoff timeline of approximately 27 years.

If the transitional housing option is preferred, this model estimates that over the course of a year the City would effectively be offering an annual subsidy of \$14,729 per room compared to the cost of renting a bedroom within the triplex option to the average full-time City employee.

Recommendation

We request that the City Council consider the two redevelopment options and determine which will best meet the needs of Park City Municipal Corporation and the Park City community.

We recommend that the targeted use of the property be City-focused employee housing, as it is consistent with the original purchase arrangement intended to use the property for City-employees. With the City housing needs survey, we know that there are between 48 and 97 employees and their families who do not currently live in Park City but wish to live in town. Utilizing this property for long-term employee housing is the first step to establishing a long-term employee housing program to meet this persistent need. As Park City seeks more employee housing options for private sector employers, the City should also consider its ability to meet the housing needs of its own employees in the current housing market. The location of the property to the Old Town Transit Center and City hall makes it an ideal location for municipal employees to live in proximity to their places of work.

While utilizing the property for transitional housing is a viable option, this route will require an additional RFP process in order to put the property into use as housing for the community. Additionally, the nature of the RFP process does not guarantee that the City will receive a viable bid, thus potentially delaying the utilization of the property for the highest and best use. We also do not have a clear needs assessment for this type of transitional housing and are unable to analyze the use of this property in that context. We recommend that the Council weigh these options in regard to the overall policy objectives of the City and consider the long-term social, economic, and environmental implications of how they see the property best utilized.

Regulatory Process Considerations

Depending on the target use and redevelopment option chosen, the project may require one or more land use application approvals to enable the preferred use. These applications may be processed concurrently. Please see the “Regulatory Process Considerations” section of the March 23, 2022 staff report ([Link](#)), for anticipated land use applications required for the preferred uses.

Funding

The City allocated funds from the Lower Park Ave RDA bond funds and the Additional Resort Communities Sales Tax revenue that can be utilized to fund housing projects.

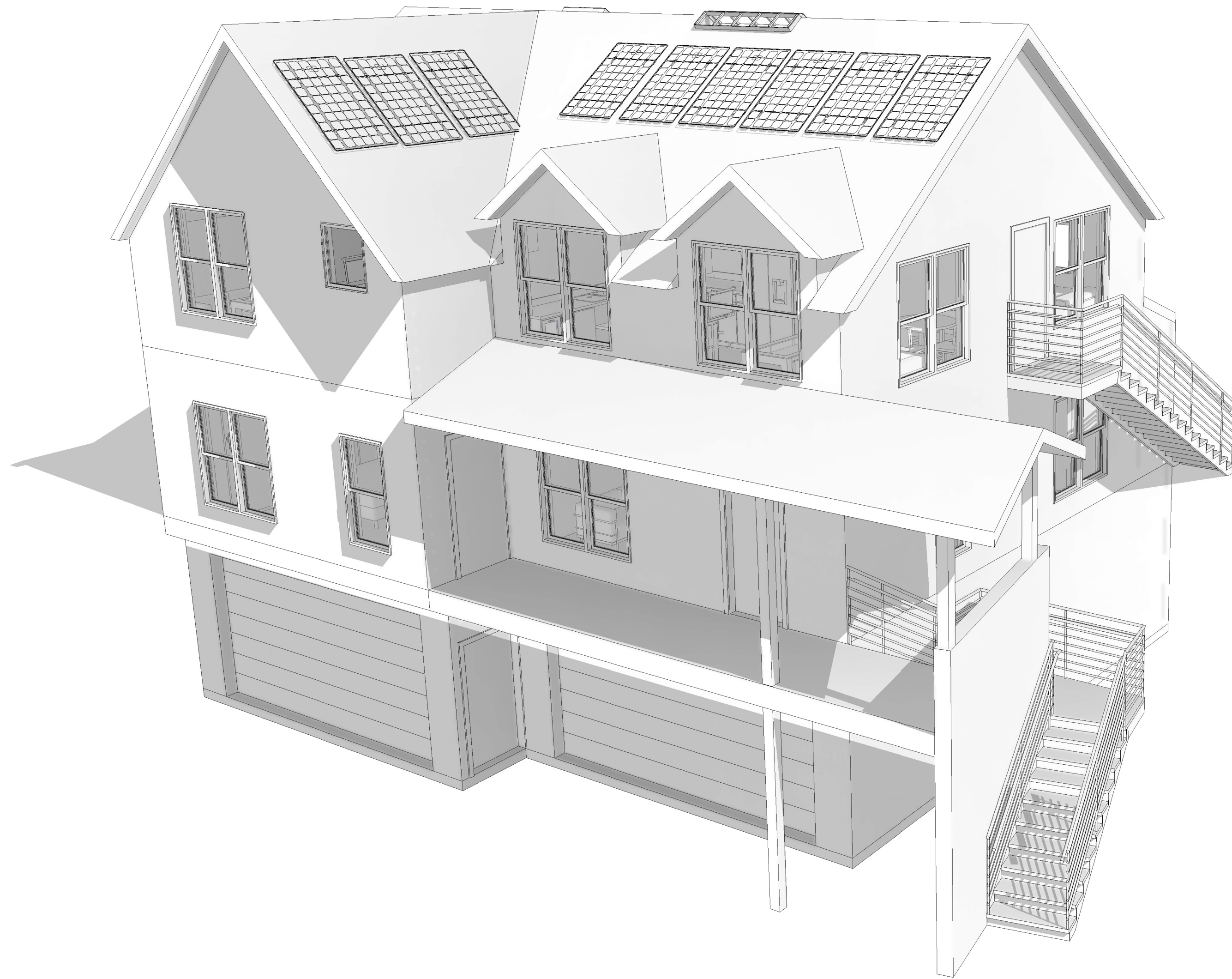
Exhibits

Exhibit A: Stereotomic Feasibility Study – *(Employee Housing)*

Exhibit B: Stereotomic Construction Cost Estimates – *(Employee Housing)*

Exhibit C: Basic Minimum Repair Cost Estimates – *(Transitional Housing)*

Exhibit D: Summarized Employee Survey Results



AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022



OWNER

PARK CITY MUNICIPAL CORP.
JASON GLIDDEN, HOUSING DEVEL.
MANAGER
445 MARSAC AVE
PARK CITY, UT 84060
P: 435-615-5000

ARCHITECT

STEREOTOMIC, PLLC
JARRETT MOE, AIA
1641 PHEASANT WAY
PARK CITY UT 84098
P: 435-640-6850
E: JARRETT@STEREOTOMIC.SPACE

SHEET LIST

NUMBER	NAME
A 001	TITLE SHEET
A 003	3D DIAGRAMS
A 011	ARCHITECTURAL SITE PLAN
AD 100	GARAGE DEMO PLAN
AD 101	LEVEL 2 DEMO PLAN
AD 102	LEVEL 3 DEMO PLAN
AD 103	ROOF DEMO PLAN
A 101	FLOOR PLANS
A 102	FLOOR PLANS
A 103	FLOOR PLANS
A 104	ROOF PLAN
A 201	EXTERIOR ELEVATIONS
A 202	EXTERIOR ELEVATIONS
A 301	BUILDING SECTIONS
A 601	DOOR/WINDOW SCHEDULES

AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

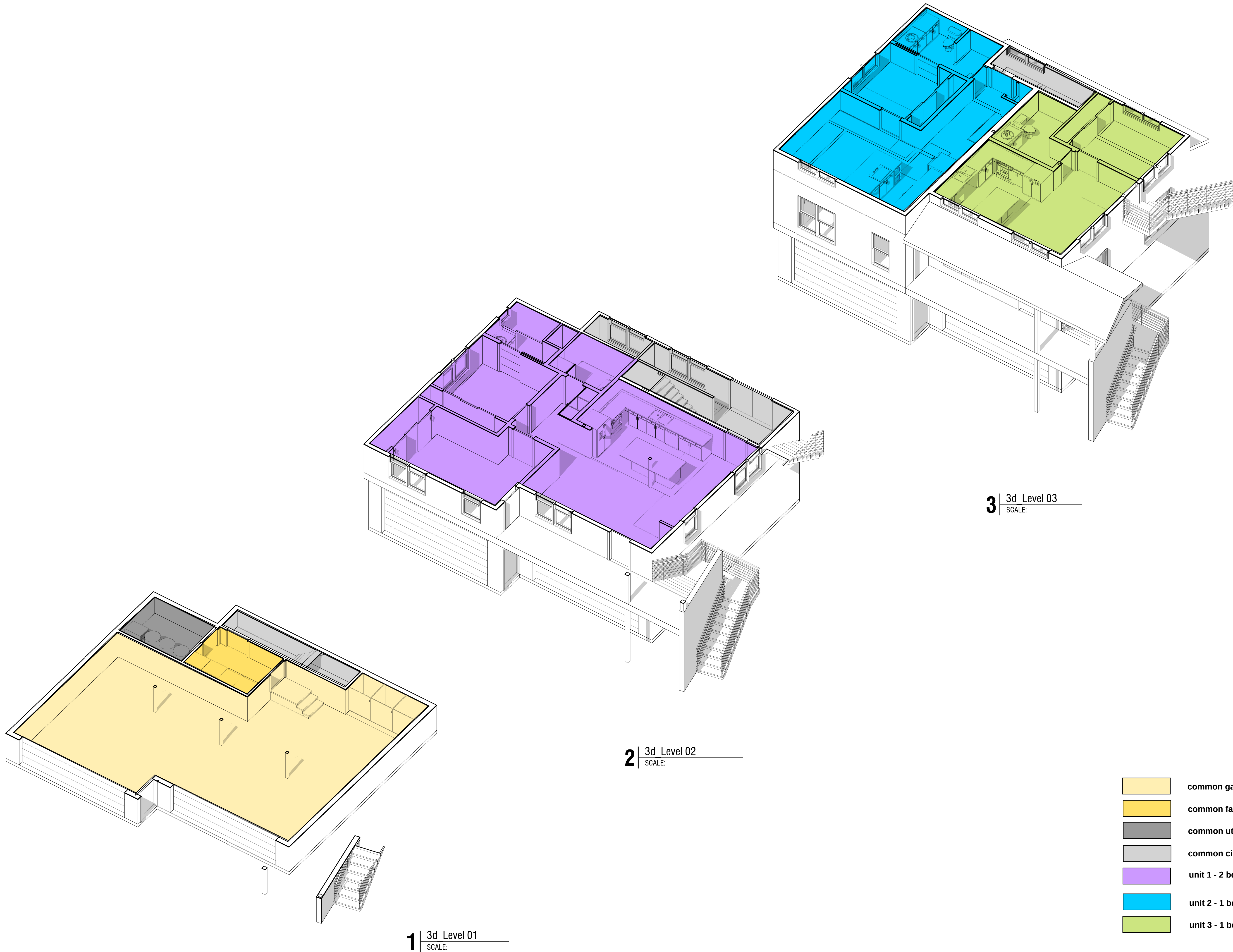
516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

TITLE SHEET

SHEET NO.		A 001
JOB NO.	22.020	

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET
SIZE, SCALE REDUCED ACCORDINGLY



- common garage/storage
- common facilities
- common utilities
- common circulation area
- unit 1 - 2 bdr / 2 ba
- unit 2 - 1 bdr / 1 ba
- unit 3 - 1 bdr / 1 ba

AFFORDABLE
HOUSING

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

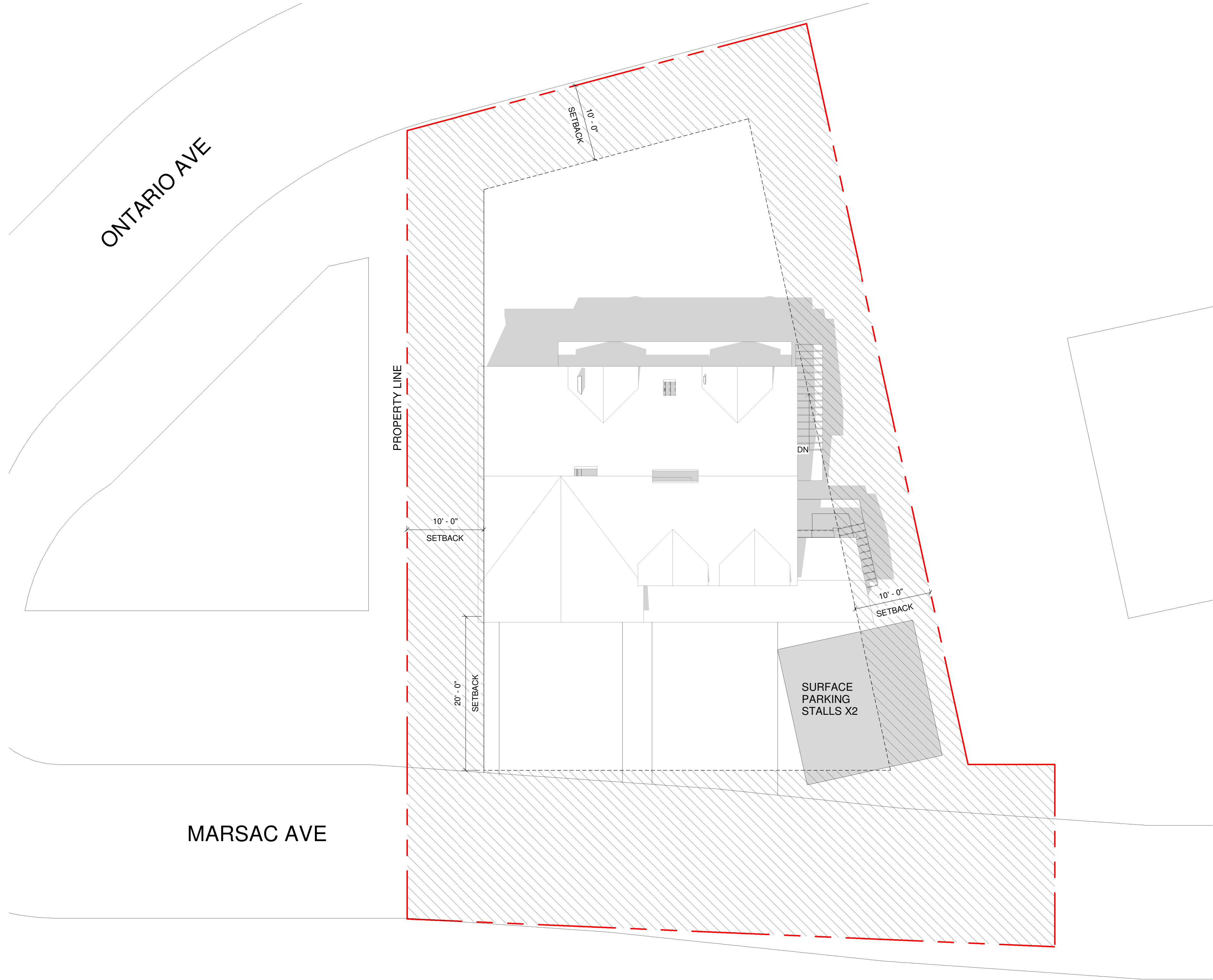
NOT FOR CONSTRUCTION

3D DIAGRAMS

SHEET NO. A 003

JOB NO. 22.020

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET
SIZE, SCALE REDUCED ACCORDINGLY



3A | SITE PLAN
SCALE: 1/8" = 1'-0"

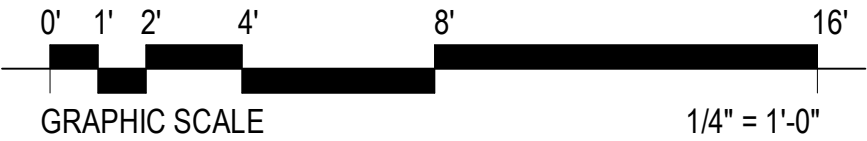
SITE / GRADING LEGEND

NEW TOPOGRAPHY GRADING, MAJOR	
NEW TOPOGRAPHY GRADING, MINOR	
EXISTING TOPOGRAPHY CONTOURS, MINOR	
EXISTING TOPOGRAPHY CONTOURS, MAJOR	
EROSION CONTROL BLANKETS (SWPPP)	
SILT FENCE (SWPPP)	
STRAW WATTLE (SWPPP)	
LIMIT OF DISTURBANCE	
LANDSCAPE ROCK / RETAINING	
PROPERTY	
DRAINAGE DIRECTION	

KEYNOTES

GENERAL NOTES - SITE PLANS

- 1
- CONSTRUCTION PARKING / TRAFFIC MAY NOT BLOCK THE STREET WITHOUT A PERMIT FROM THE GOVERNING JURISDICTION
- 2
- MUD TRACKED ONTO THE STREET MUST BE CLEANED PRIOR TO THE END OF THE WORK DAY
- 3
- THE CONSTRUCTION SITE MUST BE MAINTAINED IN A NEAT AND CLEANLY MANNER. TRASH AND OTHER DEBRIS MAN NOT ACCUMULATE OUTSIDE ANY DUMPSTER
- 4
- AN ELEVATION CERTIFICATE IS REQUIRED WHEN THE PARCEL / LOT HAS AN AVERAGE GRADE GREATER THAN 5% AND / OR STRUCTURE HIEHG EXCEEDS 25' MEASURED FROM EXISTING GRADE TO RIDGELINE
- 5
- REFER TO SIGNED, SEALED TOPOGRAPHIC SURVEY FOR EXACT LOCATION OF PROPERTY BOUNDARIES, EASEMENTS, EXISTING VEGETATION AND EXISTING TOPOGRAPHIC ELEVATIONS
- 6
- REFER TO COSNTRUCTION MITIGATION PLAN FOR DETAILS/NOTES REGARDING SWPPP AND CONSTRUCTION PROTECTION PROCEDURES



AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

ARCHITECTURAL SITE PLAN

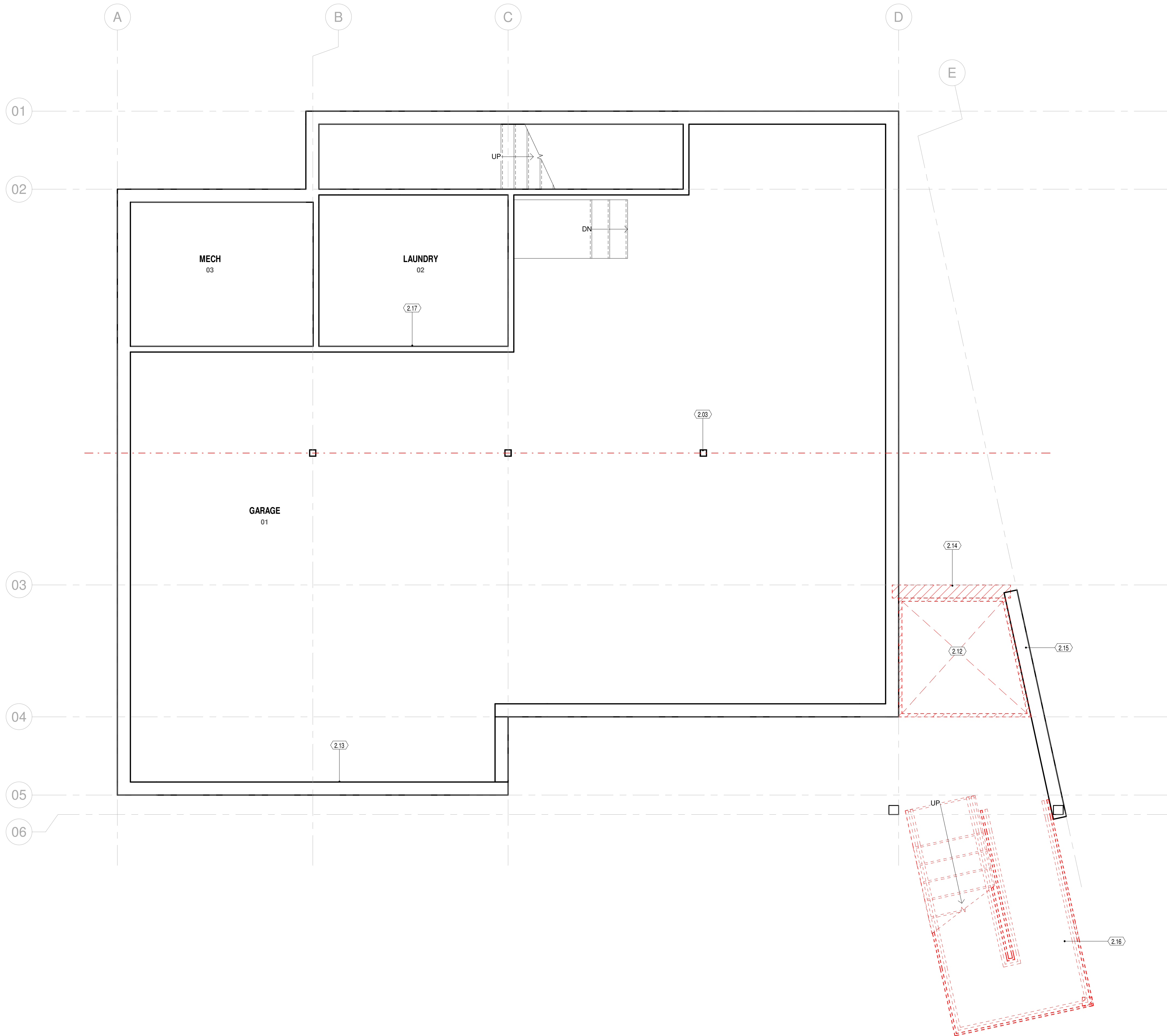
SHEET NO.

A 011

JOB NO.

22.020

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY



4A | GARAGE DEMO PLAN
SCALE: 3/8" = 1'-0"

LEGEND

EXISTING TO REMAIN

EXISTING TO BE DEMOLISHED

NEW WALLS PER ASSEMBLY TYPE

KEYNOTES

- 2.03 EXISTING COLUMN TO REMAIN, TYP.
- 2.12 EXISTING LIFT TO BE REMOVED/DEMOLISHED
- 2.13 EXISTING GARAGE DOORS TO BE REPLACED, TYP.
- 2.14 EXISTING CONCRETE WALL TO BE REMOVED/DEMOLISHED
- 2.15 EXISTING CONCRETE WALL TO REMAIN
- 2.16 EXISTING EXTERIOR STAIRCASE TO BE REMOVED / DEMOLISHED
- 2.17 EXISTING EQUIPMENT/CASEWORK TO BE REMOVED / DEMOLISHED

AFFORDABLE HOUSING

FEASIBILITY STUDY | 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

GARAGE DEMO PLAN

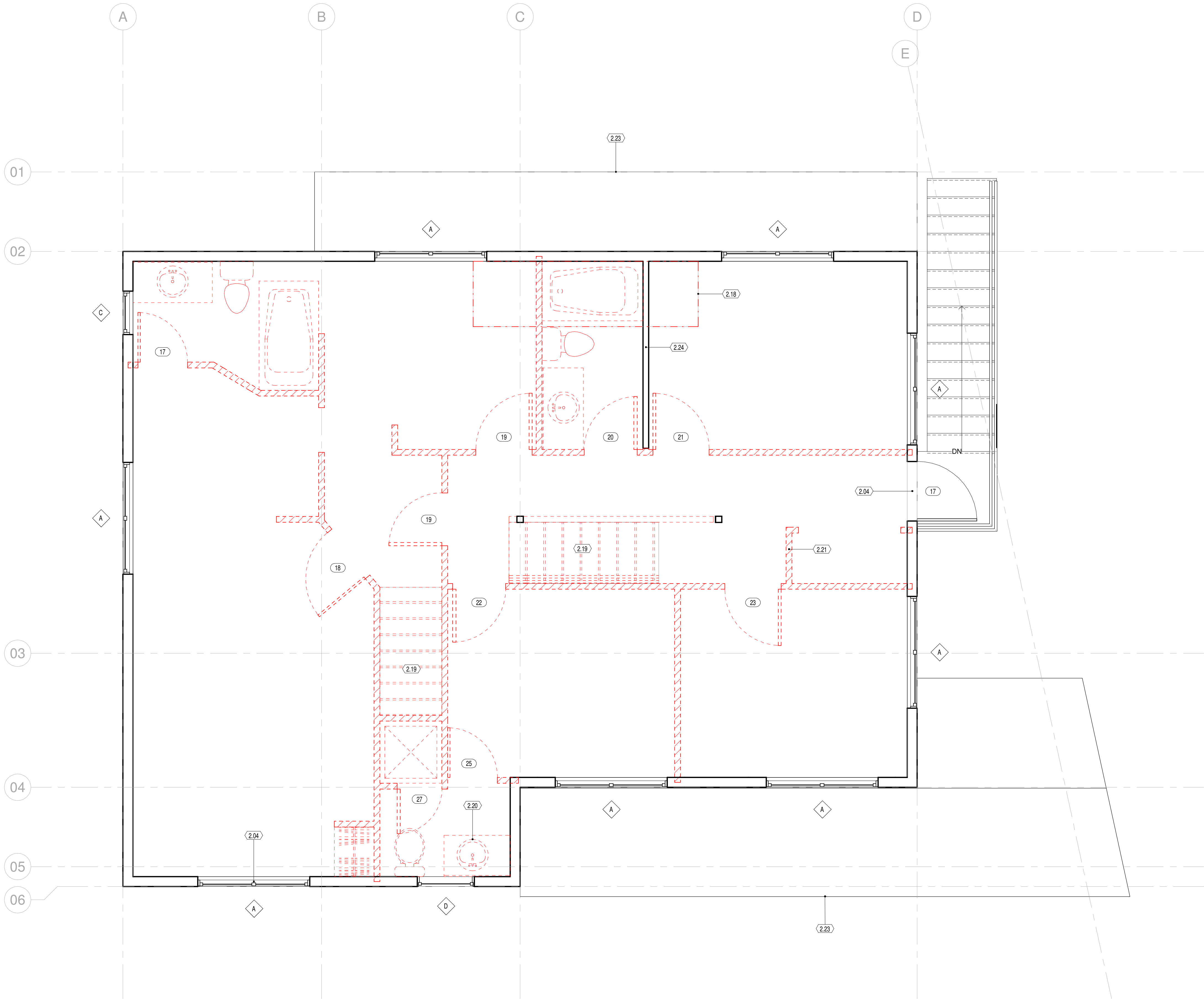
SHEET NO. | AD 100

JOB NO. | 22-020

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY

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4A | LEVEL 3 DEMO PLAN
SCALE: 3/8" = 1'-0"

- KEYNOTES**
- 2.04 EXISTING DOORS/WINDOWS TO BE REMOVED, & REPLACED TYP.
 - 2.18 PORTION OF EXISTING FLOORPLATE TO BE REMOVED/DEMOLISHED
 - 2.19 EXISTING STAIR TO BE REMOVED, INFILL FLOOR TO MATCH EXISTING
 - 2.20 EXISTING FIXTURES TO BE REMOVED, TYP.
 - 2.21 EXISTING WALLS TO BE REMOVED / DEMOLISHED, TYP.
 - 2.23 EXISTING ROOFING MATERIAL TO BE REPLACED, TYP.
 - 2.24 EXISTING WALL TO REMAIN

- LEGEND**
- EXISTING TO REMAIN
 - EXISTING TO BE DEMOLISHED
 - NEW WALLS PER ASSEMBLY TYPE

AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

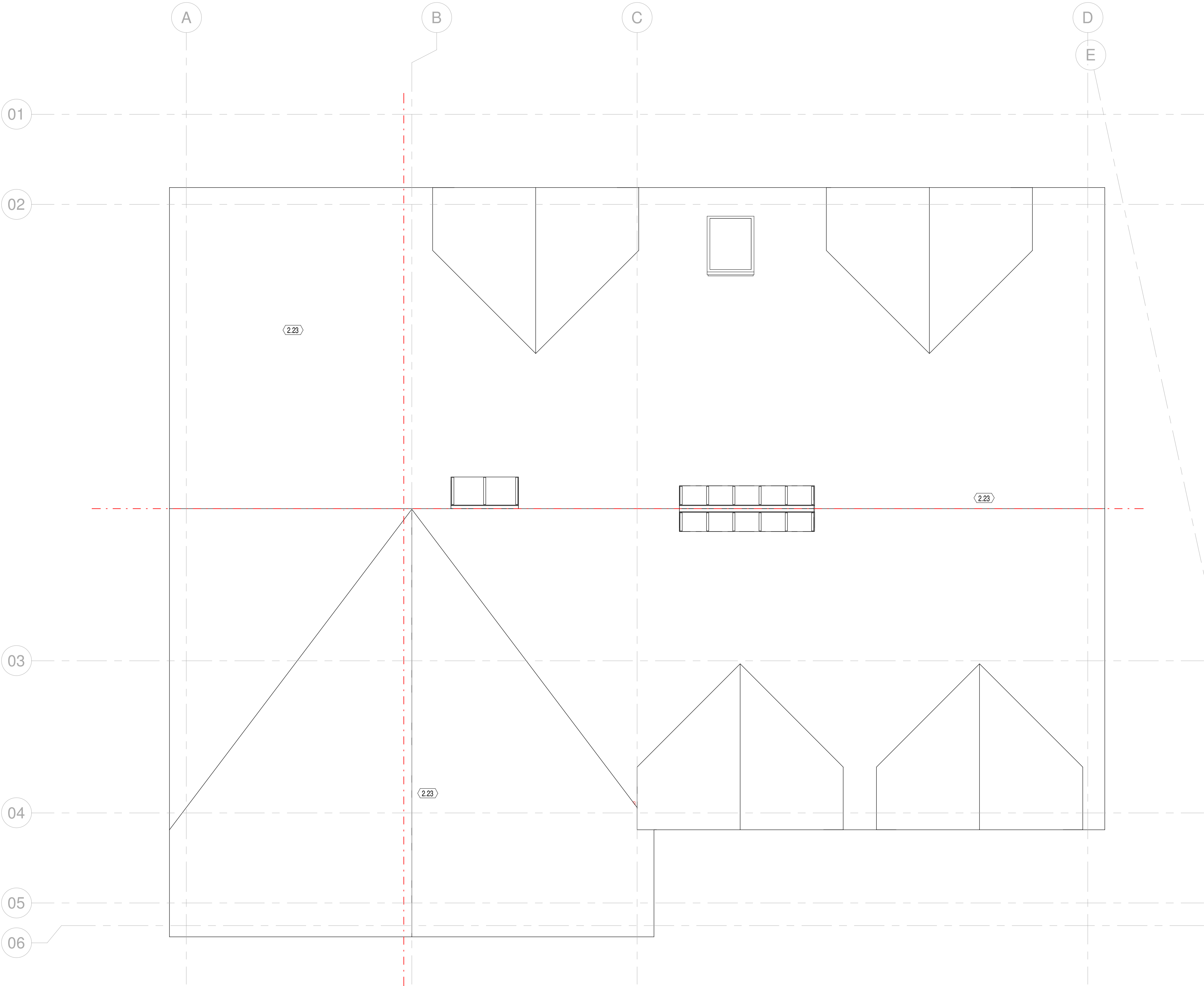
NOT FOR CONSTRUCTION

LEVEL 3 DEMO PLAN

SHEET NO. AD 102

JOB NO. 22.020

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY



4A

ROOF DEMO P
SCALE: 3/8" = 1'-0"

AFFORDABLE HOUSING

FEASIBILITY STUDY	09-02-2022
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516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

ROOF DEMO PLAN

SHEET NO. AD-100

JOB NO.	22.020	
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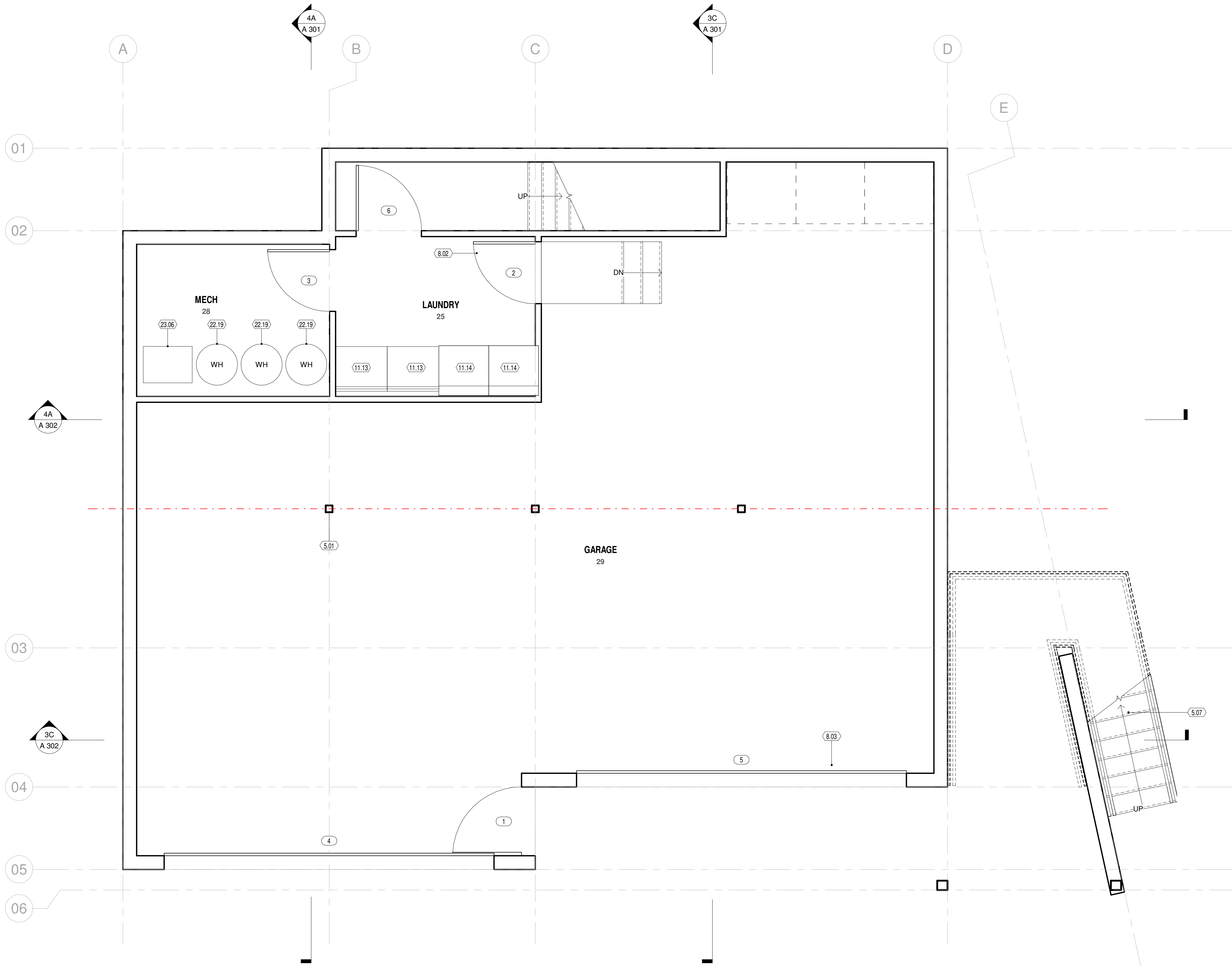
ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET
SIZE,SCALE REDUCED ACCORDINGLY

2.23 EXISTING ROOFING MATERIAL TO BE REPLACED, TYP.

LEGEND

	EXISTING TO REMAIN
	EXISTING TO BE DEMOLISHED
	NEW WALLS PER ASSEMBLY TYPE

SCHEDULE_ROOM TOTAL LVL 1						
Name	Level	Area	Wall Finish	Base Finish	Ceiling Finish	Floor Finish
MECH	GARAGE	69 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW EPOXY COATING OVER EXISTING CONC.
LAUNDRY	GARAGE	75 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE
GARAGE	GARAGE	925 SF	GYP BD & PAINT	N/A	GYP BD & PAINT	NEW EPOXY COATING OVER EXISTING CONC.
UNIT STORAGE LOCKERS	GARAGE	35 SF	GYP BD & PAINT	N/A	N/A	NEW EPOXY COATING OVER EXISTING CONC.
Grand total: 4		1104 SF				



LEGEND

- EXISTING TO REMAIN
- EXISTING TO BE DEMOLISHED
- NEW WALLS PER ASSEMBLY TYPE

KEYNOTES

- EXISTING EXPOSED STRUCTURAL COLUMN
 - NEW STEEL STAIRS PER PLAN; PRIME & PAINT STRINGERS W/ BAR GRATE TREADS
 - NEW DOOR, SEE DOOR SCHEDULE (TYP. OF TAGGED DOORS)
 - NEW OVERHEAD SECTIONAL, GARAGE DOOR, SEE DOOR SCHEDULE
 - WASHING MACHINE
 - DRYER
 - NEW HIGH EFFICIENCY ELECTRIC WATER HEATER, 40 GAL
 - NEW 92% EFFICIENT NATURAL GAS, FORCED AIR FURNANCE TO BE INSTALLED PER HVAC SPECIFICATIONS.
- GEN NOTES FLOOR PLANS
- ALL DIMENSIONS ARE TO FACE OF STUD IN NEW CONSTRUCTION, FACE OF FINISH IN EXISTING.
 - ALL FLOOR FINISH CHANGES OCCUR AT CENTERLINE OF DOOR IN CLOSED POSITION, UNLESS NOTED OTHERWISE.
 - COORDINATE LOCATIONS OF ALL FLOOR AND ROOF DRAINS WITH PLUMBING PLANS.
 - FOR FINISHES SEE ROOM FINISH PLAN AND SCHEDULE.

**AFFORDABLE
HOUSING**

FEASIBILITY STUDY 09-02-2022

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PARK CITY, UT

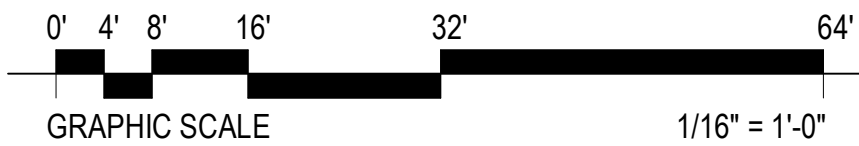
NOT FOR CONSTRUCTION

FLOOR PLANS

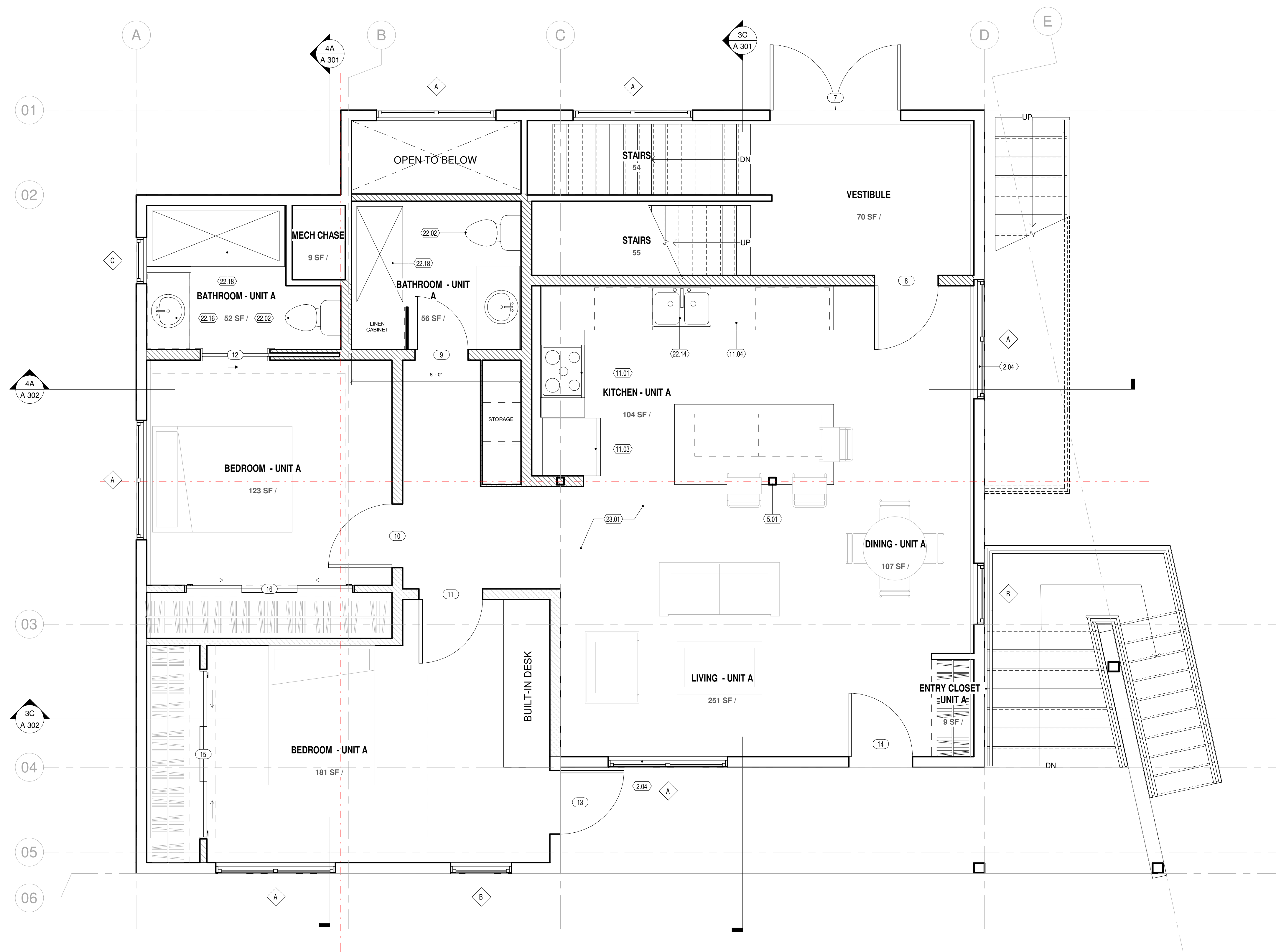
SHEET NO. A 101
JOB NO. 22.020

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET
SIZE, SCALE REDUCED ACCORDINGLY

4A | GARAGE
SCALE: 3/8" = 1'-0"



SCHEDULE ROOM TOTAL LVL 2							
Name	Level	Area	Wall Finish	Base Finish	Ceiling Finish	Floor Finish	Comments
BEDROOM - UNIT A	LEVEL 2	123 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CARPET	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
BEDROOM - UNIT A	LEVEL 2	181 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CARPET	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
BATHROOM - UNIT A	LEVEL 2	52 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CERAMIC TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
KITCHEN - UNIT A	LEVEL 2	104 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
LIVING - UNIT A	LEVEL 2	251 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
DINING - UNIT A	LEVEL 2	107 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
MEDIA CHASE	LEVEL 2	7 SF	N/A	N/A	N/A	N/A	REFINISH/PATCH GYP.BD. AS REQUIRED
VESTIBULE	LEVEL 2	70 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
BATHROOM - UNIT A	LEVEL 2	56 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CERAMIC TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
ENTRY CLOSET - UNIT A	LEVEL 2	9 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
STAIRS	LEVEL 2	40 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW WOOD STAIR TREADS	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
STAIRS	LEVEL 2	40 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW WOOD STAIR TREADS	REFINISH/PATCH GYP.BD. AS REQUIRED/NEW PAINT
Grand total, 12:		1040 SF					



4A | LEVEL 2
SCALE: 3/8" = 1'-0"

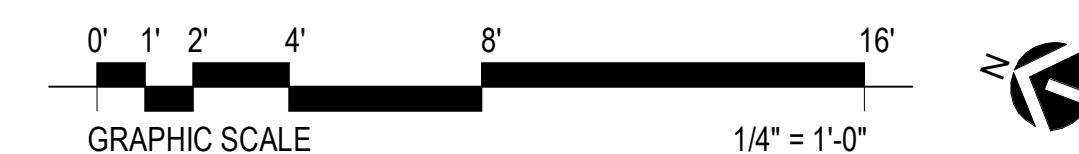
- ### LEGEND
- | | |
|---|-----------------------------|
|  | EXISTING TO REMAIN |
|  | EXISTING TO BE DEMOLISHED |
|  | NEW WALLS PER ASSEMBLY TYPE |

KEYNOTES

- 2.04 EXISTING DOORS/WINDOWS TO BE REMOVED, & REPLACED TYP.
5.01 EXISTING EXPOSED STRUCTURAL COLUMN
11.01 NEW RANGE, TYP.
11.03 NEW REFRIGERATOR
11.04 NEW DISHWASHER
22.02 NEW TOILET
22.14 NEW KITCHEN SINK (TYP.)
22.16 NEW BATHROOM SINK
23.01 NEW FIBER GLASS TUB, SHOWER SURROUND
23.18 HEATING & COOLING ON THIS LEVEL TO BE PROVIDED BY AIR SOURCE
HEAT PUMP (DUCTED MINI SPLIT)

GEN NOTES FLOOR PLANS

1. ALL DIMENSIONS ARE TO FACE OF STUD IN NEW CONSTRUCTION, FACE OF FINISH IN EXISTING.
2. ALL FLOOR FINISH CHANGES OCCUR AT CENTERLINE OF DOOR IN CLOSED POSITION, UNLESS NOTED OTHERWISE.
3. COORDINATE LOCATIONS OF ALL FLOOR AND ROOF DRAINS WITH PLUMBING PLANS.
4. FOR FINISHES SEE ROOM FINISH PLAN AND SCHEDULE.



AFFORDABLE HOUSING

FEASIBILITY STUDY	09-02-202
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516 MARSAC AVE.
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FLOOR PLANS

SHEET NO.

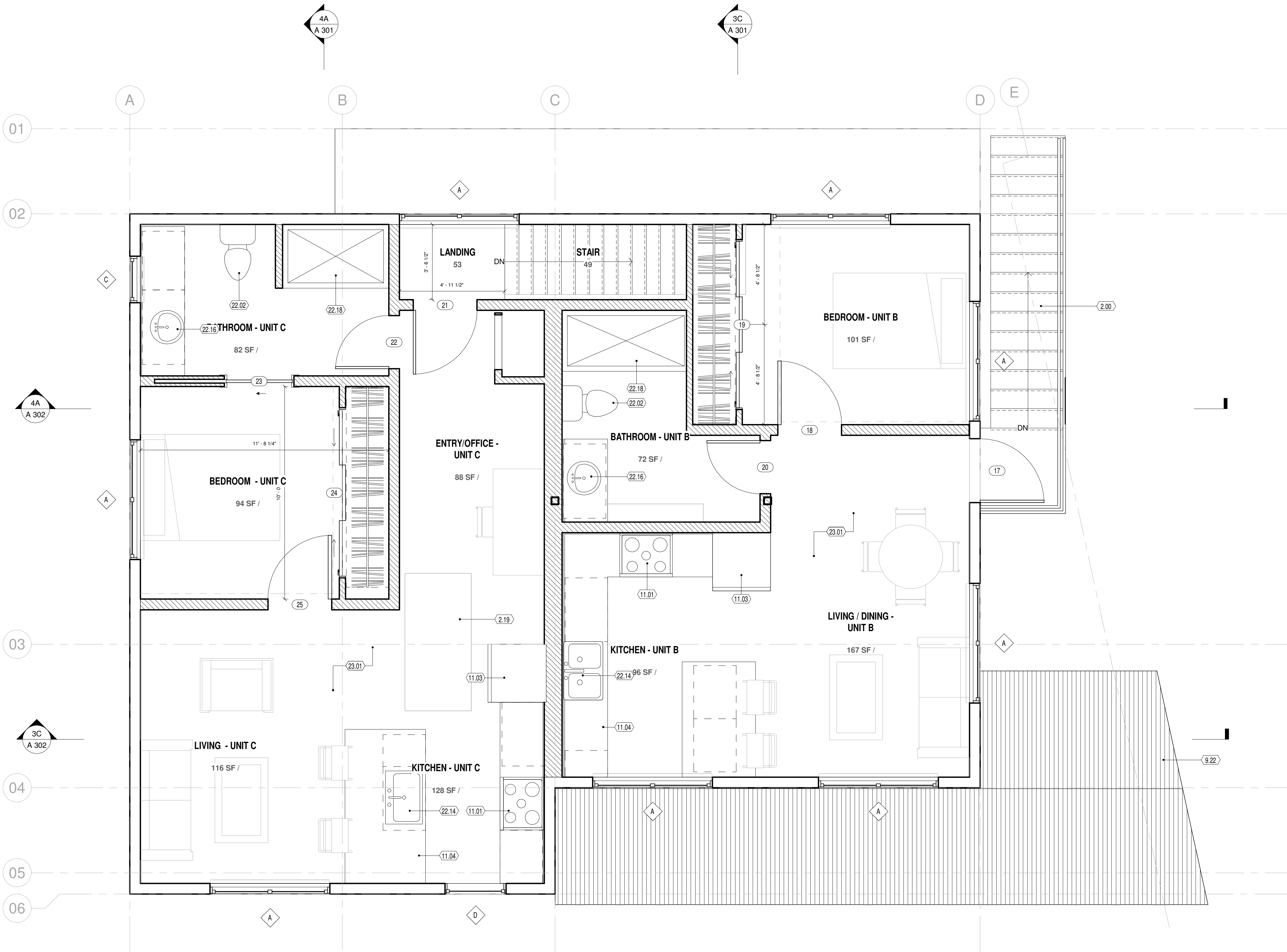
A 102

JOB NO.

22 020

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET
SIZE.SCALE REDUCED ACCORDINGLY

SCHEDULE_ROOM TOTAL LVL 3							
Name	Level	Area	Wall Finish	Base Finish	Ceiling Finish	Floor Finish	Comments
BATHROOM - UNIT B	LEVEL 3	72 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CERAMIC TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
BEDROOM - UNIT B	LEVEL 3	101 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CARPET	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
BEDROOM - UNIT C	LEVEL 3	94 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CARPET	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
BATHROOM - UNIT C	LEVEL 3	82 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW CERAMIC TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
KITCHEN - UNIT B	LEVEL 3	96 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
KITCHEN - UNIT C	LEVEL 3	128 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
ENTRY/OFFICE - UNIT C	LEVEL 3	88 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
LIVING - UNIT C	LEVEL 3	116 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
LIVING / DINING - UNIT B	LEVEL 3	167 SF	GYP BD & PAINT	PAINTED MDF	GYP BD & PAINT	NEW LUXURY VINYL TILE	REFINISH/PATCH GYP BD. AS REQUIRED/NEW PAINT
STAIR	LEVEL 3	30 SF					
LANDING	LEVEL 3	18 SF					
Grand total: 11		992 SF					



4A | LEVEL 3
SCALE: 3/8" = 1'-0"

- LEGEND**
- EXISTING TO REMAIN
 - EXISTING TO BE DEMOLISHED
 - NEW WALLS PER ASSEMBLY TYPE

- EXTERIOR MATERIAL LEGEND**
- NEW METAL STANDING SEAM ROOFING
 - NEW SIDING

- KEYNOTES**
- 2.00 EXISTING ELEMENT TO REMAIN, PRESERVE & PROTECT DURING DEMOLITION
 - 2.19 EXISTING STAIR TO BE REMOVED, INFILL FLOOR TO MATCH EXISTING
 - 9.22 NEW ROOFING MATERIAL
 - 11.01 NEW RANGE, TYP.
 - 11.03 NEW REFRIGERATOR
 - 11.04 NEW DISHWASHER
 - 22.02 NEW TOILET
 - 22.14 NEW KITCHEN SINK (TYP.)
 - 22.16 NEW BATHROOM SINK
 - 22.18 NEW FIBER GLASS TUB / SHOWER SURROUND
 - 23.01 HEATING & COOLING ON THIS LEVEL TO BE PROVIDED BY AIR SOURCE HEAT PUMP (DUCTED MINI SPLIT)

- GEN NOTES FLOOR PLANS**
- ALL DIMENSIONS ARE TO FACE OF STUD IN NEW CONSTRUCTION, FACE OF FINISH IN EXISTING.
 - ALL FLOOR FINISH CHANGES OCCUR AT CENTERLINE OF DOOR IN CLOSED POSITION, UNLESS NOTED OTHERWISE.
 - COORDINATE LOCATIONS OF ALL FLOOR AND ROOF DRAINS WITH PLUMBING PLANS.
 - FOR FINISHES SEE ROOM FINISH PLAN AND SCHEDULE.



AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

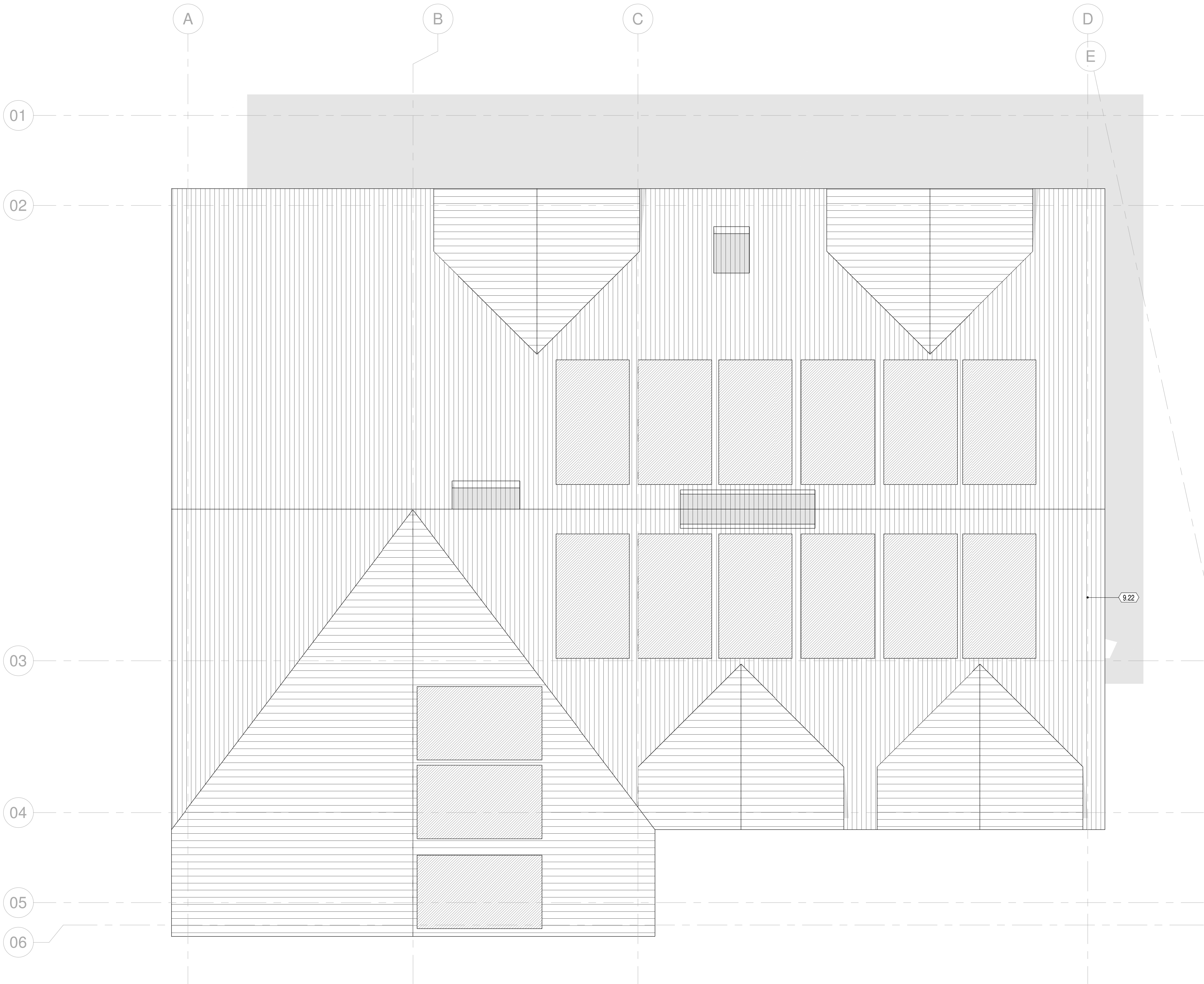
516 MARSAC AVE.
PARK CITY, UT

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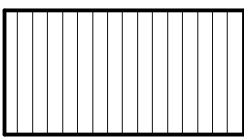
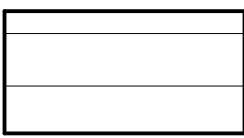
FLOOR PLANS

SHEET NO. **A 103**

JOB NO. 22-020
ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY



EXTERIOR MATERIAL LEGEND

-  NEW METAL STANDING SEAM ROOFING
-  NEW SIDING

KEYNOTES

9.22 NEW ROOFING MATERIAL

GENERAL NOTES - ROOF PLAN

- GENERAL CONTRACTOR SHALL FIELD VERIFY ALL CONDITIONS AND SHALL REPORT TO THE ARCHITECT ANY UNKNOWN CONDITIONS, ERRORS, OR CONFLICTS IN THE DRAWINGS BEFORE BEGINNING WORK
- DO NOT SCALE DRAWINGS
- CRICKET AT ALL MECHANICAL ITEMS, SKYLIGHTS, ROOF HATCHES; 1/4" PER FOOT BACKSLOPE MINIMUM
- SEE BUILDING AND WALL SECTIONS FOR ADDITIONAL ROOF DETAILS; SEE SHEET SERIES AE500 FOR ROOF ASSEMBLY CONSTRUCTION
- ROOF/OVERFLOW DRAIN LOCATIONS SHOWN ARE APPROXIMATE; EXACT LOCATIONS SHALL BE DETERMINED IN FIELD. ROOF/OVERFLOW DRAINS TO BE PLACED TO ONE SIDE OF STRUCTURAL ELEMENT (IF EXISTS) AND INSTALLED AT LOWEST POINT
- ALL GIVEN DECK BEARING POINTS ARE AT GRID LINE LOCATIONS UNLESS NOTED OTHERWISE



4A | ROOF
SCALE: 3/8" = 1'-0"

**AFFORDABLE
HOUSING**

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
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ROOF PLAN

SHEET NO.

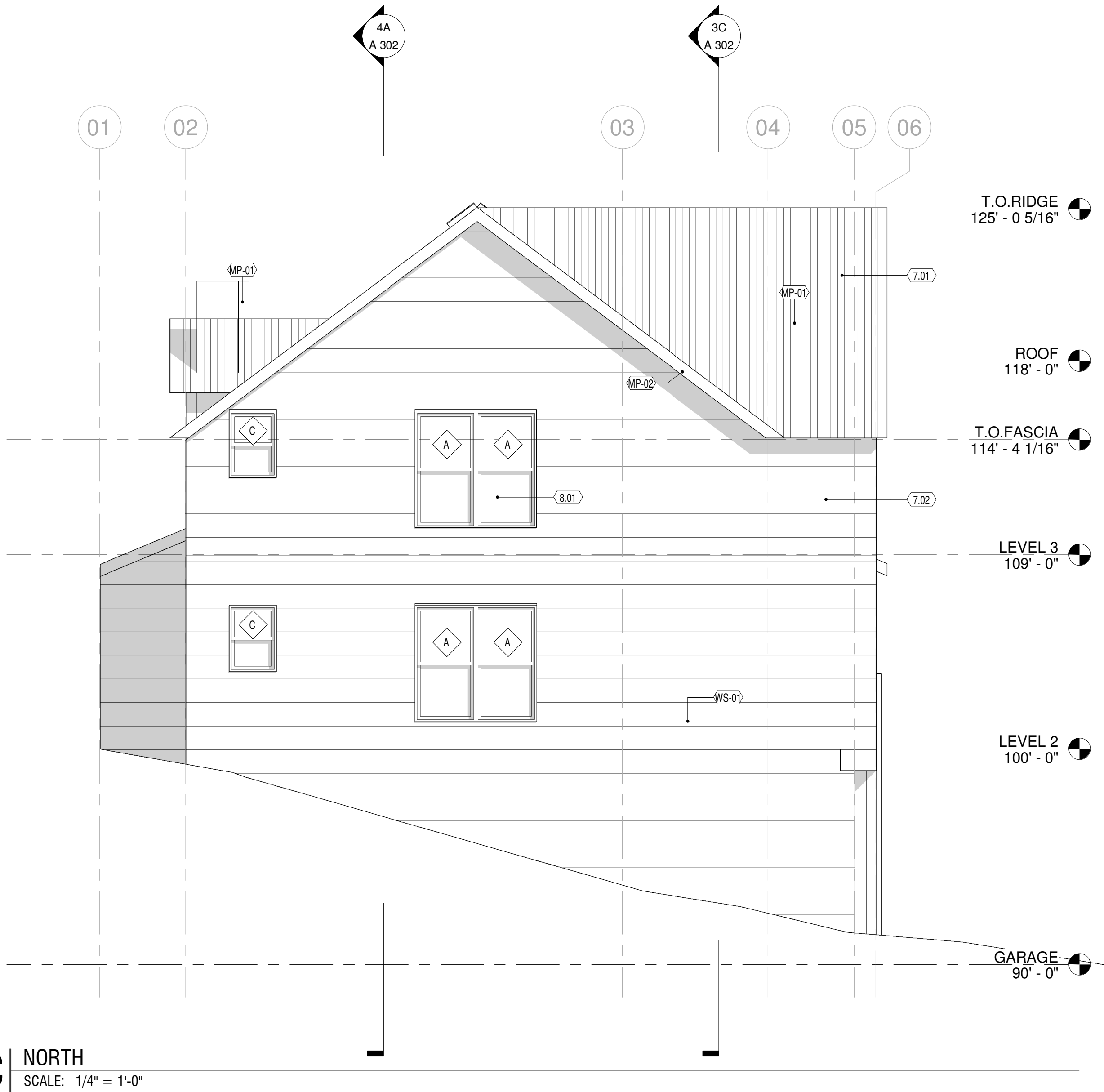
A 104

JOB NO.

22.020

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET
SIZE, SCALE REDUCED ACCORDINGLY

FINISH SCHEDULE - EXTERIOR MATERIALS							
SCHEDULED MATERIALS AND FINISHES SHALL BE USED FOR BASIS OF DESIGN U.N.O.							
CODE	FINISH TYPE	MANUFACTURER	STYLE	SIZE	SPECIFICATION	DIVISION	FINISH NOTES/ REMARKS
FIBER CEMENT SIDING							
FCS-01	FIBER CEMENT SIDING	JAMES HARDIE OR EQ.	HORIZONTAL LAP SIDING	1" X 6"	FIBER CEMENT SIDING, HORIZONTAL LAP SIDING, PANEL THICKNESS = 1/2" OR GREATER	DIVISION 09	SMOOTH FINISH / FACTORY APPLIED PAINT
METAL PANEL							
MP-01	METAL PANEL	BERRIDGE MANUF. OR EQ.	STANDING SEAM, Z LOCK	16" wide panel	24 ga. steel, concealed fastener	DIVISION 09	2" 180d mechanically seamed in field
MP-02	METAL PANEL	BERRIDGE MANUF. OR EQ.	FW-12 SOFFIT PANEL	12" wide panel	24 ga. steel, concealed fastener	DIVISION 09	smooth, concealed fastener, install at roof soffits
PAINT							
PNT-01	PAINT					DIVISION 09	
WALL COVERING							
WC-01	WALL COVERING					DIVISION 09	



EXTERIOR MATERIAL LEGEND

	NEW METAL STANDING SEAM ROOFING
	NEW SIDING

KEYNOTES

2.00	EXISTING ELEMENT TO REMAIN, PRESERVE & PROTECT DURING DEMOLITION
7.01	PROVIDE NEW/UPGRADED ROOF INSULATION - CELLULOSE R-60 MIN.
7.02	PROVIDE EXTERIOR SHEET INSULATION (R-10 MIN) W/ RAINSCREEN APPROPRIATE WRB & SIDING APPLICATION, TYP.
8.01	NEW WINDOW, SEE WINDOW SCHEDULE
8.03	NEW OVERHEAD SECTIONAL, GARAGE DOOR, SEE DOOR SCHEDULE
8.07	EXISTING SKYLIGHTS; TO BE REMOVED & REPLACED
48.01	PROVIDE 10 KWH NEW PV PHOTOVOLTAIC PANELS
FCS-01	NEW FIBER CEMENT SIDING PER EXTERIOR FINISH SCHEDULE
MP-01	NEW METAL PANEL FINISH PER EXTERIOR FINISH SCHEDULE
MP-02	NEW METAL PANEL FINISH PER EXTERIOR FINISH SCHEDULE
WS-01	NEW WOOD SIDING PER EXTERIOR FINISH SCHEDULE

AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

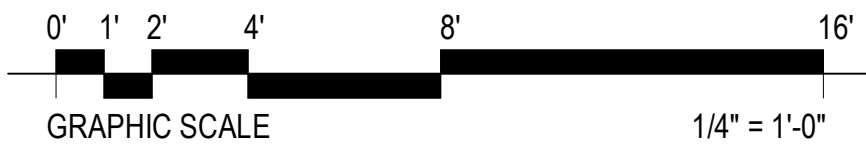
516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

EXTERIOR ELEVATIONS

SHEET NO.	A 201
JOB NO.	22.020

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY



1/4" = 1'-0"

GRAPHIC SCALE

FINISH SCHEDULE - EXTERIOR MATERIALS							
SCHEDULED MATERIALS AND FINISHES SHALL BE USED FOR BASIS OF DESIGN U.N.O.							
CODE	FINISH TYPE	MANUFACTURER	STYLE	SIZE	SPECIFICATION	DIVISION	FINISH NOTES/ REMARKS
FIBER CEMENT SIDING							
FCS-01	FIBER CEMENT SIDING	JAMES HARDIE OR EQ.	HORIZONTAL LAP SIDING	1" X 6"	FIBER CEMENT SIDING, HORIZONTAL LAP SIDING, PANEL THICKNESS = 1/2" OR GREATER	DIVISION 09	SMOOTH FINISH / FACTORY APPLIED PAINT
METAL PANEL							
MP-01	METAL PANEL	BERRIDGE MANUF. OR EQ.	STANDING SEAM, Z LOCK	16" wide panel	24 ga. steel, concealed fastener	DIVISION 09	2" 180d mechanically seamed in field
MP-02	METAL PANEL	BERRIDGE MANUF. OR EQ.	FW-12 SOFFIT PANEL	12" wide panel	24 ga. steel, concealed fastener	DIVISION 09	smooth, concealed fastener, install at roof soffits
PAINT							
PNT-01	PAINT					DIVISION 09	
WALL COVERING							
WC-01	WALL COVERING					DIVISION 09	



4A | EAST
SCALE: 1/4" = 1'-0"



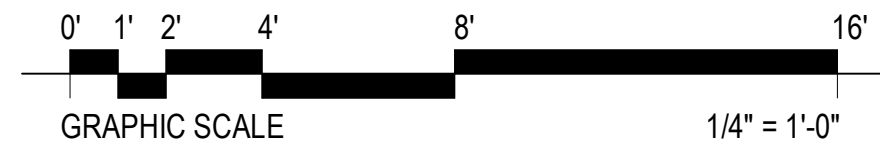
3C | SOUTH
SCALE: 1/4" = 1'-0"

EXTERIOR MATERIAL LEGEND

- NEW METAL STANDING SEAM ROOFING
- NEW SIDING

KEYNOTES

- 2.00 EXISTING ELEMENT TO REMAIN, PRESERVE & PROTECT DURING DEMOLITION
- 5.07 NEW STEEL STAIRS PER PLAN; PRIME & PAINT STRINGERS W/ BAR GRATE TREADS
- 7.01 PROVIDE NEW/UPGRADED ROOF INSULATION - CELLULOSE R-60 MIN.
- 7.02 PROVIDE EXTERIOR SHEET INSULATION (R-10 MIN) W/ RAINSCREEN APPROPRIATE WRB & SIDING APPLICATION, TYP.
- 8.01 NEW WINDOW, SEE WINDOW SCHEDULE
- 8.07 EXISTING SKYLIGHTS; TO BE REMOVED & REPLACED
- 48.01 PROVIDE 10 KWH NEW PV PHOTOVOLTAIC PANELS
- FCS-01 NEW FIBER CEMENT SIDING PER EXTERIOR FINISH SCHEDULE
- MP-01 NEW METAL PANEL FINISH PER EXTERIOR FINISH SCHEDULE
- MP-02 NEW METAL PANEL FINISH PER EXTERIOR FINISH SCHEDULE



AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

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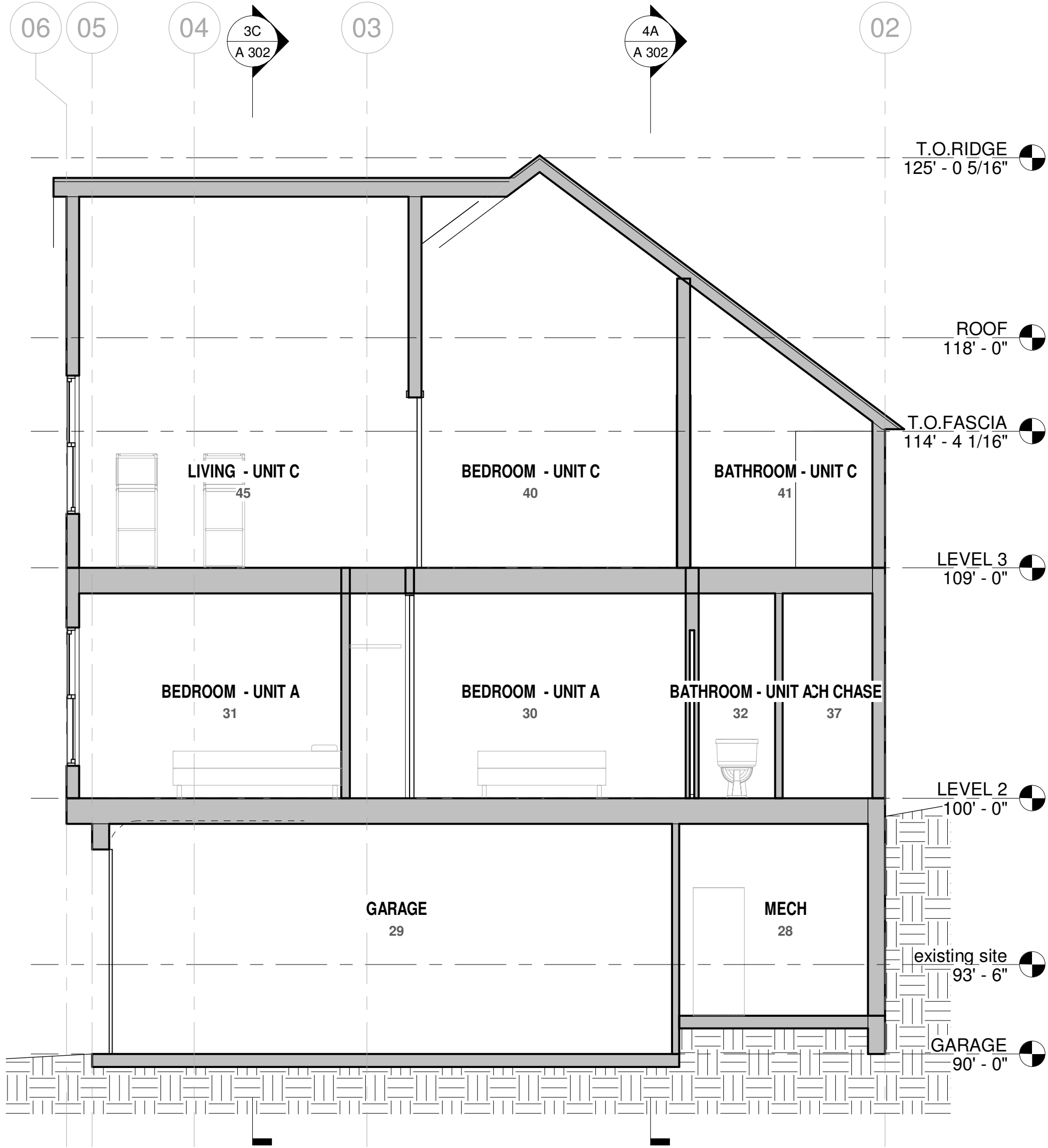
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EXTERIOR ELEVATIONS

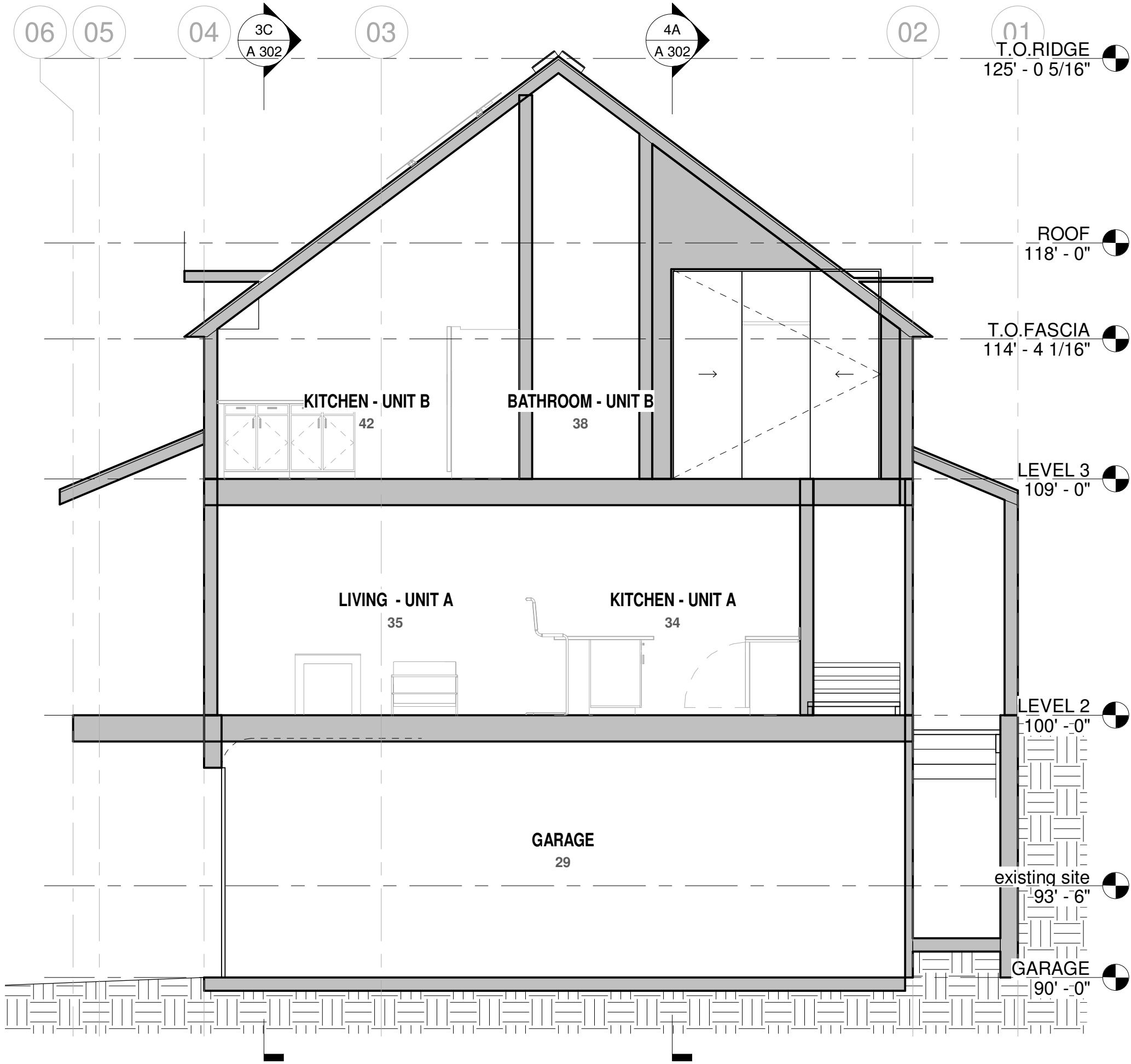
SHEET NO. A 202

JOB NO. 22.020

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY

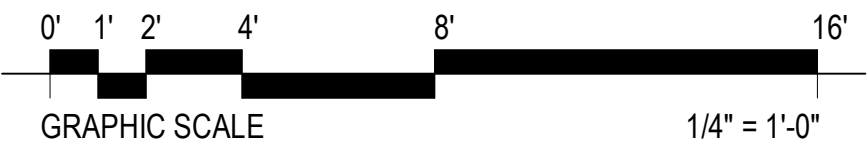


4A | Section 1
SCALE: 1/4" = 1'-0"



3C | Section 2
SCALE: 1/4" = 1'-0"

KEYNOTES



AFFORDABLE
HOUSING

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

BUILDING
SECTIONS

SHEET NO.

A 301

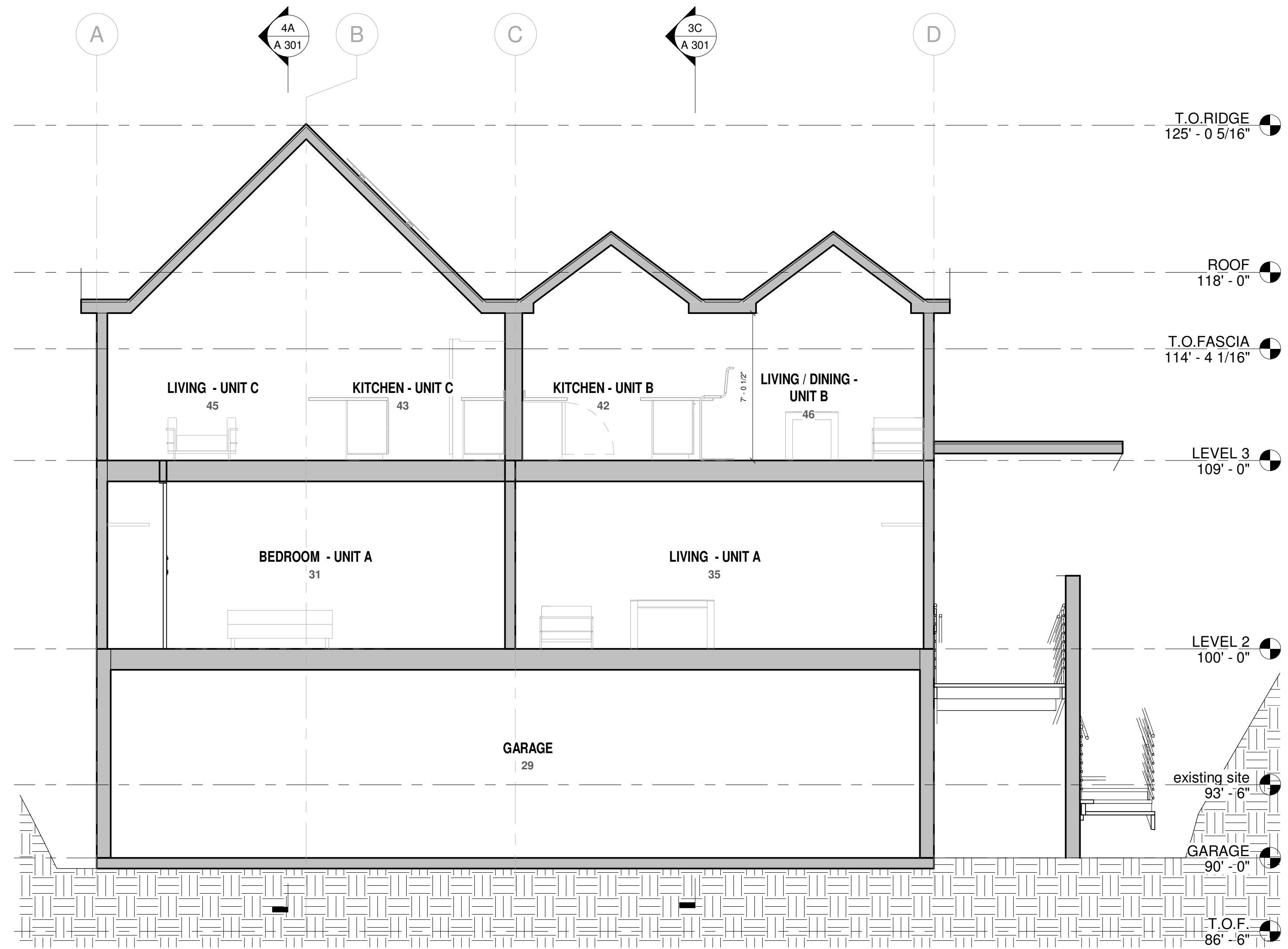
JOB NO.

22.020

ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET
SIZE, SCALE REDUCED ACCORDINGLY



4A | Section 3
SCALE: 1/4" = 1'-0"



3C | Section 4
SCALE: 1/4" = 1'-0"

KEYNOTES



AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

BUILDING SECTIONS

SHEET NO.

A 302

JOB NO.

22.020

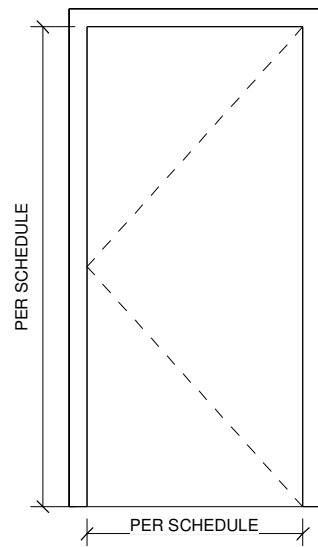
ORIGINAL SIZE 24"x36" IF ALTERNATE SHEET SIZE, SCALE REDUCED ACCORDINGLY

GENERAL NOTES - WINDOWS

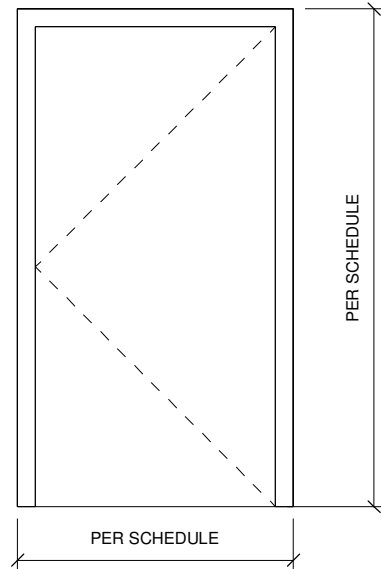
- 1
- HABITABLE ROOMS WITHIN A DWELLING UNIT SHALL BE PROVIDED WITH NATURAL LIGHT AND VENTILATION BY MEANS OF OPERABLE EXTERIOR GLAZED FENESTRATION WITH AN AREA NOT LESS THAN 4% OF THE FLOOR AREA OF SUCH ROOM.
- 2
- ALL FENESTRATION GLAZING WITHIN 24" OF EITHER SIDE OF EXTERIOR DOORS SHALL BE TEMPERED
- 3
- ANY GLAZING OR WINDOWS THAT ARE LOCATED 18 IN. OR LESS FROM A FINISHED FLOOR MUST BE TEMPERED
- 4
- GLAZING ADJACENT TO THE LANDING AT THE BOTTOM OF A STAIRWAY WHERE THE GLAZING IS LESS THAN 60 IN. ABOVE THE LANDING AND WITHIN A 60 IN. ARC THAT IS LESS THAN 180 DEGREES FROM THE BOTTOM TREAD NOSING MUST BNE TEMPERED
- 5
- GLAZING IN WALLS CONTAINING OR FACING BATHTUBS AND SHOWERS WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE SHALL BE TEMPERED.
- 6
- GLAZING IN ALL FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BIFOLD DOORS SHALL BE TEMPERED.
- 7
- GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 IN. ABOVE THE WALKING SURVACE SHALL BE TEMPERED.
- 8
-



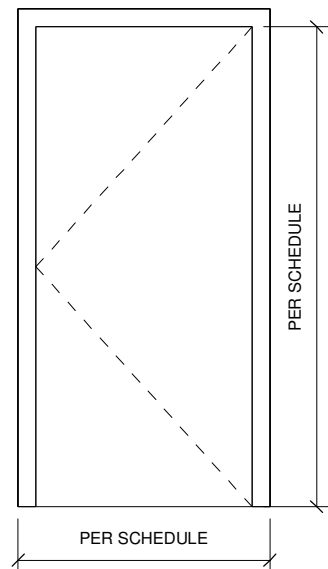
SCHEDULE_DOOR									
MARK	DOOR TYPE	WIDTH	HEIGHT	THICK	DOOR STYLE	DOOR MAT'L & FIN.	FRAME MAT'L & FIN	HDWR	REMARKS
1	B	3' - 4"	6' - 8"	0' - 2"	EXTERIOR DOOR			LOCKING	
2	C	3' - 0"	6' - 8"	0' - 1 3/8"	20 MIN. FR INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
3	A	3' - 0"	6' - 8"	0' - 1 3/8"	20 MIN. FR INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
4	G	16' - 0"	8' - 0"	0' - 1 1/2"	OVHD GARAGE DOOR	INSULATED ALUMINUM	N/A	N/A	PROVIDE NEW AUTOMATIC ELECTRIC OPENER
5	G	16' - 0"	8' - 0"	0' - 1 1/2"	OVHD GARAGE DOOR	INSULATED ALUMINUM	N/A	N/A	PROVIDE NEW AUTOMATIC ELECTRIC OPENER
6	A	3' - 2"	6' - 8"	0' - 1 3/8"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	PASSAGE	
7	E	6' - 2"	6' - 8"	0' - 1 3/4"	EXTERIOR DOOR			LOCKING	
8	A	3' - 0"	6' - 8"	0' - 2"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
9	A	2' - 6"	6' - 8"	0' - 1 3/8"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	PASSAGE	
10	A	3' - 0"	6' - 8"	0' - 2"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
11	A	3' - 0"	6' - 8"	0' - 2"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
12	D	3' - 3 3/8"	6' - 6 3/4"		SLIDING POCKET DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
13	B	3' - 0"	6' - 8"	0' - 1 3/8"	EXTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
14	B	3' - 0"	6' - 8"	0' - 1 3/8"	EXTERIOR DOOR			LOCKING	
15	F	8' - 0"	8' - 0"		INTERIOR DOOR	PANEL / STAINED	WOOD & PAINT	PASSAGE	
16	F	8' - 0"	8' - 0"		INTERIOR DOOR	PANEL / STAINED	WOOD & PAINT	PASSAGE	
17	B	3' - 0"	6' - 8"	0' - 1 3/8"	EXTERIOR DOOR			LOCKING	
18	A	3' - 0"	6' - 8"	0' - 2"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	PASSAGE	
19	F	8' - 0"	8' - 0"		INTERIOR DOOR	PANEL / STAINED			
20	A	2' - 6"	6' - 8"	0' - 1 3/8"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
21	A	3' - 0"	6' - 8"	0' - 1 3/8"	20 MIN. FR INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
22	A	2' - 6"	6' - 8"	0' - 1 3/8"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
23	D	3' - 3 3/8"	6' - 6 3/4"		SLIDING POCKET DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	LOCKING	
24	F	8' - 0"	8' - 0"		INTERIOR DOOR	PANEL / STAINED			
25	A	3' - 0"	6' - 8"	0' - 2"	INTERIOR DOOR	SOLID CORE WOOD DOOR / STAINED	WOOD & PAINT	PASSAGE	



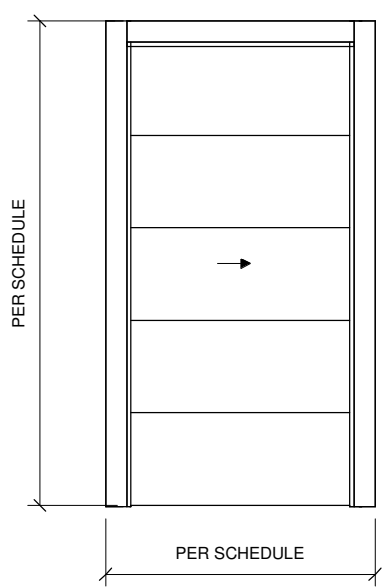
TYPE A
SINGLE FLUSH
NOTES:
wood interior door
Per owner



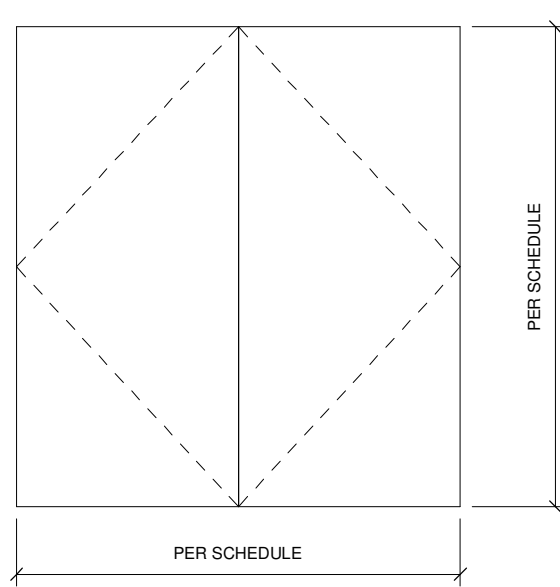
TYPE B
SINGLE FLUSH
NOTES:
Insulated exterior door



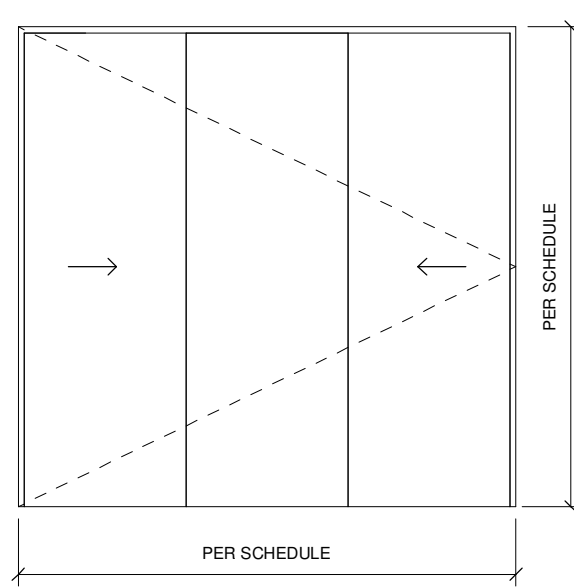
TYPE C
SINGLE FLUSH - 20 MIN. FIRE RATED
NOTES:
Interior door / Garage to living space



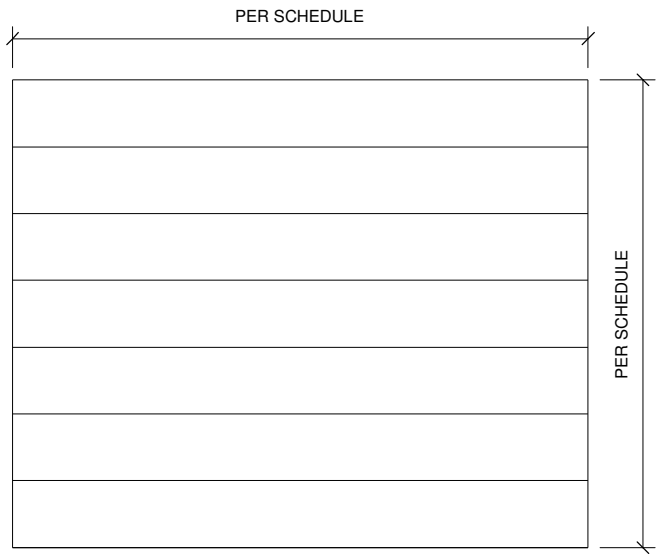
TYPE D
SLIDING DOOR
NOTES:
Interior door per owner



TYPE E
DOUBLE FLUSH
NOTES:
Insulated exterior door

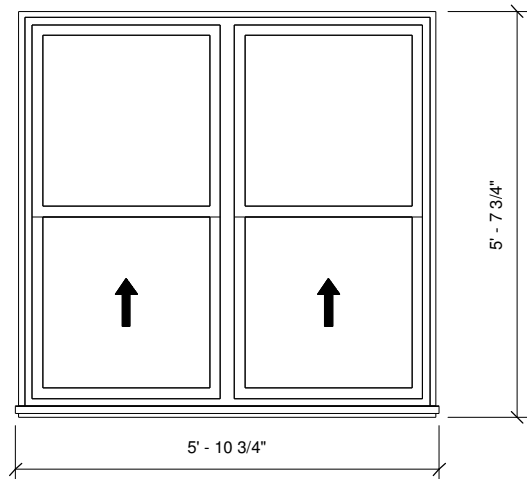


TYPE F
SLIDING PANEL DOOR
NOTES:
Interior closet door per owner

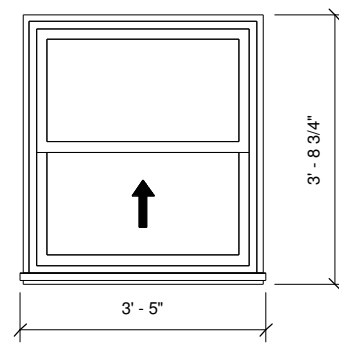


TYPE G
OPERABLE GARAGE DOOR - SECTIONAL

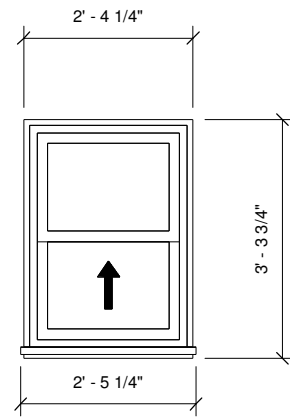
DOOR TYPES



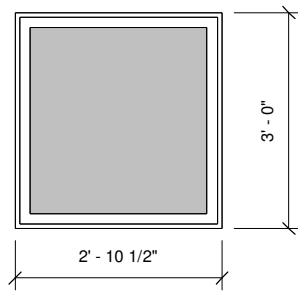
WINDOW A
Single Hung, dbl casement;
uPVC or eq.
egress window
insulated glass - min. u-0.20



WINDOW B
single hung
uPVC or eq.
insulated glass - min. u-0.20



WINDOW C
single hung
uPVC or eq.
insulated glass - min. u-0.20



WINDOW D
fixed
uPVC or eq.
insulated glass - min. u-0.20

WINDOW TYPES

NOTE: ALL WINDOWS TO BE TRIPLE PANE, uPVC (OR EQ.)
PASSIVE HOUSE CERTIFIED WINDOWS u-0.20 MIN.

AFFORDABLE HOUSING

FEASIBILITY STUDY 09-02-2022

516 MARSAC AVE.
PARK CITY, UT

NOT FOR CONSTRUCTION

DOOR/WINDOW SCHEDULES

SHEET NO.		A 601
JOB NO.	22.020	

ORIGINAL SIZE 24"X36" IF ALTERNATE SHEET
SIZE, SCALE REDUCED ACCORDINGLY

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060
S U M M A R Y

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION			COST/SF	COST
02 Existing Conditions			\$16.67	\$61,341
03 Concrete			\$1.85	\$6,793
04 Masonry				No Work
05 Metals			\$5.53	\$20,332
06 Wood and Plastics			\$33.81	\$124,411
07 Thermal & Moisture Protection			\$9.97	\$36,698
08 Doors & Windows			\$18.85	\$69,361
09 Finishes			\$25.50	\$93,832
10 Specialties			\$2.31	\$8,514
11 Equipment			\$4.77	\$17,550
12 Furnishings			\$12.81	\$47,158
21 Fire Suppression			\$4.55	\$16,744
22 Plumbing			\$12.22	\$44,966
23 Heating, Ventilating & Air Conditioning			\$16.73	\$61,565
26 Electrical			\$15.95	\$58,692
27 Communications			\$1.41	\$5,200
28 Electronic Safety & Security			\$0.54	\$2,000
31 Earthwork			\$3.00	\$11,028
32 Exterior Improvements			\$5.68	\$20,895
33 Utilities			\$0.12	\$433
SUB-TOTAL		3,680 SF	\$192.26	\$707,511
CONTRACTOR GENERAL CONDITIONS	6.0%		\$11.54	\$42,451
CONTRACTOR OVERHEAD AND PROFIT	10.0%		\$19.23	\$70,751
CONTRACTOR BOND	2.0%		\$3.85	\$14,150
CONTRACTOR BUILDERS RISK				Not Included
SUB-TOTAL		3,680 SF	\$226.86	\$834,863
DESIGN CONTINGENCY (Allowance)	10.0%		\$22.69	\$83,486
INFLATION / ESCALATION (Allowance)	5.0%		\$11.34	\$41,743
TOTAL (Construction)		3,680 SF	\$260.89	\$960,092

NOTES: Costs are for Construction Only. Costs are an Opinion of Probable Cost.
Costs are Based on a Selective Bidding Methodology among Qualified Contractors.
Costs are Based on a Construction Start of Winter 2022/2023.

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060
S U M M A R Y

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	COST/SF	COST
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CONTRACTOR GENERAL CONDITIONS NOTES:

General Conditions Included the Following (Where Applicable):

- Mobilization / Demobilization
- Project Management
- Superintendent
- Assistant
- Scheduling
- Layout / Mock-Up
- As-Built / Shop Drawings Overview & Verification
- Permits
- Utility Connection Fees
- Project Safety & Signage
- Off-Site Parking
- Office Supplies
- On-Site Communications
- Temporary Barricades
- Temporary Toilets
- Temporary Utilities
- Resource Protection
- Clean-Up

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
02 Existing Conditions				
Building Related:				
Remove Overhead Garage Doors & Hardware	2	EA	\$520.00	\$1,040
Remove Existing Lift & Enclosure	1	LS	\$8,500	\$8,500
Remove Exterior Staircase & Railings	1	LS	\$3,500	\$3,500
Remove Exterior Freestanding Railings	28	LF	\$33.80	\$946
Remove Roofing System to Deck	1,445	SF	\$2.60	\$3,757
Remove Suspended Floor & Structure	68	SF	\$58.50	\$3,978
Remove Interior Stairs & Railings	2	FLT	\$845.00	\$1,690
Remove Interior Partitions	3,565	SF	\$2.95	\$10,517
Remove Exterior Window & Frame	505	SF	\$23.40	\$11,817
Remove Roof Skylight & Frame	60	SF	\$28.60	\$1,716
Remove Doors & Frame	26	LEAF	\$52.00	\$1,352
Remove Floor, Wall & Ceiling Finishes	3,680	SF	\$2.55	\$9,384
Remove Equipment / Casework	40	LF	\$28.60	\$1,144
Remove Site Softscape (Allowance)	1	LS	\$500.00	\$500
Remove Miscellaneous Items (Allowance)	1	LS	\$1,500	\$1,500
			\$16.67	\$61,341

03 Concrete

Concrete Spread Footings, Reinforced	2	CY	\$682.50	\$1,365
Concrete Foundation Walls, Reinf	300	SF	\$16.25	\$4,875
Concrete Slab on Grade w/ Base (Infill)	50	SF	\$11.05	\$553
			\$1.85	\$6,793

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
 September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
04 Masonry				
Masonry / Stone				No Work
				No Work
05 Metals				
Miscellaneous Hardware - Brackets, Tie-Downs, Etc.	285	LBS	\$5.20	\$1,482
Exterior Metal Pan Stairs w/ Concrete Fill & Railings	1	FLT	\$18,850	\$18,850
			\$5.53	\$20,332

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
 September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
06 Wood and Plastics				
Crane / Lifts, Equipment Rental	1	LS	\$3,500	\$3,500
Wood Blocking / Plates / Fire Stops	330	BF	\$10.40	\$3,432
Wood Post, Columns	50	BF	\$13.00	\$650
Wood Stud Framing, Interior Walls - 4" to 6"	3,265	SF	\$6.50	\$21,223
Wood Stud Framing & Sheathing, Exterior Walls				Existing
Wood Structure & Sheathing, Floor Infill	95	SF	\$41.60	\$3,952
Wood Stairs & Risers, Interior	30	RISER	\$422.50	\$12,675
Wood Cement Board Siding, Exterior Wall (Finished)	2,585	SF	\$15.60	\$40,326
Wood Soffit, Exterior (Finished)	180	SF	\$23.40	\$4,212
Wood Fascia, Exterior	225	LF	\$19.50	\$4,388
Wood Casings / Sill / Trim (Exterior)	325	LF	\$20.15	\$6,549
Wood Base/Trim/Sill/Casing (Interior Wall & Ceiling)	465	LF	\$14.95	\$6,952
Wood Railing, Freestanding (Interior Stair)	65	LF	\$119.17	\$7,746

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
06 Wood and Plastics (Continued)				
Millwork, Shelving	40	LF	\$104.00	\$4,160
Millwork, Shelving & Rod	55	LF	\$84.50	\$4,648
			\$33.81	\$124,411

07 Thermal & Moisture Protection

Vapor Barrier / Weather Barrier, Floor & Wall	95	SF	\$1.40	\$133
Vapor Barrier, Roof	1,445	SF	\$2.28	\$3,295
Felt / Air Barrier (Exterior Wall & Roof)	1,365	SF	\$0.49	\$669
Ice / Water Shield, Roof	865	SF	\$2.60	\$2,249
Sprayed Foam Insulation, Exterior	200	SF	\$10.40	\$2,080
Rigid Insulation, Exterior Wall			See Add Alternate	
Batt Insulation, Floor	95	SF	\$3.90	\$371
Blown-in Insulation, Roof	1,365	SF	\$1.95	\$2,662
Standing Seam Metal Roofing System	1,445	SF	\$11.05	\$15,967

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
07 Thermal & Moisture Protection (Continued)				
Metal Accent / Banding, Exterior Wall	100	LF	\$23.40	\$2,340
Metal Ridge / Vent Flashings, Pre-Finished	50	LF	\$18.20	\$910
Metal Flashings, Pre-Finished	150	LF	\$11.75	\$1,763
Metal Raingutters / Downspout & Accessories	75	LF	\$24.91	\$1,868
Joint Sealants & Firesafing	3,680	SF	\$0.65	\$2,392
			\$9.97	\$36,698

08 Doors & Windows

Roof Skylight & Frame	60	SF	\$68.25	\$4,095
Exterior Entry Door, Frame & Hardware	6	LEAF	\$3,415	\$20,488
Interior Door, Frame & Hardware	11	LEAF	\$1,035	\$11,388
Interior Closet Door, Frame & Hardware	9	LEAF	\$682.50	\$6,143
Interior Pocket Door, Frame & Hardware	3	LEAF	\$630.00	\$1,890
Exterior Window Frame & Insul Double Glazing, Exterior	505	SF	\$31.50	\$15,908
Overhead Garage Door & Frame w/ Motor	2	SF	\$4,725	\$9,450
			\$18.85	\$69,361

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
09 Finishes				
Cement Board, Wet Walls	220	SF	\$6.83	\$1,503
Gypsum Board, Moisture Resistant	300	SF	\$3.90	\$1,170
Gypsum Board, Walls	6,530	SF	\$2.82	\$18,415
Gypsum Board, Ceiling	3,680	SF	\$2.93	\$10,782
Plaster Skim-Coat, Interior	3,680	SF	\$0.65	\$2,392
Sound Insulation, Batt	2,610	SF	\$1.56	\$4,072
Carpet & Pad, Floor	160	SY	\$4.88	\$781
Ceramic Tile, Floor	440	SF	\$14.30	\$6,292
Ceramic Tile, Wall & Base	185	SF	\$15.60	\$2,886
Luxury Vinyl Tile w/ Trim	875	SF	\$9.10	\$7,963
Epoxy Flooring System	950	SF	\$3.25	\$3,088
Paint, Wall & Ceiling	10,210	SF	\$1.63	\$16,642
Paint, Doors	23	EA	\$104.00	\$2,392
Paint, Wood Structure & Miscellaneous Items	3,680	SF	\$1.75	\$6,440
Finishes, Patch & Repair at Existing Home (Allow)	3,680	SF	\$2.45	\$9,016
			\$25.50	\$93,832

10 Specialties

Louvers, Exterior	15	SF	\$78.00	\$1,170
Fire Extinguisher w/ Cabinet	2	EA	\$630.50	\$1,261
Unit Storage Lockers	3	EA	\$325.00	\$975
Shower Door Frame, Glazed	4	EA	\$455.00	\$1,820
Bathroom Accessories (Allowance)	4	ROOM	\$550.00	\$2,200
Wall Corner Guards, Concealed	250	LF	\$4.35	\$1,088
			\$2.31	\$8,514

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
11 Equipment				
Laundry Appliances, Washer & Dryer	2	SET	\$2,000	\$4,000
Kitchen Appliances, Refrigerators	3	EA	\$1,200	\$3,600
Kitchen Appliances, Dishwashers	3	EA	\$1,150	\$3,450
Kitchen Appliances, Range / Ovens (Electric Induction)	3	EA	\$1,750	\$5,250
Equipment - Owner Furnished / Contractor Installed	1	LS	\$1,250	\$1,250
				\$17,550
12 Furnishings				
Millwork, Kitchen Island Cabinet w/ Top	7	LF	\$650.00	\$4,550
Millwork, Kitchen Cabinet w/ Top	37	LF	\$455.00	\$16,835
Millwork, Tall Cabinet	15	LF	\$487.50	\$7,313
Millwork, Office Desk	10	LF	\$325.00	\$3,250
Millwork, Bathroom Vanity Cabinet w/ Top	18	LF	\$845.00	\$15,210
Window Coverings				Not Included
Furnishings, Loose				Not Included
			\$12.81	\$47,158

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
 September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
21 Fire Suppression				
Fire Sprinkler System, Wet Pipe	3,680	SF	\$4.55	\$16,744
				\$16,744
22 Plumbing				
Remove Plumbing Fixture & Piping	13	EA	\$260.00	\$3,380
Plumbing Fixture, Toilet, Tank & Accessories	4	EA	\$1,105	\$4,420
Plumbing Fixture, Kitchen Sink, Disposal & Faucet	3	EA	\$845.00	\$2,535
Plumbing Fixture, Vanity Sink & Faucet	4	EA	\$845.00	\$3,380
Plumbing Fixture, Shower, Head & Accessories	4	EA	\$2,535	\$10,140
Plumbing Fixture, Wall Hydrants / Hose Bibbs	2	EA	\$455.00	\$910
Plumbing Equipment, Water Heater w/ Accessories	3	EA	\$1,235	\$3,705
Plumbing Piping, Per Fixture	20	EA	\$650.00	\$13,000
Plumbing Equipment, Misc	3,680	SF	\$0.25	\$920
Plumbing Specialties	3,680	SF	\$0.70	\$2,576
			\$12.22	\$44,966

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
23 Heating, Ventilating & Air Conditioning				
HVAC Demolition, Selective	3,680	SF	\$2.60	\$9,568
Ductwork & Air Devices	2,210	LBS	\$11.05	\$24,421
HVAC Exhaust Fans	4	EA	\$845.00	\$3,380
HVAC Equipment, Mini-Split Units (Ducted)	3	SET	\$4,550	\$13,650
HVAC Electric Radiant Heater (Bathroom)	4	EA	\$594.75	\$2,379
HVAC Misc Equipment	3,680	SF	\$0.40	\$1,472
HVAC Piping, Insulation & Specialties	3,680	SF	\$0.75	\$2,760
HVAC Control Thermostats	3,680	SF	\$0.55	\$2,024
HVAC Test & Balance	14	HRS	\$136.50	\$1,911
			\$16.73	\$61,565

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
26 Electrical				
Distribution Panels	1	EA	\$2,405	\$2,405
Light Fixtures, Pendant (LED)	2	EA	\$845.00	\$1,690
Light Fixtures, Downlight (LED)	35	EA	\$305.50	\$10,693
Light Fixtures, Wall Sconce (LED)	5	EA	\$487.50	\$2,438
Light Fixtures, Surface (LED)	40	EA	\$292.50	\$11,700
Light Fixtures, Exterior Pendant (LED)	7	EA	\$617.50	\$4,323
Light Fixtures, Exterior Downlight (LED)	6	EA	\$325.00	\$1,950
Power Outlets, Wall	55	EA	\$130.00	\$7,150
Power Outlets, Wall (Duplex WP / GFI)	6	EA	\$162.50	\$975
Feeder & Branch Circuitry	3,680	SF	\$2.44	\$8,979
Electrical Specialties	3,680	SF	\$0.50	\$1,840
Equipment Connections	20	EA	\$227.50	\$4,550
			\$15.95	\$58,692

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
27 Communications				
Telecomm / Data System, Rough-in	20	EA	\$195.00	\$3,900
Television Outlets & Rough-in	10	EA	\$130.00	\$1,300
			\$1.41	\$5,200
28 Electronic Safety & Security				
Security System / Fire Alarm System (Allowance)	1	LS	\$2,000	\$2,000
			\$0.54	\$2,000

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
31 Earthwork				
Site Related:				
Site Grading, Rough & Fine	350	SF	\$1.40	\$490
Building Related:				
Excavation & Backfill, Earthwork	150	CY	\$26.00	\$3,900
Excess Soils, Export Off-Site	50	CY	\$19.50	\$975
Structural Fill, Imported	75	CY	\$45.50	\$3,413
Radon Mitigation System	1	LS	\$1,250	\$1,250
SWPPP / Erosion Control	1	LS	\$1,000	\$1,000
			\$3.00	\$11,028
32 Exterior Improvements				
Concrete Surface Pavement & Base	350	SF	\$6.90	\$2,415
Hardscape Upgrades, Minor (Allowance)	1	LS	\$2,500	\$2,500
Landscaping & Minor Irrigation Repair (Reconfigure)	7,200	SF	\$2.15	\$15,480
Site Specialties, Allowance (Minimal)	1	LS	\$500.00	\$500
			\$5.68	\$20,895

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
33 Utilities				
Utilities - Water, Sewer, Gas & Elect Utilities				Potential Add
Site Power Outlets, WP	1	EA	\$433.33	\$433
			\$0.12	\$433
SUB-TOTAL	3,680	SF	\$192.26	\$707,511
CONTRACTOR GENERAL CONDITIONS	6.0%		\$11.54	\$42,451
CONTRACTOR OVERHEAD AND PROFIT	10.0%		\$19.23	\$70,751
CONTRACTOR BOND	2.0%		\$3.85	\$14,150
CONTRACTOR BUILDERS RISK				Not Included
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DESIGN CONTINGENCY (Allowance)	10.0%		\$22.69	\$83,486
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TOTAL (Construction)	3,680	SF	\$260.89	\$960,092

NOTES: Costs are for Construction Only. Costs are an Opinion of Probable Cost.
Costs are Based on a Selective Bidding Methodology among Qualified Contractors.
Costs are Based on a Construction Start of Winter 2022/2023.

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
Energy Efficiency Add Alternates:				
Add Exterior Wall Insulation & Rainscreen	2,585	SF	\$15.75	\$40,725
Upgrade Roof Insulation	1,365	SF	\$5.25	\$7,175
Upgrade to Triple-Pane, U-0.35	505	SF	\$21.00	\$10,600
Add Photovoltaic System w/ Equipment	270	SF	\$110.50	\$29,825
TOTAL (Energy Efficiency Add Alternates)	3,680	SF	\$24.00	\$88,325

NOTES: Costs are for Construction Only. Costs are an Opinion of Probable Cost.
Costs are Based on a Selective Bidding Methodology among Qualified Contractors.
Costs are Based on a Construction Start of Winter 2022/2023.

Affordable Housing Feasibility Study
516 Marsac Avenue, Park City, Utah 84060

Schematic Construction Cost Estimate
 September 1, 2022

DESCRIPTION	QUANTITY	UoM	UNIT COST	COST
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CONTRACTOR GENERAL CONDITIONS NOTES:

General Conditions Included the Following (Where Applicable):

- Mobilization / Demobilization
- Project Management
- Superintendent
- Assistant
- Scheduling
- Layout / Mock-Up
- As-Built / Shop Drawings Overview & Verification
- Permits
- Utility Connection Fees
- Project Safety & Signage
- Off-Site Parking
- Office Supplies
- On-Site Communications
- Temporary Barricades
- Temporary Toilets
- Temporary Utilities
- Resource Protection
- Clean-Up

516 Marsac bare minimum repairs/paint, etc.

Item	Amount
Paint	
Interior	\$ 28,950
Exterior	\$ 46,350
Carpet and Flooring	
Carpet	\$ 8,310
Wood Flooring	\$ 3,150
Tile is still good	\$ -
Repairs	
Sheet rock - included in painting	\$ -
Replace outlets & light switches - included in painting	\$ -
<u>Plumbing</u>	
Replace sink and counter top, stove top in kitchen in Studio on Main Floor.	\$ 1,000
Sink	\$ 510
Tub	\$ 1,000
Replace tile in one shower on main floor	\$ 3,000
Replace 2 toilets	\$ 1,000
<u>Windows</u>	
Replace 2 screens	\$ 120
Replace blinds - 4 windows	\$ 180
<u>Exterior</u>	
Replace dryer vent	\$ 15
Landscaping	\$ 3,000
Tree trimming	\$ 500
Power Wash	\$ 300
TOTAL	\$ 97,385

Exhibit D

Summary of Employee Survey Results

On August 8, 2022, PCMC conducted an internal survey of municipal employees to better understand their housing and commuting needs. The survey received 159 responses, representing approximately 49% of full-time employees.

Currently, the majority of PCMC employees (81.7%) do not live within Park City.

Where PCMC Employees Currently Live

Current Zip Code	Percent Response
Snyderville Basin	20.7%
Park City	18.8%
Salt Lake County	18.8%
Wasatch County	18.2%
Other Summit County	17.6%
Davis County	2.5%
Utah County	2.5%
Weber County	0.6%

Figure 2. Survey Results: “What zip code do you live in?”

The survey results showed a mix of responses when employees were asked if they want to live in the City.

Preference to Live Within Park City

Yes, wants to live in Park City	30.1%
Maybe wants to live in Park City	25.1%

No, does not want to live in Park City	33.3%
No Response (Left Blank)	11.9%

Figure 3. Survey Results: “If you don’t live within Park City, 84060, do you want to?”

For the following survey responses, we have selected responses that exclude individuals that do not want to live in Park City.

Of those who do or may want to live in Park City, the results of the survey show a strong first choice demand to own their next home, a strong second choice for a long-term rental, and the last choice for short-term rentals.

<u>Preference to Own, Rent Long-Term, or Rent Short-Term</u>			
	Own	Long-Term Rent	Short-Term Rent
1st Preference	79.4%	7.4%	1.8%
2nd Preference	6.5%	57.9%	6.5%
3rd Preference	1.8%	5.6%	58.8%

Figure 4. Survey Results: “What do you prefer?”

When asked what size of home the employee’s household wants/needs, respondents who want to live in Park City had a strong preference for homes that have two and three bedroom units.

Preferred Number of Bedrooms

Size of Home	Percent Response
One Bedroom	14.0%
Two Bedroom	27.1%
Three Bedroom	35.5%
Four Bedroom	15.8%
Five Bedroom	4.6%
Other	2.8%

Figure 5. Survey Results: “What size home does your household want/need?”

Around 2.8% of respondents to this question responded, “Other”, with most of those individuals mentioned wanting a den or home office.

The survey results also showed that most employee respondents would be willing to live in something other than a detached single-family home:

Willingness to Live in a Non-Single-Family Detached Home

Only willing to live in a single-family detached home	25.2%
Willing to live in other types of units	74.7%

Figure 6. Survey Results: “Would you consider living in something other than a single family detached home?”

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Community Development

Item Type: Work Session

Agenda Section: WORK SESSION

Subject:

4:55 p.m. - Discuss Deed Restriction Template for the Live Local Park City Lite Deed Restriction Program

Suggested Action:

Attachments:

[Staff Report](#)

[Exhibit A: Lite Deed Restriction - Draft Restrictive Covenant](#)

[Exhibit B: Resident Flyer](#)

[Exhibit C: Step by Step Guide](#)

[Exhibit D: Draft Comms and Marketing Outline for Live Park City](#)

City Council Staff Report

Subject: Live Park City – Lite Deed Restriction Program
Author: Browne Sebright, Housing Program Manager
Department: Housing
Date: October 6, 2022
Type of Item: Work Session

Recommendation

Receive a briefing, take public input, and consider approving the draft Deed Restriction template for the [Live Park City](#) - Lite Deed Restriction Program.

Background

The overall goal of the Park City [Housing program](#) is to facilitate a range of affordable, quality housing opportunities that help meet some of the life cycle needs of persons at middle to lower economic levels in Park City. On April 28, 2022, the City Council approved Resolution No. 08-2022, which created the [Live Park City pilot program](#)— a program that emulates and builds upon the successful programs of peer communities, such as [Vail](#) and [Breckenridge](#), Colorado.

The Lite Deed Restriction pilot program would provide cash payments to property owners in exchange for a deed restriction on their property that mandates primary home ownership and long term occupancy. Following program approval, the Housing Team is returning with a final draft of the deed restriction template to be used for the pilot program to ensure that it meets the policy objectives of the Council.

Analysis

This program's deed restrictions will differ from deed restrictions used for affordable units because they do not contain income limits, appreciation caps, employment regulations, or other special requirements. The draft deed restriction template (Exhibit A) uses language based on what is used in peer communities and the language used for Park City's existing deed-restricted affordable housing units.

Removal of Non-Applicable Language

The prior version of the deed restriction template presented to Council on April 28, 2022, ([Link](#)) contained language specific to affordable deed-restricted housing and not applicable to the Lite-Deed Program. References to Ordinance 14-47 and City Code § 8-3-6, specific to affordable housing fraud, were removed from section 3 *Event of Default*.

The Lite-Deed Program intends to promote neighborhood vibrancy and year-round residency for both primary homeowners and year-round renters. Section 2.3, *Occupancy Restrictions*, was modified to clarify that occupancy standards apply to both owner-occupied units and units rented long term (more than 6 months).

The prior draft deed restriction included several references to “Maximum Resale Price”, which is inapplicable, as the purpose of the deed restriction is to regulate the tenure of units rather than a sale price.

Clarification for Event of Default

The prior draft also included provisions that required the City to affirmatively approve each instance a unit would be used as a long-term rental. Section 3.1, Event of Default, was updated to reflect that the unit owner must only notify the City of each long-term rental in writing to remain in compliance.

Minor adjustments were also made to the timeframe associated with Events of Default. The qualifications that trigger Events of Default remain the same, with use of the unit as a nightly rental, use as a long-term rental without written notice to the City, not using the property as an owner-occupied primary residence, and failure to pay monetary penalties (Section 3.1). Upon notice of an Event of Default, the owner has 30 days to cure non-compliance. On the 31st day, the City may assess monetary penalties up to \$1,000 per day or more after Notice of the Event of Default.

If the owner has not cured an Event of Default after 45 days, the City may initiate the process of obtaining title to the Unit. The timeframe was updated from 30 days to allow the City and Owner additional time in which monetary penalties are assessed before the City will escalate enforcement with the possibility of reverter. Like the restrictive covenants used for affordable housing, the lite deed gives the City the opportunity to obtain the title to the property should there be sustained non-compliance and failure to resolve the noncompliance with the requirements of the deed restriction.

The owner also has a Buy-Out Option (Section 3.7), which enables buy-out of the deed restriction through either payment of double the purchase price of the Deed Restriction or double the ratio paid for the Deed Restriction at present-day appraisal value, whichever is greater. This provision is borrowed from other peer programs and is an important tool to allow future owners a path out of the restrictive covenant while ensuring that the City receives an adequate return on the original investment.

The example below shows what a Buy-Out Option would look like for a unit valued at \$750,000 at the initial deed restriction purchase:

Original Deed Restriction Purchase	
Value of Property at Purchase	\$750,000
Deed Restriction Purchase Price	\$112,500
Ratio Paid for Deed Restriction	15% of Property Value
Buy Out Option	
Present Day Appraisal Value	\$850,000
Buy Out Price (2X Purchase Price)	\$225,000
Buy Out Ratio (2X Purchase Ratio)	30% of Property Value (\$255,000)

Figure 1. Example of a Buy Out Option.

In order to execute a Buy-Out, the owner would pay the higher of either double the original purchase price, or double the ratio paid at present-day appraisal values. In this example, the unit appreciated by \$100,000 since the purchase of the property, which makes double the ratio paid at present-day appraisal values the greater value. This amount would be required to remove the deed restriction.

Other Minor Edits

The Housing Team has also fixed the numbering of sections, minor typos, inconsistent references to numbers and gender, and other grammatical mistakes to ensure maximum clarity of the final draft document.

Next Steps

Upon approval of the draft deed restriction template, the City will immediately begin advertising the Live Park City program, including conducting informational sessions with potential program participants and professionals who will facilitate in promotion of the program. The Housing Team has been working with the Communications Team on a program website ([Link](#)) that includes step-by-step instructions for applicants. We will also work with the Board of Realtors, existing homeowners, and property managers to distribute the program information and details. Please see Exhibits B and C for more information on the draft flyer and step-by-step guides, and Exhibit D for the communications plan.

Department Review

The Housing Team, City Attorney's Office, and Executive Department have reviewed this report.

Department Review

Exhibit A: Draft Deed Restriction Template

Exhibit B: Resident Flyer

Exhibit C: Step-by-Step Guide

Exhibit D: Draft Comms and Marketing Outline for Live Park City

WHEN RECORDED, RETURN TO:

Park City Municipal Corporation
Attention: City Recorder
P.O. Box 1480
Park City, Utah 84060

**RESTRICTIVE COVENANT AND AGREEMENT
CONCERNING THE SALE OF THE UNIT AT (name of project) UNIT

(Live Park City- Lite Deed Restriction Program)**

THIS RESTRICTIVE COVENANT AND AGREEMENT CONCERNING THE SALE OF THE EMPLOYEE HOUSING UNITS AT (name of project) – UNIT # (this “**Covenant**”), governing (address) Unit # , Park City, Summit County, State of Utah, also identified as Tax Parcel No. , and more particularly described on Exhibit A (the “**Unit**,” or the “**Property**”) of the (title of plat) (the “**Project**”), is made and entered into as of the day of , 20 (the “**Effective Date**”), by and among Park City Municipal Corporation, a Utah municipal corporation (the “**City**”); and (name of buyer) , individually (the “**Owner**”).

RECITALS

A. **WHEREAS**, the City has obtained title to the Unit and will transfer title of the Unit to the Owner, who is executing this Covenant as an Owner hereunder, and the City and the Owner desire to enter into and record this Covenant in conjunction with a transfer of the Unit from the City to the Owner;

B. **WHEREAS**, the Owner desires to acquire title to the Unit and acknowledges and agrees that the City requires that the Owner execute this Covenant for the purpose of creating a covenant running with the Property;

C. **WHEREAS**, the City, and the Owner intend that the purpose of the “Lite” Deed Restriction program is to maintain long term residency in Park City and restrictions contained in this Covenant, and this Covenant shall be enforceable by the City and, upon its execution and recording in the public records of the County Recorder of Summit County, Utah, shall run with the land, enforceable against each Owner, each Owner’s successors in interest, assignees, heirs, devisees, mortgagees, lessees, trustees, beneficiaries, executors, administrators, personal representatives; any subsequent owners; and any other parties claiming an interest in the Property.

COVENANT

NOW THEREFORE, in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby establishes as follows:

1. DEFINITIONS.

When used in this Covenant, the capitalized terms identified in this Agreement, the following terms shall have the following meanings:

- 1.1. ANNUAL COMPLIANCE REPORT. The report attached to this Covenant as Exhibit C, as amended from time to time by the City or its designee, which is required to be provided to the City by each Owner yearly according to Section 2.10.
- 1.2. CITY CODE. The Municipal Code of Park City, Utah, as amended.
- 1.3. DISABILITY. Physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment, or as may otherwise be defined in the Utah Fair Housing Act or as "Handicap" as defined 24 C.F.R. § 100.201.
- 1.4. DOMICILE. The place where an individual has a fixed permanent home and principal establishment to which the individual, if absent, intends to return and in which the individual and/or their family voluntarily reside not for a special or temporary purpose but with the intention of making a permanent home, in which owner-occupied units are resided in for a minimum of ten (10) months out of each calendar year, and in which renter-occupied units are resided in for a minimum of six (6) months out of each calendar year.
- 1.5. EXERCISE NOTICE. Written Notice sent by the City to an Owner within forty- five days of an applicable Offer Date notifying such Owner whether or not the City or its assign will exercise the Option.
- 1.6. HOUSEHOLD. A single individual, doing his/her/their own cooking and living upon the premises as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage or other domestic bond as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.
- 1.7. EVENT OF DEFAULT shall have the meaning assigned in Section 3.1.
- 1.8. NOTICE. Correspondence complying with the provisions of Section 4.8.
- 1.9. OFFER DATE shall have meaning assigned in Section 2.6.
- 1.10. OPTION. The Owner shall first notify the City if Owner wishes to sell the Property. The City or its assign shall have the first option to purchase the Property.
- 1.11. OPTION PERIOD. The period extending thirty (30) days from an Offer Date during which either the City or its assign may elect to purchase the Unit.
- 1.12. OWNER-OCCUPIED. A Unit that is occupied by the Owner as the Owner's Primary Residence.

- 1.13. PRIMARY RESIDENCE. The place where Domicile has been established.
- 1.14. QUALIFIED PARTICIPANT. Qualified Participant shall be a person or persons who are determined by the City to meet the following criteria:
- 1.14.1. A Qualified Resident who intends to occupy the unit as their Primary Residence, or an owner who intends to rent the unit to a Qualified Resident for a minimum period of 6 months.
- 1.15. QUALIFIED RESIDENT. Qualified Resident shall be a person or persons who are determined by the City to meet the following criteria:
- 1.15.1. A person who works an average of 30 hours or more per week within the Park City School District boundaries for a business that holds a valid and current business license, or pays sales taxes, or is otherwise generally recognized as a legitimate business.
- 1.15.2. A full-time (aggregate of 30 hours of employment per week) worker who is self-employed or works out of their home and provides their entire list of clients/workload so that it can be verified that a minimum of 75% of their work/clients are based within the Park City School District Boundaries; or
- 1.15.3. A retired person who was a full-time employee of an entity located within the Park City School District Boundaries for at least two continuous years immediately preceding their retirement; or
- 1.15.4. A person who is unable to work or does not have a work history required under Paragraphs 1.15.1 through 1.15.2 of this Subsection 1.15 due to a Disability.
- 1.16. SALE. The term “Sale” or any derivative thereof such as “Sales,” “Sold,” and “Sell” shall include any transfer of title the Unit, regardless of whether or not any consideration is provided to the transferor in exchange. This shall include but not be limited to any gift, assignment, devise, or other transfer.
- 1.17. SECURED CREDITOR. The trustee, the beneficiary, or both under a deed of trust against the real property security; the mortgagee under a mortgage against the real property security; and any successor-in-interest of the trustee, beneficiary, or mortgagee under the deed of trust or mortgage.
- 1.18. SENIOR SECURED CREDITOR. A Secured Creditor who is the named beneficiary, trustee, mortgagee, mortgage insurer, or mortgage guarantor of a mortgage or deed of trust, as applicable, which takes priority or precedence over any other liens or encumbrances securing any other Secured Creditor so that the liens or encumbrance of the Senior Secured Creditor must be satisfied before any other Secured Creditor is entitled to participate in the proceeds of any sale or other disposition of the Unit.
- 1.19. UNIT. Unit #_____ of the Project, a condominium unit, which is more specifically described on Exhibit A attached hereto.

- 1.20. OWNER. The Owner and every title owner thereafter, including (i) any transferee receiving title to or a fee interest in the Unit (a) after having been determined to be, or having represented themselves as, a Qualified Participant or (b) based on any representation or intent to own and occupy the Unit as an Owner-Occupied Unit or as such owner's Primary Residence; and (ii) all subsequent person(s) vested with record title of the Unit according to the records of the County Recorder of Summit County, Utah; however, Owner shall not include a person who holds an interest in the Unit merely as security for the performance of an obligation, and, solely in regards to the restrictions contained in this Covenant, the City shall not be considered an Owner.
- 1.21. PARK CITY SCHOOL DISTRICT BOUNDARIES. The latest school district boundaries as duly adopted and as reflected on the most current mapping issued by the Utah State Geospatial Resource Center (UGRC) school district map.

2. DEED RESTRICTION

- 2.1. ESTABLISHMENT OF THE COVENANT. As of the Effective Date, for the purposes set forth herein, and except as otherwise set forth herein, the Owners, the Owners' heirs, successors, executors, administrators, devisees, and assigns and all persons acquiring an interest in the Unit, whether or not so expressed in any deed or other instrument of conveyance, shall be deemed to covenant and agree during the period of their ownership interest in the Unit to hold their interest subject to the covenants and restrictions contained in this Covenant, which shall be deemed to run with the land. Owner shall not permit any ownership, use or occupancy of his or her Unit except in compliance with this Covenant.
- 2.2. ADMINISTRATION AND ENFORCEMENT. The City shall have the right to enforce the terms of this Covenant and may enforce its terms as it deems administratively proper through its employees, administrative offices, agents, or assigns. The Park City Police Department is authorized to investigate certain affordable housing violations and to issue citations pursuant to City Code § 8-3-6. The City may enforce this Covenant by any appropriate legal or equitable action including but not limited to specific performance, injunction, abatement, damages and such other remedies and penalties as may be specified in this Covenant. This Covenant shall inure to the benefit of the City and nothing herein shall be construed as creating a general scheme to be enforced by Owners against each other.
- 2.3. OCCUPANCY RESTRICTIONS.
- 2.3.1. At least one Qualified Resident shall continuously occupy the Unit as their Primary Residence.
- 2.3.2. Owner may rent the Unit as long as the Unit is continuously occupied by a Qualified Resident.
- 2.3.3. A Qualified Participant may lease a room or rooms in the Unit to one or more persons, provided that all persons occupying the property are Qualified Residents.

- 2.3.4. No business activity shall occur on or in the Unit other than as permitted within the zone district applicable to the Unit.
- 2.4. INSURANCE. To the extent such insurance is not provided by any applicable association of homeowners organized pursuant to a declaration of covenants, conditions, and restrictions governing the Project, each Owner shall continuously insure the Owner's Unit against all risks of physical loss for the full replacement value of the Unit.
- 2.5. NIGHTLY RENTAL PROHIBITED The Owner shall not rent or lease all or any portion of the Unit for nightly rentals. However, the unit may be rented for a term minimum of 6 months with the prior written notice of the City.
- 2.6. TRANSFER OF TITLE. An Owner shall not enter into or execute any transaction that Sells any interest in the Unit without giving prior written notice to the City to allow the City, at the City's sole option, to exercise the Option. The date of receipt of such notice by the City from the Owner to Sell the Unit shall be referred to herein as the "**Offer Date**".
- 2.7. OPTION TO THE CITY. The City shall have thirty (30) days after the Offer Date ("**Option Period**") to exercise the Option by delivering to the Owner written notice of the City's exercise of the Option ("**Exercise Notice**"). City shall use its best efforts to notify the Owner of the City's plans to exercise the Option, the City shall complete the acquisition of the Unit by paying to the Owner the sales price within thirty (30) days after delivering the Exercise Notice. If the City (i) notifies the Owner that it will not exercise the Option, (ii) fails to deliver to Owner the Exercise Notice within the Option Period, or (iii) exercises the Option but fails to close within thirty (30) days after delivering the Exercise Notice, the Option shall automatically terminate with respect to such sale or offering for sale, without the need for further notice or documentation.
- 2.8. NON-COMPLYING SALES OR TRANSFERS. Any Sale or transfer of the Unit in violation of this Covenant is considered against public policy and is null and void and shall not confer title whatsoever upon the purported buyer. The Owner is liable for all costs and attorney fees incurred in setting aside a non-complying Sale or transfer of the Unit.
- 2.9. NO DISCRIMINATION. The City and Owner shall not discriminate against any person in the Sale or rental of the Unit because of race, color, religion, sex (including pregnancy, childbirth, pregnancy-related conditions, breastfeeding, or medical conditions related to breastfeeding), national origin, age, familial status, source of income, Disability, genetic information, sexual orientation, gender identity, or protected expressions. Each Owner shall take such action with respect to this Covenant as may be required to ensure full compliance with applicable local, state, and federal laws prohibiting discrimination.
- 2.10. ANNUAL COMPLIANCE REPORT. Owner shall provide the City with an Annual Compliance Report, included herein as Exhibit C, by June 30 of each year. The Annual Compliance Report shall be accompanied by a signed affidavit by the Owner certifying that such Owner is in compliance with the terms of this Covenant. Failure of the City to mail or otherwise provide the Annual Compliance Report form to an Owner does not

discharge the obligations of such Owner to make the Annual Compliance Report. The City may request additional documentation to demonstrate that Owner uses that Unit as a Primary Residence and is otherwise in compliance with all terms of this Covenant, and each Owner shall provide such additional documentation as may be requested by the City. In conjunction with the Annual Compliance Report, the City may conduct a yearly physical inspection of the Units. The Annual Compliance Report shall include:

- 2.10.1. Evidence to establish that the Unit was occupied by a Qualified Resident during all of the prior calendar year;
- 2.10.2. If applicable, a copy of the lease form currently used for the Unit; and
- 2.10.3. If applicable, a list of tenants who occupied the Property in the prior calendar year and the evidence submitted by each tenant to establish that they were a Qualified Resident, as set forth in the Qualification Guidelines.

3. EVENT OF DEFAULT

- 3.1. EVENT OF DEFAULT. Noncompliance with any part of this Covenant constitutes an Event of Default. Events of Default shall include but are not limited to: (a) rental of all or a portion of the Unit as nightly rental or short term rental (less than 6 months); (b) rental of all or a portion of the Unit as long term rental without prior written notice to the City; (c) not using the Unit as an Owner-Occupied Primary Residence without prior written notice to the City; (d) failure to pay the monetary penalties of Sections 3.3; (e) failure to submit the Annual Compliance Report required by Section 2.10; or (f) failure to make timely payments or otherwise defaulting on a lien or mortgage on the Unit.
- 3.2. NIGHTLY RENTAL. Rental of the Unit or portion of the Unit on a nightly or weekly basis shall constitute an automatic Event of Default. Notwithstanding the cure period provided under Section 3.3, upon Notice from the City to an Owner of an Event of Default, the City may charge any Owner that rents that Owner's Unit on a nightly or weekly basis automatic fines of up to the greater of \$1000 per day or the rate charged for rental of the Unit per night.
- 3.3. MONETARY PENALTIES. Upon Notice from the City to an Owner of an Event of Default, the Owner shall have thirty (30) days to cure such noncompliance. If the Owner does not cure the Event of Default within thirty (30) days, the City may assess monetary penalties against the Owner of up to one thousand dollars (\$1000.00) per day beginning on the thirty first (31) day after Notice of the Event of Default.
- 3.4. CITY TO MAINTAIN A POSSIBILITY OF REVERTER. If an Owner does not cure an Event of Default within thirty (45) days, then the City may initiate the process of obtaining title to such Owner's Unit as further described in this paragraph. The City shall send Notice to the Owner that contains the specific Event(s) of Default, the dates of such noncompliance, a record of other Notices sent regarding such Event(s) of Default, and that notifies the Owner of an informal hearing before the City Council to take place within thirty (45) days of such Notice, at which the Owner may present evidence or call witnesses. After such Notice and informal hearing, the City Council shall issue a final ruling within

thirty (45) days of the hearing which shall make a finding as to the Owner's Event(s) of Default. Upon a final ruling of an Event of Default against such Owner, the occurrence of such condition subsequent shall trigger the City's right to title in fee simple to the Owner's Unit, and, upon the exercise of such right by the City, title will revert to and become revested in the City, and such title will be revested fully and completely in it, and the City will be entitled to and, subject to applicable law, may of right enter upon and take possession of the Unit; provided that, contemporaneously with the City's exercise of its reversionary interest, the City shall repay, or cause to be repaid any debt or obligation incurred by the Owner for the acquisition of the Unit to the extent such debt or obligation is secured by a lien against the Unit. Upon successful closing of a Sale of the Unit from such Owner to the City or its assign pursuant to Section 3.5 any reversionary interest of the City granted by this Section 3.4 shall terminate in regards only to that specific finding of Event of Default. If the City pays, or causes to be paid, pursuant to this Section 3.4, amounts to satisfy liens against the Unit that are more than the resale price, then the City may seek a deficiency judgment against such Owner for the difference between the amount paid and the resale. The City hereby assigns its possibility of reverter, as found in this Covenant or in any transfer deed to an Owner, to the City; and, accordingly, the City shall be entitled to exercise any reversionary right to title and possession of the Unit that is granted to or withheld by the City.

- 3.5. RIGHT TO PURCHASE. Upon a finding of an Event of Default by an informal hearing conducted by the City Council as described in Section 3.4, an Owner shall offer to sell that Owner's Unit to the City at or below the Unit's Applicable Foreclosure Price. Upon such finding of an Event of Default, the City shall have the option, in its sole discretion, to exercise or assign its reversionary interest pursuant to Section 3.4, to exercise or assign its right to purchase pursuant to this Section 3.5, or to seek any other remedy provided to it at law or in equity.
- 3.6. REMEDIES NOT EXCLUSIVE. Notwithstanding anything else herein, if the City receives a Foreclosure Notice, and if the default giving rise to such Foreclosure Notice is not timely cured and the loan reinstated according to the applicable loan documents, the City (or its assign) shall have ninety (90) days from receipt of such Foreclosure Notice to exercise the City's Option or the City's right to exercise its possibility of reverter or right to purchase pursuant to Sections 3.4 and 3.5 above. Subject to the preceding sentence, and except as provided in Section 3.4 regarding the termination of the City's reversionary interest upon a Sale pursuant to Section 3.5, no remedy conferred by any of the specific provisions of this Covenant is intended to be exclusive of any other remedy, and each and every remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity by statute or otherwise. The election of any one or more remedies shall not constitute a waiver of the right to pursue other remedies.
- 3.7. BUY OUT OPTION. If the Owner would like to buy out of the Deed Restriction, the Owner may do so through payment of double the purchase price of the Deed Restriction OR double the ratio paid for the original Deed Restriction, but at the present day appraisal value, whichever is greater at the time. Such payment must be considered and approved by the City Council in its sole discretion.

4. GENERAL PROVISIONS

- 4.1. TERM OF AGREEMENT. The term of this Covenant shall commence as of the Effective Date set forth above and shall continue in full force and effect for a period not less than forty (40) years. Upon the expiration of the initial forty (40) year term, or any subsequent term, the City shall have six (6) months in which to determine, based on an independent market study, that the Unit is no longer necessary to satisfy the housing needs of the City. The City Council or its successor shall make the final determination of such continuing need, and if the City makes no such determination, the Covenant shall automatically renew for one or more additional consecutive ten (10) year terms.
- 4.2. AMENDMENTS. Any amendments or modification to this Covenant in whole or in part must be made in writing and agreed to by the Owner that owns the Unit at the time of such amendment or modification and the City and must be recorded with the Clerk and Recorder of Summit County, Utah. The City may unilaterally modify the Covenant to provide clarification to any provisions that may be subject to differing interpretations, to correct any errors identified, or where the City deems such modification or amendment necessary to effectuate the purposes and intent of the Covenant or bring this Covenant in compliance with applicable City Code or State of Utah or federal law and where such modification does not in the City's reasonable discretion materially impair the Owner(s)' or any Secured Creditor's rights.
- 4.3. NO WAIVER. No waiver of any Event of Default or breach of this Covenant shall be implied from any omission by the City to take action on account of such Event of Default, and no express waiver shall affect any Event of Default other than the Event of Default specified in the waiver, and then the waiver shall be operative only for the time and to the extent therein stated. Waivers by the City of any covenant, term or condition contained in this Covenant shall not be construed as a Waiver of any subsequent breach of the same covenant, term or condition. The consent or approval by either party to or of any act by either party requiring further consent or approval shall not be deemed to waive or render unnecessary their consent or approval to or of any subsequent similar acts.
- 4.4. WAIVER. Each Owner hereby waives any defenses, rights, or remedies that it might otherwise assert against the City in connection with: (a) the application of the rule against perpetuities to this Covenant; (b) any claim related to restraints on alienation; or (c) any claim that the Covenants recorded against the Unit are not real covenants running with the land. This waiver shall be binding upon the successors and assigns of each Owner and shall inure to the benefit of the successor and assigns of the City.
- 4.5. DISCONTINUANCE OF LIABILITY AFTER CONVEYANCE. Following the recording of a deed conveying the Unit to a Qualified Participant, the transferor of such Unit shall have no further liability under this Covenant respecting the Unit, except to the extent caused by the negligence or intentional misconduct of the transferor and excepting any outstanding fines, penalties, or other amounts due to the City hereunder and incurred during transferor's ownership of the Unit.

- 4.6. SALE AGAINST OWNER'S WILL. Without in anyway limiting the remedies and enforcement provisions granted the City by Sections 3.3, 3.4, 3.5, and 3.6, nothing in this Covenant shall be interpreted to require an Owner to Sell the Unit against that Owner's will.
- 4.7. SEVERABLE OBLIGATIONS AND LIABILITIES. Different individuals and entities may eventually own the Unit. Each Owner of the Unit shall not be liable for or encumbered by the obligations or liabilities under this Covenant associated with any other t Owner.
- 4.8. NOTICES. Any and all Notices and demands required or desired to be given hereunder shall be in writing and shall be validly given or made if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested, sent by Federal Express or other similar courier service keeping records of deliveries and attempted deliveries, or served by facsimile transmission. Service by mail or courier shall be conclusively deemed made on the first business day delivery is attempted. Facsimile transmissions received during normal business hours on a business day shall be deemed made at the time of receipt. Facsimile transmissions not received during normal business hours on a business day shall be deemed made on the next business day. Each party to this Covenant, including the City and each Owner, may change their respective addresses for the purpose of receiving Notice by a written Notice to the other parties.

Notice to an Owner shall be sent to the address on file with the Office of the Recorder of Summit County, Utah.

Any Notice or demand to the City shall be addressed to the City at the following address:

Park City Municipal Corporation
P.O. Box 1480
445 Marsac Avenue
Park City, Utah 84060
ATTN: City Recorder and Housing Office
Fax: (435) 615-4901

- 4.9. SEVERABILITY. If any term, provision, covenant or condition of this Covenant is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of this Covenant shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of such. In the event that all or any portion of this Covenant is found to be unenforceable, this Covenant or that portion which is found to be unenforceable shall be deemed to be a statement of intention by the parties; and the parties further agree that in such event, and to the maximum extent permitted by law, they shall take all steps necessary to comply with such procedures or requirements as may be necessary in order to make valid this Covenant or that portion which is found to be unenforceable.
- 4.10. ATTORNEY FEES. If any party shall take or defend against any action for any relief against another party arising out of this Covenant, the prevailing party in such action or

defense shall be entitled to reimbursement by the other party for all costs including but not limited to reasonable attorney fees and court costs incurred by the prevailing party in such action or defense and/or enforcing any judgment granted therein, all of which costs shall be deemed to have accrued upon the commencement of such action and/or defense and shall be paid whether or not such action or defense is prosecuted to judgment. Any judgment or order entered in such action or defense shall contain a specific provision providing for the recovery of attorney fees and costs incurred in enforcing such judgment.

- 4.11. CHOICE OF LAW. This Covenant shall be governed and construed in accordance with the laws of the State of Utah.
- 4.12. SUCCESSORS. Except as otherwise provided herein, the provisions and covenants contained herein shall inure to and be binding upon the heirs, successors, executors, administrators, devisees and assigns of the parties.
- 4.13. THIRD-PARTY BENEFICIARY. This Covenant is not intended to confer rights on third parties.
- 4.14. PARAGRAPH HEADINGS. Paragraph and Section headings within this Covenant are inserted solely for convenience of reference and are not intended to and shall not govern, limit, or aid in the construction of any terms or provisions contained herein.
- 4.15. GENDER AND NUMBER. Whenever the context so requires herein, the neuter and gender shall include any or all genders and vice versa, and the use of the singular shall include the plural and vice versa.
- 4.16. COVENANTS RUN WITH LAND. The City intends, declares, and covenants on behalf of itself, all future owners of the Unit, and all parties that obtain any interest in any Unit that this Covenant and the restrictions set forth herein regulating and restricting the rent, use, occupancy and transfer of the Unit shall be covenants running with the land and improvements constituting the Unit for the benefit of the City and shall encumber the Unit and shall be binding upon all the subsequent Owners of the Unit and any other party with an interest in the Unit.
- 4.17. INTEGRATION. This Covenant constitutes the entire agreement between the parties with respect to the matters set forth herein.
- 4.18. INTERPRETATION. The terms of this Covenant shall be interpreted so as to avoid speculation on the Property.
- 4.19. SUPERIORITY OF COVENANT. The Owner acknowledges and agrees that they have not and will not execute any other agreement with provisions contradictory to or in opposition to the provisions of this Covenant and that this Covenant is controlling as to rights and obligations between and among the Owner, the City, and respective successors.
- 4.20. NO CITY LIABILITY. Nothing herein requires or shall be construed to require the City or any officer, director, employee, agent, designee, assignee, or successor thereof to protect or indemnify the Owner against any loss.

4.21. COUNTERPARTS. This Covenant may be executed in several counterparts, all of which together shall constitute one binding agreement on all parties hereto, notwithstanding that all the parties have not signed the same counterpart.

4.22. RECORDATION. Upon execution of this Covenant, the City shall cause this Covenant to be recorded in the public records of the County Recorder of Summit County, Utah, and shall pay all fees and charges incurred in connection therewith.

[DO YOU WANT TO ADD THE RECENT LANGUAGE RHODA AND US
DISCUSSED FOR TRANSFER TO AN ESTATE UPON DEATH OF AN OWNER?]

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the City, and the Owner have executed this Covenant as of the Effective Date.

CITY:

PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
Name: Nann Worel
Title: Mayor

Attest:

Recorder

Approved as to form:

City Attorney

ACKNOWLEDGEMENT

STATE OF UTAH)
);ss.
COUNTY OF SUMMIT)

On the _____ day of _____, 20____, personally appeared before me Nann Worel who being by me duly sworn did say that she is the Mayor of Park City Municipal Corporation, and that the within and foregoing instrument was signed on behalf of and acknowledged by such entity.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

OWNER:

NAME OF OWNER/BUYER

By: _____
Name of Owner/Buyer

INDIVIDUAL GENERAL ACKNOWLEDGEMENT

STATE OF UTAH)
):ss.
COUNTY OF SUMMIT)

On this ____ day of _____, 20__, before me, the undersigned notary, personally appeared Owner/Buyer, personally known to me/proved to me through identification document allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that they signed it voluntarily for its stated purpose.

Notary Public
Residing at:

My Commission Expires:

EXHIBIT A

Legal Description of the Property

The real property referenced in the foregoing instrument is located in Summit County, Utah and is more particularly described as:

Tax Parcel No.
Street Address

DRAFT

[NTD: THIS EXHIBIT B IS NOT REFERENCED AT ALL IN THE AGREEMENT. SHOULD IT BE REFERENCED IN THE DEFINITION OF QUALIFIED RESIDENT?]

EXHIBIT B

Guidelines

- 1) Purpose. The purpose of these Guidelines is to set forth the occupancy requirements for the Property pursuant to the Deed Restriction Agreement.
- 2) Definitions. All capitalized items herein shall have the meanings set forth in the Deed Restriction Agreement.
- 1) Application. To become a Qualified Resident, a person must provide the following information:
 - a) Verification (*e.g.*, wage stubs, employer name, address, telephone number and other appropriate documentation) of the person's current employment with a business in Summit County that holds a valid and current business license, or pays sales taxes, or is otherwise generally recognized as a legitimate business;
 - b) Evidence that the applicant has worked, or will work, an average of 30 hours per week or more per year for one or more of such businesses;
 - c) A valid form of identification, such as a driver's license, state-issued identification, passport or military identification; and
 - d) d. A signed statement certifying and acknowledging that all information submitted in such application is true to applicant's best knowledge and authorizing verification of all information submitted.

EXHIBIT C
PARK CITY EMPLOYEE HOUSING AFFIDAVIT
For Owner Occupied Units



State of Utah
County of Summit

BEFORE ME, the undersigned Notary, _____ [name of Notary before whom affidavit is sworn], on this _____ [day of month] day of _____ [month], 20____, personally appeared _____ [name of affiant], known to me to be a credible person and of lawful age, who being by me first duly sworn, on _____ [his/ her/their] oath, deposes and says:

I currently own my residence at _____ (street address) which is a deed restricted property to preserve resident, owner occupancy. I am fully aware of the restrictions and am to the best of my knowledge in compliance including the requirement for owner occupancy. I verify that I continue to live in it as my primary residence. I have never rented my home even for short periods of time. If approved by the city's housing office to rent to a roommate, please list name of roommate, employment, and amount of rent charged:*

_____.

[signature of affiant]

(printed name of affiant)

(phone)

[mailing address of affiant, line 1]

[mailing address of affiant, line 2]

(email address)

Subscribed and sworn to before me, this _____ [day of month] day of _____ [month], 20____.

[Notary Seal:]

[signature of Notary]

NOTARY PUBLIC

[typed name of Notary]

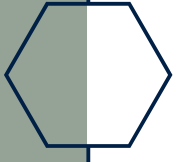
My commission expires: _____, 20____.

* Primary Residence is defined as the domicile in which you live for no less than 10 months out of any given 12 month period.



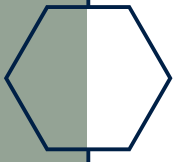
Live Park City | Lite Deed Restriction Program

A Guide for Residents



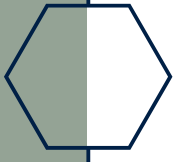
What is Live Park City?

Live Park City is a pilot program that will allocate 1M of funding from Park City Municipal Corporation to purchasing Deed Restrictions for existing homeowners as well as future homeowners. The Deed Restrictions do not have any income or appreciate caps, or employee requirements. The only requirements to apply for the program are full-time residency.

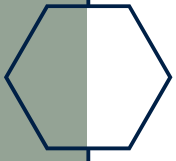


The goals of the Park City Lite Deed Restriction Program are to:

- Support full-time residents to remain in their homes;
- Provide down payment assistance for buyers who find market units to be just out of reach; and
- Create an option for current homeowners to reserve their home for long-term Park City residents.

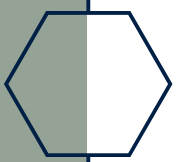


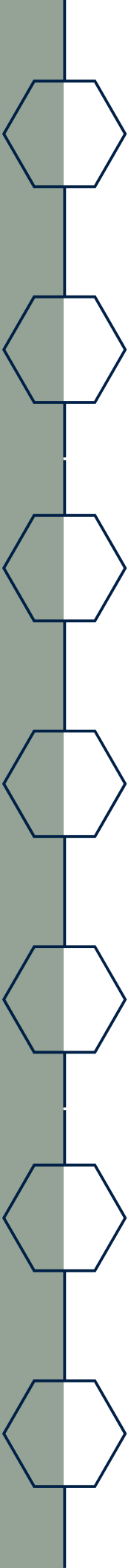
The Live Park City program places Deed Restrictions on existing homes in exchange for cash compensation. The program is modeled after similar programs in Vail and Breckenridge.



What is the purpose of the Live Park City program?

The Live Park City program serves to increase, or at least maintain, the housing stock for locals within the City. The Program would compensate homeowners who agree to a deed restriction requiring their property either be occupied by a) the owner who is a full-time resident of Park City (a minimum of 10 months out of the year), or b) a long-term renter (who leases the premises for at least 6 months). The deed restrictions will run with the property in perpetuity.





How much would residents be paid for the Deed Restrictions?

Payments for the Deed Restrictions will vary based on how the property meets the City's goals. Typical payments will range between 15%-20% of the appraised value of the home at the time of the application.

What does the application process look like?

The process begins when the homeowner or buyer applies to participate in the program. Once an application is received, Housing Staff will obtain an appraisal and evaluate the appraised value in combination with the program criteria. Staff provides a property evaluation and recommendation to a Council-appointed Advisory Committee. The Advisory Committee makes a recommendation to the City Manager for final approval. Once approved, a Notice of Deed Restriction Purchase Agreement is signed by the homeowner and Park City Municipal Corporation. Recording of the deed restriction will occur at the time of ownership transfer, or immediately, in the case of existing ownership.

Where do you apply?

The online application for the Live Park City program can be found on PCMC's housing website: parkcity.org/departments/affordable-housing

Questions?

Contact browne.sebright@parkcity.org



LIVE LOCAL PARK CITY

STEP-BY-STEP LITE DEED RESTRICTION APPLICATION PROCESS



1 FILL OUT APPLICATION

Complete an application for the Live Local Park City program, available at parkcityhousing.org.

2 SPECIFY DETAILS

Include your correct contact information and property address in the application, which must be located within City limits (84060).

3 SPECIFY DATES

Include property closing dates and other important deadlines (if any) in your application, as well as the amount of money you are applying for.

4 APPLICATION REVIEW

Applications are sent to the Housing Team for review by the Advisory Committee and City Manager.

5 DECISION

If your application is accepted, you will enter a Notice of Deed Restriction Purchase with Park City Municipal. If your application is denied, you will be notified via email.

DRAFT Comms/Marketing Outline for Live Park City Lite Deed Program

Council meeting to discuss/approve: October 6

Deadline to finalize content: October 10

Go-live date: October 17

Goal: To inform and educate Park City residents about this innovative housing program launch this fall.

Stakeholders

- Park City residents
- Board of Realtors
- Park City Chamber/Bureau and greater business community
- Mortgage lenders
- Historic Park City Alliance

Tactics for distribution

- Press release distributed to:
 - Local media (KPCW, Park Record, Town Lift)
 - Housing partners
 - Housing team contacts
 - City website (on news tab) and sent through enotification
- Weekly City Brief
- Newsletter blurb
- Social Media campaign educating the public on the program and how-to guide (ongoing)
 - Two one-pagers:
 - targeted to realtors
 - targeted to homeowners
- General graphics/marketing material
- Website updates (ongoing)

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: WORK SESSION

Subject:

5:15 p.m. - Save People Save Wildlife Presentation by Dr. Patricia Cramer, Tom Farkas, Lorelei Combs, and Erin Ferguson

Suggested Action:

Attachments:

[Save People Save Wildlife Presentation](#)



Save People Save Wildlife

Save People Save Wildlife is a registered 501 (c) 3, non- profit, which was started in 2015. Full information can be found on the web at savepeoplesavewildlife.org.

Save People Save Wildlife has as our mission reducing or eliminating vehicle/wildlife collisions.

Success in our area include the wildlife overpass at Parley's Summit and associated wildlife fencing, escape ramps, and cattle guards along I80. This has been accomplished through our working relationship with UDOT and financial support from the community to cost-share wildlife mitigation measures with UDOT (\$168,000 to date).

SPSW also successfully worked with Summit County to have wildlife mitigation measures included in the recently passed \$50 million General Obligation Bond for open space.

SPSW and UDOT have been working together for a while to address the serious vehicle wildlife collisions on SR224.

Three decades of vehicle wildlife crash data plus recent research reports, such as UDOT Research Report: Identification of Wildlife-Vehicle Conflict Priority Hotspots in Utah, Summary Report, November 2019, Prepared For: Utah Department of Transportation, Research Division, Submitted By: Patricia Cramer, PhD, and authored by: Patricia Cramer, Emanuel Vasquez, Allison Jones, and as yet unpublished vehicle wildlife crash data by BLOWEST, identify SR224 as the #1 hotspot in Region 2 for vehicle wildlife collisions.

SPSW and UDOT are currently looking at a number of simple low- cost actions that can be implemented over the short term to begin the process of reducing and eventually eliminating vehicle wild life collisions on SR224.

The number one priority was reducing the speed limit. SPSW is excited to announce that UDOT has just put in new speed limit signs, changing the previous limit of 55 mph to the new speed limit of 45 mph. This now makes the maximum speed limit for the entire length of SR 224 no greater than 45 mph. Consistency of the speed limit will result in better driver response and more effective compliance and enforcement. SPSW wants to recognize the Summit County Council in joining SPSW in encouraging UDOT to implement this change.

Other near- term actions we have been working on are:

- o Declare the entire length of SR224 a wildlife zone, reflective of and warranting the speed reduction to a maximum of 45 mph. The entire length of SR224 is in a wildlife habitat, with multiple existing migratory pathways. Motorists need to be educated that there is consistent travel of large animals on a daily basis.

- o Wildlife warning signs (the flashing yellow diamond deer and flashing yellow diamond elk and flashing wildlife crossing signs) should be placed along SR224.

- o Permanent VMS and driver feedback signs near McPolin Farm

o Reflective deer, elk and moose wildlife silhouettes, strategically located in relation to other warning signage. UDOT to provide information regarding right of way boundaries to determine silhouette placement and discuss funding.

Others that recognize the importance of reducing/eliminating vehicle/wildlife collisions include:

- the federal government by including in its Infrastructure bill moneys for wildlife mitigation measures,

- the Utah Legislature authorized \$1million as matching funds to possible federal infrastructure moneys for the state

- UDOT built the Parley's overpass and other wildlife mitigation measures

- The community by raising, through SPSW, \$168,000 for fencing, cattle guards and escape ramps along I80,

- Summit County Council by including wildlife mitigation measures as part of the \$50 million GOB and asking UDOT to make 45mph maximum speed along SR 224.

SPSW would like Park City to join us and all these entities in advocating and supporting permanent wildlife mitigation measures along SR224. Such measures may include wildlife crossing, wildlife fencing, wildlife escape ramps, and cattle guards. SPSW would like Park City to ask for inclusion of wildlife mitigation measures as part of the SR224 BRT; and raise SR224 as a priority for wildlife mitigation measures. Also, in the near term, SPSW would like Park City's permission to place on its property around the McPolin Farm area, reflective elk silhouettes for driver awareness.

Patricia Cramer, PhD



Dr. Patricia Cramer is an independent wildlife scholar. For the past 18 years she has researched wildlife crossing structures and worked to include wildlife concerns in the transportation planning process, with the goal of reducing wildlife-vehicle collisions while promoting wildlife connectivity across landscapes.

She shares her knowledge with both wildlife professionals and engineers to help create the most effective wildlife crossing structures. She founded the [Wildlife Connectivity Institute](#). Her research projects include three national level projects, and work for 14 departments of transportation, mainly in the western U.S. She was formerly a visiting professor at the University of Florida, Montana State University, and a research assistant professor at Utah State University.

Patricia earned her PhD from the University of Florida in Wildlife Conservation, a Master's Degree from Montana State University in Wildlife Ecology, and undergraduate degree in wildlife from State University of New York College of Environmental Sciences and Forestry.

Recent awards include the Utah Department of Transportation 2015 Trailblazer Award for excellence in transportation research and the 2013 Federal Highways Environmental Excellence Award for Research.

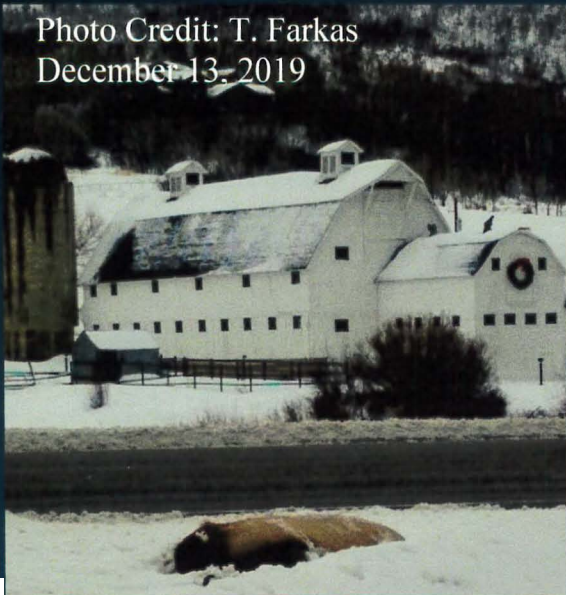
Recently completed projects include the following:

- 2019 - 2022 Principal Investigator, New Mexico Department of Transportation, "[New Mexico's Wildlife Corridors Action Plan](#)." Project for New Mexico DOT and Department of Fish and Game. In conjunction with DBS&A of Albuquerque, New Mexico.
- 2018 - 2022 Principal Investigator, Federal Highways Pooled Fund Study, with Nevada DOT, "[The Wildlife Vehicle Collision Reduction and Habitat Connectivity Pooled Fund Project TPF 5\(358\) Strategic Integration of Wildlife Mitigation into Transportation Procedures](#)."
- 2020 - 2021 Researcher Sub-Consultant In conjunction with Michael Baker, Inc. for Arizona DOT "[Statewide Wildlife-Vehicle Conflict Study](#)."
- 2018 - 2019 Principal Investigator, Utah DOT, "[Identification of Wildlife-Vehicle Conflict Hotspots in Utah](#)."
- 2018 - 2021 Principal Investigator, Colorado DOT, "[US 160 Dry Creek Wildlife Study](#)."
- 2017 - 2019 Consultant to Principal Investigator, Texas DOT and University of Texas at Austin, "[Incorporating Wildlife Crossings into TxDOT's Project Development, Design and Operations](#)."
- 2016 - 2018 Principal Investigator, Nevada DOT, "[Prioritization of Wildlife-Vehicle Conflict in Nevada](#)."
- 2015 - 2021 Co- Principal Investigator, Colorado DOT, "[State Highway 9 Wildlife Mitigation Monitoring](#)."
- 2015 - 2017 Principal Investigator, Utah DOT, "[Testing New Technology to Restrict Wildlife Access to Highways: Phase 2](#)."
- 2013 - 2019 Principal Investigator, Utah DOT and Utah Division of Wildlife Resources, "[Monitoring US 89 East of Kanab Paunsaugunt Wildlife Crossings](#)."
- 2013 - 2016 Principal Investigator, Utah DOT and Utah State University Utah Transportation Center, "[Study of Wildlife Deterrents](#)," research and graduate student support.

Wildlife and Roads in Park City: Proposed Solutions for Wildlife-Vehicle Conflict on SR 224 at McPolin Farm

A Presentation to the Park City Council by
Save People Save Wildlife and
Dr. Patricia Cramer

Photo Credit: T. Farkas
December 13, 2019



October 6, 2022

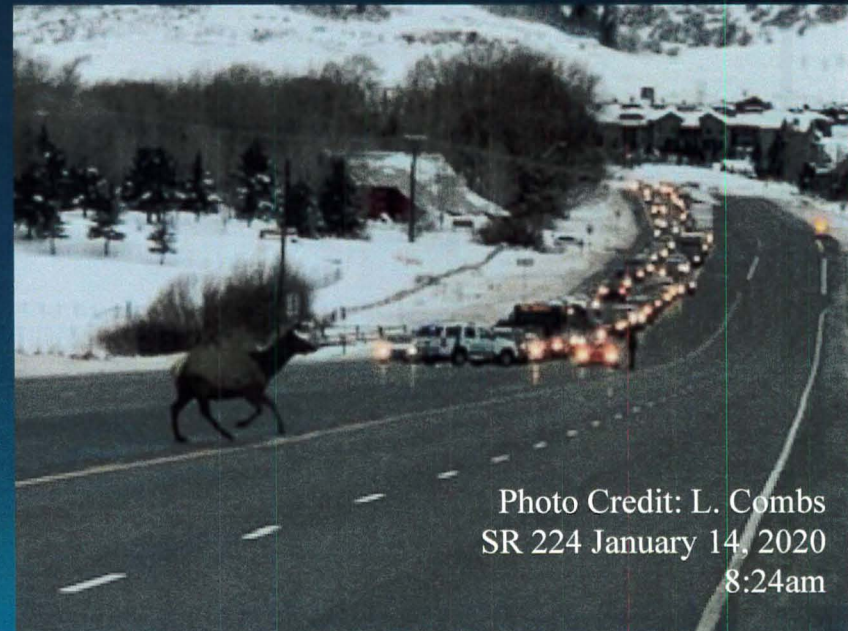
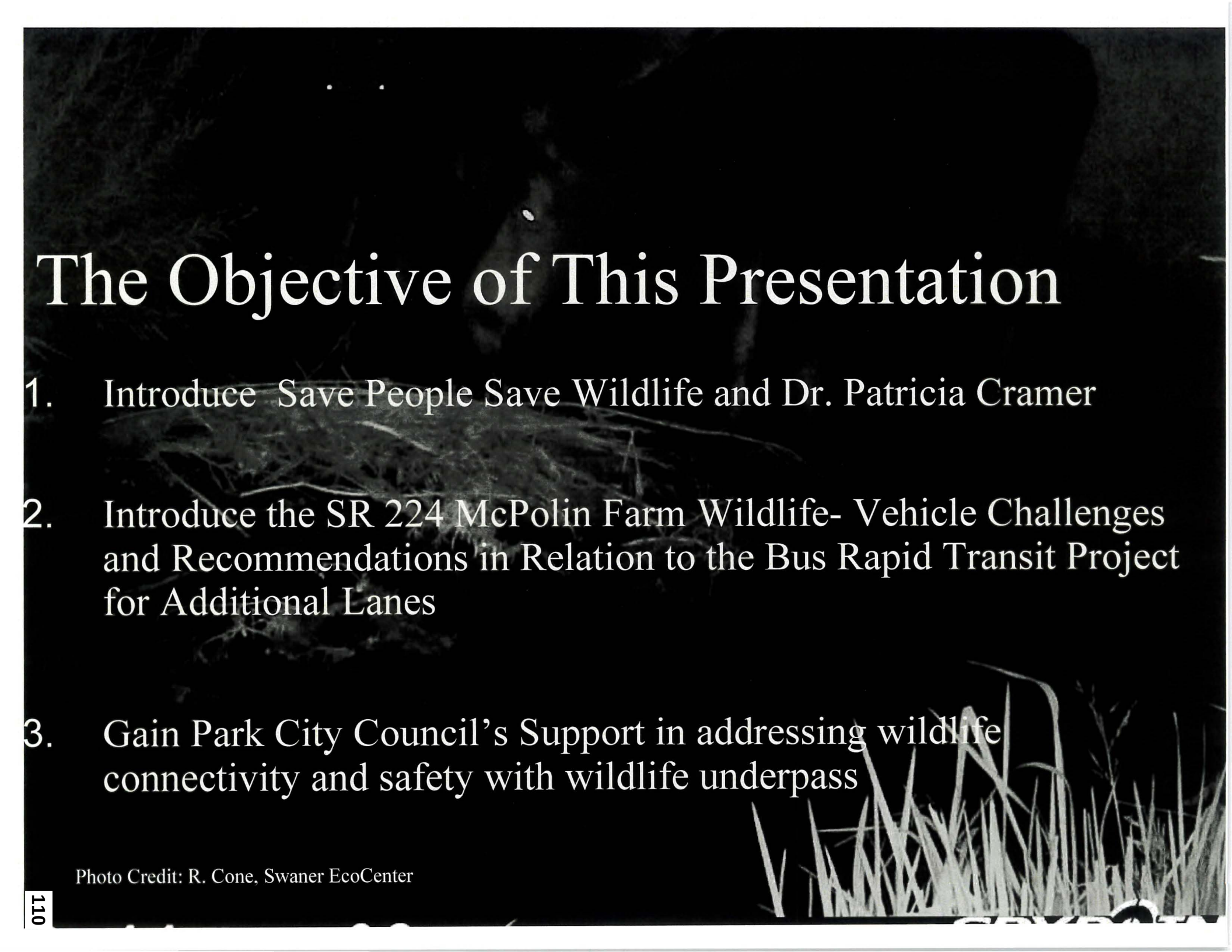


Photo Credit: L. Combs
SR 224 January 14, 2020
8:24am



The Objective of This Presentation

1. Introduce Save People Save Wildlife and Dr. Patricia Cramer
2. Introduce the SR 224 McPolin Farm Wildlife- Vehicle Challenges and Recommendations in Relation to the Bus Rapid Transit Project for Additional Lanes
3. Gain Park City Council's Support in addressing wildlife connectivity and safety with wildlife underpass

Photo Credit: R. Cone, Swaner EcoCenter

Save People Save Wildlife

Mission Statement

Reduce or eliminate wildlife-vehicle collisions

Savepeoplesavewildlife.org



Accomplishments

I-80 Overpass at Parley's Summit in working with UDOT

I-80 Wildlife Exclusion Fence, escape ramps, cattle guards

Summit County and General Obligation Bond for open space
includes wildlife mitigation measures

Working Partners

Local Community

UDOT UDWR Summit County Council

Swaner Preserve / Utah State University

Utah Wildlife Connectivity Group

Dr. Patricia Cramer

National Leader in Transportation and Wildlife

- UDOT's Trailblazer Award for Excellence in Research
- Three FHWA Environmental Excellence Awards
- Denver Zoo Conservationist of the Year Award
- Utah Wildlife Society Award of Merit
- FHWA – 12 DOTs – National Manual on Wildlife /Transportation
- Worked for 14 state DOT's, FHWA, and Nat'l Academies

Wildlife Crossing Structures in Utah: Determining the Best Designs

Prepared for
Utah Division of Wildlife Resources

Submitted by

Report No. UT-17.15

TESTING NEW TECHNOLOGY TO RESTRICT WILDLIFE ACCESS TO HIGHWAYS: PHASE 1

Report No. UT-17.16

US 191 Monticello Wildlife Crossing Structure and Double Cattle Guard
Monitoring Project

Final Report

Submitted to Utah Department of Transportation, Region 4

US 189 Wildlife Crossing Structures and Escape Ramps Monitoring
Final Report

Submitted to Utah Department of Transportation

By

Patricia Cramer, PhD

Report No. UT-19.19

Report No. UT-19.27

IDENTIFICATION OF WILDLIFE-VEHICLE CONFLICT HOTSPOTS IN UTAH

Prepared For:

Utah Department of Transportation
Research & Innovation Division

Final Report
December 2019

UtahState
University

USGS
science for a changing world

UTDOT
CONNECTING COMMUNITIES

UTAH DIVISION OF
Wildlife Resources

MONTANA
MDT
DEPARTMENT OF TRANSPORTATION

IDAHO
TRANSPORTATION DEPARTMENT

100 YEARS
NEVADA
DOT
SAFE AND CONNECTED

U.S. Department of Transportation
Federal Highway
Administration

New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

NEW MEXICO
GAME & FISH

Washington State
Department of Transportation

COLORADO
Department of Transportation

ADOT

TEXAS DEPARTMENT OF TRANSPORTATION

DOT
Connecting South Dakota and the Nation

COLORADO
PARKS • WILDLIFE

Oregon
Department
of Transportation

www.wildlifeconnectivity.org

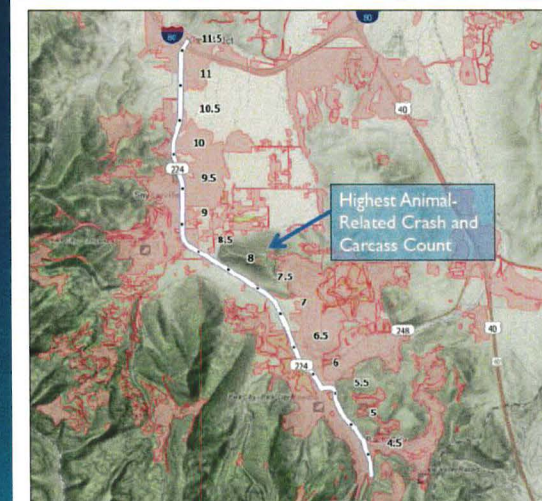
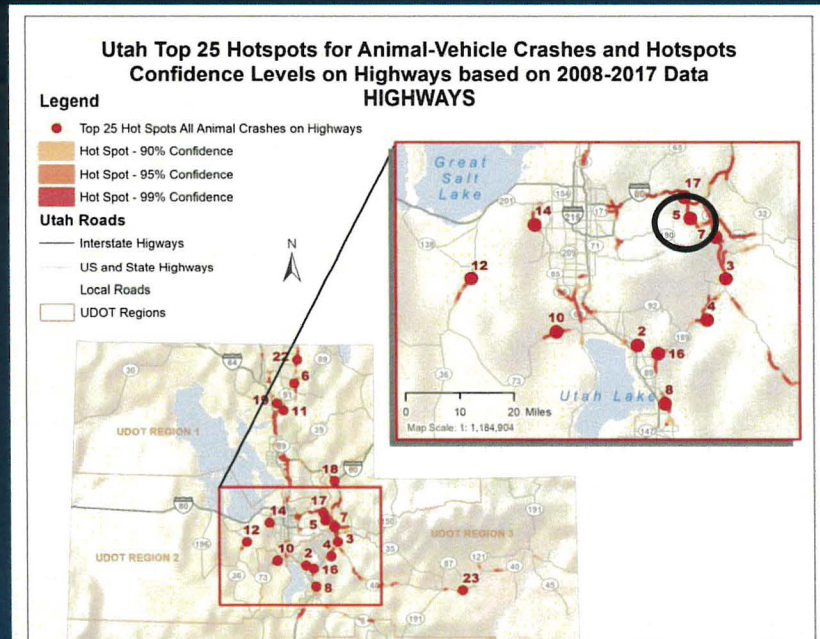
RESEARCH

Wildlife And Roads Challenges in Park City

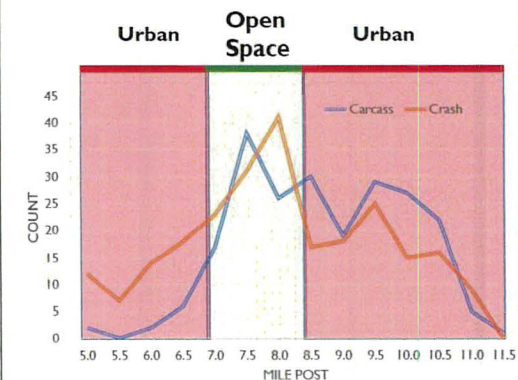
SR 224 is the Number 5 Hotspot for Wildlife-Vehicle Crashes in Utah based on crashes / mile / year
(Cramer et al. 2019)

Kimball Junction to Kearns Blvd, 6 miles, there are 2.97 reported crashes per mile per year, = 17.8 crashes with wildlife in this stretch per year

SR 224 MP 7-8 (McPolin Farm) has the highest number of crashes with wildlife and collected carcasses on SR 224.
Data from BioWest-UDOT report, below 2010-2020



- The highest incidence of animal-related crashes and carcass collection occur within the open area stretch of SR-224 between MP 7 and MP 8.5.



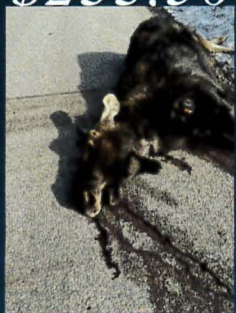
Wildlife-Vehicle Crashes at McPolin Farm

From 2010-2020 on SR 224 from MP 7-8 there were **95 Reported Crashes with Wildlife.**

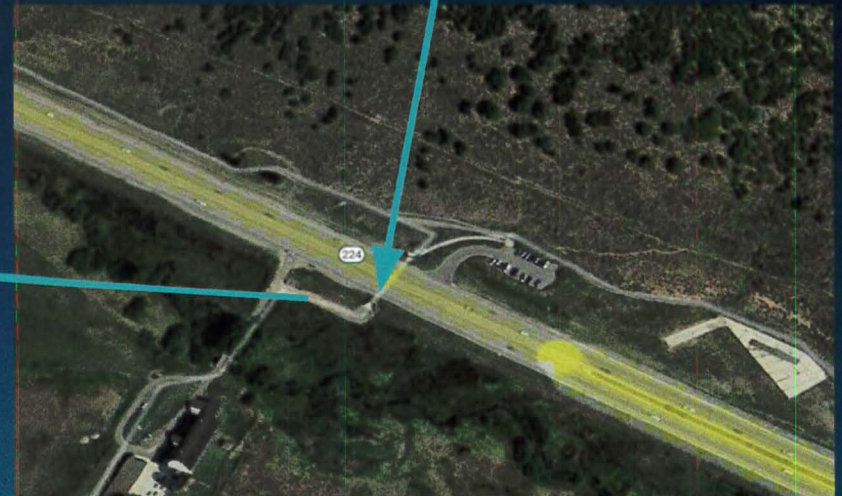
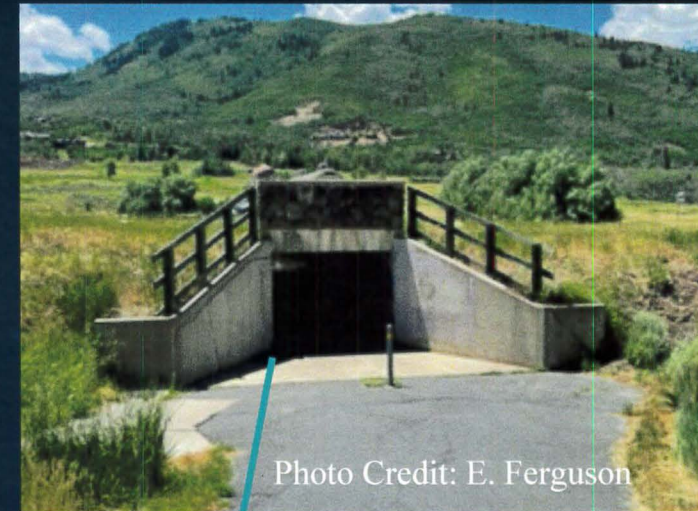
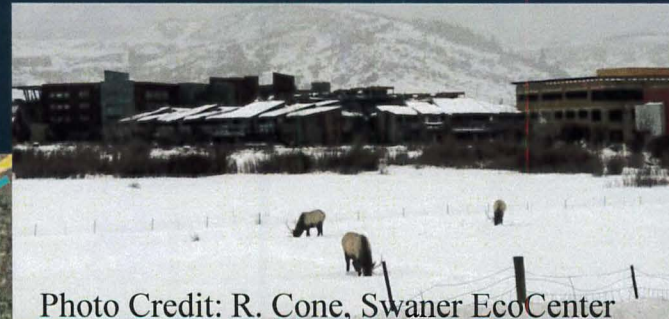
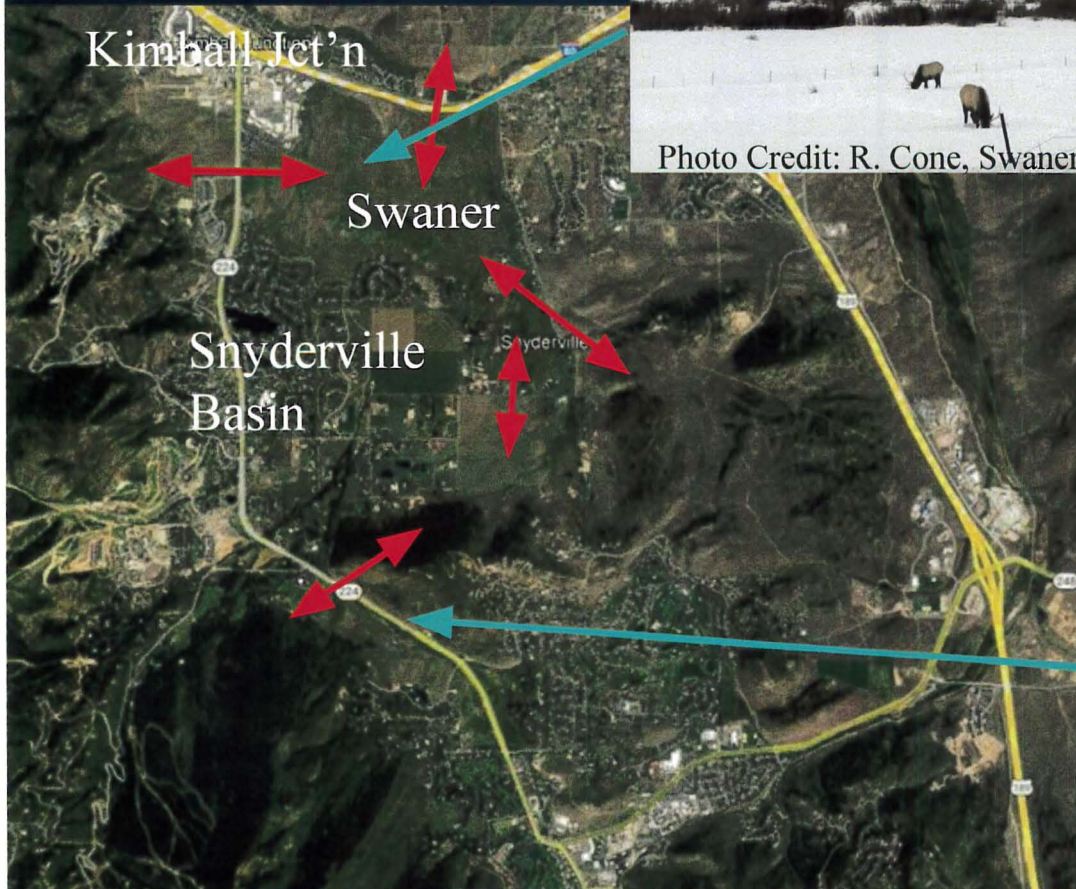
Biowest-UDOT report 2022

The cost to society for these crashes ranges from a minimum \$1.1 million to \$3.4 million and more

Using UDOT crash cost values, and 1st assumed all 95 crashes were Property Damage Only, 2nd assumed there were 5 injury crashes and 90 PDO crashes. PDO crash = \$12,300, Injury = \$233,500



Why SR 224 at MP 7.6 is Important



Annual Average Daily Traffic is ~ 30,000 – Close to impermeable for wildlife. It will increase in the future.

Successful Solutions in Other Places

Wildlife underpass structures with wildlife exclusion fence



Photo Credit: Colorado DOT, CO Parks and Wildlife, Eco-resolutions

Elk used a SR 9 underpass in Colorado

Jackson, WY & Teton Co. Plans for Underpass WY 22

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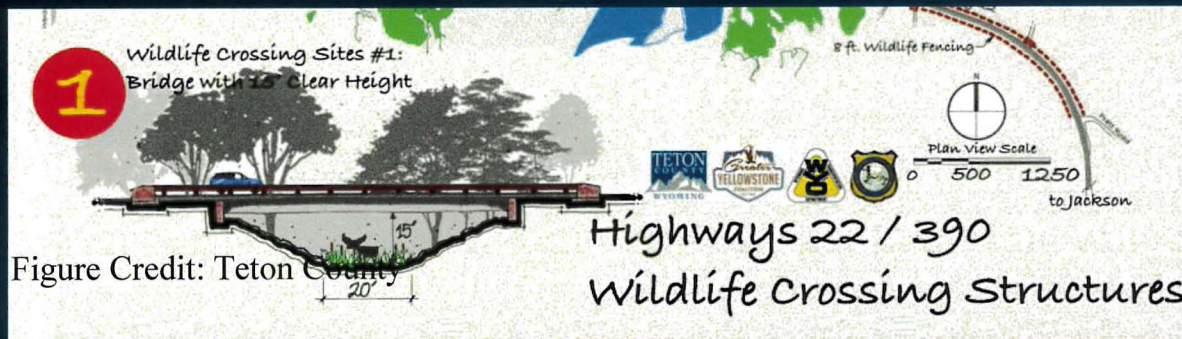


Figure Credit: Teton County

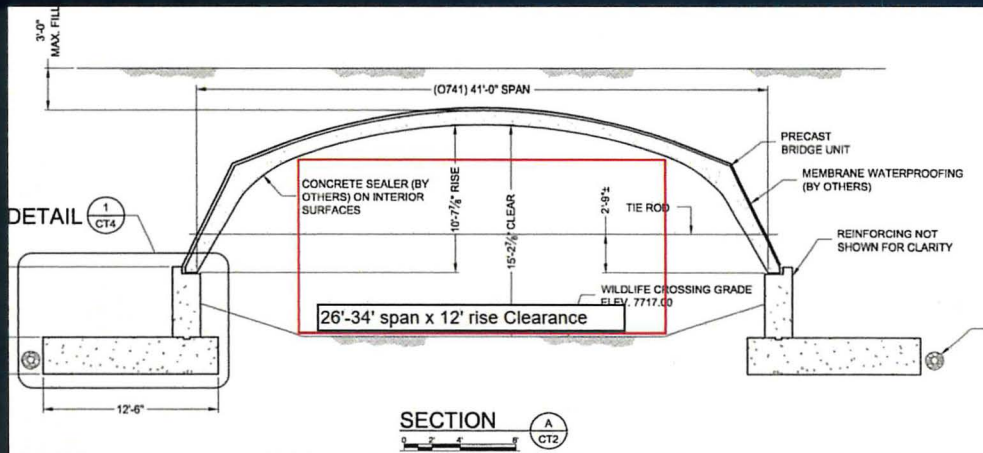
Mule Deer & Javelina use a Tucson & Pima Co. Wildlife Underpass SR 77



Photo Credit: Arizona Game and Fish Dept., SR77 TFA1

Specific Solution for SR 224

Potential structure: A Pair of Contech's Conspan Arches



Approximately 2 miles of wildlife fence in each direction from MP 7.6 where structure could be placed

Potential Costs of Structure and Other Mitigation

Pair of wildlife crossing structures and 4 miles of fence would cost about \$4 million

\$4 million is ~5% of the total cost of the BRT Project

To secure outside funding:

- Bipartisan Infrastructure Law
- HSIP Safety Funds
- County, Agencies, Partners

CONTECH
ENGINEERED SOLUTIONS

Contech Engineered Solutions I.L.
9025 Centre Pointe Drive, Suite 40
West Chester, OH 45069
Phone: (513) 645-7000
Fax: (513) 645-7099
www.conteches.com

August 30 2022

Patricia Craemer
craemwildlife@gmail.com
(435)764-1995

Project: Park City Wildlife Underpass, Conspan O Series, Park City, UT

The following is a CON/SPAN O-Series Bridge System ENGINEER'S COST ESTIMATE for Conspan O Series. This ESTIMATE is intended for preliminary estimating purposes only and should not be interpreted as a final QUOTATION. The information presented is based on the most current data made available to CONTECH.

CONTECH will fabricate and deliver the following described CON/SPAN O-Series Bridge components and appurtenances:

DESCRIPTION OF SUPPLIED MATERIALS:

- 54 L.F. of 37'-0" FT. span x 12'-6" FT. rise CON/SPAN O-Series Bridge Precast Concrete units (6 FT. Typical Lay Length)
- 2 precast headwalls
- 4 precast wingwalls with mounting hardware (10' long)
- Joint sealant material
- Masonite shims
- Filter fabric and perforated drain tile
- On-site consultation during installation

ESTIMATE - \$309,875 Delivered (F.O.B.)



Requested Actions from Park City

Save People Save Wildlife requests Park City to collaborate with regional partners on a wildlife crossing structure on SR 224 at McPolin Farm

Commit to ensure inclusion of wildlife mitigation measures as part of the Bus Rapid Transit (BRT) Project to increase motorist safety by reducing wildlife-vehicle collisions and promote wildlife connectivity



October 6, 2022

Save People Save Wildlife
List of Board Members

Ralph Hottinger, President

Lorelei Combs, Vice President

Erin Ferguson, Secretary

Tom Farkas, Treasurer

www.savepeoplesavewildlife.org

savepeoplesavewildlife@gmail.com

Save People Save Wildlife is a 501(c)(3) - Tax ID 81-1361876

SUNDANCE

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ACTION
TODAY!**

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Savepeoplesavewildlife.org

***Keep our wildlife in the
wild and off our roads!***

**IT IS CRITICAL THAT TOGETHER WE
PREVENT WILDLIFE-VEHICLE COLLISIONS
BY
BUILDING WILDLIFE FENCING**

**PLEASE DONATE TODAY AT
SAVEPEOPLESAREWILDLIFE.ORG
501 (C) 3 Tax ID 81-1361876**



****Our local highways leading into Park
City, SR 224 and SR 248,
have been identified as
the 5th highest
wildlife-vehicle collision crash spot in
Utah***



Park City wildlife carnage: After an elk collision, a roadside dismemberment

News [FOLLOW NEWS](#) | January 19, 2019



Jay Hamburger [FOLLOW](#)
citynews@parkrecord.com



Troy Horman, a plumber who lives in Wanship, loads an elk carcass into a truck along S.R. 224 close to the McPolin Farm on a recent day. The elk was killed in a collision with a driver. Horman says an elk carcass provides meat for human consumption, dog food and hides that can be tanned and used. (Jay Hamburger/Park Record)

The afternoon of New Year's Day is spectacular in Park City with bluebird conditions for the crowds that arrived for holiday skiing vacations. The roads are dry and traffic is moving without issue on the S.R. 224 entryway even with the community packed.

As drivers head in and out of Park City on the state highway, passing the McPolin Farm, only some likely notice two men on the side of the road. The men are studying the carcass of a large elk. The animal was a victim of a collision with a vehicle. Another elk carcass, also a collision victim, is almost directly across S.R. 224 from the one Troy Horman, a plumber from Wanship, and the other man, who declines to be identified, are preparing to remove.

The carnage belies the holiday spirit that has swept through Park City with fine early-season skiing conditions for Parkites and the visitors. Elk are one of the grandest animals that inhabit the area's sliver of the Wasatch Mountains, and sightings are memorable. They are larger than deer, more agile than moose. They also seem to be elusive at many times even as people in Park City report sightings of deer and moose.

The two men, gloved and dressed in gear designed for the outdoors, approach the first carcass. Horman lifts the head while the other man grabs the legs. They drag the carcass toward Horman's truck, which is outfitted with a hand-cranked winch system designed to load and unload plumbing equipment. The winch can be used to recover roadkill like the elk as well.

It is clear the animal is too tall to fit in the bed of the truck. Horman grabs a battery-powered saw. The whirring sound of the saw starts as Horman leans over the carcass. He moves the blade toward the joint in one of the animal's front legs. It takes less than 10 seconds for him to cut through the flesh and bone as the bottom part of the leg comes off. Horman sets the detached leg aside. It

The deaths of the two elk on S.R. 224 are evidence of the danger — for people and the animals — that has mounted for decades on Park City-area roads. As the population of the Park City area boomed starting in the 1990s, development overtook wildlife habitat, from Summit Park to the upper elevations of Deer Valley to Quinn's Junction. And roads were built or expanded, notably S.R. 224 between Kimball Junction and the Park City limits, creating what activists see as a hazardous situation for drivers and the wildlife that often ends with the near-immediate death of an animal in a collision or injuries that are so bad they must be put down when the authorities arrive.

"We were just heartbroken it would go to waste. It's a bad thing to begin with. Nobody wins. The animal's dead. People are out of a car," Horman later said.

An especially grim sight

The S.R. 224 corridor, the primary route into and out of Park City from the Salt Lake Valley, passes heavily developed Kimball Junction and then moves through the population center of Summit County in the Snyderville Basin before reaching the bucolic McPolin Farm. The farm, a swath of open space acquired by City Hall in the 1990s in an effort to protect the entryway from what many contend is a haphazard development pattern at Kimball Junction, has long been one of the places in Park City where wildlife sightings are frequently reported. Motorists, hikers, bicyclists and cross-country skiers may see moose, elk or deer against the picturesque mountain backdrop.

The drivers and the recreation lovers also may notice the roadkill along the state highway. Carcasses are seen on a reasonably frequent basis between Kimball Junction and Park City. It always seems to be an especially grim sight when a carcass is spotted on the stretch of S.R. 224 outside the McPolin Farm. The property, decades ago, was a dairy farm. It was a place where cattle safely grazed without risk from automobiles.

The land remains attractive to the wildlife even with the recreation activity and the nearby highway. A moose sighting may be reported to the police as the animal appears to be readying to cross S.R. 224 toward the farm, or a deer may be preparing to attempt the same hazardous crossing on its way to the open space.

According to the Utah Department of Transportation, crews in 2018 responded to 46 collisions between drivers and wildlife on the stretch of S.R. 224 between Kimball Junction and the intersection with S.R. 248, a section of road that includes the portion outside the McPolin Farm as well as the route through the Snyderville Basin. Of the 46 collisions that involved a UDOT response, 42 were between a driver and a deer. Elk were hit in two of the collisions while drivers ran into moose in the other two cases, the statistics show. The numbers along the S.R. 224 entryway far exceeded those on the S.R. 248 corridor between the U.S. 40 interchange and the intersection with S.R. 224. Ten collisions, all involving deer, were reported on the S.R. 248 corridor during the same period. The entryway numbers do not include animals that were hit by a driver and survived or were hit, ambled away and later died from the injuries.

There has not been widespread discussion about the prospects of installing S.R. 224 safety measures that would be designed to reduce the number of collisions. City Hall staffers expect to request funding in the next municipal budget for a study of wildlife migration patterns and options to connect habitat. Park City officials in the spring of 2017, meanwhile, received a request through a neighborhood traffic program for a wildlife crossing on S.R. 224. The request remains under evaluation.

State transportation officials in December opened a wildlife bridge spanning Interstate 80 in the Snyderville Basin. It is meant to shrink the number of accidents involving animals on the busy route between the Park City area and the Salt Lake Valley. The project also includes three miles of fences on both sides of the interstate intended to guide the animals toward the bridge. Even as officials monitor the results of the wildlife bridge on the interstate, it seems unlikely there will be an imminent move toward similar measures along S.R. 224. The traffic is not as heavy and the state highway's footprint — essentially the distance that an animal must travel to cross the road — is not as wide as that of the interstate.

Jay Randall, a Park City Police Department sergeant, sees S.R. 224 as the most hazardous of the roads inside the city limits for wildlife. The speed limit of 45 mph, rising to 55 mph as the road passes the McPolin Farm, is one of the factors leading to his assessment. The four-lane width and the increase in traffic over the years are others. He also said a stream on the edge of the McPolin Farm acreage, close to the state highway, draws wildlife to drink in close proximity to the road.

The Police Department and the Utah Highway Patrol share jurisdiction along the stretch of S.R. 224 inside the Park City limits, and it is the Police Department that is oftentimes the responding agency when a collision with wildlife is reported. The officers evaluate the people in the vehicles, assess the damage and control the traffic as other drivers pass the scene. They also must address the animals. The wildlife killed on impact needs to be moved out of the roadway. The animals that survive but are badly injured are put down at the scene, a task that an officer carries out as part of the police duties.

In his seven years with the agency, Randall said, he has put down approximately 80 animals after collisions with vehicles across the city. They were mostly deer. Others were elk, rabbits or porcupines. An officer checks whether an animal is mobile after a collision.

"Most officers feel the same as the general public. We don't enjoy putting it down," Randall said.

Roses of respect

Horman and the other man on S.R. 224 on New Year's Day move the elk carcass into a position where it can be loaded more easily into the truck. Horman is a big-game hunter and once was a meat cutter in high school. He is accustomed to handling the carcass of an elk or deer. The winch system is attached to the neck and the carcass is put on a ramp from the ground to the truck bed. The winch makes a clicking noise as the animal is slowly pulled toward the truck bed.

"No matter how ugly it is, it is so much easier than any other choice," Horman says as the head of the carcass reaches the truck bed.

Horman's truck is just feet away from a sign cautioning drivers of frequent wildlife crossings for the next two miles, an inbound stretch of S.R. 224 that passes the rest of the land of the McPolin Farm and then the Richards Ranch, another tract of open space owned by City Hall.

State law forbids someone from taking roadkill carcasses of protected species like deer, elk, moose and mountain lions without the proper permit. The person with Horman obtained permits from the state Division of Wildlife Resources to collect a carcass. Colloquially referred to as salvage tags and officially known as donation slips, they allow someone to take possession of a roadkill carcass. The Division of Wildlife Resources sends a representative to the scene to issue the donation slips. The other person receives approval for the elk that is already in the truck and for the carcass across the state highway.

The elk killed along S.R. 224 around New Year's were both cows, probably 2 or 3 years old. Horman considers them to be medium in size. He was told the elk were both hit at between 7 a.m. and 10 a.m. on New Year's Day. The drivers apparently left without police action, he says. Someone stopped prior to his arrival, though, to place roses on the midsection of each of the carcasses, a touch of respect for the dead animals. The roses hardly disguise the violent death the animals suffered and, from afar, could be mistaken for blood.

The elk carcasses are butchered just hours after Horman collects them. He says the two elk, combined, produced approximately 350 pounds of meat for human consumption. Another 100 pounds could be turned into food for dogs, he says. He plans to distribute the meat to friends and family members. The meat can be served as a steak or a roast, or it could be ground into sausage. Horman prefers elk over beef, saying it is leaner and healthier than meat from a cow.

Horman said later other parts of the elk also can be used, describing that the hides may be tanned and made into purses. The hair is good for creating fly-fishing ties. Bones become broth ingredients or are given to dogs. He said he attempts to "use every bit of the animal we can."

"That gives a little sunshine to an otherwise tragic situation," he said, adding, "It makes use of something that would otherwise go to waste."

Read on: [Park City drivers: Brake, but do not swerve, to avoid wildlife](#)

Support Local Journalism

Readers around Park City and Summit County make the Park Record's work possible. Your financial contribution supports our efforts to deliver quality, locally relevant journalism.

Now more than ever, your support is critical to help us keep our community informed about the evolving coronavirus pandemic and the impact it is having locally. Every contribution, however large or small, will make a difference.

Each donation will be used exclusively for the development and creation of increased news coverage.

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Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Executive

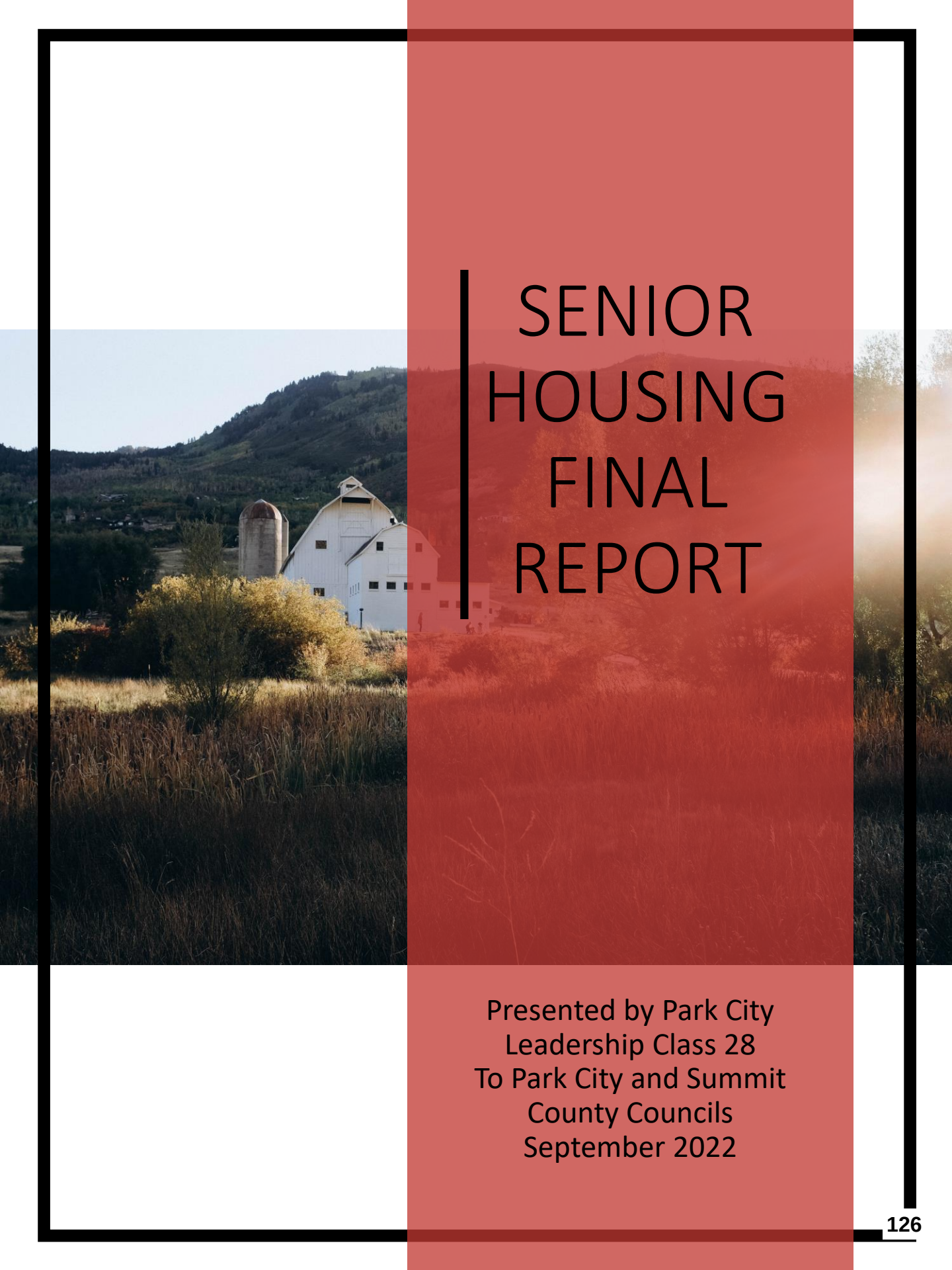
Item Type: Staff Report

Agenda Section: WORK SESSION

Subject:

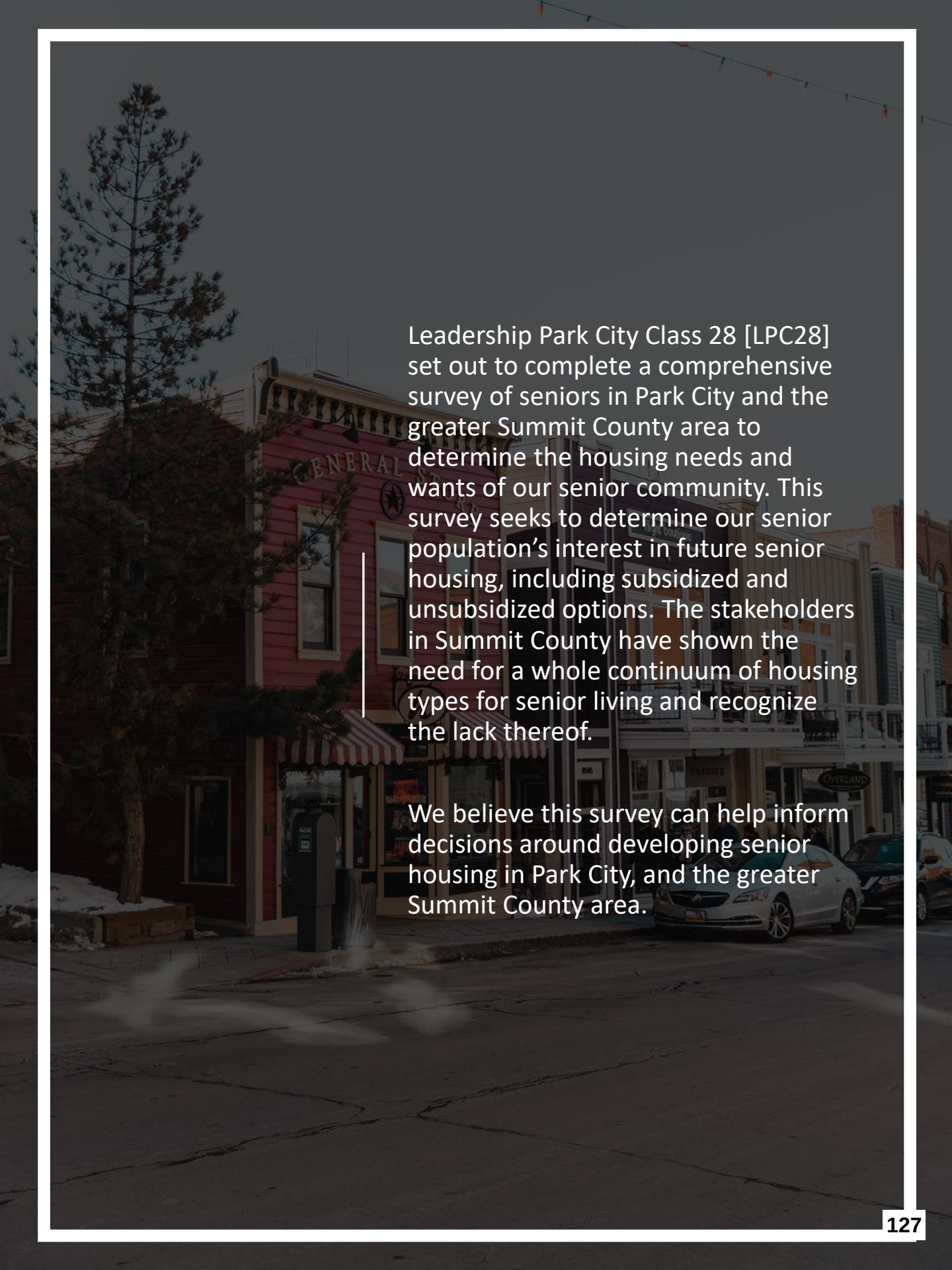
5:45 p.m. - Break

Suggested Action:**Attachments:**



SENIOR HOUSING FINAL REPORT

Presented by Park City
Leadership Class 28
To Park City and Summit
County Councils
September 2022



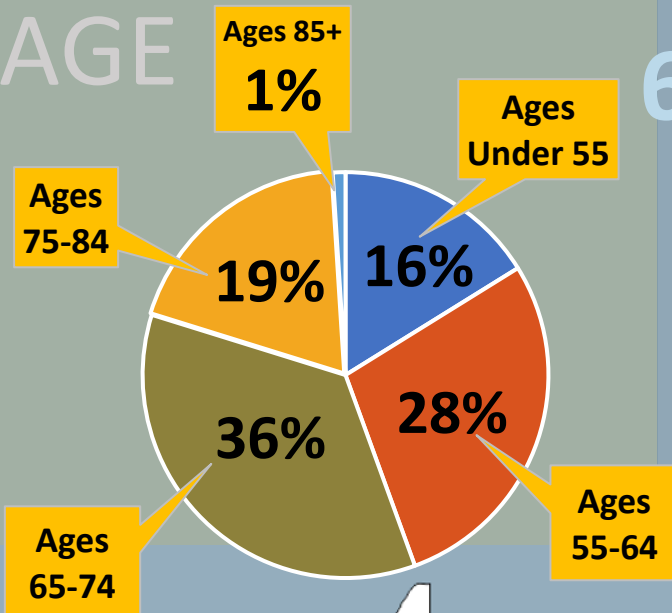
Leadership Park City Class 28 [LPC28] set out to complete a comprehensive survey of seniors in Park City and the greater Summit County area to determine the housing needs and wants of our senior community. This survey seeks to determine our senior population's interest in future senior housing, including subsidized and unsubsidized options. The stakeholders in Summit County have shown the need for a whole continuum of housing types for senior living and recognize the lack thereof.

We believe this survey can help inform decisions around developing senior housing in Park City, and the greater Summit County area.

457 Total Participants

A survey was carefully developed by our leadership class, offered to, and taken by over 450 seniors in our community, as confidential data collection on the needs and wants of this population. The data collected includes information that LPC28 deemed relevant to making any decisions on senior housing needs in our area. Surveys were administered both digitally and manually.

AGE



Gender

63%

Female: 287

.7%

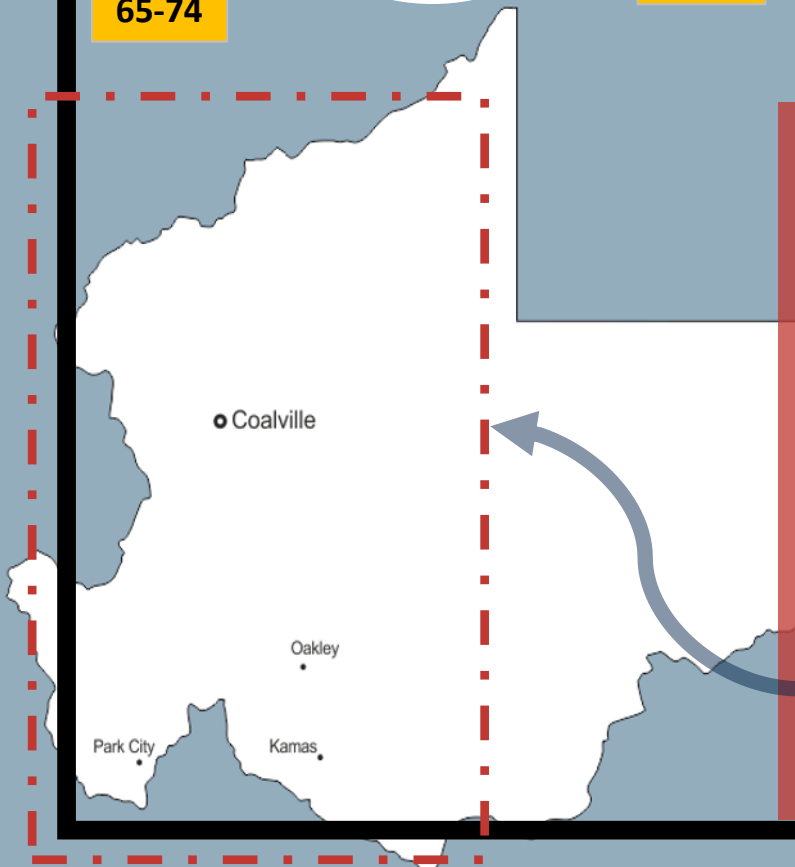
Non-Binary: 3

36%

Male: 165

Location

87% of the participants are full time residents.
80% of participants live in 84060 or 84098, along with respondents from Coalville/Wanship, Kamas, Oakley, Peoa, Echo, and Henefer.



457 Total Participants

Living Situation



24% Of Respondents Live Alone.



58% Live with a 2nd Person.



88% Own Their Own Home.

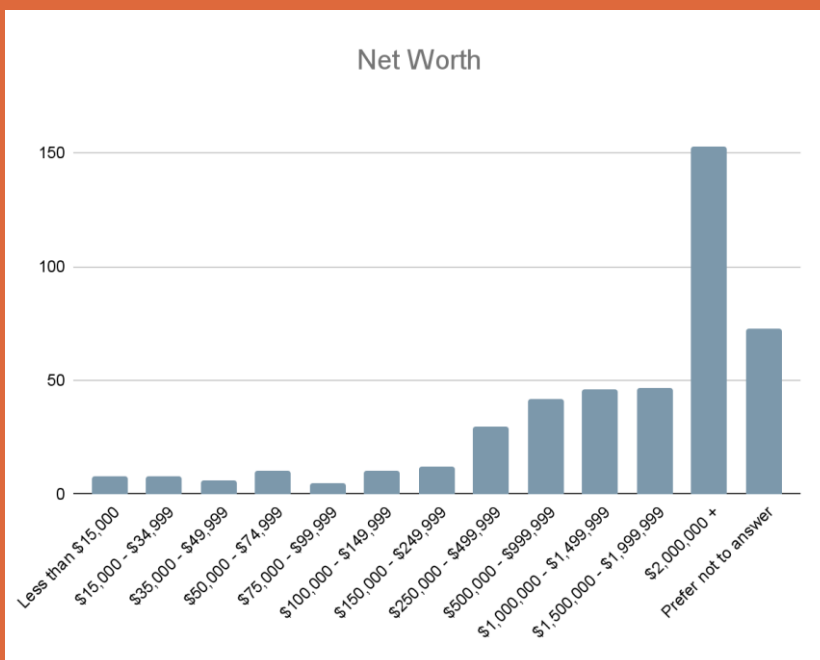


46% Are Currently Retired.



21% Plan to Retire in Summit County.

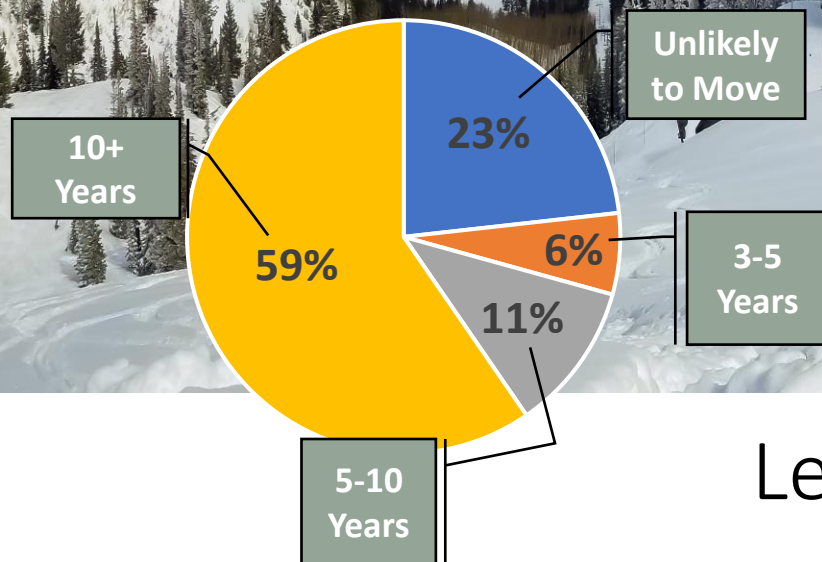
Net-worth



Income levels varied from under \$20k, to over \$200k. 34% reported their **net worth** at over \$2 million (this would include home values), although the remainder reported their net worth ranging from less than \$15,000 and up.

Income Levels

How Soon do you Feel You Will Need To Move To A Senior Living Facility?



Level Of Care

Our seniors share a common desire to stay at home, and believe it was somewhat or highly likely that they would. However, the survey indicates that most participants feel it is somewhat likely that they would need or want some kind of assisted independent living with services available for support sometime in the future. They also expressed the desire for a continuing care retirement community (CCRC) that provides multiple levels of care on a single campus, integrating independent living, nursing support, and memory care. There was no preference for mixed-age vs. all senior housing options.

Notably, the survey indicates that over half of the respondents (59%) expressed that they would need/want to move into a senior housing facility in ten or more years. **Eighty-three participants (18%) would want to move into a senior facility in 0-10 years**, and 22% feel they would be unlikely to move out of their homes. Whereas 31% of the participants are able to pay for private assistance in their homes, the other **43% expressed the need and/or desire to have a senior living facility available to them (see graph on next page)**. This is a strong indicator of the need for senior housing options in the near future.

Amenities

If our survey participants were to move to a senior living center, they overwhelmingly expressed an interest in the following amenities:

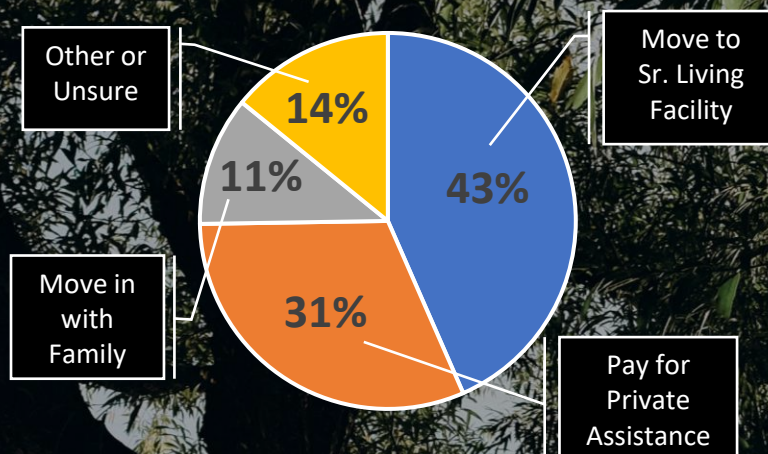
On Site Amenities:

- Security
- Parking
- Predictable Costs
- Community Center Access
- Onsite Dining
- Financial Assistance (when needed)
- Access to Medical Services
- Pet Friendly

Additional amenities favored:

Fitness facility, Away from Tourist Traffic and crowds, transportation to airport and housekeeping.

When you and/or your partner can no longer live independently, will you...

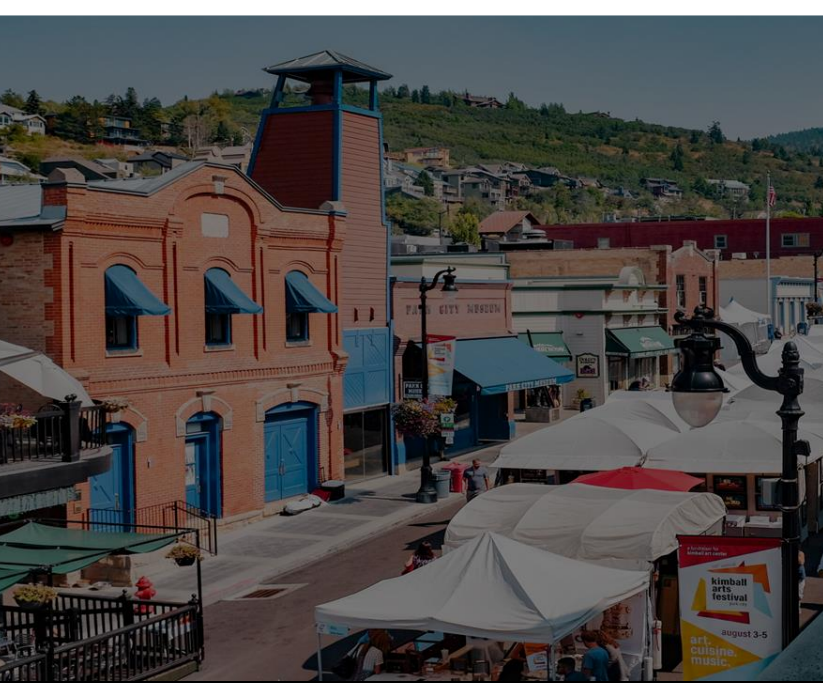


Off Site Amenities:

- Art (studio or creative space)
- Access to Restaurants
- Access to the Library
- Access to Public Transportation
- Access to Grocery

One participant commented:

"I want to be able to enjoy as much of my current lifestyle as possible even if I may need some assistance to do so."



See
survey
results
[Here](#)

Summary of Survey

- Park City seniors are a varied group with many needs and interests relating to their future housing. This survey indicates and supports the very real need for more senior housing options in Summit County with a variety of services.
- **The results of this survey show that our seniors desire to stay in the Park City area as they age;** 93% reported as such, and with 14% of our population being seniors, it will be necessary to provide housing to accommodate the varying needs of this community here. We, Leadership Class 28, and the residents who live here, recognize and believe it is our duty as a community to provide housing options for our senior population.
- In Summit County there are only two options for senior care and housing that could be identified. Elk Meadows in Oakley, with 50 beds, is an assisted living and memory care facility, and Beehive Homes in Park City (241 Highland Dr.), with 16 assisted living apartments.

MEETING WITH CITY AND COUNTY OFFICIALS

Wednesday, August 31, 2022

A meeting was held with representatives from Park City and Summit County governments, the Blue-Ribbon senior housing panel, Leadership Class 28 and Jess Giuffre and Ben Casiano of Northwest Real Estate Capital Corporation (developers), at the City Hall Executive Conference Room. A total of 15 people were in attendance. The purpose was to open a dialog between these groups to discuss the need for and explore the idea of building senior housing in the local area.

There are several significant steps toward potential senior housing projects already in play in both the county and city, and our survey results will be an excellent guide in determining what our seniors are looking for in housing as they begin their next phase of life. To this: There are several significant steps toward potential senior housing projects already in play in both the county and city. Our survey results will be an excellent guide in determining what our seniors are looking for in housing as they begin their next phase of life. The developers (NRECC) were well versed in providing guidance, funding, architectural assistance, relationships with state and federal governments, and were very helpful in showing us recent projects they have completed, or are working on, in the western region. These developers are based out of Boise, Idaho, and while on our city tour in May, LPC28 was able to see two projects that they helped develop and build.

A Recent NRCC Project - 9.6 Million Project Cost **Valor Pointe - Boise** - Fully occupied since opening.

- 27 units for homeless vets
- 30% AMI (area median income)
- Typical rooms: 1 bedroom with 660 Sq. feet
- Includes laundry, fitness center, community space, full kitchen with tables and couch, and resident services.
- Includes a PA (physician assistant) space for doing vitals, drawing blood, etc.



Possible Funding Sources



Example of Valor Point Funding Sources:

- City of Boise: \$1.5M, Fee Waivers
- IHFA: \$467k LIHTC
- BCACHA: 20 Year Rental Assistance Contract
- US Bank: \$4.4 Million Equity, Construction Loan
- Home Partnership Foundation: \$236k
- Wells Fargo Bank: \$125k Grants
- Boise VAMC: Supportive Services
- NWRECC: Deferred Developer Fee

The federal government issues tax credits to state governments, whose housing agencies then award the credits to private developers of affordable housing projects through a competitive process. Developers generally sell the credits to private investors to obtain funding. There are two major differences between the 9% and 4% credit. The 9% tends to generate around 70% of a development's equity while a 4% tax credit will generate around 30% of a development's equity and they are primarily for those projects seeking financing through tax-exempt private activity bonds.

RECOMMENDATIONS FOR CITY AND COUNTY COUNCILS

#1

Encourage City and County leaders to review the 2022 Senior Housing Survey to better determine the types of senior housing that residents desire.

#2

Create a city/county joint housing authority whose mission is to assure we provide stable, affordable, and quality housing for seniors throughout the local community. (example Boise, ID)

#3

Park City Council proceed expeditiously on Woodside 2 project, with an emphasis on maximizing density. Goal for Woodside 2 to be occupied in 3-5 years and it should include a new Senior Citizen center.

#4

Summit County facilitate the building of a CCRC (Continuing Care Retirement Community) facility on the Gillmor property within the next 5-7 years.

#5

Explore updates to Park City and Summit county Land Management Codes that allow certain types of senior housing options as 'Allowed Uses' in as many zones as deemed appropriate as an incentive for developers.

#6

Park City and Summit County require a certain percentage of all new residential (including mixed-use) development include a set percentage for SENIOR housing (similar to the affordable housing requirements for all new development).

#7

Park City and Summit County partner with experienced Senior Housing non-profit developers who has a track record of building sustainable financial projects with support from private sector banks and the HUD Housing Voucher program.



Leadership Park City Class 28 [LPC28]
thanks all the Summit County citizens who
volunteered to participate in this survey.
We would also like to extend our gratitude
to the Park City Council as well as the
Summit County Officials for their time and
effort, expanding the opportunities that
support senior living in our area.

Photos Credits -

White Barn, PC Museum, Main Street: Olivia Hutcherson

General Store Main Street: Spencer Davis

Gondola: Mollie Moran

Top of McConkey's - Matt Omman

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Resolution

Agenda Section: RESOLUTIONS

Subject:

Consideration to Adopt Resolution 2022-19, a Resolution Recognizing October 2022 as Domestic Violence Awareness Month in Park City

(A) Public Input (B) Action

Suggested Action:

Attachments:

[Domestic Violence Awareness Month Staff Report](#)

[Exhibit A: Domestic Violence Awareness Month Resolution](#)



City Council Staff Report

Subject: Domestic Violence Awareness Month

Author: Michelle Kellogg

Department: Executive

Date: October 6, 2022

Type of Item: Legislative

Summary Recommendation

Approve the proposed resolution proclaiming October 2022 as Domestic Violence Awareness Month in Park City. Peace House empowers, educates, supports, and shelters victims of family violence and abuse. The Peace House provides a continuum of care for victims and their children to seek safety and work toward healing and independence. Peace House provides life-saving and life-changing support, helping those affected by abuse not only survive, but truly thrive. Peace House is proud to serve Summit and Wasatch counties for 26 years.

The Opportunity

Domestic violence does not discriminate. It touches all communities regardless of age, race, disability, gender identity or socioeconomic status. Last year, Peace House provided services and support to 151 Park City residents affected by domestic violence, including emergency shelter, transitional housing, therapy, case management, and legal advocacy.

Research shows that by creating communities where people are connected, supportive and care for one another, there are fewer incidents of domestic violence. Supporting Domestic Violence Awareness Month could help increase awareness of services for domestic violence victims, including therapeutic, legal, educational, housing, advocacy, and medical services, and will also provide relevant community programming in Summit County.

Exhibit

A – Domestic Violence Resolution



Resolution 19-2022

A Resolution Recognizing October 2022 as Domestic Violence Awareness Month in Park City

Whereas, domestic violence remains a pervasive issue across Park City, Summit County, Utah, the United States, and the world with implications for personal and community health; and

Whereas, domestic violence does not discriminate, touching all communities regardless of age, race, disability, gender identity or socioeconomic status; and

Whereas, last year, Peace House provided services and support to 151 Park City residents affected by domestic violence including emergency shelter, transitional housing, therapy, case management and legal advocacy; and

Whereas, in Utah, 1 in 3 women and 1 in 4 men are physically abused by an intimate partner; and

Whereas, in Utah, 42% of adult homicides are domestic violence related; and

Whereas, considering medical expenses, lost productivity, legal costs, and property loss and damage, domestic violence costs victims nearly \$103,767 over their lifetime and collectively costs the United States \$3.6 trillion per year; and

Whereas, research shows that by creating communities where people are connected, supportive and care for one another, there are fewer incidents of domestic violence; and

Whereas, every day in Park City individuals and organizations play a part in supporting people impacted by domestic violence by providing services, including therapeutic, legal, educational, housing, advocacy, and medical services; and

NOW THEREFORE, Be It Resolved that the Park City Mayor and City Council on behalf of all residents of Park City do hereby proclaim October 2022 as Domestic Violence Awareness Month. We invite the community to take action by acknowledging the various community resources and activities that help shed light on this insidious epidemic that so many of our friends, families and community members experience. We ask everyone to be the light in dark times for those individuals by highlighting their strength, hope and resiliency. Together, we can make a difference in Park City and Summit County.

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

PARK CITY MUNICIPAL CORPORATION

Mayor Nann Worel

ATTEST:

Michelle Kellogg, City Recorder

APPROVED TO FORM:

Margaret Plane, City Attorney

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Resolution

Agenda Section: RESOLUTIONS

Subject:

Consideration to Adopt Resolution 18-2022, a Proclamation Recognizing the Sustainable Tourism Plan
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Sustainable Tourism Plan Staff Report](#)

[Exhibit A: Sustainable Tourism Plan Proclamation](#)

City Council Staff Report



Subject: Proclamation Recognizing a Sustainable Tourism Plan
Author: Michelle Downard
Department: Executive
Date: October 6, 2022
Type of Item: Legislative

Summary Recommendation

Consider a proclamation to recognize a [Sustainable Tourism Plan](#) developed by the Park City Chamber of Commerce, which considers community and environmental needs with economic benefits.

The Chambers Sustainable Tourism Plan helps respond to and support the City's desire to pivot from traditional tourism and marketing practices to incorporate management principles, balance quality of life impacts and visitor education.

Analysis

Developing a Sustainable Tourism Plan involved several steps, including a Global Sustainable Tourism Council Assessment, stakeholder (public) engagement surveys and interviews, and establishing a Stewardship Council. The effort identified stewardship principles and objectives of the Sustainable Tourism Plan.

On [September 27, 2022](#), the Sustainable Tourism Plan was presented and discussed at the Joint Park City and Summit County Council Meeting. It was pointed out that the Sustainable Tourism Plan is a community-wide plan with many partners and collaborators leading and supporting the initiatives of the Plan. Both Council's provided feedback regarding opportunities for the community to provide ongoing feedback and a desire to include more diverse voices. There was also considerable discussion about accountability and responsibility, inclusion, interlocal coordination, and local and small business involvement.

While the Park City Chamber & Visitor Bureau continues to promote Park City, and additional implementation and action items will evolve, the Sustainable Tourism Plan will hopefully frame a more sustainable means to manage cultural and natural assets and provide a more balanced and predictable quality of life.

A resolution was drafted for your consideration to recognize the Chamber's efforts to further the community's desire for a more Sustainable Tourism Plan.

Exhibit

A Proclamation Recognizing a Sustainable Tourism Plan

PROCLAMATION TO RECOGNIZE THE SUSTAINABLE TOURISM PLAN

WHEREAS, Park City and Summit County have come to be recognized as one of the most attractive visitor destinations in the world—home to the beautiful Wasatch and Uinta Mountains, pristine reservoirs and lakes, and charming small towns;

WHEREAS, the Park City Chamber & Visitor Bureau continues to successfully promote Park City as a resort destination, the Sustainable Tourism Plan will also ensure the inclusion of community members to manage our cultural and natural assets where everyone- including visitors- contribute to achieving balance; and

WHEREAS, Developing a Sustainable Tourism Plan has involved a number of steps including a Global Sustainable Tourism Council Assessment, stakeholder (public) engagement surveys and interviews, and establishing a Stewardship Council.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby deem it appropriate to recognize the Sustainable Tourism Plan.

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

PARK CITY MUNICIPAL CORPORATION

Mayor Nann Worel

Attest:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Margaret Plane, City Attorney

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: APPOINTMENTS

Subject:

Appoint Henry Sigg to the Planning Commission for a Four-Year Term Expiring July, 2026

Suggested Action:

Attachments:

[Planning Commission Appointment Staff Report](#)

City Council Staff Report

Subject: Planning Commission Appointments
Author: Michelle Downard, Gretchen Milliken
Department: Executive, Planning
Date: October 6, 2022
Type of Item: Appointments—Advice and Consent

Recommendation

Consider the appointment of Henry Sigg to the Planning Commission for a four-year term effective upon swearing in thru July 2026.

Background

The Planning Commission reviews and recommends a wide range of land use applications including Conditional Use Permits, Subdivision and Condominium Plats, and Master Planned Developments for consistency with the General Plan and Land Management Code.

The Park City Planning Commission consists of seven members who serve four-year staggered terms that expire on the second Wednesday in July. Members continue to serve until their successors are appointed. Members must be residents of Park City and have resided within the City for at least 90 days before being appointed.

[PCMC 15-12-1](#) establishes that Planning Commission members are appointed by the Mayor with the advice and consent of the Council. On [September 1, 2022](#), Council adopted Ordinance 2022-30, slightly amending Planning Commissioner qualifications as follows:

Members of the Planning Commission shall be residents of Park City and have resided within the City for at least ninety (90) days prior to being appointed. *There should be a priority for at least one Planning Commissioner to be a land use professional, including but not limited to experience in construction, planning, architecture, or real estate development.*

Analysis

Recently, three Planning Commissioners completed their terms. Commissioner John Kenworthy's term ended in July 2021, while Commissioners John Phillips' and Laura Suesser's terms ended in July 2022. In addition, Commissioner Doug Thimm resigned effective May 31, 2022. Council appointed three of the four vacancies on [July 28, 2022](#) ([Audio](#)), leaving one vacancy through July 2026.

The vacancy was advertised through the Park City Website, Park City Newsletter, and social media. Five applications were received from Brianna Callaway, Roger Robinson, Stefanie Wilson, William (Bill) Ciraco, and Henry Sigg. The Mayor and City Council reviewed the applications and conducted interviews with all applicants on September 15, 2022.

Based on their professional competence and the make-up of the Planning Commission as a whole, the Mayor recommends the appointment of Henry Sigg to the Planning Commission for a four-year term effective upon swearing in thru July 2026. Council should discuss and consider voting to approve the Mayor's recommended appointment.

Department Review

The Planning, Legal, and Executive Departments have reviewed this report.

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Budget, Debt & Grants

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM
COUNCIL AND STAFF

Subject:

August 2022 Budget Report and June 2022 Sales Tax Report

Suggested Action:

Attachments:

[June 2022 Sales Tax Report and August 2022 Budget Report](#)

[Exhibit A: June 2022 Sales Tax](#)

[Exhibit B: August 2022 YTD Expenses](#)

[Exhibit C: August 2022 YTD Revenue](#)



Staff Communication

Subject: Budget Monitoring, Sales Tax, and Operating Insights
Author: Budget Team
Department: Budget, Debt, & Grants
Date: October 06, 2022
Type of Item: Informational

June Sales Tax

Park City closed FY22 with record-high sales tax revenues following an exceptionally strong 2021 summer and shoulder season and a record-setting winter. The City's core sales taxes, excluding transit and transient room taxes, were up 33% over FY21, the previous record year. Transit sales taxes posted a growth of 32% year-over-year, broadly in line with point-of-sale trends.

Further, the City's lodging industry saw exceptional revenue growth. A return to lodging demand boosted the City's Transient Room Tax 64% over the previous record high from FY21.

This momentum places the City's General Fund sales tax revenues at \$5.6M above FY22 Original Budget expectations, and \$1.0M above the General Fund's FY22 Adjusted Sales Tax budget, as adopted in June 2022.

August State Compliance Monthly Budget Reporting

The attachments to this report show monthly revenue and expenditure reports detailed by fund and major object type. Two months into the fiscal year, expenses are on track with expectations, project timelines, and program seasonality.

Notable Observations:

Revenues

- BPE fees are down compared to the record-breaking FY22 numbers but in line with previous years.
- Ice revenue is up by \$45k due to the rink being closed for renovations in August and September 2021.

Expenditures

- Personnel is tracking above FY22 levels due to long-term vacancies being filled and the FY23 pay plan implementation in August. The FY22 pay plan was not completely implemented until September.
- The first round of Special Service Contract payments were processed but are not reflected in this report due to timing.
- Water reflects a \$745k decrease in capital due to 3Kings Water Treatment Plant expenses incurred in FY22.

- Due to timing, Golf utility expenses were not recorded at the time of this report.
- Variance in the Parking department's Materials, Services, and Supplies due to the annual maintenance contract payment timing.

Exhibit A: June Sales Tax Update

Exhibit B: Expense Summary by Object and Type

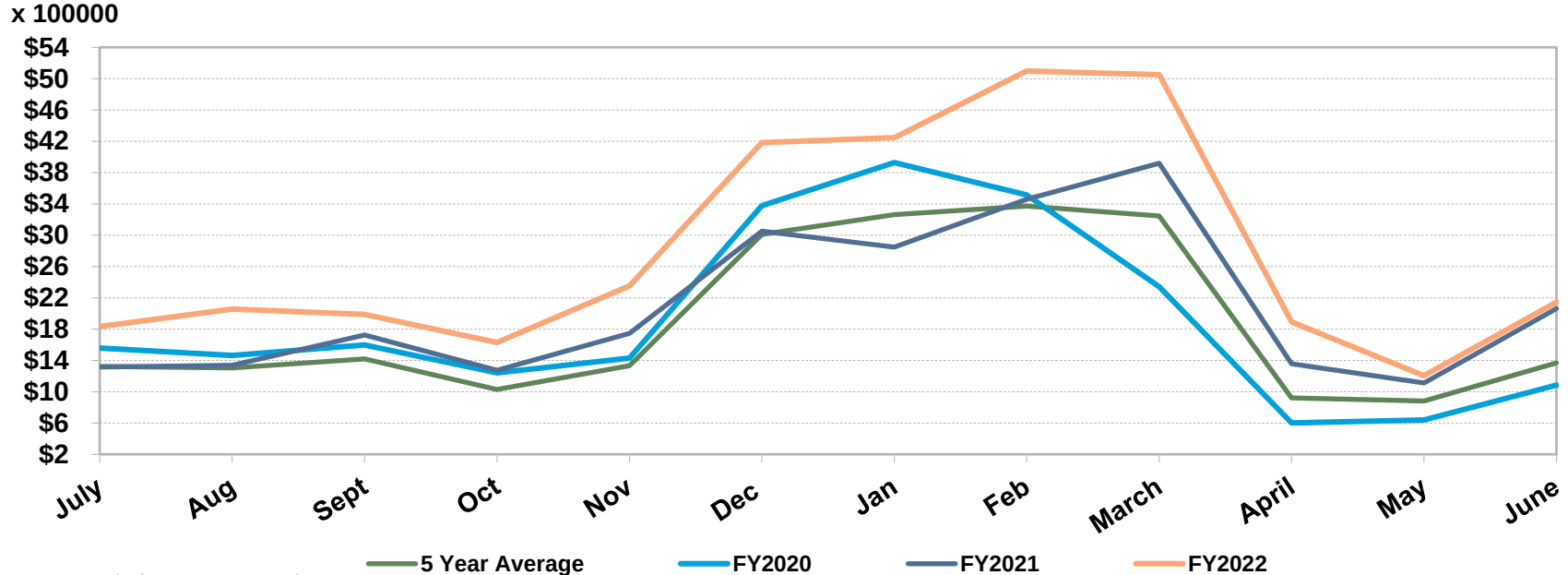
Exhibit C: Revenue Summary by Object and Type

June Sales Tax Update



Citywide

Sales Tax Revenues through June



*Does not Include TRT or Transit Tax

- FY22 Sales Taxes highest on record across all taxes and funds
- Sales Taxes excluding TRT and Transit Sales Tax +33% vs. FY21
- Transit Sales Tax +32% vs. FY21
- TRT +64% vs. FY21



General Fund

Sales Tax Summary – General Fund

General Fund - Sales Tax Summary - Monthly					
Month	FY19 Actual	FY20 Actual	FY21 Actual	FY22 Original Budget	FY22 Actual
July	\$812,668	\$890,546	\$767,523	\$664,517	\$1,047,907
August	\$730,497	\$839,320	\$777,490	\$893,477	\$1,171,593
September	\$754,343	\$912,173	\$991,597	\$896,914	\$1,132,767
October	\$533,991	\$715,887	\$735,086	\$740,255	\$934,102
November	\$805,462	\$820,365	\$995,487	\$685,164	\$1,328,051
December	\$1,644,270	\$1,877,541	\$1,709,314	\$1,593,658	\$2,326,666
January	\$1,915,943	\$2,167,578	\$1,587,251	\$1,593,658	\$2,346,656
February	\$1,795,614	\$1,936,051	\$1,915,684	\$1,761,076	\$2,798,863
March	\$2,160,171	\$1,318,256	\$2,175,133	\$2,124,877	\$2,790,344
April	\$509,306	\$374,250	\$792,166	\$810,883	\$1,086,870
May	\$591,398	\$439,622	\$742,106	\$688,812	\$708,047
June	\$771,332	\$603,136	\$1,186,465	\$880,395	\$1,228,941
Total	\$13,024,993	\$12,894,725	\$14,375,301	\$13,333,686	\$18,900,806

Sales Tax Summary – General Fund

General Fund - Sales Tax Summary - \$ Change

Month	FY20 Actual vs. FY19 Actual	FY21 Actual vs. FY20 Actual	FY22 Actual vs. FY20 Actual	FY22 Actual vs. FY21 Actual	FY22 Actual vs. FY22 Budget
July	\$77,879	(\$123,023)	\$157,361	\$280,384	\$383,390
August	\$108,823	(\$61,829)	\$332,273	\$394,102	\$278,116
September	\$157,830	\$79,424	\$220,594	\$141,170	\$235,853
October	\$181,897	\$19,198	\$218,214	\$199,016	\$193,846
November	\$14,903	\$175,122	\$507,686	\$332,565	\$642,887
December	\$233,271	(\$168,227)	\$449,125	\$617,352	\$733,008
January	\$251,635	(\$580,327)	\$179,078	\$759,405	\$752,998
February	\$140,438	(\$20,367)	\$862,812	\$883,179	\$1,037,787
March	(\$841,914)	\$856,876	\$1,472,088	\$615,211	\$665,467
April	(\$135,056)	\$417,916	\$712,620	\$294,704	\$275,986
May	(\$151,776)	\$302,484	\$268,425	(\$34,059)	\$19,234
June	(\$168,196)	\$583,329	\$625,805	\$42,476	\$348,546
Total	(\$130,267)	\$1,480,576	\$6,006,081	\$4,525,505	\$5,567,120

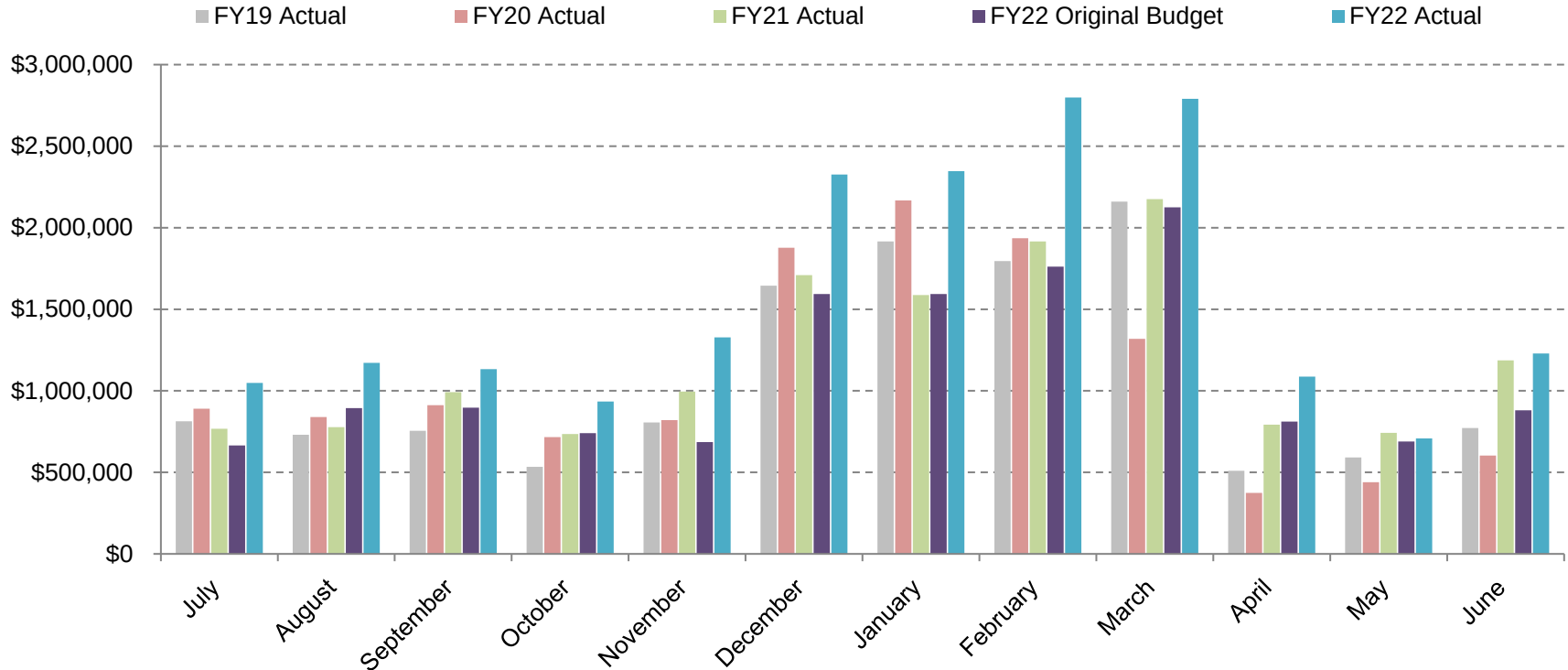
General Fund - Sales Tax Summary - % Change

Month	FY20 Actual vs. FY19 Actual	FY21 Actual vs. FY20 Actual	FY22 Actual vs. FY20 Actual	FY22 Actual vs. FY21 Actual	FY22 Actual vs. FY22 Budget
July	10%	-14%	18%	37%	58%
August	15%	-7%	40%	51%	31%
September	21%	9%	24%	14%	26%
October	34%	3%	30%	27%	26%
November	2%	21%	62%	33%	94%
December	14%	-9%	24%	36%	46%
January	13%	-27%	8%	48%	47%
February	8%	-1%	45%	46%	59%
March	-39%	65%	112%	28%	31%
April	-27%	112%	190%	37%	34%
May	-26%	69%	61%	-5%	3%
June	-22%	97%	104%	4%	40%
Total	-1%	11%	47%	31%	42%

Sales Tax Summary – General Fund

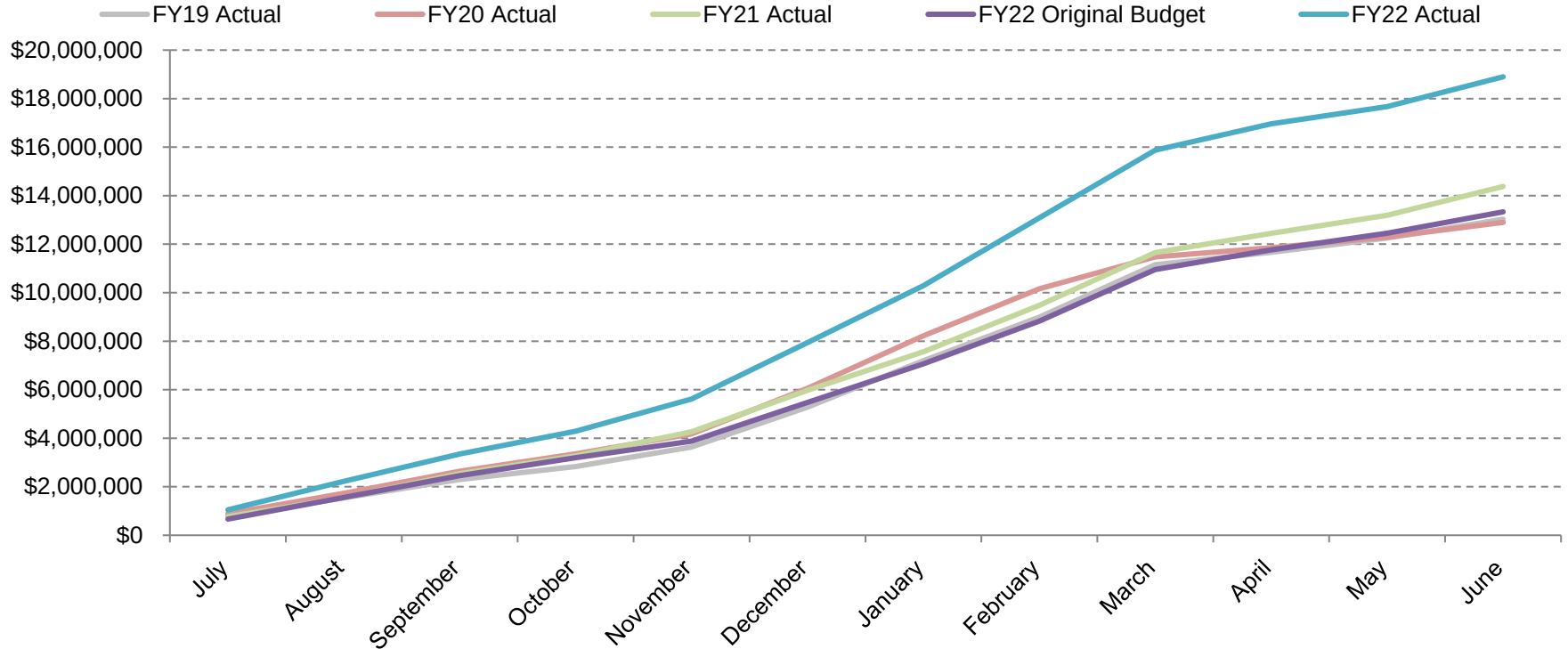
General Fund

Historical Sales Tax Revenues & Budgets Over Time by Month



Sales Tax Summary – General Fund

General Fund - FY22 Cumulative Annual Sales Tax Revenues Through Different Lenses

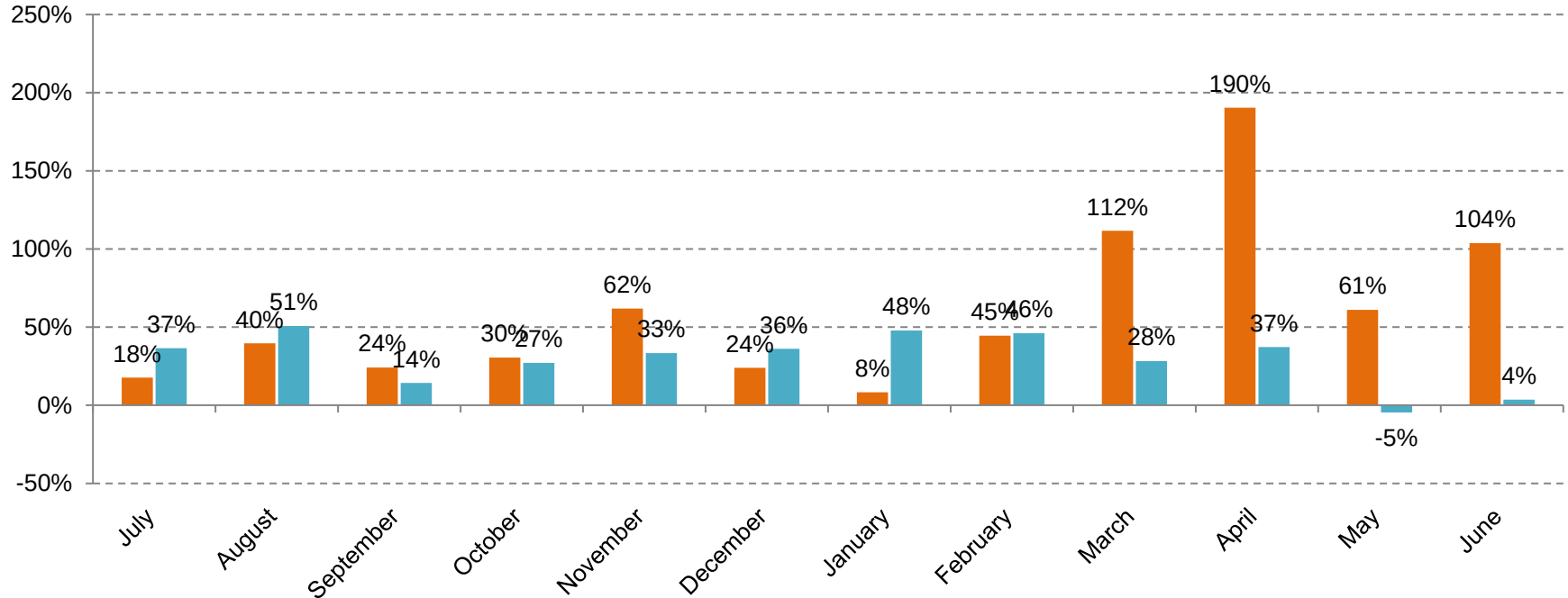


Sales Tax Summary – General Fund

General Fund FY22 Sales Tax % Change from Previous Fiscal Years

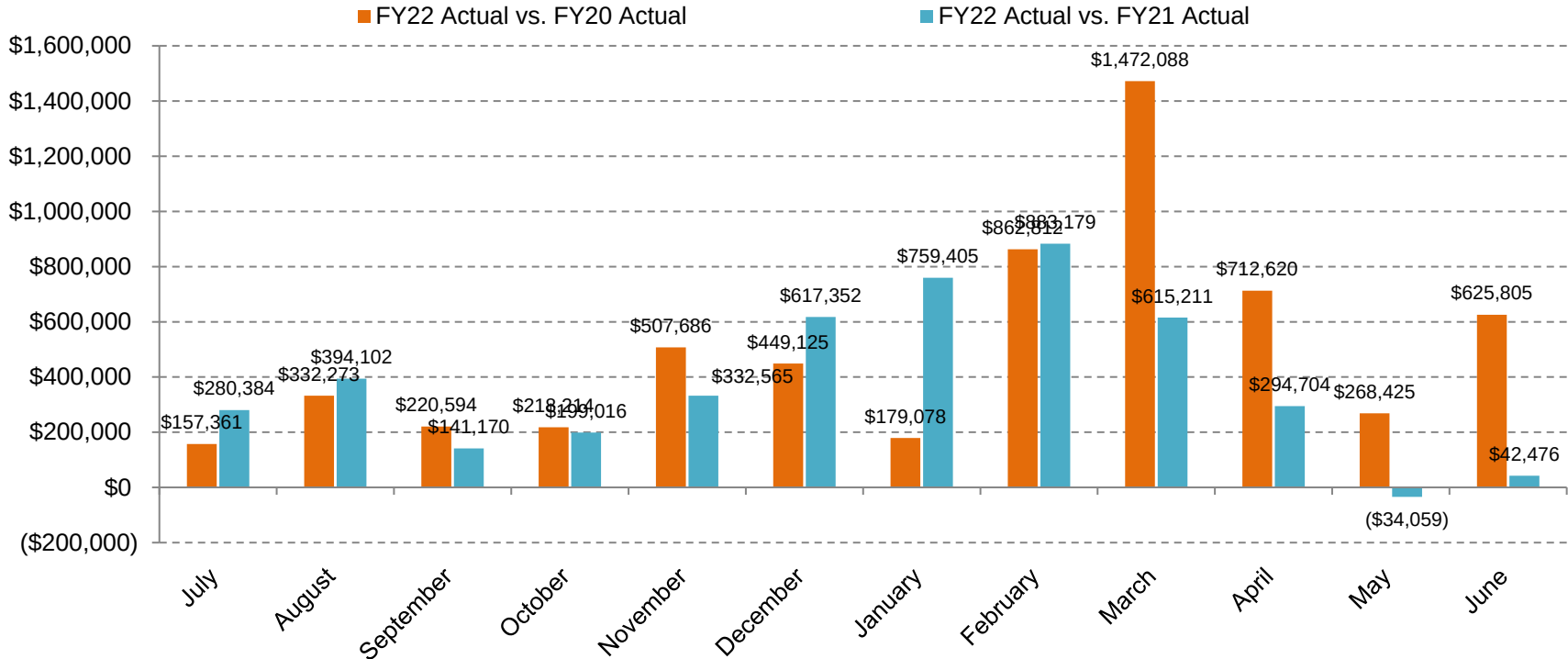
■ FY22 Actual vs. FY20 Actual

■ FY22 Actual vs. FY21 Actual



Sales Tax Summary – General Fund

General Fund FY22 \$ Change from Previous Fiscal Years





Capital Fund

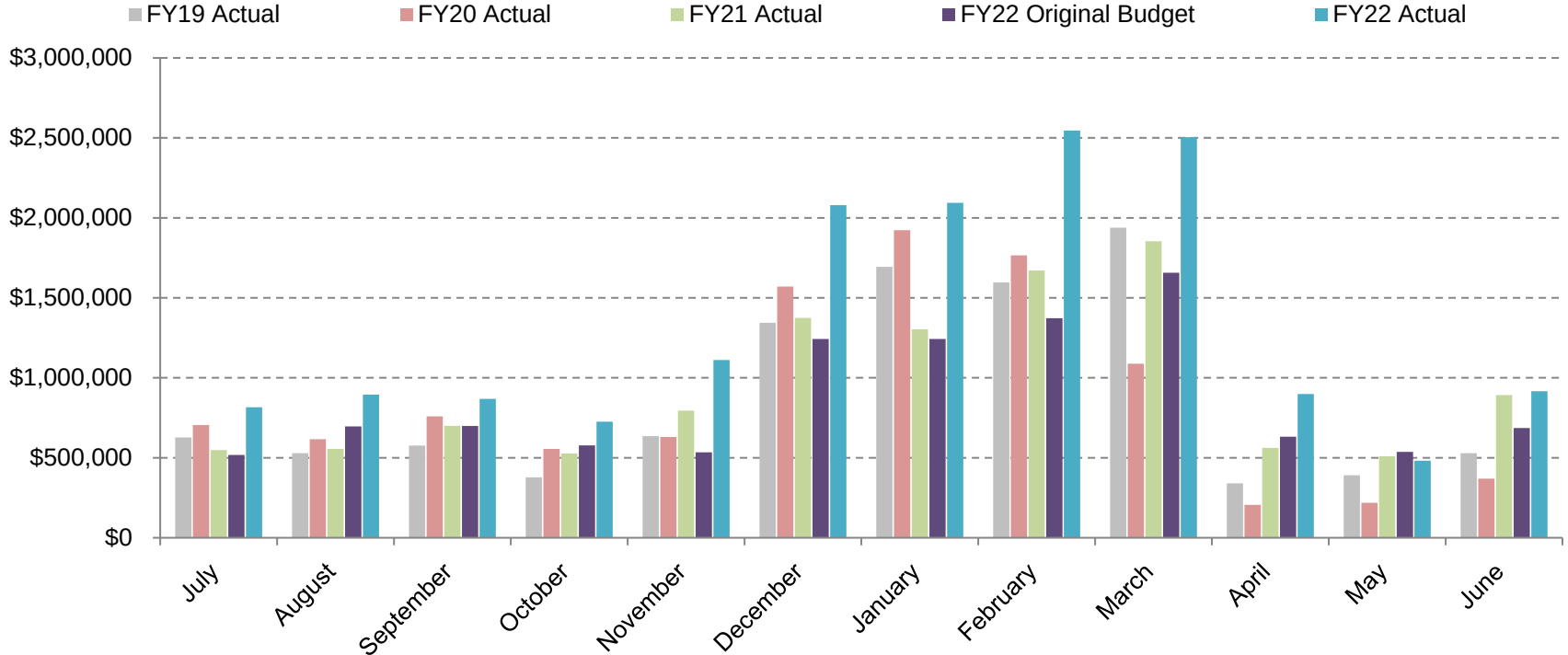
Sales Tax Summary – Capital Fund

Capital Fund - Sales Tax Summary - Monthly					
Month	FY19 Actual	FY20 Actual	FY21 Actual	FY22 Original Budget	FY22 Actual
July	\$627,203	\$704,479	\$548,052	\$518,076	\$816,105
August	\$529,229	\$616,238	\$555,028	\$696,578	\$895,269
September	\$577,009	\$759,286	\$699,815	\$699,259	\$867,890
October	\$378,251	\$555,393	\$527,415	\$577,123	\$725,811
November	\$635,932	\$629,796	\$794,579	\$534,173	\$1,111,541
December	\$1,344,356	\$1,570,492	\$1,374,419	\$1,242,459	\$2,079,436
January	\$1,693,495	\$1,923,089	\$1,303,836	\$1,242,459	\$2,094,045
February	\$1,596,315	\$1,765,073	\$1,670,788	\$1,372,983	\$2,545,965
March	\$1,938,349	\$1,087,888	\$1,853,829	\$1,656,611	\$2,504,356
April	\$340,118	\$206,191	\$561,565	\$632,187	\$898,337
May	\$390,732	\$218,762	\$509,536	\$537,017	\$481,795
June	\$528,340	\$369,764	\$892,170	\$686,380	\$916,229
Total	\$10,579,328	\$10,406,450	\$11,291,032	\$10,395,302	\$15,936,780

Sales Tax Summary – Capital Fund

Capital Fund

Historical Sales Tax Revenues & Budgets Over Time by Month

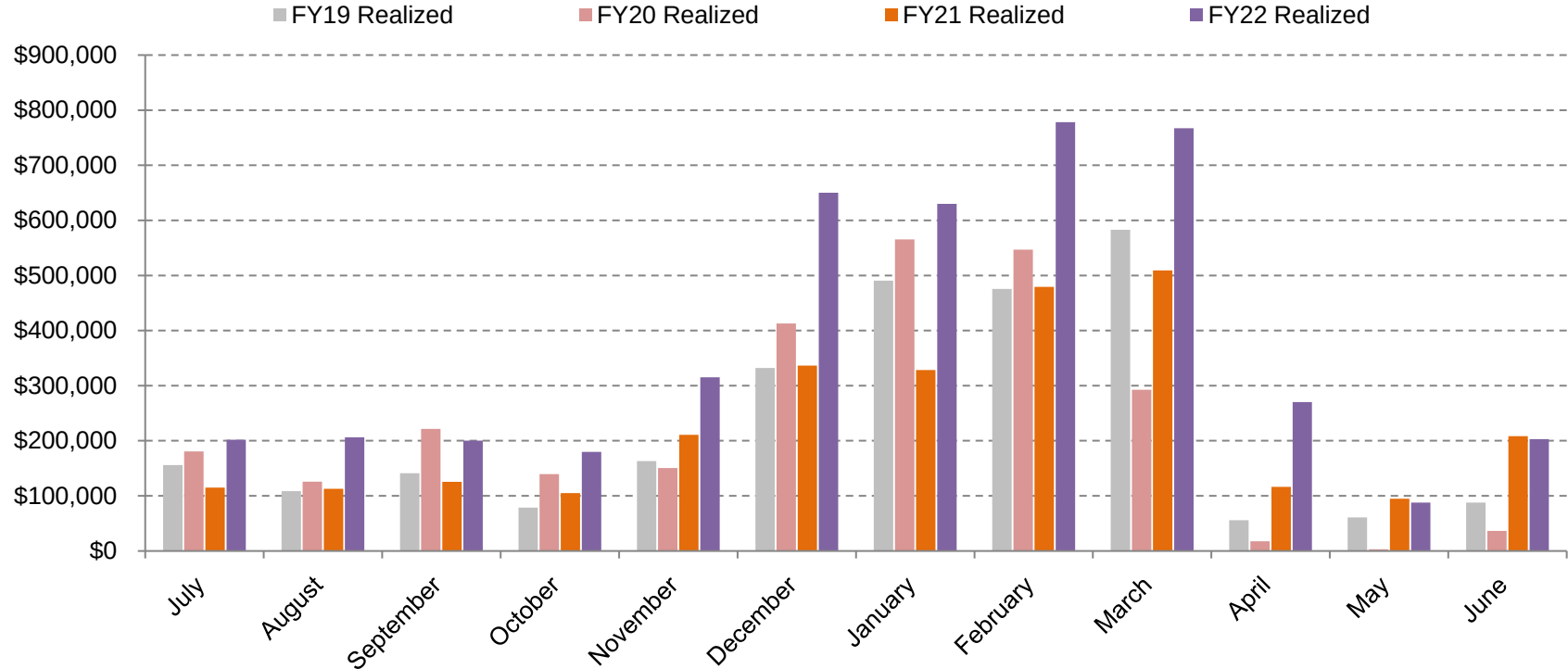


Sales Tax Summary – Transient Room Tax

Transient Room Tax						
Monthly	FY19 Realized	FY20 Realized	FY21 Realized	FY22 Realized	FY22 vs. FY21, \$ Variance	FY22 vs. FY21, % Variance
July	\$155,919	\$180,669	\$114,918	\$201,780	\$86,862	76%
August	\$108,460	\$125,677	\$112,872	\$206,192	\$93,320	83%
September	\$140,971	\$221,639	\$125,348	\$200,321	\$74,973	60%
October	\$78,769	\$139,424	\$104,921	\$179,897	\$74,976	71%
November	\$163,248	\$150,563	\$210,795	\$315,172	\$104,377	50%
December	\$332,107	\$412,832	\$336,374	\$650,240	\$313,865	93%
January	\$490,668	\$565,442	\$328,467	\$630,062	\$301,595	92%
February	\$475,570	\$546,738	\$479,315	\$778,153	\$298,838	62%
March	\$582,847	\$292,669	\$509,063	\$767,199	\$258,136	51%
April	\$55,730	\$17,479	\$116,391	\$270,230	\$153,839	132%
May	\$60,892	\$3,114	\$94,854	\$87,896	(\$6,957)	-7%
June	\$87,903	\$36,423	\$208,432	\$203,021	(\$5,410)	-3%
Total	\$2,733,084	\$2,692,669	\$2,741,751	\$4,490,163	\$1,748,412	64%

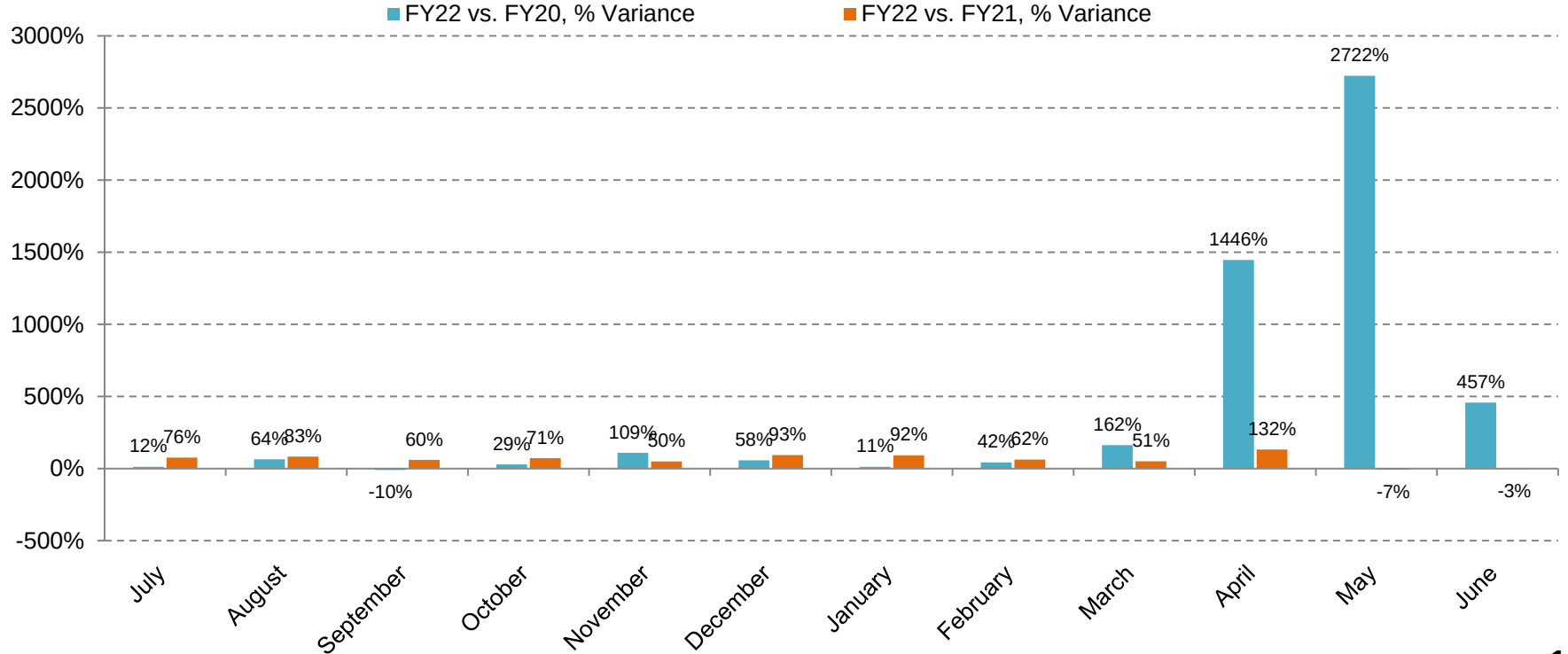
Sales Tax Summary – Transient Room Tax

Transient Room Tax Historical Revenues Over Time by Month



Sales Tax Summary – Transient Room Tax

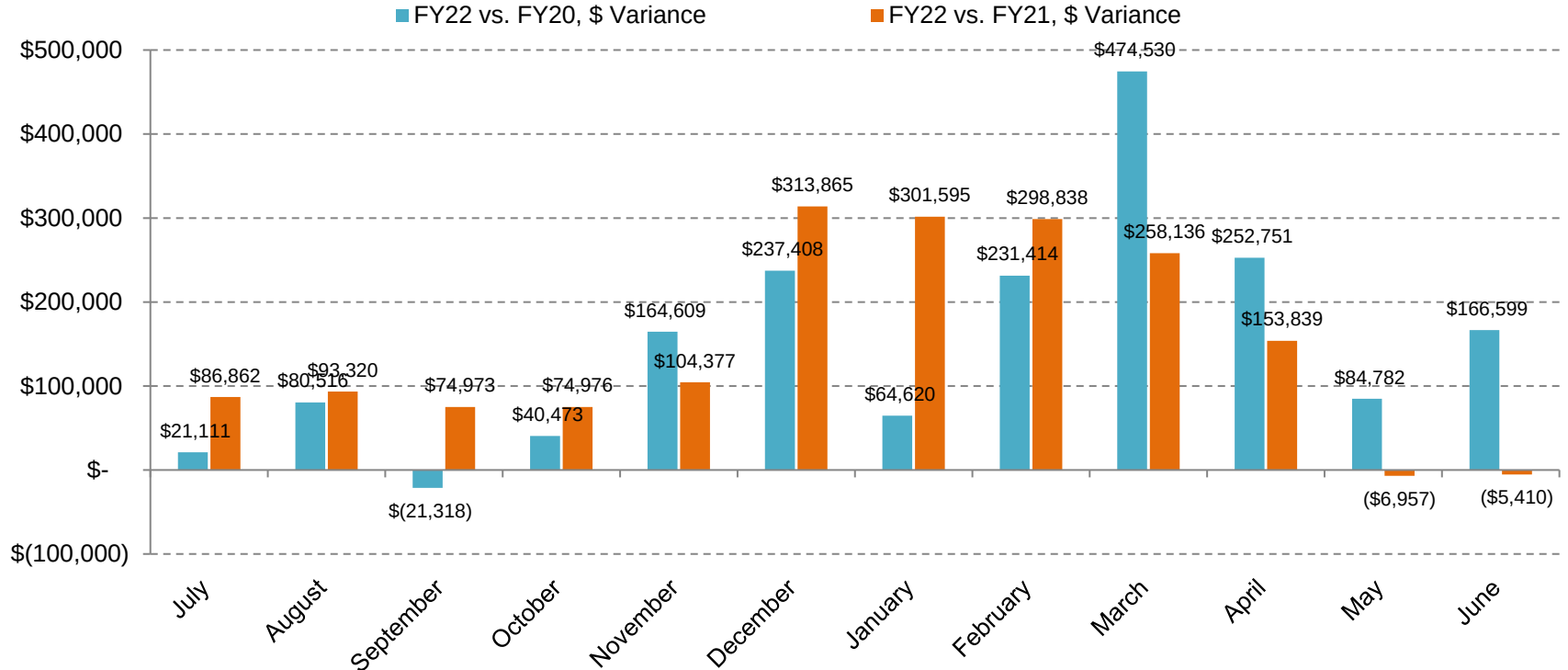
Transient Room Tax % Change from Previous Fiscal Years



Source: Park City Municipal Corporation. As of July 2022.

Sales Tax Summary – Transient Room Tax

Transient Room Tax \$ Change from Previous Fiscal Years





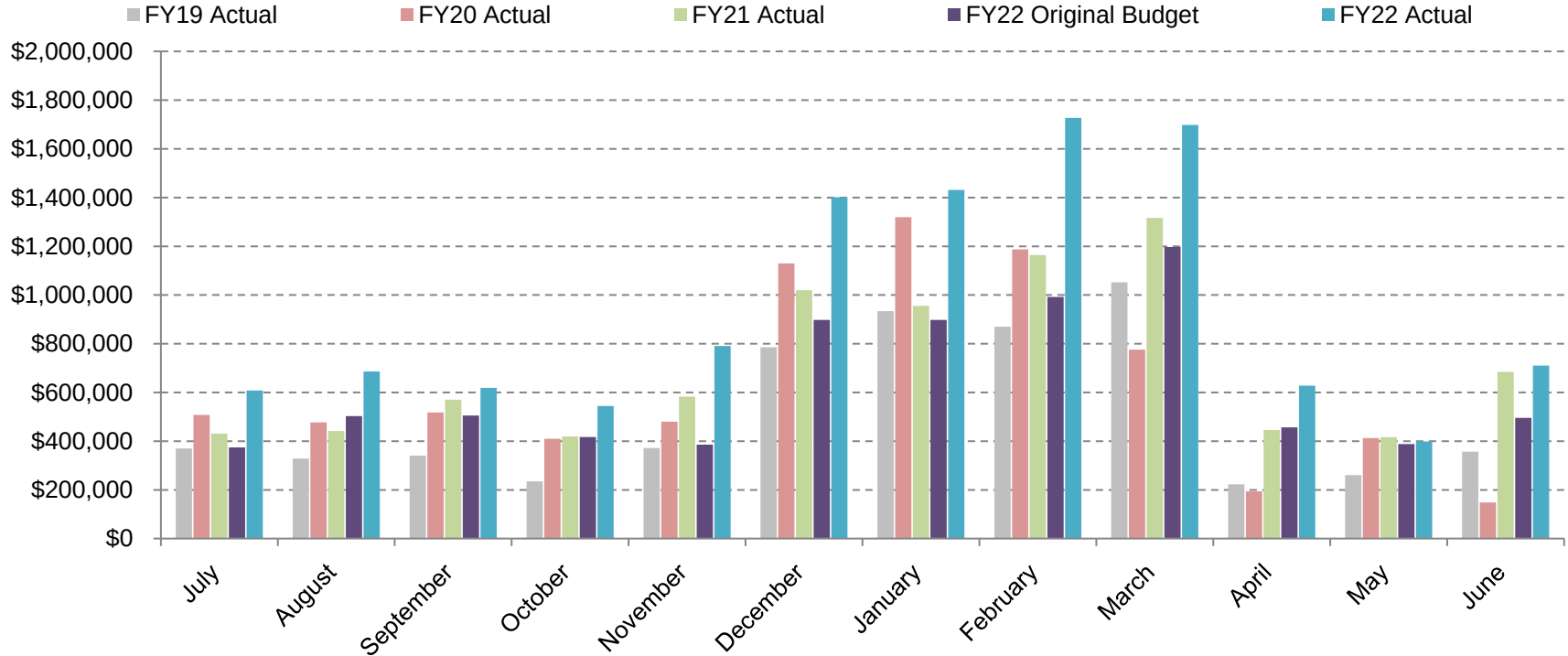
Transportation Fund

Sales Tax Summary – Transportation Fund

Transportation Fund - Sales Tax Summary - Monthly					
Month	FY19 Actual	FY20 Actual	FY21 Actual	FY22 Original Budget	FY22 Actual
July	\$370,330	\$507,735	\$431,048	\$374,274	\$608,068
August	\$328,650	\$476,867	\$441,580	\$503,230	\$686,058
September	\$340,448	\$517,995	\$570,321	\$505,166	\$618,912
October	\$234,717	\$409,895	\$419,670	\$416,932	\$544,337
November	\$372,095	\$480,163	\$583,067	\$385,903	\$790,856
December	\$785,302	\$1,129,662	\$1,019,746	\$897,591	\$1,401,122
January	\$933,912	\$1,319,546	\$955,215	\$897,591	\$1,431,732
February	\$869,901	\$1,187,380	\$1,164,026	\$991,886	\$1,726,996
March	\$1,052,427	\$775,863	\$1,316,569	\$1,196,788	\$1,698,476
April	\$222,826	\$194,288	\$446,180	\$456,711	\$627,698
May	\$260,629	\$412,635	\$416,661	\$387,958	\$398,841
June	\$357,095	\$148,275	\$684,361	\$495,862	\$710,502
Total	\$6,128,331	\$7,560,305	\$8,448,444	\$7,509,890	\$11,243,598

Sales Tax Summary – Transportation Fund

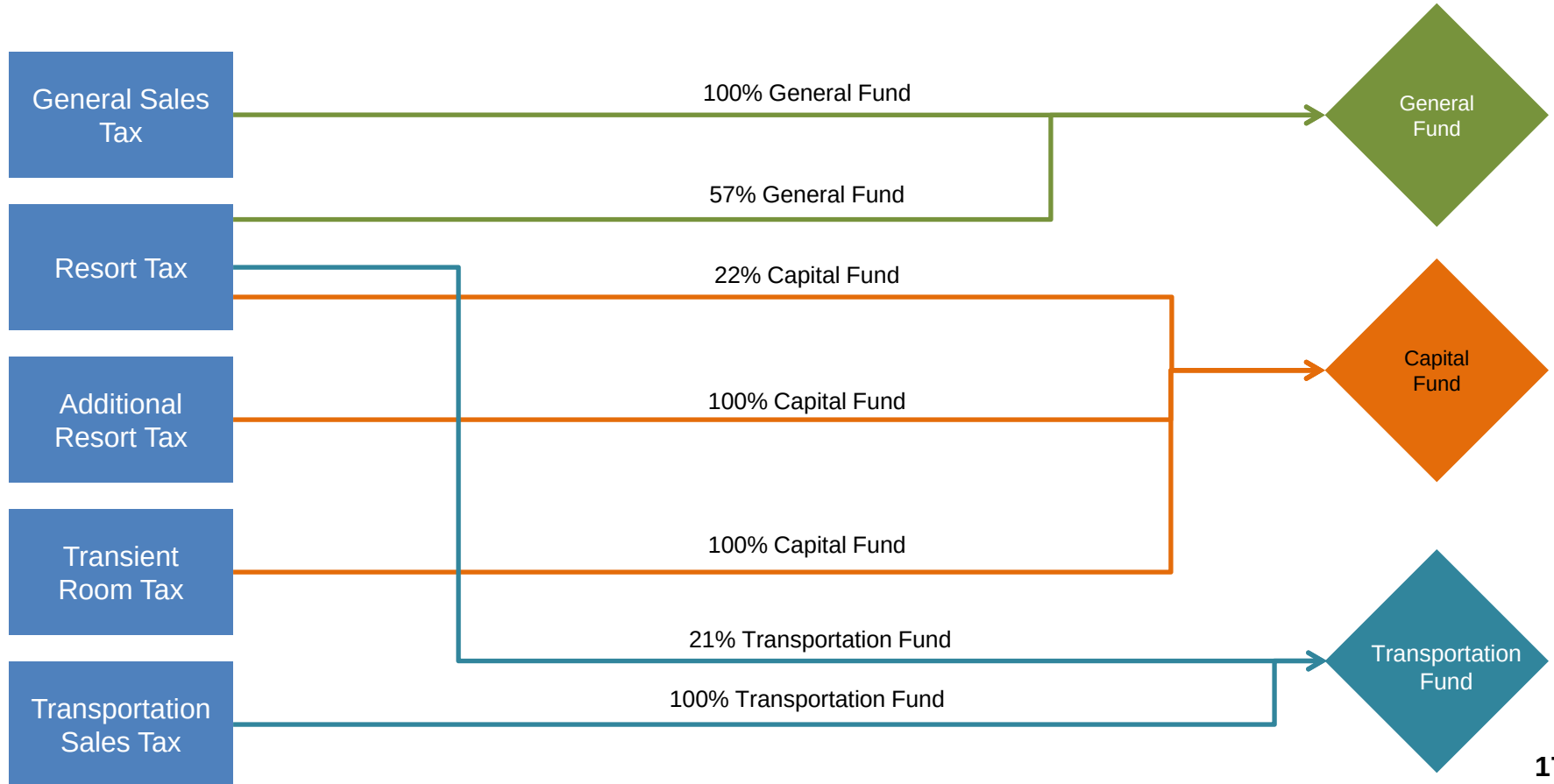
Transportation Fund Historical Sales Tax Revenues & Budgets Over Time by Month





Appendix

Where Do Our Sales Taxes Go?



FY23 YTD Expenses - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$	% of Budget Spent
- 011 GENERAL FUND						
PERSONNEL SERVICES	3,120,500	3,220,050	4,600,799	31,142,035	1,380,748	15%
MATERIALS, SUPPLIES AND SERVICES	65,562	171,886	90,881	1,377,041	-81,005	7%
UTILITIES	45,135	19,454	39,883	1,621,854	20,429	2%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	463,821	657,589	690,905	5,456,600	33,317	13%
PARTS/MAINTENANCE SUPPLIES	68,181	142,596	151,009	1,628,953	8,413	9%
SPECIAL SERV CONTRACT/MISC CHARGES	187,047	244,540	22,306	1,586,629	-222,234	1%
CAPITAL OUTLAY	26,106	24,663	19,562	726,689	-5,101	3%
INTERFUND TRANSFER	472,342	514,130	573,298	3,439,780	59,168	17%
Total 011 GENERAL FUND	4,448,695	4,994,909	6,188,644	46,979,582	1,193,735	13%
- 012 QUINNS RECREATION COMPLEX						
PERSONNEL SERVICES	110,022	120,819	161,882	1,142,784	41,063	14%
MATERIALS, SUPPLIES AND SERVICES	3,230	1,103	13,984	71,420	12,880	20%
UTILITIES	9,996	3,125	7,487	157,179	4,361	5%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	8,974	12,629	11,219	104,410	-1,410	11%
PARTS/MAINTENANCE SUPPLIES	8,339	4,950	9,439	52,020	4,489	18%
SPECIAL SERV CONTRACT/MISC CHARGES	3,549	3,075	1,986	21,000	-1,089	9%
CAPITAL OUTLAY				1,000	0	0%
Total 012 QUINNS RECREATION COMPLEX	144,111	145,701	205,996	1,549,813	60,295	13%
- 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
MATERIALS, SUPPLIES AND SERVICES	4,155	3,643		10,000	-3,643	0%
UTILITIES	698	223	95	34,623	-128	0%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	-2,500	180		70,000	-180	0%
SPECIAL SERV CONTRACT/MISC CHARGES				568,000	0	0%
INTERFUND TRANSFER	515,422	515,422	515,422	3,092,532	0	17%
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	517,775	519,468	515,517	3,775,155	-3,951	14%
- 024 MAIN STREET RDA SPECIAL REVENUE FUND						
CONTRACT SVCS/CONSULTING/SOFTWARE LIC			4,800	50,000	4,800	10%
SPECIAL SERV CONTRACT/MISC CHARGES				405,000	0	0%
INTERFUND TRANSFER	116,666	116,666	116,666	700,000	0	17%
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	116,666	116,666	121,466	1,155,000	4,800	11%
- 031 CAPITAL IMPROVEMENT FUND						
CAPITAL OUTLAY	725,512	577,478	745,982	20,500,712	168,505	4%
INTERFUND TRANSFER	596,720	695,772	696,180	4,177,076	408	17%

FY23 YTD Expenses - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$	% of Budget Spent
Total 031 CAPITAL IMPROVEMENT FUND	1,322,232	1,273,250	1,442,162	24,677,788	168,913	6%
- 033 REDEVELOPMENT AGENCY-LOWER PRK						
CAPITAL OUTLAY	2,103		6,776	295,000	6,776	2%
INTERFUND TRANSFER	463,806	464,598	465,286	2,791,715	688	17%
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	465,909	464,598	472,062	3,086,715	7,464	15%
- 038 EQUIPMENT REPLACEMENT CIP						
CAPITAL OUTLAY	23,295	59,793	204,466	1,851,062	144,673	11%
Total 038 EQUIPMENT REPLACEMENT CIP	23,295	59,793	204,466	1,851,062	144,673	11%
- 051 WATER FUND						
PERSONNEL SERVICES	432,427	439,358	650,245	4,487,041	210,888	14%
MATERIALS, SUPPLIES AND SERVICES	54,926	48,157	112,435	489,011	64,278	23%
UTILITIES	78,062	7,788	8,794	1,377,686	1,006	1%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	193,450	149,259	217,806	1,842,140	68,547	12%
PARTS/MAINTENANCE SUPPLIES	108,195	157,203	164,889	1,401,050	7,687	12%
SPECIAL SERV CONTRACT/MISC CHARGES	16,714	23,798	14,643	122,000	-9,154	12%
CAPITAL OUTLAY	2,439,065	1,425,394	679,758	32,185,962	-745,635	2%
DEBT SERVICE	-26,143	-20,666	125,000	5,577,420	145,666	2%
INTERFUND TRANSFER	176,346	182,072	223,708	2,057,241	41,636	11%
Total 051 WATER FUND	3,473,042	2,412,362	2,197,280	49,539,551	-215,082	4%
- 052 STORM WATER FUND						
PERSONNEL SERVICES	98,791	89,696	147,001	714,043	57,305	21%
MATERIALS, SUPPLIES AND SERVICES	4,424	2,838	3,011	63,000	174	5%
UTILITIES	190	2,255	1,533	56,345	-722	3%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	7,143	10,765	10,604	149,625	-162	7%
PARTS/MAINTENANCE SUPPLIES		4,301	600	41,406	-3,701	1%
CAPITAL OUTLAY				371,500	0	0%
INTERFUND TRANSFER	21,238	22,576	26,230	157,377	3,654	17%
Total 052 STORM WATER FUND	131,786	132,431	188,978	1,553,296	56,548	12%
- 055 GOLF COURSE FUND						
PERSONNEL SERVICES	157,897	167,762	225,258	1,013,633	57,496	22%
MATERIALS, SUPPLIES AND SERVICES	5,648	9,609	7,087	69,200	-2,522	10%
UTILITIES	4,666	19,102	173	145,834	-18,929	0%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	9,998	24,170	20,410	94,575	-3,759	22%
PARTS/MAINTENANCE SUPPLIES	47,269	58,916	86,112	299,800	27,196	29%

FY23 YTD Expenses - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$	% of Budget Spent
SPECIAL SERV CONTRACT/MISC CHARGES	13,172	16,248	6,979	43,500	-9,269	16%
CAPITAL OUTLAY	-129		3,155	114,565	3,155	3%
INTERFUND TRANSFER	22,484	23,730	28,016	168,102	4,286	17%
Total 055 GOLF COURSE FUND	261,004	319,537	377,190	1,949,208	57,653	19%
- 057 TRANSPORTATION & PARKING FUND						
PERSONNEL SERVICES	1,024,621	937,179	1,250,448	9,453,294	313,269	13%
MATERIALS, SUPPLIES AND SERVICES	35,940	36,232	9,177	309,922	-27,055	3%
UTILITIES	23,557	4,189	10,650	429,836	6,461	2%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	102,452	62,026	98,594	1,753,816	36,568	6%
PARTS/MAINTENANCE SUPPLIES	2,412	2,512	5,420	35,000	2,909	15%
SPECIAL SERV CONTRACT/MISC CHARGES	320	651	558	16,500	-92	3%
CAPITAL OUTLAY	-2,071,621	164,963	91,501	18,022,449	-73,462	1%
INTERFUND TRANSFER	555,752	551,084	598,790	3,592,743	47,706	17%
Total 057 TRANSPORTATION & PARKING FUND	-326,567	1,758,835	2,065,138	33,613,561	306,303	6%
- 058 PARKING FUND						
PERSONNEL SERVICES	108,133	100,607	148,746	1,144,087	48,139	13%
MATERIALS, SUPPLIES AND SERVICES	3,479	36,674	11,923	472,500	-24,751	3%
UTILITIES		298	1,112	10,000	814	11%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	-40,000	168	436	148,000	268	0%
PARTS/MAINTENANCE SUPPLIES	6,751	298	1,175	57,000	877	2%
SPECIAL SERV CONTRACT/MISC CHARGES	611	26,751	9,215	65,000	-17,536	14%
CAPITAL OUTLAY				201,000	0	0%
INTERFUND TRANSFER	1,334	2,750	1,624	9,750	-1,126	17%
Total 058 PARKING FUND	80,308	167,546	174,231	2,107,337	6,685	8%
- 062 FLEET SERVICES FUND						
PERSONNEL SERVICES	132,913	138,352	171,317	1,154,672	32,966	15%
MATERIALS, SUPPLIES AND SERVICES	5,749	6,494	9,714	63,950	3,221	15%
UTILITIES	55,106	121,798	120,843	1,002,900	-954	12%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC		453	470	8,000	17	6%
PARTS/MAINTENANCE SUPPLIES	121,169	50,692	107,253	770,200	56,560	14%
CAPITAL OUTLAY				6,205	0	0%
Total 062 FLEET SERVICES FUND	314,937	317,788	409,598	3,005,927	91,810	14%
- 064 SELF INSURANCE FUND						
MATERIALS, SUPPLIES AND SERVICES		700	11,000	50,500	10,300	22%

FY23 YTD Expenses - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$	% of Budget Spent
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	44,263	68,226	265,676	541,952	197,449	49%
SPECIAL SERV CONTRACT/MISC CHARGES	25,715	34,099	35,066	970,000	967	4%
Total 064 SELF INSURANCE FUND	69,978	103,026	311,741	1,562,452	208,716	20%
- 070 SALES TAX REV BOND - DEBT SVS FUND						
DEBT SERVICE				6,972,216	0	0%
Total 070 SALES TAX REV BOND - DEBT SVS FUND				6,972,216	0	0%
- 071 DEBT SERVICE FUND						
DEBT SERVICE	1,462,750	1,358,250		9,509,688	-1,358,250	0%
Total 071 DEBT SERVICE FUND	1,462,750	1,358,250		9,509,688	-1,358,250	0%
- Grand Total						
TOTAL	12,505,919	14,144,159	14,874,470	192,888,351	730,311	8%

FY23 YTD Revenue - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$
- 011 GENERAL FUND					
Property Taxes				12,938,775	0
Sales Tax				16,433,542	0
Franchise Tax	124,751	116,477	109,356	3,297,706	-7,121
Licenses	12,717	27,616	48,824	500,088	21,209
Planning Building & Engineering Fees	759,932	1,090,469	765,910	3,914,520	-324,559
Special Event Fees	120	8,000	14,263	101,319	6,263
Federal Revenue				48,362	0
State Revenue	-1,205			68,086	0
County/SP District Revenue			15,000	21,827	15,000
Cemetery Charges for Services	3,256	2,589	5,062	70,098	2,474
Recreation	403,421	466,980	450,806	2,359,858	-16,174
Other Service Revenue	3,839	5,434	14	56,768	-5,420
Library Fees	3,160	4,067	3,062	13,691	-1,005
Misc. Revenues	70,395	28,775	43,958	205,733	15,183
Interfund Transactions (Admin)	334,974	372,550	443,334	3,375,002	70,784
Special Revenues & Resources		515,283	505,029	790,529	-10,254
Total 011 GENERAL FUND	1,715,359	2,638,239	2,404,618	44,195,904	-233,621
- 012 QUINNS RECREATION COMPLEX					
Recreation	230	143	294	5,218	151
Ice	68,203	71,749	117,518	955,233	45,769
Misc. Revenues	-54	90	4	1,316	-86
Total 012 QUINNS RECREATION COMPLEX	68,379	71,981	117,816	961,767	45,835
- 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND					
Property Taxes				4,252,000	0
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND				4,252,000	0
- 024 MAIN STREET RDA SPECIAL REVENUE FUND					
Property Taxes				1,276,319	0
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND				1,276,319	0
- 031 CAPITAL IMPROVEMENT FUND					
Sales Tax				12,812,034	0

FY23 YTD Revenue - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$
Planning Building & Engineering Fees	93,614	106,472	44,346	419,695	-62,126
Federal Revenue				29,478	0
State Revenue		3,139		375,029	-3,139
County/SP District Revenue			35,000	463,116	35,000
Misc. Revenues	580,571	8,648	23,216	893,355	14,568
Special Revenues & Resources	731	1,682	75,698	396,901	74,016
Bond Proceeds				3,000,000	0
Total 031 CAPITAL IMPROVEMENT FUND	674,916	119,940	178,260	18,389,608	58,320
- 033 REDEVELOPMENT AGENCY-LOWER PRK					
Interfund Transactions (CIP/Debt)	515,422	515,422	515,422	3,092,532	0
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	515,422	515,422	515,422	3,092,532	0
- 034 REDEVELOPMENT AGENCY-MAIN ST					
Interfund Transactions (CIP/Debt)	116,666	116,666	116,666	700,000	0
Total 034 REDEVELOPMENT AGENCY-MAIN ST	116,666	116,666	116,666	700,000	0
- 038 EQUIPMENT REPLACEMENT CIP					
Interfund Transactions (CIP/Debt)	219,266	264,266	264,266	1,585,600	0
Total 038 EQUIPMENT REPLACEMENT CIP	219,266	264,266	264,266	1,585,600	0
- 051 WATER FUND					
Planning Building & Engineering Fees	280,872	366,422	236,300	1,219,456	-130,122
Federal Revenue				469,962	0
Water Charges for Services	2,464,510	2,710,425	2,629,908	20,392,268	-80,517
Misc. Revenues	61,118	7,165	88,073	209,092	80,908
Bond Proceeds				37,589,496	0
Total 051 WATER FUND	2,806,500	3,084,012	2,954,281	59,880,274	-129,731
- 052 STORM WATER FUND					
Water Charges for Services	69,783	145,665	150,580	2,000,000	4,915
Total 052 STORM WATER FUND	69,783	145,665	150,580	2,000,000	4,915
- 055 GOLF COURSE FUND					
Recreation	798,002	844,104	878,496	1,365,189	34,392
Misc. Revenues	25	18	13	38,959	-5
Interfund Transactions (CIP/Debt)	4,166	4,166	4,166	25,000	0

FY23 YTD Revenue - Aug 2022	YTD Actuals FY 2021	YTD Actuals FY 2022	YTD Actuals FY 2023	Ori Budget FY 2023	YTD Variance vs FY22 \$
Total 055 GOLF COURSE FUND	802,193	848,288	882,675	1,429,148	34,387
- 057 TRANSPORTATION & PARKING FUND					
Sales Tax				12,096,227	0
Licenses	14,858	41,426	66,495	981,896	25,069
Federal Revenue		-2,148		21,713,819	2,148
Transit Charges for Services	627,078	1,100		83,243	-1,100
Misc. Revenues	16,855	13,155		287,265	-13,155
Special Revenues & Resources				289,087	0
Total 057 TRANSPORTATION & PARKING FUND	658,791	53,533	66,495	35,451,537	12,962
- 058 PARKING FUND					
Fines & Forfeitures	14,952	587,982	602,283	2,603,364	14,301
Total 058 PARKING FUND	14,952	587,982	602,283	2,603,364	14,301
- 062 FLEET SERVICES FUND					
Interfund Transactions (Admin)	454,166	396,800	457,570	2,745,400	60,770
Total 062 FLEET SERVICES FUND	454,166	396,800	457,570	2,745,400	60,770
- 064 SELF INSURANCE FUND					
Misc. Revenues	45,834	45,834	58,334	350,000	12,500
Interfund Transactions (Admin)	233,174	263,910	282,330	1,693,993	18,420
Total 064 SELF INSURANCE FUND	279,008	309,744	340,664	2,043,993	30,920
- 070 SALES TAX REV BOND - DEBT SVS FUND					
Interfund Transactions (CIP/Debt)	1,234,988	1,160,370	1,161,466	6,968,791	1,096
Total 070 SALES TAX REV BOND - DEBT SVS FUND	1,234,988	1,160,370	1,161,466	6,968,791	1,096
- 071 DEBT SERVICE FUND					
Property Taxes				9,509,688	0
Misc. Revenues	135	66	960	39,366	894
Total 071 DEBT SERVICE FUND	135	66	960	9,549,054	894
- Grand Total					
TOTAL	9,630,524	10,312,974	10,214,021	197,125,291	-98,953

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM
COUNCIL AND STAFF

Subject:

Arts District Programming Update

Suggested Action:

Attachments:

[Art District Fall Programming Staff Report](#)



City Council Staff Communications Report

Subject: Fall Programming in the Art District
Author: Jenny Diersen
Department: Special Events
Date: October 6, 2022

On April 28, ([report](#) p. 782, [minutes](#) p. 19) and June 16, ([report](#) p. 128, [minutes](#) p. 5) 2022, the Council directed minor to moderate levels of temporary programming [located in the Art District](#). Council approved a program [budget](#) not to exceed \$50,000 from Transient Room Tax and asked for passive uses and programming focused on the local community and residents. Council also supported nonprofits that might want to program the area, and a Halloween festival proposed by the Special Events Department.

The site was set up in July for passive use. Two local organizations reached out to program the area but did not proceed due to a lack of infrastructure and the cost of bringing in necessary equipment (tents, bathrooms, power).

FALL PROGRAMMING

Community programming for "[Artober Fest](#)" is listed below, including local live music, a beer garden, and food trucks offered nightly. All programming is free/low-cost and open to the community.

- Wednesday, October 26- Kids & Family Spooktacular (4 to 7 p.m.):
 - Pumpkin painting, MARC trailer & games, face painting, balloon twister, scavenger hunt, piñata making, kids costume contest, and food truck with beer garden and music.
- Thursday, October 27 - Games & Ghouls (4 to 7 p.m.):
 - Youth and adult cornhole tournament, MARC trailer & games, pickleball, ping pong, giant chess, live music, beer garden, and food truck.
- Friday, October 28 - Bonanza Boo Bash (4 to 8 p.m.):
 - Kids & adult costume contest, photo booth, pumpkin carving contest, Park City Museum Glenwood Cemetery actors in historic costume.
- Tuesday, November 1 - Dia de Los Muertos (Day of the Dead) – A Celebration of Life (4 to 8 p.m.):
 - Centered on the Mexican holiday, programming will include a traditional ofrenda installation in partnership with Arte de México en Utah and Holy Cross Ministries.
 - The local Latino community will be encouraged to bring traditional offerings to the ofrenda installation including fruit, food, and memorabilia

to celebrate their loved ones who have passed on. Local Latin food vendors will be featured offering seasonal foods and face painting.

- The Kimball Art Center's (KAC) Young Artists' Academy will also participate in the event.

Within close walking distance, additional activities are available at the KAC and at Sundance Institute's Ray Theatre.

- Tuesday through Sunday, [KAC's free exhibitions](#) will be open until 6 p.m.
- On Saturday, October 29, in collaboration with Park City Institute and Warren Miller, [Sundance Institute will hold double feature screenings](#) at the Ray Theatre.

Public engagement will include social and local media and grassroots marketing efforts through local non-profit organizations. Our focus is on local attendance, and we do not intend to market outside of Summit County.

Those seeking collaboration and additional ideas for event activation in this area should contact jenny.diersen@parkcity.org.

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Transportation Planning

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM
COUNCIL AND STAFF

Subject:

Efforts to Promote Bicycle Safety

Suggested Action:

Attachments:

[Bicycle Safety Staff Report](#)

City Council Staff Communications Report



Subject: Efforts to Promote Bicycle Safety
Departments: Transportation Planning, Police, Trails and Open Space, Engineering
Date: October 6, 2022

The following is an overview of the efforts by various Park City Municipal departments to promote bicycle safety and continue to increase the accessibility of Park City for alternative modes of transportation.

Transportation Planning

Bike to School Celebrations

For the first time since 2019, PCMC and the Park City School District, along with community partners, hosted Bike to School Celebrations. These events invited McPolin Elementary students, parents, teachers, and staff to bike to school to celebrate all things bike safety. The two events in May and August attracted large crowds of students and volunteers, demonstrating the community's love and support of biking in Park City as a viable alternative mode of transportation and fun!

In 2022, the City distributed over 200 bike safety helmets to elementary students. Volunteers and community partners helped perform safety checks of bikes prior to the ride and demonstrated proper bike safety rules. PCMC also provided bike bells, which help alert nearby pedestrians and cyclists of an approaching bike. We look forward to bringing this event back in spring 2023 and believe our efforts create a safer community environment.





Helmet & E-bike Etiquette PSAs

PCMC created multiple public service announcements (PSAs) aired on KPCW regarding helmet safety and e-bike etiquette. The PSAs encourage bicyclists of all ages to wear a helmet and emphasize safety. The announcements also remind e-bike users to maintain a 15-mile-per-hour speed on all City pathways.

Park City Police

School Resource Contact

Officer Smalling has conducted classroom and group talks and presentations at McPolin Elementary on bike and traffic safety during events. Officer Smalling is an excellent and approachable community ambassador.

E-Bike Education

Officers working on Main Street and other heavily visited areas have spoken with E-Bike operators about rules of the roadway and proper equipment. Officers have found that the average citizen is not aware of the right-of-way and rules of the roadway while operating bikes and e-bikes. Officers have continued education regarding nighttime required equipment.

Enforcement

Officers and Rangers are regularly conducting enforcement in high utilization areas (Prospector & Old Town emphasis) throughout the City on traffic violations, specifically regarding e-bikes. We have taken several complaints of speeding e-bikes and issued a host of warnings and information to those offending safety and bike etiquette.

Police Assisting at Bike to School Events

The Police Department also participated in both Bike to School events over the last few months. Officers acted as safety guides for the students of McPolin Elementary on their routes from various parks and locations within the City. During the events, PCPD Officers assisted other City staff volunteers with bike helmet distribution. Officers also educated students and parents regarding bike safety rules of the roadway, required safety equipment for bikes (emphasis on equipment for night usage) and proper bike sizing.

E-bike Safety Video

The Police department is working on an “e-bike safety” educational video that school officers can use to train and educate Park City School District students. The safety video will be posted on PCMC’s website and social media channels.

Trails and Open Space Rangers

The Rangers, in conjunction with the Mountain Trails Foundation (MTF), hosted three Pathway Courtesy Program events in August and September. Rangers and MTF Ambassadors spoke with users stressing the importance of safety and etiquette. Below are some of the messages the program is promoting.



Pathway Etiquette Video in Production

As part of the Chamber's Sustainable Tourism Program, the Trails and Open Space Team was awarded a grant to develop additional trails and pathway education and outreach. The initial project is development of a Pathway Etiquette video, which is currently in production.

Engineering

Engineering is teaming up with the Park City School District to fulfill the goals of the State's [Safe Route to School Program](#).

- The team requested and received approval to access the Safe Route to School online mapping tool owned and maintained by the Utah Department of Transportation (UDOT).
- The team conducted a road safety audit, evaluated the Safe Route to School adopted maps and submitted work orders for several improvements.
- The team is also in the process of adopting the National Association of City Transportation Officials' Design of Safe Streets for Kids guidelines. These guidelines will be adopted by the Federal Highway Administration in the upcoming edition of the American Association of State Highway and Transportation Officials' design and Manual on Uniform Traffic Control Devices guidelines.

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: CONSIDERATION OF MINUTES

Subject:

Consideration to Approve the City Council Meeting Minutes from September 1, 14 and 15, 2022

Suggested Action:

Attachments:

[September 1, 2022 Minutes](#)

[September 14, 2022 Minutes](#)

[September 15, 2022 Minutes](#)



PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

September 1, 2022

The Council of Park City, Summit County, Utah, met in open meeting on September 1, 2022, at 3:00 p.m. in the City Council Chambers.

Council Member Dickey moved to close the meeting to discuss personnel, litigation, and advice of counsel at 3:00 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 3:45 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

WORK SESSION

Central Wasatch Commission Update by Blake Perez and Lindsey Nielsen, CWC Executive Directors:

Lindsey Nielsen reviewed the history of the CWC and indicated the commission was made up of 10 jurisdictions in Utah. Its purpose was to address longstanding issues and aspirations for the Central Wasatch Mountains. Blake Perez stated committees were set up from stakeholder groups and they provided advice to the board. Council Member Dickey asked if Deer Valley or Park City Mountain Resort had representatives on the stakeholder council, to which Perez indicated they used to have representation. He encouraged them to submit an application to be on the council again. He also explained current studies and plans, including the Regional Mountain Transportation Plan, Big Cottonwood Canyon Mobility Action Plan, Parleys Corridor Study and the Visitor Use Study.

Nielsen stated the Environmental Dashboard project had been ongoing for seven years. Data was gathered on air quality and climate, geology and soil, vegetation communities, water, and wildlife, and stored on the CWC website. She noted this was a great

resource for the public. She also discussed short term grant programs, including the Park City Bonanza Flat Transit to Trails program.

Chris Robinson, CWC Chair, stated the directors were capable to move the commission forward. Important things took time to implement. He discussed the Little Cottonwood Canyon Environmental Impact Statement (EIS), which included expanded buses and a gondola. He thought regional connections and collaboration offered through the CWC were valuable and it was important for Summit County and Park City to be members.

Council Member Toly asked if CWC included canyons by Ogden. Perez stated those mountains were not part of the Central Wasatch mountains. Council Member Doilney indicated he served on the commission for a while and stated the same factors that affected Little Cottonwood Canyon also affected the Wasatch Back

Discuss Winter Transportation Operations - Parking Plan:

Matt Neeley, Transportation Director, and Johnny Wasden, Parking Manager, presented this item. Wasden stated the Parking Department had been working to expand tools for enforcement for the past four years. He noted his team was involved with peak transit days and helping with traffic flow. One initiative was offering permits for residents to park in their neighborhoods since they didn't have on-site parking. He discussed virtual permits, "No Street Parking" signage and additional signage for peak traffic days.

Council Member Toly expressed concern that A-frame signage would fall over and wouldn't be seen. Wasden explained signage would be put on both sides of the street and notices would be on the Transit apps. Council Member Doilney asked what solutions were in place to deter parking in Prospector, since there were already parking issues there. Wasden stated the goal was to anticipate problem areas and then have a clear communication channel to let visitors know where to park. The auxiliary plan for parking in Prospector or other areas was timed parking signage that could be set out in the hot spots.

Council Member Rubell asked where outreach would be conducted, to which Wasden stated Thaynes and Prospector, but the Meadows subdivision could be included if there were parking concerns for that area. Council Member Rubell thought outreach could be expanded if residents outside the initial parameter began to show concern. He asked about fines. Wasden stated the initial fee was \$50 and that could escalate to \$200. Council Member Rubell noted this was an expansion of the parking program. The Streets Department had been adding signage so people should know and make parking adjustments.

Council Member Toly asked why Thaynes Canyon residents wanted to be a blue zone versus a red zone. Wasden stated he was willing to maintain the resident permit year-round since off-street parking was often not available. Residences built before 1910

1 needed the permit. A code amendment would be necessary for a year-round permit.
2 Council Member Toly asked for signage that would lead people to stairs going to bus
3 stops. She also asked how residents could report parking problems in their
4 neighborhoods. Wasden stated there was information and feedback forms on the
5 Parking website page.
6

7 Wasden displayed a chart of daytime paid parking rates and asked if Council supported
8 the rates. Council Member Rubell supported the outreach efforts and the paid parking
9 rates. He thought it was important for locals to have the ability to park places that were
10 time limited without a significant charge and asked Wasden to come up with some
11 creative ideas. Council Member Gerber asked if there would be paid parking at the
12 MARC, to which Wasden stated there would be no paid parking there, but he would be
13 analyzing that lot. Council Member Gerber asked if a parking spot analysis had been
14 performed. Wasden indicated a parking study was done in 2016 and he felt a more
15 comprehensive study was needed.
16

17 Council Member Doilney was encouraged that the City and its partners were trying new
18 strategies. This was a great start and he hoped the community would be patient while
19 the City figured out solutions to traffic problems. Council Member Toly noted there
20 would be one-hour parking stalls in China Bridge for people needing pickups or
21 deliveries. There was discussion with the Historic Park City Alliance (HPCA) to change
22 the paid parking time from 8:00 a.m. to 1:00 p.m. since Park City Mountain Resort
23 (PCMR) was only charging from 8:00 a.m. to 1:00 p.m. She also wanted to clarify that
24 the City was not incentivizing skiers to park on Main Street, and it was trying to protect
25 residents and customers. Wasden stated he would talk to HPCA about having a blanket
26 paid parking time.
27

28 Council Member Dickey agreed with changing the paid parking from 8:00 a.m. to 1:00
29 p.m. He supported daytime paid parking and suggested evaluating and adjusting it as
30 data was collected. He thought the \$25 parking fee should be increased to exceed the
31 amount charged for Vail parking, or else it would feel like overflow parking. He asked
32 about 15-minute parking stalls used during the day and felt like Main Street was packed,
33 but the stalls sat empty. He suggested adjusting the time limit to one hour. Wasden
34 stated there weren't many tickets issued for the 15-minute stalls and that could be
35 evaluated. Council Member Dickey also asked to hear the feedback from Thaynes
36 residents. Mayor Worel stated she sat in on HPCA meetings and she thanked them for
37 their willingness to work with the City on parking issues.
38

39 **Fall 2022 Trails Update:**

40 Heinrich Deters, Trails and Open Space Manager, and Wendy Fisher, Executive
41 Director, Utah Open Lands, presented this item. Deters reviewed the different
42 processes for developing trails and uses for trails and noted the Bonanza property was
43 handled differently. He stated individuals and entities make trail requests that typically

1 go through Mountain Trails Foundation. There were several trail processes for different
2 situations. He wanted to add information to the City website to help those with trail
3 questions. He also indicated there were plans to provide an ADA accessible trail from
4 the “Y” to Bonanza Deck.

5
6 Fisher reviewed the work done at Bonanza Flat in the conservation area. The
7 management plan was unique for a conservation area and within the plan all the values
8 were taken into consideration: wildlife habitat, scenic, cultural, and recreation. The other
9 part of the plan was the baseline documentation. This was where her team started, and
10 multiple problems were found. She looked at the total process. She asked that when
11 Council heard concerns, they go to the site with her and her team so the right thing
12 could be done for this area. Fisher displayed ongoing restoration efforts in areas around
13 Blood's Lake and some trails.

14
15 Mayor Worel noted staff looked for direction on whether to complete 1.75 miles from the
16 multi-use trail to Pine Canyon Road. Council Member Dickey asked what the utility was
17 for Phase One of the trail. Deters stated it was envisioned as a loop, and it would be
18 constructed a little at a time. Council Member Dickey asked if Phase One would lock in
19 Phases Two and Three with no room for other options. Deters stated Pine Canyon was
20 a good crossing point, and the process would go through Wasatch County for the
21 crosswalk and early warning signs. The City had the ability to go in two different
22 directions from there and it wouldn't limit the options.

23
24 Council Member Toly stated she had been to that area multiple times and talked to
25 residents and visitors. This was a multi-use trail for bikers and walkers. She wanted to
26 know if people should park at the “Y” and if not, she wanted to know what the area
27 would look like. She asked what could be done for the next two years. Deters stated it
28 took multiple years for a trail to get built. Signage would be placed directing visitors. A
29 lot of times Mountain Trails wouldn't connect the trails. Directions would be given for
30 people to stay on the trail and he hoped all would park at the Bonanza Flat Trailhead
31 since it had a restroom and maps. The “Y” parking was under Wasatch County
32 jurisdiction. He would continue discussions with them. Council Member Toly walked
33 where the wetland was and she understood why it needed to be preserved and the
34 need for the trail to be moved. Fisher stated the Aspen forest was encroaching into the
35 area. The other thing was Aspen trees attracted birds that ate tree-eating beetles.
36 Council Member Toly noted other parts of the trail weren't being kept because of the
37 trail grade. Deters stated hiking trails could be steeper than mountain bike trails, but the
38 trail was for mountain bikes and the City needed to conform to code. Council Member
39 Toly stated she was fine with staff moving forward with this part of the project, but she
40 wanted to be included in outreach efforts for future plans.

41
42 Council Member Doilney agreed this was a good plan. Council Member Gerber
43 supported moving forward with the plan and noted the plans were thoughtfully made by

experts. Council Member Rubell asked for a future conversation on the Transit to Trails program. Mayor Worel stated the area plan was a guideline and helped move efforts forward.

Council Questions and Comments:

Council Member Dickey stated the Transportation team did great work on reaching out to residents and talking about the Winter Transportation Plan. He noted the month-long break was an opportunity to do more work.

Council Member Toly gave a shout out to Emergency Preparedness Month in September. She thanked Mayor Worel and the Council for the Council in the Neighborhood event at Library Field and noted the next one would be at Thaynes in Rotary Park. Autumn Aloft would be September 17-18. She thanked the non-profits for their work to benefit the community.

Council Member Doilney stated he communicated with all the Council members over the break and noted those that accept criticism want to improve. He thanked all the Council members.

Council Member Gerber attended the Colorado Association of Ski Towns (CAST) meeting in Salida, Colorado, and indicated they talked about nightly rentals, affordable housing and childcare problems. She noted the childcare in the Park City schools was run by a nonprofit and it was shut down. She looked forward to more conversations on childcare. She attended the Utah Housing Coalition and asserted the housing problems were overwhelming. She hoped to discuss safety with ebikes as children rode them to school.

Council Member Rubell asked to revisit the Council's month off since there were a lot of topics that needed to be addressed.

Mayor Worel met with the Housing and Urban Development (HUD) regional administrator and they toured Park City affordable housing projects and discussed the City's housing efforts. She also went to Bike to School Day and thought it was a great community event. She announced Council would have a strategic planning retreat on September 14th.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Nann Worel	Present

Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	
None	Absent

II) APPOINTMENTS

1. Appoint Ruth Gezelius, Mary Wintzer, Jennifer Franklin, Stefanie Wilson, John Stafsholt, and Beth Armstrong to the Board of Adjustment with Staggered Terms, Beginning September 2022:

Michelle Downard explained the makeup and purpose of the board. Mayor Worel thanked the board members for their willingness to serve.

Council Member Gerber moved to appoint Ruth Gezelius, Mary Wintzer, Jennifer Franklin, Stefanie Wilson, John Stafsholt, and Beth Armstrong to the Board of Adjustment with staggered terms, beginning September, 2022. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Report:

1. Marissa Marleau Appointed as Deputy City Recorder:

IV) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Angela Moschetta was upset about Council Member Doilney's comment on criticism since he and Council Member Gerber were wearing t-shirts that said "Tone Def Relic" as a reference to a Park Record editorial. She accused them of lying and thought these Council members owed the public apologies. Mayor Worel cautioned Moschetta about

1 speaking to individual Council members and requested civility. Moschetta hoped they
2 would vote in sync with what they supported.

3
4 Megan McKenna supported affordable housing. She was hired as a housing advocate
5 for Mountainlands Community Housing Trust. She asked Council to reflect on the
6 mining labor that made the community what it was today and indicated labor was still the
7 life force of the community.

8
9 Bill Ciraco praised Nestor Gallo, who ran the Neighborhood Transportation
10 Management Program (NTMP), and noted in response to concerns, signage was
11 implemented in his neighborhood.

12
13 Charlie Sturgis stated he never hired anyone who didn't have a place to live, since he
14 knew they wouldn't stay. He suggested using some marketing money from Utah and
15 Park City campaign accounts for housing and structure repair. He noted the parking on
16 Bonanza Flat was great.

17
18 Mary Christa Smith asked Council to act boldly when it came to affordable housing. She
19 was a recipient of affordable housing. This was not a new issue, but this was a critical
20 moment where bold actions needed to be taken, including actions with childcare. She
21 was also grateful for each Council member and the work they did. She apologized to
22 Council Members Gerber and Doilney for the persecution they faced in the community
23 and indicated this was not representative of the majority of the community.

24
25 Eric Moxham supported what the City was doing with the Homestake affordable housing
26 project and thought that was the way to maximize affordable housing. He liked
27 public/private partnerships and thought the City was leading the way. He didn't listen to
28 the Winter Parking presentation, but he knew the City and Vail would present on winter
29 parking. He recommended that Council and staff engage in discussions with the County
30 and Vail about the unintended consequences of paid parking. He thought it would
31 create a lot of congestion on the roads and mountains. He suggested a better plan was
32 to have paid parking for both bases on the weekends and reduced pricing during the
33 week. He also suggested a parking pass for locals. He encouraged collaboration
34 between the City, County, and resorts.

35
36 Diego Zegarra thanked Council for serving in public office and especially for
37 championing affordable housing. He noted the Community Foundation was partnering
38 with Mountainlands for affordable housing.

39
40 Deb Rentfrow eComment: "As someone who attended all of the interviews for the
41 Planning Commission seats, I believe there were multiple candidates which had
42 valuable experience and a strong desire to serve our community. I fully supported the
43 appointments which were made. At our Mayor's suggestion, the Planning Department

has been asked to prepare an amendment to the LMC to include more specific criteria as a requirement for the Planning Commission. I have a couple of thoughts I hope you will give consideration. 1) Does the City have a professional(s) in the engineering or building department with experience not limited to construction, planning or architecture which reviews applications and provides the appropriate scrutiny, calculations, analysis, etc. to the Planning Staff to include in their staff reports? Including this as part of the review process and putting their findings and/or conclusions in the staff report would lend additional confidence to the staff recommendations to the Commission. This individual should also be available to the Planning Commissioners should they have additional questions or concerns as they review the packet or discuss the application during the meeting. While references have been made in previous staff reports to various departments reviewing and giving their input on feasibility, if the City does not have an employee(s) with the necessary qualifications to perform this important aspect of review, perhaps it is a new position which should be considered rather than trying to find a member of the community to fill this role as part of their duty as a Commissioner. 2) Based on the wording of the amendment, it would seem anyone with professional experience not limited to construction, planning or architecture would automatically tick a box and have a leg up even if they are overall less qualified than someone without this professional experience. And, just because someone has professional experience does not guarantee that it is "good" experience. For example, someone may have experience as an accountant yet still produce inaccurate financial statements which potentially results in big issues, financially, legally or otherwise. As always, I appreciate your service to our community."

Kevin McCarthy eComment: "Winter routing, currently 2 Green. For years the bus coming west bound on Holiday Ranch would cross 224 at the light and then in about 50 feet make a left turn on to Prospector Dr. This has increased safety aspects. Rather than sit blocking traffic, as a bus needs greater leeway when making left turns, they crossed over via the through traffic lane. Making a left turn on 224 to include immediate transition to the right shoulder and stop location, utilize the next available left turn off PayDay in a very low traffic environment, onto Prospector enabled the bus to provide service to additional neighborhood stops. At the south end of Prospector the bus services a protected stop before making a right turn onto 224 to rejoin the route. The safety enhancement was also that we did not have to stand essentially on the shoulder of an extremely busy 224 waiting for a bus. In winter snow conditions this is a very dangerous option. If the city wants residents to use the bus transit system you will need to consider what works for us as well. The alternative is to just use a car to go everywhere."

Mayor Worel closed the public input portion of the meeting.

Council Member Gerber was excused at 6:30 p.m.

V) CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from June 28 and July 14, 21, and 28, 2022:

Council Member Rubell moved to approve the City Council meeting minutes from June 28 and July 14, 21, and 28, 2022. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

VI) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Contract with Alpine Forestry LLC. for Defensible Space Work, in a Form Approved by the City Attorney, in an Amount Not to Exceed \$136,000:

Council Member Toly noted the areas included in the mitigation efforts.

2. Request to Adopt Resolution 16-2022, a Resolution Declaring September 10, 2022, as the Planting Park City Day of Service:

Mayor Worel moved to remove Item Two from the Consent Agenda. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

Council Member Doilney moved to approve Consent Agenda Item One. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

2. Request to Adopt Resolution 16-2022, a Resolution Declaring September 10, 2022, as the Planting Park City Day of Service:

Celia Peterson, Sustainability Project Manager, recognized Craig Nielsen, and Bruce and Deborah Hook, Just Serve Utah. Nielsen stated they would plant 150 trees on the day of service. He said www.justserve.org was a platform for nonprofits to solicit their needs and volunteers could use this site for coordinating service projects. This was the National Day of Service to remember September 11, 2001, and to do good on that day.

There would be 300 volunteers for this project. The high school Honor Society school clubs would be helping. He asked for residents to park at the film studios at 9:00 a.m. and walk to the dog park where assignments would be given on where to plant the trees. He wanted this to be a biannual event so 10,000 trees would be planted by 2030.

Council Member Dickey moved to adopt Resolution 16-2022, a resolution declaring September 10, 2022, as the Planting Park City Day of Service. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

VII) OLD BUSINESS

1. Consideration to Adopt the Rail Trail Master Plan:

Heinrich Deters, Trails and Open Space Manager, Maria Vyas, Fehrs & Peers Active Transportation Consultant, and Charlie Sturgis presented this item. Deters stated the master plan was a community document. The Rail Trail was a great community asset. He reviewed the history of the Rail Trail. Over the years, there were many comments on the need for maintenance for the trail. This plan was conceptual and was phased. Each step would come back to Council for approval, and he noted this was a multi-year project.

Vyas reviewed the public outreach efforts for the master plan and stated some of the feedback included the need for improved wayfinding, separating the modes, having more dog waste stations and trash cans, the need to widen the trail, and adding restrooms. The stakeholder group reduced the proposed width of the trail, minimized lighting, and limited improvements to specific locations. Some concerns expressed regarding dog safety, the potential gondola or tram, and lighting.

Deters proposed to widen the trail by adding eight feet of road base. Council Member Rubell asked if the road base was eight feet throughout the entire trail. Deters stated the plan still needed to be engineered and would come back to Council for approval. If the plans interfered with other priorities, it could be reconsidered. Council Member Toly asked if it could be four feet on each side of the pavement.

Deters discussed the Wag'On Trail, which was an area that could be an off leash alternative to the trail. Council Member Dickey asked what the cost of a new trail would be. Vyas explained where different amenities would be located along the trail. Deters stated there was a bridge that would be about \$10,000, but Public Works wanted to donate a bridge and so it would only be the cost of labor to install it. He stated there

1 was stewardship and maintenance that would allow the City to improve the condition of
2 the trail near term. In the medium term, the hope was to widen the Wyatt Earp section.

3
4 Mayor Worel opened the item for public input.

5
6 Suzanne Rosenberg represented 56 people whose properties abutted the Rail Trail who
7 signed a petition. She stated there was a lot of flora and fauna along the trail. She didn't
8 think there was an ecological assessment on how widening the trail would affect the
9 wildlife. She thought adding eight feet would cut into the berm along the trail. Spruce
10 tree roots would be impacted. Other areas would need a lot of fill dirt. She noted 75%
11 did not want the trail widened. She stated traffic calming initiatives narrowed roads, not
12 widened them.

13
14 Steve Shupert thanked Rosenberg for her presentation. He indicated there was a
15 problem with ebikes on the trail. He agreed there would be an impact on the wildlife.

16
17 Shirin Spangenberg stated her concern was a restroom going in at Wyatt Earp. She felt
18 putting a structure there would hide drug deals from police officers. She supported a
19 restroom on the trail.

20
21 Andre Dumas stated bikes on the trails was a concern. There were bike lanes on the
22 streets. He supported restrooms and suggested having it visible from the park as well
23 as from the trail.

24
25 Karen Zorzy used the Rail Trail all the time and it was so crowded. She favored
26 widening the trail and didn't favor splitting the road base to four feet on each side.
27 Widening was a safety issue.

28
29 Bo Pitkin was involved in the Walkability (WALC) committee and supported this
30 proposal. He heard the concerns and wondered if the width could be narrowed but the
31 design improved. He liked the soft surface proposal and suggested 16 feet instead of 18
32 feet.

33
34 John Fry supported the Wag'On Trail. He thought this proposal was creating a road, and
35 that would cause problems. He suggested pulling out the hard surface and putting down
36 a soft surface. It would slow things down and move bikes off the trail. He also suggested
37 alternating 200 yards of pavement and 50 yards gravel throughout the trail.

38
39 Douglas Duditch worked on this and went to the Planning Commission meeting. He
40 knew the effort to get public comments. Most of the City he talked to did not want to turn
41 the trail into a road. It should be a park. There was no beautification efforts or wildlife
42 attraction efforts. He encouraged a no vote.

Miche White stated she was a member of the committee and noted everyone made sure it was accessible for handbikes for individuals with disabilities. It was a popular trail and it would be used, so the City needed to figure out how to keep it safe. She supported the plan.

Jacie DeYoung suggested holding off on the widening. The rest of the plan was great. She requested a use study not using 2020-2021 data.

Ed Orschel thought it was important not to line the trail. He thought the trail should meander. He thought restrooms in the park made more sense. The trail was a park and should be treated as a park. It was a transportation corridor as well, but it needed traffic calming to be safe.

Mari Bell stated widening the trail would mean more congestion as well as trail etiquette. A moose and her young were tranquilized and moved to a new area and she didn't want that for Park City.

Kim Fry shared the opposition to widening the trail because speeds would increase on a wider trail. Speed bumps would help. She supported the trail being treated like a park. There was also a Utah orchid on the trail.

The following eComments were submitted:

Suzanne Rosenberg eComment: "On September 1, 2022 the Park City Council (PCC) will vote on a proposal to widen the Union Pacific rail trail by 8 feet of asphalt and 4 feet of gravel between Bonanza Drive, Wyatt Earp Way, and State route 248 east of US-40. The proposed widening includes making the asphalt pathway 18 feet wide with 2 feet of gravel on either side, for a total width of 22 feet. According to Summit County regulations "Access roads shall be limited to ten feet (10') in width" (11-6-8: INFRASTRUCTURE STANDARDS; https://codelibrary.amlegal.com/codes/summitcountyut/latest/summitcounty_ut/0-0-0-18970). Widening the rail trail therefore will turn it from a trail into a road. Below are a few of the reasons and issues that must be addressed before either widening the rail trail or making other changes.

1. There is a vibrant eco system of ducks, geese, herons, resident and migrating birds (e.g. pelicans), beavers, muskrats, ground squirrels, and flora in the wetlands on the north side of the rail trail between Wyatt Earp Way and State route 248. Moose and deer come down from the south side hills to drink at the wetlands and sandhill cranes travel along the rail trail and the berm in spring with their young. There has been no consideration of how widening the trail (including replacing existing bridges over water) will impact the flora and fauna. An environmental impact study of the wetlands is essential before any changes are made to the trail. 2. There are many mature trees within 10-12 feet of the trail on the south side of the rail trail east of Wyatt Earp Way. These trees sit on a berm. Widening the trail by any amount (proposal is for 8 feet) on

the south side of the existing trail will require cutting down part of the berm and is likely to impact (kill?) these mature trees by eliminating and/or cutting their roots. These trees provide an important barrier between the rail trail and houses along the south side of the trail. 3. Off-leash dogs climb the berm and defecate in the backyards of the houses on the south side of the rail trail. Dog owners are usually unaware of this activity so the clean-up is left to the homeowners. Widening the trail on the south side will make it easier for off-leash dogs to find a location to defecate. 4. Widening the trail will not stop bikers from speeding. Traffic calming guidelines involve narrowing, not widening roads. A divider for walkers vs bikers will not stop folks from biking/walking on the wrong side since it's unlikely people will adhere to directions (or if they'll even read the directions). Most bikers currently do not stop at stop signs."

Kristie and Blake Henderson eComment: "Unfortunately we are unable to attend the meeting in person on Thursday evening but we would like to make our thoughts known as people who live near and utilize the rail trail almost daily in all capacities. 1. We are supportive of all the improvements around the creek and making that area look nice with more benches, etc. 2. We also appreciate more signage to remind people that this is a shared trail among children, dogs, pedestrians, bikes and e-bikes, and the speeds have to be maintained and the bikes (of all kinds) need to yield to all others. 3. We do NOT agree that the trail should be widened at this point. The wider the trail, the more people will use it, and they will go even faster than they do now. In the last 2 years we have seen the rail trail change into a small highway filled with speeding e-bikes, young children operating these e-bikes, accidents and injuries among locals and visitors. It is not safe for the riders or the pedestrians. We are all for more biking and walking and less traffic from vehicles, but from what we have seen firsthand, if the rail trail is widened, it could quickly become a feeding ground for ER visits. Thank you for the hard work that you do, and for your consideration."

Shannon ONeal eComment: "The plan focuses too much on creating a new transportation corridor focused primarily on ebikes and not enough on preserving the peaceful park-like amenity we have now. The rail trail is a park with a mixed-use path, not an alternative transportation artery. Hyping that aspect is how we begin, I think. The rail trail is a friendly place. Cyclists must always yield to pedestrians. Dogs should be leashed or under voice control. Other towns have done a lot of work on this, let's look at what they've done before we cut down our trees, grade the trailside, and free the cyclists to go as fast as they like. The proposal timeline sensibly begins with the low-hanging fruit, some of which has already begun to show up: Maintenance Striping Wayfinding signage There is no funding for the major and most expensive, disruptive proposals that are a few years down the road, the widening, bridge building, expansion, wetlands issues, restrooms, etc. I suggest we begin with more of the low hanging fruit while the required studies go forward: Along the way show people the extent of the proposed expansion and THEN ask them if they like that idea. The striping is a gentle reminder to share the trail. More trash cans and pet waste bags (and a realistic

1 maintenance schedule) will help keep the trail clean. The Wag'On Trail is a great idea.
2 Signage reminding dog owners to leash their animals and pick up after them will also
3 help. Concerns: The proposed cross section is too large and unnecessarily trades trees,
4 grasses, and other plants for road base. Designating all paved surface for cycling will
5 result in greater speed and more danger to pedestrians for the inevitable conflicts.
6 Traffic calming involves reducing perceived space. PC spends a lot of effort on it
7 elsewhere. The proposal is the exact opposite. Preserving natural habitats should
8 always be a priority in PC."
9

10 Mari Mennel-Bell eComment: "I would like to restate my concerns RE the Rail Trail
11 Master Plan and to reiterate my urgent wildlife request. Widening trails will just attract
12 more speeding and have possible negative impacts on habitats and wildlife. PC has
13 excellent bike lanes on its roads. On the rail trail we should encourage people to slow &
14 look around. I love the idea of birdhouses stationed along the trail!! As part of the tree
15 planting program, why not plant bushes such as crabapple on public land near the rail
16 trail so people can watch deer, moose, elk and birds harvest them? The rail trails should
17 be for people to spend time in nature and hopefully be able to see wildlife, esp moose!
18 The shocking relocation of the mother moose and her baby from Prospector Park this
19 week should never, ever be allowed to happen again! The council needs to step up to
20 the plate and send a strong message. I request that you draw up a document to state to
21 the public and esp. DNR that Park City's counsel stands firmly against the relocation of
22 our large wildlife. Unless it can be unequivocally proven to police and DNR that said
23 wildlife presents unprovoked danger to people, they must be left in their habitat. The
24 greatest gift that we can give future generations is protecting our wildlife and preserving
25 our environment for people to experience in as natural a state as possible."
26

27 Mayor Worel closed the public input period.
28

29 Deters reviewed the City's and state's endeavor for the City to take over the Rail Trail.
30 The final document would come to Council for approval in a month and would contain
31 the details on how the City would maintain the trail.
32

33 Council Member Rubell appreciated the study. He expressed concern with having an
34 off-leash area and thought it was a plan for those who wouldn't follow the rules. He
35 thought part of the off-leash trail got close to housing and he wanted mitigation if that
36 moved forward. From the public input, there were concerns with machinery and
37 landscaping. He didn't think it had to be a fixed 18 feet the entire way. He suggested
38 more efforts to enforce safety and thought that should be a near-term goal. He agreed
39 ebikes were a problem around town and not just on the Rail Trail. The approval would
40 approve the plan and move forward with design. Deters stated the specifics would come
41 back to Council for approval at a later time. Council Member Rubell suggested moving
42 safety to near-term and approve the strategic document that would guide decisions
43 moving forward.

Council Member Doilney stated there was a lot of outreach with positive feedback and now the public input was opposed to the results. He stated the primary concern was safety and widening the trail. Historically this was a transportation corridor and a state park. He supported adopting the plan knowing Council would address each issue at a future time.

Council Member Toly stated the trail served many areas. She asked if the plan could be approved for the near-term and pull off the medium and long term. Council Member Rubell stated this document would help the City get funding. Mayor Worel noted each item would come back individually for approval, but safety was the priority.

Council Member Dickey agreed with the other Council members and indicated there needed to be a specific conversation on trail width. He liked the feedback and favored approving the master plan.

Council Member Doilney moved to adopt the Rail Trail Master Plan. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

2. Consideration to Approve Ordinance 2022-35, an Ordinance Amending Title 14, Trees/Landscaping; Streets, Sidewalks and Stairs; Streetcuts; Snow Removal; Street Address System; News Racks by Amending Chapter 14-7 Small Wireless Facilities in the Public Right of Way of the Municipal Code of Park City:

John Robertson, City Engineer, presented this item and reviewed the history of small wireless facilities in Park City. Since December, he worked on code amendments that would work for the City, while complying with State Code. He proposed replacing light poles on Main Street with attachments for 4G and 5G. The Historic Preservation Board (HPB) had concerns with the boxes that would be attached to the light poles. Robertson spoke with a consultant about resolving the concern. The solution was to add a pole-top extension and antenna to the light pole. He noted each application for small wireless facilities would go through an analysis process. These would go in the Historic Commercial District. In the residential areas, the recommendation was to add it to a utility pole.

Council Member Rubell asked if the City could push the antenna to surrounding streets or if they would have to go on Main Street. Robertson stated the applicant had to show a need for a certain area. If buildings got in the way, the antenna had to be higher. Council Member Toly asked if they would be implemented at the same time. Robertson stated the digital antenna system would be installed at one time. Outside that area, they would come in individually as needed.

Council Member Doilney asked if the infrastructure could handle all providers. Robertson didn't know the answer. Council Member Doilney asked if there was anything the City could do to require the poles to be used by multiple vendors. Robertson stated it could be encouraged but not required. Council Member Doilney encouraged the system put in place to be used by multiple users.

Council Member Dickey asked if the City would install the antennas. Robertson stated it would be installed by the private company at no cost to the City. Mayor Worel asked if the street would be dug up for fiber optic, to which Robertson stated a conduit was in the street already and fiber optic could be placed in there, but it would have to be connected to each pole.

Council Member Doilney stated the City met the Federal Communications Commission (FCC) requirement that it had to allow one provider and asked if it had to allow other providers, to which Robertson stated other providers could have access if they met the requirements. Council Member Rubell asked if the design guidelines could be changed in the future, to which Robertson affirmed. Margaret Plane, City Attorney, confirmed a guideline needed to be in place in case an application came in.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Toly indicated she researched this for information to oppose it, but couldn't find any reason.

Council Member Doilney moved to approve Ordinance 2022-35, an ordinance amending Title 14, Trees/Landscaping; Streets, Sidewalks and Stairs; Streetcuts; Snow Removal; Street Address System; News Racks by amending Chapter 14-7 Small Wireless Facilities in the Public Right of Way of the Municipal Code of Park City. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

3. Consideration to Approve Ordinance 2022-25, an Ordinance Approving the Fox Tail Trail Subdivision, Located at 3805 Fox Tail Trail, Park City, Utah:

Alex Ananth, Senior Planner, presented this item with Doug Ogilvie from Redus. Ananth reviewed the applicant proposed to create a 3.8 acre lot and 29 acre parcel in Recreation and Open Space (ROS). She reviewed the history of the Hidden Meadows Subdivision and noted 11 lots in that subdivision had a maximum floor area of 10,000. There was a new recommended Condition of Approval (COA) that she proposed be added to the ordinance which would limit the use of the ROS portion of Lot 1 of Fox Tail

Trail Subdivision. Ogilvie clarified the triangle in the ROS zone. Since that parcel would not have improvements, it was left as ROS.

Mayor Worel noted at the last discussion, Council members continued the item because they wanted to have a site visit. Council Member Dickey stated he was stuck on the ROS portion of the parcel. He thought all the ROS should go to the City. Ogilvie stated the views from the top of the corner of the property had better views than the home site. He didn't think it warranted rezoning the parcel.

Council Member Rubell asked if the 12-month minimum rental restriction would prohibit multiple users. Ogilvie proposed a deed restriction in favor of the City and the adjacent HOA, prohibiting transient occupancy. Margaret Plane, City Attorney, stated Harrington reviewed the deed restriction and it aligned with the City Attorney discussion.

Mayor Worel opened the public hearing.

Andre Dumas asked if the open space property could be used from the Solamere side, to which Mayor Worel affirmed.

James Letchford, speaking on behalf of the Solamere and Hidden Meadows HOA, stated the project only benefited one person. The General Plan emphasized sense of community, but this project was a land grab. The project was approved with fractional ownership, a long driveway, etc. and was approved by the planners until the community opposed it. People used the unofficial trail all the time. This was an emotional element to the project. The community had mistrust of the process. He thought this subdivision should not happen, and the ROS should not be part of the lot. He also asked that the deed restriction be solid.

Mayor Worel closed the public hearing.

Council Member Rubell was concerned with the mixed zoning in the parcel. He thought the annexation agreement was clear the ROS should stay with the City. None of the other lots in Hidden Meadows had mixed zoning. He thought it should be rezoned or deeded to the City. Council Member Dickey agreed with the ROS concern. He asserted this was a strong property rights state and the owner had the right to develop.

Ogilvie offered to take out the ROS part of the lot and deed it to the City, leaving the lot at 3.03 acres. Plane noted Council Member Dickey had concerns amending the lot spontaneously, but explained it had been done before.

Council Member Doilney stated the motion had to note the new COA. He stated the applicant met every request. He heard the public comment, but the owner could do what he wanted on his property. Council Member Doilney favored voting on this tonight.

Ananth proposed approving the ordinance with the amendment that the lot is constrained to the Estate zoned portion only and the conditions of approval be revised to reflect that and be reviewed by the City Attorney's office prior to signature. Plane added including the .76 acres to be part of the dedication.

Council Member Doilney moved to approve Ordinance 2022-25, an ordinance approving the Fox Tail Trail Subdivision, located at 3805 Fox Tail Trail, Park City, Utah with the amendment that the lot is constrained to the Estate zoned portion only and the Conditions of Approval be revised to reflect that, and be reviewed by the City Attorney's office prior to signature, including the .76 acres to be part of the dedication. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

VIII) NEW BUSINESS

1. Consideration to Approve Ordinance 2022-31, an Ordinance Approving The Stag Lodge Phase 1 Fourth Amended Condominium Plat Amending Unit 7, Located at 8200 Royal Street, Park City Utah:

Alex Ananth, Senior Planner, indicated the owner of Unit Seven proposed converting common ownership to private ownership. They would be converting a deck with a staircase to private area and incorporating a loft. This would add 1,440 square feet to the unit. This was consistent with previous plat amendments.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell moved to approve Ordinance 2022-31, an ordinance approving The Stag Lodge Phase 1 Fourth Amended Condominium Plat amending Unit 7, located at 8200 Royal Street, Park City Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

2. Consideration to Approve Ordinance 2022-32, an Ordinance Approving Stag Lodge Phase IV Third Amended Condominium Plat Amending Unit 50, Located at 8200 Royal Street. Park City:

Alex Ananth, Senior Planner, stated the owner proposed converting common use space to private use space, specifically the crawl space connected to the unit.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney moved to approve Ordinance 2022-32, an ordinance approving Stag Lodge Phase IV Third Amended Condominium Plat amending Unit 50, located at 8200 Royal Street. Park City. Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

3. Consideration to Approve Ordinance 2022-29, an Ordinance Amending Stormwater Illicit Discharge Detection and Elimination Authority for Park City Municipal Corporation:

Liz Lagoy, Stormwater Coordinator, presented this item and indicated Park City complied with federal law by maintaining a MS4 permit. Part of the permit required the City to control the discharges released into the storm drain system to protect water quality. The ordinance would give the City the authority to investigate with notice and access facilities that could be illegally polluting the stormwater.

Mayor Worel opened the public hearing.

Andre Dumas stated the stormwater ordinance only related to buildings with permits. He noted buildings were built on top of mine tailings. If there was a water leak in his yard, there was a high possibility the tailings were leaking into the stormwater.

Mayor Worel closed the public hearing.

Council Member Rubell asked if Paragraph E(1) could be amended to say reasonable attempts to notice inspections would be made. Lagoy displayed the proposed amendment to the code.

Council Member Doilney moved to approve Ordinance 2022-29, an ordinance amending Stormwater Illicit Discharge Detection and Elimination Authority for Park City Municipal Corporation with the addition for Paragraph E(1): "Reasonable attempts to contact the property owner for the inspection shall be made prior to accessing private property." Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

6. Consideration to Approve Resolution 17-2022, a Resolution Adopting the 2022 Five-Year Moderate-Income Housing Plan as an Addendum to the 2014 General Plan for Park City, Utah:

Rhoda Stauffer and Jason Glidden, Housing Department, presented this item. Glidden indicated the State Legislature passed an ordinance for municipalities to submit housing mitigation plans. Park City had been submitting these plans for years. The City had four main goals that would help address the City's needs. Staff would meet all six categories laid out by the State.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney complimented the Housing team for their report and the efforts being made to meet the housing challenge. Stauffer stated this report would satisfy a state requirement, but she was excited to work on an overall plan for the City's needs. Council Member Rubell agreed the City needed to get creative to have places for people to live. He encouraged to look at the relationship between the workforce wages, the industries in town and their median incomes, and how that related to area median income (AMI) levels. The target should be in the 50%-60% AMI range. There was need across the board, but the achievable outcome should be the focus. Council Member Dickey agreed this was a great report and the City was doing a lot.

Council Member Dickey moved to approve Resolution 17-2022, a resolution adopting the 2022 Five-Year Moderate-Income Housing Plan as an Addendum to the 2014 General Plan for Park City, Utah. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

4. Consideration to Approve Ordinance 2022-33, an Ordinance Approving the Sommet Blanc Condominiums Plat, Located at 9300 Marsac Avenue, Park City, Utah:

Makena Hawley, Planner, stated this plat would grant density to confirm the configuration of the proposed units and memorialize the units that had been approved previously. She noted a correction of six affordable units would be constructed on site and there would be an additional COA, that the Mid Mountain trailhead parking lot would be constructed by 2024.

Doug Ogilvie, Developer, stated this was an exciting project. The process with the Planning Commission was productive. More space was created for affordable housing. It would be a good residential facility with another good restaurant.

Council Member Rubell asked if the intent for the Mid Mountain trailhead parking lot was because of construction, and noted he was surprised it was two years out. Ogilvie stated the trail was moved uphill due to the sewer construction. It was redesigned to be better. It was clarified townhomes were planned originally, but density was taken off the hillside and the trail was put there. It was indicated construction traffic would come off the Marsac Roundabout and some construction staging would be on Twisted Branch.

Mayor Worel opened the public hearing.

Andre Dumas wanted to see larger concentrations of affordable housing access. He worked in the mortgage industry and having affordable housing in resort districts was a concern. He asked the developer to parcel off the restaurant and commercial part of the property. That would allow lending for affordable housing units.

Mayor Worel closed the public hearing.

Ogilvie stated the affordable housing would be rentals. Council Member Rubell was concerned about the parking lot given the construction and he pushed for a COA for the trailhead to be constructed sooner. Ogilvie stated he didn't know if it was possible. He thought the 2024 timeline worked, but if he could, he would build it next year.

Council Member Doilney moved to approve Ordinance 2022-33, an ordinance approving the Sommet Blanc Condominiums Plat, located at 9300 Marsac Avenue, Park City, Utah. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

5. Consideration to Approve Ordinance 2022-34, an Ordinance Approving Iron Canyon Subdivision Lot 33 - Building Pad Adjustment Plat Amendment, Located at 14 Iron Canyon Court, Park City Utah:

Makena Hawley, Planner, stated the building pad would be adjusted to conform to the building design. The current pad went up the hill instead of going across the lot. Six other lots had adjusted their building pads. The community gave public input because a trailhead would be moved and the trailhead would be inaccessible for a time, but it would be functional at some point.

Mayor Worel opened the public hearing.

Doug Farr, Counsel for the Campbells, stated the client had no objection to the plat amendment. The concern was the relocation of the trailhead. He reviewed the history of the trailhead, and indicated the City put up signage on a shared driveway. The trail

access was designated at that spot because there was 10 feet on Lot 36 of the plat that was designated as a utility and access easement. The Campbells opposed the use of their driveway for trail access. There were concerns people would slip and fall on their property. He wanted the Council to be aware of this issue.

Craig Terry, Attorney for Dillon Hotung and Stephen Boyd, stated his clients were not opposed to the building pad adjustment, but opposed the trailhead movement and utilizing the common driveway. They were concerned for safety. The redirection to the common driveway would be a safety hazard.

Doug Farr stated the utility access was for a water tank, which made the access clear it was a utility access.

Andre Dumas stated he used that trail for a long time and suggested putting a parking lot past the driveways and a trailhead from the lot to the trail.

Mayor Worel closed the public hearing.

Mayor Worel indicated that only the building pad adjustment was being considered today and asked how the public could weigh in on the trail. Heinrich Deters stated the trail was there before the subdivision and this was a difficult issue. His job was to maintain public access. There was a platted easement and that was a possibility. He would bring solutions to Council as part of the public process.

Council Member Dickey reiterated the only topic was the building pad adjustment and he was comfortable approving this item. Council Member Rubell stated the trail would be impacted even if the building pad had not changed.

Council Member Dickey moved to approve Ordinance 2022-34, an ordinance approving Iron Canyon Subdivision Lot 33 - Building Pad Adjustment Plat Amendment, located at 14 Iron Canyon Court, Park City Utah. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Rubell, and Toly

EXCUSED: Council Member Gerber

7. Consideration to Approve Ordinance No. 2022-30, an Ordinance Amending Land Management Code Section 15-12-2 Terms and Eligibility of Members to Outline Planning Commissioner Qualifications:

Rebecca Ward and Gretchen Milliken, Planning Department, presented this item. Ward reviewed the Council discussed the value of requiring expertise in certain fields as qualifications to serving on the Planning Commission. This amendment would require

one commissioner to have expertise in construction, planning, architecture or engineering.

Council Member Rubell asked if the section would apply for midterm vacancies. Ward stated it applied to members in general. Council Member Rubell stated there was a separate process for appointing members midterm. Council Member Doilney stated the amendment allowed for flexibility, with priority given to that expertise, but if nobody with expertise applied, other members could be considered.

Ward stated 15-12-1 was the creation of the Planning Commission. Section 15-12-2 focused on terms and eligibility and in general, it showed the requirements for eligibility. She proposed the mayor appointment language be moved to 15-12-1 to clarify the intent. Council Member Rubell requested to clarify that language. Margaret Plane, City Attorney, stated the code language was clear, but historically, the mayor chose to be more inclusive with Council.

Council Member Doilney thought giving the mayor the leeway to operate in a midterm appointment circumstance was a good thing, noting that sometimes adding more would be more confusing. Council Member Toly asked if the Mayor would have to appoint someone with the same expertise as the resigning member. It was indicated the Mayor would have to give priority to people with expertise.

Mayor Worel opened the public hearing.

Deb Rentfrow stated the Planning Commission discussed the criteria at length. Her takeaway was there were already three or four people on the Planning Commission who had land use experience. She asked if a midterm appointment would still give priority to expertise if there were already those with expertise on the Planning Commission.

Angela Moschetta agreed with Rentfrow and stated all the Planning Commissioners had concern with the amendment. She thought some of the people who applied previously were aware they didn't need to apply again and they thought they would be considered.

Mayor Worel closed the public hearing.

Mayor Worel asked Downard if that language was on the website. Milliken stated that language was still on the website, but was not intended for Planning Commission applications. It was indicated that language would be removed.

Council Member Dickey stated if architecture or planning reviews were needed, those should be built into the process. He did not view this appointment language as necessary. His second concern was the ability to attract people, but using the "priority" language helped with that. He proposed to add real estate development to the list of

1 expertise. Council Member Toly asked if language should be added to say recent
2 experience.

3
4 Council Member Doilney stated the Planning Commission and Council wanted
5 somebody with expertise when Doug Thimm left, and now they felt slighted. He agreed
6 the remaining members had great skillsets. The code language didn't feel solid, but he
7 liked having someone who was on both sides of the application in the seven-member
8 body.

9
10 Council Member Rubell stated he could support the current amendment or he could
11 leave it. Mayor Worel reviewed that when she proposed the amendment, she referred to
12 her time on the Planning Commission and the value of having members with expertise
13 to help interpret issues.

14
15 Council Member Doilney moved to approve Ordinance No. 2022-30, an ordinance
16 amending Land Management Code Section 15-2-2 Terms and Eligibility of Members to
17 Outline Planning Commissioner Qualifications with the amendment to add real estate
18 developer. Council Member Dickey seconded the motion.

19 **RESULT: APPROVED**

20 **AYES:** Council Members Dickey, Doilney, Rubell, and Toly

21 **EXCUSED:** Council Member Gerber

22
23 **IX) ADJOURNMENT**

24
25 With no further business, the meeting was adjourned.

26
27
28
29

Michelle Kellogg, City Recorder



PARK CITY COUNCIL STRATEGIC PLANNING MEETING MINUTES - DRAFT
1283 DEER VALLEY DRIVE
PARK CITY, SUMMIT COUNTY, UTAH 84060

September 14, 2022

The Council of Park City, Summit County, Utah, met in open meeting on September 14, 2022, at 9:00 a.m. in the Park City Christian Center Conference Room.

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
None	Absent

Council Member Dickey moved to close the meeting to discuss personnel at 9:05 a.m.
Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

II. CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 11:00 a.m. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

III. LIAISON ASSIGNMENTS AND FUTURE MEETING ITEMS

Council Member Doilney felt good about his assignments and asked if anyone needed him to step up in his alternate roles. Council Member Toly requested to add Community

1 Wildfire Mitigation Board to the list and noted she and Council Member Rubell would be
2 the liaisons.

3
4 Council Member Gerber asked if the taskforce liaison roles for Housing, Affordability
5 and Social Equity, Transportation, and Environmental Leadership should be eliminated.
6 Mayor Worel stated Council Members Dickey and Rubell had taken the lead with the
7 Transportation taskforce and she would be the alternate. Council Member Gerber stated
8 she and Council Member Dickey attended the Homestake meetings and asked if that
9 was considered the Housing Taskforce. Mayor Worel felt it was important to continue
10 having co-liaisons for Housing, but taskforce was the wrong name for that.

11
12 Council Member Toly stated she worked with seniors on housing and with Jonathan
13 Weidenhamer regarding short-term rentals. She thought she could look at programs in
14 the future of Housing that would utilize the existing housing stock. She thought this
15 might be part of a Housing taskforce but separate from new building. Council Member
16 Gerber suggested expanding the Housing Taskforce and including Council Members
17 Dickey and Toly.

18
19 Council Member Rubell stated some liaison roles were topical and some were
20 organizational. He suggested looking at being consistent at the next retreat and
21 collapsing into the topical categories instead of the one on one to each nonprofit. The
22 role of Council was an executive board and was not task-based, so he thought the
23 Council could eliminate the topical or eliminate the organizational. Council Member
24 Gerber stated this topic came up every few years and when the Council would agree to
25 drop something, a big issue would surface requiring Council support.

26
27 Council Member Rubell wanted a secondary housing liaison. Housing had multiple
28 facets: the strategic side of pushing for housing and obtaining housing; and working
29 through the projects and being on point to work with staff and developers. Council
30 Member Dickey asked to be co-liaison with Council Member Gerber.

31
32 Council Member Toly asked that she and Mayor Worel be co-liaisons for the seniors.
33 Council Member Rubell asked that Council Member Dickey make it known if there were
34 projects with perceived conflicts, since he was in the real estate business. Council
35 Member Toly asked to be the alternate.

36
37 Council Member Rubell asked to rename the Arts and Culture liaison to the Bonanza
38 Park liaison. It would include the entire area instead of only the Arts and Culture parcel.
39 Council Member Gerber asked if there should be a Council liaison for each area of the
40 City. Council Member Rubell thought that would be a good conversation for the future.
41 Council Members Dickey and Gerber were the liaisons and Council agreed it could be
42 renamed.

Council Member Dickey thought having neighborhood liaisons was a good idea. He was engaged in Housing, Transportation and how Special Events related to Economic Development, and he thought Special Events should be renamed Economic Development. He preferred to be more involved in these areas than in the Arts and Culture District/Bonanza Park Area if there was another Council member who would like to work with Bonanza Park. Council Member Toly stated she covered all the economic development groups and she was happy to be over Special Events/Economic Development, but noted many events happened on Main Street and that was a reason she was not the liaison when assignments were initially chosen. Council Member Rubell volunteered to be the liaison for the Bonanza Park area since his background was in strategic planning.

Council Member Gerber suggested removing PC Unidos from the list since that group didn't meet anymore. She also suggested removing Authentic Local Culture and Environmental Leadership. Council agreed. Council Member Gerber stated she was listed as the liaison for the Joint City/County Economic Task Force, but Council Members Dickey and Rubell had been active in those roles and she suggested including economic development grants in that category. Council agreed to move the joint taskforce and economic Development Grants to the Special Events/Economic Development category.

Matt Dias, City Manager, indicated the Live Park City Advisory Committee needed liaisons. Mayor Worel and Council Member Dickey volunteered for that assignment.

Future Meetings:

Matt Dias stated some of the items listed would come up naturally, but others were requests from members of the Council. He indicated most of the items would come back as staff communication reports. If Council requested more discussion, it could be brought back for discussion. Council Member Gerber asked that some of the items be combined to shorten the list. Council Member Rubell asked prioritize the items.

- IT Centralized – would be addressed in the budget process.
- Recreational regional agreement –Council Member Doilney asked to allow time for the Recreation Advisory Board (RAB) to get educated on this issue. He wanted a date certain set to give RAB parameters.
- Gillmor Parcel Transitions and Planning – This property was County owned. Luke Cartin and Heinrich Deters would be bringing this to Council in a month.
- Lighting the Barn policy – Council Member Doilney wanted a policy on how to message all City buildings and land. Dias indicated he and Mayor Worel would work on that.
- Maverick Station for community events – This was on hold for now while the feasibility study was done for the Bonanza Park area.

- Budget policy review – This would be part of the budget process and there would be some discussion today.
- Council priorities – Council would wait until after the discussion this afternoon.
- Transit operating and maintenance – This would be part of the budget process.
- City financial support of nonprofits – Budget team was working on this.
- Recreation prioritization – There would be some discussion on this today.
- Leasing surplus water – The renewal was approved for this year.
- Flagstaff transit for winter – Staff was in the planning stage.
- Council Compensation – Mayor Worel heard compensation was a deterrent for filing for Council so she wanted results before June, 2023.
- Parental leave – this would be discussed during the next budget cycle.
- Bonanza Flat winter programming – This would be coming to Council this fall.
- Bonanza Flat Conservation Easement and Management Plan review – This would be coming to Council this fall.
- Intersection safety – This would be returning to Council.
- Peak traffic mitigation with NTMP - Council Member Rubell wanted a briefing soon since it was a safety issue.
- Housing Fund – This would be discussed today and he would discuss it with Mayor Worel.
- Construction mitigation restricted workdays - Council Member Gerber asked if a taskforce was needed. Dias stated he would discuss that possibility with the Building team. Any changes would be made before construction season began. Mayor Worel asked if fines would be discussed too and suggested fines increase as offenses increased.
- Annexation to Water District versus the City – Council Member Rubell stated the question was if the City should allow people to connect into the City water system and not pay into City services. Council Member Doilney indicated each application needed to be considered on its own merit. He thought they were all unique. Council determined this did not need to be addressed at a future meeting.

Council Member Gerber requested an update from the school district and the childcare situation. Mayor Worel stated the liaisons would meet with the liaisons from the school district Friday and that could be discussed, and a date set for a Council presentation.

After a lunch recess, the following was discussed:

V. MASTER PLANNING PROCESSES

1 Matt Dias, City Manager, reviewed the purpose of having Council retreats and indicated
2 the municipality covered a wide range of services which required a lot of expertise. He
3 stated the discussions today would focus on where there was Council consensus.
4

5 Gretchen Milliken, Planning Director, stated she was presenting an action plan today for
6 the long-term planning initiatives of Bonanza Park and the General Plan. There would
7 be an update to the feasibility study for the Arts and Culture District as well as bumping
8 up the circulation transportation parking component to the Bonanza/Snow Creek area
9 plan. She noted the City would be coordinating with the County in evaluating
10 alternatives and determining the most advantageous and strategic order of operations
11 within the City boundaries as well as within Summit County.
12

13 Jen McGrath, Deputy City Manager, stated there was a lot going on in the Arts and
14 Culture District and Bonanza Park and that area was central to the City. The feasibility
15 work would help everyone understand the needs so a sustainable area could be
16 planned. Land uses, parking needs, etc. were essential and would be part of the
17 Bonanza Park Small Area Plan. She noted this idea supported regional coordination.
18 The feasibility study would kickstart the implementation plan for the district's future with
19 stakeholders. It would focus on post-COVID conditions, community input, and the
20 critical community priorities. It would also consider the existing and future circulation
21 and parking challenges, emphasize long-term viability and financial feasibility, and feed
22 into the Small Area Plan.
23

24 Milliken explained the Small Area Plan was a mini-General Plan. It would create a
25 shared vision for the neighborhood, strengthen neighborhood identity and vitality,
26 address land use and housing issues, identify connectivity, circulation, parking needs
27 and opportunities, and provide plan prioritization and implementation strategies. She
28 discussed the reasons for having the area plan, and noted it was a central location in
29 the City, it needed redevelopment, there were acute parking and connectivity issues, it
30 had been identified as a culture district, there were several City-owned properties in the
31 area, it was diverse, local and attainable, and was a walkable community.
32

33 Milliken reviewed the purpose of updating the General Plan. She stated there were 16
34 goals in the current General Plan and many of them were directed for the Bonanza Park
35 area. She indicated that the General Plan would guide future Land Management Code
36 (LMC) amendments. She also explained the steps for updating the General Plan.

37 McGrath stated the proposed strategy would set the City up for the best outcomes.
38

39 Mayor Worel indicated the 2014 General Plan defined areas, and one of those was
40 Bonanza Park. She asked if the neighborhood boundaries could be changed during the
41 General Plan update. Milliken stated the update would look at neighborhood boundaries
42 and how they were all connected. Mayor Worel stated Prospector Park was really
43 growing and was trying to be a vibrant part of the community. She thought that area

1 identified with Bonanza Park. Council Member Toly suggested the study encompass up
2 to Gold Dust Lane so all the businesses were included.

3
4 Council Member Rubell stated there wasn't one direction being taken, but multiple
5 directions. He asked if there was a clear picture of what the desired inputs and outputs
6 would be for each piece of the plan. He asked if the boundaries should be drawn to the
7 area being studied, leaving out other areas, since those would be part of the General
8 Plan. McGrath stated they wanted to see how the things that touched the existing
9 boundaries would be impacted. Then they could decide whether to redraw the
10 boundaries. She noted community feedback would help determine what the appropriate
11 uses should be. Changes would be made based on that feedback. Council Member
12 Rubell asked for those things to be put on paper so the vision could be informed
13 through the hierarchy. He suggested looking just at Bonanza Park. He didn't want the
14 Arts and Culture feasibility study to inform the Bonanza Park area plan. He wanted to be
15 clear on the inputs, then decide what should be done with the area, and then do
16 strategic area planning, which in turn could inform some of the Arts and Culture
17 feasibility. This way would define the five acres as Arts and Culture and would define
18 the Small Area Plan. He also thought it would be fine to do both concurrently, but they
19 would have to be careful with the language. There might be a sensitivity that it took so
20 long to get to this point, so now it felt like everything was rushed. He wanted to move
21 forward, but didn't want to short-change ourselves by limiting the possibilities with how
22 this was written. McGrath stated there were different ways to look at it and different
23 ways it could work. Staff spent many hours putting this process together and she felt
24 comfortable moving forward with the current action plan. There were many components
25 for the area plan and the Arts and Culture District was one component.

26
27 Council Member Rubell disagreed with how the approach was being framed. There
28 were too many stakes in the ground prior to the process which could tie the City's hands
29 on the possibility of the area. His concern was that the City was restricting too many
30 uses in the Bonanza Park area before the City had done the exercise. Council Member
31 Toly asked for the steps in the feasibility study versus the Small Area Plan. Milliken
32 stated the Small Area Plan would pull together the residents, stakeholders, and visitors
33 to confirm a vision or create a new vision. Once that was established, the more detailed
34 work could begin. Council Member Rubell asked how to do the exercise before the
35 feasibility. McGrath stated it would be more beneficial to do the feasibility study before
36 the area plan. She reviewed a lot of work was done on the Arts and Culture District in
37 2017, but everything changed after COVID. The needs today might be different than in
38 2017, so it was important to go back to the community to see what the community
39 wanted for the area, and then determine how to make it work.

40
41 Council Member Doilney stated it was important to decide if there was consensus on
42 having an Arts and Culture District and that was needed before the area plan. Council
43 Member Rubell didn't want to go to the community to ask if they wanted an Arts and
44 Culture District since the City already committed to its partners that there would be an

1 Arts and Culture District. He didn't think the first question should be if we wanted an Arts
2 and Culture District. The first step was to meet with partners to define the Arts and
3 Culture District and then decide on what would be the purpose for the rest of the area
4 versus keeping the scope so defined.
5

6 Council Member Dickey stated he didn't think the City could meet the commitments of
7 the Letter of Intent for the Arts and Culture District. The questions around the district
8 should be: what are the components, how is it structured, what are the uses, what do
9 we shift, how do we change it to make it work for the City and partners, and how could
10 we deliver an arts and culture district? He didn't think the district should have set
11 physical boundaries as long as there was an arts and culture district. He indicated the
12 Bonanza Park neighborhood had big development applications that would be coming.
13 He thought the City needed to pause development while the plan was getting
14 developed. The key was understanding the risks of this approach outlined by Council
15 Member Rubell and not ignoring the surrounding neighborhoods. He asked for a future
16 discussion on implementing a moratorium.
17

18 Mayor Worel asked what the high points of the process would be with a feasibility study.
19 McGrath indicated a question could be asked if the Arts and Culture District should go
20 forward, and Council could decide if they wanted the question as a first step or not. The
21 study would layout the wants and must haves, then break down the financial reality for
22 those things, and provide the path forward on how to get those things.
23

24 Council Member Toly asked if it made sense to have an overall plan before asking the
25 initial question because other groups might be filling the need. She asked if the current
26 General Plan's goal of making Main Street the heart of town would still be the goal or
27 would Main Street be ignored as a result of the new General Plan. McGrath stated there
28 would be a complete study and they wanted to make sure they were being equitable.
29 The goal was to create something new without pulling resources from current programs.
30 The feasibility study would run concurrently with the Small Area Plan.
31

32 Council Member Gerber asked how the two plans would be differentiated when public
33 input was requested since both plans would run concurrently. Milliken stated RFPs
34 would be issued and consultants would be used for both of these projects. There would
35 be a website and information would be distributed through the City's social media
36 channels.
37

38 Council Member Rubell asked what the scope would be in looking for consultants.
39 McGrath stated anyone could submit an RFP. The scope would require communication
40 between projects. She wanted to be thoughtful so public forums could be combined for
41 time efficiency. Dias asked for consensus on how to approach this goal, whether it was
42 starting small to big or starting big and narrowing down. Council Member Rubell thought
43 it could work either way. He heard the components, which would ultimately be the
44 General Plan. If something was done now for the feasibility study or Small Area Plan, it

1 would form the General Plan later. We also had to function as a City, so understanding
2 which parts of it would be inputs into the first part of the plan would be beneficial so
3 wires would not be crossed.

4
5 Council Member Gerber thought the approach made sense. She stated there was a
6 problem getting the LMC amendments after the 2014 General Plan was approved and
7 she wanted to ensure the code was updated when the new General Plan was approved
8 so there was consistency. McGrath wanted to align the General Plan components so
9 the final piece of the plan work was specific identification of where the General Plan and
10 LMC were at odds so those could be aligned.

11
12 Council Member Doilney hoped staff would get clear direction from Council to see a
13 path forward. He supported moving forward as proposed. Council Member Dickey
14 stated the risks Council Member Rubell identified were real and they needed to be
15 thought about. He felt the action plan made sense for the situation and supported the
16 proposal. He noted this would also allow the City to update the General Plan at the
17 same time as Summit County.

18
19 Council Member Toly asked if the liaisons had talked to Kimball Art Center and
20 Sundance about doing a feasibility study, to which Mayor Worel affirmed. Council
21 Member Toly stated it was a vibrant neighborhood and she didn't want that overlooked
22 because there was a new vision.

23
24 Mayor Worel opened the item for public input.

25
26 Angela Moschetta indicated she attended an open house yesterday for Arts Fest and
27 Silly Market. There were challenges, vision, and solutions. Her idea was regarding the
28 Arts and Culture District. There were commitments to two organizations. There was also
29 the Homestake affordable housing project. There was a need to make it financially
30 work. She stated there were opportunity zones, or redevelopment zones, and there
31 needed to be a mixed-use development. There could be affordable restaurants and
32 housing. She proposed taking the land and asking some wealthy neighbors to help
33 partner with the City to create an opportunity zone and they could get a small return.
34 This could be something new and bold on how to fund affordable units. Milliken stated
35 that idea was one reason for this study. McGrath stated this would be part of the
36 financial feasibility analysis.

37
38 Mayor Worel closed the public input.

39
40 Council Member Rubell asked what was different moving forward than what Council
41 discussed during the February Council Retreat. McGrath stated there was funding as of
42 July, and scopes of services had been written and would be revised after today and
43 then staff would move forward. Milliken stated at the last retreat an idea was presented.
44 Today an action plan was being presented. Council Member Rubell stated the approach

1 was imperfect and there would be continuous improvement. He supported moving
2 forward.

3
4 McGrath asked if the starting question for Arts and Culture District should be if the
5 community wanted it, or should staff assume it was moving forward and ask how would
6 it be developed. Council Member Rubell supported honoring commitments that were
7 made. He stated he would like to see how the rest of the Arts and Culture District would
8 be used after those commitments were honored. Council Member Toly agreed and
9 asked what the next step would be. Milliken stated a selection committee would make
10 the recommendation for the consultant and she would bring the contract to Council for
11 approval.

12
13 Council Member Doilney agreed with Council Member Rubell that commitments needed
14 to be honored but outside that, options should be considered. He indicated this would
15 take time and there would be changing leadership in the next couple of years, and he
16 knew these conversations might be repeated. He encouraged the public to engage in
17 the process and keep up with the details. Mayor Worel asked about the timeline for
18 completing the feasibility study and the Small Area Plan. McGrath stated the
19 consultants would set the timeline reality, and noted she expected proposals with a fast
20 timeline that would be more expensive and some with longer timelines that were less
21 expensive. The goal would be to find a good balance.

22
23 Council Member Dickey stated the City's partners expected the City to ask the
24 community if they still wanted an Arts and Culture District, and they viewed it as a good
25 thing. But then they would expect a binding development agreement. Council Member
26 Doilney wanted to ask the community if it still wanted an Arts and Culture District.
27 Council Member Dickey stated partners would not look negatively on the City if the
28 question was asked. After some discussion on the question wording, McGrath stated
29 the question could be asked if the community wanted the Arts and Culture District in
30 that area. The Council agreed to ask the question as McGrath phrased it and to move
31 forward with the study and plan as presented.

32
33 Pat Putt, Summit County Community Development Director, stated he was impressed
34 with the presentation today. He explained the County's visioning process and stated it
35 would begin in October and last for 11 months. He indicated there were two planning
36 districts in the County but the issues they dealt with were starting to be the same. The
37 consultants would help the County develop education for the public. He thought the
38 schedules presented for Park City's General Plan update dovetailed with the County
39 planning process.

40 VII. BUDGET STRATEGIES

41
42 Matt Dias, City Manager, explained the Mayor and Council filled out a survey on
43 priorities to see where there was consensus and where there was divergence of
44 opinions. He knew there was limited time, resources, and staff, and the results would

1 help define priorities. Jed Briggs, Budget Manager, stated this exercise would help
2 Council collaborate on a collective future, initiate a critical conversation, understand
3 what the key topics were, help staff better allocate resources to those priorities, and use
4 the data to inform the next budget process. He wanted to focus on key areas, since the
5 critical priorities were broad. The survey had conflicting interests and this would narrow
6 the scope of priorities. Council Member Doilney asserted all the questions were
7 important, but some were more important. Council Member Dickey also noted some
8 questions were focused on ideas the Council hadn't discussed.

9
10 Briggs displayed survey results for Housing, Transportation, Environment, Equity,
11 Organizational Infrastructure, Resort Economy and Community Balance, and
12 Recreation. He stated Council could implement the highest scoring questions, let staff
13 bring back options for the ideas, or do nothing.

14
15 Housing: Council Member Dickey commented public/private partnerships scored high,
16 and asked what others thought of having a regional housing authority. Council Member
17 Doilney stated there was discussion last year of creating a regional housing authority.
18 He thought the regional group would help by updating Council on different locations
19 where affordable housing was being constructed and then the City could still work on its
20 own part. Mayor Worel added Council needed to see models of what regional housing
21 authorities looked like. Council Member Gerber thought there should be conversations
22 on what the goals of a housing authority would be and the tools needed to accomplish
23 those goals. She noted many regional authorities were administrative, so a taskforce
24 might be more useful. She was surprised the question on having 15% of the workforce
25 living in the City limits was not as high on the list. Council Member Toly noted the
26 questions on housing stock were scored surprisingly low as well. Council Member
27 Rubell stated he scored that low because of the buy down part. He looked at the rental
28 assistance programs versus ownership buy down questions and it was spending money
29 versus leveraging money. He wanted to spend funds on things that would have the
30 most impact. He wasn't in favor of the Live Park City program either, but he would see
31 how the pilot went. He suggested a similar program for rentals - offering subsidies to
32 help people get a foothold in the community. He was not against using existing housing
33 for workforce, but he didn't want to spend money that would only benefit a few people.
34 Council Member Doilney stated using tools that were cost effective were more
35 attractive. The buy down program was expensive. He didn't think that was a way to
36 achieve the housing goal most efficiently.

37
38 Mayor Worel noted additional dwelling units (ADU) weren't mentioned and thought
39 those could be addressed more. Council Member Gerber indicated it was cost effective
40 to build outside City limits, but the point of building within City limits was to have people
41 in the community who could vote or run for office and participate in other ways. Council
42 Member Rubell hoped housing could be on a transit line. That would help people be
43 able to engage in the community easier. He hoped to talk to Wasatch and Summit
44 Counties to see what their projects were and how everyone could work together.

Council Member Doilney noted the City boundaries expanded with the annexation and they could take advantage of that. Mayor Worel asked if the Housing Fund had to be spent within the City limits. Briggs stated most of the funds were in the Redevelopment Agency (RDA) and they had to be spent in the RDA boundaries or spent on housing within the county.

Dias summarized the highest priorities were public/private partnerships, deprioritize City centric, and have 15% workforce housing within City limits. He asked about density and height requirements and Council supported increasing those. Dias asked about creating a new funding source. Council Members Gerber and Doilney supported that. Council Member Toly wanted to address the seasonal housing crisis. Council Member Gerber stated this had been discussed with previous Councils and the decision was that the City government was focused on long-term housing, and businesses needed to address seasonal housing. Council Member Rubell stated he would vote no on a public tax, but he could look at other creative ideas. He was also curious about using funds that could be sitting in other City accounts.

Transportation:

Dias reviewed the questions and stated the City was trying to balance cars, bikes and pedestrians on the roads. Council Member Rubell supported bold new ideas. He didn't want to forego capital solutions, but supported temporary solutions until the capital projects were completed. He wanted to collaborate with big businesses to find answers. Dias stated the question to own SR-248 was to make it a local road instead of having UDOT control it. Council Member Toly wanted bolder solutions and didn't think buses were the answer. She noted there were no questions on other forms of transportation such as aerial, trains, tunnels, etc. Council Member Gerber stated people seemed more willing to pay more for transit than housing, but those issues were very connected.

Council Member Toly asked what taxes could go to housing instead of transportation. Briggs stated there were three transit sales taxes and they had to go to transportation operations or transportation projects. The other sales taxes could go for whatever Council prioritized. Council Member Gerber stated this was an opportunity to create additional funds. Council Member Toly wasn't looking at property taxes to pay for housing, but she wanted to look for new funding sources such as federal grants. Sarah Pearce stated the question on foregoing capital projects would come to Council for discussion on October 6th. There was a temporary solution that would cost a lot of money and then it would be hard to discontinue it.

There was consensus on establishing a regional transportation taskforce to identify bold collaboration solutions. Council Member Doilney thought the City was behind on transportation solutions and a significant amount of money was needed to implement those solutions. Council Member Gerber responded to Pearce's comment and stated there was so much congestion that something needed to be done until a permanent solution was put in place. Council Member Toly indicated she felt that question was

1 going forward to the future. Dias stated some communities didn't change their
2 operations during tourist season. He thought Council wanted to manage the congestion.
3 Council Member Rubell agreed and stated he scored the question low because the City
4 should focus more on permanent solutions. He noted the increased transportation
5 service would use operating and maintenance (O&M) funds, and that would need to be
6 balanced with capital projects. He did not want to spend the current fund balance to put
7 in O&M solutions without creating funding solutions where the responsibility lay. He
8 wanted to work with community partners on that. Housing was a capital investment and
9 Council needed to look at how to raise the funds to accomplish the Housing goal.

10
11 Council Member Dickey prioritized Transportation over Housing because optimally 15%
12 of workforce would live in town and effort needed to be made to figure out how to get
13 the rest of the workforce into town. There needed to be a concrete vision on what was
14 needed so we could get the money to do it. Council Member Gerber stated the
15 community continued to evolve and noted other communities had a goal to have 50% of
16 the workforce living in town. That scenario would make a difference in traffic congestion.
17 Council Member Rubell asked to learn more on why workforce housing was not a
18 priority for Council. He felt the Council was showing the community that housing was a
19 priority because of all the resources put towards it. Council Member Gerber noted 15%
20 was a low goal. Council Member Dickey stated it was difficult to get to the 15% level.
21 Council Member Doilney wanted the City to be a community with a ski resort in it, and
22 not a ski resort with a community. He wanted all efforts put towards building community.

23
24 Mayor Worel was interested in seeing the results of the County's Olympic survey to see
25 what the County residents offered as solutions. Council Member Dickey asked to bring
26 back the disruptive transportation ideas for a future discussion.

27
28 Environment:

29 Dias stated the City had environmental challenges and it desired to be a more
30 sustainable community. He noted the City was aggressively pursuing the sustainability
31 goal and it had the solar farm, so this category was easier to respond to. Council
32 Member Toly asked about the question on prioritizing wildfire mitigation over trails and
33 open space. Dias stated the intent was to create discussion, but no immediate action
34 would be taken. Council Member Toly didn't think either priority would have to be cut
35 back since nonprofits used their money. Erik Daenitz, Assistant Budget Manager,
36 indicated federal funds were received for things such as trails maintenance and weed
37 mitigation. Some of those funds would be put toward wildfire mitigation instead of weed
38 mitigation in 2023. Council Member Rubell indicated the County was looking for federal
39 funds to help with wildfire mitigation so there could be funding for both priorities.

40
41 Council Member Doilney referred to the soil storage question and noted his surprise that
42 a high score was next to storage within the City limits. It was noted the City boundaries
43 had expanded and there was a possibility to store the soils on the newly annexed
44 portion of the City limits.

1 Mayor Worel did not like the way the recycling question was worded, and felt the City
2 had a fantastic recycling center. Council Member Gerber stated the recycling center
3 wanted to expand. She also noted it was essential as the City focused on zero waste.
4

5 With regard to the question on aggressively adjusting water rates, Council Member
6 Rubell asked if the other members agreed the residential rates were tiered, but the
7 other rate classes needed to be tiered for water conservation. Council Member Doilney
8 stated the new rates hadn't gone into effect yet, and he wanted to see the results from
9 that adjustment. Council Member Dickey supported the cash for grass pilot, but
10 indicated he didn't support it in general because he didn't think there would be a
11 significant conservation change.
12

13 Council Member Rubell asked if the question on energy efficient facilities applied to City
14 facilities. Dias stated the presumption was it did not apply. Council Member Rubell
15 supported it. Council Member Toly didn't want to incentivize new construction with
16 anything. Mayor Worel stated net zero requirements could be achieved through the
17 LMC and not through financial incentives. Council Member Dickey asserted he would
18 rather put funds to housing instead of energy efficiency.
19

20 Equity:

21 Council Member Gerber stated the hardest part of these questions was there hadn't
22 been conversations on the topics yet. Council Member Doilney asserted he rated
23 childcare high because it was critical for employers and employees. Council Member
24 Rubell rated childcare low because he wanted to hear from the experts on how
25 impactful it would be. He heard it wasn't the funding, but the lack of facilities or
26 teachers. Council Member Doilney agreed but noted lower wage workers couldn't afford
27 to pay for the programs. Council Member Gerber indicated she would like to hear from
28 the experts at Early Childhood Alliance. Council Member Dickey was willing to have the
29 conversation.
30

31 Balance Resort Economy with Community:

32 Dias stated this was a sensitive issue – balancing quality of life with economy. He
33 estimated it was over a decade since the City helped the private sector boost the
34 economy. Construction mitigation was a hot topic, and survey questions also asked
35 about the role of City Planning.
36

37 Council Member Toly thought economic development was necessary in any town and
38 commented the questions were confusing. Council Member Dickey picked out the
39 performance zoning incentives, but other than that he didn't want to promote exceptions
40 to the LMC and new development. Council Members Rubell and Doilney agreed.
41

42 Council Member Gerber wanted to hear community feedback regarding the Park Silly
43 Sunday Market (PSSM) and the Kimball Arts Fest. She thought it was interesting to see
44 the close scores of Expanded Administrative Review and Maintain the Same Application

1 Process. Council Member Dickey thought if the rules were being followed, it should be
2 easy for customers to come in and get help. Council Member Rubell thought those were
3 different questions. He didn't think staff should be burdened coming to Council just
4 because Council had to approve it. If there was something discretionary, it should come
5 to Council. Mayor Worel asked for the Planning Commission to weigh in on that too.

6
7 Recreation:

8 Dias stated the questions focused on renovation and creating new facilities. Council
9 Member Toly indicated the City couldn't do it all at once and she rated it according to
10 priority. Council Member Gerber heard from the community to increase day camp
11 capacity and so renovating the building at City Park was the way to do that. Council
12 Member Rubell stated residents paid taxes that supported recreation and they should
13 have some benefit from funding. The regional users were not contributing through
14 taxes. As expansion continued around the borders of the City, the City needed to
15 ensure they weren't subsidizing recreation for people who lived in places where
16 recreation was not prioritized. Council Member Doilney indicated this was discussed at
17 RAB, and noted Basin Recreation had facilities coming in the future that Park City
18 residents would be using. He thought Council should wait for the RAB analysis and
19 recommendation. He would prioritize aquatics until all Latinx children knew how to
20 swim. He knew there were fewer indoor pickleball courts than outdoor courts. This was
21 a use that the City had not met. Expansion was needed in this area as well.

22
23 Organizational Infrastructure:

24 Dias stated he wanted to look at processes to modernize the City. Council Member
25 Rubell stated Questions Two and Three could be evolutionary. The goal was to become
26 more efficient. He noted health, safety, and welfare were already priorities and these
27 other priorities were on top of the basic services. Referring to Question Four, Council
28 Member Doilney stated the private market would not provide services due to the resort
29 community costs. Mayor Worel liked the comment for skill development of staff. Dias
30 noted staff was going to their trade conferences and bringing back good ideas. Council
31 Member Dickey referred to the question on the Olympics and he wanted to keep that in
32 mind as the City pursued Transportation opportunities and funding.

33
34 Briggs indicated staff would come back for further discussions on the priorities and it
35 would affect the budget process.

36
37 **VIII. ADJOURNMENT**

38
39 With no further business, the meeting was adjourned.

40
41
42

Michelle Kellogg, City Recorder



PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

September 15, 2022

The Council of Park City, Summit County, Utah, met in open meeting on September 15, 2022, at 2:45 p.m. in the City Council Chambers.

WORK SESSION

Planning Commission Interviews:

Mayor Worel and the Council members interviewed Brianna Callaway, Roger Robinson, Stefanie Wilson, William Ciraco, and Henry Sigg. Council Member Doilney recused himself from Henry Sigg's interview disclosing he could potentially work on a business deal with Sigg outside the City limits.

Ice Arena and Interlocal Agreement Update:

Amanda Angevine, Ice Arena Manager, presented this item and introduced her team. Mike Genther reviewed the Ice facility utilization and noted it was used every day all year long. Angevine displayed data on usage by area. She noted it did not include free skate or skate rentals. Fifteen percent of registered users were Park City residents, 40% were from the Basin area, 10% lived in Wasatch County, and 8% lived in other areas of Summit County.

Council Member Doilney asked if the hockey players were tracked under Registrations. Angevine indicated the players were tracked under the Cell Phone Traffic numbers and noted that included players coming for tournaments. Council Member Toly asked if the data included children who did not have cell phones, to which Erik Daenitz, Assistant Budget Manager, stated the data was taken from where the cell phone was at night. Council Member Toly asked if there was a time limit for cell phone tracking, to which Daenitz stated it was tracked to the microsecond.

Angevine stated revenues were back to pre-pandemic levels with the current cost recovery at 82%. She noted this was a deed restricted facility so the activities were limited to recreation and education. Tim Francis discussed the programs offered and noted the classes had reached capacity since the 2022 Olympics. He stated speed skating was terminated during COVID and now that class had been reinstated. Mike Diersen reviewed the outdoor ice rinks and indicated they were a big success. The biggest obstacle was the snowfall in December since staff ran out of space to put the snow. During the Olympics, free classes were offered for speed skating, figure skating,

1 and ice hockey. He noted there was a concern about possible noise complaints, but he
2 never received a complaint.
3

4 Council Member Doilney asked if the water truck flooding the area was the best
5 solution. Diersen stated there was talk of having a water line extended to the area, but
6 that was too expensive. He thought the water truck was a good solution. Council
7 Member Doilney asked if there was an impact to the tennis courts, to which Diersen
8 stated there was no impact. Angevine indicated there was a grant to give youth free
9 skates, which was geared to the Latinx community. Council Member Toly asked if there
10 was a timeframe for opening the outdoor rinks, to which Angevine stated the target was
11 the week before Christmas.
12

13 Diersen reviewed the capital improvements, including a dehumidifier replacement, a
14 rebuilt ice resurfer, and a water softener. In this next year they would be replacing the
15 nine HVAC units and the second ice resurfer. In the future, the floor would need to be
16 replaced as well as the refrigeration system.
17

18 Angevine reviewed the history of the interlocal agreement with Basin Recreation. Some
19 of the exhibits in the agreement outlined the expenses for several years. Many items
20 were not included and the estimates were under the actual costs. Basin Recreation had
21 agreed to pay \$50,000 per year to help with the maintenance costs and the City decided
22 to match that. The ice arena requested an extra \$30,000 per year in 2020 and a one-
23 time \$100,000 contribution. The City paid those requests, but Basin Recreation did not
24 fund that request. In 2021, the City requested an annual increase to \$66,000 and a one-
25 time payment of \$275,000. Basin Recreation agreed to the \$66,000 annual payment,
26 but not the one-time request and they wanted the three-year review clause removed
27 from the agreement. Angevine was seeking a third party facility asset study. She noted
28 either party could request a review at any time and didn't have to wait three years.
29

30 Council Member Rubell asked why Basin Recreation wanted the three-year review
31 clause removed. Dana Jones, Executive Director of Basin Recreation, indicated the
32 board reviewed the request and they had been there a long time and knew the history.
33 They felt this was a Park City facility and was considered Park City's asset. Because it
34 was a Park City amenity, eventually Park City would take over running it and Basin
35 Recreation would contribute the annual maintenance help. Lynn McGee, Chairman of
36 the Committee, stated it was his understanding the money would be spent on capital
37 expenditures and they didn't think it had been spent on that. He wanted to get together
38 to make sure it was spent how they were told it would be spent.
39

40 Council Member Doilney asked why the committee wanted to eliminate the three-year
41 review as a condition to raise maintenance contribution. Ben Castrum, committee
42 member, stated Basin Recreation didn't increase the annual contribution by \$30,000
43 because they made a \$100,000 contribution. They didn't have a say in what happened

1 at the arena. Basin Recreation built their facility without Park City's help and they were
2 willing to make annual contributions, but nothing more.
3

4 Council Member Gerber asked if there was a joint City/County Ice board, to which
5 Angevine indicated there was not. Angevine stated in 2015, an amendment to the
6 agreement was signed which expanded what the fund could be spent on, and everyone
7 agreed the money could be used for preventative maintenance on the facility. She felt
8 the intent has been followed and the funds used within the bounds set.
9

10 Council Member Rubell asked if staff wanted a third party facility asset study because
11 the Park City team wanted it or was it due to the question of spending the money
12 correctly. Angevine wanted to make sure the money requested was accurate. Daenitz
13 stated they needed accurate costs due to inflation. Council Member Gerber asked what
14 the intention was for the facility. Angevine explained when the facility was in the
15 planning stage, it was decided the owner/operator would be the entity of wherever the
16 facility was built. The planning group didn't want the donation to be based on usage.
17 The intent was that one entity could contribute and not have to be in the weeds of the
18 operations. She went to the committee annually to show how the money was spent.
19 Council Member Gerber asked if the contribution was based on usage to which
20 Angevine stated it was simple and not based on usage.
21

22 Council Member Rubell indicated it was a Park City asset, but it wouldn't be sold. The
23 contribution set up seemed fair. He thought there should either be a co-agreement or no
24 agreement. If \$275,000 was needed to continue to enjoy the facility, why change that.
25 He was not supportive of changing the current agreement. He thought if Basin
26 Recreation was unwilling to pay their share, the Basin residents could pay more fees.
27 Angevine stated charging a differential rate was contrary to the current agreement.
28 Council Member Rubell stated the agreement could be changed. He was not willing to
29 have Park City take on the facility as a sole cost center.
30

31 Council Member Toly asked how much the study was to which Angevine stated she
32 didn't have an estimate, but there was analysis software for \$20,000. Council Member
33 Doilney didn't know why the three-year review was only to see if the cost contribution
34 was in line. He asked if any party could request a review at any time or would both
35 parties have to agree. He favored moving forward and continuing the conversation.
36

37 Council Member Dickey agreed with Council Member Doilney and wanted a review
38 process for changing costs. He wanted to be equitable and he didn't think this was
39 equitable. He wanted to discuss this further. Council Member Rubell asked when the
40 arena needed the capital funds, to which Angevine stated it would be needed in the next
41 three to five years. The Council did not want this year's review closed until further
42 discussion could take place.
43

Discuss Soil Remediation Options at the Gordo Property:

Matt Dias, City Manager, stated soils had been an issue in the community and Ryan Blair, Environmental Regulatory Program Manager, was a new employee who took on a lot of work. Blair introduced Jalynn Knudsen, Brad Maulding, and Jay Lyman, Department of Waste Management and Radiation Control (DWMRC). Blair reviewed the history of the Gordo property as a soil repository. He displayed some possible solutions:

Option One was to haul the soil away. The Utah Department of Environmental Quality (DEQ) recognized the soil in Park City as Beville exempt, which would allow the City to use the soil differently on the City's end. For example, landfills could use the soil. He displayed a table showing the cost to haul the soil away and it ranged from \$3.9 million to \$4.5 million. No permit was needed to haul it away and it would take four to six months.

Option Two was keeping the soil onsite. This would require a permit. A liner would be installed and environmental controls would be placed on the site. This could take four months to complete.

Option Three was redevelopment of the site. There would be a voluntary cleanup program and an environmental cleanup program. Some soil would be capped and some removed, and projects could be built on the site. This was the recommended option.

Council Member Doilney asked why Richardson Flat could not be reopened. Maulding stated the conversations with the Environmental Protection Agency (EPA) were ongoing, so it wasn't a hard no. Knudsen noted there would not be an answer anytime soon. Council Member Doilney asked if Park City was involved in the conversation and if there was anything that could be done to move the conversation forward. Knudsen stated Park City had been engaged in the discussions. The best thing would be to reach out to the contact at the EPA. Dias reaffirmed Park City was engaged in the conversation and currently the repository was closed for outside tipping. It was private property and the property was involved in litigation so there was no near-term solution for that site. Fortunately, Park City had this temporary repository that met the regulator's needs.

Council Member Gerber referred to the redevelopment option and indicated the soils would be capped in place. She asked if a liner and site monitoring were required with that option. Maulding indicated inspections would be made periodically. Council Member Gerber asked what the difference was between capping the soil and redevelopment versus partial haul redevelopment. Blair stated if there was a permit to close the facility, then it would only be a closed repository and redevelopment would not be possible. Maulding indicated his group would work to know what the tailings were, what soil would need to be removed, and what could be left behind. If soil was left behind, there would be limitations on what development could go on top of it.

1 Council Member Rubell asked if there would be a discussion regarding guidelines for
2 redevelopment. Blair stated the redevelopment action depended on what the
3 redevelopment project was. Council Member Toly asked why the soil would be
4 acceptable for landfills. Blair didn't know, but asserted the landfills were excited about
5 receiving the product.

6
7 Council Member Gerber asked if Option Three would be possible if a redevelopment
8 project was not determined. Knudsen stated that the site was temporary and she
9 requested the City inform DWMRC what its plans were. As long as the process was
10 moving forward, no deadline for soil removal would be set. Council Member Rubell
11 asked if there would be consequences if the City chose redevelopment and then
12 reconsidered. Knudsen stated the City could select redevelopment and then do nothing.
13 The most difficult option to reverse was Option Two. Maulding stated if the City backed
14 out, it would be fine, but there might need to be a complete removal of the soil.

15
16 Council Member Dickey asked if the cost for Option Three was based on how much soil
17 needed to be hauled off site. Blair indicated the cost depended on what was built, noting
18 a parking lot would be different than a structure. Council Member Dickey asked what
19 determined how much soil would need to be hauled off. Maulding stated upfront there
20 would be sampling done to know the concentration of tailings and that would determine
21 how much would need to be hauled away.

22
23 Council Member Dickey asked if any options allowed more soil to come to the site. It
24 was indicated no more soil would be accepted at the site because this was only a
25 temporary site. Other projects should haul their soils to a repository or landfill. Council
26 Member Toly asked the difference between a voluntary cleanup program and the
27 environmental cleanup program. Blair stated the voluntary cleanup allowed for the
28 transfer of the cleanup with the transfer of property ownership. The environmental
29 cleanup did not allow for a transfer of ownership.

30
31 Council Member Doilney stated all options required moving the soil. The conversation
32 started with Option Two and now there were better options. The Council supported
33 Option Three. Council Member Gerber indicated there would hopefully be lessons
34 learned since soils was a problem in the community. Council Member Toly asked if the
35 next step was to test the soil. Blair stated the soil was tested in 2016 and they knew
36 what was in the area. Now, he would work with project managers in the City. Maulding
37 stated he hadn't seen data so he would need to look at that and determine if the data
38 was sufficient. Mayor Worel asked when the public could participate in the process.
39 Dias stated the initial direction was given and now Blair would continue to work with
40 regulators. Blair could do a staff report on the next steps that would be included in a
41 future packet.

42
43 **7700 Marsac Avenue (Mine Bench) Work Plan and RFP Update:**

1 Browne Sebright, Housing Project Manager, stated Council gave direction on the
2 preliminary RFP in July and he was bringing back the updated RFP for discussion. He
3 indicated the proposed RFP would require the developer to meet the full property
4 entitlement, including rezoning or other needs. The upper area was approximately two
5 and a half or three acres. The RFP would be open for three and a half months. He
6 discussed ground lease options for the property which would allow the City to maintain
7 control of the land. The RFP noted the ground lease option was preferred, but all offers
8 would be considered.

9
10 Browne stated the RFP recommended a waterfall provision for one to one and three
11 quarters miles from the site. He discussed trail impacts with the Trails staff and a
12 provision was included that required all trails to remain open. He also reviewed the
13 scoring model.

14
15 Council Member Gerber asked if there was a reason for having a Council member on
16 the selection committee. If there wasn't a member, it would mean less bias when the
17 approval came. She was comfortable having an outside perspective and then have
18 Council review the recommendation. Council Member Toly agreed and suggested
19 having a permanent housing advisory committee instead of asking different people for
20 each project. Council Member Rubell agreed it was not appropriate to have a Council
21 member on the selection committee. He also didn't think "local" should be a qualifier, as
22 long as they had expertise. Council Member Doilney thought it was important to know
23 the Mine Bench area and the uses there. He wanted expertise, but hoped to have locals
24 there. Council Member Rubell thought some locals would be potential bidders. Jason
25 Glidden, Housing Manager, stated a challenge of a permanent committee was that
26 some might want to bid on some projects. Council Member Dickey agreed and
27 speculated a second homeowner might want to sit on the committee.

28
29 Mayor Worel asked if an overlay could be added requiring a set rental AMI of 30%-50%
30 in the case that a large employer might seek to lease a block of units for their
31 employees, to which Sebright affirmed. Council Member Doilney stated he wanted to
32 consider offers for lower AMIs. Having a waterfall provision of one mile made sense to
33 him. He hoped three and a half months to post the RFP was sufficient time.

34
35 Council Member Dickey indicated staff did a good job on the revisions. He suggested
36 the language for AMI percentage say no more than 60%. On net-zero requirements, it
37 was listed as a preference. Glidden stated he would like to make it a requirement, and
38 he looked to Council to say if they wanted it as a requirement over preference. Council
39 Member Dickey preferred that it remain as a preference and see what developers come
40 up with. Council Member Rubell stated the waterfall provision was fine as-is. He asked
41 how the RFPs were distributed. Glidden stated it would be posted on the City website,
42 the state website, and there was a list of developers who had shown interest and his
43 team could send it specifically to them, noting they were nationwide. Council Member

Rubell indicated the RFP preferred Development Area A, and he would like that taken out so the developer could decide their preferred area. Council agreed to that change.

Council Member Toly noted the language regarding the existing Ontario Mine Trail and asked that the wording require replacement facilities and services, instead of using the word "should."

Mayor Worel asked for public comment on October 6th regarding the project. Glidden stated the schedule would be delayed, but they could do that. Mayor Worel announced public comment for this item would take place when the regular meeting convened.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
None	Absent

7700 Marsac Avenue (Mine Bench) Work Plan and RFP Public Input:

Mayor Worel opened the item for public input.

Megan McKenna stated she attended the Council's Strategic Planning Retreat and felt this RFP was a great opportunity for a public/private partnership and it aligned with the high scores Council gave during the retreat. She thought the location was prime for this project and stressed the need for workforce housing.

Deb Rentfrow reviewed the old Council discussed this development opportunity and there was conversation about the length of the lease and who would be the target audience for the building. She suggested clarifying that in the RFP or giving direction to the board reviewing the proposals.

Peter Marth read a prepared statement and reviewed the Flagstaff meetings held 25 years ago. He felt a key piece of the meetings was open space and he stated this parcel

was one of the pieces designated as open space. He stated this was an entry way and corridor for wildlife and asked for reconsideration on moving forward with this endeavor.

Helen Nadel supported the RFP moving forward and felt this would help the community reach its housing goal of 800 affordable units by 2026.

Mayor Worel closed the public input.

II) PRESENTATION

1. Environmental Project for Erosion Control Presentation by Lanie Pidwell:

Lanie Pidwell, Girl Scout and senior at Park City High School, stated her Girl Scout Gold Award project helped the environment and the local wildlife in the community. The problem in the community was water dried up so wildlife had to cross the street to find a water source. Her project also helped deter erosion. She worked with Summit Land Conservancy to build rock dams to prevent erosion and retain water. She also built a zuni bowl which lined a bowl of land with rocks to prevent the water seeping into the soil. As a result of the work done, native plants were growing back. She liked that no manmade structures were involved in the project.

Council Member Dickey and Mayor Worel thanked Pidwell for her work. Council Member Toly hoped more volunteers would help her.

III) APPOINTMENTS

1. Appoint John Guilds, Elyse Kats, Bill Pidwell, Ian Poor, and Lisa Wilkinson to the Live Park City Advisory Committee for One-Year Terms, or for the Duration of the Pilot Program:

Council Member Gerber moved to appoint John Guilds, Elyse Kats, Bill Pidwell, Ian Poor, and Lisa Wilkinson to the Live Park City Advisory Committee for one-year terms, or for the duration of the pilot program. Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

IV) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Dickey thanked staff for the retreat yesterday and stated he thought it was great. Council Member Doilney liked retreat and wanted to build on the momentum. He invited all Council to attend the Colorado Association of Ski Towns (CAST) meetings to gauge what the City could do as a result of seeing what other cities had done.

Council Member Gerber agreed the CAST meetings were beneficial. She thanked all for the great mid-year retreat and also the senior picnic held today. Council Member Toly attended the retreat and picnic and noted both were great. She reminded the public to take the survey regarding the Park Silly Sunday Market (PSSM) and the Arts Fest. She indicated this weekend was the Autumn Aloft event. There would also be a community evacuation exercise on September 28th.

Council Member Rubell attended the Miner's Day event and thought it went well. He indicated he would be participating in the evacuation exercise. There was also a community wildfire survey for the public. He requested an update on the history of the Mine Bench parcel and noted he could contact staff individually if the rest of Council was not interested. He also requested Council support on getting a brief from staff on areas of the LMC that allow for case-by-case determinations regarding land use applications. He wanted to see if they were appropriate for the current direction of the Council, see if everything was where it should be based on updates to the State code or other things that could impact them, and then work with the Planning Commission on a way forward. The majority of the Council agreed to Council Member Rubell's request.

Mayor Worel thanked Michelle Downard for her efforts regarding the great senior picnic. She reminded people the Olympic conversations were beginning. Mountain Mediation partnered with Park City and Summit County and would hold six community conversations about a potential 2030 or 2034 Olympics. They wanted to know the benefits and challenges the public envisioned with the City hosting the games and any solutions to those challenges.

Staff Communications Reports:

1. Transportation Demand Management Update:

2. Park City 2022 Utah Wellbeing Survey Results:

3. Full-Scale Community Evacuation Exercise on September 28, 2022:

4. Bus Stop Improvement Program 2022-2024:

V) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda. She noted input could be intimidating and in the future, there would be a video explaining how to give public input, including signing in, keeping comments brief and courteous, and addressing the entire Council and not individuals.

1 Deb Rentfrow attended the Council retreat where the small area plan and General Plan
2 were discussed. Then she attended the Planning Commission meeting and two items
3 on the agenda were located within the small area in question. A question was raised
4 about initiating a moratorium so applications would not be approved that could be
5 against the plan outcome. Sidewalks, bus shelters and tunnels were discussed as part
6 of The Yarrow's application. She thought a moratorium was a good idea.

7
8 Andrew Moffat thanked Council for their efforts, but didn't like the t-shirts worn at the last
9 meeting by two Council members. Mayor Worel cautioned Moffat to not address
10 individual Council members.

11
12 John Hancock asked Council to stay away from personal agendas. He wanted them to
13 stick to what mattered for the City.

14
15 John Greenfield stated the t-shirts could have had better slogans. He wanted the critical
16 tones of the public to change to funky tones. Everyone should chill out. Forgiveness
17 was the best place to begin a better space. The last election was a call for change and
18 now was the point of departure.

19
20 Bridgette Meinhold via eComment: "I am exceedingly disappointed with the proceedings
21 of the last council meeting on 9/1/22 where all of you approved the continuation of trail
22 building on Bonanza Flat despite your own voiced concerns that you don't even
23 understand the plans. After all our discussions and meetings, no changes have been
24 made, and trail building is continuing despite my and my neighbors' concerns. Frankly I
25 feel like I just got slapped in the face. Yes, we did save the property from being
26 developed into a luxury neighborhood, but that doesn't mean we should turn it into a
27 "recreation hub" - Utah Open Lands words to describe the property. Bike trails and
28 recreation does not equal conservation. I am frankly tired of all the pats on the shoulder
29 Utah Open Lands and trails staff are receiving for not doing the one job they were
30 supposed to do - be good stewards of the property. Before the property was "saved"
31 maybe, at most, 100 people a day visited it. Now 1000s of people visit a day. There is
32 more trash, more dog poop, more damage now than there ever was before. How is this
33 conservation? Bloods Lake and the rest of the property would have been better served
34 by not having the new Bloods Lake Trailhead with a flat wide trail that makes it so very
35 easy to get there. Twenty years ago it may have been enough to just save a property
36 from development, but that is no longer enough. We need to be active stewards of land,
37 protecting it from commercial development, and from too much love and too much
38 recreation. We, as humans, can wield incredible power over the landscape and have
39 the ability to save it from ourselves. If you continue to build trails without fully
40 understanding the implications you will destroy this property. Please, please slow this
41 development. Work with area stakeholders and do traffic and safety studies. Work to
42 protect the wildlife, not push them out. A trail cut is a scar on the landscape. Once you
43 make it, it will be there for many years. It is better to go slowly rather than unnecessarily

1 cut down trees and damage the land. There are existing trails already that can be used
2 to finish the "multi-use trail". There is no need to further scar the landscape. Please
3 direct staff to slow down, write safety and traffic studies and utilize existing trails only."

4
5 Mayor Worel closed the public input portion of the meeting.

6
7 **VI) OLD BUSINESS**

8
9 **1. Consideration to Approve Park City Forward, the Long-Range Transportation**
10 **Plan (LRTP):**

11 Julia Collins and Alex Roy, Transportation Planning Department, presented this item.
12 Roy reviewed the changes made to the plan in the last several months. He stated the
13 LRTP would look at all modes of transportation and would guide projects and policies
14 for the next 25 years. The plan provided a way to frame discussions on transportation
15 priorities moving forward. Collins indicated the plan was required for state and federal
16 grants. It would propose policies, but was not a policy. There would be multiple
17 opportunities to review projects as they were proposed, developed and approved, and
18 implemented.

19
20 Roy stated this plan took a couple years to finalize and overwhelming public input was
21 received. He reviewed transportation modes discussed in the process. He stated
22 guiding principles were identified. The goal was to develop a Park Once community.
23 The plan goals were to collaborate with regional partners, manage peak traffic
24 conditions, expand biking and walking infrastructure, develop and improve the transit
25 system, and analyze disruptive transportation ideas.

26
27 Roy reviewed the top regional and local projects. Within the plan there were proposed
28 projects for all forms of transportation. Collins stated staff took the proposed projects
29 and divided them into phases. Phase One would be projects that could be finished in
30 five years. She also indicated they were working with partners for regional projects. She
31 noted the plan would help with the Olympic infrastructure discussions, identify funding
32 gaps, and pursue regional solutions. Roy recommended the Park City Forward LRTP be
33 adopted as a supplement to the existing Transportation element of the General Plan.

34
35 Council Member Rubell asked if the plan was developed with regional partners. Roy
36 stated members of UDOT and High Valley Transit were on the technical advisory
37 committee. This plan was geographically bound so they allowed City staff to explore
38 different ideas on projects solely within City limits. Collins stated there were
39 conversations with community partners as well. Council Member Rubell asked what the
40 scoring rubric was to come up with the top priorities list and where safety played into
41 that. Roy indicated the rubric looked at The Access, Include, Transform, and Sustain
42 goals. Safety measures were included in the Access and Transform pieces to make

1 sure projects such as intersection improvements and pedestrian and bicycle facilities
2 were prioritized in Phase One.
3

4 Council Member Gerber asked how projects were picked and narrowed down. Collins
5 stated the foundation was public input. Then they were narrowed down to goals and
6 strategies. There were hundreds of projects proposed and they were grouped. She
7 stated the projects were still broad, but they could be stepped down. They took the
8 metrics that aligned with the goals to come up with the priorities. They also looked at
9 what was realistically feasible and prioritized those projects. Roy stated things not
10 included were high capacity roads since they heard from the community that existing
11 infrastructure should be maximized from a cost and livability standpoint.
12

13 In response to Council Member Toly's question, Roy stated there was not a set horizon
14 on the goals. There would be measureable tracking once the plan was adopted. He
15 wanted to have a periodic check in with Council to see how they were doing. Council
16 Member Toly requested expanded bus hours or more van pools. She hoped to partner
17 with other agencies to reach the traffic goals.
18

19 Mayor Worel opened the item for public input. No comments were given. Mayor Worel
20 closed the public input.
21

22 Council Member Rubell stated there were good ideas in the plan and noted it was a
23 living document. He thought some things in it were based on requests from the past. He
24 liked it as a baseline, but wanted to quickly get to the disruptive ideas and not focus on
25 ones that might be outdated soon. He stated some projects weren't reflected and noted
26 just because it wasn't in the document didn't mean they weren't moving forward.
27 Regarding the General Plan, he wanted to be mindful about the approach. The projects
28 could take up to five years and by then there would be a new General Plan.
29

30 Council Member Dickey stated the City was moving to address more disruptive ideas.
31 Regarding park and rides, he requested modeling to see the objectives of park and
32 rides, the users, and other factors that created successful park and rides. He thought
33 this was a great conceptual blueprint and he looked forward to see what was coming.
34

35 Council Member Doilney stated a lot of work was done on the Wasatch Front on
36 disruptive ideas, especially in Little and Big Cottonwood Canyons. Disruptive ideas
37 would take a long time and this plan could get moving while working toward those ideas.
38 He liked that this was a living document that could be changed. He wanted something in
39 the interim until the disruptive ideas became a reality. Council Member Gerber thanked
40 staff for all the work and noted she appreciated the great ideas.
41

42 Council Member Gerber moved to approve Park City Forward, the Long-Range
43 Transportation Plan. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

VII) NEW BUSINESS

1. Discuss Setting Speed Limits on City Roadways:

John Robertson, City Engineer, Alex Roy, Senior Transportation Planner, and Wade Carpenter, Police Chief, presented this item. Robertson stated speed limits had historically been controlled by the state legislature. Now there was an opportunity to look at setting speed limits based on what was best for the community. He indicated roads were set at general speeds unless studies were done that determined the speed limit should change. Roads needed to be signed in order to have enforcement. Many times there were requests to lower speed limits and there used to be a process before a city could change the limit. In the last legislative session, a law was passed that municipalities could establish speed limits on municipal roads without completing the standardized process.

Robertson presented some options for consideration: Option One would maintain current speed limits and he noted there would be consistency in enforcement. He stated if 85% of cars drove the speed limit, then it was determined the speed limit was accurately set. Option Two would set speed limits based on the width and curvatures on the road, as well as by the number of driveways. He noted it would take a long time to look at each individual street and there would be a need for extensive sign replacement. Option Three would designate the speed based on classification. This option would be an easy determination, but not all the local streets were the same. Some were narrow or curvy. If the City selected this option, certain roads could have lower speed limits than others.

Chief Carpenter stated the easiest option wasn't always the best fit. The driver feedback signs collected data. Police could look at the data to determine the best speeds for the area. Council Member Doilney asked if a hybrid of Options Two and Three would be a baseline with some roads being exceptions. Chief Carpenter stated he would want to evaluate each area and stated there needed to be flexibility while staff went through this process. There would be a problem if one street was 15 mph and another 20 mph. A lot of what police did was educate drivers. He hoped there could be consistency with similar areas. Council Member Doilney thought if speeds changed by neighborhood, there could be confusion and that would affect enforcement. Robertson didn't want to put something in place and then change it again because he felt that would cause problems. He thought some roads would need to be evaluated on a case-by-case basis since they were unique. He wanted to put a policy in place that was consistent.

1 Council Member Doilney wanted to avoid excessive speeds on neighborhood streets.
2 Robertson stated the limits wouldn't be increased, only lowered if applicable. Council
3 Member Dickey asked if residents complained about speeding or if they complained that
4 the posted speeds were unsafe. Robertson indicated he got both of those complaints.
5 Council Member Dickey thought speeding was an enforcement issue. Council Member
6 Toly stated 25 mph on some streets in Old Town was too fast. Council Member Gerber
7 indicated the time of day affected speeds, with people commuting into or out of town
8 and cutting through neighborhoods.
9

10 Council Member Rubell stated the Neighborhoods First Committee was looking at the
11 situational issues. He asked if the law allowed cities to change the limits without studies.
12 Robertson recommended doing analysis to determine the proper speeds. Council
13 Member Rubell suggested changing all the local roads to 15 mph. He argued none of
14 the roads should be 25 mph. Chief Carpenter stated the violators were residents,
15 friends, or service providers, and Council would hear from them. Robertson stated
16 Option Three would not take that long. He would want to do a little analysis, but they
17 could set out signs at 15 mph. He thought there could be frustration on certain streets.
18 Council Member Rubell suggested having the campaign Slow Down Park City.
19

20 Council Member Toly asked what speed limits were for most of the streets, to which
21 Robertson stated most were set at 25 mph. Council Member Toly thought it would help
22 if they went down by at least 5 mph and she suggested limits based on subdivision
23 instead of street by street.
24

25 Mayor Worel opened the item for public input.
26

27 Justin Lagotic stated his mailbox was hit twice from speeders and he liked the
28 suggestion for 15 mph Citywide. The driver feedback signs could not differentiate
29 between vehicles and ebikes. He stated there were children in Prospector and many
30 Prospector residents were here tonight advocating for speed limit reductions. The
31 neighbors drove 15 mph to take the steps to slow other drivers down. He thought a
32 lower speed limit would deter commuters from using local roads. He stated the short
33 term goal was to have police enforce, but the long-term goal was to lower the speed
34 limit to increase safety.
35

36 Steven Rowe thanked staff for their help in this conversation. He was impressed with
37 what the Prospector neighborhood was doing to create community. There were many
38 children walking to school or waiting for the bus. He liked that it was a kid-centric
39 neighborhood. Easy and consistent was not the goal of this effort. This was about the
40 flavor of the neighborhood. The neighborhood was not the place to clear traffic. The
41 problem was both speed and volume. He requested to start the speed limit low and then
42 raise it if necessary.
43

1 Carly Axtol lived on Sidewinder and she was afraid to walk down the street. She asked
2 that the City lower the speed limits.

3
4 John Hancock lived on Upper Woodside and he wanted to see that street be one way
5 since it was so narrow. He agreed people needed to slow down.

6
7 Kevin McCarthy lived on PayDay Drive in Thaynes Canyon. He hoped to see the traffic
8 slow down and supported lowering the speed limit.

9
10 Christina Shiebler supported lowering speed limits and thought it would help lower
11 potential crises.

12
13 Brad Smith lived in Thaynes Canyon and stated it was great the City was being
14 proactive. He asserted the neighborhoods would get traffic when the resorts began to
15 charge for parking. He indicated the Thaynes Canyon HOA supported the four-way
16 stops and efforts to stop the cut through traffic.

17
18 Tracy Schiermeyer supported a 15 mph speed limit in Prospector to ensure the safety of
19 children.

20
21 Andy Lacey lived in Prospector and indicated the speed limit was too fast and there
22 were no sidewalks. He supported lowering the speed limit.

23
24 Lindsay Wilson lived in Prospector and stated there were no sidewalks. A speeder
25 would not have time to stop if a child was playing in the street. She supported a lower
26 speed limit.

27
28 Grant Wilson agreed with the other comments and noted he saw close calls with
29 speeders almost hitting children.

30
31 Brian Broadbeck lived in Prospector and stated speeders would continue to speed if
32 enforcement was only education.

33
34 Mayor Worel closed the public input and asked how a pilot program in Prospector would
35 impact the police. Chief Carpenter stated the police had discretion to fine speeders if
36 they had been pulled over more than once. Enforcement took manpower and his team
37 had increased. He thought it could be managed. He stated ebikes were a factor as well.

38
39 Robertson indicated some roads were unique so 15 mph would not be appropriate for
40 all streets. He wanted to do analysis that would make speed limits reasonable and safe.
41 He was open to setting limits or doing a pilot program.

1 Council Member Toly felt a pilot program would be hard. She stated Nestor Gallo,
2 Engineer, had worked with people in the neighborhoods and he might know the best
3 speed limit each neighborhood was receptive to.

4
5 Council Member Rubell stated the changed law made speed limits more proactive. He
6 wanted to take action as soon as possible, knowing it would benefit the community. He
7 also wanted to be consistent.

8
9 Council Member Gerber thought 15 mph made the most sense in neighborhoods. She
10 asked to reach out to the neighborhoods who wanted 20 mph and work with them. She
11 also mentioned Monitor Drive was wide and it might be difficult to re-train drivers.

12
13 Matt Dias, City Manager, stated many in the community had been waiting for this
14 opportunity for a long time. He thought the focus was on Option Three and it allowed for
15 some consistency. He indicated there were some exceptions, but the speed limit could
16 be suppressed in most neighborhoods. He heard from Council they wanted consistency
17 and they wanted the signs in place before winter. It would allow a little more flexibility
18 and not a blanket 15 mph Citywide.

19
20 Council Member Rubell asked to consider residential collector roads the same as other
21 residential streets. Council Member Doilney agreed with Council Member Rubell and
22 Dias. There were unique streets but he wanted to err on the side of 15 mph. He thought
23 a blanket policy would let everyone know it was the law of the town. Anything less than
24 the blanket policy would cause confusion. He was looking for a behavior change and 5
25 mph less was not bold change.

26
27 Council Member Dickey wanted to see flexibility between residential neighborhoods. He
28 thought there was a difference in neighborhoods. When the speed was artificially low,
29 that was also a safety issue.

30
31 **2. Consideration to Approve Ordinance No. 2022-37, an Ordinance Approving the**
32 **Bardsley Plat Amendment, Located at 517 Park Avenue, Park City, Utah:**

33 Spencer Cawley, Planner, stated the proposed amendment would remove the lot line
34 common to Lots 4 and 5, remove the porch encroachment on Lot 3 and construct a
35 single family home on Lot 3. The applicant requested to amend Condition of Approval
36 (COA) Three, regarding fire sprinklers being required for all new construction and
37 expansions.

38
39 Mayor Worel asked if the Land Management Code (LMC) gave leeway on a 3.25"
40 encroachment. Cawley stated because it was a historic structure, it was common to ask
41 the owner to file an encroachment permit. Council Member Rubell asked if the COA
42 amendment was requested after the Planning Commission approval, to which Cawley

1 affirmed and stated this was an interior remodel only and that was the reason for the
2 request.

3
4 Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed
5 the public hearing.

6
7 Council Member Doilney asked for a future discussion on a potential subsidy for
8 installing sprinklers into all historic structures in the community. The majority of Council
9 agreed to have that discussion.

10
11 Council Member Gerber moved to approve Ordinance No. 2022-37, an ordinance
12 approving the Bardsley Plat Amendment, located at 517 Park Avenue, Park City, Utah.
13 Council Member Toly seconded the motion.

14 **RESULT: APPROVED**

15 **AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

16
17 **3. Consideration to Approve Ordinance 2022-38, an Ordinance Approving the 51**
18 **Daly Avenue Subdivision, Located at 51 Daly Avenue, Summit County, Park City,**
19 **Utah:**

20 Lillian Lederer, Planner, indicated the Board of Adjustment granted variances for
21 setbacks and heights on this property. The Planning Commission gave a unanimous
22 positive recommendation.

23
24 Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed
25 the public hearing.

26
27 Council Member Rubell moved to approve Ordinance 2022-38, an ordinance approving
28 the 51 Daly Avenue Subdivision, located at 51 Daly Avenue, Summit County, Park City,
29 Utah. Council Member Dickey seconded the motion.

30 **RESULT: APPROVED**

31 **AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

32
33 **4. Consideration to Purchase 1835 Three Kings Drive, #25-1, for \$295,609, in a**
34 **Form Approved by the City Attorney's Office, Make Repairs, and Re-Sale to a**
35 **Qualified Household:**

36 Rhoda Stauffer, Housing Coordinator, indicated the housing mitigation plan was
37 recently approved, and stated the City had the option of selling to a City employee or
38 selling the unit at a lower price to an individual on the waitlist.

39
40 Mayor Worel opened the item for public input. No comments were given. Mayor Worel
41 closed the public input.

Council Member Rubell supported recouping costs and selling it to a City employee without a subsidy. Council Member Toly supported selling it to a City employee and had no preference for selling it with or without a subsidy. Council Member Gerber supported selecting the next qualified person on the waitlist because it could include City employees or anyone in the community who was waiting for housing. She noted there were 134 people on the waitlist and thought 46 of them could qualify at this Area Median Income (AMI) level. Glidden indicated qualifications were based on many factors besides income. The buyer would have to qualify. Council Member Gerber stated people on the waitlist had been waiting a long time and she favored that.

Council Members Doilney and Dickey also favored selling the unit at cost recovery and selecting the next person on the waitlist. Council Member Rubell asked if there was a need for employee housing for critical functions. Stauffer stated there was an employee survey given, and there was a significant number who would like to live in the City. Council Member Gerber was sympathetic to employees, but asserted those on the waitlist were actively waiting. Glidden confirmed the majority of the Council chose Option Four, selling the unit at 70% AMI to the highest ranking household on the waitlist.

Council Member Doilney moved to approve the purchase of 1835 Three Kings Drive, #25-1, for \$295,609, in a form approved by the City Attorney's Office, make repairs, and re-sale to a qualified household as noted in Option Four. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, and Gerber

NAY: Council Members Rubell and Toly

5. Consideration to Approve Ordinance 2022-36, an Ordinance Amending Title 4a - Special Events, Chapter 1 Definitions; and Chapter 2 Special Event Permitting; of the Municipal Code of Park City, Utah:

Jenny Diersen, Special Events and Economic Development Program Manager, stated there was a long evolution of how events were handled. The direction recently was to reduce the scale of events. Staff realized events were good for the economy, but focus was based on community well-being. She noted Level One and Two events were small and didn't require Transportation and Police impacts. The Level Three, Four and Five events required mitigation with Police and Transportation. She indicated some of the amendments were cleanup items. There was also the removal of economic development as a reason for events. Additional peak times were inserted. She indicated codifying quiet days was also new. The application deadlines were changed too.

Council Member Toly asked if having 10 Level Five events would affect any current events, to which Diersen stated they would not. Council Member Toly asked if staff had

1 a timeline for approving or denying an event application. Diersen stated for small events
2 the turnaround was very quick.

3
4 Council Member Gerber asked how to read the calendar for quiet times versus peak
5 times. Diersen stated existing events would stay so the quiet times would only apply for
6 new events. Squares in black were current peak times and red squares were proposed
7 peak times. No new event would be accepted because these days were already so
8 busy. Staff would accept Level One and Two events on Blue shaded days. She noted if
9 this was too much, she could come back and amend the calendar.

10
11 Mayor Worel asked if the fee waiver maximum should remain at \$200,000. Diersen
12 thought it would eventually come down. She told events they could only apply three
13 times for waivers. One option she would like to explore would be for a community
14 identifying event. Council Member Toly asked if there was previous discussion of
15 limiting fee waivers based on location, such as not giving as big a waiver for Main Street
16 events. Diersen stated that had not been discussed.

17
18 Mayor Worel opened the public hearing.

19
20 Angela Moschetta stated the language contemplated being taken out of the code
21 around economic impact and the prioritization of community-minded events might not
22 be thought out. There were subjective arenas so she looked at the future and what the
23 consequences might be. She suggested looking at the economic impact value because
24 if that was taken out, then everyone would go back to block parties and smaller events.
25 She suggested reaching out to huge event producers who could think outside the box
26 for solutions and ideas.

27
28 Mayor Worel closed the public hearing.

29 Council Member Rubell proposed a change to Section (d) under Community Identifying
30 Events. Diersen displayed Council Member Rubell's proposed additions regarding
31 offering affordable options for local Park City and Summit County attendance and for
32 the underserved populations. Council Member Doilney liked the amendments.

33
34 Council Member Toly stated the calendar seemed problematic because this time of year
35 was slow, so having events in September helped Main Street businesses. She wasn't
36 opposed to having events on off-season weekends. Diersen stated the first weekend in
37 September was Miner's Day and was the second busiest weekend behind July 4th. This
38 weekend was Song Summit and Autumn Aloft and she was trying to keep Song Summit
39 from becoming a Level Four or Five Event.

40
41 Council Member Dickey asked what the event was in October, to which Diersen stated
42 shotski. Council Member Toly noted that event was only on Saturday and asked why

the whole weekend was blocked out. Diersen asserted that was a major event with road closures and staff didn't want to add another event on top of that.

Council Member Rubell moved to approve Ordinance 2022-36, an ordinance amending Title 4a - Special Events, Chapter 1 Definitions; and Chapter 2 Special Event Permitting; of the Municipal Code of Park City, Utah with amendments shown in the presentation slides. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

Diersen stated she would come back for approval of fees, and asked if there was direction or if Council generally agreed with the proposed fees. Council Member Dickey clarified Council approved the schedule shown in the presentation slide. Margaret Plane, City Attorney, reviewed that the code amendments were approved tonight. The fees were discussed in the staff report, but were not vetted and would be discussed at a future meeting.

Council Member Doilney moved to close the meeting to discuss personnel at 9:15 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 9:25 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

IX) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: CONSENT AGENDA

Subject:

Request to Authorize the City Manager to Execute a Contract for Environmental Regulatory Consultant Services, in a Form Approved by the City Attorney, with AECOM Technical Services (AECOM) Inc., in an Amount Not to Exceed \$100,302

Suggested Action:

Attachments:

[AECOM Contract Staff Report](#)

[Exhibit A: OU 4 Prospector Drain/NRDA PSA AECOM Technical Services, LLC, Scope of Services.](#)

City Council Staff Report

Subject: Prospector Drain Consultant Services Contracts Award
Author: Ryan Blair, Environmental Regulatory Program Manager
Department: Sustainability
Date: October 6, 2022
Type of Item: Administrative

Recommendation

Authorize the City Manager to execute a contract for environmental regulatory consulting services, in a form approved by the City Attorney, with AECOM Technical Services (AECOM), Inc in an amount not to exceed \$100,302.

Background

- On January 10, 2013, Council approved, and former Mayor Dana Williams signed, the Proposed Administrative Order on Consent (AOC) for Richardson Flat Tailings Site OU4 (Prospector Drain).
- The AOC requires PCMC to complete an Engineering Evaluation/Cost Analysis (EE/CA) that includes a complete investigation of the Prospector Drain and its zone of groundwater influence, in addition to an evaluation of cleanup alternatives and associated cost estimates.
- On February 14, 2013, the City Manager executed a Professional Services Agreement for \$295,835.10 with URS Engineers (now AECOM Technical Services, LLC) to provide services related to the EE/CA and Natural Resource Damage Assessment (NRDA) aspects of the Prospector Drain AOC.
- A preliminary EE was sent to the EPA on May 15, 2020.
- Once the EPA comments on the EE, a draft and final EE/CA will need to be developed.
- In addition, on April 5, 2018, the City Manager executed a Professional Services agreement for \$15,000 with AECOM to continue to provide services related to the NRDA aspect of OU4 Prospector Drain.
- This contract seeks to eliminate the redundant dual contracts and combine all services into one contract. Retaining AECOM to complete this work on behalf of Park City is critical to meet the requirements of CERCLA.
- Changing service providers mid process could lead to more costs incurred and time lost by recreating all the work and monitoring that has taken place up until this point.

Funding

There are currently environmental cleanup funds for OU4/Prospector Drain within the adopted Capital Improvement Plan (CIP) for this project.

Exhibits

- A OU 4 Prospector Drain/NRDA PSA AECOM Technical Services, LLC, Scope of Services.

Scope for Remaining OU4 (Prospector Drain) Engineering Evaluation/Cost Analysis (EE/CA) and Natural Resource Damage Assessment (NRDA) Services

As requested in the July 12, 2022, email from Park City, the following scope of work and cost are intended to address the effort necessary to complete the EE/CA and NRDA work for OU4 in Park City, Utah. It should be noted that the scope and costs remaining on the current, out of date, contract are included in this scope and cost. The duration of the work is estimated to be 36 months, it's possible that the work may conclude prior to that time, however, completion is largely dependent on Agency response times, which have been historically slow. The cost estimated for this scope is attached and begins in our fiscal year 2023, which is from October 2022 through September 2023. The starting rates represent a 3% increase from year to year starting with the original 2013 rates through the fiscal year 2022 rates and then a 4% increase from the 2022 to the 2023 rates, which is where this cost estimates begins.

SCOPE OF WORK

Task 1 - Project Management

AECOM will perform the necessary project management tasks, including but not limited to task management, invoicing, client coordination, and agency coordination.

Task 2 - General Support

AECOM will provide support to the new Park City project manager and the new EPA project manager as they familiarize themselves with the project. This may include providing previously submitted materials and attending review meetings.

Task 3 - Preliminary Engineering Evaluation (EE)

AECOM/Park City submitted the Draft Preliminary EE to EPA on May 15, 2020. Once EPA provides comments on the Draft Preliminary EE, AECOM will address and incorporate one-round of consolidated comments and then submit the Final Preliminary EE for EPA approval.

Assumptions: EPA comments will be minimal and will not require substantive changes to the draft.

Deliverables: Final Preliminary EE Report

Task 4 - Engineering Evaluation/Cost Analysis (EE/CA)

Once approval of the Preliminary EE is obtained, AECOM will comparatively evaluate the alternative and estimated costs will be provided. This will be combined with the Preliminary EE to produce the Draft EE/CA. AECOM will review, address, and incorporate Park City comments to the Draft EE/CA and then submit the Draft EE/CA to EPA. Once EPA comments are received, AECOM will address and incorporate the comments and submit a final document to Park City and EPA.

Assumptions: Based on the historic interactions with the Agencies, it's assumed that their comments will be substantial and will require significant effort to coordinate and address.

Deliverables: Draft and Final EE/CA reports.

Task 5 - Natural Resource Damage Assessment (NRDA)

AECOM will support Park City in progressing the OU4 NRDA work to satisfy the AOC requirements. This is anticipated to require the following general sub-tasks.

Internal Meetings: Preparation for and participation in internal planning meetings to bring current Park City management up to speed on the current status of the NRDA for OU4 and to identify the best path forward for resolving NRDA issues. These meetings are anticipated to include representatives from AECOM, Park City and Park City's outside legal counsel.

Trustee Meetings: AECOM will prepare for and participate in meetings with the Trustees and/or Trustee management to discuss the current status of work and identify a path forward for the NRDA. This will include determining if the Trustees are willing to move forward with the previously provided Proposed Terms of Settlement. Costs are included in this task to fly one of the NRDA experts to Park City to meet with the Agencies, should that be determined to be necessary.

Settlement Support or Finalization of Letter to Trustee Management: AECOM will support Park City in either finalizing the Proposed Terms of Settlement or, if it is determined that there is not a viable settlement path forward, in finalizing and submitting the letter to Trustee management previously drafted.

Additional Trustee Tasks (TBD): Dependent on the path forward identified in the previous tasks, it may be necessary to respond to additional Trustee requests to move the NRDA towards settlement. Specific tasks and deliverables, including the associated level of effort, pertaining to anticipated, but yet to be defined, Trustee requests will be identified and clearly communicated so that the contract can be modified accordingly at Park City's request. No costs are included for this sub-task at this time.

Assumptions: AECOM will not be required to or involved in any significant revisions to the Proposed Terms of Settlement, if that is the path forward. The draft letter to Trustee management will not require significant revision, if that is the path forward.

Deliverables: Support in finalizing the Proposed Terms of Settlement or
Final Letter to Trustee Management

PROPOSED COSTS

The attached cost estimate presents the anticipated effort and associated cost to complete the above scope, which totals **\$100,302**. The work will be performed on a time and materials basis, and should the actual effort required be less than that estimated, the associated cost will also be less. Should the actual effort required be greater than that estimated, AECOM will notify Park City in advance of any additional expenditures so that an appropriate addendum can be negotiated. It is anticipated that once the scope of work and cost estimate are approved, a mutually agreed upon contract between AECOM Technical Services and Park City Municipal Corporation will be executed and the work will be performed under that contract. We assume the terms and conditions will be similar to our prior contract, dated March 7, 2013.

Park City OU4 EE/CA and NRDA Support Cost Estimate

		Project Management	Project Support	Preliminary EE	EE/CA	NRDA	TOTAL
Billing Title	Billing Rate	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)
Fiscal Year 2023 (October 2022 thru September 2023)							0.0
Principal Professional	\$225.00		6.0		40.0	20.0	66.0
Project Manager	\$178.00	48.0	16.0	16.0	40.0	38.0	156.0
Professional Engineer	\$172.00				36.0		36.0
Project Engineer/Geologist/Scientist	\$158.00	16.0	24.0		68.0	40.0	138.0
Staff Engineer/Geologist	\$117.00				34.0		34.0
CAD/GIS I	\$89.00				20.0		20.0
Field Technician	\$89.00			8.0			8.0
Project Administrator	\$117.00	28.0					28.0
Tech Editor/Clerical	\$96.00	4.0	12.0	12.0	14.0		42.0
Fiscal Year 2024 (October 2023 thru September 2024)	4% Increase						0.0
Principal Professional	\$236.00				10.0		10.0
Project Manager	\$186.00	12.0			10.0		22.0
Professional Engineer	\$179.00						0.0
Project Engineer/Geologist/Scientist	\$165.00	6.0			14.0		20.0
Staff Engineer/Geologist	\$122.00				12.0		12.0
CAD/GIS I	\$93.00				4.0		4.0
Field Technician	\$93.00						0.0
Project Administrator	\$122.00	12.0					12.0
Tech Editor/Clerical	\$100.00	2.0					2.0
Hours		128.00	60.0	36.0	292.0	96.0	612.00
Loaded Labor		\$19,618.00	\$9,600.00	\$4,712.00	\$46,984.00	\$17,248.00	\$98,162.00
Other Direct Costs (ODC)	ODC Markup						ODC Cost
Travel		\$0.00	\$500.00	\$0.00	\$0.00	\$1,500.00	\$2,000.00
Total ODCs with Markup	7%		\$535.00	\$0.00	\$0.00	\$1,605.00	\$2,140.00
							LABOR \$98,162.00
							ODC \$2,140.00
							TOTAL \$100,302.00

City Council Staff Report



Subject: Fractional Ownership
Application: PL-22-05210
Authors: Makena Hawley and Spencer Cawley
Date: October 6, 2022
Type of Item: Legislative - Land Management Code Amendments

Recommendation

(I) Review proposed Land Management Code amendments to define Single-Family Dwelling Fractional Ownership/Use and to establish Fractional Ownership/Use of Single-Family Dwellings as a Conditional Use requiring an Administrative Permit, with additional review criteria in those Zoning Districts that allow Timeshares and Private Residence Clubs; (II) conduct a public hearing on the draft Ordinance No. 2022-21 (Exhibit A); and (III) consider adopting the Ordinance as presented or continue to October 27, 2022, if further discussion and input is preferred.

Description

Applicant: Planning Department

Land Management Code Sections Amended: **Historic Recreation Commercial**
15-2.5-2, *Uses*

Historic Commercial Business
15-2.6-2, *Uses*

Residential Development
15-2.13-2, *Uses*

Residential Development – Medium Density
15-2.14-2, *Uses*

Recreation Commercial
15-2.16-2, *Uses*

Regional Commercial Overlay
15-2.17-2, *Uses*

General Commercial
15-2.18-2, *Uses*

Definitions
15-15-1

Land Management Code **Single-Family Dwelling Fractional Ownership/Use**
Section Enacted: 15-4-23

Reason for Review: Land Management Code amendments require Planning Commission review and recommendation to City Council for Final Action

Summary

To address regulatory and neighborhood impacts of a new transient use and ownership model, namely Fractional Ownership or co-ownership of Single-Family Dwellings in primary residential neighborhoods that has been introduced to Park City in the past 18 months, Land Management Code (LMC) amendments were proposed to the Planning Commission to protect primary residential neighborhoods and to direct fractional ownership of Single-Family Dwellings to those Zoning Districts that allow Timeshares and Private Residence Clubs. We also proposed new code to establish standards for management and use, as well as a Conditional Use Permit process with Planning Commission review.

On May 11, 2022, the Planning Commission conducted a work session to evaluate and provide input on the recommended land use regulations ([Staff Report](#); [Minutes](#)). On May 25, 2022, the Planning Commission reviewed the proposed amendments and unanimously forwarded a positive recommendation to the City Council, amending the definition of Single-Family Dwelling Fractional Ownership/Use to include “corporations” and “unrelated co-owners” ([Staff Report](#); [Minutes](#)).

On June 23, 2022, the City Council reviewed Planning’s proposals and the Planning Commission’s recommendations ([Staff Report](#), [Minutes](#)). The Council suggested we re-evaluate the permitting process, asked for additional clarification between regulations for a Fractional Ownership entity and a relationship-based ownership model, and enforcement options.

The Council also requested we reach out to the Board of Realtors, property management companies, homeowner associations, and Pacaso to discuss potential modifications to the proposed amendments. Based on Council and stakeholder input, we considered the following:

- (I) Clarify the proposed Fractional Ownership definition.
- (II) Describe the differences between Nightly Rentals and Fractional Ownership.
- (III) Consider Fractional Ownership of Single-Family Dwellings compared to Duplexes, Triplexes, and Multi-Unit Dwellings (including Townhomes).
- (IV) Re-evaluate the permitting process – Could the Conditional Use Permit review process be a staff-level administrative review?
- (V) Enact the proposed amendments with a clause that requires re-evaluation in two to five years and conduct a study during that time evaluating the impacts of Fractional Ownership of Single-Family Dwellings.

- (VI) Consider allowing Fractional Ownership in residential Historic Districts with parameters.

Additionally, we collaborated with the Communications team to hold an informational session at the Park City Library open to the public on August 16, 2022. We also sent emails to homeowner association representatives registered with the City and to property management companies regarding the information session. Bill Johnson from the Planning Commission and Becca Gerber from the City Council attended, as well as residents, stakeholders, representatives from the Board of Realtors, and Pacaso representatives.

The main concerns voiced by the community at the Open House included:

- Maintenance and upkeep of properties
- Transparency (i.e., management contact information, when a Fractional Ownership company acquires a property, how many fractional owners)
- Enforcement fatigue— HOAs and neighbors of Nightly Rentals are policing violations, how can the City assure they do not have to police fractional ownership as well?
- Public education between different types of permitting (CUP, Admin CUP, Admin Letter, Business Licensing)
- Intensity of use for secondary homes increases with Fractional Ownership, some neighbors prefer secondary homes that stay empty most of the year.
- Possibility to enact moratorium until all impacts are understood.

Overall takeaways from the Open House:

- Better understanding of Pacaso's business model (average number of owners per property, non-compliance enforcement mechanisms, how owners can remove Pacaso as third-party manager, re-sale of property).
- No consensus on permit type.
- HOAs prefer codified enforcement rather than updating CC&Rs.
- What type of regulations will be put in place to stop Fractional Ownership companies from purchasing a home in a Zoning District where Fractional Ownership is prohibited?
- October is too soon for public to fully understand impacts.

The Planning Team also reached out to several communities, including Aspen, Colorado, Jackson, Wyoming, St. Helena, California, and Truckee, California, to learn about their efforts to regulate Fractional Ownership of Single-Family Dwellings. California has been reviewing solutions longer than the rest of the country and Colorado has not taken formal action to date, and they benefit from Home Rule.

Many of the cities we contacted are trying to work within their state code as well as their land use regulations to find solutions that balance property rights and community quality of life. Incidentally, Park City is one of the first communities among the mountain west states, implementing land use regulations specific to Fractional Ownership of Single-Family Dwellings and other communities are observing the City's process.

As part of the modified amendments, we recommend a provision that requires the City to re-evaluate the land use regulations of Fractional Ownership of Single-Family Dwellings in two years, and to conduct a study during that time, to consider future modifications that may either be more or less restrictive as the number of these ownership models increases in the Park City community.

Background

In the past two years, companies offering Fractional Ownership—where multiple investors own a portion of a home typically managed by a third party—have been purchasing and selling “fractions” of Single-Family Dwellings as vacation properties in Park City. Fractional Ownership companies may create an LLC for each Single-Family Dwelling and then manage the property for multiple owners, providing furnishings, maintenance, cleaning, and scheduling services.¹ While Fractional Ownership may make vacation properties more affordable for some users through a shared economy, finding a balance that protects Park City’s primarily residential Zoning Districts for full-time primary residents is important.

Timeshares and Private Residence Clubs

Use of residential units by multiple parties is not new to Park City. In the 1980s, the City enacted a series of land use regulations for Timeshares. Utah Code [Section 57-19-2\(27\)](#) defines a Timeshare interest as “a right to occupy fixed or variable accommodations during three or more separate fixed or variable time periods over a period of at least three years, including renewal options, whether or not coupled with an estate in land” and includes a timeshare estate. Timeshare estate is defined by Utah Code [Section 57-19-2\(26\)](#) as “a small, undivided fractional fee interest in real property by which the purchaser does not receive any right to use an accommodation except as provided by contract, declaration, or other instrument defining a legal right.”

The LMC establishes Timeshares as Conditional Uses in the Recreation Commercial, General Commercial, Historic Commercial Business, and Historic Recreation Commercial Zoning Districts, and outlines additional Timeshare review considerations in [Section 15-4-10](#) and [Section 15-4-11](#), requiring evaluation of Timeshare instruments, rules and regulations, management, utility service payments, minimum duration of Timeshare intervals, and parking considerations.

The LMC also regulates Private Residence Clubs, in which ownership of a condominium unit is shared by no less than four and no more than 12 owners and is operated by a property management service that provides reservations and registration.² Private Residence Clubs are Conditional Uses in the same Zoning Districts as Timeshares, with expanded Conditional Use in the Residential Development, Residential Development – Medium Density, Regional Commercial Overlay, and Light

¹ To view an example of a fractional ownership company, visit the website for [Pacaso](#).

² See LMC [§ 15-15-1](#), *Definitions*

Industrial Zoning Districts.

Existing Timeshares and Private Residence Clubs in Park City are for the most part in Multi-Unit Dwellings in or near commercial Zoning Districts or Zoning Districts proximate to the resorts. What sets the current Fractional Ownership model apart is the shared ownership of a Single-Family Dwelling for vacation purposes in a primary residential neighborhood. The proposed amendments direct Fractional Ownership/Use of Single-Family Dwellings to the same Zoning Districts that allow Timeshares and Private Residence Clubs to protect primarily residential neighborhoods for primary residents.³

To address the new Fractional Ownership model in residential areas, and to incorporate modifications recommended by Council and stakeholders, staff proposes amendments to:

- (1) define Single-Family Dwelling Fractional Ownership/Use;
- (2) establish Single-Family Dwelling Fractional Ownership/Use in Zoning Districts where Timeshares and Private Residence Clubs are allowed and require an Administrative Permit with staff-level review rather than a Conditional Use Permit with Planning Commission review, with potential consideration in the residential Historic Zoning Districts;
- (3) establish regulations regarding management and use of the Fractional Ownership; and
- (4) require an active Business License for companies that operate under the Single-Family Dwelling Fractional Ownership/Use model and require such companies to submit an annual list of properties purchased/managed as part of the Business License renewal to track compliance.

Analysis

(I) Clarify proposed Fractional Ownership definition.

In the June 23, 2022, City Council meeting, Council requested clarifying the proposed definition of Fractional Ownership so that different ownership models and LLCs are not affected.

The proposed amendments outline the following triggers for Fractional Ownership for the entity purchasing a property:

1. The property must be a Single-Family Dwelling
2. The property must be owned by an LC, LLC, or Corporation

³ Private Residence Clubs are allowed in the Light Industrial Zoning District. However, Single-Family Dwellings are not. As a result, Single-Family Dwelling Fractional Ownership/Use is not proposed to be allowed in the Light Industrial Zoning District.

3. This LC, LLC, or Corp. must limit the owner's right to occupy the property by a contract which limits the owner's use to fractional reservations

To be regulated under the LMC amendment, the ownership model must meet the above criteria.

Additionally, Fractional Ownership of Single-Family Dwellings includes the following:

1. The property is controlled by a centralized management entity
2. The property uses an advanced reservation system
3. The owners have specific limited use of the property
4. The property has a fixed management subscription fee as part of the initial purchase (even if it is later cancelled)

The LMC amendment would not inhibit friends or family to come to relationship-based agreements to buy and share property or to employ a property management company or a shared housekeeper. The proposed amendments for "Single-Family Dwelling, Fractional Ownership Use" are specifically regulating the business management model of the simplified, fractionalized, sale of vacation properties, and the fractionalized use.

(II) Fractional Ownership of Single-Family Dwellings is not a Nightly Rental.

Regulating Fractionalized Ownership of Single-Family Dwellings places parameters around the growth of this model to mitigate adverse effects on primary residential neighborhoods and to evaluate impacts over the next several years. While there are some differences in ownership of the property, Fractional Ownership of Single-Family Dwellings results in a use similar to a Timeshare or Private Residence Club where the same property owners return to the property for a limited period over an ongoing period. During the June 23, 2022, City Council Meeting, it was suggested Fractional Ownership may be considered to be allowed where Nightly Rentals are allowed. Council directed the Planning team to analyze Fractional Ownership in Zoning Districts that allow Nightly Rentals.

To better understand the differences between Fractional Ownership of Single-Family Dwellings and Nightly Rentals, the definitions are laid out below and the Zoning Districts which each would be allowed in:

Proposed Definition SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP AND CO- OWNERSHIP/USE: <i>Any Single-Family property which is owned by an LC or LLC which limits the LC or LLC member's/ shareholder's/owner's right to occupy the property by member/shareholders agreement or any other contract which limits owner use of the property to fractional</i>	Proposed Zones: Only allowed in: • HRC • HCB • RD (except for seven subdivisions) • RDM • RC
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<i>reservations. Other factors include but are not limited to centralized management, advanced reservations via electronic/App reservation systems, maximum stay limits on each owner's overall reservation/use of the property, and fixed management subscription fee as part of initial purchase [although subscription may be canceled].</i>	• RCO • GC
Definition NIGHTLY RENTAL: <i>The rental of a Dwelling Unit or any portion thereof, including a Lockout Unit for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses.</i>	Allowed Zones: Allowed in: • HR-1 • HR-2 • HRM • HRC • HCB • E-40 • E • SF – only allowed in Prospector Village Subdivision • R-1 • RD – (except for seven subdivisions) • RDM • RM • RC • RCO • GC • LI

To summarize:

- Nightly Rentals are allowed in most Zoning Districts. However, certain subdivisions have petitioned the City to amend the LMC to prohibit Nightly Rentals in their subdivision. (Fractional Ownership is also proposed to be prohibited in these same subdivisions.)
- Nightly Rentals are completely excluded in the Recreation Open Space (ROS) and Protected Open Space (POS) Zoning Districts, where residential development is prohibited.
- The Zoning Districts where Nightly Rentals are regulated under certain parameters include:
 - Historic Residential Low (HRL) – Only 12 Conditional Use Permits are allowed in the western HRL subzone; a Conditional Use Permit is required for the Lower Rossi Hill subzone; and Nightly Rentals are prohibited in the McHenry HRL subzone.

- Single Family (SF) – Only allowed in Prospector Village Subdivision.
- Residential Development (RD) – Allowed except the following subdivisions which applied for LMC amendments to prohibit Nightly Rentals:
 - April Mountain
 - Mellow Mountain Estates
 - Meadows Estates – Phases #1A and #1B
 - Fairway Meadows
 - Hidden Oaks at Deer Valley Phase 2 and 3

Essentially, Nightly Rentals are allowed in almost every developable Zoning District with the few exceptions noted above. Over time, as primary residential subdivisions petition the City to amend the LMC to prohibit Nightly Rentals, the LMC may be further amended to reduce the areas where Nightly Rentals are allowed.⁴

The proposed amendments to place parameters around Fractional Ownership direct Fractional Ownership to Zoning Districts that allow Timeshare Units and Private Residential Clubs. The use of Fractional Ownerships is most like the use and shared ownership model of Timeshares. Additionally, the Zoning Districts where Fractional Ownership of Single-Family Dwellings are proposed are areas identified in the General Plan as second homes that are near commercial and resort areas, rather than primary residential neighborhoods.

The Planning team finds that if Fractional Ownership were to be allowed in the same Zoning Districts where Nightly Rentals are allowed, it would be inconsistent with General Plan guidance to limit the expansion of transient uses contrary to primary residential use vital to preserving existing neighborhoods, since the permitted Nightly Rental Zoning Districts encompass much of Park City, only limited in some portions of the Single Family and the Historic Residential Low – Density Zoning Districts. The LMC amendments regulate the Fractional Ownership model to protect primary residential neighborhoods. The Planning team does not recommend attempting to amend the LMC to match mitigation or regulation of the impacts of Nightly Rentals as this approach ignores the impacts accelerating the loss of primary Single-Family Dwellings in existing neighborhoods.

(III) The proposed amendments regulate Fractional Ownership of Single-Family Dwellings and not Duplexes, Triplexes, and Multi-Unit Dwellings (including Townhomes).

Fractional Ownership is proposed for Single-Family Dwellings, defined by LMC [Section 15-15-1](#) as a building containing not more than one dwelling unit, and not Duplexes, Triplexes, or Multi-Unit Dwellings. LMC [Section 15-15-1](#) defines Multi-Unit Dwellings as any project with four or more units, including townhomes. The Fractional Ownership method is currently geared toward high-value Single-Family Dwellings. If a Multi-Unit Dwelling were to be bought and shared by several owners (specifically not less than 4)

⁴ The Planning team received a new application last week from a subdivision proposing to prohibit Nightly Rentals in their neighborhood.

then it would fit the definition of a Private Residence Club, which is similar to a Timeshare and is already regulated by the LMC, requiring a Conditional Use Permit in the following Zoning Districts (the same Zoning Districts recommended for Fractional Ownership of Single-Family Dwellings):

- HRC
- HCB
- RD - (except for seven subdivision)
- RDM
- RC
- RCO
- GC

The definition of a Private Residence Club is:

Club, Private Residence.

Residential Use real estate within a single Condominium project, in which ownership or Use of a Condominium Dwelling Unit or group of Condominium Dwelling Units and associated common area is shared by not less than four (4) or more than twelve (12) Owners or members per Condominium Dwelling Unit and whose Use is established by a reservation system and is managed with 24 hour reservation and Property management, seven (7) days a week, providing reservation, registration, and management capabilities. Membership in a Private Residence Club may be evidenced by:

- 1. a deeded interest in real Property;*
- 2. an interest or membership in a partnership, limited partnership, limited liability company, non-profit corporation, or other Business entity;*
- 3. a non-entity membership in a non-profit corporation, non-incorporated association, or other entity;*
- 4. beneficial interest in a trust;*
- 5. other arrangement providing for such Use and occupancy rights.*

While the proposed amendments are specific to Single-Family Dwellings, the Planning team recommends the City conduct a study and monitor, track, and evaluate Fractional Ownership over the next two years, discussed in more detail below. Based on the findings of the study, the Planning team may recommend expanding the Fractional Ownership regulations to include Duplexes and Triplexes.

(IV) An Administrative Permit is now proposed rather than a Conditional Use Permit.

The Planning team reviewed feedback from the Planning Commission, the City Council, the Board of Realtors, and Pacaso, and finds that an administrative process may still achieve the goals of public notice, a public hearing, and compliance tracking, without requiring Planning Commission review. However, there are several options for review that may be considered:

Option:	Requirements:
Conditional Use Permit (CUP)	• Public Hearing and Planning Commission Approval • Public notice mailed 14 days prior to Public Hearing to owners within 300 feet of the property • Public notice posted to the property • Public notice posted to City Hall, and the Main Street Post Office • Public notice published in the Park Record, the Utah Public Notice website, and the City website 14 days prior to the Public Hearing • Proposal must comply with the 16 criteria outlined in Section 15-1-10(E) and the Zoning District
Administrative Permit	• Public notice mailed 10 days prior to Public Hearing to adjacent property owners • Public notice posted to the property 10 days prior to Public Hearing • Public notice posted to the City website, City Hall, and the Main Street Post Office • Proposal must comply with the criteria outlined in the proposed new LMC Section 15-4-23, and the Zoning District
Administrative Letter	• No Public Notice • No Public Hearing • Planning Director issues a letter if the proposal meets the requirements of the proposed new LMC Section 15-4-23, and the Zoning District

The following standards for management and use are recommended to be enacted in Land Management Code Section 15-4-23. If the review process shifts to staff-level

review, the standards remain the same:

A. The following are prohibited:

- 1. Nightly Rentals;*
- 2. On-Street Parking;*
- 3. Outdoor display of goods and merchandise;*
- 4. Signs;*
- 5. Commercial uses not otherwise permitted in the Zoning District.*

B. The Applicant submits a Management Plan describing the satisfactory level of management and maintenance of the Single-Family Dwelling, Fractional Ownership/Use that addresses the following:

- 1. A designated responsible party that is a property management company, realtor, lawyer, owner, or other individual, who resides within a one-hour drive of the property, or, in the case of a company, has offices in Summit County. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of the receipt of such inquiries. The responsible party is also designated as the agent for receiving all official communications.*
- 2. Snow removal during winter months to a level that allows safe access to the Single-Family Dwelling over the normal pedestrian access.*
- 3. Snow removal service to off-street parking associated with the property to ensure parking is available for owner use at all times.*
- 4. 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.*
- 5. Structural maintenance to preserve substantial code compliance.*
- 6. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties.*
- 7. Trash collection which ensures that trash cans are not left at the curb for any period in excess of 24 hours; the property must be kept free from accumulated garbage and refuse.*
- 8. Noise and Occupancy Control – Property management and owners are responsible for regulating the occupancy of the property and noise created by occupants. Violation of the Noise Ordinance in Municipal Code of Park City Chapter 6-3, 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 property is grounds for revocation.*
- 9. Information on the proposed fractional ownership use, including:*
 - a. A description of the method of management of the fractional ownership use.*
 - b. Any restrictions on the use or occupancy of the Single-Family*

Dwelling and property.

- c. *Any additional documentation the Applicant, City staff, or the Planning Commission deem reasonably necessary to evaluate the fractional ownership and use.*

The Planning team recommends an Administrative Permit because it will reduce the number of agenda items for Planning Commission review, while still providing notice to adjacent property owners and the opportunity for public input through a public hearing. Additionally, public notice is an opportunity to inform neighbors about the proposed use and the required standards and to potentially provide neighbors with contact information for the property management company overseeing the Fractional Ownership.

(V) Future Studies and Re-Evaluation

As mentioned above, fractional use of property is not new to the community. The City has regulated Timeshares and Private Residence Clubs for decades. However, this new model of Fractional Ownership and Use of Single-Family Dwellings in primary residential neighborhoods is relatively new. As a result, the Planning team recommends enacting LMC amendments to protect primary residential neighborhoods and to direct Fractional Ownership of Single-Family Dwellings to those Zoning Districts where Timeshares and Private Residence Clubs are allowed, while conducting a study over the next two years to observe and understand whether this model contributes to reductions in primary residences in Park City, to identify areas where these are most prevalent, to evaluate whether this form of ownership shifts from Single-Family Dwellings to Duplexes and Triplexes, and to look to other communities to evaluate best practices.

Staff recommends enacting a provision in the Land Management Code that requires the City to track, study, and evaluate Fractional Ownership of Single-Family Dwellings for two years, and then to return for discussions to re-evaluate the land use regulations with a possibility of more or less restrictive regulations.

Is there support for requiring re-evaluation of the proposed amendments in two years? Is there support for a study? If so, what other factors do the City Council recommend be considered as part of the study?

(VI) Additional Zoning Districts

Pacaso requested that the City consider expanding the recommended Zoning Districts where Fractional Ownership of Single-Family Dwellings be allowed, specifically, to allow them in residential Historic Districts and primarily residential Zoning Districts, subject to a 30% maximum in these Zoning Districts.

The LMC implements the goals and policies of the General Plan for purposes that include promoting the general health, safety, and welfare of the present and future inhabitants and visitors of the City, protecting and enhancing the vitality of the City's resort-based

economy, the overall quality of life, and unique mountain town community, and protecting or promoting moderate income housing.⁵

The General Plan Identifies the Importance of Protecting the City's Primarily Residential Neighborhoods

Sense of Community is one of the core values in the Park City General Plan and Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents. Objective 7B is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents within these neighborhoods.⁶

Goal 8 of the General Plan is to increase affordable housing opportunities and associated services for the workforce of Park City. Objective 8C of the General Plan is to increase housing ownership opportunities for workforce within primary residential neighborhoods.⁷

The General Plan also acknowledges neighborhoods where secondary homeownership are appropriate and support the City's resort economy. For example, the General Plan identifies the Lower Deer Valley neighborhood as a resort neighborhood catering to second homes.⁸

The General Plan identifies primary and secondary homeowners based on 2010 data and identifies Park Meadows, Bonanza Park, Prospector, and Thaynes Canyon as four neighborhoods dominated by primary homes. The Budget Department evaluated primary versus secondary residents based on the Summit County Assessor's Office data and the numbers indicate a rise in primary residences in 2019, a decline in primary residences in 2020, and an increase in 2021; but overall, the primary residences have hovered around 3,000 for the past six years:

Year	Primary Residence	Secondary Residence
2015	3,075	6,211
2016	3,078	6,211
2017	3,091	6,299
2018	3,173	6,231
2019	3,269	6,231
2020	2,980	6,870
2021	3,193	6,590

In addition to protecting primarily residential neighborhoods for full-time residents, the General Plan identifies the need to protect and incentivize primary homeownership in

⁵ LMC [Section 15-1-2](#)

⁶ General Plan Volume I, [Sense of Community](#), p. 5

⁷ General Plan Volume I, [Sense of Community](#), p. 8

⁸ [General Plan, Volume II, Neighborhoods 3](#), p. 7

Old Town. “Planning efforts to maintain primary home ownership in the Old Town neighborhood is motivated by the community’s Vision. In order to Keep Park City Park City, it is essential that Parkites be located in the heart of the City. While, there is certainly a need to allow nightly rental in the district to provide visitors with the authentic Park City experience, it is recommended that the City consider investigating incentives to keep primary residents located within Old Town.”⁹ The General Plan also establishes a policy to protect a Sense of Community: “[t]he City should consider incentives for primary homeownership in Old Town; a balance between residents and tourists is desirable in this neighborhood.”¹⁰

To meet the core value of a Sense of Community, the General Plan supports a balance between residents and visitors. The proposed LMC amendments prohibit Fractional Ownership of Single-Family Dwellings in the Historic Residential Low – Density, Historic Residential – 1, Historic Residential – 2, and Historic Residential Medium Zoning Districts. Pacaso requests that Fractional Ownership of Single-Family Dwellings be allowed in these Zoning Districts, as well as in primarily residential Zoning Districts, but is open to a 30% cap on the number allowed.

The GIS Department helped Planning staff evaluate the number of Single-Family Dwellings in the residential Historic Districts and estimates there are approximately 820 Single-Family Dwellings.¹¹ If 30% of the Single-Family Dwellings were allowed to become Fractional Ownerships, there could be as many as 246 Fractional Ownership properties in the residential Historic Districts alone.

If the Council is supportive of a limited number of Fractional Ownerships in the residential Historic Districts, the following could be considered:

- A proximity requirement for the residential Historic Districts – for example, no more than one Fractional Ownership of a Single-Family Dwelling within 1,000 feet of another
 - The former LMC established a similar proximity buffer for accessory apartments, which presented challenges for tracking purposes and favored those property owners who first take action over others
- A cap on the total number of Fractional Ownership of Single-Family Dwellings allowed in residential Historic Districts
 - This cap would apply to all companies who operate under the fractional ownership model
 - A cap establishes a set number, which is easier to monitor and track
 - A 1% cap would allow eight Fractional Ownership Single-Family

⁹ General Plan, Volume II, [Neighborhoods 2](#), p. 34

¹⁰ *Id.*

¹¹ Please note that there is generally a six-month delay in available GIS data, which the City draws from Summit County GIS files. The numbers provided are estimates. Subdivisions, plat amendments, and changes in ownership may not be reflected in the most recent data.

Dwellings in the residential Historic Districts, which could be a good number to monitor over the next two years as a starting point¹²

The drafted Ordinance No. 2022-21 prohibits Fractional Ownership of Single-Family Dwellings in the residential Historic Districts. If there is Council support to allow a limited number of these in the residential Historic Districts, the Planning team could come back at a later date with additional analysis. For example, to incentivize Historic Preservation, those properties designated Landmark or Significant on the Park City Historic Sites Inventory are exempt from satisfying required parking on site and may use on-street parking. The Planning team recommends that if the door to the residential Historic Districts is open for Fractional Ownership of Single-Family Dwellings, this be limited, and on-street parking be satisfied on site.

Is there support for opening the residential Historic Districts to Fractional Ownership of Single-Family Dwellings? If so, does the City Council recommend establishing a restriction on the number allowed in these Historic Districts?

(VII) The Planning team recommends proactive stakeholder and community outreach to ensure Fractional Ownership of Single-Family Dwellings comply with the enacted regulations

The Planning team recommends continued outreach to stakeholders, community members, and Fractional Ownership companies to ensure that this new model complies with the land use regulations once enacted. The Planning team created a webpage outlining the proposed amendments and will update the information if the proposed amendments are enacted.

Public Input

Public input is attached as Exhibit B.

Exhibits

Exhibit A: Draft Ordinance No. 2022-21

Exhibit B: Public Input

Exhibit C: Pacaso Presentation from May 25, 2022

¹² There are already at least three Fractional Ownership Single-Family Dwellings in the residential Historic Districts.

Ordinance No. 2022-21

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTIONS 15-2.5-2 HISTORIC RECREATION COMMERCIAL, 15-2.6-2 HISTORIC COMMERCIAL BUSINESS, 15-2.13-2 RESIDENTIAL DEVELOPMENT, 15-2.14-2 RESIDENTIAL DEVELOPMENT – MEDIUM DENSITY, 15-2.16-2 RECREATION COMMERCIAL, 15-2.17-2 REGIONAL COMMERCIAL OVERLAY, AND 15-2.18-2 GENERAL COMMERCIAL TO ALLOW “SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP/USE,” ENACTING SECTION 15-4-23, SINGLE-FAMILY DWELLING FRACTIONAL OWNERSHIP USE, AND AMENDING SECTION 15-15-1 DEFINITIONS TO DEFINE “SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP/USE”

WHEREAS, companies offering fractional ownership—a mechanism establishing ownership of vacation properties in the form of a 1/2 to 1/8 or lesser share—have started selling “fractions” of Single-Family Dwellings as vacation properties in Park City, including within primary residential neighborhoods;

WHEREAS, *Sense of Community* is one of the core values in the Park City General Plan, Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents, and Objective 7B of the General Plan is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupants by full time residents within these neighborhoods;

WHEREAS, Goal 8 of the General Plan is to increase affordable housing opportunities and associated services for the workforce of Park City, and Objective 8C of the General Plan is to increase housing ownership opportunities for workforce within primary residential neighborhoods;

WHEREAS the General Plan acknowledges neighborhoods where secondary homeownership is appropriate and support the City’s resort economy like those neighborhoods near the resorts;

WHEREAS, the General Plan identifies the need to protect and incentivize primary homeownership in Old Town and states “it is essential that Parkites be located in the heart of the City;”

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to promote the health, safety, and welfare of the present and future inhabitants, to protect and enhance the vitality of the City’s resort-based economy, and to protect or promote moderate income housing;

WHEREAS, to protect primarily residential neighborhoods while allowing for Single-Family Dwelling Fractional Ownership/Use near the resort bases and in those Zoning Districts that allow Timeshares and Private Residence Clubs, the Land Management Code amendments define Single-Family Dwelling Fractional Ownership/Use and establish them as a Conditional Use requiring an Administrative Permit in the Historic Recreation Commercial, Historic Commercial Business, Residential Development, Residential Development – Medium Density, Recreation Commercial, Regional Commercial Overlay, and General Commercial Zoning Districts with specific standards, and require a Business License for companies that sell and manage Fractional Ownership/Use of Single-Family Dwellings;

WHEREAS, a two-year study of Single-Family Dwelling Fractional Ownership/Use is recommended and re-evaluation of the regulations at the end of the study to determine if regulations should be more or less restrictive;

WHEREAS, the Planning Commission conducted a duly noticed work session on May 11, 2022, and a duly noticed public hearing on May 25, 2022, and forwarded a positive recommendation, with amendments, to the City Council;

WHEREAS, the City Council conducted a duly noticed public hearing on June 23, 2022, and continued the discussion to October 6, 2022; and

WHEREAS, the City Council conducted a duly noticed public hearing on October 6, 2022.

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE TITLE 15. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code § 15-2.5-2 *Historic Recreation Commercial*, § 15-2.6-2 *Historic Commercial Business*, § 15-2.13-2 *Residential Development*, § 15-2.14-2 *Residential Development – Medium Density*, § 15-2.16-2 *Recreation Commercial*, § 15-2.17-2 *Regional Commercial Overlay*, § 15-2.18-2 *General Commercial*, and § 15-15-1 *Definitions*, are hereby amended as outlined in Attachment 1.

SECTION 2. ENACT MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE SECTION 15-4-23. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Section 15-4-23 is enacted as outlined in Attachment 1.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 6th day of October 2022.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

Attachment 1

15-2.5-2 Uses

Uses in the HRC are limited to the following:

A. **ALLOWED USES**.¹⁰

1. Single Family Dwelling⁵
2. Duplex Dwelling⁵
3. Secondary Living Quarters⁵
4. Lockout Unit^{1,5}
5. Accessory Apartment^{2,5}
6. Nightly Rental⁵
7. Home Occupation⁵
8. Child Care, In-Home Babysitting
9. Child Care, Family³
10. Child Care, Family Group³
11. Child Care Center³
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn^{4,5}
16. Boarding House, hostel⁵
17. Hotel, Minor, fewer than sixteen (16) rooms⁵
18. Office, General⁵
19. Parking Area or Structure, with four (4) or fewer spaces⁵

- 24 20. Food Truck Location¹¹
- 25 B. **CONDITIONAL USES.**^{9, 10}
- 26 1. Triplex Dwelling⁵
- 27 2. Multi-Unit Dwelling⁵
- 28 3. Guest House, on Lots one (1) acre⁵
- 29 4. Group Care Facility⁵
- 30 5. Public and Quasi-Public institution, church, or school
- 31 6. Essential Municipal public utility Use, facility, service, and Structure
- 32 7. Telecommunication Antenna⁶
- 33 8. Satellite dish, greater than thirty-nine inches (39") in diameter⁷
- 34 9. Plant and Nursery stock products and sales
- 35 10. Hotel, Major⁵
- 36 11. Timeshare Projects and Conversions⁵
- 37 12. Private Residence Club Project and Conversion^{4,5}
- 38 13. Office, Intensive⁵
- 39 14. Office and clinic, Medical⁵
- 40 15. Financial institution, without drive-up window⁸
- 41 16. Commercial Retail and Service, Minor⁸
- 42 17. Commercial Retail and Service, Personal Improvement⁸
- 43 18. Neighborhood Convenience Commercial, without gasoline sales
- 44 19. Café or Deli⁸
- 45 20. Restaurant, General⁸
- 46 21. Restaurant and Café, outdoor dining⁴

- 47 22. Outdoor Events and Uses⁴
- 48 23. Bar
- 49 24. Parking Area or Structure, with five (5) or more spaces⁵
- 50 25. Temporary Improvement⁴
- 51 26. Passenger Tramway station and ski base facility
- 52 27. Ski tow, ski lift, ski run, and ski bridge
- 53 28. Recreation Facility, Commercial, Public, and Private¹²
- 54 29. Entertainment Facility, Indoor
- 55 30. Fences greater than six feet (6') in height from Final Grade⁴
- 56 31. Private Residence Club, Off-Site⁵
- 57 32. Private Event Facility⁵
- 58 33. Single-Family Dwelling, Fractional Ownership/Use¹³

59 C. **PROHIBITED USES**. Unless otherwise allowed herein, any Use not listed above

60 as an Allowed or Conditional Use is a prohibited Use.

61 ¹Nightly rental of Lockout Units requires a Conditional Use permit.

62 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

63 ³See Section 15-4-9, Child Care And Child Care Facilities.

64 ⁴Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4.

65 ⁵Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue,

66 excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC

67 Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the

68 plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street,

69 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within

70 Storefront Property; however access, circulation, and lobby areas are permitted within Storefront

71 Property.

⁶See Section 15-4-14, Telecommunication Facilities.

⁷See Section 15-4-13, Placement Of Satellite Receiving Antennas.

⁸If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use.

⁹No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

¹⁰Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in Storefront Properties.

¹¹The Planning Director, or his or her designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

¹²See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

¹³ [Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.](#)

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [07-55](#) on 8/30/2007

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [12-37](#) on 12/20/2012

Amended by Ord. [16-02](#) on 1/7/2016

Amended by Ord. [2017-45](#) on 8/17/2017

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2020-36](#) on 7/30/2020

Amended by Ord. [2020-42](#) on 9/17/2020

Amended by Ord. [2021-51](#) on 12/16/2021

15-2.6-2 Uses

Uses in the Historic Commercial Business (HCB) District are limited to the following:

A. ALLOWED USES.¹¹

1. Single Family Dwelling¹
2. Multi-Unit Dwelling¹
3. Secondary Living Quarters¹
4. Lockout Unit^{1,2}
5. Accessory Apartment^{1,3}
6. Nightly Rental⁴
7. Home Occupation¹
8. Child Care, In-Home Babysitting¹
9. Child Care, Family^{1,5}
10. Child Care, Family Group^{1,5}
11. Child Care Center^{1,5}
12. Accessory Building and Use¹
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn^{1, 6}
16. Boarding House, hostel¹
17. Hotel, Minor, fewer than 16 rooms¹
18. Office, General¹
19. Office, Moderate Intensive¹
20. Office and clinic, Medical¹

- 121 21. Financial institution, without drive-up window
- 122 22. Commercial Retail and Service, Minor
- 123 23. Commercial Retail and Service, Personal Improvement
- 124 24. Commercial Neighborhood Convenience, without gasoline sales
- 125 25. Restaurant, Cafe or Deli
- 126 26. Restaurant, General
- 127 27. Bar
- 128 28. Parking Lot, Public or Private with four (4) or fewer spaces
- 129 29. Entertainment Facility, Indoor
- 130 30. Salt Lake City 2002 Winter Olympic Games Legacy Displays⁷
- 131 31. Temporary winter Balcony enclosures
- 132 32. Food Truck Location¹²
- 133 B. **CONDITIONAL USES.**^{10, 11}
- 134 1. Group Care Facility¹
- 135 2. Public and Quasi-Public institution, church, or school
- 136 3. Essential municipal public utility Use, facility, service, and Structure
- 137 4. Telecommunication Antenna⁸
- 138 5. Satellite dish, greater than thirty-nine inches (39") in diameter⁹
- 139 6. Plant and Nursery stock products and sales
- 140 7. Hotel, Major¹
- 141 8. Timeshare Projects and Conversions¹
- 142 9. Timeshare Sales Office, Off-Site within an enclosed Building¹
- 143 10. Private Residence Club Project and Conversion^{1,6}

- 144 11. Commercial Retail and Service, Major
- 145 12. Office, Intensive¹
- 146 13. Restaurant, outdoor dining⁶
- 147 14. Outdoor Events and Uses⁶
- 148 15. Hospital, Limited Care Facility¹
- 149 16. Parking Area or Structure for five (5) or more cars¹
- 150 17. Temporary Improvement⁶
- 151 18. Passenger Tramway station and ski base facility
- 152 19. Ski tow, ski lift, ski run, and ski bridge
- 153 20. Recreation Facility, Public
- 154 21. Recreation Facility, Private¹³
- 155 22. Recreation Facility, Commercial
- 156 23. Fences greater than six feet (6') in height from Final Grade⁶
- 157 24. Private Residence Club, Off-Site¹
- 158 25. Private Event Facility¹
- 159 26. Single-Family Dwelling, Fractional Ownership/Use¹⁴

160 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
161 is a prohibited Use.

162 ¹Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and
163 Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and
164 lobby areas are permitted within Storefront Property.

165 ²Nightly Rental of Lock Units requires a Conditional Use permit.

166 ³Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

167 ⁴Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses.

168 ⁵See Section 15-4-9, Child Care And Child Care Facilities.

169 ⁶Requires an Administrative or Administrative Conditional Use permit.

170 ⁷Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

171 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

172 on the original Property set forth in the services Agreement and/or Master Festival License. Requires an

173 Administrative Permit.

174 ⁸See Section 15-4-14, Telecommunication Facilities.

175 ⁹See Section 15-4-13, Placement Of Satellite Receiving Antennas.

176 ¹⁰No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are

177 permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah

178 Code 32B-1-202, to obtain a liquor license.

179 ¹¹Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are

180 permitted in Storefront Properties.

181 ¹²The Planning Director or his or her designee shall, upon finding a Food Truck Location in compliance

182 with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

183 ¹³See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

184 ¹⁴Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional

185 Ownership/Use.

186 HISTORY

187 *Adopted by Ord. [00-51](#) on 9/21/2000*

188 *Amended by Ord. [02-38](#) on 9/12/2002*

189 *Amended by Ord. [04-39](#) on 3/18/2004*

190 *Amended by Ord. [06-69](#) on 10/19/2006*

191 *Amended by Ord. [07-55](#) on 8/30/2007*

192 *Amended by Ord. [09-10](#) on 3/5/2009*

193 *Amended by Ord. [12-37](#) on 12/20/2012*

194 *Amended by Ord. [16-02](#) on 1/7/2016*

195 Amended by Ord. [16-01](#) on 1/7/2016
196 Amended by Ord. [2017-45](#) on 8/17/2017
197 Amended by Ord. [2018-55](#) on 10/23/2018
198 Amended by Ord. [2020-36](#) on 7/30/2020
199 Amended by Ord. [2020-42](#) on 9/17/2020
200 Amended by Ord. [2021-51](#) on 12/16/2021

201 **15-2.13-2 Uses**

202 Uses in the RD District are limited to the following:

203 A. **ALLOWED USES.**

- 204 1. Single-Family Dwelling
- 205 2. Duplex Dwelling
- 206 3. Secondary Living Quarters
- 207 4. Lockout Unit¹
- 208 5. Accessory Apartment²
- 209 6. Nightly Rental³
- 210 7. Home Occupation
- 211 8. Child Care, In-Home Babysitting⁴
- 212 9. Child Care, Family⁴
- 213 10. Child Care, Family Group⁴
- 214 11. Accessory Building and Use
- 215 12. Conservation Activity Agriculture
- 216 13. Parking Area or Structure with four (4) or fewer spaces
- 217 14. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵

218	15. Food Truck Location ¹⁶
219	16. Internal Accessory Dwelling Unit ¹⁷
220	B. <u>CONDITIONAL USES.</u>
221	1. Triplex Dwelling ⁶
222	2. Multi-Unit Dwelling ⁶
223	3. Guest House
224	4. Group Care Facility
225	5. Child Care Center ⁴
226	6. Public and Quasi-Public Institution, Church, and School
227	7. Essential Municipal Public Utility Use, Facility, Service, and Structure
228	8. Telecommunication Antenna ⁷
229	9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁸
230	10. Raising, grazing of horses
231	11. Cemetery
232	12. Bed and Breakfast Inn
233	13. Hotel, Minor ⁶
234	14. Hotel, Major ⁶
235	15. Private Residence Club Project and Conversion ¹⁰
236	16. Office, General ^{6,9}
237	17. Office, Moderate Intensive ^{6,9}
238	18. Office, Medical ^{6,9}
239	19. Financial Institution without drive-up window ^{6,9}
240	20. Commercial Retail and Service, Minor ^{6,9}

241	21. Commercial Retail and Service, personal improvement ^{6,9}
242	22. Commercial, Resort Support ^{6,9}
243	23. Café or Deli ^{6,9}
244	24. Restaurant, Standard ^{6,9}
245	25. Restaurant, Outdoor Dining ¹⁰
246	26. Outdoor Event ¹⁰
247	27. Bar ^{6,9}
248	28. Hospital, Limited Care Facility ^{6,9}
249	29. Parking Area or Structure with five (5) or more spaces
250	30. Temporary Improvement ¹⁰
251	31. Passenger Tramway Station and Ski Base Facility ¹¹
252	32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge ¹¹
253	33. Recreation Facility, Public
254	34. Recreation Facility, Commercial ⁶
255	35. Recreation Facility, Private ¹⁸
256	36. Entertainment Facility, Indoor ^{6,9}
257	37. Commercial Stables, Riding Academy ¹²
258	38. Heliport ¹²
259	39. Vehicle Control Gate ¹³
260	40. Fences and walls greater than six feet (6') in height from Final Grade ¹⁰
261	41. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays ¹⁴
262	42. Amenities Club
263	43. Club, Private Residence Off-Site ¹⁵

44. Single-Family Dwelling, Fractional Ownership/Use^{3,19}

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

³Nightly Rentals do not include the Use of dwellings for Commercial Uses. Nightly Rentals and Single-

Family Dwelling, Fractional Ownership/Use are not permitted in the April Mountain, Mellow Mountain

Estates Subdivisions, Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows

Subdivision, and Hidden Oaks at Deer Valley Phases 2 and 3.

⁴See Section 15-4-9 Child Care and Child Care Facilities

⁵Olympic 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

on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to provisions of LMC Chapter 15-6, Master Planned Development

⁷See Section 15-4-14, Telecommunications Facilities

⁸See Section 15-4-13, Placement of Satellite Receiving Antennas

⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a

convenience for residents or occupants of adjacent or adjoining residential Developments.

¹⁰Requires an Administrative Conditional Use permit.

¹¹As part of an approved Ski Area Master Plan. See Section 15-4-18 Passenger Tramways and Ski Base

Facilities.

¹²Omitted.

¹³See Section 15-4-19, Review Criteria For Control Vehicle Gates.

¹⁴Olympic 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.

291 ¹⁵Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit.
292 Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more
293 units with approved Support Commercial space. A Parking Plan shall be submitted to determine site
294 specific parking requirements.

295 ¹⁶The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
296 Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

297 ¹⁷See Section 15-4-7.1, Internal Accessory Dwelling Units.

298 ¹⁸See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

299 ¹⁹Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional
300 Ownership/Use.

301 HISTORY

302 *Adopted by Ord. [00-51](#) on 9/21/2000*

303 *Amended by Ord. [02-38](#) on 9/12/2002*

304 *Amended by Ord. [04-08](#) on 3/4/2004*

305 *Amended by Ord. [05-39](#) on 6/30/2005*

306 *Amended by Ord. [06-76](#) on 11/9/2006*

307 *Amended by Ord. [11-05](#) on 1/27/2011*

308 *Amended by Ord. [14-35](#) on 6/26/2014*

309 *Amended by Ord. [2018-23](#) on 5/17/2018*

310 *Amended by Ord. [2018-55](#) on 10/23/2018*

311 *Amended by Ord. [2020-38](#) on 7/30/2020*

312 *Amended by Ord. [2020-45](#) on 10/1/2020*

313 *Amended by Ord. [2021-16](#) on 4/15/2021*

314 *Amended by Ord. [2021-38](#) on 9/23/2021*

315 Amended by Ord. [2021-52](#) on 12/16/2021

316 Amended by Ord. [2021-51](#) on 12/16/2021

317 **15-2.14-2 Uses**

318 Uses in the RDM District are limited to the following:

319 A. **ALLOWED USES.**

320 1. Single Family Dwelling

321 2. Duplex Dwelling

322 3. Triplex Dwelling

323 4. Secondary Living Quarters

324 5. Lockout Unit¹

325 6. Accessory Apartment²

326 7. Nightly Rental³

327 8. Home Occupation

328 9. Child Care, In Home Babysitting⁴

329 10. Child Care, Family⁴

330 11. Child Care, Family Group⁴

331 12. Accessory Building and Use

332 13. Conservation Activity

333 14. Agriculture

334 15. Parking Area or Structure with four (4) or fewer spaces

335 16. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵

336 17. Food Truck Location¹⁴

337 18. Internal Accessory Dwelling Unit¹⁵

- 338 B. **CONDITIONAL USES.**
- 339 1. Multi Unit Dwelling⁶
- 340 2. Guest House
- 341 3. Group Care Facility
- 342 4. Child Care Center
- 343 5. Public and Quasi Public Institution, Church, and School
- 344 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 345 7. Telecommunication Antenna⁷
- 346 8. Satellite Dish, greater than thirty nine inches (39") in diameter⁸
- 347 9. Raising grazing of horses
- 348 10. Cemetery
- 349 11. Bed and Breakfast Inn
- 350 12. Boarding House, Hotel
- 351 13. Hotel, Minor⁶
- 352 14. Hotel, Major⁶
- 353 15. Private Residence Club Project and Conversion¹¹
- 354 16. Office, General⁶
- 355 17. Office, Moderate Intensive^{6,9}
- 356 18. Office and Clinic, Medical^{6,10}
- 357 19. Financial Institution, without drive up window^{6,10}
- 358 20. Commercial Retail and Service, Minor^{6,10}
- 359 21. Commercial Retail and Service, personal improvement^{6,10}
- 360 22. Commercial, Resort Support^{6,10}

- 361 23. Cafe or Deli^{6,10}
- 362 24. Restaurant, Standard^{6,10}
- 363 25. Restaurant, Outdoor Dining¹¹
- 364 26. Outdoor Event¹¹
- 365 27. Bar^{6,10}
- 366 28. Hospital, Limited Care Facility^{6,9}
- 367 29. Parking Area or Structure with five (5) or fewer spaces
- 368 30. Temporary Improvement¹¹
- 369 31. Passenger Tramway Station and Ski Base Facility¹²
- 370 32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge¹²
- 371 33. Recreation Facility, Public
- 372 34. Recreation Facility, Commercial⁶
- 373 35. Recreation Facility, Private¹⁶
- 374 36. Entertainment Facility, Indoor^{6,9}
- 375 37. Commercial Stables, Riding Academy^{6,10}
- 376 38. Fences greater than six feet (6') in height from Final Grade
- 377 39. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹³
- 378 40. Single-Family Dwelling, Fractional Ownership/Use¹⁷

379 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
380 is a prohibited Use.

381 ¹Nightly Rental of Lockout Units requires a Conditional Use permit.

382 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

383 ³Nightly Rentals do not include the Use of Dwellings for Commercial Use.

384 ⁴See Section 15-4-9, Child Care and Child Care Facilities

⁵Olympic 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 on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to Master Planned Development approval. See Chapter 15-6.

⁷See Section 15-4-14, Telecommunication Facilities.

⁸See Section 15-4-13, Placement of Satellite Receiving Antennas.

⁹General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in the Chapter 15-6 Master Planned Developments, the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office use will substantially advance the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

¹⁰Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Development.

¹¹Requires an administrative Conditional Use permit.

¹²As part of an approved Ski Area Master Plan. See Section 15-4-18, Passenger Tramways and Ski Base Facilities

¹³Olympic 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.

¹⁴The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

¹⁵See Section 15-4-7.1, Internal Accessory Dwelling Units.

413 ¹⁶See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

414 ¹⁷ Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional
415 Ownership/Use.

416 HISTORY

417 *Adopted by Ord. [00-51](#) on 9/21/2000*

418 *Amended by Ord. [02-24](#) on 6/27/2002*

419 *Amended by Ord. [02-38](#) on 9/12/2002*

420 *Amended by Ord. [04-39](#) on 3/18/2004*

421 *Amended by Ord. [06-76](#) on 11/9/2006*

422 *Amended by Ord. [2018-55](#) on 10/23/2018*

423 *Amended by Ord. [2018-55](#) on 10/23/2018*

424 *Amended by Ord. [2020-45](#) on 10/1/2020*

425 *Amended by Ord. [2021-38](#) on 9/23/2021*

426 *Amended by Ord. [2021-51](#) on 12/16/2021*

427 **15-2.16-2 Uses**

428 Uses in the RC District are limited to the following:

429 A. **ALLOWED USES.**

430 1. Single Family Dwelling

431 2. Duplex Dwelling

432 3. Triplex Dwelling

433 4. Secondary Living Quarters

434 5. Lockout Unit¹

435 6. Accessory Apartment²

436 7. Nightly Rental³

- 437 8. Home Occupation
- 438 9. Child Care, In-Home Babysitting⁴
- 439 10. Child Care, Family⁴
- 440 11. Child Care, Family Group⁴
- 441 12. Child Care Center⁴
- 442 13. Accessory Building and Use
- 443 14. Conservation Activity
- 444 15. Agriculture
- 445 16. Bed and Breakfast Inn
- 446 17. Boarding House, Hostel
- 447 18. Hotel, Minor
- 448 19. Parking Area or Structure with four (4) or fewer spaces
- 449 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 450 21. Food Truck Location¹²
- 451 B. **CONDITIONAL USES.**
- 452 1. Multi-Unit Dwelling
- 453 2. Group Care Facility
- 454 3. Public and Quasi-Public institution, church, and school
- 455 4. Essential municipal and public utility Use, facility, service, and Structure
- 456 5. Telecommunications Antenna⁶
- 457 6. Satellite dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 458 7. Raising, grazing of horses
- 459 8. Cemetery

460	9. Hotel, Major
461	10. Timeshare Project and Conversion
462	11. Timeshare Sales Office
463	12. Private Residence Club Project and Conversion ⁹
464	13. Office, General ⁸
465	14. Office, Moderate ⁸
466	15. Office and clinic, Medical ⁸
467	16. Financial institution without drive-up window ⁸
468	17. Minor Retail and Service Commercial ⁸
469	18. Retail and Service Commercial, Personal Improvement ⁸
470	19. Transportation Service ⁸
471	20. Neighborhood Market, without gasoline sales ⁸
472	21. Café or Deli ⁸
473	22. Restaurant, General ⁸
474	23. Restaurant, outdoor dining ^{8,9}
475	24. Bar ⁸
476	25. Hospital, Limited Care Facility ⁸
477	26. Parking Area or Structure with five (5) or more spaces
478	27. Temporary Improvement ⁹
479	28. Passenger Tramway station and ski base facility ¹⁰
480	29. Ski tow rope, ski lift, ski run, and ski bridge ¹⁰
481	30. Outdoor Events and Uses ⁹
482	31. Recreation Facility, Public and Private ^{8, 13}

- 483 32. Recreation Facility, Commercial⁸
- 484 33. Entertainment Facility, Indoor⁸
- 485 34. Commercial Riding Stable(s), riding academy⁸
- 486 35. Heliport⁸
- 487 36. Amenities Club
- 488 37. Club, Private Residence Off-Site¹¹
- 489 38. Single-Family Dwelling, Fractional Ownership/Use¹⁴

490 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

491 is a prohibited Use.

492 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

493 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

494 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

495 ⁴See Section 15-4-9, Child Care And Child Care Facilities

496 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

497 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

498 on the original Property set forth in the services agreement and/or Master Festival License. Requires an

499 Administrative Permit.

500 ⁶See Section 15-4-14, Telecommunication Facilities

501 ⁷See Section 15-4-13, Placement Of Satellite Receiving Antennas

502 ⁸As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master

503 Planned Developments

504 ⁹Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4

505 ¹⁰As part of an approved Ski Area Master Plan

506 ¹¹Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial

507 spaces or Developments that have ten (10) or more units with approved Support Commercial space. A

508 Parking Plan shall be submitted to determine site specific parking requirements.

¹²The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

¹³See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

¹⁴ Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional Ownership/Use.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-76](#) on 11/9/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [11-05](#) on 1/27/2011

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2018-23](#) on 5/17/2018

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2020-36](#) on 7/30/2020

Amended by Ord. [2020-45](#) on 10/1/2020

Amended by Ord. [2021-51](#) on 12/16/2021

15-2.17-2 Uses

Uses in the RCO District are limited to the following:

A. **ALLOWED USES.**

1. Secondary Living Quarters

2. Lockout Unit¹

- 533 3. Accessory Apartment²
- 534 4. Nightly Rental
- 535 5. Home Occupation
- 536 6. Child Care, In-Home Babysitting³
- 537 7. Child Care, Family³
- 538 8. Child Care, Family Group³
- 539 9. Accessory Building and Use
- 540 10. Conservation Activity
- 541 11. Agriculture
- 542 12. Parking Area or Structure with four (4) or fewer spaces
- 543 13. Recreation Facility, Private¹²
- 544 14. Allowed Uses in the Underlying Zoning District
- 545 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁴
- 546 16. Food Truck Location¹¹
- 547 B. **CONDITIONAL USES.**
- 548 1. Multi-Unit Dwelling⁵
- 549 2. Group Care Facility⁵
- 550 3. Child Care Center^{3,5}
- 551 4. Public and Quasi-Public Institution, Church and School⁵
- 552 5. Essential Municipal Public Utility Use, Facility, Service, and Structure⁵
- 553 6. Telecommunication Antenna⁶
- 554 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 555 8. Plant and Nursery stock products and sales⁵

556	9. Bed and Breakfast Inn ⁵
557	10. Boarding House, Hostel ⁵
558	11. Hotel, Minor ⁵
559	12. Hotel, Major ⁵
560	13. Private Residence Club Project and Conversion ⁹
561	14. Timeshare Sales Office, off-site ⁵
562	15. Office, General ⁵
563	16. Office, Moderate Intensive ⁵
564	17. Office, Intensive ⁵
565	18. Office and Clinic, Medical ⁵
566	19. Financial Institution, with and without drive-up window ^{5,8}
567	20. Retail and Service Commercial, Minor ⁵
568	21. Retail and Service Commercial, personal improvement ⁵
569	22. Retail and Service Commercial, Major ⁵
570	23. Transportation Service ⁵
571	24. Retail Drive-Up Window ⁸
572	25. Neighborhood Convenience Commercial ⁵
573	26. Commercial, Resort Support ⁵
574	27. Gasoline Service Station ⁵
575	28. Cafe, Deli ⁵
576	29. Restaurant, General ⁵
577	30. Restaurant, Outdoor Dining ⁹
578	31. Outdoor Event ⁹

- 579 32. Restaurant, Drive-up window⁸
- 580 33. Bar⁵
- 581 34. Hospital, Limited Care Facility⁵
- 582 35. Hospital, General⁵
- 583 36. Parking Area or Garage with five (5) or more spaces⁸
- 584 37. Temporary Improvement⁹
- 585 38. Passenger Tramway Station and Ski Base Facility⁵
- 586 39. Ski tow rope, ski lift, ski run, and ski bridge⁵
- 587 40. Recreation Facility, Public⁵
- 588 41. Recreation Facility, Commercial⁵
- 589 42. Entertainment, Indoor⁵
- 590 43. Heliport⁵
- 591 44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁰
- 592 45. Single-Family Dwelling, Fractional Ownership/Use¹³

593 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

594 is a prohibited Use.

595 ¹Nightly Rental of Lockout Units requires a Conditional Use permit.

596 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

597 ³See Section 15-4-9, Child Care and Child Care Facilities.

598 ⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

599 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

600 on the original Property set forth in the services agreement and/or Master Festival License.

601 ⁵Subject to Master Planned Development approval. See Chapter 15-6.

602 ⁶See Section 15-4-14, Telecommunication Facilities.

603 ⁷See Section 15-4-13, Placement of Satellite Receiving Antennas.

604 ⁸See Section 15-2.18-5 criteria for drive-up windows.

605 ⁹Requires an administrative Conditional Use permit.

606 ¹⁰Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

607 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

608 in an Area other than the original location set forth in the services agreement and/or Master Festival

609 License.

610 ¹¹The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with

611 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval

612 letter.

613 ¹²See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

614 ¹³Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional

615 Ownership/Use.

616 HISTORY

617 *Adopted by Ord. [00-51](#) on 9/21/2000*

618 *Amended by Ord. [02-38](#) on 9/12/2002*

619 *Amended by Ord. [04-39](#) on 9/23/2004*

620 *Amended by Ord. [06-76](#) on 11/9/2006*

621 *Amended by Ord. [2018-55](#) on 10/23/2018*

622 *Amended by Ord. [2018-55](#) on 10/23/2018*

623 *Amended by Ord. [2020-45](#) on 10/1/2020*

624 *Amended by Ord. [2021-51](#) on 12/16/2021*

625 **15-2.18-2 Uses**

626 Uses in the GC District are limited to the following:

627 A. **ALLOWED USES.**

628 1. Secondary Living Quarters

629	2. Lockout Unit ¹
630	3. Accessory Apartment ²
631	4. Nightly Rental
632	5. Home Occupation
633	6. Child Care, In-Home Babysitting ³
634	7. Child Care, Family ³
635	8. Child Care, Family Group ³
636	9. Child Care Center ³
637	10. Accessory Building and Use
638	11. Conservation Activity
639	12. Agriculture
640	13. Plant and Nursery Stock production and sales
641	14. Bed and Breakfast Inn
642	15. Boarding House, Hostel
643	16. Hotel, Minor
644	17. Hotel, Major
645	18. Office, General
646	19. Office, Moderate Intensive
647	20. Office, Intensive
648	21. Office and Clinic, Medical and Veterinary Clinic
649	22. Financial Institution without a drive-up window
650	23. Commercial, Resort Support
651	24. Retail and Service Commercial, Minor

- 652 25. Retail and Service Commercial, Personal Improvement
- 653 26. Retail and Service Commercial, Major
- 654 27. Cafe or Deli
- 655 28. Restaurant, General
- 656 29. Hospital, Limited Care Facility
- 657 30. Parking Area or Structure with four (4) or fewer spaces
- 658 31. Parking Area or Structure with five (5) or more spaces
- 659 32. Food Truck Location¹⁰
- 660 B. **CONDITIONAL USES.**
- 661 1. Single Family Dwelling
- 662 2. Duplex Dwelling
- 663 3. Triplex Dwelling
- 664 4. Multi-Unit Dwelling
- 665 5. Group Care Facility
- 666 6. Public and Quasi-Public Institution, Church, and School
- 667 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 668 8. Telecommunication Antenna⁴
- 669 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- 670 10. Timeshare Project and Conversion
- 671 11. Timeshare Sales Office, off-site within an enclosed Building
- 672 12. Private Residence Club Project and Conversion⁸
- 673 13. Financial Institution with a Drive-up Window⁶
- 674 14. Retail and Service Commercial with Outdoor Storage

675	15. Retail and Service Commercial, Auto Related
676	16. Transportation Service
677	17. Retail Drive-Up Window ⁶
678	18. Gasoline Service Station
679	19. Restaurant and Cafe, Outdoor Dining ⁷
680	20. Restaurant, Drive-up Window ⁶
681	21. Outdoor Event ⁷
682	22. Bar
683	23. Sexually Oriented Businesses ⁸
684	24. Hospital, General
685	25. Light Industrial Manufacturing and Assembly
686	26. Temporary Improvement ⁷
687	27. Passenger Tramway and Ski Base Facility
688	28. Ski tow rope, ski lift, ski run, and ski bridge
689	29. Commercial Parking Lot or Structure
690	30. Recreation Facility, Public
691	31. Recreation Facility, Commercial
692	32. Recreation Facility, Private ⁹
693	33. Indoor Entertainment Facility
694	34. Heliport
695	35. Temporary Sales Trailer in conjunction with an active Building permit for
696	the Site. ⁸
697	36. Fences greater than six feet (6') in height from Final Grade ⁷

- 698 37. Household Pet, Boarding⁷
- 699 38. Household Pet, Daycare⁷
- 700 39. Household Pet, Grooming⁷
- 701 40. Single-Family Dwelling, Fractional Ownership/Use¹¹

702 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

703 is a prohibited Use.

704 ¹Nightly rental of Lockout Units requires Conditional Use permit.

705 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

706 ³See Section 15-4-9, Child Care and Child Care Facilities.

707 ⁴See Section 15-4-14, Telecommunication Facilities.

708 ⁵See Section 15-4-13, Placement of Satellite Receiving Antennas.

709 ⁶See Section 15-2.18-6 for Drive-Up Window review.

710 ⁷Requires an Administrative Conditional Use permit.

711 ⁸See Section 15-4-16 for additional criteria.

712 ⁹See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

713 ¹⁰The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with

714 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval

715 letter.

716 ¹¹Requires an Administrative Permit. See Section 15-4-23, Single-Family Dwelling Fractional

717 Ownership/Use.

718 HISTORY

719 *Adopted by Ord. [00-51](#) on 9/21/2000*

720 *Amended by Ord. [04-39](#) on 9/23/2004*

721 *Amended by Ord. [06-76](#) on 11/9/2006*

722 *Amended by Ord. [14-57](#) on 11/20/2014*

723 *Amended by Ord. [2018-55](#) on 10/23/2018*

724 Amended by Ord. [2018-55](#) on 10/23/2018

725 Amended by Ord. [2020-45](#) on 10/1/2020

726 Amended by Ord. [2021-51](#) on 12/16/2021

727 **Section 15-4-23 Single-Family Dwelling, Fractional Ownership/Use**

728 Planning staff shall evaluate the Fractional Ownership/Use Applications, and shall find
729 compliance with the following:

730 A. The following are prohibited:

731 1. Nightly Rentals;

732 2. On-Street Parking;

733 3. Outdoor display of goods and merchandise;

734 4. Signs;

735 5. Commercial uses not otherwise permitted in the Zoning District.

736 B. The Applicant submits a Management Plan describing the satisfactory level of
737 management and maintenance of the Single-Family Dwelling, Fractional
738 Ownership/Use that addresses the following:

- 739 1. A designated responsible party that is a property management company,
740 realtor, lawyer, owner, or other individual, who resides within a one-hour drive
741 of the property, or, in the case of a company, has offices in Summit County.
742 The responsible party must be available by telephone, or otherwise, twenty-
743 four (24) hours per day, and must be able to respond to telephone inquiries
744 within twenty (20) minutes of the receipt of such inquiries. The responsible
745 party is also designated as the agent for receiving all official communications.
746 2. Snow removal during winter months to a level that allows safe access to the

- 747 Single-Family Dwelling over the normal pedestrian access
- 748 3. Snow removal service to off-street parking associated with the property to
749 ensure parking is available for owner use at all times
- 750 4. Summer yard maintenance, including landscaping, weed control, and
751 irrigation to a level that is consistent with the level of landscaping and
752 maintenance on adjoining and nearby properties
- 753 5. Structural maintenance to preserve substantial code compliance
- 754 6. Routine upkeep, including painting and repair to a level that is consistent with
755 the level of maintenance on adjoining or nearby properties
- 756 7. Trash collection which ensures that trash cans are not left at the curb for any
757 period in excess of 24 hours; the property must be kept free from
758 accumulated garbage and refuse
- 759 8. Noise and Occupancy Control – Property management and owners are
760 responsible for regulating the occupancy of the property and noise created by
761 occupants. Violation of the Noise Ordinance in Municipal Code of Park City
762 Chapter 6-3, violation of occupancy loads, failure to use designated off-street
763 parking, illegal conduct, or any other abuse, which violates any law regarding
764 use or occupancy of the property is grounds for revocation.
- 765 9. Information on the proposed fractional ownership use, including:
- 766 a. A description of the method of management of the fractional
767 ownership use
- 768 b. Any restrictions on the use or occupancy of the Single-Family
769 Dwelling and property

c. Any additional documentation the Applicant, City staff, or the Planning Commission deem reasonably necessary to evaluate the fractional ownership and use.

10. An active Business License for the Fractional Ownership company.

C. Planning staff shall conduct a study and track and monitor Single-Family Dwelling Fractional Ownership/Use impacts for a two-year period. At the end of the two-year period, Planning staff shall re-evaluate and make recommendations to the Planning Commission and City Council regarding land use regulations of Single-Family Dwelling Fractional Ownership/Use based on the findings of the study.

....

Section 15-15-1 Definitions

....

SINGLE-FAMILY DWELLING, FRACTIONAL OWNERSHIP OR CO-

OWNERSHIP/USE. Any Single-Family property which is owned by an LC, LLC, or corporation which limits the LC, LLC, or corporation member's shareholder's/owner's right to occupy the property by member/shareholder agreement or any other contract which limits owner use of the property to fractional reservations. Other factors include but are not limited to unrelated co-owners, centralized management, advanced reservation systems, maximum day limits on each owner overall reservation/use of the property, and fixed management subscription fee as part of initial purchase, although subscription may be cancelled.

....

Thursday, January 6, 2022, 9:05 AM

Jo Janger

We live in 84060 and are opposed to this new form of ownership.

Also opposed to weekly rentals in private homes where it is not allowed due to HOA CCR's and legally zoned areas drawn up by the city. I have checked with them.

Thursday, January 6, 2022, 9:07 AM

Hello Rebecca,

I have lived in PC for 29 years. Instead of telling you all of the changes that are breaking my heart, I will keep this brief.

I am AGAINST fractional ownership of homes!

Jill Bond

Thursday, January 6, 2022, 9:28 AM

I oppose fractional ownership, as well. When I was doing some investigation for Prospector Park HOA, I discovered there was a house on Samuel Colt Court that had 52 separate owners. I don't know how that ownership was dissolved, but I'm guessing it was bankruptcy in the early 80's.

If there's anything I can do to help please let me know. I opposed short-term occupancy on all levels.

Sally Cousins Elliott

Thursday, January 6, 2022, 10:43 AM

Hi Rebecca,

I heard you are taking input about fractional ownership.

I am opposed to operations like Pacaso. By managing it like a business, it makes neighborhoods lose the essence. Our neighborhood is zoned as single family with no nightly rental. Also, by selling homes in fractions, it drives up the price of the home, inflating our already inflated real estate costs, driving more long term full time residents out of town as they can no longer afford in town.

I recognize fractional ownership exists within families and friends, but having a company run it, changes the dynamic.

Thank you.

Meredith Riley

Thursday, January 6, 2022, 3:09 PM

Rebecca:

I live in the Aerie Subdivision. The Aerie a single family neighborhood that is not zoned for nightly rental or time shares. Fractional ownership of houses is akin to time shares but cleverly structured under LLCs to avoid the technical determination of time share ownership. It essentially acts the same way as time shares and does not fit into a single family environment. It is my understanding that currently there are two fractional owned homes on The Aerie and a third is projected for this spring. All are being purchased and the shares sold by an entity known as Picasso. The Aerie has no HOA and has no way

to stop the erosion of our single family home subdivision thereby changing the nature of the entire neighborhood.

Park City has to find a way to stop this means of essentially putting in time shares into areas not otherwise zoned for time shares while doing so under the guise of an LLC. Obviously, ownership under an LLC is not the issue: rather, the issue is that the LLC is selling shares amounting to timeshares and thereby circumventing zoning laws. Please have the Park City legal department look into this and see if there is not a way to stop this "zoning violation" before more and more single family neighborhoods are lost. Thank you.

Evelyn Saunders

Thursday, January 6, 2022, 5:21 PM

Hi Rebecca,

I live in zip code 84060 and am opposed to building or converting residential property to fractional ownership.

Cheers

Susan C. Daniero

April 28, 2022, 12:18 PM

Kathleen Kahn submitted a new eComment.

Meeting: City Council

Please consider ways to disallow companies like Pacasa from selling fractional ownership in homes in neighborhoods that restrict nightly rentals. The newest home in Thaynes Canyon which sold to Pacasa is reselling to 8 buyers who are restricted to spending only 2 weeks consecutively at "their" home. This is the same as having a nightly rental, in my mind. I am advocating for deed restrictions in neighborhoods like Thaynes Canyon to prevent the further disintegration of neighborhoods. Thank you

Monday, May 9, 2022, 1:12 PM

Peter Nussbaum submitted a new eComment.

Meeting: Planning Commission

My family owns a home on Aerie Drive and also a not-yet-built lot. We strongly support limiting fractional ownership programs to areas that are already commercial or, more specifically, banning them from primarily residential areas such as Aerie. One fear we have is that fractional ownership may result in substantially more noise due to parties and the like and adversely impact the character of our community. In addition, we believe that Aerie should be included in the group of primarily residential zones as that is certainly an apt description of Aerie. Thanks. Peter Nussbaum

Monday, May 9, 2022, 10:58 AM

stephen beem submitted a new eComment.

Meeting: Planning Commission

Staff report is incomplete. Aerie Subdivision should be included. Why not? I sent a detailed email once before on this and can't tell if it went through. Please advise.

Stephen G. Beem, Attorney, 1527 Aerie Drive, Park City, Utah 84060

Monday, May 9, 2022, 2:23 PM

To the Planning Commission Members:

I have been a resident of Park City since 1978 and currently live at 1329 Aerie Dr, Park City, 84060 ("The Aerie".) I have lived at the same address since 1990. We built our home and raised a family in it. At the time we choose our lot to build our family home, we choose The Aerie because it was not in a commercial zone and was designated/zoned as single family residences. I was subsequently pleased when the City required rentals to be a minimum of 30 days in order to preserve the single family neighborhood feeling that many of us, on The Aerie, enjoy.

Unfortunately I believe our sense of a residential home neighborhood has been threatened by the purchase of two homes in The Aerie subdevelopment that are held under an LLC but are sold as fractional ownership. The Aerie has no HOA and, thus, no rules to prohibit fractional share ownership, thereby leaving us at the mercy of whatever entity wants to buy a home for sale and set it up under one owner name but multiple owners. We are in dire need of a prohibition from Park City on the fractional share ownership hiding under the guise of an LLC.

I live directly across from one of the two houses that is owned by an LLC and has fractional ownership and I will admit the idea of essentially "time share ownership"

under the guise of an LLC greatly bothers me. It certainly devalues a neighborhood feeling. I previously went, in person, to the city to discuss it with the zoning/planning department and was told there was nothing they could do. I also spoke to a city “ombudsman” (I don’t recall her technical title) and again was told there was really nothing that could be done. I am greatly encouraged that it now is being discussed and I totally support employing new regulations to address and ban this ownership business model. I know that the LLC is technically a single owner although it has fractional share members. Seems like a clever way to get around the single family designation that the Aerie enjoys. We, as a city, need to protect our family neighborhoods and do away with this charade of “single family ownership” that sells fractional shares. These owners have no real interest in the neighborhood-they come and go and treat it as a vacation unit. There is also no way to determine if the fractional share owners are sub-leasing some or all of their designated time to third parties who simply treat it as a rental, thereby circumventing the city’s prohibition on short term rentals in a single family residence neighborhood. Looks like it is an idea that will spread in Park City and the city should certainly be looking into controlling this business model before it creeps everywhere and our community loses its neighborhoods.. All of us on The Aerie bought into a single family neighborhood and I, for one, wish it to remain the neighborhood I bought into 32 years ago.

The last comment I wish to make is that in the list of neighborhoods set out by the planning commission that are impacted, it omits The Aerie. Please be sure to add us into that list of neighborhoods as we are already victims of the LLC/fractional ownership

scheme and we are a long standing single family neighborhood that equally needs the protection of your proposed draft ordinance.

Respectfully yours,

Evelyn Saunders

Monday, May 9, 2022, 10:10 PM

Hello Jessica,

I hope I am writing to the correct person. I want to weigh in on the city creating an amendment to limit fractional ownership of houses to areas in Park City that allow timeshares and nightly rentals. I live on the Aerie at 1566 Aerie Circle, and have with my husband and kids since 1995 when we built our house here. We strongly urge the city to include the Aerie in its residential only status. Many of us on the Aerie have lived here for decades, and the sale of houses to Pacaso with 8 separate owners significantly changes the neighborhoods. A house just up the street from us was sold to Pacaso this winter, 2022. With a wind storm we had just after Easter, the trash from this house blew all down our street with no one "living" there to pick it up. It was days before someone connected to Pacaso's cleaning detail to finish the clean-up that we neighbors did in their absence.

Please stop this selling of houses on the Aerie to fractional ownership. It has already started, and Pacaso is aggressively buying what houses they can. They offer a high buying price, which they pass on to up to 8 owners of the house. This is degrading our single home ownership and the feel of the neighborhoods we have been rightfully enjoying.

Please add the Aerie to the amendment to protect the Aerie as Primarily Residential Zoning to protect our “hood” from being taken over by Pacaso, which has run in to big problems in other parts of the country, and has been thrown out of Palm Springs for legal and tax issues. See StopPacasoNow.com.

Thank you for your consideration.

Our Best,

Susan Roth and Dick Roth

Tuesday, May 10, 2022, 8:20 AM

Craig Kipp submitted a new eComment.

Meeting: Planning Commission

1) I support the City’s efforts to restrict residential timeshares via Pacaso and other LLC’s. 2) This is a National issue. For more details, see the website StopPacasonow.com. City’s such as Palm Springs, Santa Barbara, Napa Valley and Sonoma have already implemented City/County wide restrictive ordinances. Please review their documents on this website. 3) I urge the City to be as restrictive as possible. So far, residential timeshares have been focused on higher end resort homes. But, Pacaso’s CEO has stated their next growth area is lower priced residential homes. Park City could potentially have 100’s of these timeshares.

Tuesday, May 10, 2022, 9:21 AM

James Brown III submitted a new eComment.

Meeting: Planning Commission

We strongly endorse the proposed amendment to the Land Management Code and would request a clarification that Aerie is included in the primarily residential Zoning District. Aerie is zoned single family and nightly rentals and timeshares are prohibited. Permitting further spread of fractional ownership to our neighborhood will create incompatible uses. Fractional ownership requires short stay/high turnover more akin to nightly rentals and timeshares, uses that are prohibited in Aerie. Permitting fractional ownership will permanently and negatively impact the current single family usage in Aerie and other similar neighborhoods. Jim Brown, 1252 Aerie Drive

Tuesday, May 10, 2022, 9:51 AM

Richard Kennedy submitted a new eComment.

Meeting: Planning Commission

We are both long term residents of The Aerie subdivision and even longer term in Park City itself, having both moved here in the 70s'. Like others we have seen many changes to our town and are striving to maintain what sense of community we have left in our neighborhoods. We do not believe that time share, or fractional ownership uses are compatible with primary resident neighborhoods. Therefore, we strongly encourage the change to the LMC to prohibit fractional ownership in primarily residential Zoning Districts. Of course, we would also like to see The Aerie included in the General Plan map of primarily residential Zoning Districts, it seems this map is based on 2010 data

and may be outdated. On a related issue, The Aerie is zoned residential and nightly rentals are prohibited. There is currently a home on the corner of Mellow Mountain Rd. and Eagle Way that is listed on VRBO for nightly rental - <https://www.vrbo.com/379307>. This matter was brought to the attention of code enforcement at Park City Municipal back in October of 2021, however it appears to still be used as nightly rental. Perhaps we could also do a better job of enforcing our current regulations. Sincerely, Richard and Catherine Kennedy 1542 Aerie Dr.

Tuesday, May 10, 2022, 9:21 AM

Paul Santacaterina submitted a new eComment.

Meeting: Planning Commission

I am a full time resident in the Aerie subdivision. I would recommend including Aerie as a primary residential neighborhood and I support restrictions on residential timeshares including fractional ownership within park city and residential neighborhoods

Sunday, May 22, 2022, 8:50 PM

Hi Rebecca,

A neighbor mentioned that I should reach out regarding a home in Thaynes ending up on a fractional ownership site. Just wanted to share my opinion that it feels like a bad idea for this to be allowed in primarily residential areas. Just wanted to voice my support to restrict this model to areas where nightly rentals are already allowed.

Thanks,

Chris Andrew

Sunday, May 22, 2022, 5:24 PM

Rebecca,

I am a long term resident of the Aerie subdivision. I am grateful that the planning commission has included us in the recommended ban of fractional ownership in our neighborhood. I do have one question for you. How does Park City plan enforce this rule? We are not supposed to see nightly rentals in our neighborhood but it appears no one can enforce the regulations. Thus, nightly rentals are ruining our neighborhood. So, I am concerned that even though there might be a regulation, there will be no enforcement. Thank you for considering my concerns.

Sincerely,

Catherine Kennedy

Sunday, May 22, 2022, 1:29 PM

Dear Rebecca,

This is just to voice my opinion that I would be against fractional ownerships in residential areas. This would definitely delete a neighborhood feeling in residential areas and as older person I find I rely very much on my neighbors for various things. It also has been very helpful I know to people with mental issues (especially during these

covid times) when loneliness can really strike and having a relationship with your neighbors is vital to ones well being.

Regards,

Diana Lapage

Sunday, May 22, 2022, 12:55 PM

To all concerned:

My husband and I are Thaynes Canyon residents, and have been for about 15 years.

I would like to provide input for consideration after reading through the PC Staff Report on the issue of fractional ownership.

We certainly agree with your recommendations that primarily full-time single family home residential areas identified in the PC General Plan should be protected from new forms of co-ownership, such as the Pacaso group has established. Fractional ownership properties should be limited to the same zoning districts as timeshare units and Private Residential Clubs are limited to. There are legitimate concerns by those of us who live in these quiet, smaller "real" neighborhoods regarding noise, street parking, increased traffic and lack of general regard for neighbors. The house on Thaynes Canyon Dr. that Pacaso recently purchased is large enough to accommodate 12 people or more at any given time. Picasso does not impose any restrictions on the number of people who can be staying there at any given time.

Although the individuals who purchase a co-ownership share in a Pacaso house can stay for a maximum of 2 weeks, they are also allowed to book a minimum of a 2 night stay. That creates a lot of in and out traffic, akin to a nightly rental property.

The Pacaso website carefully does not use the term fractional ownership to describe their "unique" ownership model, they use the term co-ownership. I also read online that they are seeking recognition from the Real Estate Standards Organization as a new asset type called "co-ownership." Perhaps a distinction without a difference, but since they are involved in legal disputes already with communities such as St. Helena, and Palm Springs, California, I would suggest that any amendments ultimately approved by the City Council are artfully drafted following input from other communities dealing with this issue.

Pacaso also has a Code of Conduct for owners; no large parties, noise curfew and avoid street parking as much as possible. Violations can be reported by neighbors. I only add this as an awareness that the bottom line is that this co-ownership model is akin to a timeshare or nightly rental, that is the real issue.

Thank you for your time,

Christine Decker

May 24, 2022

Re: Planning Commission

May 25, 2022 - Public Comment - Land Management Code Amendments Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts

Dear Planning Commissioners Sarah Hall, John Kenworthy, John Phillips, Bill Johnson, Laura Suesser, Douglas Thimm, Christin Van Dine

c/o Park City Planning Commission

445 Marsac Avenue (P.O. Box 1480), Park City, UT, 84060

Subject: Fractional Ownership and Pacaso

I am writing to express my concerns regarding the proposed regulations of fractional ownership in Park City. The Pacaso homes are all purchased in an LLC like thousands and thousands of other homes in Park City. Restricting any LLC ownership in Park City would essentially devastate property rights. Plus, Pacaso prohibits any rentals whatsoever in the property. It is for personal use only and I have never heard of a single incident or problem with an owner I have one of these homes.

I am a member of the real estate industry and I strongly support Pacaso and their co-ownership model in Park City. There are nearly 10 million second homes in the U.S., and most sit empty 10-11 months a year. This underutilization is costly and wasteful. With Pacaso, buyers purchase the amount of ownership that fits their personal usage needs.

During a time of market shift, Pacaso's co-ownership model provides the real estate community with additional opportunities for owners, buyers and agents. It helps to keep

the real estate business afloat while inventory levels are at all-time lows. Co-ownership positively contributes to the sustainability and growth of our community.

The median Pacaso home is 6.9 times the price of the typical second home and 8.2 times the price of the typical year-round home. Through co-ownership, Pacaso concentrates demand for the most expensive homes in Park City, thereby shifting demand away from the median-priced market.

Pacaso owners make both a significant financial and emotional investment into the community. These owners return to their home time and time again and are committed to the well-being and prosperity of their neighborhood.

The typical Pacaso home generates an average of \$48,390 in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses. This increase in consumer spending generates additional tax revenue compared with the average second home.

I have personally worked with Pacaso buyers, and they are thrilled with their homes and with Pacaso's services. Their home is professionally managed and cared for throughout the year, ensuring the property stays in pristine condition.

Families and friends have been co-owning property for generations. Pacaso provides people with a professionally managed co-ownership experience that is not accessible through whole home ownership. If Park City decides to pass regulation limiting fractional ownership, then they are making second home ownership more difficult for current and future residents.

Thank you for your time and consideration.

Sincerely,

Thank you,

David Lawson

Global Real Estate Advisor

May 24th, 2022

Re: Planning Commission

May 25, 2022 - Public Comment - Land Management Code Amendments Fractional
Ownership of Single-Family Dwellings in Residential Zoning Districts

Dear Planning Commissioners Sarah Hall, John Kenworthy, John Phillips, Bill Johnson,
Laura Suesser, Douglas Thimm, Christin Van Dine

c/o Park City Planning Commission

445 Marsac Avenue (P.O. Box 1480), Park City, UT, 84060

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and most sit empty 10-11 months a year. This underutilization is costly and wasteful. With Pacaso, buyers purchase the amount of ownership that fits their personal usage needs.

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Thank you for your time and consideration.

Sincerely,

Bret Fields

May 24th, 2022

Re: Planning Commission

May 25, 2022 - Public Comment - Land Management Code Amendments Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts

Dear Planning Commissioners Sarah Hall, John Kenworthy, John Phillips, Bill Johnson, Laura Suesser, Douglas Thimm, Christin Van Dine

c/o Park City Planning Commission

445 Marsac Avenue (P.O. Box 1480), Park City, UT, 84060

Subject: Fractional Ownership and Pacaso

I am writing to express my concerns regarding the draft ordinance amending Land Management Code to regulate fractional ownership in Park City.

I have been a member of the real estate industry in Park City for 15 years, and I strongly embrace Pacaso's co-ownership model. The practice of co-ownership of homes through LLCs has been done for generations in our community. Pacaso alleviates the burdens that coincide with owning a second home through their fully managed service.

Pacaso's experience and professionalism is a wonderful contribution to Park City. All of their homes are well kept maintaining the character of the community and prohibit the home from being a nuisance to neighbors. Limiting their ability to operate in residential areas is doing a disservice to all homeowners.

During a time of market shift, Pacaso's co-ownership model provides the real estate community with additional opportunities for owners, buyers and agents. It helps to keep the real estate business afloat while inventory levels are at all-time lows. Co-ownership positively contributes to the sustainability and growth of our community.

Pacaso homes are a minimum of 3x the median price point in Park City. Pacaso's co-ownership option moves up to eight buyers away from competing for median priced homes and redirects them to a luxury property. This process alleviates pressure off the already stressed inventory available to local buyers.

Owners of Pacaso homes are both financially and emotionally invested in Park City. These owners have a vested interest in the well-being of their community. Unlike a short-term rental, these owners return time and time again and want the area to continue to grow and prosper.

Better utilization of the existing housing stock will help stimulate our local economy and alleviate some of the housing pressure. It is in the City's best interest to make this model accessible and available in all residential zones.

Thank you for your time and consideration.

Sincerely,

Bret Fields

May 25, 2022

Re: Planning Commission

May 25, 2022 - Public Comment - Land Management Code Amendments Fractional Ownership of Single-Family Dwellings in Residential Zoning Districts

Dear Planning Commissioners Sarah Hall, John Kenworthy, John Phillips, Bill Johnson, Laura Suesser, Douglas Thimm and Christin Van Dine

c/o Park City Planning Commission

445 Marsac Avenue (P.O. Box 1480), Park City, UT, 84060

I am writing to discuss my experience with co-ownership of two homes through Pacaso in Park City.

My family and I had been searching for our dream second home in Park City and Pacaso was the perfect fit. Prior to deciding to purchase through Pacaso, we vetted all of the fractional ownership options in Park City and nothing was comparable.

As a family, we couldn't decide between a big house on the hill, or a ski in/ski out close to Old Town so we decided to purchase a 1/8 ownership share in each! Now we own a portion of two beautiful homes that meets all of my family's needs. We never feel regretful of having to sacrifice space or proximity since we were able to afford both through Pacaso.

Our Home Manager, Paula, and the rest of the Pacaso team are wonderful! Every time my family arrives at either of our homes they are clean, beautifully decorated and everything is where it should be. If we ever have any questions, the Pacaso team is available to us 24/7. It's more than second home ownership, it's a fully-managed experience.

My family has made both a significant financial and emotional investment into Park City. We love exploring all that the City has to offer and being a part of the local community. We look forward to continuing to make memories with our friends and family in our co-owned homes.

It would be a detriment to the second home market to limit the accessibility of co-owned homes to certain zones. It was important to us to own property in certain areas within Park City, and with Pacaso we did not have to compete with locals in order to purchase our dream homes.

I hope you reconsider the restrictions proposed around fractional ownership, and embrace all of the amazing financial and community benefits it brings to Park City.

Thank you for your time and consideration.

Sincerely,

Jill and Bill Vantine

Jill Vantine, BrokerLocust Lane Realty, LLC

May 25, 2022

Park city planning commission, 445 Marsac Avenue (P.O. Box 1480), Park City, UT,
84060

RE: May 25. 2022 Planning Commission Meeting, Agenda Item 7.C

To Whom it may concern:

My name is Devon Atchison, and together with my husband, Dave, and two daughters, Lucy (9) and Grace (8), I am a part-owner via Pacaso of a beautiful home in Park City. We spent much time considering the idea of fractional ownership, but were put at ease by the model that Pacaso uses: only 8 (or fewer) families, sharing a home, building community, and doing so in a way that is much more affordable for those families.

We chose Park City because we are in love with your—our—city. We may not be the best skiers out there, but we love Park City-Canyons and it's amazing runs, the Corner Store for pizza, and the shops to replace the one pole my daughter misplaced ;). We

love the walk to downtown where we can stretch our legs and look at the lovely homes (and their awards for historic preservation and presentation!) and the art galleries (we just purchased a painting from J GO Gallery on Main Street after walking in to get a cup of coffee at the attached café), and enjoy the food (I'm still dreaming of the meatball sub we had at Red Banjo and the tots at Wasatch Brewery) and shopping (my daughter's new bear-themed pajama pants have been on constant rotation at home!). We also love the beautiful trail system in our city and have followed the helpful dots around the city (straight to a Mother's Day massage at Align Spa, and, often, to a treat at The Bakery at Windy Ridge or a yummy salad at Windy Ridge Café!), as well as made a springtime hike up to the snow line.

For my family, family time is the number one thing. With school and work, it is a blessing to have a place where the four of us can go and recharge, explore and play together. Pacaso has allowed us to have this in our adopted city of Park City and we are grateful to have this gift. We sincerely hope that you will allow more families a way in to (fractional) home ownership in Park City so more families can share in the beauty, the culture, the commerce, and the joy of Park City.

Sincerely,

Devon, David, Lucy and Grace Atchison

May 24, 2022

Re: Planning Commission

May 25, 2022 - Public Comment - Land Management Code Amendments Fractional
Ownership of Single-Family Dwellings in Residential Zoning Districts

Dear Planning Commissioners Sarah Hall, John Kenworthy, John Phillips, Bill Johnson,
Laura Suesser, Douglas Thimm, Christin Van Dine

c/o Park City Planning Commission

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Families and friends have been co-owning property for generations. Pacaso provides people with a professionally managed co-ownership experience that is not accessible through whole home ownership. If Park City decides to pass regulation limiting fractional ownership, then they are making second home ownership more difficult for current and future residents.

Thank you for your time and consideration.

Sincerely,

Jarod Mitchell

Real Estate Advisor

May 25, 2022

All,

Below is the final response from Planning regarding our questions on Pacaso ownership. As stated in my earlier email, we maintain this is a time interval ownership and should require a CUP and appropriate regulation including location boundaries and no real estate tax discount (40%) for full time residents.

Sincerely,

Deb Rentfrow

May 2, 20022

All,

Below you'll find a thread regarding Pacaso ownership of 1360 Empire. We had concerns regarding this purchase and reached out to the City. The final response from Rebecca Ward came on a separate thread which I will forward as well.

In short, this is in our opinion a time interval ownership and should require a CUP and appropriate regulation, including NO real estate tax discount (40%) for full time residents. A rep at the property on Empire actually made a comment to my husband their program contributes to affordable housing. At the going rate of over a half million per share, I'd disagree.

Thank you for reviewing this type of ownership and amending the LMC to address.

Sincerely,

Deb Rentfrow

Thursday, August 5, 2021 7:56 AM

I recently learned that a home (1360 Empire Ave in Old Town Park City) near my home was purchased by a company (Pacasso) who is now selling it under a fractual ownership model (1/8th interests). I wanted to understand how the property is zoned, what zoning fractual ownership falls into and if this is in compliance.

Thank you for your time. Please advise if these questions should be directed to another department.

Trent Rentfrow

Thursday, August 5, 2021, 3:09 PM

Thank you for your email, Trent. We are looking into your question and will be in touch soon.

Friday, August 13, 2021 11:59 AM

Thank you. Following up for an update / ETA.

Trent

Tue, Aug 17, 2021 8:25 pm

We have several departments looking into the question, and I have noted to update you once we have a determination. Thank you for your patience.

Wednesday, August 18, 2021, 10:48 AM

Thank you for the update. There is a lot of activity going on at the house (i.e. remodeling, etc.) and they continue to market the fractural ownership interests so I hope a determination of the zoning / appropriateness of this model is made before it is too late. Thank you again for the attention to this matter.

Trent Rentfrow

Sunday, August 22, 2021, 8:35 PM

My research indicates this is a time interval ownership which requires a CUP. Is this correct? If so, did Pacasso follow this process?

Please advise.

Thank you. Trent

Tuesday, August 24, 2021 7:55 AM

Could you please provide an update?

Thank you.

Tuesday, August 24, 2021, 8:07 AM

Trent, We met internally and are looking into your question. We will keep you posted as we have more information. Thank you.

May 27, 2022

Dear Commissioner Rubelll:

I am writing to you to let you know that I GREATLY oppose Paccaso's fractional ownership scheme in our Thaynes Canyon neighborhood, or any company's plan to purchase and sale fractional ownership in a Park City neighborhood that does not allow nightly rentals. For the city council to allow fractional ownerships of properties would be a violation of the trust we put in you to protect our Park City neighborhoods and properties. The fractional ownerships do not adhere to the Protective Covenants of the Thaynes Canyon HOA which clearly states THE LANDS WITHIN THAYNES CANYON HOA "SHALL BE USED EXCLUSIVELY FOR THE SINGLE FAMILY RESIDENTIAL LIVING PURPOSES". All persons who own or acquire a property within this HOA automatically become Members of the Association and are subject to this restriction. This document protects our neighborhood from the use of a property within the HOA being exploited at the expense of the Single Family dwelling property owners.

Please protect us from these fractional ownership schemes.

Thank you for your service.

Mary Ellen Sonntag

7 Hidden Splendor Court

Park City, Utah

May 27, 2022

Jeremy,

I am a long time resident of 5 and 7 Payday Drive and I am in the Thaynes Canyon HOA 1. I am not in favor of fractional interest ownership in our Thaynes Canyon neighborhood. Our CC&R's, dating back to 1971, only allow single family ownership of homes in our neighborhood. That fact has not changed. A home on Thaynes Canyon Drive was sold to a fractional interest company recently, without HOA approval, and that was wrong. I would like you to support a city ordinance against fractional interest ownership in Thaynes Canyon in the future, at the June 23 city council meeting.

Thank you,

Rebecca Marriott Champion

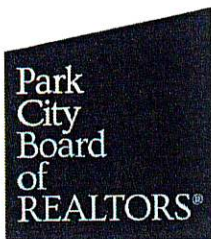
Monday, August 22, 2022, 7:10am

we have been in this city since the '80's and we both feel the city is going down a developer hole. neighborhoods are not neighborhoods anymore - this is an area where

we need regulations on fractional ownership - traffic, disregard for neighbors, parties, etc. one has seen what happens with rentals during sundance - they take no ownership and destroy the property. and, we have seen in American Flag that the properties are not taken care of during the summer.

pls establish regulations on fractional ownership - we don't need these companies in our community.

thank you



Park City Board of REALTORS®
1889 Prospector Avenue
Park City, Utah 84060
"The Voice of Real Estate in the Wasatch Back"

Dear Park City Planning Commission,

The purpose of this letter is that The Park City Board of REALTOR®'s (PCBR) would like to ask the Park City Planning Commission for a consideration to continue discussion on the issue of Fractional Ownership (7.C on May 25, 2022, Agenda) before a vote is taken.

The Staff report and recommendations indicate that all "fractional" sales are considered "vacation properties." We believe that this needs further data to support this assertion. We would like the opportunity to share what other communities are doing in regard to fractional ownership.

Our goal is to be a partner with the city. The PCBR supports a healthy community. Our mission includes advocating for homeownership and property rights. Fractional Home Ownership programs allow for individuals to be able to own property at a much lower cost. The PCBR supports a reasonable but firm approach to protect the quiet enjoyment in residential neighborhoods by all homeowners. We extend our hand as a willing participant in the collaborative efforts to solve housing issues with Park City Municipal. We would be happy to meet with you in the manner the Commission or staff considers most appropriate or designate a PCBR representative to provide our Association's input in further discussion and deliberation going forward on this issue.

Respectfully,

A handwritten signature in blue ink that reads "Rene Wood".

Rene Wood
2022 President, Park City Board of REALTORS®

A handwritten signature in blue ink that reads "Jamie Johnson".

Jamie Johnson
CEO, Park City Board of REALTORS®

Four Lakes Village HOA
C/o PMA
PO Box 68087
Park City, UT 84068

May 31, 2022

Park City Planning Commission & City Council
445 Marsac Avenue
Park City, UT 84060

Dear Sirs/Madams:

This letter is written in response to the proposed Land Management Code Amendments to Define Fractional Ownership and Location in Park City. Thank you for being proactive about protecting our community and its neighborhoods.

However, for the reasons below, please accept this letter as Four Lakes Village's objection to amending the Land Management Code that allows fractional ownership by condition use permits in our Village. It directly conflicts with our Village's governing documents and the homeownership goals.

Four Lakes Village at Park Meadows is a Planned Unit Development within the Park City boundaries in the Residential Development Zone. It is surrounded by the Park Meadows Country Club and Single-Family homes on Estates Drive and American Saddler Drive.

Four Lakes Village specifically prohibits fractional ownership in its community as set forth in its Amended and Restated Declaration of Covenants, Conditions, and Restrictions.

To further clarify, the following are the relevant Articles.

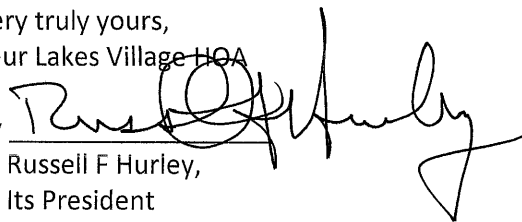
1.16. "Lot" shall mean any plot of land shown upon any recorded subdivision map of the Subject Land and designated by a unit number on the Plat, including any Buildings and improvements thereon.

3.07. No Subdivision. No Lot or portion thereof may be divided or subdivided, or a fractional part thereof sold or conveyed to be held in divided ownership. Under no circumstances shall interests in a Lot be divided into leased, sold, conveyed, or used as periods of intervals or sold or conveyed to Owners or holders for use on a timeshare basis.

Please feel free to contact us if you have any questions.

Very truly yours,
Four Lakes Village HOA

By


Russell F Hurley,
Its President

Cc PMA

Monday, August 15, 2022, 10:55 AM

Makena

I regret that, because of a long-planned family vacation, I will not be able to attend tomorrow's meeting on fractional ownership. I would like to take this opportunity to record some observations.

I am a full-time resident of my neighborhood in Silver Lake. There are not many full time residents up here, and so we cannot realistically be considered a "primary residential neighborhood". The issue is of concern, however.

Pacaso bought the house next door to me a few months ago. There was extensive discussion in the HOA at the time, but the conclusion of those discussions was that the HOA was powerless to affect the sale. A representative of Pacaso reached out to us to explain their business model and the express the hope that the new fractional owners of the house would be good neighbors.

I have heard the assertion that the Pacaso-style of fractional ownership is not a "time-share", but this remains an assertion, with no supporting argumentation. If 52 people own a week each, it's a time share, but if 6 people own 2 months each it's not a time share? The argument is just about numbers? Is there anything else?

My own view is that all such ownership models should be discouraged as they all run counter to single family ownership. I also think we have to see this in the context of the broader housing market problems Park City is facing. The spread of ownership models other than "buy it and live in it", whether it's AirBnB, or fractional ownership or a time share is adding to the problems the community faces.

If I had the opportunity to attend tomorrow's meeting, I'd want to know why exactly "fractional ownership" is not the same as "time-sharing", beyond the assertion that these are different, and I'd encourage the Planning Department to see the spread of this ownership model in the broader context of the land management code and the housing market as a whole in Park City.

Michael Atkin
7835 Aster Lane
Park City

Wednesday, August 17, 2022, 8:51 AM

Dear Members of the Park City, Utah Planning Commission:

Please accept my comments regarding the arrival of the privately developed real estate concept and business called Pacaso. While the pronunciation of this aberration is the same as the famed artist, the real estate concept that is now being promoted and sold in Park City might easily be seen as a slur on his name and the artistic legacy he left to the world. One can only assume that Pacaso, as conceived, is representative of the most crass greed.

Time shares, let's call it what it is, have already invaded much of Park City south of Kearns. Old town and the newer developments around Deer Valley are currently the center of Pacaso and its efforts to market luxury properties as time shares. Some of the effects of time shares are to increase home prices in general making it impossible to sustain affordable housing in the areas noted. Other outcomes are also incredibly damaging to our town and risk what is left of the sense of community that Parkites have long enjoyed and benefited from in the many neighborhoods around town. With enriching nightly rentals; private equity firms gobbling up ownership housing south of Kearns; and now time shares; our community and sense of community will soon be gone.

What I am really asking is that the time share concept not be allowed in the neighborhoods north of Kearns and west of 224. Real estate concepts such as Pacaso should not be approved in Thaynes, McCleod Creek and greater Park Meadows. In these neighborhoods, most of the homes are occupied by full time residents, typically property owners, and continue to nurture community. Just the other day the residents of Venus Court gathered for our annual block party and nearly 30 folks attended, communed, dined and reconnected. A month before that residents of Evening Star Drive gathered for much the same purpose. Such gatherings represent community and community building. Virtually every place in America needs more of that and Park City should not be an exception.

It is vitally important that the City, our council, our planning commission and other public entities work to protect and nurture community. This might include active initiatives to strengthen home owners associations, supporting neighborhood events such as those described and doing all that we can to protect, preserve and grow the sense of community before it is too late. Please do not allow real estate concepts such as time shares and the already ubiquitous nightly rentals to invade the neighborhoods where owners are full time residents.

Thank you for reading.

Sincerely,

Brian Schiller

Monday, August 22, 2022, 11:58 AM

Council Members, first, as always, thank you for your service.

Hub Eric and I have lived in McLeod Creek for over 30 years have fully raised our kids here. Like everyone else, we've watched PC grow, change and evolve.

Some of this has brought benefit, some has brought very definite challenge, but the quality of life we enjoy here remains and the heart of it is our neighborhood and the people we share our lives with here.

Shared ownership will change that quality of life for all of us year rounders (and not in a good way), for all the reasons that have been previously stated; this is a fact.

Please vote NO on this in solidarity with us, in support of our way of life here as full time residents. We can accept logistical changes/issues as a result of our growth like traffic, lack of parking and noise (so loud on 224 with traffic going 60...we never used to even hear the cars) as we collectively work through solutions, but there is no reason we shouldn't be able to maintain the sanctity our homes and neighborhoods.

Thank you for reading this. As Nancy Reagan once said, JUST SAY NO. At some point tourism and the desires of realtors need to take a back seat to the rest of us. This is a good start.

Liz Lee



Solamere
at Deer Valley

Dear Mayor, City Council and Planning Commission,

I represent the Trustees of the Solamere Homeowner's Association. Solamere is a Master Planned Development from the late 1980s, with 111 owners, where nearly 50% are primary residents, 25% secondary owners who do not rent their homes and 25% are secondary owners who rent their homes.

The Solamere Homeowners Association Board believes that Fractional Ownership as it is defined in the proposed amendments to LMC §15-15-1 is inconsistent with the residential character of our neighborhood. Therefore, we request that you put our community in a zone which does not allow it, or otherwise make our community an exception to allowing Fractional Ownership.

Our community is governed by its lawful CC&Rs. Each owner bought into the community knowing and approving of its CC&Rs, By-Laws, and its Rules and Regulations. They do not expect those governing documents to be changed to permit Fractional Ownership without their consent to amendments thereto.

Our Governing Documents have always restricted structures to single-family homes, no duplexes, no subdivisions, and we have always had restrictions on nightly rentals. Since our HOA's inception, our Governing Documents allow only one rental every seven days and no commercial use (i.e. no business events of any kind). This has proven to be a good policy and it reasonably addresses the bed base objectives of the City but calls for a reasonable limitation on revolving neighbors for our primary owner occupants and does not cause increased use of our common area facilities. This has been our limitation for over 40 years and it has proven effective and remains desirable.

In addition, Solamere has various rules intended to preserve the beauty and quiet of the neighborhood, including rules about placement of garbage bins, on-street parking, tidiness of landscaping, and many other matters. Our experience has been that obtaining compliance with these rules tends to be more difficult when a "third-party", rather than the homeowner, manages the property. Third-party management is characteristic of Fractional Ownership and we think it would increase the burdens on our Homeowners Association.

We suggest that a new Ordinance allow Fractional Ownership, but it allows any subdivision to opt out if they find it not in the best interest of the residents.

We request the City Council/Planning Commission not, without the Owner's (HOA) consent, impose a Fractional Ownership Ordinance governing the Solamere Board of Trustees. Instead, it should give us and each subdivision a free choice option of allowing Fractional Ownership or not.

Again, please do not enact any ordinance or amend any ordinance which would, without Solamere's consent, allow Fractional Ownership. Doing so would change the ownership experience which every current owner agreed to when their unit was purchased.

Sincerely,

Chuck Haggerty

President, Solamere HOA Board of Trustees

Solamere Homeowners Association
P.O. Box 11 • Midway, Utah 84049
(435) 531-2139

PACASO

PACASO ECONOMIC IMPACT ANALYSIS

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model in five markets: Palm Springs, California, Colorado Mountains, New York City Area, San Francisco Bay Area, and South Florida. Key findings include the following:

- Across the five markets, the average Pacaso home generates nearly 10 times more in annual household spending compared with the average second home. This amounts to about \$48,400 more per home.
- Compared with the average second home, the average Pacaso home also generates 10 times more in state sales tax revenue and nearly 10 times more in local sales tax revenue. This amounts to \$2,400 more in state revenue and \$1,400 more in local revenue per home.
- The average Pacaso home costs six times more than the average second home and seven times more than the average year-round home, meaning the company is unlikely to compete with middle-class or lower-income homebuyers in the five markets EBP studied.

Utilization

Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.¹ By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.²

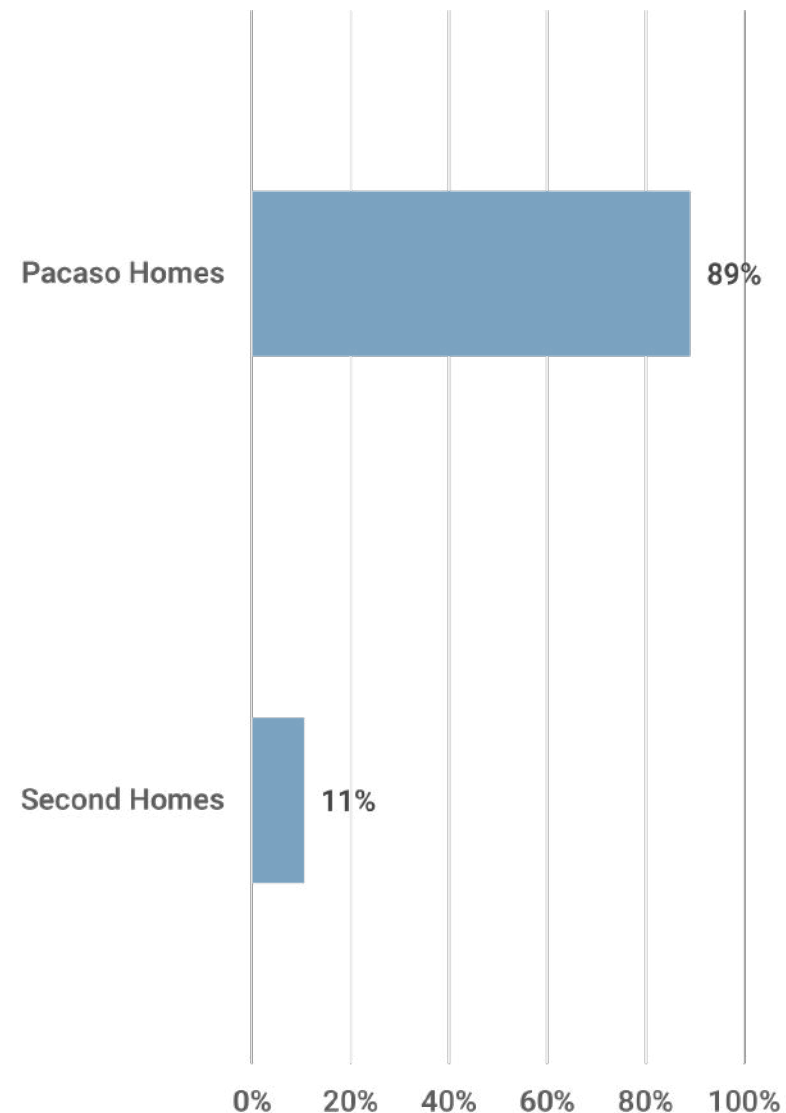
Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Pacaso home generates an average of \$48,390 in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home	\$6,610	\$4,960	\$4,950	\$3,990	\$3,770
Average Pacaso Home	\$72,240	\$54,610	\$53,850	\$44,090	\$41,450
Additional Spending	\$65,630	\$49,650	\$48,900	\$40,100	\$37,680

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for states.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by states, part of which is distributed back to local communities. The table below shows that the average Pacaso home generates an average of \$2,370 in additional state tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home	\$370	\$140	\$195	\$240	\$235
Average Pacaso Home	\$4,080	\$1,555	\$2,145	\$2,650	\$2,590
Additional Tax Revenue	\$3,710	\$1,415	\$1,950	\$2,410	\$2,355

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for counties.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home also generates an average of \$1,410 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home	\$160	\$200	\$235	\$70	\$45
Average Pacaso Home	\$1,740	\$2,180	\$2,570	\$770	\$490
Additional Tax Revenue	\$1,580	\$1,980	\$2,335	\$700	\$445

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

Housing Comparison

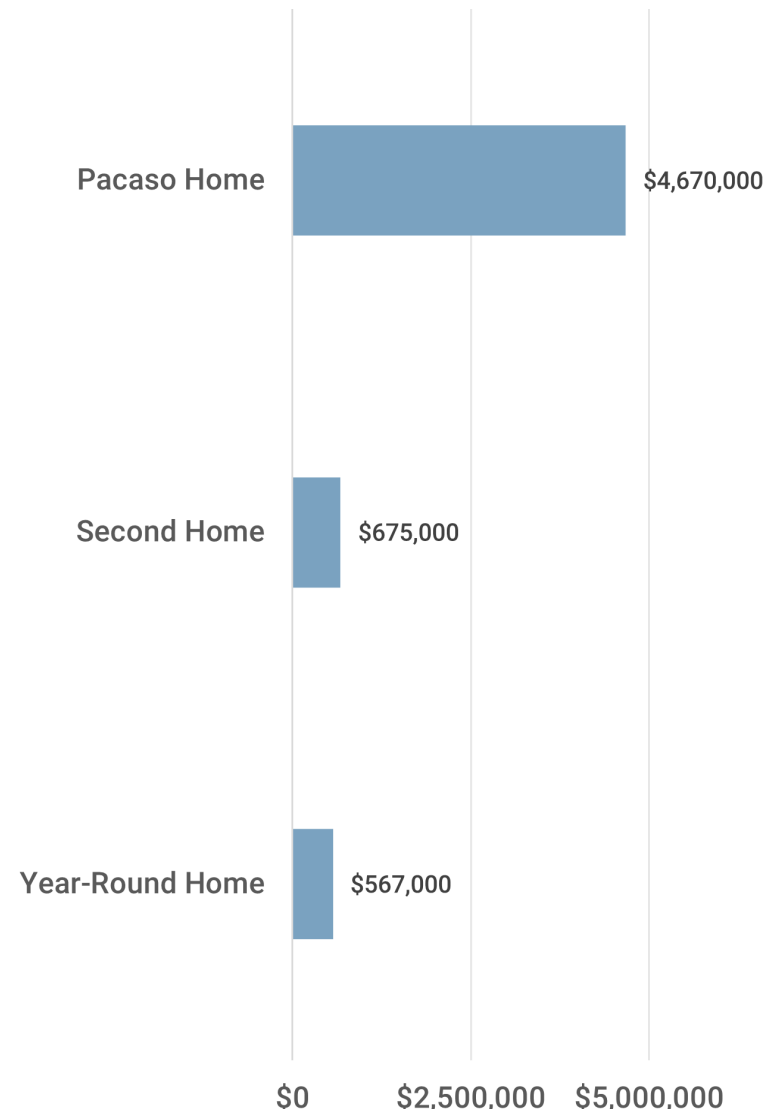
Pacaso concentrates demand into more expensive homes.

The median Pacaso home is 6.9 times the price of the typical second home and 8.2 times the price of the typical year-round home, as seen in the figure to the right.³

Through co-ownership, Pacaso concentrates demand for the most expensive homes in popular second home destinations, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

³ Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the area, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on local housing markets in popular second home destinations. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in popular second home destinations, where the housing markets are very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in all jurisdictions included in our analysis, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, [Esri ArcGIS Business Analyst Online](#), which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared to visitor spending patterns from various reports, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from [Avalara.com](#), a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Appendix B. Annual Household Spending By Market and Category

Spending Category	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Average Second Home					
Apparel	\$1,090	\$820	\$830	\$650	\$610
Dining Out	\$1,950	\$1,460	\$1,440	\$1,160	\$1,090
Entertainment and Recreation	\$280	\$210	\$200	\$170	\$160
Food at Home	\$2,700	\$2,030	\$2,040	\$1,650	\$1,560
Personal Care	\$430	\$320	\$320	\$260	\$250
Transportation	\$160	\$120	\$120	\$100	\$100
Total	\$6,610	\$4,960	\$4,950	\$3,990	\$3,770
Average Pacaso Home					
Apparel	\$10,310	\$7,790	\$7,890	\$6,130	\$5,800
Dining Out	\$18,450	\$13,880	\$13,600	\$11,060	\$10,360
Entertainment and Recreation	\$6,260	\$4,770	\$4,530	\$3,880	\$3,600
Food at Home	\$25,660	\$19,260	\$19,320	\$15,670	\$14,790
Personal Care	\$4,070	\$3,070	\$3,030	\$2,490	\$2,360
Transportation	\$7,490	\$5,840	\$5,480	\$4,860	\$4,540
Total	\$72,240	\$54,610	\$53,850	\$44,090	\$41,450

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Appendix C. Median Listing Price by Market and Type

	Bay Area	Colorado Mountains	New York City Area	Palm Springs	South Florida
Year-Round Home	\$785,000	\$600,000	\$560,000	\$500,000	\$390,000
Second Home	\$845,000	\$815,000	\$765,000	\$530,000	\$420,000
Pacaso Home	\$4,500,000	\$8,350,000	\$4,700,000	\$2,000,000	\$3,800,000

Source: Pacaso.

Appendix D. Market Definitions

Market	Included Counties						
Bay Area	Napa	Marin	San Francisco	San Mateo	Sonoma		
Colorado Mountains	Eagle	Pitkin	Summit				
New York City Area	Bronx	Kings	Nassau	New York	Queens	Richmond	Suffolk
Palm Springs	Riverside						
South Florida	Broward	Miami	Monroe	Palm Beach			

BAY AREA

PACASO ECONOMIC IMPACT ANALYSIS

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like the Bay Area, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in the Bay Area, which includes Napa, Marin, San Francisco, San Mateo, and Sonoma counties.



Utilization

Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.¹ By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.²

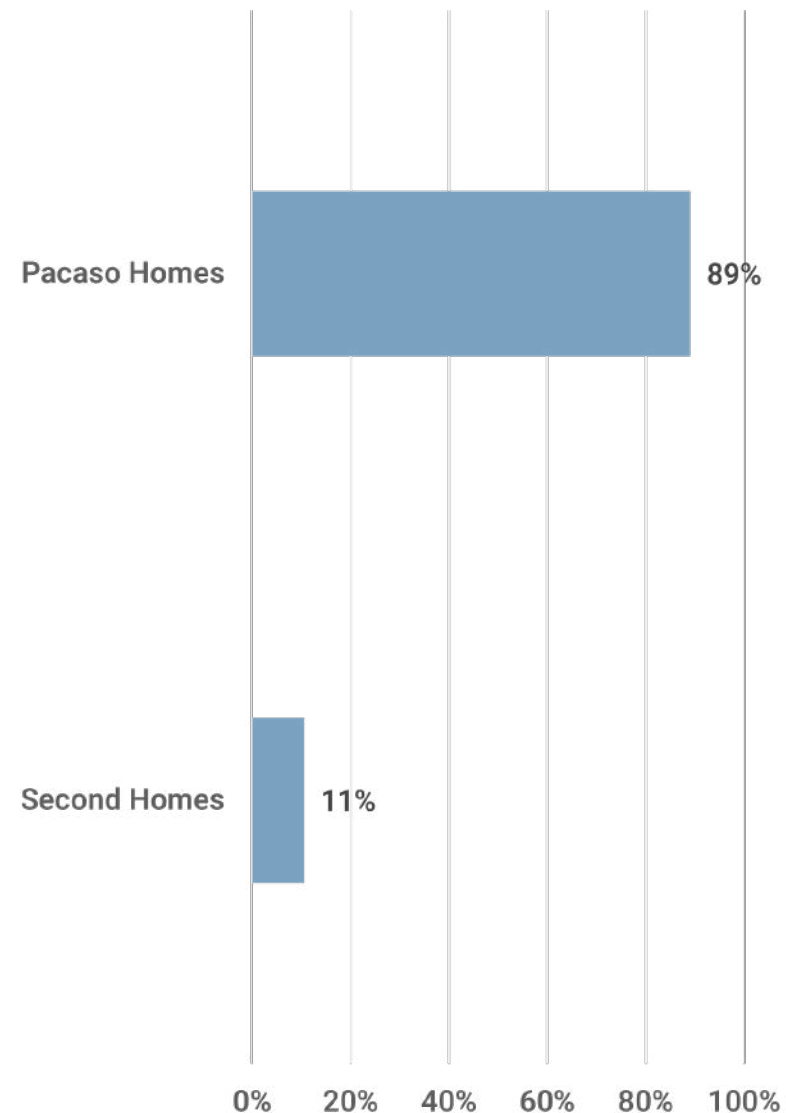
Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Bay Area Pacaso home generates \$65,630 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	\$1,090	\$10,310	\$9,220
Dining Out	\$1,950	\$18,450	\$16,500
Entertainment and Recreation	\$280	\$6,260	\$5,980
Food at Home	\$2,700	\$25,660	\$22,960
Personal Care	\$430	\$4,070	\$3,640
Transportation	\$160	\$7,490	\$7,330
Total	\$6,610	\$72,240	\$65,630

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of California.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of California, part of which is distributed back to the Bay Area. The table below shows that the average Pacaso home generates an additional \$3,710 in state tax revenue on average when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Napa	\$310	\$3,450	\$3,140
Marin	\$390	\$4,310	\$3,920
San Francisco	\$440	\$4,780	\$4,340
San Mateo	\$430	\$4,740	\$4,310
Sonoma	\$280	\$3,110	\$2,830

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for the Bay Area.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of \$1,580 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Napa	\$90	\$1,010	\$920
Marin	\$150	\$1,620	\$1,470
San Francisco	\$190	\$2,100	\$1,910
San Mateo	\$240	\$2,670	\$2,430
Sonoma	\$120	\$1,300	\$1,180

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

Housing Comparison

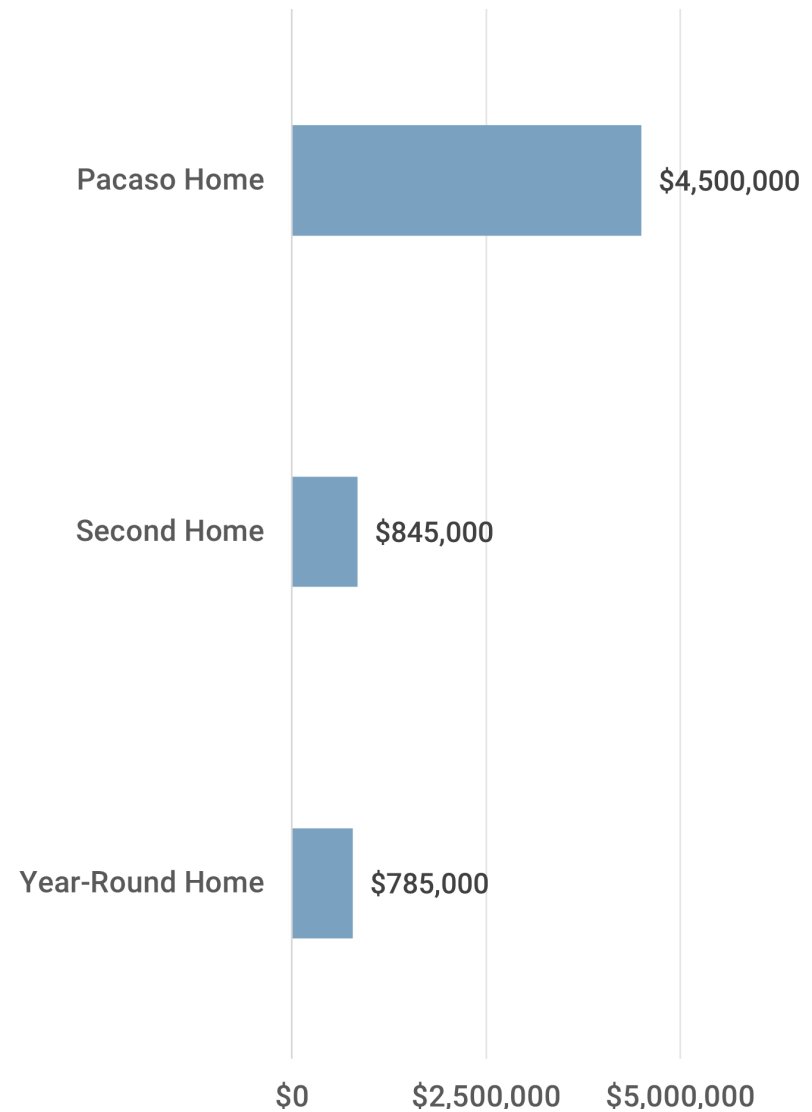
Pacaso concentrates demand into more expensive homes.

The median Pacaso home in the Bay Area is 5.3 times the price of the typical second home and 5.7 times the price of the typical year-round home, as seen in the figure to the right.³

Through co-ownership, Pacaso concentrates demand for the Bay Area's most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

³ Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the Bay Area, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on the Bay Area's local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like the Bay Area, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in the Bay Area, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, [Esri ArcGIS Business Analyst Online](#), which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with Bay Area visitor spending patterns from a 2019 study by Dean Runyan Associates, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from [Avalara.com](#), a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by [Jacob Morch](#) on [Unsplash](#). Report Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

COLORADO MOUNTAINS

PACASO ECONOMIC IMPACT ANALYSIS

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like the Colorado Mountains, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in the Colorado Mountains, which includes Eagle, Pitkin, and Summit counties.



Utilization

Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.¹ By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.²

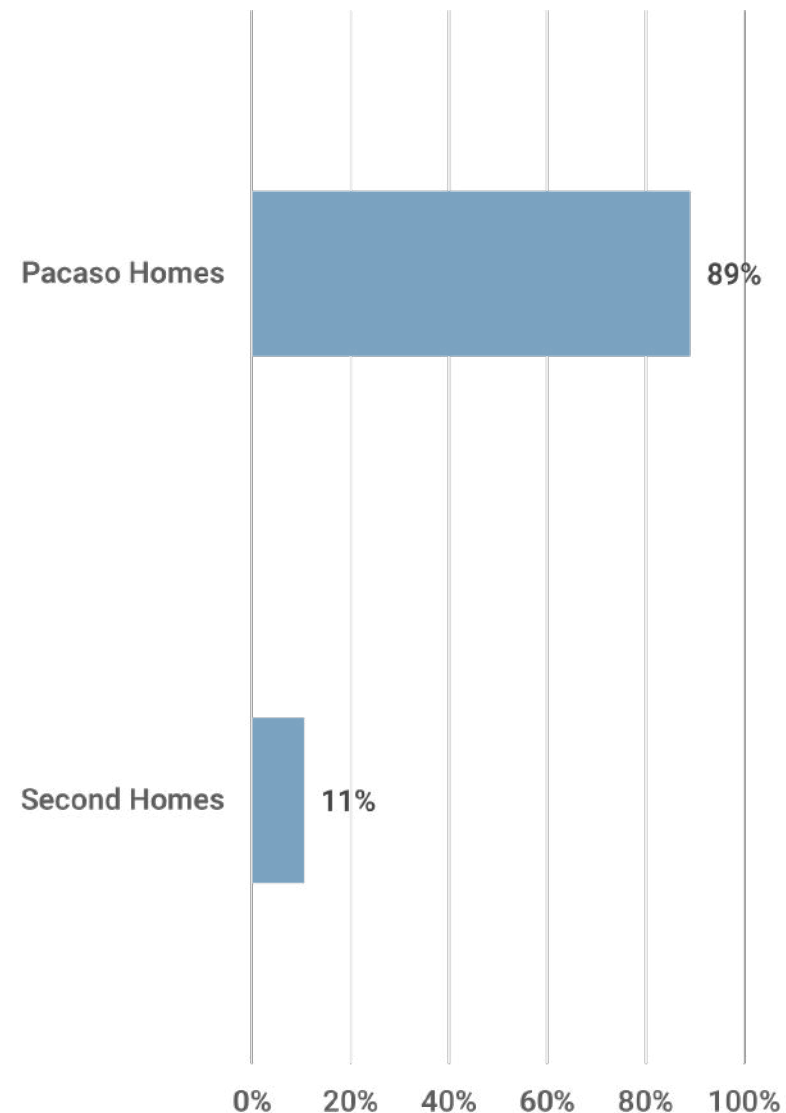
Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Colorado Mountains Pacaso home generates \$49,650 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	\$820	\$7,790	\$6,970
Dining Out	\$1,460	\$13,880	\$12,420
Entertainment and Recreation	\$210	\$4,770	\$4,560
Food at Home	\$2,030	\$19,260	\$17,230
Personal Care	\$320	\$3,070	\$2,750
Transportation	\$120	\$5,840	\$5,720
Total	\$4,960	\$54,610	\$49,650

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of Colorado.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of Colorado, part of which is distributed back to the Colorado Mountains. The table below shows that the average Pacaso home generates an additional \$1,410 in state tax revenue on average when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Eagle	\$150	\$1,690	\$1,540
Pitkin	\$140	\$1,520	\$1,380
Summit	\$130	\$1,450	\$1,320

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for the Colorado Mountains.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of \$1,980 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Eagle	\$80	\$880	\$800
Pitkin	\$360	\$3,920	\$3,560
Summit	\$160	\$1,740	\$1,580

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

Housing Comparison

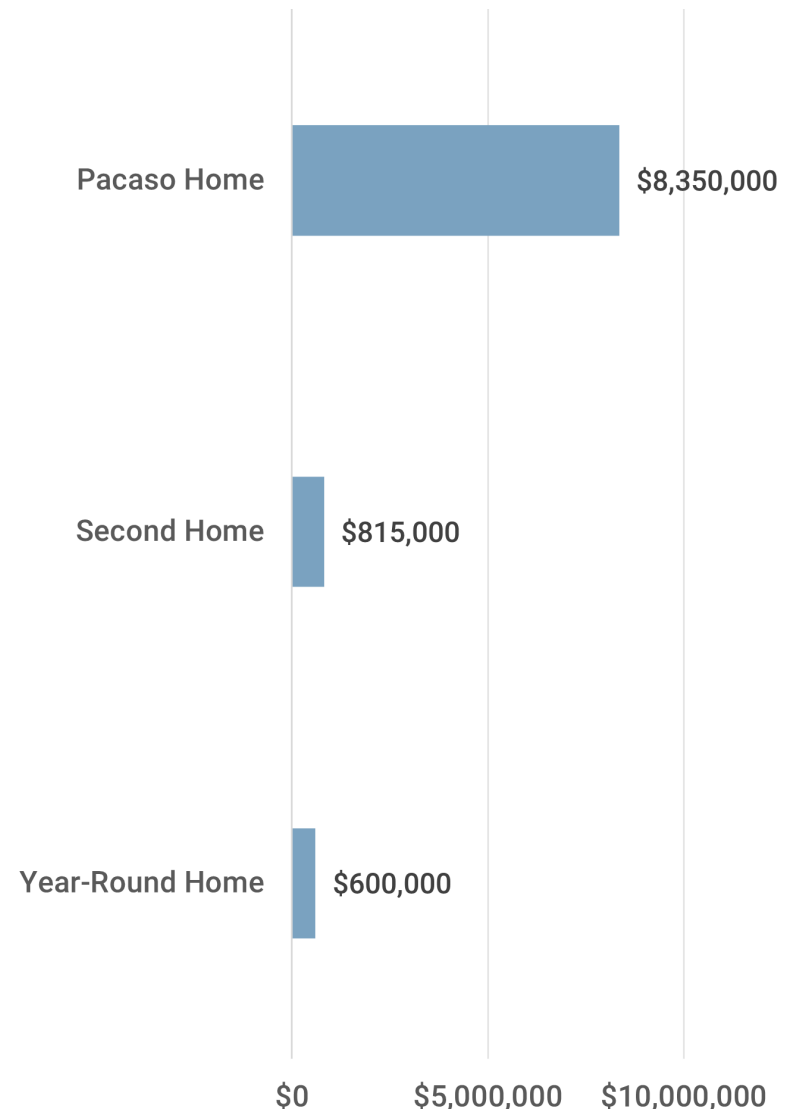
Pacaso concentrates demand into more expensive homes.

The median Pacaso home in the Colorado Mountains is 10.2 times the price of the typical second home and 13.9 times the price of the typical year-round home, as seen in the figure to the right.³

Through co-ownership, Pacaso concentrates demand for the Colorado Mountains' most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

³ Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the Colorado Mountains, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on the Colorado Mountains' local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like the Colorado Mountains, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in the Colorado Mountains, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, [Esri ArcGIS Business Analyst Online](#), which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with Colorado Mountains visitor spending patterns from a 2019 study by Dean Runyan Associates, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from [Avalara.com](#), a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by [Joshua Sukoff](#) on [Unsplash](#). Report Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

PALM SPRINGS

PACASO ECONOMIC IMPACT ANALYSIS

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like Palm Springs, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in Palm Springs.



Utilization

Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.¹ By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.²

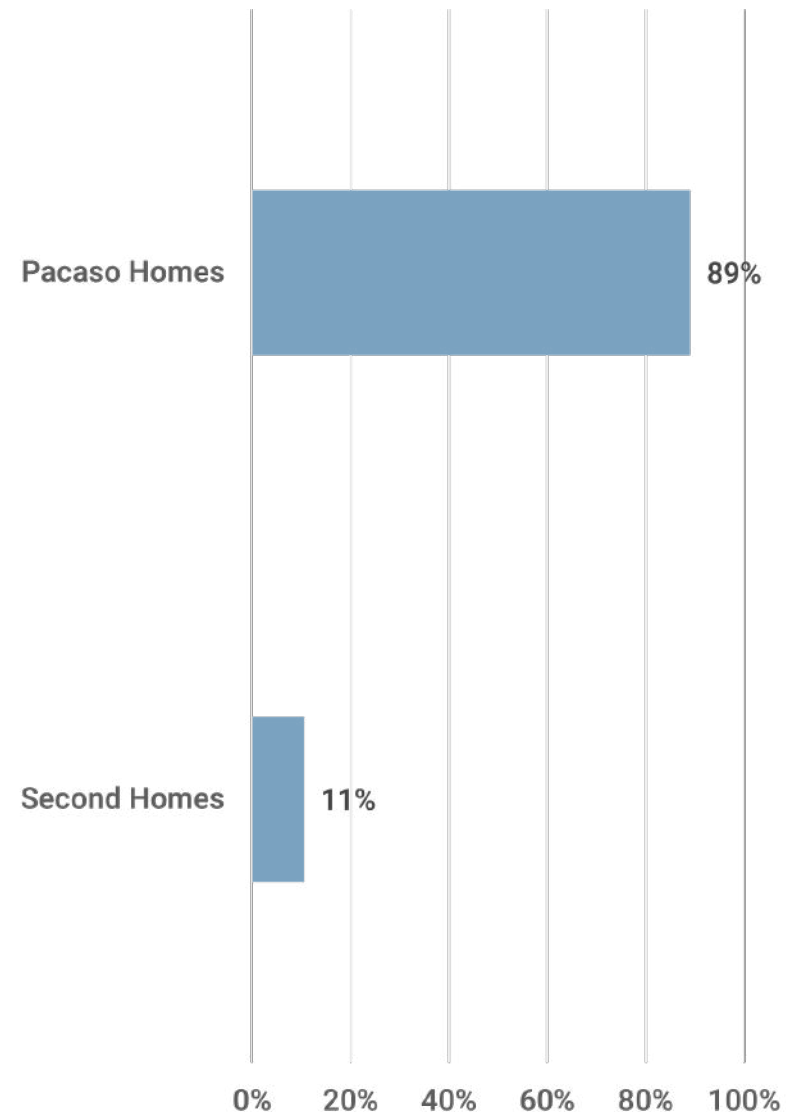
Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average Palm Springs Pacaso home generates \$40,100 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	\$650	\$6,130	\$5,480
Dining Out	\$1,160	\$11,060	\$9,890
Entertainment and Recreation	\$170	\$3,880	\$3,710
Food at Home	\$1,650	\$15,670	\$14,030
Personal Care	\$260	\$2,490	\$2,230
Transportation	\$100	\$4,860	\$4,760
Total	\$3,990	\$44,090	\$40,100

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of California.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of California, part of which is distributed back to Palm Springs. The table below shows that the average Pacaso home generates an additional \$2,410 in state tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Riverside	\$240	\$2,650	\$2,410

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for Palm Springs.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home also generates an additional \$700 in local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Riverside	\$70	\$770	\$700

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

Housing Comparison

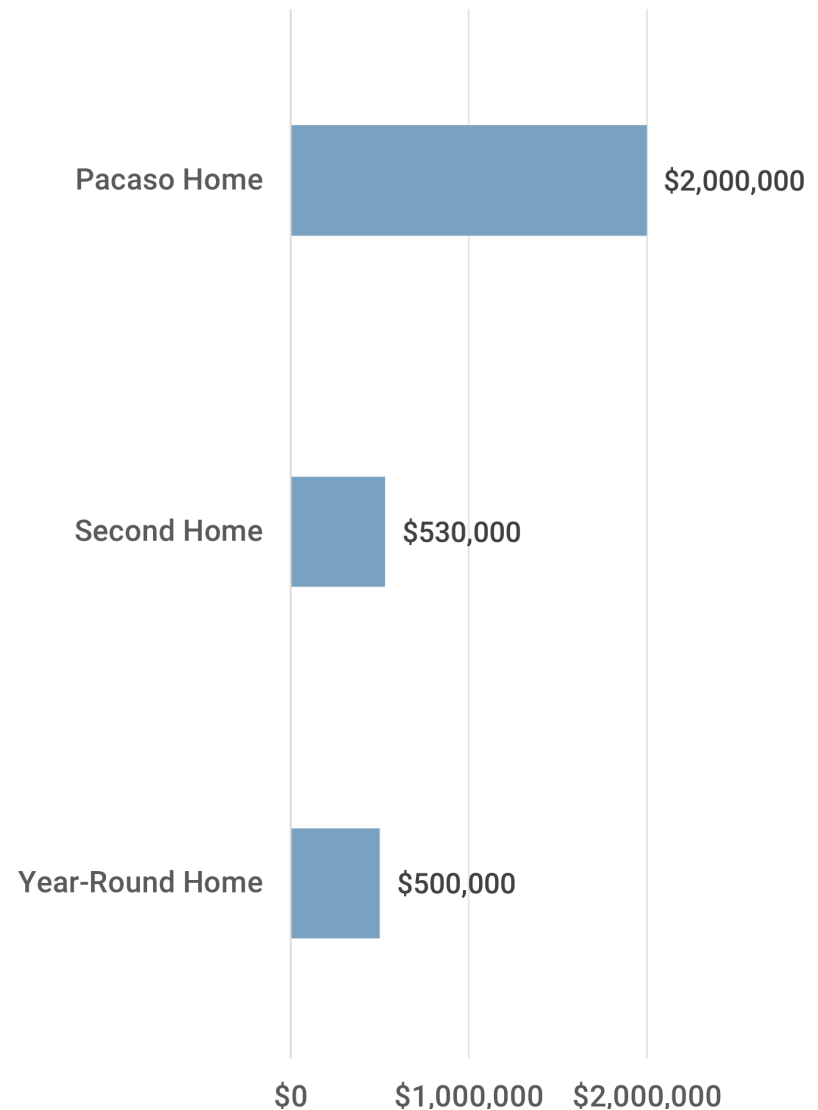
Pacaso concentrates demand into more expensive homes.

The median Pacaso home in Palm Springs is 3.8 times the price of the typical second home and 4 times the price of the typical year-round home, as seen in the figure to the right.³

Through co-ownership, Pacaso concentrates demand for Palm Springs' most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

³ Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in Palm Springs, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on Palm Springs' local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like Palm Springs, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in Riverside County, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, [Esri ArcGIS Business Analyst Online](#), which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with Palm Springs visitor spending patterns from a 2019 study by Dean Runyan Associates, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from [Avalara.com](#), a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by [Nathan Dumlao](#) on [Unsplash](#). Report Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

SOUTH FLORIDA

PACASO ECONOMIC IMPACT ANALYSIS

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like South Florida, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in South Florida, which includes Broward, Miami-Dade, Monroe, and Palm Beach counties.



Utilization

Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.¹ By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.²

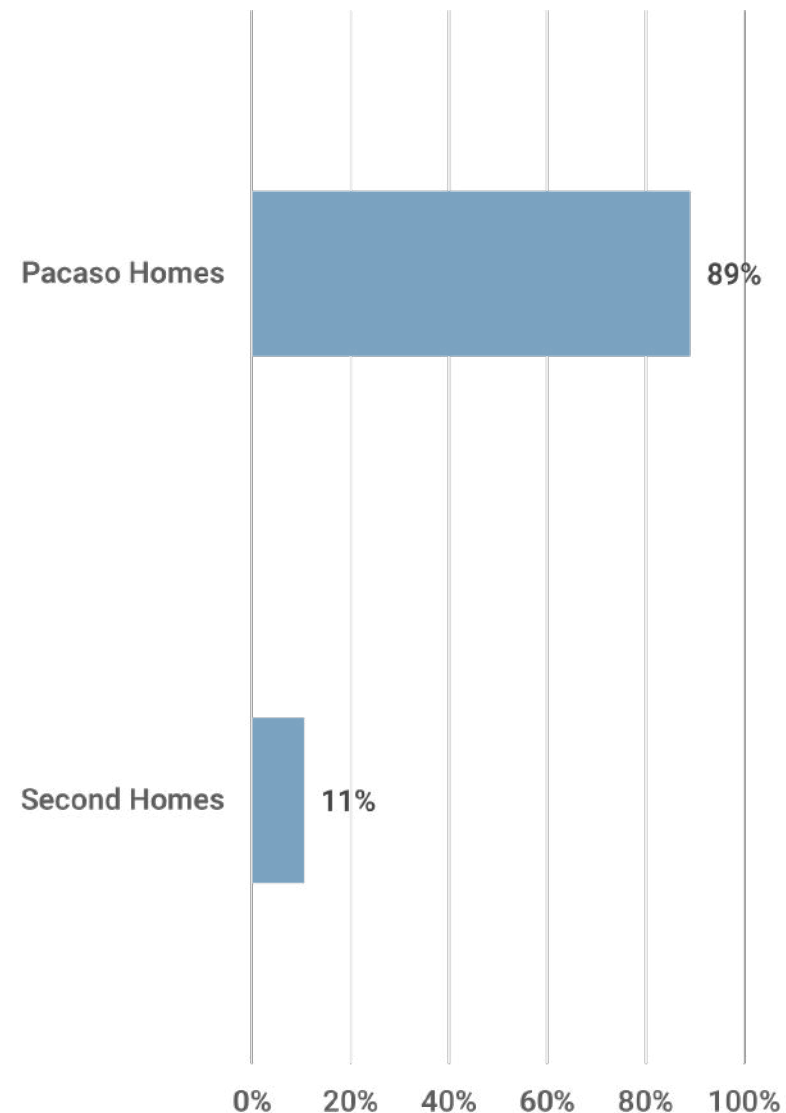
Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average South Florida Pacaso home generates \$37,680 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	\$610	\$5,800	\$5,190
Dining Out	\$1,090	\$10,360	\$9,270
Entertainment and Recreation	\$160	\$3,600	\$3,440
Food at Home	\$1,560	\$14,790	\$13,230
Personal Care	\$250	\$2,360	\$2,110
Transportation	\$100	\$4,540	\$4,440
Total	\$3,770	\$41,450	\$37,680

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of Florida.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of Florida, part of which is distributed back to South Florida. The table below shows that the average Pacaso home generates an additional \$2,360 in state tax revenue on average when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Broward	\$220	\$2,470	\$2,250
Miami	\$210	\$2,290	\$2,080
Monroe	\$250	\$2,800	\$2,550
Palm Beach	\$250	\$2,800	\$2,550

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for South Florida.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of \$450 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Broward	\$40	\$410	\$370
Miami	\$30	\$380	\$350
Monroe	\$60	\$700	\$640
Palm Beach	\$40	\$470	\$430

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

Housing Comparison

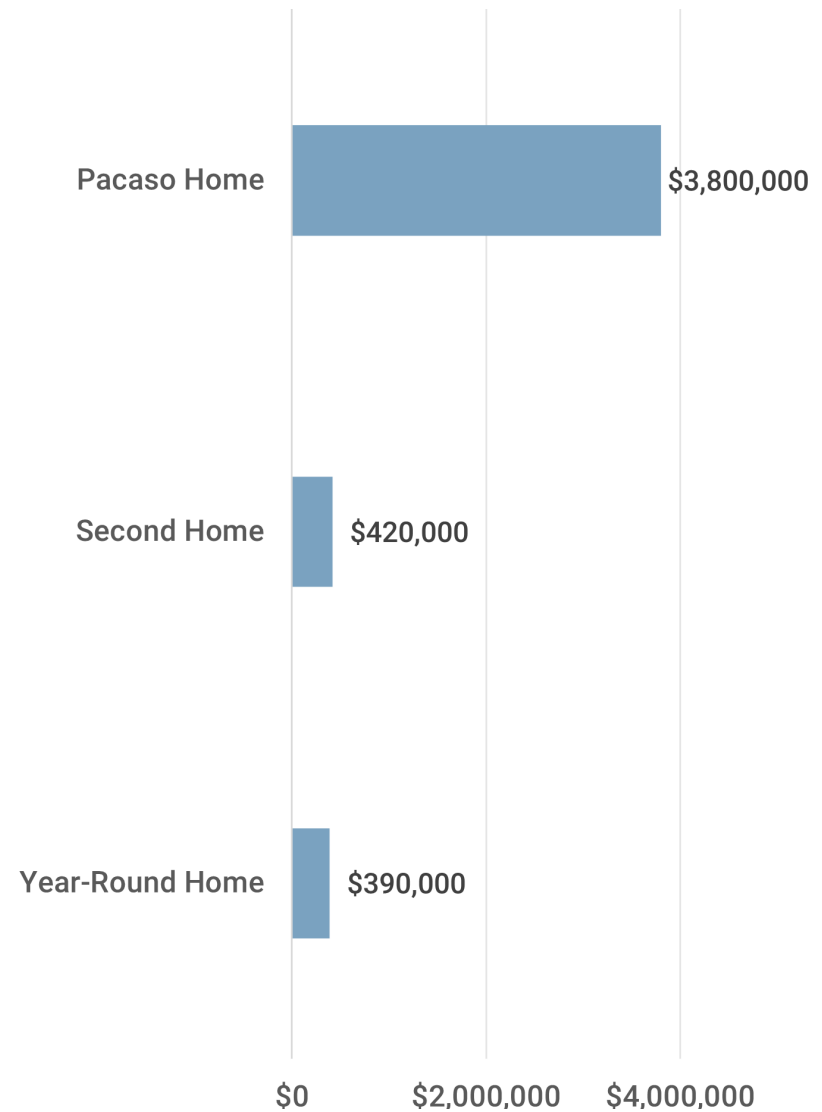
Pacaso concentrates demand into more expensive homes.

The median Pacaso home in South Florida is 9 times the price of the typical second home and 9.7 times the price of the typical year-round home, as seen in the figure to the right.³

Through co-ownership, Pacaso concentrates demand for South Florida's most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

³ Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in South Florida, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on South Florida's local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like South Florida, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

Notes

Pacaso is still in a growth phase, meaning EBP relied on assumptions based on industry and public record data. As Pacaso expands, its effect will likely become clearer, and we encourage future research to this end.

EBP and Pacaso made the following assumptions in completing this study. Adjustments to these assumptions could change the results.

- EBP used a national average utilization rate for Pacaso homes because market-specific rates fluctuate.
- We began our household spending analysis using values for all households in South Florida, not spending by second homes or Pacaso homes specifically. To be more accurate, we made the adjustments listed in the table below to household spending categories pulled from our primary data source, [Esri ArcGIS Business Analyst Online](#), which is itself based on data from the Bureau of Labor Statistics Consumer Expenditure Survey. This adjustment process was built on our assumption that second homeowner spending patterns fall somewhere in between short-term visitors and year-round residents. Compared with South Florida visitor spending patterns from a 2019 study by the Greater Miami Convention and Visitors Bureau, we assumed that homeowners spend comparatively more (as a share of their budget) on food and beverages, a similar amount on retail, less on recreation, and less on transportation.
- For the tax impact analysis, we used state and county tax rates as of March 2022 from [Avalara.com](#), a website that helps businesses calculate their tax bills. After comparing Avalara tax rates with tax rates published on several government websites for jurisdictions included in our analysis, EBP determined that it is a reliable source.

Cover Photography by [Arnel Hasanovic](#) on [Unsplash](#). Report Photography by Pacaso.

Appendix A. Household Spending Category Inclusion

Spending Category	Inclusion in Analysis
Alcohol	Included (37% under Dining Out and 63% under Food at Home).
Apparel	Included. Assumes co-owners spend like year-round residents during longer stays.
Dining Out	Included.
Education	Not included.
Entertainment and Recreation	Partially included (43%). Includes items, such as event admissions.
Finance	Not included.
Food at Home	Included.
Health Care	Not included.
Household Goods	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Household Services	Not included. There is likely a minimal net increase in spending by Pacaso homes.
Housing	Not included. Mostly fixed housing costs, utilities, and maintenance and repairs.
Life Insurance and Pensions	Not included.
Miscellaneous Expenses	Not included.
Personal Care	Included. Assumes co-owners spend like year-round residents during longer stays.
Local Transportation	Partially included (20%). Includes items, such as gasoline and public transportation.
Travel	Not included. Related items are covered by other categories.

Source: Esri ArcGIS Business Analyst Online and Pacaso.

NEW YORK CITY AREA

PACASO ECONOMIC IMPACT ANALYSIS

Introduction and Overview

Pacaso is a real estate marketplace and property management service that aims to make second homeownership more accessible by facilitating co-ownership of luxury homes between families. The company purchases homes above the median price in popular second home destinations like the New York City Area, and then sells up to eight shares to individual buyers. Pacaso vets owners, furnishes and manages each property, and provides a mobile app for owners to schedule time at their home. Co-ownership of homes is an established practice that Pacaso is extending in new ways.

In 2022, Pacaso hired EBP, a national economics firm, to conduct a study to understand the net economic impact of its co-ownership model. As described in the following pages, we focused specifically on Pacaso's impact on home utilization, household spending, tax revenue, and the local housing market in the New York City Area, which includes Bronx, Kings, Queens, Nassau, New York, Richmond, and Suffolk counties.



Utilization

Co-ownership means higher utilization rates.

The average second home sits empty over ten months out of the year.¹ By comparison, the average Pacaso home is occupied 89 percent of the year — almost 11 months.²

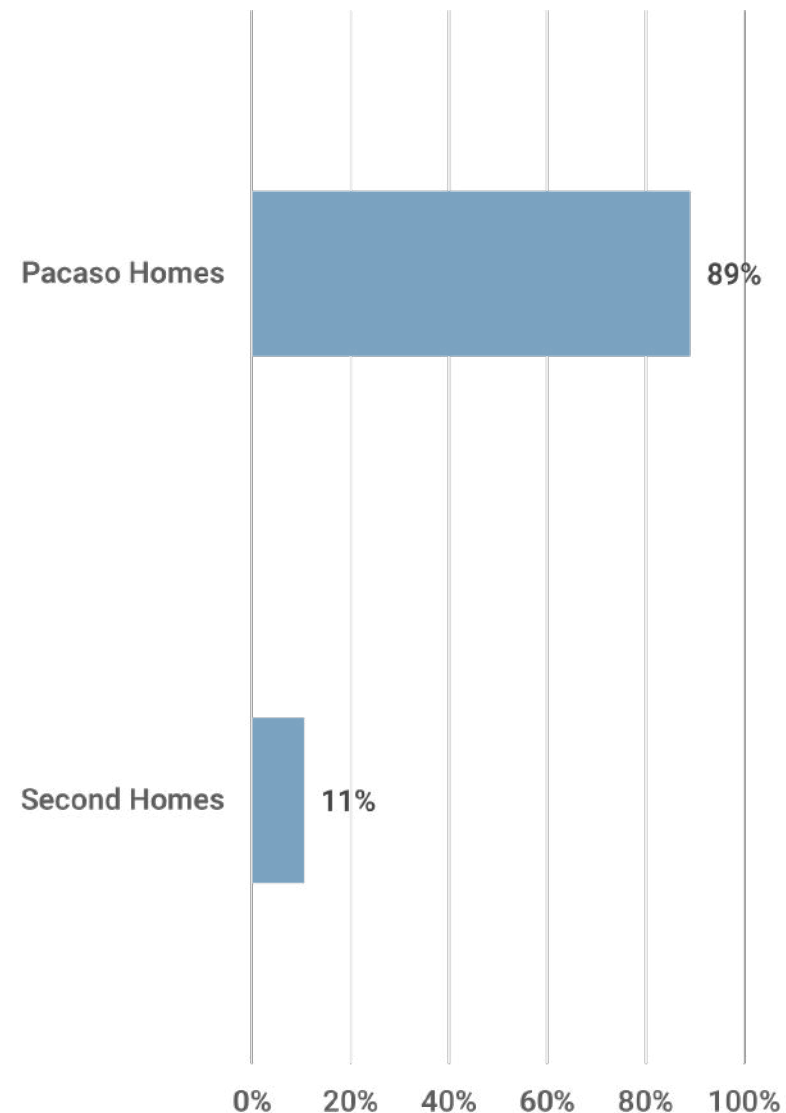
Co-ownership makes more efficient use of second homes by increasing the amount of time they are occupied. Since the average Pacaso home is occupied more months of the year than other second homes, their owners spend more money in the community. This spending benefits local businesses and generates tax revenue.

As discussed later, Pacaso also enables people to share in ownership of homes that are significantly more expensive than average. By providing an alternative to median-priced homes, Pacaso can help maintain local housing affordability.

1 Census Bureau, 2019 American Housing Survey.

2 Pacaso, Second Homeowners Survey. Utilization is calculated based on the number of days a home is reserved.

Figure 1. Average Annual Utilization Rates



Source: Pacaso and Census Bureau.

Household Spending

Pacaso homes contribute more spending in their communities.

The average second homeowner spends money on a range of goods and services, as seen in the table below. Because Pacaso homes are utilized more than the average second home, they produce greater spending across all categories. The average New York City Area Pacaso home generates \$48,900 more in annual spending compared with the average second home. This additional spending benefits local restaurants, stores, and many other businesses.

Figure 2. Annual Household Spending By Category and Type

Spending Category	Average Second Home	Average Pacaso Home	Additional Spending
Apparel	\$830	\$7,890	\$7,060
Dining Out	\$1,440	\$13,600	\$12,160
Entertainment and Recreation	\$200	\$4,530	\$4,330
Food at Home	\$2,040	\$19,320	\$17,280
Personal Care	\$320	\$3,030	\$2,710
Transportation	\$120	\$5,480	\$5,360
Total	\$4,950	\$53,850	\$48,900

Source: Esri ArcGIS Business Analyst Online and Pacaso.

Notes: Our approach involved adjusting year-round spending patterns from Business Analyst Online to better reflect spending patterns of Pacaso homeowners. See the Notes page for more details.

State Tax Revenue

Greater utilization drives more tax revenue for the State of New York.

Pacaso homes also generate additional tax revenue compared with the average second home. This includes revenue collected by the State of New York, part of which is distributed back to the New York City Area. The table below shows that the average Pacaso home generates an additional \$1,950 in state tax revenue on average, when compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 3. Annual State Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Bronx	\$110	\$1,200	\$1,090
Kings	\$180	\$1,900	\$1,720
Nassau	\$250	\$2,770	\$2,520
New York	\$260	\$2,860	\$2,600
Queens	\$170	\$1,840	\$1,670
Richmond	\$180	\$2,000	\$1,820
Suffolk	\$220	\$2,450	\$2,230

Source: Avalara.com. Tax rates as of March 2022.

Local Tax Revenue

Greater utilization drives more tax revenue for the New York City Area.

Pacaso homes also generate local tax revenue. The table below shows that the average Pacaso home generates an average of \$2,340 in additional local tax revenue compared with the average second home. This tax revenue is generated by spending with local businesses.

Figure 4. Annual Local Sales Tax Revenue By County

County	Average Second Home	Average Pacaso Home	Additional Tax Revenue
Bronx	\$140	\$1,460	\$1,320
Kings	\$210	\$2,320	\$2,110
Nassau	\$290	\$3,210	\$2,920
New York	\$320	\$3,490	\$3,170
Queens	\$210	\$2,240	\$2,030
Richmond	\$220	\$2,440	\$2,220
Suffolk	\$260	\$2,840	\$2,580

Source: Avalara.com. Tax rates as of March 2022.

Notes: This study does not include the net increase in property tax revenue to counties from Pacaso homes, which is likely higher than that of traditional second homes or homes near the median housing price.

Housing Comparison

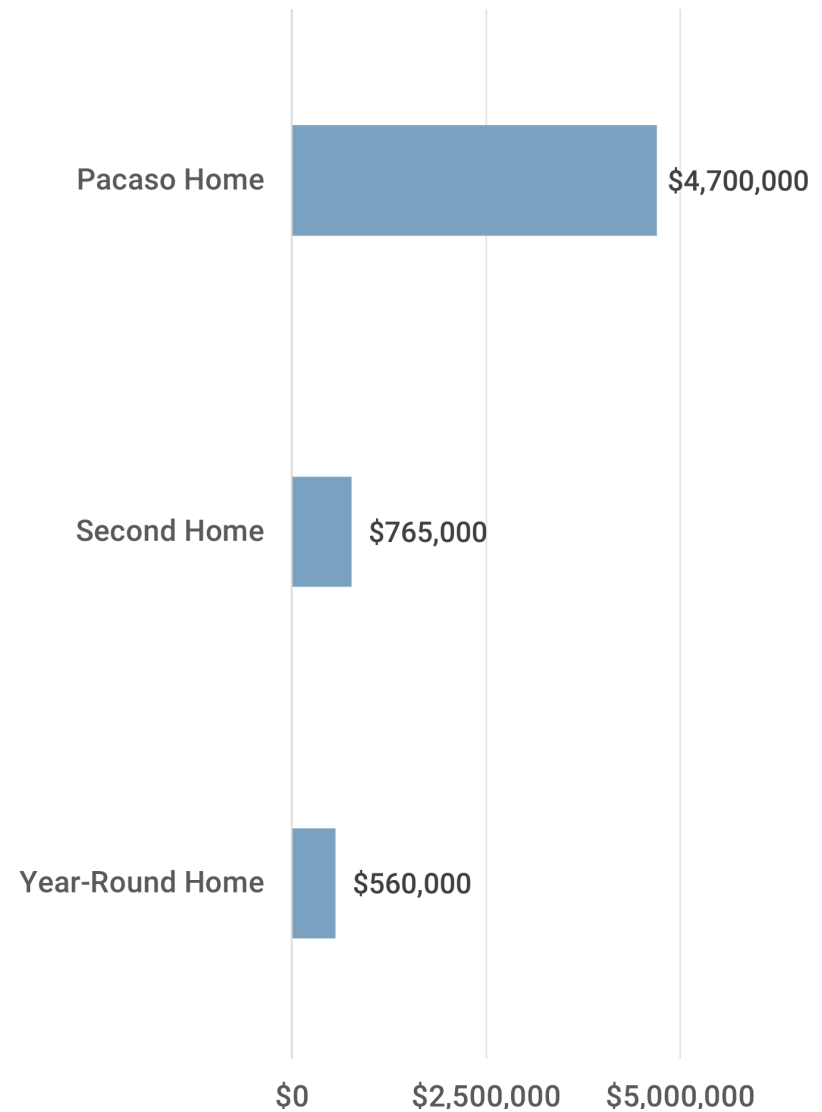
Pacaso concentrates demand into more expensive homes.

Though Pacaso does not currently operate in the New York City Area, the median Pacaso home is expected to be 6.1 times the price of the typical second home and 8.4 times the price of the typical year-round home. These values can be seen in the figure to the right.³

Through co-ownership, Pacaso is expected to concentrate demand for the New York City Area's most expensive homes, thereby shifting demand away from the median-priced market. The following page describes this in more detail.

³ Definitions of second homes and year-round homes come from Optimal Blue, which is the source for Pacaso's price data.

Figure 5. Median Listing Price by Home Type



Source: Pacaso.

Without Pacaso

Eight out-of-town buyers search for homes in a neighborhood with a mix of median-priced homes and high-end homes they are unable to afford. Wanting to spend a portion of the year in the New York City Area, they purchase eight median-priced homes, making them unavailable to year-round residents and bidding up the price of each.

With Pacaso

The same eight buyers purchase shares of a high-end Pacaso home, leaving the median-price homes on the market for year-round residents. Because Pacaso is available, there is less demand for the year-round homes, potentially keeping their sale prices lower than they would have been otherwise.

Market Impact

Co-ownership concentrates demand into fewer homes.

The concentration of buyers into expensive homes likely relieves pressure on the New York City Area's local housing market. This is because in the absence of a co-ownership model, some second homeowners will likely purchase a median-priced home, reducing the supply available for year-round residents.

The scenarios to the left illustrate the potential effect of Pacaso on a segment of the housing market.

This effect is most likely to be experienced in places like the New York City Area, where the housing market is very competitive, partially because of strong demand for second homes, especially in certain sub-markets. As Pacaso grows, the mitigating effect on the supply of median-priced homes will only increase.

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Cover Photography by [Laurenz Heymann](#) and Report Photography by [Rafael Leão](#) on [Unsplash](#).

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Source: Esri ArcGIS Business Analyst Online and Pacaso.

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Transit

Item Type: Staff Report

Agenda Section: OLD BUSINESS

Subject:

Consideration to Approve a Microtransit Service Agreement, in a Form Approved by the City Attorney, with High Valley Transit, to provide Microtransit Services, Not to Exceed \$850,000 for a Five-Month Pilot Program

(A) Public Input (B) Action

Suggested Action:

Attachments:

[Microtransit Agreement for 2022/23 Winter Pilot Staff Report](#)

City Council Staff Report



Subject: Microtransit Service Agreement for 2022/23 Winter Pilot
Author: Matt Neeley, Transportation Director
Kim Fjeldsted, Transit Manager
Department: Transit
Date: October 6, 2022
Type of Item: Administrative

Recommendation

Authorize a 5-month Microtransit Service Agreement, in a form approved by the City Attorney, with High Valley Transit to provide microtransit services not to exceed \$850,000.

Based upon previous Council direction and an aggressive timeline (winter 2022/23), a temporary agreement with High Valley Transit (HVT) to expand microtransit services into areas of Park City is possible this winter. Previously unserved areas and replacement of one fixed bus route include:

- Upper Park Meadows;
- Thaynes Canyon (north of Thaynes Canyon Dr.);
- Royal Street;
- Quinn's Junction area; and,
- Park City Heights (if no fixed route from Richardson Flat Park & Ride)

Background

Microtransit is an on-demand transit service available in Summit County by High Valley Transit and accessed through an app or phone. Microtransit services complement fixed-route public transit and should not compete with private taxi or door-to-door for-hire services.

Over the last few years, Park City Transit identified several areas of Park City that would benefit from a first/last-mile transit feeder service. The areas recommended for microtransit service are generally unsuitable for a 35ft. bus or have insufficient demand to justify adding a fixed bus route.

On [July 28, 2022](#), the City Council indicated support for working with HVT to conduct a 5-month pilot program to assess the effectiveness and costs of microtransit in Park City. The pilot program includes five vehicles operating from 7am to 10pm, 7 days a week. The service goal is within 15 minutes of a request, using the same software and user interface as the existing HVT service.

Analysis

The agreement with HVT includes the following:

- Five vehicles for microtransit service in Upper Park Meadows, Thaynes Canyon (north of Thaynes Canyon Dr.), Quinn's Junction area, PC Heights (if fixed bus

- service is not provided at Richardson Flat) and Royal Street.
- The agreement allows flexibility in the number of vehicles and hours of service. The pilot program will start with five vehicles operating from 7am – 10pm, 7 days a week, from November 13 – April 15.
- A start-up fee of \$45,000 to cover technology, zone expansion, vehicle wraps, and initial driver acquisition costs.
- Costs are billed based on actual service rendered. Hourly costs include a per hour vehicle fee of \$69.50 and per hour administrative and maintenance fee of \$6.50. Park City will be invoiced for actual rides provided, and the amount recommended is a not-to-exceed authorization.
- The agreement allows for early termination, if needed, with 30 days written notice.
- HVT is responsible for all aspects of microtransit services, including technology (app, scheduling software and GPS tracking of vehicles), obtaining drivers and vehicles, customer service, insurance, administration, and maintenance.
- The vehicles are branded as High Valley Transit brought to you by Park City.
- Park City Transit will continue to provide ADA services throughout the municipality.

The following metrics will be tracked during the pilot program and reported back to Council at the conclusion of the winter season:

- Number of riders per day/week;
- Vehicle utilization - number of riders per driver hour;
- Amount of time before a rider is picked up;
- Rider service feedback and reviews; and
- Comparison of costs and efficiency versus traditional, fixed-route service.

Sundance Film Festival Service Option

Due to high transportation demands and increased costs associated with running microtransit during the Sundance Film Festival, more time is required to recommend service levels during the festival. HVT will perform a similar analysis for County services during Sundance. The agreement requires a service decision by December 1, 2022.

If microtransit is supported by the community, we are likely to recommend a Request for Proposal (RFP) to secure permanent/long-term services and allow local businesses to submit proposals.

Funding

Council previously approved \$500,000 in the FY23 budget. An additional \$350,000 is necessary to fund a winter season pilot program.

A portion of the Transportation Fund balance can be used temporarily to cover the additional expense if Council chooses to move forward with the pilot. Otherwise, a longer-term financial strategy must be secured.

Department Review

The following departments have reviewed this report: Executive, Legal, Transit.

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Engineering

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Speed Limit Recommendations within Park City Limits

(A) Public Input (B) Action

Suggested Action:

Attachments:

[Speed Limit Modification Recommendations Staff Report](#)

[Exhibit A: Park City Roadway Classifications](#)

[Exhibit B: Roadway Corridor Worksheet](#)

[Exhibit C: Historic District Limits](#)

City Council Staff Report

Subject: Park City Speed Limit Recommendations

Author: John S. Robertson, P.E. City Engineer

Department: Engineering

Date: October 6, 2022

Type of Item: Old Business

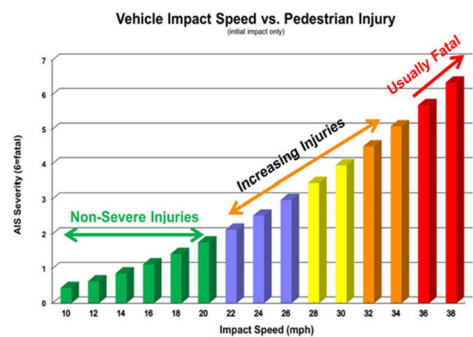
Summary

In response to new State legislation and as requested by City Council on September 15, 2022, a preliminary analysis of roadway classifications and geometric features was quickly completed to consider reductions of posted speed limits within the City based on existing roadway classifications (Arterial/Collector/Local).

The recognition of the shift in values from the prioritization of vehicles to a more balanced roadway system placing a higher priority on user safety and service has led to the development of several new policies ([Complete Streets](#), [People First Streets](#)) and associations ([National Association of City Transportation Officials](#)) that provide solutions, programs, and initiatives focused on improving the safety of roadway prisms.

Most complaints received by the City's Neighborhoods First Street Committee (now disbanded) were related to speeding vehicles. There are numerous studies that confirm excessive speeding is one of the leading causes of traffic accidents in the nation. Figure 1 below highlights that higher speed limits lead to more severe accidents and injuries. Both Figures 1 and 2 highlight the fact that pedestrians have a much higher chance of surviving an accident if a vehicle is traveling 20 MPH or lower.

Figure 1

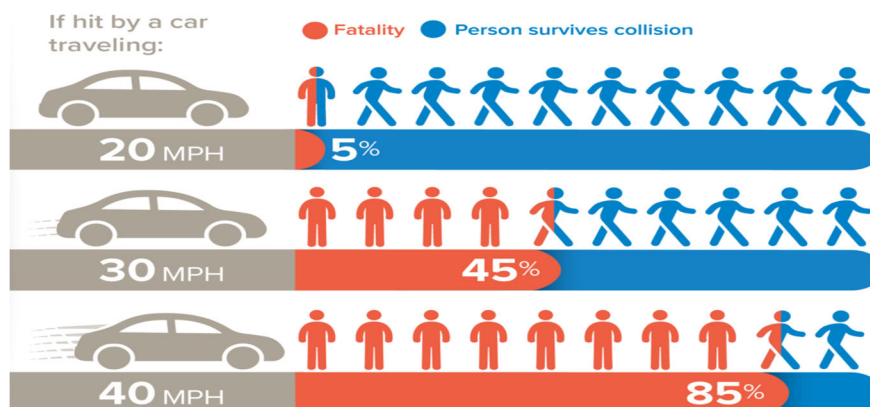


If struck by a motor vehicle traveling at a speed of **20 mph** or less, a pedestrian is typically not permanently injured.

If struck by a motor vehicle traveling at a speed of **36 mph** or more, a pedestrian is usually fatally injured.

https://safety.fhwa.dot.gov/speedmgt/ePrimer_modules/module2.cfm#mod2

Figure 2

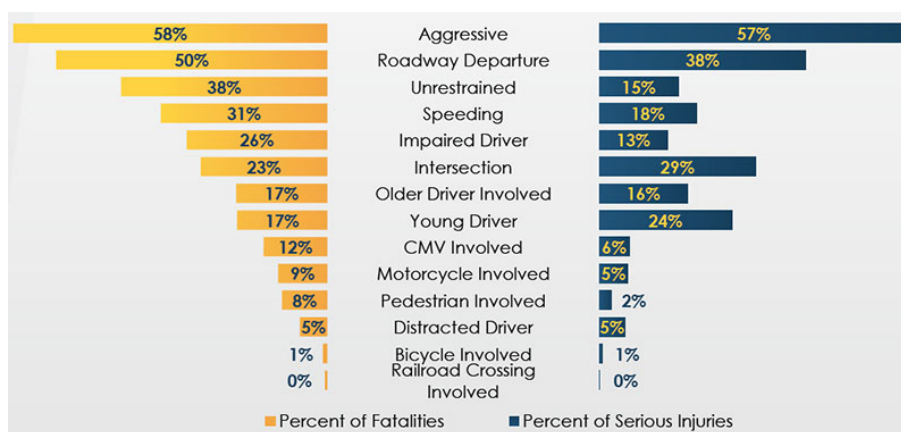


National Traffic Safety Board (2017) Reducing Speeding-Related Crashes Involving Passenger Vehicles. Available from: <https://www.nts.gov/safety/safety-studies/Documents/SS1701.pdf>

For this reason alone, there appears to be support for reducing speeds throughout the City while also adhering to relevant best practices related to transportation and roadway engineering principles. Because studies have shown that artificially lowering speed limits can have the opposite desired effect, we have taken a careful and thoughtful approach in our recommendations. For example, [Penn State civil engineers](#) evaluated multiple roadways in Montana where speed limits had been set 5, 10, 15, or 25 MPH lower than the engineering recommended speed limit. The study found “large differences between the posted and engineering recommended speed-limit values were found to increase crash frequency and reduce speed limit compliance”. The Study also determined that “speed limits set only five miles per hour below engineering recommendations produce a statistically significant decrease in total, fatal and injury crashes, and property-damage-only crashes”.

In an area where there is regular vehicle and bicycle and pedestrian user interaction, our recommendation aims to set a speed limit that prioritizes safety but does not create artificially low posted speed limits. Again, driver frustration has been proven to lead to aggressive driving that, according to Federal Highway Administration (FHWA) (Figure 3), is one of the highest factors in serious traffic accidents.

Figure 3



Recommendation

As a result of the analysis and Council direction, the Engineering Team recommends a three-tiered speed limit classification system based upon two overarching goals: Improve safety and the quality of life for residents on the streets where they live.

Our recommendation is based on a review of the existing roadway network (including roadway widths, curvature, grade, presence of sidewalks, parking or no parking regulations), resident feedback, and several professional transportation studies (See Figures 1 and 2 above from FHWA and National Traffic Safety Board). We recommend the following:

1. Reduce the severity accidents without creating artificially low speed limits that can lead to driver frustration and excessive speeding.
2. Lower the posted speed limit on most roadways within Park City's Historic District (HD), except Swede Alley and a section of Park Avenue, from 20 MPH down to 15 MPH;
3. Lower the posted speed limit on roadways defined as 'Minor Collectors' from 25 to 20 MPH;
4. Maintain the current posted 25 MPH speed limit on roads defined as 'Major Collectors'; and

5. Concerns related to speed limits can be submitted to the [Neighborhood's First Streets](#) program. Speed and roadway geometric data will be collected, analyzed, and recommendations related to traffic calming proposed.

Given the significant change recommended, amount of public input received, Council may desire additional public input and consideration prior to formal policy direction. In addition to setting new speed limits across the City, we also plan to discuss budget impacts and a community engagement plan in detail.

Finally, Exhibit A is a comprehensive map that identifies the proposed roadway speed classification system. This map is also available on our [website](#) and will remain so the public can locate their street and recommended speed limit.

Background

Park City Municipal Corporation (PCMC) adopted Utah Code Title 41-6a as the Uniform Traffic Code for the City. The recent passage of [Utah H.B. 235](#) (2022) allows counties and municipalities to establish speed limits on municipal roads without completing all requirements outlined in [Section 2B.13 Speed Limit Sign](#) of the Manual of Uniform Traffic Control Devices (MUTCD). This had been the professional standard and practice of municipalities across the United States for several decades.

On [September 15, 2022](#), several options for setting speed limits were presented to Council for discussion and input. Significant public comment was also received, and most favored reduced speeds in heavily residential and neighborhood areas. Council supported Option 3, speed limits based on roadway classifications, as the method to establish general speed limits. Due to variability (major vs minor) within the collector classification, we also applied the Option 2 analytics to each roadway for connectivity, land use, roadway geometry, and existence of other infrastructure or roadway operations to determine the recommended speed limit.

An important fact when considering a reduction in speed limits is that speed reductions are only one of many tools that improves safety on road networks. Often, the comfortable or design speed of a roadway may not match a posted speed limit, which diminishes the efficacy of posted speed limits. For this reason, it is often necessary to perform more capital-intensive efforts, such as road diets and physical traffic calming measures that permanently modify driver behavior.

This is why PCMC is investing heavily in our [Neighborhood First Streets](#) program to respond to resident requests to create a safer roadway system and potentially install permeant capital improvements to improve safety. This past year alone, the Engineering Department has received numerous applications from residents that has resulted in the installation of approximately \$65,000 of infrastructure and equipment related to the improvement of safety in Park City neighborhoods. In addition, the FY23 Budget received \$150,000 in new funding to support safer streets.

Roadway Analysis

Today, Park City's roadways are classified as Arterial, Collector, or Local Road. All arterials (SR 224 & SR 248) within Park City are owned, maintained, and controlled by UDOT. PCMC does not have authority to set speed limits on UDOT roadways.

Traffic engineering and planning standards define Collector Roads as "major or minor roads that connect local roads with arterials." Upon review of the Park City roadway network, a number of our roadway corridors meet this definition.

Collector Roads were classified into major, or minor, based upon roadway widths, surrounding land uses, presence of sidewalks or trails, on-street parking/no parking, and connection to Arterials or major destination areas. Proposed roadway classifications are shown on Exhibit A.

Engineering performed field measurements on the selected roads to determine roadway widths, grade, and collected other data such as the presence and width of sidewalks, parking/no parking, and posted speed limits. Exhibit B shows the results of this analysis.

Taking into consideration bicycle and pedestrian safety and driver behavior frustration factors mentioned above, Exhibit A lists roads recommended to remain at 25 MPH and those that should remain at 20 MPH. Roadway width, connection to arterials, and density of surrounding land uses was a critical factor in the recommendation to leave some roads at 25 MPH and reduce others by 5 MPH.

All roads not listed in Exhibit B are classified as Local Roads and recommended to either remain at 20 MPH or be reduced down to 20 MPH from 25 MPH.

The criteria outlined above were also applied to roadways in the Historic District (HD) (Exhibit C). With the absence of sidewalks, existing posted speed limits of 20 MPH or less, and roadway widths that vary from 14 to 18 feet, we recommend 15 MPH, with the exception of Park Avenue from Empire to 9th. Due to a similar geometry, the presence of sidewalks and formal pedestrian crossings, we also recommend Swede Alley remain at 20 MPH.

Conclusion

After the change in state law and policy direction from Council to seek additional public input, we are prepared to update Exhibit A as needed and return for formal policy direction. The Community Engagement team is prepared to deploy a proactive communications plan to ensure the public is aware of speed limit changes. The following scenarios illustrate how the plan can be customized based on Council direction.

Speed Limit Reduction Awareness Campaign

If Council decides to reduce speed limits, an awareness campaign would educate and inform the public on immediate changes in their neighborhoods and throughout the community. This campaign would deploy both short-term high-volume, and longer-term tactics to get the word out and encourage behavior change.

Community Engagement and Education

This option would continue to inform and educate the public and focus on gathering additional community feedback to gauge resident sentiment before changes are made. This would be a shorter-term strategy involving open houses, online engagement opportunities, and surveys allowing further community conversation to inform future decision making.

Hybrid Education and Engagement

A hybrid option could be used to inform the public on speed limit changes in their neighborhood, but also offer a feedback loop in order to continually measure the program's success, community sentiment, and inform future program adjustments.

Communication Strategies

Short-term

- KPCW Public Service announcements – using elected officials and neighborhood voices
- News Release and follow-up interviews with staff and elected officials
- Newsletter – a message from the Council included
- Social media campaign – vignette videos delivering an enhanced public safety message

- City Brief – weekly press briefing sent to entire media market, City staff, and email list

Long-term

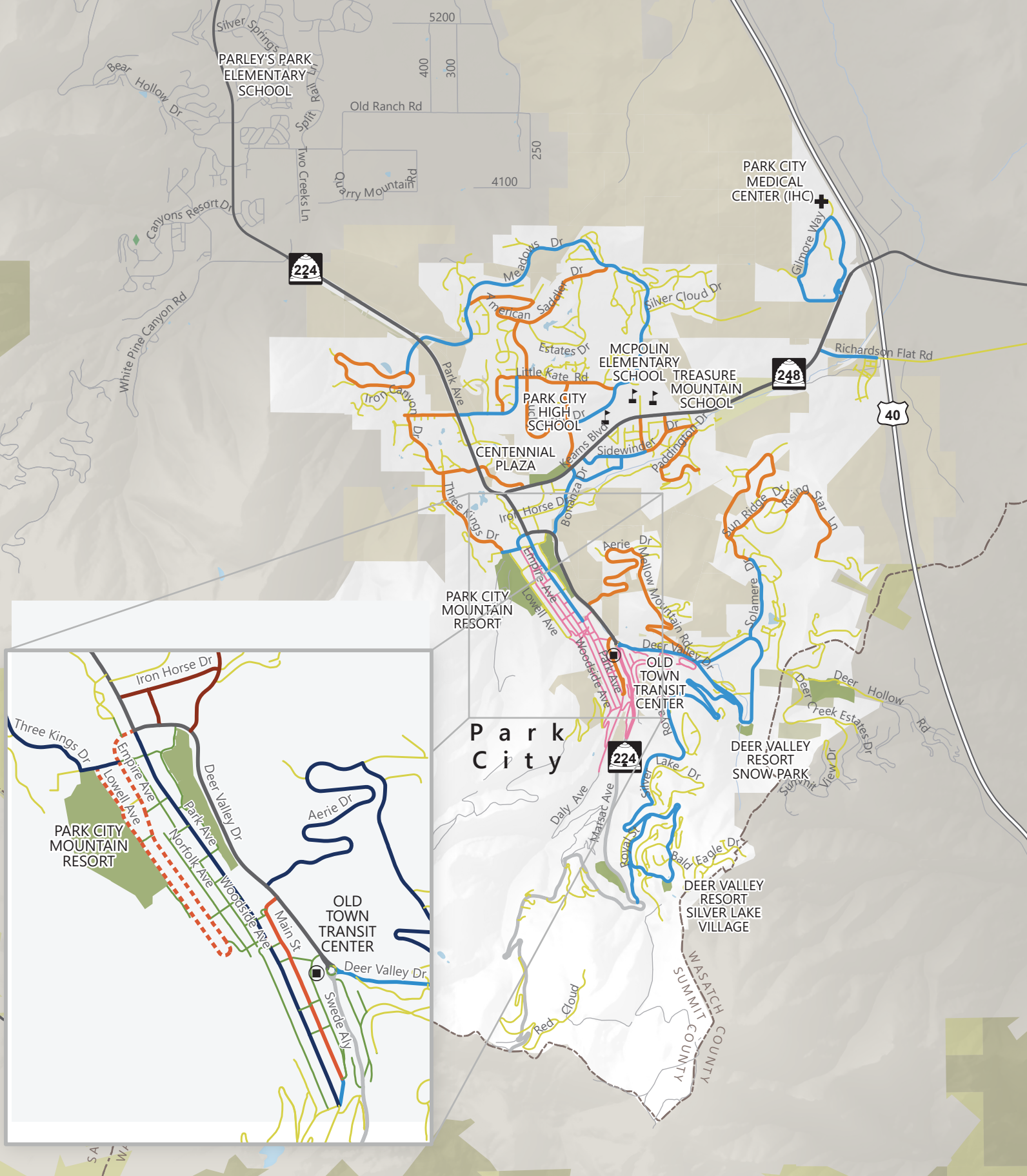
- Webpage – The Neighborhoods First page will include a speed limit reduction page to collect feedback on contemplated changes.
- Speed limit awareness stickers on City vehicles and in high traffic locations

Exhibits

Exhibit A Recommended Roadway Classifications

Exhibit B Roadway Corridor Metrics & Speed Limit Recommendations

Exhibit C Historic District Boundary



- | | |
|--------------------------|----------------------------|
| Local Roads - 20 mph | Historic District - 15 mph |
| Minor Collector - 20 mph | UDOT Arterial |
| Major Collector - 25 mph | Non-UDOT Arterial |

EXHIBIT B ROADWAY CORRIDOR WORKSHEET

Major collectors – 25 mph speed limit

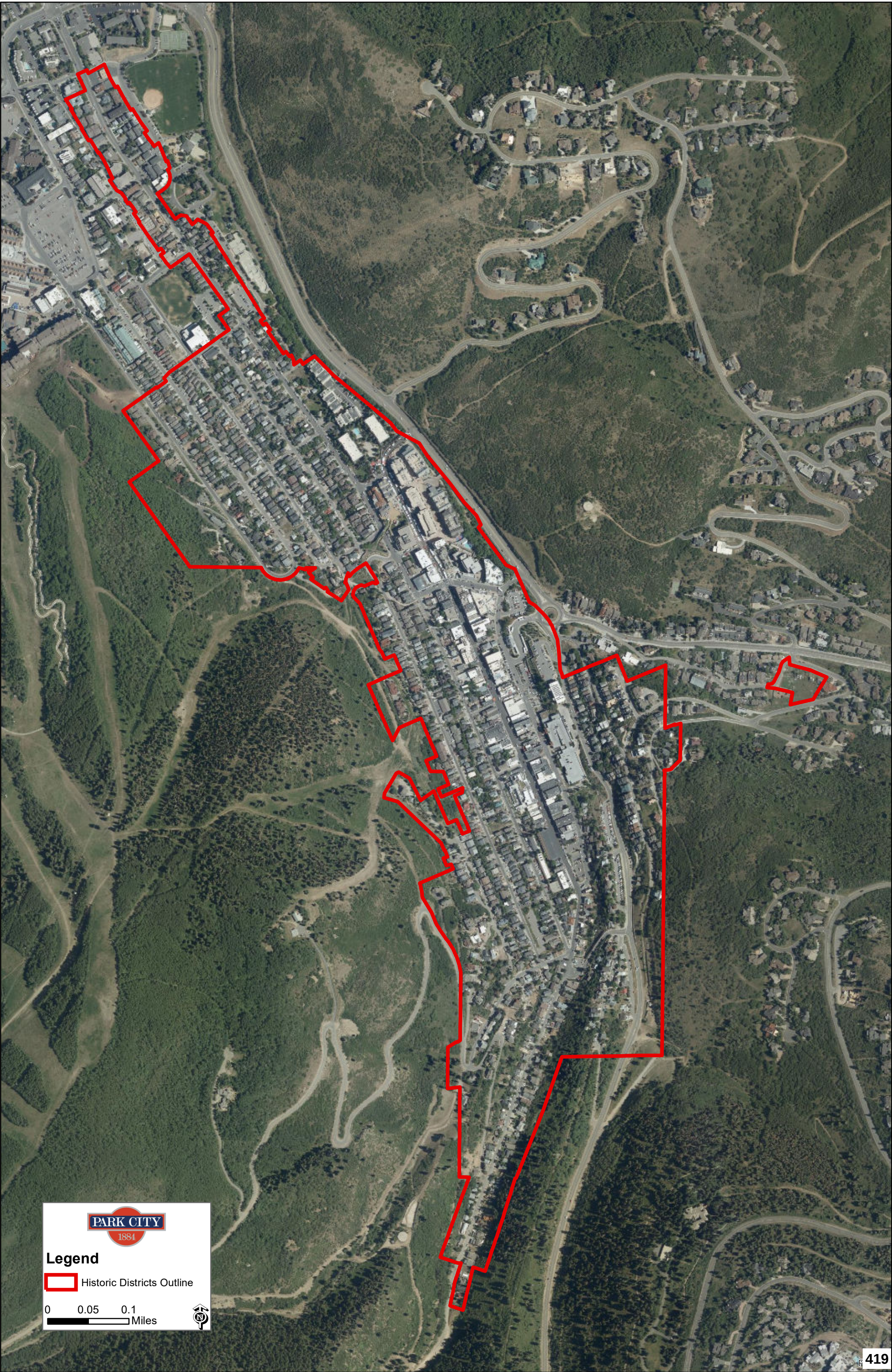
Street Name	Posted Speed	From	To	Asphalt Width	C&G Width	Sidewalk Width	Average slope	Parking
Deer Valley Drive	25 mph	Roundabout	Deer Valley Resort	35 ft / 1 lane	2.5 ft	8 ft	3%	No
Bonanza Drive	25 mph	Deer Valley Drive	Kearns Blvd.	32 ft / 1 lane	2.5 ft	8 ft	6%	No
Prospector Avenue	25 mph	Bonanza Avenue	Gold Dust Lane	36 ft / 1 lane	2.5 ft	6 ft	2%	Yes
Sidewinder Drive	25 mph	Comstock	Kearns Blvd	40 ft / 1 lane	2.5 ft	4 ft	3%	Yes
Meadows Drive	25 mph	Little Kate	Aspen Springs	30 ft / 1 lane	2.5 ft	5 ft	Variable	Yes
Park Avenue	25 mph	SR-224	Ninth Street	36 ft / 1 lane	2.5 ft	6 ft	4.5%	Yes
Silver King Drive	N/A	Empire Avenue	Three Kings Drive	32 ft / 1 lane	2.5 ft	5 ft	4%	No
Royal Street	N/A	Deer Valley Drive	Guardsman Road	32 ft / 1 lane	0 ft	0 ft	6%	No
Richardson Flat Road	N/A	SR-248	Piper Way	24 ft / 1 lane	0 ft	0 ft	2%	No
Holiday Ranch Loop Road	25 mph	SR-224	Little Kate	32 ft / 1 lane	2.5 ft	5 ft	1%	No
Solamere Drive	25 mph	Deer Valley Rd	Telemark Dr	46 ft / 1 lane	2.5 ft	0 ft	9%	No
Round Valley Drive	25 mph	Kearns	Park City Hospital	32 ft / 1 lane	2.5 ft	4 ft	0%	No

Minor collectors – 20 mph speed limit

Street Name	Posted Speed	From	To	Asphalt Width	C&G Width	Sidewalk Width	Average slope	Parking
Sidewinder Drive	25 mph	Comstock	Wyatt Earp	24 ft / 1 lane	2.5 ft	5 ft	3%	Yes
Comstock Drive	25 mph	Sidewinder Drive	Kearns Blvd	28 ft / 1 lane	2.5 ft	8 ft	4%	Yes
Buffalo Bill Drive	25 mph	Sidewinder Drive	Kearns Blvd	24 ft / 1 lane	2.5 ft	0 ft	0%	Yes
Little Kate Road	25 mph	Lucky John Dr	Holiday Ranch Loop	26-30 ft / 1 lane	2.5 ft	5 ft	0%	No
Payday Drive	25 mph	SR-224	Thaynes Canyon Dr.	24 ft / 1 lane	2.5 ft	0 ft	2%	Yes
Thaynes Canyon Road	25 mph	Payday Drive	SR-224	26 ft / 1 lane	2.5 ft	0 ft	2%	Yes
Three Kings Drive	20 mph	Thaynes Canyon Rd	Silver King Dr.	26 ft / 1 lane	2.5 ft	4 ft	3%	No
Solamere Drive	25 mph	Telemark Dr	Hidden Oaks Lane	19 ft / 1 lane	2.5 ft	0 ft	9%	Yes
Aerie Drive	25 mph	Deer Valley Drive	Mellow Mountain Rd	24 ft / 1 lane	2.5 ft	0 ft	9%	Yes
Mellow Mountain Road	25 mph	Aerie Drive	Deer Valley Drive	24 ft / 1 lane	2.5 ft	5 ft	6%	No
Paddington Drive	N/A	Wyatt Earp	Euston Drive	24 ft / 1 lane	2.5 ft	5 ft	3%	Yes
Rising Star Lane	25 mph	Oak Wood Drive	Cul-de-sac	24 ft / 1 lane	2.5 ft	0 ft	8%	No
Lucky John	25 mph	American Saddler	Little Kate	30 ft / 1 lane	2.5 ft	0 ft	1%	Yes
Monitor Drive	25 mph	SR-248	Little Kate	30 ft / 1 lane	2.5 ft	5 ft	3%	No

American Saddler	25 mph	Meadows	Meadows	24-30 ft / 1 lane	2.5 ft	4 ft	Varies	Yes
Aspen Springs Dr	25 mph	Meadows	Meadows	24 ft / 1 lane	2.5 ft	3 ft	8%	Yes
Sun Ridge Dr	N/A	Solamere	Cul-de-sac	24 ft / 1 lane	2.5 ft	0 ft	4%	Yes
Snow Creek	25 mph	SR-248	Park Ave	24 ft / 1 lane	2.5 ft	8 ft	2%	No
Lucky John	25 mph	Monitor	Little Kate	24 ft / 1 lane	2.5 ft	0 ft	0%	Yes
Gillmore Way	N/A	Round Valley	Round Valley	24 ft / 1 lane	2.5 ft	0 ft	0%	No

Historic Districts



Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Ordinance 2022-39, an Extension of City Council's July 15, 2021 Approval of Ordinance No. 2021-32, an Ordinance Approving the 245 Woodside Plat Amendment, Located at 245 Woodside Avenue, Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[245 Woodside Extension Staff Report](#)

[Exhibit A: Draft Ordinance No. 2022-39](#)

[Exhibit B: Ordinance No 2021-32](#)

[Exhibit C: Recorded Encroachment Agreement](#)



City Council Staff Report

Subject: 245 Woodside Plat Amendment
Author: Alexandra Ananth, Sr. Planner
Project Number: PL-22-05349
Date: October 6, 2022
Type of Item: Administrative – Plat Approval Extension

PLANNING DEPARTMENT

Recommendation

Review the proposal, hold a public hearing, and consider approving a one-year extension for the 245 Woodside Plat Amendment – a plat approved by the City Council in 2021 – based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in Ordinance 2022-39.

Description

Extension Project Number: PL-22-05349
Approved Project Number: PL-21-04853
Applicant: Suzanne Herrmann, represented by Justin Keys
Location: 245 Woodside Avenue
Zoning: Historic Residential-1 (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Extensions of approved plats require City Council action

Summary

On August 13, 2018, the Applicant applied for a Historic District Design Review-Pre application to discuss development options on the Lot. At this time, staff directed the applicant that the appropriate process would be to apply for a Plat Amendment to form one (1) Lot of record, and address encroachments on the Site that include stairs, retaining walls and a deck in the Front and Side Setbacks, and in the public Right-of-Way.

On April 19, 2019, the Applicant applied for a Plat Amendment to combine their property into one (1) Lot by removing an interior Lot Line. The subject Site consists of the northern half of Lot 11 and all of Lot 12, Block 31, within the Park City Survey boundaries.

On October 23, 2019, Planning Commission held a public hearing and unanimously forwarded a positive recommendation to City Council. See meeting minutes [here](#), beginning on page 4. Staff report is linked [here](#).

On December 5, 2019, City Council held a public hearing and approved the Plat Amendment for 245 Woodside Avenue ([Ordinance 2019-60](#)) ([Staff Report](#); [Minutes, p. 13](#)).

Ordinance 2019-60 Condition of Approval 2 required the Applicant to record the approved plat with Summit County within one year of Council approval. Additionally,

Condition of Approval 3 required the Applicant to address existing encroachments by either removing them or entering into an Encroachment Agreement with the City. The applicant obtained an encroachment agreement that was recorded on June, 13, 2022 (Exhibit C).

The Applicant did not record the plat in the allotted time due to the time required to process the encroachment agreement with the City Engineer and Planning staff. For this reason, the Ordinance expired.

On July 15, 2021, City Council held a public hearing and approved a one-year extension of the Plat Amendment for 245 Woodside Avenue ([Ordinance 2021-32](#)) ([Staff Report](#); [Minutes](#), p. 16).

The Applicant again did not record the plat in the allotted time, and the Ordinance expired again. ***The current application is for an additional extension of time.***

Applicants may request time extensions for City Council plat approvals by submitting a Request for Extension or Modification of Approval Application to the Planning Department. The Applicant now requests City Council approval for an additional one-year extension, and staff recommends granting the extension to provide the Applicant time to record the Plat and move forward with their project. Staff does not anticipate any further delays with this project now that the encroachment agreement has been recorded.

Analysis

Staff recommends the Council approve a one-year extension for the plat approval because (A) there is no change in circumstance that results in an unmitigated impact; and (B) the approved plat complies with the Park City General Plan and Land Management Code in effect at the time of the extension request.

(A) There is no change in circumstance that results in an unmitigated impact.

A change in circumstance includes physical changes to the property or surroundings.¹ One building permit has been approved for a partial interior remodel to 245 Woodside since Council's 2019 plat approval. Approval of this building permit is consistent with the Conditions of Approval of the plat approval. Staff is unaware of any other changes that would result in an unmitigated impact.

(B) The approved plat amendments comply with the Park City General Plan and Land Management Code in effect at the time of the extension request.

No relevant amendments to the Land Management Code or General Plan have been adopted that impact the plat approvals.

¹ [LMC § 15-7.1-6\(C\)\(5\)](#).

The subject Site is located at 245 Woodside Avenue. The Site is within the Historic Residential-1 (HR-1) District. Currently, there are multiple Structures on the Lot that are not in compliance with the Lot and Site Requirements for the HR-1 zone ([LMC 15-2.2-3](#)).

The proposed Plat Amendment creates one (1) Lot from one and a half (1½) Old Town Lots. The Applicant requests to eliminate the interior Lot that bisects the non-historic structure to prepare it for any future development which includes removing existing encroachments..

Condition of Approval 3 of Ordinance 2021-32 stipulated that prior to Plat recordation, the Applicant shall either remove the existing encroachments from the City Right-of-Way or enter into an Encroachment Agreement with the City that includes these encroachments conditioned as the City Council deems appropriate. As required by Condition 3, the Applicant has entered into an Encroachment Agreement with the City for one staircase to remain in the public Right-of-Way for life safety purposes (Exhibit C).

Approval of the proposed additional one-year extension for the 245 Woodside Avenue Plat Amendment will expire on October 6, 2023. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

Notice

Staff posted notice to the property and mailed courtesy notices to property owners within 300 feet on September 21, 2022.²

Exhibits

Exhibit A: Draft Ordinance No. 2022-39

Exhibit B: Ordinance No. 2021-32

Exhibit C: Recorded Encroachment Agreement

² [LMC § 15-1-21](#).

Ordinance No. 2022-39

AN ORDINANCE APPROVING AN EXTENSION OF CITY COUNCIL'S JULY 15, 2021 APPROVAL OF ORDINANCE NO. 2021-32, AN ORDINANCE APPROVING THE 245 WOODSIDE PLAT AMENDMENT, LOCATED AT 245 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the Planning Commission held public hearings on August 14, 2019, September 11, 2019, and on October 23, 2019, the Planning Commission held a public hearing to receive input on the 245 Woodside Plat Amendment, Located at 245 Woodside Avenue, Park City, Utah;

WHEREAS, on October 23, 2019, the Planning Commission forwarded a positive recommendation to the City Council to approve the 245 Woodside Plat Amendment according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated herein;

WHEREAS, on September 12, 2019, and December 5, 2019, the City Council held a public hearing to receive input on the Plat Amendment;

WHEREAS, on December 5, 2019, the City Council approved Ordinance No. 2019-60, An Ordinance Approving the 245 Woodside Plat Amendment, Located at 245 Woodside Avenue, Park City, Utah;

WHEREAS, on July 15, 2021, the City Council reviewed the plat approval extension, held a public hearing, and approved a one-year extension for the 245 Woodside Avenue Plat Amendment through July 15, 2022; and

WHEREAS, on September 21, 2022, staff legally noticed the City Council October 6, 2022 public hearing;

WHEREAS, it is in the best interest of Park City, Utah to approve the extension of the 245 Woodside Plat Amendment through October 6, 2023.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. City Council's July 15, 2021 approval of the 245 Woodside Plat Amendment, Attachment 1, is hereby extended through October 6, 2023, subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The site is located at 245 Woodside Avenue.
2. The site is within the Historic Residential-1 District.

3. The site consists of the northern half of Lot 11 and all of Lot 12, Block 31, within Park City Survey.
4. The proposed Plat Amendment creates one (1) Lot from one and a half (1½) Old Town Lots.
5. The Applicant is proposing to remove the interior Lot line between Lot 11 and Lot 12, Block 31, within Park City Survey to create one (1) Lot. The interior Lot line currently bisects the Duplex Dwelling.
6. The minimum Lot size within the Historic Residential-1 District is 1,875 square feet and 3,750 square feet for a Duplex Dwelling.
7. The proposed Lot size is 2,812 square feet. This does not meet the requirements for a Duplex Dwelling.
8. The minimum Lot width within the Historic Residential-1 District is twenty five feet (25').
9. The proposed Lot width is thirty-seven and half feet (37.5').
10. At the time of its construction, the site was located in the Residential-1 Zoning District. The project complied with the following:
 - a. Required Rear Setbacks of 10 feet; complied with a Rear Yard of 28.3 feet, measured.
 - b. Required Building Height of 35 feet; complied with a gable roof at 24 feet and 4 inches, as measured.
11. At the time of its construction, the site did not comply with the following:
 - a. Required Lot Width of 37.5 feet, measured 20 feet back from the Front Lot Line; did not comply as the Structure was built over a 25' wide Lot (Lot 12) and a 12.5' Lot (Lot 11, north half). The Lots together did total 37.5' at this time, but were not actually combined.
 - b. Required Lot Size of 3,000 square feet; did not comply as the Lot size would have been 1,875 square feet for Lot 12 and the north half of Lot 11 would have been 937.5 square feet. Combined, the Lots would have been about 2,812 square feet and would not have complied.
 - c. Required Side Yard Setbacks of 5 feet; did not comply with 3 foot setbacks along the north and south property lines. This is according to the 2010 Building Permit Existing Site Plan showing a Side Setback (north) of approximately 1.75 feet. The south Side Setback is 3 feet on this plan.
 - d. Required Front Setback of 20 feet; did not comply with a Front Setback of 9 feet.
12. Staff believes the Structure was originally built as a Duplex, based on the 1983 Planning Department Determination Letter (Attachment 1). It is undetermined whether the house originally abided by Front and Side Setback requirements, and parking requirements of two (2) parking spaces for a Duplex Dwelling, of the R-1 Zoning District without building plans.
13. In 1976, the Site was rezoned to the Historic Residential-1 (HR-1) Zoning District. The building complies the current HR-1 Zone Height of 27 feet and the Maximum Building Footprint of 1200.5 for the proposed Lot size of 2,812 square feet, per the proposed Plat Amendment. It also complies with the Rear (10 feet) and Side (south Side, 3 feet) setbacks; however, it does not comply with the required Lot Size for a Duplex Use of 3,750, or the Front Setback of 10 feet or Side (north) Setback of 3

feet.

14. As the Site is currently configured in the Front Yard area (east), with a parking area of 225 square feet (9 feet deep by 25 feet wide within the property lines), this site would not be able to accommodate the required 4 parking spaces for a Duplex per LMC 15-3-6.
15. In 2010, two (2) Building Permits were approved to 1) remodel the Structure from a Triplex to a Duplex (BD-10-15955) and 2) repair and add to the existing Front (east) decks, Side landings (south), and stairs (south), and add a Rear Yard deck (BD-10-15565).
16. Dwelling located at 245 Woodside Avenue does not comply with current Land Management Code requirements for a legal Non-complying Structure due to the encroachments in the Front and Side Setbacks, the lack of required parking for a Duplex Use, and the evidence on record related to this property; however, the Duplex Use was allowed in 1974, per the 1968 enacted Zoning Code at the time, and our records indicate that in 1983 the Planning Department issued a letter acknowledging that the use was originally a Duplex Dwelling. There are two (2) sets of stairs on this Site that encroach onto the Woodside Avenue public Right-of-Way. The stairs along the southern property line have an existing Encroachment Agreement, recorded with Summit County as Entry No.00919262.
17. There is a deck on this Site that encroaches into the Woodside Avenue public Right-of-Way. The deck currently projects 9 feet, as measured, from the main Structure into the Front Setback, but also projects 5 feet, as measured, past the Front property line into the Right-of-Way. It is also 27.08 feet wide, as measured. The HR-1 Zone allowed for decks to be 10 feet wide and project into the Front Setback by 3 feet. The current deck configuration exceeds this requirement. Staff believes this was permitted as the deck was existing and the dimensions were not changing per the permit's (BD-10-15565) plans.

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 regarding Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, 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. The Applicant shall record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. Prior to Plat recordation, the Applicant shall either remove the existing deck, retaining walls, paved Parking Area, and stairs (both sets) encroachments from the City Right-of-Way, or enter into an Encroachment Agreement with the City that includes these encroachments conditioned as the City Council deems appropriate. The Applicant is responsible of securing appropriate City approvals and permits before any work on the encroachments can begin. The City Council's, in addition to the City Engineer's, review and approval of the Encroachment Agreement for this 245 Woodside Plat Amendment application will be required.
4. The Applicant may repair or maintain the existing Structure provided that such repair or maintenance shall neither create any new non-compliance nor shall increase the degree of the existing non-compliances with the LMC. The Applicant may maintain and remodel the existing Duplex Dwelling. Should the more than 50% of the Gross Floor Area of the Structure be demolished, the Structure shall be brought into compliance with the Land Management Code at the time of application. As this site does not meet the minimum Lot Size requirements for a Duplex Dwelling, the Use will also need to be brought into compliance with the LMC at the time of application. The Applicant may maintain the existing Use of the site as a Duplex, but any deviation, expansion, or demolition of the existing Structure from this Use will need to come into compliance with the requirements of the HR-1 Zoning District at the time of the application. This is pursuant to [LMC 15-9-5](#).
5. Any future development will need to come into compliance with the Land Management Code and Historic District Design Guidelines in effect at the time of application.
6. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the plat.
7. Ten foot (10') public snow storage easement shall be granted along the Woodside Avenue Right-of-Way.
8. All Conditions of Approval of the Ordinance No. 2019-60 and 2021-32 shall continue to apply.

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

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

PARK CITY MUNICIPAL CORPORATION

MAYOR

ATTEST:

City Recorder

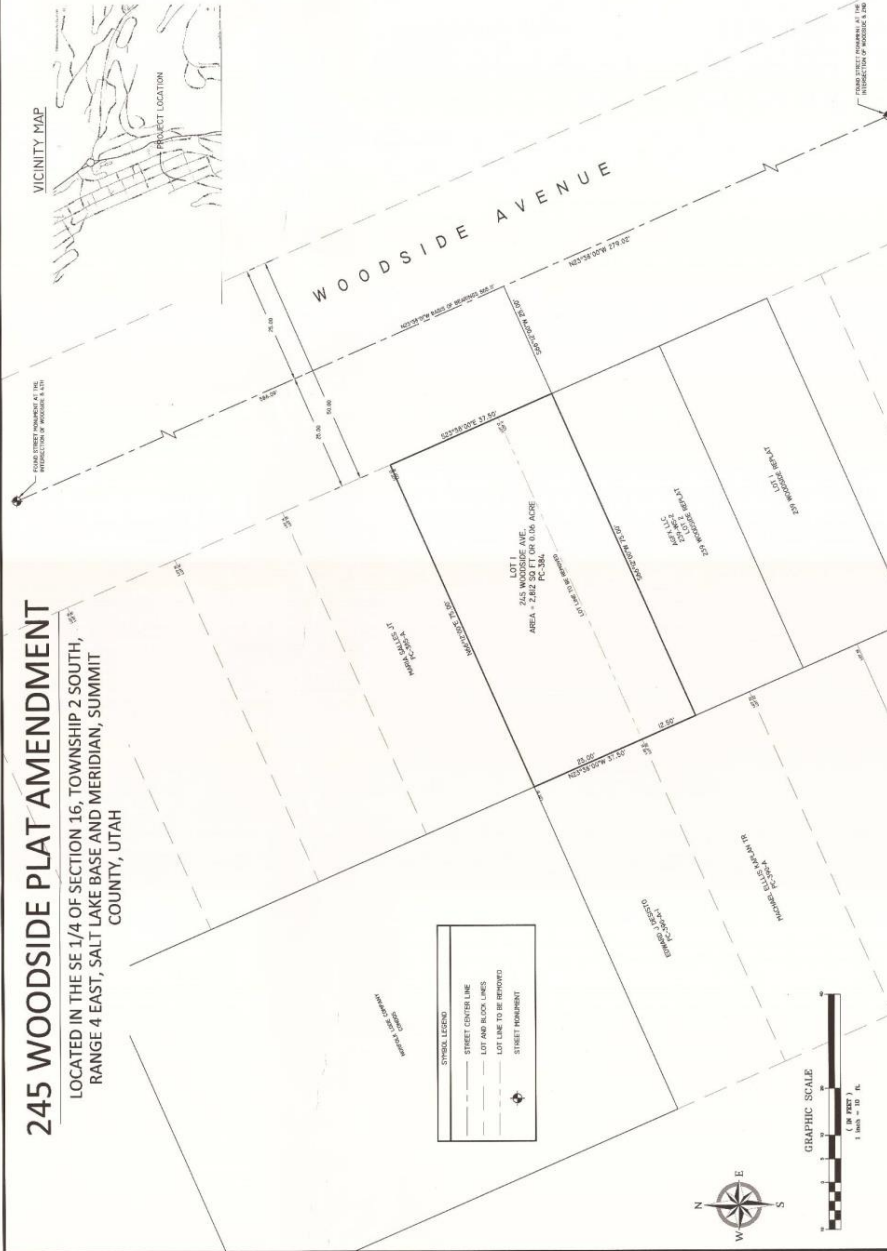
APPROVED AS TO FORM:

City Attorney

Attachment 1 Proposed Plat

245 WOODSIDE PLAT AMENDMENT

LOCATED IN THE SE 1/4 OF SECTION 16, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT
COUNTY, UTAH



SURVEYOR'S CERTIFICATE I, <u>JOHN J. HUBERTSON</u> , SURVEYOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER <u>7736356</u> IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT THIS PLAT AMENDMENT WAS PREPARED BY ME AND UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE PARK CITY MUNICIPAL CORPORATION. <u>JOHN J. HUBERTSON</u> PROFESSIONAL LAND SURVEYOR DATE: <u>02/27/19</u> SURVEYOR'S SEAL		BOUNDARY DESCRIPTION THE NORTH HALF OF LOT 1 AND ALL OF LOT 2 AND ALL OF LOT 3 OF THE PARK CITY SURVEY, ON THE EAST SIDE OF THE SALT LAKE BASE AND MERIDIAN.
OWNER'S DEDICATION KNOW ALL MEN BY THESE PRESENTS THAT <u>SUZANNE M. HERMANN</u> , A SINGLE PERSON, THE UNDERSIGNED, HAS CONVEYED TO THE CITY OF PARK CITY, UTAH, THE RIGHT OF THE CITY OF PARK CITY TO USE THE TRAIL DESCRIBED HEREIN FOR THE PURPOSES OF THE PLAT AMENDMENT TO BE PREPARED AND DOES HEREBY CONSENT TO THE RECOGNITION OF THIS PLAT AMENDMENT. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.		ACKNOWLEDGEMENT STATE OF _____ COUNTY OF _____ ON THIS _____ DAY OF _____, 20____, I, _____, PERSONALLY APPEARED BEFORE ME, <u>SUZANNE M. HERMANN</u> , A SINGLE PERSON, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME. MY COMMISSION EXPIRES: _____ SIGNATURE - NOTARY PUBLIC RESIDING IN _____ COUNTY, _____ SEAL
NOTES 1. RESIDENTIAL FIRE SPRINKLERS WILL BE REQUIRED FOR ALL NEW CONSTRUCTION FOR THE PLAT AMENDMENT. 2. THE PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE _____. 3. SUBJECT PROPERTY IS LOCATED IN ZONE X PER FEMA FLOOD MAP NO. 49038.		RECORDER STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE: _____ PAGE: _____ TIME: _____ BOOK: _____ FILE: _____ SIGNATURE - SUMMIT COUNTY RECORDER

ELEMENT LAND SURVEYING • 2296 SOUTH 270 EAST, HEBER CITY UT 84032 • 801-592-5975 & 801-657-8748



PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION
ON THIS _____ DAY OF _____, 20____
CHIEF CLERK

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PLANNING COMMISSION.
ON THIS _____ DAY OF _____, 20____
ENGINEER

CERTIFICATE OF ATTEST
I CORRECTLY THIS BELOW OF SURVEY MAP WAS PREPARED BY THE CITY OF PARK CITY.
ON THIS 31st DAY OF MAY 20____
CITY CLERK

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL.
ON THIS _____ DAY OF _____, 20____
CITY COUNCIL

MOVIE
PARK CITY RECORDER

Ordinance No. 2021-32

AN ORDINANCE APPROVING AN EXTENSION OF CITY COUNCIL'S DECEMBER 5, 2019 APPROVAL OF ORDINANCE NO. 2019-60, AN ORDINANCE APPROVING THE 245 WOODSIDE PLAT AMENDMENT, LOCATED AT 245 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the Planning Commission held public hearings on August 14, 2019, September 11, 2019, and on October 23, 2019, the Planning Commission held a public hearing to receive input on the 245 Woodside Plat Amendment, Located at 245 Woodside Avenue, Park City, Utah;

WHEREAS, on October 23, 2019, the Planning Commission forwarded a positive recommendation to the City Council to approve the 245 Woodside Plat Amendment according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated herein;

WHEREAS, on September 12, 2019, and December 5, 2019, the City Council held a public hearing to receive input on the Plat Amendment;

WHEREAS, on December 5, 2019, the City Council approved Ordinance No. 2019-60, An Ordinance Approving the 245 Woodside Plat Amendment, Located at 245 Woodside Avenue, Park City, Utah;

WHEREAS, on June 14, 2021, the owner of 245 Woodside Avenue submitted an application with the Planning Department to request a one-year extension of the City Council's approval of Ordinance No. 2019-60;

WHEREAS, on June 30, 2021, staff legally noticed the City Council July 15, 2021 public hearing;

WHEREAS, on July 15, 2021, the City Council reviewed the proposed plat approval extension, held a public hearing, and approved a one-year extension for the 245 Woodside Avenue Plat Amendment through July 15, 2022; and

WHEREAS, it is in the best interest of Park City, Utah to approve the extension of the 245 Woodside Plat Amendment through July 15, 2022.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. City Council's December 5, 2019 approval of the 245 Woodside Plat Amendment, Attachment 1, is hereby extended through July 15, 2022, subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

245 Woodside Avenue**Findings of Fact:**

1. The site is located at 245 Woodside Avenue.
2. The site is within the Historic Residential-1 District.
3. The site consists of the northern half of Lot 11 and all of Lot 12, Block 31, within Park City Survey.
4. The proposed Plat Amendment creates one (1) Lot from one and a half (1½) Old Town Lots.
5. The Applicant is proposing to remove the interior Lot line between Lot 11 and Lot 12, Block 31, within Park City Survey to create one (1) Lot. The interior Lot line currently bisects the Duplex Dwelling.
6. The minimum Lot size within the Historic Residential-1 District is 1,875 square feet and 3,750 square feet for a Duplex Dwelling.
7. The proposed Lot size is 2,812 square feet. This does not meet the requirements for a Duplex Dwelling.
8. The minimum Lot width within the Historic Residential-1 District is twenty five feet (25').
9. The proposed Lot width is thirty-seven and half feet (37.5').
10. At the time of its construction, the site was located in the Residential-1 Zoning District. The project complied with the following:
 - a. Required Rear Setbacks of 10 feet; complied with a Rear Yard of 28.3 feet, measured.
 - b. Required Building Height of 35 feet; complied with a gable roof at 24 feet and 4 inches, as measured.
11. At the time of its construction, the site did not comply with the following:
 - a. Required Lot Width of 37.5 feet, measured 20 feet back from the Front Lot Line; did not comply as the Structure was built over a 25' wide Lot (Lot 12) and a 12.5' Lot (Lot 11, north half). The Lots together did total 37.5' at this time, but were not actually combined.
 - b. Required Lot Size of 3,000 square feet; did not comply as the Lot size would have been 1,875 square feet for Lot 12 and the north half of Lot 11 would have been 937.5 square feet. Combined, the Lots would have been about 2,812 square feet and would not have complied.
 - c. Required Side Yard Setbacks of 5 feet; did not comply with 3 foot setbacks along the north and south property lines. This is according to the 2010 Building Permit Existing Site Plan showing a Side Setback (north) of approximately 1.75 feet. The south Side Setback is 3 feet on this plan.
 - d. Required Front Setback of 20 feet; did not comply with a Front Setback of 9 feet.
12. Staff believes the Structure was originally built as a Duplex, based on the 1983 Planning Department Determination Letter (Attachment 1). It is undetermined whether the house originally abided by Front and Side Setback requirements, and parking requirements of two (2) parking spaces for a Duplex Dwelling, of the R-1 Zoning District without building plans.
13. In 1976, the Site was rezoned to the Historic Residential-1 (HR-1) Zoning District. The building complies the current HR-1 Zone Height of 27 feet and the Maximum

Building Footprint of 1200.5 for the proposed Lot size of 2,812 square feet, per the proposed Plat Amendment. It also complies with the Rear (10 feet) and Side (south Side, 3 feet) setbacks; however, it does not comply with the required Lot Size for a Duplex Use of 3,750, or the Front Setback of 10 feet or Side (north) Setback of 3 feet.

14. As the Site is currently configured in the Front Yard area (east), with a parking area of 225 square feet (9 feet deep by 25 feet wide within the property lines), this site would not be able to accommodate the required 4 parking spaces for a Duplex per LMC 15-3-6.
15. In 2010, two (2) Building Permits were approved to 1) remodel the Structure from a Triplex to a Duplex (BD-10-15955) and 2) repair and add to the existing Front (east) decks, Side landings (south), and stairs (south), and add a Rear Yard deck (BD-10-15565).
16. Dwelling located at 245 Woodside Avenue does not comply with current Land Management Code requirements for a legal Non-complying Structure due to the encroachments in the Front and Side Setbacks, the lack of required parking for a Duplex Use, and the evidence on record related to this property; however, the Duplex Use was allowed in 1974, per the 1968 enacted Zoning Code at the time, and our records indicate that in 1983 the Planning Department issued a letter acknowledging that the use was originally a Duplex Dwelling. There are two (2) sets of stairs on this Site that encroach onto the Woodside Avenue public Right-of-Way. The stairs along the southern property line have an existing Encroachment Agreement, recorded with Summit County as Entry No.00919262.
17. There is a deck on this Site that encroaches into the Woodside Avenue public Right-of-Way. The deck currently projects 9 feet, as measured, from the main Structure into the Front Setback, but also projects 5 feet, as measured, past the Front property line into the Right-of-Way. It is also 27.08 feet wide, as measured. The HR-1 Zone allowed for decks to be 10 feet wide and project into the Front Setback by 3 feet. The current deck configuration exceeds this requirement. Staff believes this was permitted as the deck was existing and the dimensions were not changing per the permit's (BD-10-15565) plans.

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 regarding Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, 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. The Applicant shall record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Prior to Plat recordation, the Applicant shall either remove the existing deck, retaining walls, paved Parking Area, and stairs (both sets) encroachments from the City Right-of-Way, or enter into an Encroachment Agreement with the City that includes these encroachments conditioned as the City Council deems appropriate. The Applicant is responsible of securing appropriate City approvals and permits before any work on the encroachments can begin. The City Council's, in addition to the City Engineer's, review and approval of the Encroachment Agreement for this 245 Woodside Plat Amendment application will be required.
4. The Applicant may repair or maintain the existing Structure provided that such repair or maintenance shall neither create any new non-compliance nor shall increase the degree of the existing non-compliances with the LMC. The Applicant may maintain and remodel the existing Duplex Dwelling. Should the more than 50% of the Gross Floor Area of the Structure be demolished, the Structure shall be brought into compliance with the Land Management Code at the time of application. As this site does not meet the minimum Lot Size requirements for a Duplex Dwelling, the Use will also need to be brought into compliance with the LMC at the time of application. The Applicant may maintain the existing Use of the site as a Duplex, but any deviation, expansion, or demolition of the existing Structure from this Use will need to come into compliance with the requirements of the HR-1 Zoning District at the time of the application. This is pursuant to [LMC 15-9-5](#).
5. Any future development will need to come into compliance with the Land Management Code and Historic District Design Guidelines in effect at the time of application.
6. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the plat.
7. Ten foot (10') public snow storage easement shall be granted along the Woodside Avenue Right-of-Way.
8. All Conditions of Approval of the Ordinance No. 2019-60 shall continue to apply.

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

PASSED AND ADOPTED this 15th day of July, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:



Andy Beerman, MAYOR

ATTEST:

DocuSigned by:



Michelle Kellogg, City Recorder



APPROVED AS TO FORM:

DocuSigned by:



Margaret Plane, City Attorney

435

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
PO Box 1480
Park City UT 84060

UTAH CODE ANNOTATED § 11-13-102
FEE EXEMPT

ENCROACHMENT PERMIT

245 Woodside Avenue (street address)

THIS AGREEMENT is made by and between PARK CITY MUNICIPAL CORPORATION (City) and Suzanne M. Herrmann (Owner(s)) to set forth the terms and conditions under which the City will permit the Owner to build, maintain, and use certain improvements within the City property and right-of-way at 245 Woodside Avenue (street address), Park City, Utah. Subject to the following terms and conditions of this agreement, Owner shall have the right to construct and maintain the identified encroachments within the City right-of-way of at Woodside Avenue (street name).

1. This encroachment agreement shall be appurtenant to the following described property:

PC-384 / 1 / 245 Woodside Plat Amendment

Parcel # Lot# Subdivision

Office Use: Verify Ownership through Summit County Tax Records

This agreement is not transferable to other property, but is freely transferable with the title to this lot. The license and conditions as stated in the agreement, are binding on the successors in title or interest of Owner(s).

2. The improvements permitted within the street right-of-way shall consist of a stairway, deck, and sections of retaining wall. Attach a scaled drawing, labeled as ATTACHMENT 'A', showing the improvements and the location of all related elements, on 8 1/2 "x 11" or 11"x 17" paper. No modifications to the improvements may be made without prior written permission from Park City Municipal Corporation.

3. The City may, at some future date, elect to make improvements to Woodside Avenue (street name) at this location and widen the streets to full width of the right-of-way and City property and/or to install utilities (or allow such installation by franchised utilities). To the extent that any improvements or utility work requires the removal, relocation, replacement, and/or destruction of the improvements the Owner(s) may have been using within the City property right-of-way, the Owner(s) waives any right to compensation for the loss of improvements and loss of the use of the street right-of-way and/or change in the grade and elevation of the street. This waiver of compensation, in the event the improvements are removed for any reason whatsoever in the sole determination of Park City, is the consideration given for the granting of this encroachment permit.

4. Prior to installing City improvements in, along or adjacent to the street or installing utilities in a manner that will require the removal or relocation of the improvements, the City will endeavor to give the Owner(s) sixty (60) days notice, in which time the Owner(s) shall make adjustments and remodel the improvements as necessary to accommodate the changes in the street width, utilities, and-or grade at the Owner(s) cost. Park City and its franchised utilities will attempt to save as much of the Owner(s) improvements as possible but in no way guarantees any salvage value whatsoever.

5. No permanent right, title, or interest of any kind shall vest in the Owner(s) in the street right-of-way by virtue of this agreement. The property interest hereby created is a revocable license, and not an easement or other perpetual interest. No interest shall be perfected under the doctrines of adverse possession, prescription, or other similar doctrines of law based on adverse use, as the use hereby permitted is entirely permissive in nature.

6. The Owner(s) or his/her successor shall maintain the improvements in a good state of repair at all times, and upon notice from the City, will repair any damaged, weakened, or failed sections. The Owner(s) agree(s) to hold the City harmless and indemnify the City for any and all claims which might arise from third parties, who are injured as a result of the Owner's use of the right-of-way for private purposes, or from the failure of the Owner's improvements.

7. This agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City regarding a notice of revocation with the Summit County Recorder and sending notice to Owner or the Owner's successor.

ENTRY NO. 01190715

06/13/2022 11:50:12 AM B: 2744 P: 1762

Encroachment PAGE 1/5

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 0.00 BY PARK CITY MUNICIPAL CORP

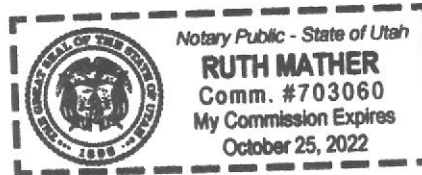


PARK CITY MUNICIPAL CORPORATION

DATED this 9 day of June, 2022

John Robertson
Engineer

STATE OF UTAH)
COUNTY OF SUMMIT)



On the 9 day of June, 2022, John Robertson personally appeared before me Ruth Mather who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Owner(s) of the property or, if the Owner(s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.

Ruth Mather
Notary Public

PROPERTY OWNER

[Signature]
*Owner's Signature

618 Ellsworth Dr., Silver Springs, MD 20910
Mailing Address

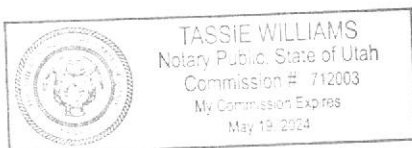
Suzanne M. Hermann

Owner's Name (Printed)
smh@employee-plans.com
email address or phone number

***If doing business as an LLC proof must be provided that the signatory can sign for the LLC.**

STATE OF UTAH)
COUNTY OF SUMMIT)

On the 17th day of December, 2021, Suzanne M. Hermann personally appeared before me Tassie Williams who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Owner(s) of the property or, if the Owner(s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.



Tassie Williams
Notary Public

Page 2 of 2

Account 0020556

Location	Owner	Value			
Account Number 0020556	Name HERRMANN SUZANNE M	Market (2022)	\$1,378,562		
Acres 0.06	618 ELLSWORTH DR	Taxable	\$1,378,562		
Situs 245 WOODSIDE AVE ,	SILVER SPRING, MD 20910	Tax Area: 06	Tax Rate: 0.007620		
Tax District 06 - PARK CITY A,J,K,U(A-1) (D-D)(%)		Type	Actual	Assessed	SQFT Units
		Improvement	\$578,562	\$578,562	1426.000
		Land	\$800,000	\$800,000	1.000
Parcel Number PC-384					
Geo Neighborhood 01-04-01 - .03 TO .06 ACRE					
Legal THE N1/2 OF LOT 11 & ALL LOT 12 BLK 31 PARK CITY SURVEY M51-184 M58-422 M186-325M219-710 M235-442-443 M251-628 274-153277-457 1020-529 1458- 316 1660-225 2145-468					
Parent Parcels					
City					

Transfers

<u>Entry Number</u>	<u>Form Name</u>	<u>Recording Date</u>
<u>00952506</u>	<u>Warranty Deed 25</u>	<u>09/04/2012 10:38:58 AM</u>
<u>00716903</u>		<u>11/15/2004 12:38:00 PM</u>
<u>00623740</u>		<u>07/02/2002 09:03:00 AM</u>
<u>00471153</u>		<u>01/09/1997 02:14:00 PM</u>
<u>00211388</u>		<u>09/29/1983 11:35:00 AM</u>

TaxImages

<u>Tax Year</u>	<u>Taxes</u>
*2022	\$10,504.64
2021	\$6,408.94

* Estimated



245 Woodside Ave

Park City, Utah



Street View - May 2019



Quit-N-Timer

ave





City Council Staff Report

Subject: 1162 Woodside Avenue
Author: Jaron Ehlers
Department: Planning
Date: October 6, 2022
Type of Item: Administrative – Plat Amendment Extension

Recommendation

(I) Review the proposed 1162 Woodside Avenue Plat Amendment extension, (II) conduct a public hearing, and (III) consider approving Ordinance No. 2022-40 (Exhibit A).

Description

Applicant: Brandon Aucunas
Location: 1162 Woodside Avenue, a Landmark Historic Structure
Zoning District: Historic Residential - 1
Adjacent Land Uses: Residential; City Public Library
Reason for Review: City Council reviews and takes Final Action on plat amendment extensions¹

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

On June 13, 2022, the Planning Department received an application for a one-year extension for the 1162 Woodside Avenue Plat Amendment to combine Lot 17 and the North ½ of Lot 18 of Block 5 of Snyder's Addition to create one (1) Lot for a Landmark Historic Structure.

Background

1162 Woodside Avenue is a Landmark Historic Structure located across 12th Street from the City Public Library. The Applicant proposes rehabilitating the Landmark Historic Structure.

¹ LMC [§ 15-7.1-6\(C\)](#)



On June 10, 2020, the Planning Commission reviewed the 1162 Woodside Avenue plat amendment to remove a Lot line and create one Lot for the Landmark Historic Structure and unanimously forwarded a positive recommendation to the City Council ([Staff Report](#); [Minutes](#), p. 29). On June 18, 2020, the City Council adopted [Ordinance No. 2020-28](#), approving the 1162 Woodside Avenue plat amendment ([Staff Report](#); [Minutes](#), p. 7).

The City Council approval of [Ordinance No 2020-28](#) outlined several Conditions of Approval the Applicant was required to fulfill. 1162 Woodside Avenue

encroaches onto the 12th Street right-of-way, requiring an encroachment agreement with the Engineering Department.² 1158 Woodside Avenue to the south of 1162 Woodside Avenue is a Significant Historic Structure that encroaches onto the 1162 Woodside Avenue property. [Ordinance No. 2020-28](#) Condition of Approval 5 required the Property Owner to enter into an encroachment agreement with the Property Owner of the adjacent 1158 Woodside Avenue.³

[Ordinance No. 2020-28](#) Condition of Approval 2 required the property owner to record the Plat Amendment by June 18, 2021. However, the property owner was not able to complete the agreement with the adjacent property owner by that date. On May 13, 2021, the property owner submitted an Extension Application to seek City Council extension of the 1162 Woodside Avenue Plat Amendment approval to allow the property owner additional time to complete the encroachment agreement with the neighbor. On July 15, 2021, the City Council adopted [Ordinance No. 2021-33](#), granting a one-year extension ([Staff Report](#); [Minutes](#), p. 17).

[Ordinance No. 2021-33](#) Condition of Approval 2 required the Plat Amendment to be recorded with the County by July 15, 2022. However, due to a change of ownership, the Plat Amendment signature blocks needed to be updated and reviewed a second time. The new property owner worked to meet the July 15, 2022 deadline; however, an additional signature from an out-of-state individual was required. Unfortunately, the Plat was not shipped back by July 15, 2022. On July 13, 2022, the Applicant submitted an Extension Application to seek City Council approval of another one-year extension for the 1162 Woodside Avenue Plat Amendment. The Applicant has now completed all Conditions of Approval and obtained final signatures, and if the City Council approves the extension, the Applicant will be able to record the Plat Amendment with Summit County.

² [Ordinance No. 2020-28](#) Condition of Approval 4 required the Applicant to enter into an encroachment agreement with the City. The Applicant completed this Condition on May 2, 2021 (Summit County Recorder Entry No. 1162714) (Exhibit B).

³ The Applicant completed this Condition on March 3, 2022 (Summit County Recorder Entry No. 1184622) (Exhibit C).

Analysis

(I) The proposal to extend the 1162 Woodside Avenue Plat Amendment complies with the Land Management Code.

Land Management Code (LMC) § [15-7.1-6\(C\)\(5\)](#) states that the Applicant may request that City Council approve an extension of a plat approval. The City Council may grant the extension when the Applicant demonstrates there is no change in circumstance that would result in an unmitigated impact or a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. A change in circumstance includes physical changes to the Property or surroundings.

The 1162 Woodside Avenue Plat Amendment removes an internal Lot line that runs along the southern façade of the Landmark Historic Structure, resolving Non-Complying Side Setbacks for the southern façade:



The proposed 1162 Woodside Avenue Plat Amendment complied with LMC § [15-2.2-3](#), Lot And Site Requirements for the Historic Residential – 1 Zoning District at the time of Council approval and continues to comply with the LMC, as outlined in Findings of Fact four through 12 in the Draft Ordinance No. 2022-40. Additionally, no amendments to the General Plan or Land Management Code result in non-compliance.

Extension of the 1162 Woodside Avenue Plat Amendment does not result in an unmitigated impact or non-compliance with the General Plan or Land Management Code and provides the Applicant time to record the Plat Amendment with the County Recorder without starting the Plat Amendment application process again.

Department Review

The Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website on September 20, 2022. Staff posted notice to the property and mailed courtesy notice to property owners within 300 feet on September 21, 2022. LMC § [15-1-21](#).

Public Input

Staff did not receive any public input at the time this report was published

Alternatives

- The City Council may approve Ordinance No. 2022-40;
- The City Council may deny Ordinance No. 2022-40 and direct staff to make Findings for the denial; or
- The City Council may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Ordinance No. 2022-40

Exhibit B: Proposed Plat

Exhibit C: Encroachment Agreement with City

Exhibit D: Encroachment Agreement with Adjacent Property owner

Exhibit E: Letter from Applicant

Ordinance No. 2022-40

**ORDINANCE APPROVING AN EXTENSION OF CITY COUNCIL'S JUNE 18, 2020
APPROVAL OF ORDINANCE NO. 2020-28, AN ORDINANCE APPROVING THE 1162
WOODSIDE AVENUE PLAT AMENDMENT, LOCATED AT 1162 WOODSIDE
AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 1162 Woodside Avenue petitioned the City Council for approval of a Plat Amendment to remove an internal lot line; and

WHEREAS, on June 10, 2020, the Planning Commission conducted a duly noticed public hearing and unanimously forwarded a positive recommendation to the City Council to approve the 1162 Woodside Avenue Plat amendment; and

WHEREAS, on June 18, 2020, the City Council conducted a duly noticed public hearing and adopted Ordinance No. 2020-28, Approving the 1162 Woodside Avenue Plat Amendment, Located at 1162 Woodside Avenue, Park City, Utah; and

WHEREAS, on July 15, 2021, the City Council conducted a duly noticed public hearing and adopted Ordinance No. 2021-33, approving a one-year extension; and

WHEREAS, due to a change of ownership of the property, the Plat Amendment required modifications and additional review prior to recordation with Summit County;

WHEREAS, the Applicant proposes an extension of approval in order to complete the Plat Amendment and to record the 1162 Woodside Avenue Plat Amendment with Summit County;

WHEREAS, on October 6, 2022, the City Council duly noticed a public hearing for the 1162 Woodside Avenue Plat Amendment, conducted a public hearing, and approved a one-year extension; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the extension of the 1162 Woodside Avenue Plat Amendment through October 6, 2023.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as Findings of Fact. City Council's June 18, 2020 approval of Ordinance No. 2020-28 is hereby extended through October 6, 2023, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. On May 8, 2020, the Applicant submitted a complete Plat Amendment application to the Planning Department to combine Lot 17 and the North ½ of Lot 18, Block 5 of the Snyder's Addition to create one Lot.
2. The property is located at 1162 Woodside Avenue and is designated a Landmark Historic Structure on the Park City Historic Sites inventory.
3. The property is in the Historic Residential – 1 Zoning District.
4. The proposed Lot complies with the Historic Residential – 1 Zoning District requirements outlined in Land Management Code Chapter 15-2.2.
5. The minimum lot area is 1,875 square feet. The proposed lot is 2,813 square feet.
6. The minimum lot width is 25 feet. The proposed lot width is 37.5 feet.
7. The lot depth is 75 feet.
8. The maximum building footprint is 1,201 square feet. New development must comply.
9. The minimum front and rear setbacks are 10 feet. New development must comply.
10. The minimum side setback is three feet. New development must comply.
11. The minimum corner lot setback is five feet. New development must comply.
12. The maximum building height is 27 feet. New development must comply.
13. The proposal complies with Land Management Code Section 15-7.1-6(C)(5) for City Council extension of Plat Amendment approvals.

Conclusions of Law

1. There is Good Cause for this Plat Amendment extension because it removes an internal Lot line and resolves non-compliant side setbacks along the south façade of the Landmark Historic Structure.
2. The Plat Amendment extension is consistent with the Park City Land Management Code.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment extension.
4. Approval of the Plat Amendment extension, 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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with Utah law, the Land Management Code, and the Conditions of Approval prior to recordation of the plat.
2. The Applicant shall record the plat with Summit County within one year from the date of City Council approval. If recordation has not occurred by October 6, 2023, the plat approval will be void.
3. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.

4. A 10-foot public snow storage easement on 12th Street and Woodside Avenue shall be noted on the plat.
5. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

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

PASSED AND ADOPTED this October 6, 2022.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, MAYOR

Date

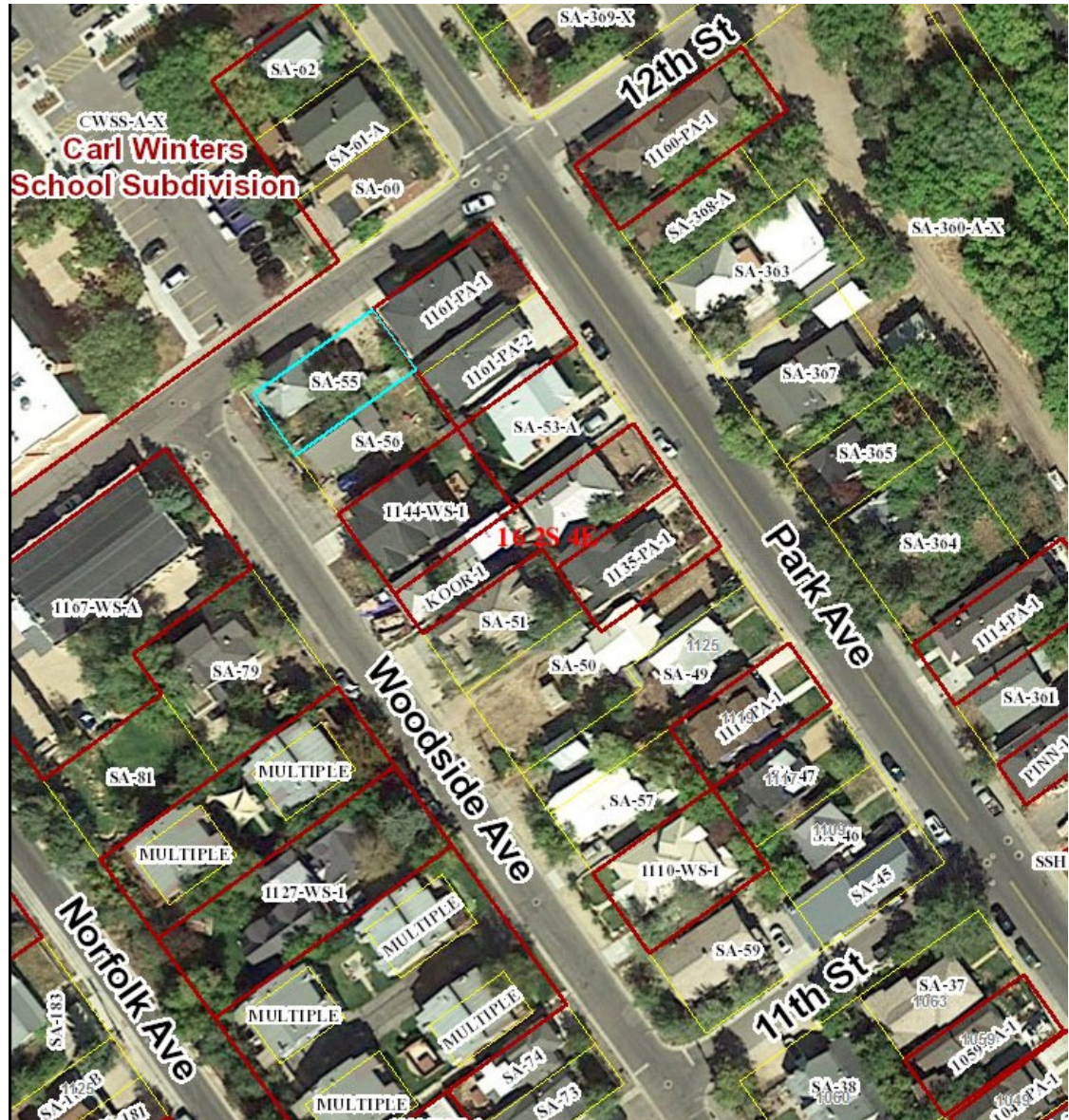
ATTEST:

City Recorder

APPROVED AS TO FORM:

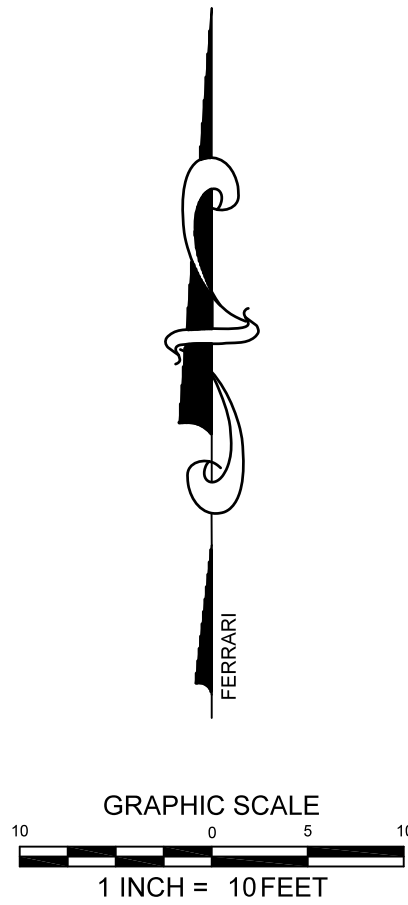
City Attorney's Office

Attachment 1 – Proposed Plat



VICINITY AND ZONING MAP
NOT TO SCALE

1162 WOODSIDE PLAT AMENDMENT
AMENDMENT TO A PORTION OF BLOCK 5
SNYDERS ADDITION TO PARK CITY
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2S RANGE 4E
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



OWNER'S DEDICATION AND CONSENT TO RECORD

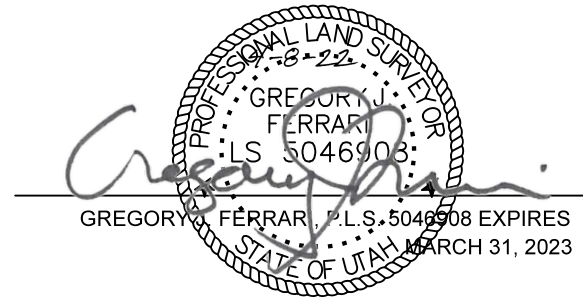
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND AND HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED TO BE HEREAFTER KNOWN AS THE 1162 WOODSIDE PLAT AMENDMENT DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS, EASEMENTS AND OTHER AREAS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON. IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS ____ DAY OF _____, 2022.

BRANDON AUCUNAS

SAMANTHA BURKLEY

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 5046908, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND HAVE AMENDED SUBDIVISION PLAT, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS 1162 WOODSIDE PLAT AMENDMENT AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



LEGAL DESCRIPTION:

LOT 1:
LOT 17 AND THE NORTH 1/2 OF LOT 18, BLOCK 5, SNYDERS ADDITION TO PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDERS OFFICE.
MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF LOT 17, BLOCK 5, SNYDERS ADDITION TO PARK CITY THENCE SOUTH 35°59'00" EAST 37.50 FEET; THENCE SOUTH 54°01'00" WEST 75.00 FEET; THENCE NORTH 35°59'00" WEST 37.50 FEET; THENCE NORTH 54°01'00" EAST 75.00 FEET TO THE POINT OF BEGINNING.

NOTES:

- THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL IN ORDINANCE 2020-28 AND 2021-33.
- NEW CONSTRUCTION SHALL MEET LOT AND SITE REQUIREMENTS OF THE HR-1 DISTRICT PER THE LAND MANAGEMENT CODE IN EFFECT AT THE TIME OF BUILDING PERMIT SUBMITTAL.
- FIRE SPRINKLERES ARE REQUIRED FOR NEW CONSTRUCTION.

LEGEND:

---	PROPERTY LINE	○ 5/8" REBAR & CAP LS3559005
---	ADJOINING PROPERTY LINE	● 5/8" REBAR & CAP LS5046908
---	CENTER LINE	
---	LOT LINE	
---	SNOW STORAGE EASEMENT	

ACKNOWLEDGMENT

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF _____, 2022, BRANDON AUCUNAS

PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BE ME DULY SWORN/AFFIRMED, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE 1162 WOODSIDE AVENUE PLAT AMENDMENT.

MY COMMISSION EXPIRES

NOTARY PUBLIC
RESIDING IN

CONSENT TO RECORD

STATE OF)
COUNTY OF)

THE UNDERSIGNED LIEN HOLDER HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT.

BY
AUTHORIZED OFFICIAL

THE FOREGOING CONSENT TO RECORD WAS ACKNOWLEDGED BEFORE ME
THIS ____ DAY OF _____, 2022 BY:

MY COMMISSION EXPIRES

NOTARY PUBLIC
RESIDING IN



P.O.BOX 683001
PARK CITY, UT 84068

PARK CITY MUNICIPAL CORPORATION
APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL
THIS DAY 15 DAY OF JULY, 2021
BY: _____ MAYOR

PUBLIC SAFETY ANSWERING POINT
APPROVAL
APPROVED _____
THIS ____ DAY OF _____, 2022 A.D.
BY: _____
SUMMIT COUNTY GIS COORDINATOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON
THIS ____ DAY OF _____, 2022 A.D.
BY: _____
SNYDERVILLE BASIN RECLAMATION DISTRICT

PLANNING COMMISSION
RECOMMENDED BY THE
PARK CITY PLANNING COMMISSION
THIS 10 DAY OF JUNE, 2020 A.D.
BY: _____ CHAIR

CITY ENGINEER
I FIND THIS PLAT TO BE IN ACCORDANCE WITH
INFORMATION ON FILE IN MY OFFICE
THIS ____ DAY OF _____, 2022 A.D.
BY: _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 2022 A.D.
BY: _____
CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT MAP WAS APPROVED BY THE LAND
USE AUTHORITY THIS ____ DAY OF _____, 2022 A.D.
BY: _____
CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE ____ TIME ____ BOOK ____ PAGE ____
ENTRY NO. _____
FEE _____ COUNTY RECORDER

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
PO Box 1480
Park City UT 84060

ENTRY NO. 01162714

05/03/2021 11:29:55 AM B: 2661 P: 1658

Encroachment PAGE 1/4

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 0.00 BY PARK CITY MUNICIPAL CORP



ENCROACHMENT PERMIT

1162 Woodside Ave (street address)

FEE EXEMPT

UTAH CODE ANNOTATED § 11-13-102

THIS AGREEMENT is made by and between PARK CITY MUNICIPAL CORPORATION (City) and RUCKER BYRNS (Owner(s)) to set forth the terms and conditions under which the City will permit the Owner to build, maintain, and use certain improvements within the City property and right-of-way at 1162 Woodside Avenue (street address), Park City, Utah. Subject to the following terms and conditions of this agreement, Owner shall have the right to construct and maintain SINGLE FAMILY HOME within the City right-of-way of 12th STREET AND WOODSIDE (street name).

1. This encroachment agreement shall be appurtenant to the following described property:

SA-SS / SS / SINDERVILLE ADDITION
Parcel # Lot# Subdivision

Office Use: Verify Ownership through Summit County Tax Records

This agreement is not transferable to other property, but is freely transferable with the title to this lot. The license and conditions as stated in the agreement, are binding on the successors in title or interest of Owner(s).

2. The improvements permitted within the street right-of-way shall consist of Structure. Attach a scaled drawing, labeled as ATTACHMENT 'A', showing the improvements and the location of all related elements, on 8 1/2 "x 11" or 11"x 17" paper. No modifications to the improvements may be made without prior written permission from Park City Municipal Corporation.

3. The City may, at some future date, elect to make improvements to woodside (street name) at this location and widen the streets to full width of the right-of-way and City property and/or to install utilities (or allow such installation by franchised utilities). To the extent that any improvements or utility work requires the removal, relocation, replacement, and/or destruction of the improvements the Owner(s) may have been using within the City property right-of-way, the Owner(s) waives any right to compensation for the loss of improvements and loss of the use of the street right-of-way and/or change in the grade and elevation of the street. This waiver of compensation, in the event the improvements are removed for any reason whatsoever in the sole determination of Park City, is the consideration given for the granting of this encroachment permit.

4. Prior to installing City improvements in, along or adjacent to the street or installing utilities in a manner that will require the removal or relocation of the improvements, the City will endeavor to give the Owner(s) sixty (60) days notice, in which time the Owner(s) shall make adjustments and remodel the improvements as necessary to accommodate the changes in the street width, utilities, and-or grade at the Owner(s) cost. Park City and its franchised utilities will attempt to save as much of the Owner(s) improvements as possible but in no way guarantees any salvage value whatsoever.

5. No permanent right, title, or interest of any kind shall vest in the Owner(s) in the street right-of-way by virtue of this agreement. The property interest hereby created is a revocable license, and not an easement or other perpetual interest. No interest shall be perfected under the doctrines of adverse possession, prescription, or other similar doctrines of law based on adverse use, as the use hereby permitted is entirely permissive in nature.

6. The Owner(s) or his/her successor shall maintain the improvements in a good state of repair at all times, and upon notice from the City, will repair any damaged, weakened, or failed sections. The Owner(s) agree(s) to hold the City harmless and indemnify the City for any and all claims which might arise from third parties, who are injured as a result of the Owner's use of the right-of-way for private purposes, or from the failure of the Owner's improvements.

7. This agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City regarding a notice of revocation with the Summit County Recorder and sending notice to Owner or the Owner's successor.

PARK CITY MUNICIPAL CORPORATION

DATED this 19th day of April, 2021

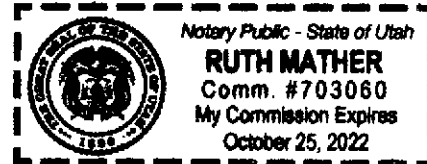
[Signature]

Engineer

STATE OF UTAH)

ss

COUNTY OF SUMMIT)



On the 19 day of April, 2021, Coray Legge personally appeared before me Ruth Mather who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Owner(s) of the property or, if the Owner(s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.

[Signature]

Notary Public

PROPERTY OWNER

[Signature]

*Owner's Signature

Tucker

Owner's Name (Printed)

Mailing Address

email address or phone number

***If doing business as an LLC proof must be provided that the signatory can sign for the LLC.**

STATE OF Florida
Palm Beach
COUNTY OF SUMMIT)

On the 10 day of March, 2021, Tucker Perkins personally appeared before me personally known who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Owner(s) of the property or, if the Owner(s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.



[Signature]
Notary Public

Page 2 of 2

Account 0029243

Location

Account Number 0029243

Acres 0.06

Situs 1162 WOODSIDE AVE ,

Tax District 60 - PARK CITY A,J,K,U (D-D)
(A-2)

Parcel Number SA-55

Legal ALL LOT 17 & N1/2 LOT 18 BLK 5
SNYDERS ADDITION TO PARK CITY
UWD-541 TWD-327 M54-26 M267-133 513-
701 906-208-811 958-804 1401-1120 1402-818
1500-1719 1501-915 1683-1181-1198 1823-
1118 2094-1846 2099-739 2156-1115

Geo Neighborhood 01-04-01 - .03 TO .06
ACRE

Owner

Name PERKINS AL (JT)

2 DANCERS IMAGE LN
NORTH HAMPTON, NH 03862

Value

Market (2020) \$740,060

Taxable \$407,033

Tax Area: 60 Tax Rate: 0.008089

Type	Actual	Assessed	SQFT	Units
Improvement	\$140,060	\$77,033	1100.000	
Land	\$600,000	\$330,000		1.000

Transfers

Entry Number

00957275
00931934
00929969
00793970
00728564
00728562
00643415
00643258
00600907
00600607
00452480
00437087
00436838
00305160

Form Name

Recording Date

11/15/2012 04:38:42 PM
10/13/2011 12:14:37 PM
09/08/2011 04:09:32 PM
10/16/2006 02:56:00 PM
03/08/2005 04:18:00 PM
03/08/2005 04:17:00 PM
01/02/2003 02:25:00 PM
12/31/2002 02:02:00 PM
10/17/2001 03:37:00 PM
10/15/2001 03:12:00 PM
04/17/1996 04:19:00 PM
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09/06/1995 03:55:00 PM
02/28/1989 03:52:00 AM

Tax

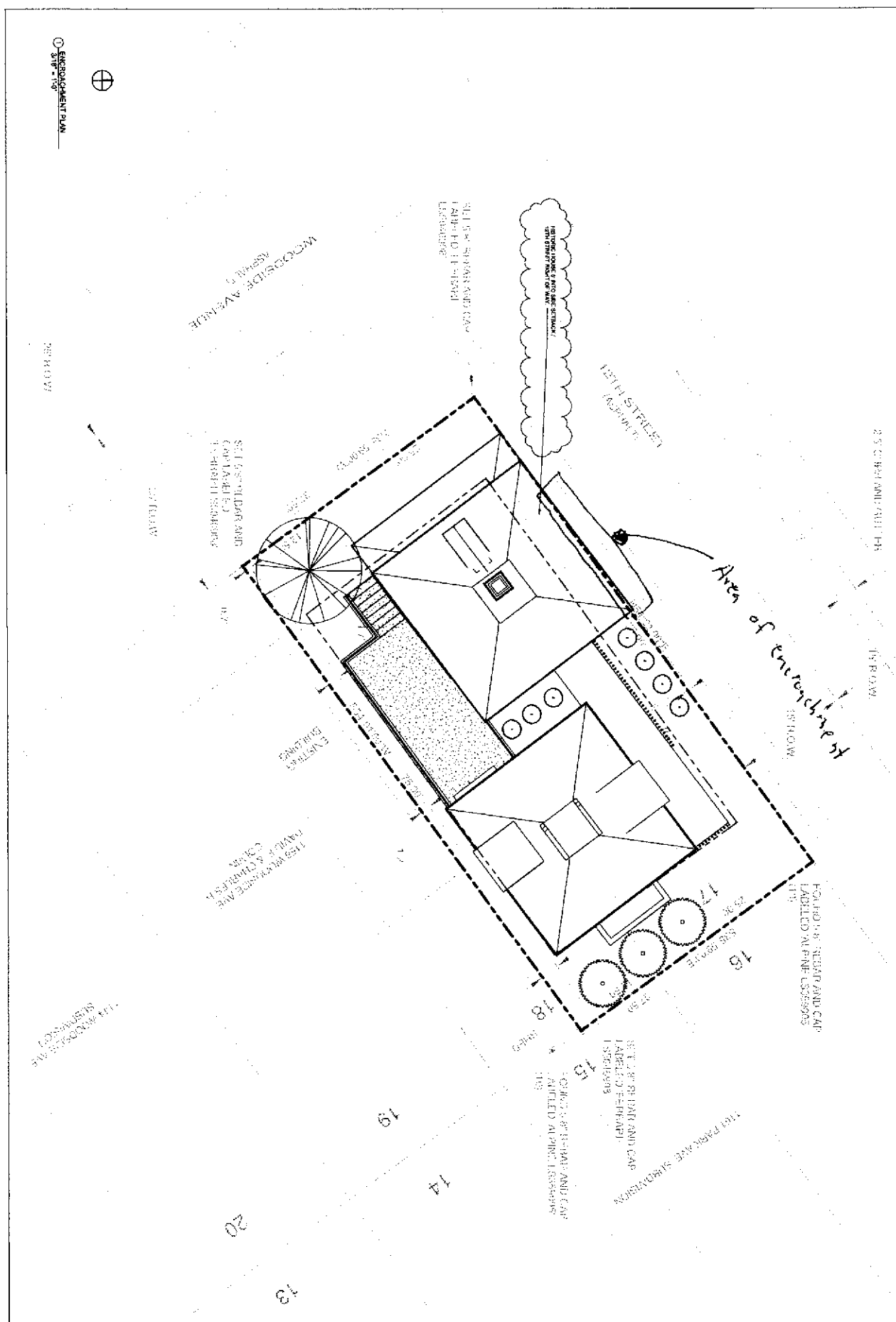
Images

Tax Year

Taxes

*2021	\$3,292.49
2020	\$3,292.49

* Estimated



When Recorded, Return to:

Matthew B. Hutchinson
HOGGAN LEE HUTCHINSON
1225 Deer Valley Drive, Suite 201
Park City, Utah 84060

01184522 B: 2726 P: 1761

Page 1 of 7

Rhonda Francis Summit County Recorder

03/03/2022 11:10:14 AM Fee \$40.00

By FIRST AMERICAN - SUN PEAK

Electronically Recorded

HPN SA-SS, SA-SL

ENCROACHMENT EASEMENT AGREEMENT

THIS ENCROACHMENT EASEMENT AGREEMENT (this "Agreement") is made and entered into this 29th day of September, 2021, by and between BRANDON AUCUNAS and SAMANTHA BURKLEY, joint tenants (collectively, "Grantor"); and SHAWN COLVIN, an individual, and STEPHANIE KANN, an individual (collectively, "Grantee"); collectively referred to herein as the "Parties" and, individually, a "Party".

WHEREAS, Grantor is the owner of a certain parcel of land in the City of Park City, County of Summit, State of Utah, which parcel is more particularly described as the "Grantor Property" on Exhibit "A" attached hereto and incorporated herein by reference (the "Grantor Property"); and

WHEREAS, Grantee is the owner of a certain parcel of land immediately adjacent to the Grantor Property, in the City of Park City, County of Summit, State of Utah, which parcel is more particularly described as the "Grantee Property" on Exhibit "A" (the "Grantee Property"); and

WHEREAS, certain improvements on the Grantee Property (the "Encroachment Improvements") encroach onto portions of the Grantor Property located immediately beneath the Encroachment Improvements (the "Encroachment Properties"), which Encroachment Improvements are depicted on Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, Grantor is willing to grant to Grantee an easement allowing the Encroachment Improvements to remain on the Encroachment Properties, subject to and in accordance with the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

AGREEMENT

1. Grant of Easements. Grantor, as owner of the Grantor property (including the Encroachment Properties), hereby grants to Grantee, as the owner of the Grantee Property and the Encroachment Improvements, for the benefit of the Grantee Property, exclusive easements in, to, over and across the Encroachment Properties, to permit the Encroachment Improvements to encroach upon the Encroachment Properties as the Encroachment Improvements are currently configured, and allowing Grantee to use, operate, maintain and repair the Encroachment Improvements on the Encroachment Properties (the "Encroachment Easements"); provided, no such use by Grantee shall unreasonably interfere with Grantor's use of the Grantor Property, and Grantee shall promptly repair any damage to the Grantor Property and/or the improvements

thereon caused by, through or under Grantee, or by the Encroachment Improvements, at no expense to Grantor and in a good, workmanlike and lien-free manner. Each of the Encroachment Easements shall expire and terminate automatically in the event the Encroachment Improvements located thereon shall cease to exist in a habitable condition; provided, in the event any such Encroachment Improvements are damaged or destroyed by casualty, Grantee shall have the right to promptly restore the same to their configuration prior to such casualty, in which event the related Encroachment Easement(s) shall remain in full force and effect.

2. AS-IS CONDITION. GRANTEE HAS INSPECTED THE ENCROACHMENT PROPERTIES AND ACCEPTS THE ENCROACHMENT PROPERTIES AND ENCROACHMENT EASEMENTS IN "AS-IS", "WHERE-IS" CONDITION, WITH ALL FAULTS, AND GRANTEE AGREES THAT GRANTOR HAS NOT MADE, AND DOES NOT MAKE, ANY WARRANTY OR REPRESENTATION WHATSOEVER, EXPRESS OR IMPLIED, AS TO THE PHYSICAL CONDITION OF THE ENCROACHMENT PROPERTIES. NOTWITHSTANDING THE FOREGOING, GRANTOR HEREBY REPRESENTS AND WARRANTS TO GRANTEE THAT IT OWNS THE GRANTOR PROPERTY (INCLUDING THE ENCROACHMENT PROPERTIES) AND HAS FULL AUTHORITY TO GRANT THE ENCROACHMENT EASEMENTS.

3. Maintenance; Indemnity. Grantee shall use, operate, maintain and repair the Encroachment Properties and the Encroachment Improvements in good condition and repair at no cost to Grantor. Grantee hereby indemnifies, holds harmless and agrees to defend Grantor from and against all claims, actions, liabilities and expenses in connection with loss of life, bodily injury and/or damage to property arising from or out or in connection with the Encroachment Improvements.

4. Covenants Run with the Land; Duration. The Encroachment Easements shall be a burden upon the Grantor Property, shall be equitable servitudes on the Grantor Property, shall be appurtenant to and for the benefit of the Grantee Property, shall run with the land in accordance with applicable laws, and shall be binding upon and inure to the benefit of the respective successors and assigns of the Parties.

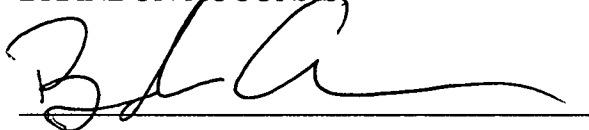
5. Location of Encroachment Improvements. As of the date of this Agreement, the Parties believe that the Encroachment Improvements are in the location noted in Exhibit B. If Grantee determines that the Encroachment Improvements are in a different location, and demonstrates the actual location to Grantor's reasonable satisfaction, Grantee may propose an amendment to this Agreement, and Grantor shall execute and grant permission for Grantee to record the same at Grantee's expense.

6. Miscellaneous Provisions. If any term or provision of this Agreement or the application of it to any person or circumstance shall to any extent be invalid or unenforceable, then such term or provision shall be to that extent stricken or disregarded and the remainder of this Agreement or the application of such term or provision to persons or circumstances, other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law. This Agreement is not intended to create, nor shall it be in any way interpreted or construed to create, any third party beneficiary rights. This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not in favor of or against either Party.

by the laws of the State of Utah. If either Party brings or commences any legal action or proceeding, or takes any other action, to enforce any of the terms of this Agreement (or for damages by reason of an alleged breach of this Agreement), the prevailing Party in such action shall be entitled to recover from the other Party all costs and expenses incurred in connection therewith, including reasonable attorneys' fees and costs. This Agreement is to be executed in any number of counterparts, each of which shall be an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, this Agreement has been executed as of the date written above.

BRANDON AUCUNAS

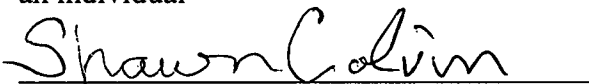


SAMANTHA BURKLEY

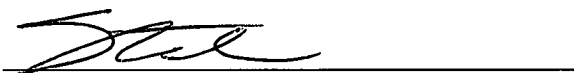


"Grantor"

SHAWN COLVIN,
an individual



STEPHANIE KANN,
an individual



"Grantee"

ACCOMMODATION RECORDING ONLY

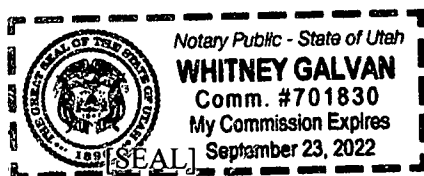
This document is being recorded solely as a courtesy and an accommodation to the parties named herein. First American Title Insurance Company makes no representation as to the condition of title and hereby expressly disclaims any responsibility or liability for the content, validity, accuracy, sufficiency, or effects of the document.

STATE OF Utah)
COUNTY OF Summit) ss.

The foregoing instrument was acknowledged before me this 29th day of September, 2021, by BRANDON AUCUNAS, an individual.

Witness my hand and official seal.

My commission expires: 9/23/22



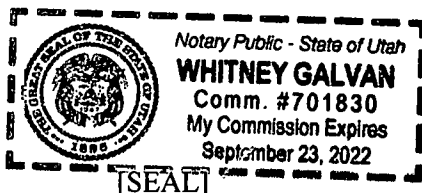
Whitney Galvan
Notary Public

STATE OF Utah)
COUNTY OF Summit) ss.

The foregoing instrument was acknowledged before me this 21st day of September, 2021, by SAMANTHA BURKLEY, an individual.

Witness my hand and official seal.

My commission expires: 9/23/22



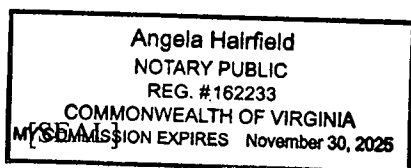
Whitney Galvan
Notary Public

STATE OF Virginia)
COUNTY OF Fairfax) ss.

The foregoing instrument was acknowledged before me this 14th day of ~~September~~ Jan, 2022, by SHAWN COLVIN, an individual.

Witness my hand and official seal.

My commission expires: 11-30-2025



Angela Hairfield
Notary Public

STATE OF District of Columbia
COUNTY OF Washington SS.

The foregoing instrument was acknowledged before me this 16 day of February, 2022, by
STEPHANIE KANN, an individual. 

Witness my hand and official seal.

My commission expires:

8/31/2022

Roberta Y. Mathis
Notary Public

[SEAL]

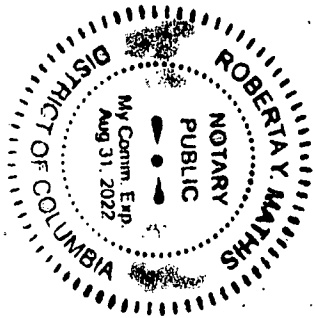


EXHIBIT "A"

GRANTOR PROPERTY

LOT 17 AND THE NORTH ½ OF LOT 18, BLOCK 5, SNYDER'S ADDITION TO PARK CITY SURVEY, according to the official plat thereof on file and of record in the Office of the Summit County Recorder, Summit County, Utah

Tax Parcel No.: SA-55

GRANTEE PROPERTY

THE SOUTH ½ OF LOT 18 AND ALL OF LOT 19, BLOCK 5, SNYDER'S ADDITION, according to the official plat thereof on file and of record in the Summit County Recorder's Office

Tax Parcel No.: SA-56

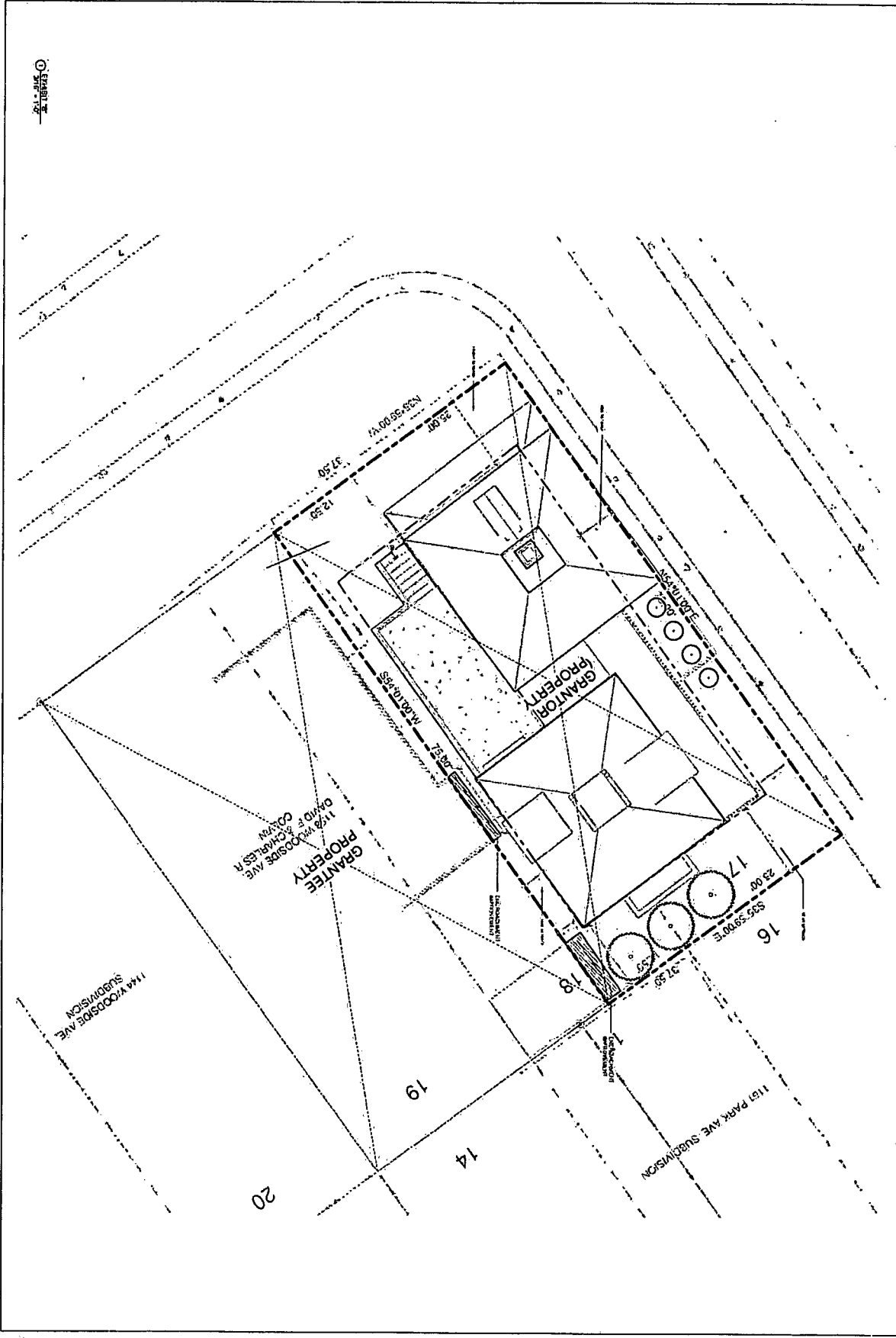


EXHIBIT "B"

Unrecorded

REVISIONS

ALL USE OF THIS PLAN IS SUBJECT TO THE FOLLOWING CONDITIONS: THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS OF WAY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS OF WAY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS OF WAY.

PERKINS MINE

1152 WOODSIDE AVE.
Park City, UT 84060

PARK CITY, Summit County

DESIGN+BUILD.

Request For Extension: 1162 Woodside Avenue Plat Amendment

Request

Can I please have a timeline extension to record the plat amendment on 1162 Woodside Avenue. I am not requesting to change anything with the amendment.

Reason for request

I would like more time to allow my lender to process the amendment and sign the Mylar for recording

Background for need of extension

We purchased my home from the Perkins family in September of 2021. At the time of purchase, the Perkins were working to record the plat amendment with the city as a part of the historical design review process started in 2020, which I intended to carry forward.

The Perkins family had to extend the timeline on the Plat amendment because they could not secure an encroachment agreement from the property owner of the neighboring how to allow for the neighboring home's shed to extend across their (my) lot line. The out of state owner was unresponsive when we took over the project.

With the help of our agent, Corey Crawford, and architect, Andrew Foster, we were able to secure a signature on the encroachment agreement from the neighboring home owner in the spring. Getting the signature required quite a bit of persistence, but Andrew and Corey got it done.

Throughout the spring I worked with Andrew, Corey, First American Title and Greg Ferrari to get all required documentation, reporting and surveys completed to record the final amendment. After final approval of the survey, Greg printed the new plat on Mylar and Andrew got down to securing signatures. At that point we went out of town for a month for our wedding and honeymoon.

Upon returning from the trip of our lifetime, we headed to City Hall with the signed and notarized Mylar with two weeks to spare, when we noticed an unaccounted for signature line – the Lien Holder. After some great research from Rebecca we determined on 7/8 that our Mortgage company needed to approve the request to amend the plat and sign the Mylar document. That same day we submitted a written request for supporting documentation and crossed our fingers that my large lender (United Wholesale Mortgage) would process the request quickly enough that we could get the Mylar shipped to the Lender's offices, signed and returned to Park City by this Friday 7/15.

As of the writing of this request for extension on 7/13, United Wholesale Mortgage has told us that they will not respond to the request to process the plat amendment until 7/15 at the earliest, which does not allow time to send the Mylar document back and forth for a final wet signature.

We expect United Wholesale Mortgage to process the request and sign the Mylar in the next two weeks, which is the last step before the final round of the signatures before final recording. With that step complete we will have everything required to officially record the plat.

Thank you for the consideration of our request for extension.

Samantha Burkley and Brandon Aucunas (homeowners)

City Council Staff Report



Subject: Park City Fire Station Subdivision Plat
Application: PL-22-05264
Author: Spencer Cawley, Planner II
Date: October 6, 2022
Type of Item: Administrative – Subdivision Plat

Recommendation

(I) Review the Park City Fire Station Subdivision Plat, (II) hold a public hearing, and (III) consider approving Ordinance No. 2022-41 based on the Findings of Fact, Conclusions of Law, and Conditions of Approval (Exhibit A).

Description

Applicant: Park City Fire District
Location: 7805 Royal Street
Zoning District: Public Use Transition (PUT)
Adjacent Land Uses: Multi-Unit Dwellings, Stein Erickson Lodge
Reason for Review: Subdivision Plats require Planning Commission recommendation and City Council action¹

CUP Conditional Use Permit
E Estate
LMC Land Management Code
PCFD Park City Fire District
PUT Public Use Transition
RD Residential Development
ROW Right-of-Way

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

On August 24, 2022, the Planning Commission reviewed the Park City Fire Station Subdivision Plat and conducted a public hearing ([Staff Report](#); [Meeting Minutes](#)). The Commissioners unanimously forwarded a positive recommendation for City Council's consideration.

Background

7805 Royal Street (Parcel PCA-1200-4-X) is a metes-and-bounds parcel in Upper Deer Valley. The site contains Fire Station #34, owned by the Park City Fire District (PCFD), and is in the Public Use Transition (PUT) Zoning District. The parcel is surrounded by the Residential Development (RD) Zoning District, which is part of the Deer Valley

¹ LMC [§ 15-7.1-2\(B\)](#)

Master Planned Development initiated in the 1980s.



Figure 1: Fire Station #3



Figure 2: RD Zoning District in yellow; PUT Zoning District in white.

In 2002, PCFD needed to expand the fire station. At that time, the Site was zoned

Estate (E), and the expansion required a Variance and a Conditional Use Permit (CUP).

On May 21, 2002, the Board of Adjustment approved a Variance² allowing the PCFD to expand Fire Station #34 and encroach 25 feet into the rear Setback and 12 feet into the side Setbacks (Exhibit B).

On May 22, 2002, the Planning Commission approved a CUP allowing the expansion of essential municipal and public facilities for Fire Station #34.³ This CUP approved a remodel of the station to support four firefighters, a full-size fire engine, and two auxiliary vehicles. The building depth increased by ten feet to accommodate the necessary equipment (Exhibit C).

With the increasing demands of servicing Upper Deer Valley, PCFD decided to build a new fire station at the same location. This new station will accommodate six personnel (three per shift) and a larger fire apparatus. On July 30, 2021, PCFD submitted a Zone Change application to the Planning Department proposing to rezone Parcel PCA-1200-4-X from E to Public Use Transition (PUT) to accommodate the expansion of Use and allow compatibility with future Public Uses.

On October 13, 2021, the Planning Commission unanimously forwarded a positive recommendation to rezone Parcel PCA-1200-4-X to the City Council ([Staff Report](#); [Meeting Minutes](#)).

On October 28, 2021, the City Council unanimously adopted [Ordinance No. 2021-43](#) approving a Zoning map amendment for one tract of land zoned Estate to Public Use Transition including all of PCA-1200-4-X located at 7805 Royal Street, Park City, Utah ([Staff Report](#); [Meeting Minutes](#)). The ordinance requires PCFD to complete a Subdivision Plat to create one Lot-of-Record for Parcel PCA-1200-4-X.

On May 17, 2022, PCFD submitted a Subdivision Plat application. Staff deemed the application complete on June 8, 2022.

Analysis

Subdivision Plats require Planning Commission review and City Council Final Action.⁴ A Subdivision containing not more than three Lots fronting an existing Street, not involving any new Street or road, or the extension of municipal facilities, or the creation of public improvements, is a Minor Subdivision and does not require a Preliminary Plat.⁵

(I) The proposed Subdivision complies with the PUT Zoning District Requirements.⁶

² LMC [§ 15-10-8](#)

³ LMC [§ 15-2.10-2\(B\)\(5\)](#)

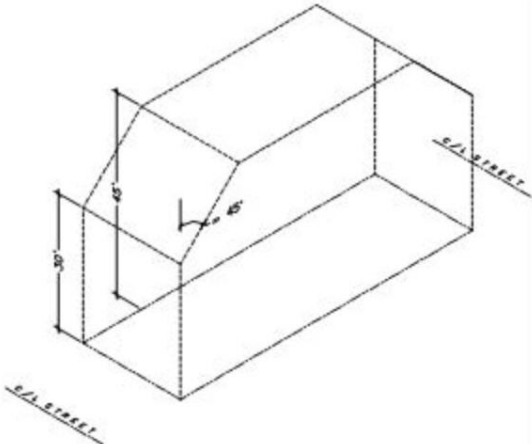
⁴ LMC [§ 15-12-15\(B\)\(9\)](#)

⁵ LMC [§ 15-7.1-3\(A\)\(1\)](#)

⁶ LMC [Chapter 15-2.22](#)

The following table outlines the PUT Zoning District Requirements from LMC [Chapter 15-2.22](#):

PUT Zoning District Requirement	Analysis of Proposal
Lot Size	Complies There is no minimum Lot size in the PUT Zoning District. However, the proposed Lot is 7,564 square feet (0.174 acres). 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 private or Public Street on the Streets Master Plan.
Setbacks	Complies Construction abutting a residential zone shall meet the required minimum Setback of that zone. In this instance, the abutting residential zone is the RD Zoning District. Front: 10 feet Rear: 15 feet Side: 12 feet The 2002 approved Variance continues to be in effect. If PCFD needs additional changes to Setbacks, they can request that the Board of Adjustment modify the Variance approval.
Maximum Building Height -- 45 feet measured from Existing Grade. 30 feet at Front Lot line measured above the average Natural Grade, then proceeds at a 45-degree angle toward the rear of the Property until it intersects with a point 45 feet above the Natural Grade and connects with the rear portion of the bulk plane.	Complies

	 <i>Figure 3: Image taken from the LMC to help illustrate the PUT Zoning District Building Height requirements.</i> Due to the shed roof form, the Building Height in the Rear Setback ranges from approximately 29 feet at the northwest corner to approximately 32 feet at the ridge peak. Rooftop mechanical equipment, when enclosed or screened, may extend up to five feet above the height of the Building.
--	---

Height Considerations

The [12th Amended Deer Valley MPD](#) indicates that Lots in the Silver Lake Village Subdivision have a development height limitation of 64'. This is tied to base elevation 8,122' with peak-of-roof not to exceed elevation 8,186'. Five feet in excess is allowed if peak-of-roof does not exceed elevation 8,186'.

- Golden Hirsch – 64'
- Chateau at Silver Lakes Condo – 45'
- Black Bear Condo – 50'
- Proposed height of Fire Station #34 – 38' (allowance up to 48 feet for mechanical equipment)

(II) The proposal complies with non-Residential parking ratio requirements as outlined in LMC § 15-3-6(B).

A Public and Quasi-Public Institution requires two parking spaces per three employees, or one space per 1,000 square feet of floor Area, whichever is greater.⁷ PCFD indicates the new fire station will employ eight personnel, four personnel per shift. The Building plans show the following floor Area:

- Basement – 1,020 square feet

⁷ LMC [§ 15-3-6\(B\)](#)

- Level 1 – 3,226 square feet
- Level 2 – 3,281 square feet
- **Total – 7,527 square feet**

Per the LMC, Fire Station #34 requires eight Off-Street parking spaces because the floor Area requirement requires more spaces than the employee requirement. Staff reviewed the plans submitted to the City by PCFD's Applicant Representative, Think Architecture, that show five proposed parking spaces. On-site parking is configured as three outdoor spaces and two indoor spaces (Building Permit #22-632).

On August 22, 2022, the Chateaux Deer Valley confirmed with the Planning Department that they provide four additional parking spaces for fire station personnel use (Exhibit E). This ongoing agreement helps PCFD to exceed the Off-Street parking requirements.

(III) The proposal complies with LMC Chapter 15-2.21, Sensitive Land Overlay Zone (SLO) Regulations.

The proposed Lot is located within the SLO. LMC [§ 15-2.21-2\(A\)](#) states:

Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, Wildland Interface, and Wildlife Habitat Areas and provide at time of Application, a Sensitive Lands Analysis.

The purpose of the SLO is to:

- Require dedicated Open Space in aesthetically and environmentally sensitive Areas;
- Encourage preservation of large expanses of Open Space and Wildlife Habitat;
- Cluster Development on Ridge Line Areas, Steep Slopes, and wetlands; and
- Protect and preserve environmentally sensitive land.

SLO Analysis Criteria	Analysis of Proposal
1. <i>Slope/Topographic Map</i>	Complies The front of the proposed Lot is 8,127 feet. The rear of the proposed Lot is 8,138 feet. See Exhibit F.
2. <i>Ridge Line Areas</i>	Complies The site is not on a Hill Crest or Ridge Line.
3. <i>Vegetative Cover</i>	Complies The site was previously disturbed. PCFD agrees to not disturb the mature vegetation on the neighboring

	properties.
4. <i>Designated Entry Corridors and Vantage Points</i>	Not Applicable The site is not visible from Utah Highway 248 east of Wyatt Earp Way or Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive.
5. <i>Wetlands</i>	Not Applicable There are not wetlands on the Site or surrounding Areas.
6. <i>Stream Corridors, Canals, and Irrigation</i>	Not Applicable There are no streams, canals, or irrigation ditches that run on or through the Site.
7. <i>Wildlife Habitat Areas</i>	Not Applicable The Site is not in an identified wildlife migration corridor. The Planning Commission did not request the Applicant provide a Wildlife Habitat Report prior to forwarding a positive recommendation to the City Council.

(IV) Staff finds Good Cause for the Park City Fire Station Subdivision because (A) the Subdivision creates one Lot-of-Record and allows PCFD to house the personnel and equipment necessary to continue to serve the residents and businesses of Upper Deer Valley, (B) no Public Street or Right-of-Way is vacated or amended, and (C) no easement is vacated or amended.

Subdivision Plats shall be reviewed according to LMC [§ 15-7.1-6](#), *Final Subdivision Plat*, and approval shall require a finding of Good Case and a finding that no Public Street Right-of-Way, or easement is vacated or amended.

LMC [§ 15-15-1](#) defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community.”

A. The Subdivision creates one Lot-of-Record and allows PCFD to

house the personnel and equipment necessary to continue to serve the residents and businesses of Upper Deer Valley.

Currently, 7805 Royal Street is a metes-and-bounds parcel. The Subdivision of Parcel PCA-1200-4-X ensures PCFD develops the Lot in accordance with the LMC and PUT Zoning District requirements. By creating this Lot, PCFD can construct a new fire station, replacing the existing Building, which has exceeded its useful life, and allowing PCFD to further ensure the health, safety, and welfare of the residents in the Area.

B. No Public Street or Right-of-Way is vacated or amended.

Access to the Site is from Royal Street. The proposal does not vacate or amend any portion of the platted ROW. There are no encroachments into the ROW or the neighboring properties.

C. No easement is vacated or amended.

(V) The Development Review Committee met on July 5, 2022, reviewed the proposal, and did not identify any issues.⁸

Department Review

The Development Review Committee, Planning Department, Engineering Department, and City Attorney's Office reviewed this application.

Notice

Staff published notice on the City's website, the Utah Public Notice website, and posted notice to the property on August 8, 2022. Staff mailed courtesy notice to property owners within 300 feet on August 8, 2022. The *Park Record* published notice on August 10, 2022.⁹

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The City Council may adopt Ordinance No. 2022-41; or
- The City Council may deny Ordinance No. 2022-41 and direct staff to make Findings for this decision; or
- The City Council may continue the discussion to a date certain.

⁸ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

⁹ LMC [§ 15-1-21](#).

Exhibits

- Exhibit A: Draft Ordinance No. 2022-41 and Proposed Plat
- Exhibit B: Applicant's Project Intent
- Exhibit C: 2002 Variance – PL-02-00151
- Exhibit D: 2002 Conditional Use Permit – PL-02-00149
- Exhibit E: Letter from The Chateaux Deer Valley
- Exhibit F: Applicant's Boundary and Topography Survey

Ordinance No. 2022-41

AN ORDINANCE APPROVING THE PARK CITY FIRE STATION SUBDIVISION, LOCATED AT 7805 ROYAL STREET, PARK CITY, UTAH

WHEREAS, the owner of the property located at 7805 Royal Street petitioned the City Council for approval of the Park City Fire Station Subdivision; and

WHEREAS, on August 10, 2022, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on August 8, 2022, courtesy notice was mailed to property owners within 300 feet of 7805 Royal Street; and

WHEREAS, on August 24, 2022, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on August 24, 2022, the Planning Commission forwarded a positive recommendation for City Council's consideration on October 6, 2022; and

WHEREAS, on October 6, 2022, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management code including § 15-7.1-3(A), § 15-7.1-6, § 15-12-15(B)(9), Chapter 15-2.22, and Chapter 15-7.

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

SECTION 1. APPROVAL. The Park City Fire Station #34 Subdivision, located at 7805 Royal Street, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

Background:

1. The property is located at 7805 Royal Street.
2. The Parcel is listed with Summit County as PCA-1200-4-X.
3. The property is in the Public Use Transition (PUT) Zoning District and the Sensitive Land Overlay.
4. Park City Fire District will maintain ownership of the proposed Lot.
5. No easement is vacated or amended as a result of the subdivision.
6. The LMC regulates Public Use Transition (PUT) Lot and Site Requirements per LMC Chapter 15-2.22
7. There is no minimum Lot size in the PUT Zoning District, however the proposed Lot is 7,564 square feet (0.174 acres).

8. In the PUT Zoning District, Lots abutting a residential zone shall meet the required minimum Setback of that zone. In this instance the abutting residential zone is the Residential Development (RD) Zoning District.
9. The required Front Setback is 10 feet.
10. The required Rear Setback is 15 feet.
11. The required Side Setback is 12 feet.
12. The Maximum Building Height in the PUT Zoning District is 45 feet measured from Existing Grade. 30 feet at Front Lot line measured above the average Natural Grade, then proceeds at a 45-degree angle toward the rear of the Property until it intersects with a point 45 feet above the Natural Grade and connects with the rear portion of the bulk plane.
13. Due to the topography of the site, the highest point of the Fire Station is 38 feet at the front and 32 feet at the rear.

Conclusions of Law

1. The Subdivision is consistent with the Park City Land Management Code, including LMC Chapter 15-2.22, *Public Use Transition (PUT)*, and LMC § 15-7.1-6, *Final Subdivision Plat*.
2. Neither the public nor any person will be materially injured by the proposed Subdivision.
3. Approval of the Subdivision, 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 Planner, City Attorney's Office, and City Engineer will review and approve the final form and content of the Subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Subdivision.
2. The Applicant shall record the plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this Subdivision approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new or renovation construction, to be approved by the Chief Building Official.
4. A non-exclusive ten foot (10') public snow storage easement on Royal Street shall be dedicated on the Plat.
5. City Engineer review and approval for Lot grading, utility installation, public improvement, and drainage plans is required for compliance with City standards prior to issuance of any building permits.

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

PASSED AND ADOPTED this 6th Day of October 2022.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

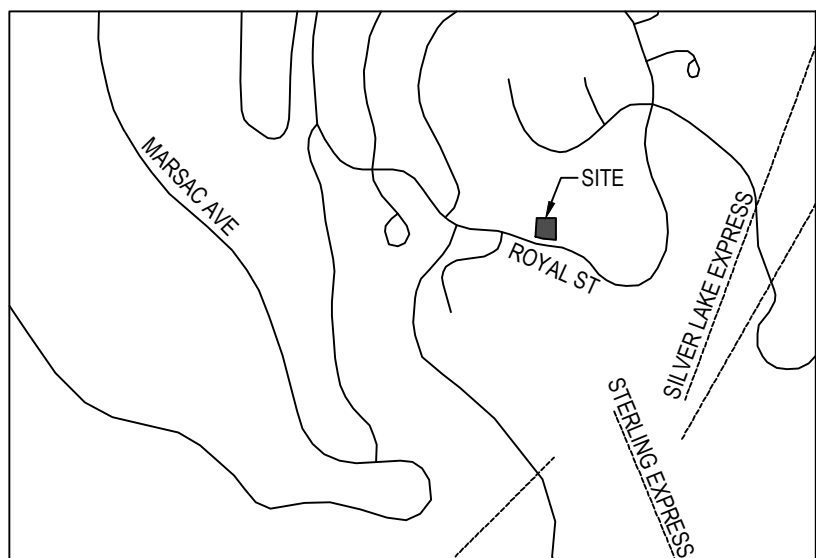
City Attorney's Office

Attachment 1 – Proposed Plat

DRAFT

PARK CITY FIRE STATION SUBDIVISION PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



MARSAC AVE
(NOT TO SCALE)

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 286882, as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as PARK CITY FIRE STATION SUBDIVISION PLAT, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land situate in the Northwest Quarter of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel of land being more particularly described as follows:

Beginning at a point on the North line of Royal Street and the Southwest Corner of Black Bear Condominiums, Recorded # 477308, said point being South 619.62 feet and East 727.96 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running;

thence along the Easterly Boundary line of said Black Bear Condominiums the following two (2) courses:
(1) North 82.00 feet;
(2) East 85.00 feet to the Westerly Boundary line of The Chateaux at Silver Lake - Amended, Recorded # 552115;
thence South 92.06 feet along said Westerly Boundary line to the North line of Royal Street;
thence along said North line of Royal Street the following two (2) courses:
(1) Northwesterly 21.40 feet along the arc of a 262.36 feet radius non-tangent curve to the left (center bears South 4°40'24" West and the long chord bears North 87°39'48" West 21.39 feet through a central angle of 4°40'24");
(2) Northwesterly 64.50 feet along the arc of a 225.00 feet radius reverse curve to the right (center bears North and the long chord bears North 81°47'13" West 64.26 feet through a central angle of 16°25'33") to the point of beginning.

Contains 7.564 square feet. 0.174 acres.



DATE

PATRICK M. HARRIS
P.L.S. 286882

OWNER'S DEDICATION

Known all men by these presents that I / we, the undersigned owner(s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

PARK CITY FIRE STATION SUBDIVISION PLAT

do hereby dedicated for perpetual use of the public all parcels of land shown on this plat as intended for Public use. The undersigned owner(s) also hereby convey to any and all public utility companies, including Snyderville Basin Water Reclamation District, providing service to the heron described tract a perpetual, non-exclusive easement over the public streets and public utility easements shown on this plat, the same to be used for drainage and the installation and maintenance and operation of public utility service lines and facilities.

In witness whereof I / we have hereunto set our hand (s) this _____ day of _____, A.D., 20____.

By: _____

By: _____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
County of Summit J.S.S.

On the _____ day of _____, A.D., 20____, personally appeared before me, the undersigned Notary Public, in and for said County of _____ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the _____ of _____ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: _____

RESIDING IN _____ COUNTY.

NOTARY PUBLIC

PARK CITY FIRE STATION SUBDIVISION PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE\$

SUMMIT COUNTY RECORDER

LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- P.U.E. P.U.E. - PUBLIC UTILITY & DRAINAGE EASEMENT
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE

WEST QUARTER CORNER
SECTION 22 TOWNSHIP 2
SOUTH, RANGE 4 EAST, SALT
LAKE BASE AND MERIDIAN
(FOUND SUMMIT COUNTY
BRASS CAP)

N 0°40'31" E 2651.42' (BASIS OF BEARING)

SOUTHWEST CORNER
SECTION 22 TOWNSHIP 2
SOUTH, RANGE 4 EAST, SALT
LAKE BASE AND MERIDIAN
(FOUND SUMMIT COUNTY
BRASS CAP)

BLACK BEAR CONDOMINIUMS
RECORDED # 477308

NORTH 82.00'

EAST 85.00'

LOT 1
7.564 sq. ft.
0.174 acres

THE CHATEAUX AT SILVER LAKE - AMENDED
RECORDED # 552115

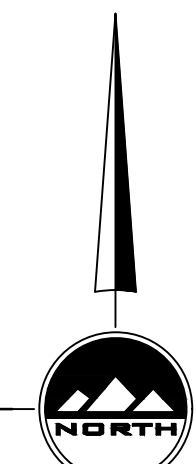
STEIN ERIKSEN LODGE
MANAGEMENT CORP

POINT OF BEGINNING

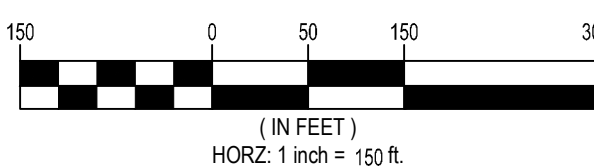
D=16°25'33"
R=225.00
L=64.50'
CB=N 81°47'13" W
C=64.28'

D=4°40'24"
R=262.36
L=21.40'
CB=N 87°39'48" W
C=21.39'

ROYAL STREET
(PRIVATE STREET)



HORIZONTAL GRAPHIC SCALE



DEVELOPER
THINK ARCHITECTURE
7927 HIGHPOINT PARKWAY, SUITE 300
SANDY, UTAH 84094
801.269.0055

ROCKY MOUNTAIN POWER NOTES:

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27a-63(4)(C)(V) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
2.1. A RECORDED EASEMENT OR RIGHT-OF-WAY
2.2. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
2.3. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
2.4. ANY OTHER PROVISION OF LAW.

UTILITY NOTES:

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

Dominion Energy Utah - Note:
Questar Gas Company dba Dominion Energy Utah, hereby approves this plat for the purpose of approximating the location, boundaries, course and dimensions of the Rights-of-Way and Easement Grants and existing underground facilities. Nothing herein shall be construed to warrant or verify the precise location of such items. The Rights-of-Way and easements are subject to numerous restrictions appearing on the recorded right-of-way and easement grants(s). Dominion Energy Utah also hereby approves this plat for the purpose of confirming that the plat contains public utility easements, however, Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the Owners Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's Right-of-Way Department at 800-366-8532.

PLAT NOTES

- Lots are subject to the Summit Research Park Development Agreement, dated December 10, 2008, therefore all lot owners hereby acknowledges and agrees not to obstruct the further subdivision of Lots as the Park City Tech Center Subdivision and for the uses outlined in the development agreement. Notwithstanding the consent assumed in this note, all future development and subdivisions must comply with the requirements of Utah Code Ann. Section 17-27a-601 et. seq. as well as Chapter 10 of the Summit County Code.
- Nothing in this subdivision plat shall prohibit future lot line adjustments and/or further subdivision of any parcel, in each case in compliance with applicable ordinances and the development agreement.
- Wastewater service to the PARK CITY FIRE STATION SUBDIVISION PLAT shall be provided by the Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for each lot created by the Plat. It shall be the responsibility of the Owner of each lot to extend the public wastewater system as necessary within the parcel being developed according to the requirements of the Line Extension Agreement.
- Private Road - are permanent easements for Public Utility & Private Access
- No specific development projects are approved by the recordation of this plat. Subject to development agreement, all developments are subject to codes, ordinances, etc.
- CC&Rs will be recorded with this subdivision plat that will further define the covenants, conditions, and restrictions associated with the development on this property.
- Each platted lot may use public utilities easements even if they cross other lots, subject to CC&Rs
- Open space to be owned and maintained by the HOA



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT, 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone 801.547.1100
TWOLE
Phone 435.843.3580
CEDAR CITY
Phone 435.845.1453
RICHFIELD
Phone 435.898.2593

COUNTY ASSESSOR

REVIEWED AND ACCEPTED BY THE SUMMIT COUNTY ASSESSOR THIS _____ DAY OF _____, 20____.

COUNTY ASSESSOR

SUMMIT WATER DISTRIBUTION COMPANY APPROVAL

WE ARE THE SUMMIT WATER DISTRIBUTION COMPANY. REVIEW FOR CONFORMANCE TO SUMMIT WATER DISTRIBUTION STANDARDS AND ACCEPTED THIS DAY OF _____, 20____.

GENERAL MANAGER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT THIS _____ DAY OF _____, 20____.

BY: _____

SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20____.

DISTRICT ADMINISTRATOR

PARK CITY FIRE PROTECTION DISTRICT APPROVAL

APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20____.

FIRE MARSHAL

PUBLIC SAFETY ANSWERING POINT ACCEPTANCE

APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20____.

PUBLIC SAFETY ANSWERING POINT

DOMINION ENERGY

APPROVED THIS _____ DAY OF _____, 20____, BY: DOMINION ENERGY.

DOMINION ENERGY

ROCKY MOUNTAIN POWER

APPROVED THIS _____ DAY OF _____, 20____, BY: ROCKY MOUNTAIN POWER.

ROCKY MOUNTAIN POWER

GOVERNING BODY APPROVAL AND ACCEPTANCE

APPROVED AND ACCEPTED ON BEHALF OF THE SUMMIT COUNTY COUNCIL, THIS _____ DAY OF _____, 20____.

SNYDERVILLE BASIN PLANNING COMMISSION, CHAIR

COUNTY ENGINEER

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE _____ COUNTY ENGINEER _____

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

COUNTY ATTORNEY



Architecture

+ Architecture

+ Landscape Architecture

+ Land Planning

+ Construction Management

+ Interior Design

Memorandum

Date: February 1, 2022

PROJECT: Park City Fire Station #34

TO: Park City Planning Department
445 Marsac Ave, Park City, UT. 84060

ATTN: Spencer Cawley
Planner

FROM: Jim Poloncic
7927 High Point Parkway, Suite 300, Sandy City, UT. 84094

CC: -

RE: Memo-001: Project Description

Spencer

Per Subdivision Plat/ Condominium Plat application, Item 1 of PROJECT DESCRIPTION request a description of the proposal for this project. The existing Fire Station #34 at 7805 Royal Street will be demolished and a new Fire Station #34 will be constructed.

Sincerely

Jim Poloncic
THINKArchitecture

7927 High Point Parkway

Suite 300

Sandy, Utah 84094

801-269-0055

www.thinkaec.com

THE BOARD OF ADJUSTMENT
PARK CITY, SUMMIT COUNTY, UTAH

IN RE: Request for variances to encroach twelve feet into the thirty foot side yard setback and twenty five feet into the thirty foot rear yard setback for the existing Silver Lake Fire Station located at 7805 Royal Street East

Petition #VP-02-0151	)	Findings of Fact
Legal Description: PCA-1200-4-X	)	and Conclusions of Law

The Board of Adjustment of Park City, Utah met on Tuesday, May 21, 2002, for a regularly scheduled and noticed meeting. After determining that a quorum of members of the Board were present, the Board conducted its scheduled business. Among the petitions heard by the Board was the above entitled petition which was filed on April 19, 2002.

After hearing all interested parties, the Board made the following findings of fact:

1. The property located at 7805 Royal Street East is located in the Estate zone.
2. The applicant is requesting an addition to the existing fire station to accommodate additional vehicles and firefighters at the Silver Lake Station.
3. The Land Management Code prohibits construction within thirty feet (30') of any property line in the Estate Zone.
4. The proposed addition will encroach twenty five feet (25') into the rear yard setback.
5. The proposed addition will encroach twelve feet (12') into the side yard setback.
6. There is a need for additional emergency services in the Silver Lake and Flagstaff areas of Park City.
7. The proposed fire station addition will enable the Park City Fire District to provide additional emergency response services to the Silver Lake and Flagstaff areas.
8. The community should continue to provide excellence in public services and community facilities to meet the needs and desires of residents and visitors.
9. The facts discussed in the background and analysis sections are incorporated herein.

Considering all relevant facts, the Board of Adjustment concluded that a variance should be **GRANTED** under the provisions of the Land Management Code because:

1. Literal enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district
3. Granting the variance is essential to the enjoyment of substantial property right possessed by other property in the same district.
4. The variance will not substantially affect the general plan and will not be contrary to the public interest.

5. The spirit of the zoning ordinance is observed and substantial justice done.

The following conditions were placed on the approval of said variance request:

1. The addition design is subject to review and approval from the City Engineer, Chief Building Official, and the Planning and Zoning Administrator for compliance with the Land Management Code.
2. Existing vegetation on the site shall be preserved to the greatest extent possible.
3. Conformance with Park City Design Guidelines is required prior to any construction.
4. This approval shall expire if a full building permit has not been issued prior to May 21, 2003.

Dated this 2nd day of July, 2002.



Chairperson, Board of Adjustment



Department of Community Development
Engineering • Building Inspection • Planning

May 23, 2002

Park City Fire Service District
Attn: Steve Zwirn
PO Box 680967
Park City, Utah 84068

NOTICE OF PLANNING COMMISSION ACTION

Project Address: 7805 Royal Street East
Project Description: CUP for Addition to Silver Lake Fire Station
Date of Meeting: May 22, 2002

Action Taken By Planning Commission: Approved in accordance with the Findings of Fact and Conclusions of Law as outlined in the staff report; and Conditions of Approval as written below:

Conditions of Approval

1. All standard conditions of project approval shall apply to this project.
2. Approval of a variance from the Board of Adjustment is a condition precedent to the issue of a building permit.
3. All materials used in the construction of the addition shall match the existing materials on the structure.
4. The height of the addition may not exceed the existing height of the building.
5. The applicant shall submit a landscape plan for the areas between the facility and the neighboring Black Bear Lodge upon submitting a building permit application.
6. This approval shall be null and void as of May 22, 2003, unless the applicant has received a building permit for the project.

Any person who submitted written comment on a proposal, the owner of any property within three hundred feet (300') of the boundary of the subject site, or the owner of the subject property may appeal to the City Council any action pertaining to the approval. The petition must be filed in writing with the City Recorder within ten (10) calendar days of a Planning Commission decision.

Best Regards,


Ray Milliner
Planner

Planning Commission Report

DATE: May 22, 2002
DEPARTMENT: Planning Department
TITLE: Expansion of Silver Lake Fire Station
TYPE OF ITEM: Conditional Use Permit

SUMMARY RECOMMENDATIONS: Staff recommends the Commission hold a public hearing, consider public input and consider approving the Conditional Use Permit for the expansion of the existing Silver Lake Fire Station located at 7805 Royal Street East according to the Findings of Fact, Conclusions of Law and conditions of a approval outlined in this report.

A. DESCRIPTION

Project Name: CUP for an essential municipal facility
Project Planner: Ray Milliner
Applicant: Park City Fire District
Representative: Steve Zwirn
Owner of Property: Park City Fire District
Location: 7805 Royal Street East
Zone: Estate

B. BACKGROUND

The applicant is requesting a CUP which will enable an expansion of the existing fire station at 7805 Royal Street East. The station currently houses two firefighters, one small engine and an auxiliary vehicle (brush fire engine or ambulance). The expansion will provide for the housing of two additional firefighters as well as a larger engine, an ambulance and a brush fire vehicle. The additional equipment and personnel are proposed due to the continued population growth in the Silver Lake and Flagstaff Mountain Resort areas and Fire District's need to maintain a high level of emergency response services there. It is hoped that construction will occur during the summer months in order to have the renovation completed in time for the busy winter season.

To accommodate the necessary square footage, the applicant proposes to expand the existing building by twelve feet (12') on the west (side yard) and ten feet (10') on the north (rear yard). The north expansion will encroach an additional ten feet (10') into the rear yard setback for a total of a twenty five foot (25') encroachment into the thirty foot (30') rear yard setback (the existing building encroaches fifteen feet (15')). The western expansion will encroach twelve feet (12') into the required thirty foot (30') side yard setback. Therefore, the applicant has applied for a variance to the rear yard setback for the Estate zone with the Board of Adjustment. At the time of this writing, the Board has not made a ruling on the matter (a hearing is scheduled for May 21, 2002). If the CUP is approved by the Planning Commission, a condition of approval has been drafted which requires Board of Adjustment variance approval prior to the issue of a building permit.

No height increases are proposed for the structure, the applicant has proposed to match all existing materials, and the addition will be similar to the existing building architecturally.

C. ANALYSIS

Applications for essential municipal or public facilities located in the Estate zone are reviewed as a conditional use pursuant to section 15-2.10-2(B) of the Land Management Code. Outlined below is Staff's analysis according to the Conditional Use Permit Standards for Review from Section 15-1-10(D) and (E) of the zoning requirements of the Land Management Code, which relate to this project:

Standards For Review:

Standard 1: Application complies with all requirements of LMC. **COMPLIES.** This recommendation is predicated on the condition of approval that the applicant receive a variance to the LMC requirement that a building in the Estate zone have thirty foot (30') rear and side yard setbacks. All other aspects of the application are in conformance with the requirements of the LMC, as it relates to height, parking, setbacks, architectural details, and so on.

Standard 2: Use will be compatible with surrounding structures in use, scale, mass and circulation. **COMPLIES.** The project was reviewed by members of the Legal Department, and Community Development Department at the April 30, 2002 staff review meeting. Staff determined that the fire station expansion is compatible with surrounding uses as it is an essential public service. The mass and scale of the proposed renovation is compatible with the existing building, as well as surrounding structures, the surrounding vernacular is multi-story structures of varying widths and lengths. The proposed structure would be approximately 31 feet tall, and 45'x42' at its largest dimensions.

Standard 3: Use is consistent with the Park City General Plan. **COMPLIES.** Goal 3 of Chapter 2 of the general plan states "The community should continue to provide excellence in public services and community facilities to meet the needs and desires of residents and visitors." Staff finds that the proposed application is consistent with this goal as it enhances the ability of the Park City Fire District to "provide excellence" in responding to emergency situations in the growing Silver Lake and Flagstaff Areas.

Standard 4: The effects of any differences in use or scale have been mitigated through careful planning. **COMPLIES.** The proposed fire station expansion is a conditional use in the Estate zone, prior to the commencement of any construction, the Planning Commission will review the project for compatibility with the LMC according to the sixteen review criteria below, the Board of Adjustment will determine whether a variance is appropriate for the proposed encroachment into the rear yard setback, and the Community Development Department will review the building permit application for compliance with the LMC and International Building Code.

Review Criteria

Criteria 1: Size and location of the site; **COMPLIES.** The fire station is the only emergency response facility in the Silver Lake/Flagstaff area at the current time. It currently houses one small engine and a service vehicle. Because of the recent growth of the area it is appropriate that the facility be expanded to accommodate future emergency services needs of the community.

Criteria 2: Traffic considerations; **COMPLIES.** It is essential that the facility have large bay doors that face Royal Street East, as emergency vehicles, on occasion, exit the facility at a high rate of speed. Therefore, the road cut and paved area in the front yard setback are wider than normally proposed for residential or commercial structures.

Criteria 3: Utility capacity; COMPLIES. The proposed use has existing access to all necessary utilities.

Criteria 4: Emergency vehicle access; COMPLIES. The facility has adequate access to emergency services.

Criteria 5: Location and amount of off-street parking; COMPLIES. The proposed addition will house four firefighters, and three emergency vehicles. The emergency vehicles will be housed inside of the structure, and four parking spaces have been provided in front of the building for the firefighters.

Criteria 6: Internal circulation system; COMPLIES. The primary need of the structure is ample access to Royal Street East, this has been provided, and is appropriate.

Criteria 7: Fencing, screening and landscaping to separate uses; COMPLIES. The LMC requires that the applicant provide landscaping between the parcel and the uses on either side of the property. The landscape plan will be reviewed by the Community Development Department as part of the building permit application.

Criteria 8: Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots; COMPLIES. The proposed building meets the mass, and height requirements of the Estate zone.

Criteria 9: Usable open space; COMPLIES. This criteria is not applicable.

Criteria 10: Signs and lighting; COMPLIES. The station has a small identification sign hanging above the large bay doors, which conforms with the requirements of the Sign Code. No changes to the existing sign or additional signs are proposed as part of this application.

Criteria 11: Physical design and compatibility with surrounding structures in mass, scale and style, design, and architectural detailing; COMPLIES. The existing structure is sheathed with board and batten siding with multiple gables in the Mountain Architecture style. The front facade is dominated by two large bay doors facing Royal Street East. Though larger than the structure in question, the surrounding buildings are of a similar style of construction and built with similar materials. The proposed addition will match the existing building in style and materials. Staff finds that the mass, scale and design of the addition is compatible with the existing Silver Lake structures.

Criteria 12: Noise, vibration, odors, steam, or other mechanical factors that might affect people; COMPLIES. By nature, when responding to an emergency, the vehicles housed in a fire station emit a shrill and alarming sound which draws attention to the vehicles. However, staff finds that these "sirens" are an important part of the stated goals of LMC Section 15-1-2(A) which are to "To promote the general health, safety and welfare of the present and future inhabitants, businesses, and visitors of the City," and are therefore appropriate.

Criteria 13: Control of delivery and service vehicles, loading and unloading zones, and screening of trash pick up areas; COMPLIES. Delivery trash and service vehicles will not change their approach to the parcel.

Criteria 14: Expected ownership and management of the property; **COMPLIES.** The Park City Fire District is the owner and operator of the property.

Criteria 15: Architectural and Uniform Building Code review; **COMPLIES.** Prior to commencing construction, the applicant must file an application for a building permit with the Building Department. The application must be reviewed and approved by the Building, Engineering and Planning Departments prior to the issue of a building permit.

Criteria 16: Sensitive Lands Review. **COMPLIES.** The proposed site for the addition is in not located within the Sensitive Lands Overlay Zone, and is therefore not subject to sensitive lands review.

D. DEPARTMENT REVIEW

The application was reviewed by City staff at the April 30, 2002 staff review meeting. Members of the Community Development Department, Legal Department and Public Works were present. No concerns were expressed at that time.

E. RECOMMENDATION

Staff recommends the Commission hold a public hearing, consider public input and consider approving the Conditional Use Permit for the expansion of the existing Silver Lake Fire Station located at 7805 Royal Street East according to the Findings of Fact, Conclusions of Law and conditions of a approval outlined below.

Findings of Fact

1. The existing Fire Station is owned by the Park City Fire District.
2. The existing Fire Station is located in the Estate Zone.
3. Expansions of essential municipal and public facilities in the Estate zone are a conditional use requiring a review by the Planning Commission and a public hearing.
4. The proposed addition will encroach twenty five feet (25') into the rear yard setback
5. The proposed addition will encroach twelve feet (12') into the side yard setback.
6. On May 21, 2002, the Board of Adjustment granted a variance to the applicant for a ten foot encroachment into the rear yard setback.
7. The height of the existing building will not increase as a result of this application.
8. The purpose of the addition is to house two additional firefighters a fire engine and two auxiliary vehicles which will provide additional emergency services in the Silver Lake and Flagstaff areas of Park City.
9. The proposed fire station addition will enable the Park City Fire District to provide additional emergency response services to the Silver Lake and Flagstaff areas.
10. The findings in the Analysis section are incorporated herein.
11. The applicant stipulates to all Conditions of Approval.

Conclusions of Law

1. The application complies with all requirements of Sections 15-2.10-2(B), and 15-1-10(E)1-15 of the Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding residential and commercial structures in use, scale, mass and circulation.
3. The use is consistent with the Park City General Plan.

Conditions of Approval

1. All standard conditions of project approval shall apply to this project.
2. Approval of a variance from the Board of Adjustment is a condition precedent to the issue of a building permit.
3. All materials used in the construction of the addition shall match the existing materials on the structure.
4. The height of the addition may not exceed the existing height of the building.
5. The applicant shall submit a landscape plan for the areas between the facility and the neighboring Black Bear Lodge upon submitting a building permit application.
6. This approval shall be null and void as of May 22, 2003, unless the applicant has received a building permit for the project.

EXHIBITS

Exhibit A - Site Plan

Exhibit B - Letter From Applicant



8/22/2022

Good Afternoon,

To confirm a long standing agreement between The Chateaux Deer Valley and PCFD, 4 annual parking spaces will be provided to the team in the Silver Lake Fire Station to utilize our garage for overflow parking when needed. This agreement will continue to be run with no expectation of ending.

Please do not hesitate to contact me if you have any questions or concerns regarding this agreement between The Chateaux Deer Valley and PCFD.

Thank you,

Alex Savarie

A handwritten signature in black ink, appearing to read "Alex Savarie", is positioned below the printed name.

Hotel Manager

Chateaux Deer Valley

435.658.9514

asavarie@the-chateaux.com

Council Agenda Item Report

Meeting Date: October 6, 2022

Submitted by: Michelle Kellogg

Submitting Department: Community Development

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Modifications to the Restrictive Covenant Protecting the Affordability and Sustainability of Units EMP-A and EMP-B at Argent at Empire Pass Condominiums, 7677 Village Way
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Staff Report](#)

[Exhibit A: Draft Argent Affordable Housing Restrictive Covenant](#)

[Exhibit B: Argent Deed Restriction AMI to Deer Valley Resort Wages](#)

[Exhibit C: Employee Unit Plans](#)

Housing Authority Staff Report

Subject: 7677 Village Way – Argent at Empire Pass Condominiums
Modification of Employee Housing Restrictive Covenants
Author: Browne Sebright
Department: Housing Team
Date: October 6, 2022
Type of Item: Administrative

Recommendation

Hold a public hearing and consider approving the proposed modification to the Restrictive Covenant Protecting the Affordability and Sustainability of Units EMP-A and EMP-B at Argent at Empire Pass Condominiums to correct technical errors in the original Deed Restriction and to update the definition of “Qualified Renter.”

Background

The Argent at Empire Pass Condominium development, located on Lot 2 of the Village at Empire Pass North Subdivision Plat, is subject to a number of prior approvals, development agreements, and Affordable Housing Resolutions, including:

- Amended and Restated Development Agreement for Flagstaff, originally approved by City Council Resolution No. 99-30 ([Link](#), p. 135) on June 24, 1999, and subsequently amended on March 2, 2007 ([Link](#), the “*Empire Pass Development Agreement*”);
- Master Planned Development for the Village at Empire Pass (Pod A), known as the Village Master Planned Development, approved July 28, 2004 ([Link](#) to MPD approval);
- Village at Empire Pass North Subdivision, Park City Ordinance 2017-30, approved June 15, 2017 ([Link](#));
- Argent at Empire Pass Subdivision Condominium, Park City Ordinance 2019-58, approved December 5, 2019 ([Link](#)); and
- The affordable housing resolution in effect at the time of development, Affordable Housing Resolution 03-2017 ([Link](#)).

The subdivision plat approved in 2017 identified a requirement for affordable housing to be constructed on Lot 2 to be completed prior to issuance of a certificate of occupancy for each building and in compliance with the approved housing plan. The 2017 approval

requires 2.0 AUEs (1,600 SF) for the subdivision plat for Lot 2. The 2019 subdivision condominium plat designated two employee units to satisfy this requirement:

Unit #	Total Floor Area	Bedrooms	Parking Required
EMP-A	803 SF	Studio	1
EMP-B	815 SF	1BR	1

The two deed restricted units appear on the plat as Private ownership units. Plat Note 7 states that these units are deed restricted employee/affordable housing units, with the Deed Restriction ([Link](#)) which was recorded at the same time as the Plat.

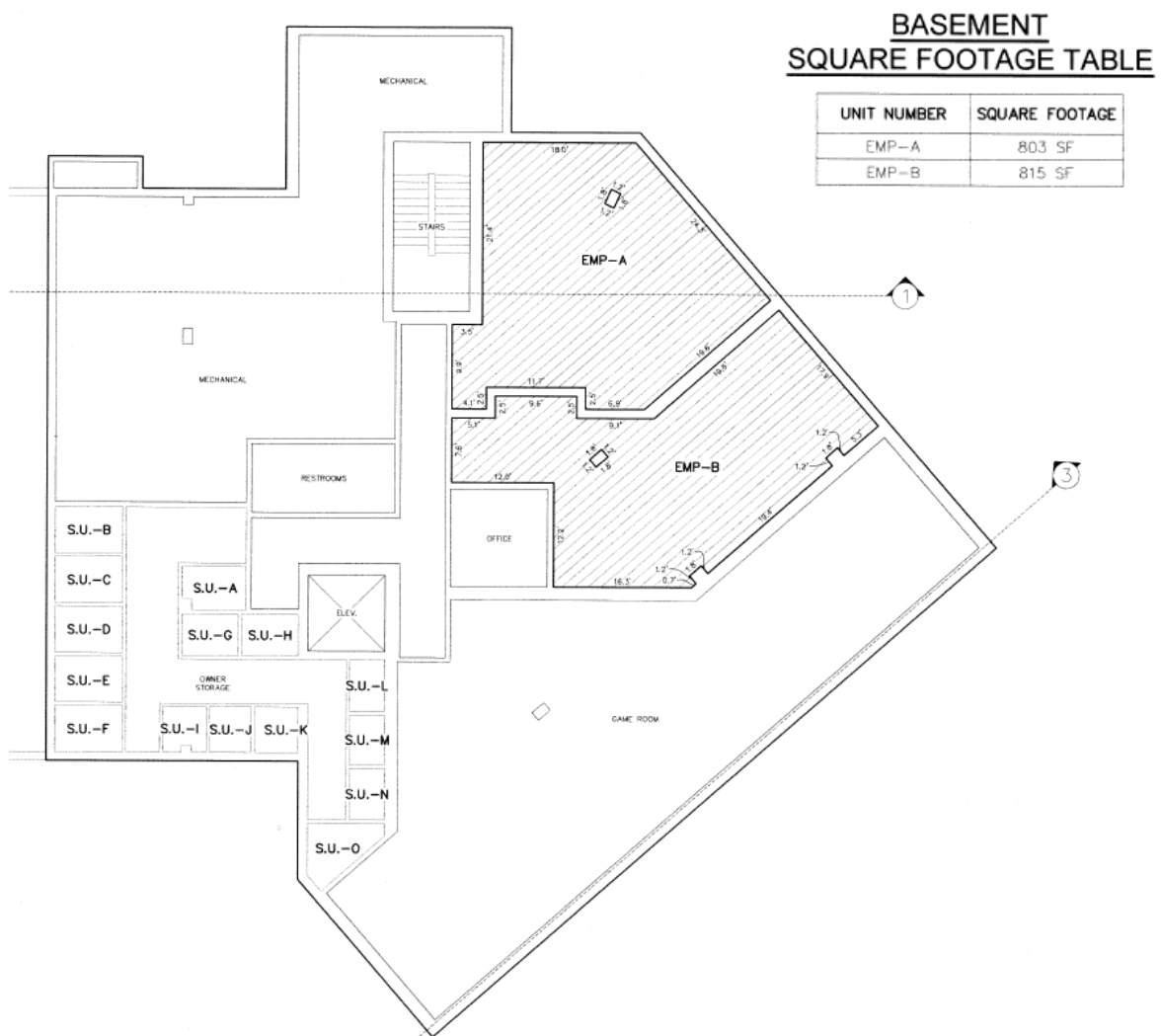


Figure 1. Sheet 2 of Argent at Empire Pass Subdivision Condominium.

Pursuant to the 2019 subdivision condominium approval, the applicant had stated that the two units will remain with the Declarant and that the units would be leased to the HOA for occupancy by the Lodge Keeper and other employees of Deer Valley Lodging. The Declarant would have a right to sell the units, but the deed restriction will limit the values for both sale and rent.

Section 17 *Maximum Rents and Sales Prices* of Affordable Housing Resolution 03-2017, the resolution in effect at the time of development, provided the following standards for occupancy and affordability of employee/affordable units:

A.

Unit	Occupancy
Studio/Efficiency	1 person per household
One-bedroom	1.5 person household

B.

Rental Units. *In general, inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 45 percent of Summit County AMI.*

Analysis

Based on the Housing Team's records, a redlined draft of this Deed Restriction was sent from the applicant to the City on January 6, 2020. The City responded with revisions on January 12, 2022. The final Deed Restriction ([Link](#)) was recorded on February 28, 2022. Based on the prior redlined drafts, it appears errors were included in the final version that we intended to be edited.

In July of 2022, the applicant contacted the Housing Team with three areas of concern with the deed restrictions recorded and appropriate for the City and applicant to address:

1. **Request 1:** Exhibit B – This exhibit includes an error referencing the CC&Rs for the Woodside Park Subdivision rather than those related to the Argent Condominiums.

The Housing Team agrees that this error should be rectified in an updated Deed Restriction to reflect the correct CC&Rs.

2. **Request 2:** Straw Deeds – The applicant expressed opposition to the recordation of Straw Deeds, required by Park City to establish a legal concept known as “privity.” The applicant stated that they did not agree to sign quick-succession deeds, or those that temporarily transfer units from the developer to the City, and then from the City back to the developer. This period ensures deeds restricts are updated in perpetuity for best practices.

The requirements for straw deeds are established in Utah State Code [§78B-4-513](#). This law, and related case law¹, state that unless a plaintiff has contractual rights, or has been assigned such rights, it cannot maintain a cause of action when privity of contract is an essential element of a claim.

¹ *Gables v. Castlewood-Sterling*, 2018 UT 04, Docket No. 20160100

Establishing privity is important for the City because it ensures that it can enforce the covenants included in affordable and employee housing deed restrictions should an Event of Default occur. The Housing Team does not support removing Straw Deeds, and our outside legal counsel concurs.

3. **Request 3:** Section 1.28 Qualified Renter –The applicant asserts that the City modified this section of the Deed Restriction to include an “and” at the end of Section 1.28.1 rather than an “or”.

This section of the restrictive covenant establishes the qualifications each renter must have to be able to rent the employee units. Deed restrictions need to identify who is eligible to occupy each unit so that the unit owner and the City can independently verify that the current and future occupants of the units meet the minimum requirements. The current definition of Qualified Renter is limiting, as an individual would need to meet two sets of criteria to qualify.

Based on the Housing Team’s records, it does appear that the City agreed to the change in language from “and” to “or”, which granted some flexibility to the Unit Owners to find eligible renters for these units. Additionally, this section of deed restriction complied with the applicable Affordable Housing Resolution at the time, which defined a qualified renter as a household with an annual income of 45% of AMI.

Qualified Renter Analysis

For the purposes of calculating rents of two employee/affordable units at Argent (a studio unit and a one-bedroom unit), Affordable Housing Resolution 03-2017 establishes that a studio unit comprises a one-person household and that a one-bedroom unit comprises a 1.5-person household (which rounds up to a two-person household, for the purposes of being able to calculate AMI).

The applicant provided sample wages of the employees engaged by Deer Valley to manage properties within the Empire Pass area and compared to the AMI calculations for Summit County (Exhibit B).

Deer Valley Wages by Job Title		
Job Title - Salaried	Minimum	Maximum
Front Desk Manager	\$50,000	\$65,000
Maintenance Manager	\$60,000	\$80,000
Resident Manager	\$60,000	\$75,000
Asset Manager	\$70,000	
General Manager	\$100,000	
Job Title - Hourly	Minimum	Maximum
Houskeeper	\$21.00	\$28.00
Maintenance	\$21.00	\$30.00
Front Desk	\$21.00	\$25.00
Houskeeping Supervisor	\$23.00	\$28.00

Deer Valley Resort Starting Wage	\$20.00
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Figure 2. Applicant's Summary of Deer Valley Lodging Wages by Job Title.

One Person Households

Based on the submitted data, a single person working full time earning the minimum wage for hourly job titles (\$21/hour) would earn an annual salary of \$43,680, which is 46.3% of the Summit County AMI. A single person earning the maximum wage for an hourly job title (\$30/hour) would earn an annual salary of \$64,800, or 68.7% of AMI.

- A single person earning an average of the minimum and maximum hourly wages (\$25.5/hour) would earn an annual salary of \$55,080, which is 58.4% of AMI

A single person earning the minimum wage (\$50,000/year) for a salaried employee would be at 53.02% of AMI. Excluding General Managers, a single person earning the maximum wage for the other salaried positions (\$80,000/year) would be at 84.83% of AMI.

- Excluding General Managers, a single person earning an average of the minimum and maximum hourly wages (\$65,000/year) would be at 68.9% of AMI.

Two Person Households

Two persons earning the minimum wage for an hourly job title (\$21/hour) would earn an annual salary of \$87,360, which is 81.0% of AMI. Two persons earning the maximum wage for an hourly job title (\$30/hour) would earn an annual salary of 120.2% of AMI.

- Two persons earning an average of the minimum and maximum hourly wages (\$25.5/hour) would earn an annual salary of \$110,160, which is 102.1% of AMI

Two persons earning the minimum wage (\$50,000/year) for a salaried employee would be at 92.7% of AMI. Excluding General Managers, two persons earning the maximum wage for the other salaried positions (\$80,000/year) would be 148.4% of AMI.

- Excluding General Managers, two persons earning an average of the minimum and maximum hourly wages (\$65,000/year) would be at 120.5% of AMI.

Based on this data, the existing language of the deed restriction that limits Qualified Renters to households with an income that is 45% or less than AMI will exclude virtually all the workforce of the Argent Condominiums, Deer Valley Lodging, and Empire Pass.

This very low AMI maximum has been adjusted in the current Housing Resolution ([Link](#)), in which Affordable Rental Housing is defined as, “housing that is priced affordable to households with incomes ranging up to 80% of AMI”. Although developments that received plan approvals prior to the adoption of the current housing resolution need to conform to the provisions of the resolution in place at the time of applicable complete application, doing so would cause the employee units at Argent to underperform and risk extended vacancy of the units due to lack of eligible applicants. Expanding the eligibility requirements to match the current Housing Resolution helps reflect the current employment conditions of the Empire Pass area and improve the expected performance of the units.

Recommendation

Approve requests 1 and 3 and deny request 2 at the recommendation of Housing’s outside counsel.

As a result, the applicant and Housing Team reviewed the language in this section and proposed the following language modifications:

Original

1.28 Qualified Renter. Qualified Renter shall be a person or persons who are determined by the City to meet the following criteria:

1.28.1 A person with a minimum of one adult in his or her Household who is a full-time (aggregate of 30 hours of employment per week) employee of (a) an entity or entities performing services within the Property or (b) of a business or enterprise operating within the Deer Valley Area; and

1.28.2 Households with an income that is 45% or less of AMI.

Proposed

1.28 Qualified Renter. Qualified Renter shall be a person or persons who are determined by the City to meet the following criteria:

*1.28.1. A person with a minimum of one adult in **their** Household who is a full-time (aggregate of 30 hours of employment per week) employee of (a) an entity or entities performing services within the Property or (b) of a business or enterprise operating within the Deer Valley Area **and (c) with income that is (i) 150% or less of AMI for EMP-A, and (ii) 80% or less of AMI for EMP-B.***

*1.28.2. **A person with a minimum of one adult in their Household who is a full-time (aggregate of 30 hours of employment per week) employee of (a) business or enterprises within the Park City School District may be considered***

Qualified Renters when reasonable efforts to rent to those employed by an entity or entities performing services within the Property or of a business or enterprise operating within the Deer Valley Area are not successful, and (b) whose incomes do not exceed 80% of AMI for a Household with one adult or 100% of AMI for a Household with two adults.

1.28.3. Individuals who are self-employed do not qualify as “Qualified Renters”.

Figure 3. Proposed Modifications to Section 1.28 of the Deed Restriction.

The original intent for using these units was “units would be leased to the HOA for occupancy by the Lodge Keeper and other employees of Deer Valley Lodging”.² The Housing Team and the applicant find it appropriate to modify Section 1.28 of the deed restriction so that the employee units in the Argent Condominium building are accessible to the workforce of the property and Empire Pass. Without modifying this section, very few employees of the project would be Qualified Renters as defined and would be ineligible to use these units.

The proposed language allows for appropriate income and employment restrictions for the units and their expected occupancy based on their configurations.

- Establishing definitions for Qualified Renters where a one-person household has an income not exceeding 80% of AMI for the first year of employment allows for the units to be accessible to all hourly job titles, and for entry-level salary job titles.
- Establishing definitions for Qualified Renters where a two-person household has an income of 100% or less of AMI allows the units to be accessible to nearly all households where both persons have any level of hourly job titles, and for households in which both persons have entry-level salary job titles.
- For EMP-A, which is the larger one-bedroom unit, establishing definitions for Qualified Renters where a two-person household has an income of 150% or less of AMI allows the one-bedroom unit to be accessible to most salary job titles, excluding General Managers, employees who are performing services within the immediate proximity of the property.

Attachments

² [City Council Staff Report](#), December 5, 2019 (p. 3)

Exhibit A: Draft Deed Restriction

Exhibit B: Argent Deed Restriction AMI to Deer Valley Resort Wages

Exhibit C: Employee Unit Plans

WHEN RECORDED, RETURN TO:

City Recorder
Park City Municipal
Corporation PO Box 1480, 445
Marsac Avenue Park City, UT
84060

**RESTRICTIVE COVENANT PROTECTING THE AFFORDABILITY AND
SUSTAINABILITY OF UNITS EMP-A EMP-B AT ARGENT AT EMPIRE PASS
CONDOMINIUMS**

This Restrictive Covenant Protecting the Affordability and Sustainability of Units EMP-A and EMP-B at Argent at Empire Pass Condominiums (the “Covenant”) is made and entered into as of the ____ day of _____, 2020 (the “Effective Date”), by and between LOT 2 EMPIRE PASS NORTH, LLC, a Delaware limited liability company (the “Developer”), and PARK CITY MUNICIPAL CORPORATION, a political subdivision of the State of Utah (the “City”) with respect to certain real property and improvements to be constructed on a portion of Lot 2 of the Village at Empire Pass North Subdivision, situated in Park City, Summit County, State of Utah and more particularly identified on **Exhibit “A”** hereto (the “Property”). The Developer, each subsequent Unit Owner, and the City are referred to in this Covenant collectively as the “Parties” and, individually, as a “Party”.

RECITALS

- A. Whereas the Developer, as current owner of the Property, is subject to certain development requirements regarding the Property in that certain Amended and Restated Development Agreement for Flagstaff that was originally approved by City Council Resolution No. 99-30 on June 24, 1999 and subsequently amended on March 2, 2007, which was filed in the Summit County Recorder’s Office on March 2, 2007 as Entry No. 806100, in Book 1850, Page 1897, as amended (the “*Empire Pass Development Agreement*”) which requires, among other things, that certain employee and affordable housing be constructed in connection with the development of the Property;
- B. Whereas the development of the Property is also subject to the conditions of approval of the Master Planned Development for the Village at Empire Pass (Pod A), known as the Village Master Planned Development, approved July 28, 2004; the conditions of approval of the Village at Empire Pass North Subdivision, Park City Ordinance 2017-30; and Park City Ordinance 2019-58, pursuant to application number PL-19-04278, and approved by the Park City Planning Commission on December 5, 2019;
- C. Whereas, pursuant to the Empire Pass Development Agreement and Park City Ordinance 2019-58, approving a condominium plat for the Property, the Developer is obligated to provide two condominium units on the Property as affordable/employee housing “AUEs,” each having at least 800 square feet; Whereas, the Development Agreement states that the

AUEs “shall be sold or rented at prices and terms consistent with the City’s affordable guidelines in effect at the time a Certificate of Occupancy is issued for the AUE;”

- D. Whereas, the AUEs shall subject to the City’s affordable guidelines and the current Affordable Housing Resolution, Resolution No. 03-2017;
- E. Whereas, that Declaration of Condominium for Argent at Empire Pass Condominiums, recorded in the Summit County Recorder’s Office as Entry No. 1128152, and beginning at Book No. 2557 and Page No. 156 (the “*Condo Declaration*”), and that Argent at Empire Pass Condominiums plat and record of survey map recorded in the Summit County Recorder’s Office as Entry No. 1128150, and beginning at Book No. 2557 and Page No. 1514 (the “*Plat*”), establish a condominium project on the Property (the “*Project*”) and designate condominium Units EMP-A and EMP-B as more fully described on **Exhibit “B”** (the “*Units*”);
- F. Whereas in conjunction with recording the Plat and the Condo Declaration, the Parties are entering into this Covenant, intending that it be a covenant running with the land; and
- G. Whereas this Covenant, upon its execution and recording in the public records of the County Recorder of Summit County, Utah, shall govern the terms and conditions of ownership, use, and occupancy of the Units by the Developer, its Affiliates, and any Unit Owners or Project Owner and shall run with the land, enforceable by the City against the Developer and the Unit Owners and Project Owner, any other parties claiming an interest in the Units, and each of their successors in interest, assignees, heirs, devisees, mortgagees, lenders, trustees, beneficiaries, executors, administrators, lessees, and personal representatives.

AGREEMENT AND COVENANTS

IN WITNESS WHEREOF, in consideration of the foregoing Recitals and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. DEFINITIONS.

When used in this Covenant, the capitalized terms identified in this Article 1 shall have the following assigned meanings:

1.1.**AFFILIATE.** The following shall be considered an Affiliate of the Developer or any subsequent Project Owner:

1.1.1 successor by dissolution, merger, consolidation, distribution, or reorganization;

1.1.2 successor to Developer by reason of its conversion to another kind of legal entity;

1.1.3 a grantee of Developer under a deed delivered without payment of actual valuable consideration conveying title to the Unit

(a) if the stock, shares, memberships, or other equity interests of the grantee are wholly owned by the Developer, if the grantee wholly owns the

Developer, or

- (b) if the grantee is wholly owned by an affiliated entity of the Developer, provided the affiliated entity and the Developer are both wholly owned by the same person or entity.

1.1.4 With regard to 1.1.1, 1.1.2, and 1.1.3 reserving, however, all rights and defenses as to any successor that the City would have had against the predecessor Developer under this Covenant or any other agreement.

1.2.AFFORDABLE UNIT EQUIVALENT (AUE). As defined in the Empire Pass Development Agreement, residential unit with at least 800 square feet of net livable space shall be considered one Affordable Unit Equivalent, or AUE.

1.3.ANNUAL COMPLIANCE REPORT. The reports attached to this Covenant as **Exhibit “E”**, *Park City Affordable Housing Affidavit for Rented Units*, and **Exhibit “F”**, *Park City Affordable Housing Affidavit for Owner Occupied Units*, as they may be amended from time to time by the City or its designee, required to be provided to the City by the Project Owner and each Unit Owner, respectively, in accordance with Sections 2.8 and 3.18.

1.4.AREA MEDIAN INCOME. (AMI) As of any date, the definition given “area median income” by the latest Park City Affordable Housing Resolution, or, should the City cease releasing periodic affordable housing resolutions and replace such resolutions with superseding provisions in the City Code governing the authority and implementation of affordable housing in the City, the definition given in such provisions of the City Code, and if “area median income” is not defined in such provisions of the City Code, as defined by the City Council of Park City, Utah.

1.5.CAPITAL IMPROVEMENTS. Material improvements or structural changes to a Unit that are more than repairs or cosmetic changes, including changes that would adapt a Unit to a new or different use or materially affect the value or use of the Unit and including, but not limited to all Permitted Capital Improvements.

1.6.CITY CODE. The Municipal Code of Park City, Utah, as amended.

1.7.DEER VALLEY AREA. All of the property and improvements in the area covered by the Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development Permit dated November 30, 2016, the area covered by the Empire Pass Development Agreement and the area commonly known as “Deer Crest.”

1.8.DISABILITY. Physical or mental impairment that substantially limits one or more of a person’s major life activities, including a person having a record of such an impairment or being regarded as having such an impairment, or as may otherwise be defined in the Utah Fair Housing Act or as “Handicap” as defined 24 C.F.R. § 100.201.

1.9.DOMICILE. The place where an individual has a fixed permanent home and principal establishment, to which the individual, if absent, intends to return, and in which the individual voluntarily resides, not for a special or temporary purpose, but with the intention

of making a permanent home for a minimum of nine (9) months out of each calendar year.

- 1.10. EXERCISE NOTICE. Written Notice sent by the City to the Project Owner or the Unit Owner within forty-five (45) days of an applicable Offer Date notifying such Project Owner or Unit Owner whether or not the City or its assign will exercise the Option.
- 1.11. EVENT OF DEFAULT. Noncompliance with any part of this Covenant.
- 1.12. HOUSEHOLD. A single individual, doing his/her own cooking and living upon the premises as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage or other domestic bond as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.
- 1.13. MAXIMUM RENT. The Maximum Rent the Project Owner may charge the Qualified Renter of a Unit as established according to Section 2.3.
- 1.14. MAXIMUM RESALE PRICE. The price above which a Unit may not be sold, as calculated by the City, its designated agent, department or assign, using the formula set forth in Section 3.14.
- 1.15. NET WORTH. The amount of total assets of the individuals or family that exceed total liabilities, as determined by the City.
- 1.16. NON-QUALIFIED BUYER. A buyer of a Unit that is not a Qualified Buyer.
- 1.17. NOTICE. Correspondence complying with the provisions of Section 6.8.
- 1.18. OFFER DATE, shall have meaning assigned in Section 3.9.
- 1.19. OPTION. The assignable right of the City beginning upon the Offer Date and terminating after the expiration of the Option Period to purchase a Unit at or below such Unit's Maximum Resale Price.
- 1.20. OPTION PERIOD. The period extending forty-five (45) days from an Offer Date during which either the City or its assign may elect to purchase a Unit at or below such Unit's Maximum Resale Price.
- 1.21. OWNER-OCCUPIED. A Unit that is occupied by the title owner of record of the Unit as his or her Primary Residence, or rented by the Unit Owner in accordance with Section 3.8 herein.
- 1.22. PARK CITY SCHOOL DISTRICT BOUNDARIES. The latest school district boundaries as duly adopted and as reflected on the most current mapping issued by the Utah State Automated Geographic Reference Center school district map.
- 1.23. PERMITTED CAPITAL IMPROVEMENTS. Capital Improvements made by a Unit Owner to the Unit Owner's Unit with the prior written consent of the City that are

designated on **Exhibit “C”**; are completed with all necessary building permits, including final inspections required by such permits, and deemed completed by the City building department; and that may increase the Maximum Resale Price subject to Section 3.14.

- 1.24. **PRIMARY RESIDENCE**. The place where a Domicile has been established.
- 1.25. **PROJECT OWNER**. the Developer, as the owner of the Property and initial owner of the Project, and any successor, transferee, or Affiliate of Developer who gains title to a Unit in accordance with Section 2.1.1. Project Owner shall not include a person who holds an interest in the Unit merely as security for the performance of an obligation or Unit Owners who own a Unit as a Qualified Buyer pursuant to Section 3.1.
- 1.26. **PURCHASE PRICE**. The amount paid for the Unit as consideration to obtain title to that Unit Owner(s)' or Project Owner(s)' Unit, not including any title insurance, transaction costs or real estate commissions.
 - 1.26.1 The Purchase Price deemed to have been paid by the Developer for EMP-B, a one bedroom unit, as the first Project Owner, is \$322,850 in 2020, and is calculated to be affordable to a two-person household having a household income equal to 80% of AMI who obtains financing determined on the basis of: (i) a 5% down payment; (ii) a 30-year term; (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahhousingcorp.org) at the time of the offer; and (iv) housing expenses, including principal, interest, property taxes, and HOA fees, equal to 30% of gross income.
 - 1.26.2 The Purchase Price deemed to have been paid by the Developer for EMP-A, a studio unit, as the first Project Owner, is \$278,300 in 2020, and is calculated to be affordable to a one-person household having a household income equal to 80% of AMI who obtains financing determined on the basis of: (i) a 5% down payment; (ii) a 30-year term; (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahhousingcorp.org) at the time of the offer; and (iv) housing expenses, including principal, interest, property taxes, and HOA fees, equal to 30% of gross income.
- 1.27. **QUALIFIED BUYER**. Qualified Buyer shall be a person or persons who are determined by the City to meet the following criteria:
 - 1.27.1. A person who does not own any other real property;
 - 1.27.2. A person with a minimum of one adult in his or her Household who meets one of the following criteria:
 - (a) A full-time (aggregate of 30 or more hours of employment per week) employee of an entity or entities located within the Park City School District Boundaries,
 - (b) An owner of a business or entity with a primary place of business within the Park City School District Boundaries,
 - (c) A full-time (aggregate of 30 hours of employment per week) worker who is

self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75% of their work/clients are based within the Park City School District Boundaries,

- (d) A retired person who immediately preceding retirement was a full-time employee of an entity located within the Park City School District Boundaries for at least two continuous years and continued living as a full-time resident within the Park City School District Boundaries following his or her retirement, or
 - (e) person who is unable to work or does not have a work history required under subsections (a) through (d) of this Section 1.27 due to a Disability;
- 1.27.3. A Household with an income that is 80% or less of the Area Median Income; and
 - 1.27.4. The combined Net Worth of the persons eighteen years of age and older in the Household does not exceed an amount equal to four times the Area Median Income for the Household size.
- 1.28. QUALIFIED RENTER. Qualified Renter shall be a person or persons who are determined by the City to meet the following criteria:
- ~~1.28.1. A person with a minimum of one adult in ~~their~~ his or her Household who is a full-time (aggregate of 30 hours of employment per week) employee of (a) an entity or entities performing services within the Property or (b) of a business or enterprise operating within the Deer Valley Area and (c) with income that is (i) 150% or less of AMI for EMP-A, and (ii) 80% or less of AMI for EMP-B. or (b) of a business or enterprise operating within the Deer Valley Area; and~~
 - 1.28.2. A person with a minimum of one adult in their Household who is a full-time (aggregate of 30 hours of employment per week) employee of (a) business or enterprises within the Park City School District may be considered Qualified Renters when reasonable efforts to rent to those employed by an entity or entities performing services within the Property or of a business or enterprise operating within the Deer Valley Area are not successful, and (b) whose incomes do not exceed 80% of AMI for a Household with one adult or 100% of AMI for a Household with two adults. ~~Households with an income that is 45% or less of AMI.~~
 - 1.28.3. Individuals who are self-employed do not qualify as “Qualified Renters”.
- 1.29. REASONABLE EFFORT. Good faith effort for a minimum of 90 days to rent, at not more than the Maximum Rent, or Sell, at not more than its Maximum Resale Price, a Unit through the City’s affordable housing program or the Mountainlands Community Housing Trust; advertising through local media, including a paper with state or local circulation and such other widely distributed printing or flyer; and advertising through online resources specially designed to market and sell or rent real estate.
- 1.30. SALE. The term “sale,” or any derivative thereof (e.g., “sales,” “sold,” and “sell”), shall include any transfer of title of a Unit, regardless of whether or not any consideration is provided to the transferor in exchange. This shall include, but is not

limited to, any gift, assignment, or other transfer.

- 1.31. SECURED CREDITOR. A person or entity who is the beneficiary of any obligation secured by a lien on the Unit, including under any mortgage, deed of trust, or other security instrument.
- 1.32. SENIOR SECURED CREDITOR. A Secured Creditor who is the named beneficiary, mortgage insurer, or mortgage guarantor of a mortgage, deed of trust, or other security instrument which takes priority or precedence over any other liens or encumbrances securing any other Secured Creditor so that the liens or encumbrance of the Senior Secured Creditor must be satisfied before any such other Secured Creditor is entitled to participate in the proceeds of any sale or other disposition of the Unit.
- 1.33. UNIT. Unit EMP-A and Unit EMP-B each a separate condominium as established by the Plat and the Condo Declaration intended to provide independent living facilities for one person or Household, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- 1.34. TRANSFeree. A property management company; the homeowners' association for the Project or another condominium or subdivision in the Deer Valley Area, or other business operating within the Deer Valley Area; or an Affiliate of Developer or the then current Project Owner, which is receiving title to a Unit for the purpose of, and with the intent to, own and operate the Unit as a Project Owner in order to rent the Units to Qualified Renters; a Transferee is not required to be a Qualified Buyer.
- 1.35. UNIT OWNER. The transferees receiving title to or a fee interest in the Unit as a Qualified Buyer in order to own and occupy the Unit as an Owner-Occupied Unit, and all subsequent person(s) vested with record title of a Unit according to the records of the County Recorder of Summit County, Utah. Unit Owner shall not include a person who holds an interest in a Unit merely as security for the performance of an obligation, and, solely in regards to the restrictions contained in this Covenant, the City and any Project Owner shall not be considered a Unit Owner.

2. COVENANT RESTRICTING THE PROJECT OWNER'S RENTAL OF THE UNIT TO QUALIFIED RENTERS.

- 2.1. RENTING RESTRICTED TO QUALIFIED RENTERS. The Units are designated as fulfilling AUE requirements, and as such, each Unit owned by the Project Owner may only be occupied by Qualified Renters. The Project Owner shall cause each Unit it owns to be rented to Qualified Renters with rents no higher than the Maximum Rent. The foregoing requirements of this Section 2.1 may only be waived on a case-by-case basis pursuant to Section 2.1.1 below, or if the City determines a Unit is no longer needed as an affordable rental and the City gives prior written approval to the Project Owner to sell that Unit to a Qualified Buyer pursuant to Article 3 and at a price set by the City.
 - 2.1.1 After (a) giving prior written notice to the City which discloses the material terms of such transfer, and (b) after the Transferee has (i) executed and (ii) recorded

(iii) an assignment and assumption agreement in a form acceptable to the City, (iv) in which the Transferee agrees to assume the responsibilities of Developer under this Covenant and operate the Unit as a Project Owner, the Developer, or any subsequent Project Owner, may transfer any Unit to a property management company; the homeowners' association for the Project or another condominium or subdivision in the Deer Valley Area, or other business operating within the Deer Valley Area; or an Affiliate of Developer or the then current Project Owner, each of which are not required to be a Qualified Buyer; and such Transferee shall operate and rent the Unit as a Project Owner in accordance with this Covenant, unless and until such Unit is transferred to another Transferee pursuant to this Section 2.1.1 or to a Qualified Buyer in accordance with Section 2.9 and Article 3 below. For the avoidance of doubt, any transfer pursuant to this Section 2.1.1 shall not be used in order to fulfill any additional AUEs or affordable housing requirements for a property other than the Project, and if operated in accordance with this Covenant, the Units shall only satisfy the AUE requirements recognized in the Recitals.

- 2.2. WHEN RENTING NOT RESTRICTED TO QUALIFIED RENTERS. Project Owner shall utilize Reasonable Efforts to give preference to Qualified Renters in renting each Unit so long as: (i) the Qualified Renter meets all the standard income, background, employment, and other tenant checks, as uniformly and fairly applied to all prospective or renewal tenants; and (ii) giving such priority does not violate any applicable laws. Except as provided below, Project Owner will not knowingly allow any tenant to sublease, assign, or otherwise convey any interest in the lease. In the event that Project Owner uses Reasonable Effort to rent to a Qualified Renter for at least ninety (90) days and is unable to rent to a Qualified Renter, the Project Owner shall give the City written notice of such a vacancy, in which case the Unit shall become available for rent to a Qualified Renter identified by the City for a period of ninety (90) days following City's receipt of such written notice, and if no Qualified Renter is identified during this ninety day period, the Project Owner may rent to any tenant for up to six (6) months. Nightly rentals (rentals for less than 30 days) of the Units are prohibited.
- 2.3. LIMITATION ON RENTAL RATES AND TERMS. The rate at which the Project Owner shall rent the Unit shall not exceed the Maximum Rent. The Maximum Rent in the year 2020 for EMP-B, a one-bedroom unit, shall be \$1,063 per month if the Project Owner covers all utility charges and \$988 per month if the lessee is responsible for electrical utility costs. The Maximum Rent in the year 2020 for EMP-A, a studio unit, shall be \$940 per month if the Project Owner covers all utility charges and \$865 per month if the lessee is responsible for electrical utility costs. The Maximum Rent shall be adjusted on June 15 of each year by the annual percentage increase in the Consumer Price Index (the Department of Labor and Commerce Bureau of Labor Statistics Consumer Price Index, All Urban for the Western Region) using a base year of 2019. At no time shall the Unit Maximum Rent exceed 30% of the income of a two-person household, for EMP-B, and a one-person household, for EMP-A, earning 45% of AMI. Project Owner may enter into one or more master lease agreements with a business entity or entities located within the Park City School District Boundaries (each a "**Master Lessee**") whereby the Master Lessee agrees to rent the Units to its employees or other Qualified

Renters for no more than the Maximum Rent. The Master Lessee must agree, as a covenant and condition of the master lease, to rent the Units only to Qualified Renters at no more than the Maximum Rent. In the event rent is charged to any sublessee in excess of the amounts described above, any rents charged in excess of these amounts shall be due and payable to the City immediately upon receipt thereof by either the Master Lessee or Project Owner. Such amounts, when received by the City, shall be used to further the City's affordable housing purposes. Any assessments or fees charged to the fee title owner of the Unit (including pursuant to the Condo Declaration or the master association) shall not be charged to the Qualified Renter of the Unit, and the Project Owner shall pay all such assessments or fees when due according to the terms of the Condo Declaration.

- 2.4. RENT AS PART OF EMPLOYEE COMPENSATION PACKAGE. Rent for the Unit may be included as part of an overall employee compensation package. The value of this benefit shall not exceed the Maximum Rent.
- 2.5. MINIMUM LEASE TERM FOR A UNIT. The minimum lease term for the Units shall be six (6) months. In no event shall the Unit be offered for rent on a nightly basis to the general public.
- 2.6. VACANCY OF UNIT. Should the Unit become vacant for a period of more than ninety (90) consecutive days, the Project Owner shall use Reasonable Effort to rent the Unit to a Qualified Renter, including without limitation giving the City written notice of such a vacancy, in which case the Unit shall become available for rent by a Qualified Renter identified by the City, subject to the provisions of Section 2.2 and 2.3 above.
- 2.7. CONDITION OF RENTAL UNIT. The Project Owner, Master Lessee, and the Qualified Renter shall keep and maintain the Unit in a safe, sound, habitable, good, sanitary condition and in a good state of repair. The Project Owner shall maintain the Unit according to the standards outlined in Exhibit C, *Minimum Standards*. The Project Owner and Master Lessee shall repair damage or replace or restore any destroyed parts of the Unit within six (6) months. In conjunction with the Annual Compliance Report, the Unit shall be subject to an annual inspection by the City.
- 2.8. ANNUAL COMPLIANCE REPORTS. The Project Owner shall submit an *Annual Compliance Report for Rented Units* (Exhibit E) to the City by June 30 of each year. The Annual Compliance Report shall be accompanied by a signed affidavit by the Project Owner certifying that such Project Owner is in compliance with the terms of this Covenant. Failure of the City to mail or otherwise provide the Annual Compliance Report form to an Project Owner does not discharge the obligations of such Project Owner to make the Annual Compliance Report. The City may request additional documentation to demonstrate that the Unit is rented to a Qualified Renter as outlined in this Covenant. The Project Owner shall provide such additional documentation as may be requested by the City. In conjunction with the Annual Compliance Report, the City may conduct a yearly physical inspection of the Units.
- 2.9. DETERMINATION THAT UNIT IS NO LONGER NEEDED AS A RENTAL UNIT.

Should the City determine, based on an independent housing needs assessment, that the Unit is no longer necessary as a rental unit to satisfy the affordable/employee housing needs in Park City, the Project Owner may sell the Unit to a Qualified Buyer for Owner Occupancy for such Buyer's personal use, according to the Restrictions on the Sale of Unit to Qualified Buyers for Owner Occupancy provided in Article 3. The Park City Housing Authority or its successor shall make the final determination of whether the affordable and housing needs of Park City will be best met by the Unit's continuance as an affordable rental or by its availability for Sale to Qualified Buyers as an Owner Occupied Unit.

- 2.10. INITIAL OWNER IS SUBJECT TO EVENT OF DEFAULT PROVISIONS. Should the Project Owner trigger an Event of Default, the provisions outlined in Article 5, Event of Default, including the enforcement remedies of the City, shall apply to the Project Owner as well as any Unit Owner.

3. COVENANT RESTRICTING SALE OF UNIT TO QUALIFIED BUYERS FOR OWNER OCCUPATION.

- 3.1. SALE OF UNIT TO QUALIFIED BUYER FOR OWNER OCCUPATION. Should the City determine that the Unit is no longer needed as an affordable rental Unit in accordance with Section 2.9 above, the Project Owner may sell the Unit according to the restrictions in this Article 3 of this Covenant to a Qualified Buyer, and the Unit shall be owned and used by the Unit Owner as an Owner-Occupied Unit. The covenants and conditions in this Article 3 shall be binding, as applicable and as specified, upon the Project Owner for so long as it is title owner of any Unit or portion thereof and each Unit Owner, including but not limited to provisions detailing the City's Option to purchase the Unit pursuant to Section 3.11 and the City's Right to Purchase Unit in Default of Lien in Section 3.12. The Project Owner; each Unit Owner; each of the Project Owner and Unit Owners' heirs, successors, executors, administrators, devisees and assigns; and all persons acquiring an interest in the Unit, whether or not so expressed in any deed or other instrument of conveyance, shall be deemed to covenant and agree during the period of each holder's interest in the Unit to hold their interest subject to the covenants and restrictions contained in this Covenant, which shall be deemed to run with the land. Project Owner and each Unit Owner shall not permit any ownership, use, or occupancy of his or her Unit except in compliance with this Covenant. Any transfer deed conveying an interest in the Unit shall clearly state that it is made subject to these Covenants, including the possibility of reverter to the City pursuant to Article 5 herein, and these Covenants and such possibility of reverter shall be part of the deed. Failure to comply with the preceding sentence shall not affect the validity of the conveyance, the validity or enforceability of the City's reverter, or the enforceability of the terms of this Covenants as covenants running with the land binding upon all holders of an interest in the Unit.
- 3.2. ADMINISTRATION AND ENFORCEMENT. The City shall have the right to enforce the terms of this Covenant and may enforce its terms as it deems administratively proper through its employees, administrative offices, agents or assigns. The Park City Police Department is authorized to investigate certain affordable housing violations and to issue citations pursuant to City Code § 8-3-6. The City may enforce this Covenant by any

appropriate legal or equitable action including but not limited to specific performance, injunction, abatement, damages and such other remedies and penalties as may be specified in this Covenant.

- 3.3. OWNER OCCUPANCY. Each Unit sold by a Project Owner to a Unit Owner or owned by a Qualified Buyer shall be Owner-Occupied unless a Unit Owner shall receive prior written consent of the City, in its sole and absolute discretion, for an exception. Each Unit Owner shall occupy his or her Unit as a Primary Residence.
- 3.4. OTHER PROPERTY OWNERSHIP IS PROHIBITED. Unless the City gives its prior written consent, each Unit Owner shall not obtain, purchase or otherwise acquire any other direct or indirect interest in real property while the Unit Owner is a Unit Owner; neither the Unit Owner nor any person in the Unit Owner's Household shall establish a trust of which the Unit Owner is a beneficiary, if such trust's corpus contains any other real property.
- 3.5. LIMITATIONS ON REFINANCING. The Unit Owner shall not under any circumstances obtain any financing or combination of financings that in the aggregate exceeds the Maximum Resale Price at the time such financing is completed.
- 3.6. MAINTENANCE. Each Unit Owner and Project Owner shall make all repairs and maintain the Unit Owner's Unit in a safe, sound, habitable and good condition and state of repair. In the case of damage to the Unit, the Unit Owner shall repair damage or replace or restore any destroyed parts of the Unit within six (6) months.
- 3.7. INSURANCE. To the extent such insurance is not provided by any applicable association of homeowners organized pursuant to a declaration of covenants, conditions, and restrictions governing the Project, each Project Owner and Unit Owner shall continuously insure his or her Unit against all risks of physical loss for the full replacement value of the Unit.
- 3.8. UNIT RENTAL PROHIBITED; EXCEPTION. Unit Owner shall not rent or lease all or any portion of the Unit, including nightly rentals; provided, however, that only with the prior written consent of the City, Unit Owner may rent or lease the Unit under the following circumstances:
- 3.8.1 Subject to other zoning and land use regulations, each Unit Owner may rent out a portion of his or her Unit to a roommate for a term of six (6) months or longer, and the amount of respective rent a Unit Owner may charge such roommate per month shall not exceed forty-five percent (45%) of the sum of the mortgage payment, Project association assessments, and utilities owed per month for such Unit.
- 3.8.2 At a rate determined by the City after accounting for the Unit Owner's costs, a Unit Owner may rent out the Unit Owner's Unit for a period not to exceed twelve (12) months, if the Unit Owner is unable to Sell the Unit after ninety (90) days of Reasonable Effort. The option to rent under this Section 3.8.2 shall not be exercised by any Unit Owner more than once.

- 3.8.3 At a rate determined by the City after accounting for the Unit Owner's costs, a Unit Owner may rent out the Unit Owner's Unit, if the Unit Owner must relocate for a period not to exceed two (2) years for the purpose of employment; for religious, civic, or community service; or for military service.
- 3.8.4 Other circumstances as may be required by law.
- 3.9. RESALE OF UNIT. Unit Owner and the Project Owner shall send Notice to the City of the Project Owner or such Unit Owner's intent to Sell the Unit (the date of such Notice to the City shall be the "**Offer Date**"), and the Project Owner and Unit Owner shall not Sell any interest in the Unit until the earlier of (i) the expiration of the Option Period without receipt of an Exercise Notice from the City, (ii) the date of an Exercise Notice notifying the Unit Owner that neither the City nor its assign will be exercising its rights under the Option, or (iii) sixty (60) days after receipt of an Exercise Notice if the Sale to the City or its assign has not yet closed by that date.
- 3.10. COVENANT TO RESTRICT SALES TO QUALIFIED BUYERS. Except as (i) otherwise previously agreed to by the City in writing, (ii) allowed by Section 2.1.1, 3.11, 3.12.7, or 3.13, or (iii) provided for by amendment to this Covenant, the Unit shall only be sold to (a) Qualified Buyers who agree to use their respective Units as an Owner-Occupied Primary Residence or (b) the City.
- 3.11. OPTION TO THE CITY. The City may only assign its Option to a Qualified Buyer or to another governmental entity or non-profit entity engaged in providing affordable housing. If the City elects to exercise its Option or assigns the Option, the City or its assign shall complete the acquisition of a Unit within sixty (60) days of the date of the Exercise Notice; provided that any lack of cooperation by the Project Owner or Unit Owner in measures reasonably necessary to effect the sale shall extend such sixty-day period by the length of the delay caused by such lack of cooperation. The City shall promptly give the Project Owner or Unit Owner written notice of the lack of cooperation and the length of the extension added to the sixty-day period. If (i) the Option Period expires without receipt of an Exercise Notice by the Unit Owner or Project Owner; (ii) the Unit Owner or Project Owner receives an Exercise Notice that neither the City nor its assign will be exercising its rights under the Option; or (iii) sixty (60) days (or such longer period set forth by notice of lack of cooperation pursuant to the preceding sentence) expires after receipt of an Exercise Notice and Sale to the City or its assign has not yet closed, the Option shall automatically terminate with respect to such Sale or offering for Sale without the need for further Notice or documentation.
- 3.12. RIGHT TO PURCHASE UNIT IN DEFAULT OF LIEN.
- 3.12.1. Whenever all or a portion of the principal sum of any obligation secured by a lien or mortgage on the Unit has, prior to the maturity date fixed in the obligation, become due or been declared due by reason of a breach or default in the performance of any obligation secured by the lien or mortgage, including a default in the payment of interest or of any

installment of principal, or by reason of failure of the Project Owner or Unit Owner to pay, in accordance with the terms of the applicable agreement or legal document, taxes, assessments, premiums for insurance, or advances made by the Secured Creditor in accordance with terms of the obligation or of the applicable agreement or legal document, it shall be considered an Event of Default under this Covenant, and the Secured Creditor shall notify the City and any Senior Secured Creditor in the event of any default for which such Secured Creditor intends to commence foreclosure proceedings or similar remedial action pursuant to its mortgage (the “**Foreclosure Notice**”), which notice shall be sent to the City as set forth in this Covenant, and to any Senior Secured Creditor as set forth in such Senior Secured Creditor’s mortgage, not less than ninety (90) days prior to the foreclosure sale or the acceptance of a deed in lieu of foreclosure. The Project Owner and each Unit Owner expressly agrees to the delivery of the Foreclosure Notice and any other communications and disclosures made by a Secured Creditor to the City pursuant to this Covenant.

3.12.2. The Project Owner, each Unit Owner, and each Secured Creditor agree that before a deed of trust sale or judicial foreclosure may be exercised, the City shall have an option to purchase the Unit at the Applicable Foreclosure Price (defined below) for ninety (90) days from the date the City receives the Foreclosure Notice (the “**Right to Purchase Unit in Default**”). In the event that the City intends to exercise its Right to Purchase Unit in Default, the City or its designee shall purchase the Unit within ninety (90) days of receipt of such Foreclosure Notice, at a price equal to the greater of (i) the sum of the outstanding principal balance of the note secured by such foreclosing Secured Creditor’s mortgage, together with the outstanding principal balance(s) of any note(s) secured by Senior Secured Creditors plus all future advances, accrued interest and all reasonable costs and expenses which the foreclosing Mortgagee and any senior Mortgagee(s) are entitled to recover pursuant to the terms of such mortgages (but in no event shall the aggregate amount thereof be greater than one hundred percent (100%) of the Maximum Resale Price calculated in accordance with Section 3.14 below) (the “Mortgage Satisfaction Amount”), and (ii) the Maximum Resale Price (which may be less than the purchase price paid for the Unit by the Unit Owner or the Project Owner) (the greater of (i) and (ii) above in this Section 3.12.2 shall mean the “Applicable Foreclosure Price”).

3.12.3. In the event that the foreclosing Secured Creditor conducts a foreclosure sale or other proceeding enforcing its rights under its mortgage and the Unit is sold for a price in excess of the Applicable Foreclosure Price, such excess shall be paid to the City to use for its affordable housing purposes after (i) a final judicial determination, or (ii) a written agreement of all parties who, as of such date hold (or have been duly authorized to act for other parties who hold) a record interest in the Unit, that the City is

entitled to such excess. The legal costs of obtaining any such judicial determination or agreement shall be deducted from the excess prior to payment to the City. To the extent that the Project Owner or the Unit Owner possesses any interest in any amount which would otherwise be payable to the City under this Section 3.12.3, to the fullest extent permissible by law, the Project Owner and each Unit Owner hereby assigns its interest in such amount to the foreclosing Secured Creditor for payment to the City.

3.12.4. Each Project Owner or Unit Owner shall send Notice to the City of any default under obligations secured by a lien on such Project Owner or Unit Owner's Unit.

3.12.5. The Project Owner and Unit Owner shall provide any further consents necessary to allow each Secured Creditor to provide the City or its designee with the information and amounts necessary to cure any default or exercise the Right to Purchase Unit in Default.

3.12.6. The Project Owner and each Unit Owner hereby assigns the City all of the Project Owner and each Unit Owner's rights to cure the default as are provided to the Project Owner or Unit Owner by law or the applicable loan documents; provided the City shall have no obligation to cure such. If the City elects, in its sole discretion, to cure any such defaults, it shall regain title to the Unit either from the Project Owner or Unit Owner or from the Secured Creditor, if title to the Unit has passed to the Secured Creditor and to the extent the Project Owner or Unit Owner would be allowed to cure such default by law or the loan documents, at the Applicable Foreclosure Price.

3.12.7. If (i) the City receives timely Foreclosure Notice and (ii) and the City declines to exercise its Right to Purchase Unit in Default, then the Secured Creditor may initiate a trustee's sale, foreclosure proceeding, or other remedy affecting the title to the Unit, and may Sell the Unit, provided that conditions

(i) and (ii) in this Section 3.12.7 were met, to a non-Qualified Buyer and upon such sale, all deed restrictions in this Covenant shall be deemed removed with respect to the Unit. Proceeds of the initial Sale of a Secured Creditor conducted under this Section 3.12.7 shall be subject to Section 3.12.3.

3.13. SALE TO A NON-QUALIFIED BUYER. If after using Reasonable Efforts for a period of ninety (90) days, a Unit Owner is unable to sell that Unit, such Unit Owner shall send Notice to the City and may request that the City either (i) purchase that Unit at a price mutually agreed upon by such Unit Owner and the City, but in no event more than the Maximum Resale Price, or (ii) give written approval permitting the Sale of that Unit, subject to the terms of this Covenant, to a Non-Qualified Buyer.

3.14. MAXIMUM RESALE PRICE. In no event shall the Unit Owner or Project Owner Sell a Unit for more than the Maximum Resale Price. The Maximum Resale Price for sale of a Unit by the Unit Owner, or for purposes of calculating the Applicable Foreclosure Price, shall be the amount paid by such Owner for the Unit (i) *plus* an

increase of three percent (3%) per year, compounded annually, from the date of such Unit Owner's purchase of the Unit until the date of such Unit Owner's Offer Date, prorated for partial years; (ii) *plus* Permitted Capital Improvements, if applicable, in an amount no greater than five percent (5%) of the Purchase Price paid by the selling Unit Owner, and depreciated on a straight line basis, ten percent (10%) per year for ten (10) years; (iii) *minus* any reductions in price pursuant to Section 4.2; (iv) *plus* reasonable real estate commissions but only if (a) (1) the Option Period expires without receipt of an Exercise Notice by the Unit Owner, (2) the Unit Owner receives Exercise Notice that neither the City nor its assign will be exercising its rights under the Option, or (3) sixty (60) days expires after receipt of an Exercise Notice and Sale to the City or its assign has not yet closed, and (b) the Option automatically terminates with respect to such Sale or offering for Sale. For a sale by a Project Owner to the initial Unit Owner the purchase price paid by the Developer for EMP-A shall be deemed to be the sum of \$322,850, and for EMP-B \$278,300 and the period of ownership shall begin with the date that a certificate of occupancy is issued with respect to the Unit. Real estate commissions, seller's closing costs, and Capital Improvements that are not Permitted Capital Improvements shall not be included in the Maximum Resale Price. Nothing in this Covenant shall be construed to constitute a representation or a guarantee by the City that any sale of a Unit by a Unit Owner or the Project Owner shall obtain the Maximum Resale Price.

- 3.15. TRANSFER OF TITLE. The Project Owner and each Unit Owner shall not enter into or execute any transaction that Sells any interest in a Unit without the prior written consent of the City.
- 3.16. NON-COMPLYING SALES OR TRANSFERS. Any Sale or transfer of the Unit without the written consent of, or notice to, the City in accordance with the terms of this Covenant, including, without limitation, any Sale or transfer wherein the Qualified Buyer obtains any financing or multiple financings that in the aggregate exceeds the Maximum Resale Price at the time such financing is completed, shall be voidable at the option of the City. The Unit Owner or Project Owner, as the case may be, shall be liable for all costs and attorney's fees incurred in setting aside any non-complying Sale or transfer of his or her Unit.
- 3.17. NO DISCRIMINATION. The Project Owner or Unit Owner shall not discriminate against any person in the Sale of a Unit because of race, color, religion, sex (including pregnancy, childbirth, pregnancy-related conditions, breastfeeding, or medical conditions related to breastfeeding), national origin, age, familial status, source of income, Disability, genetic information, sexual orientation, gender identity or protected expressions. The Project Owner or Unit Owner shall take such action with respect to this Covenant as may be required to ensure full compliance with applicable local, state, and federal laws prohibiting discrimination.
- 3.18. ANNUAL COMPLIANCE REPORT. The Unit Owner shall provide the City with an Annual Compliance Report, *Park City Affordable Housing Affidavit for Owner-Occupied Units* (Exhibit F), by June 30 of each year. The Annual Compliance report shall be accompanied by a signed affidavit by the Unit Owner certifying that such Unit Owner is in compliance with the terms of this Covenant. Failure of the City to mail or

otherwise provide the Annual Compliance Report form to a Unit Owner does not discharge the obligations of such Unit Owner to make the Annual Compliance Report. The City may request additional documentation to demonstrate that each Unit Owner uses that Unit Owner's Unit as a Primary Residence and is otherwise in compliance with all terms of this Covenant, and each Unit Owner shall provide such additional documentation as may be requested by the City. In conjunction with the Annual Compliance Report, the City may conduct a yearly physical inspection of the Units.

4. PHYSICAL CONDITION OF UNITS

- 4.1. CHANGES AND/OR CAPITAL IMPROVEMENTS. No substantial or non-cosmetic changes or capital improvements valued at more than \$1,000 may be made to the Unit without the prior written approval of the City.
- 4.2. MINIMUM STANDARDS OF PHYSICAL CONDITION. The Project Owner and Unit Owner are required to maintain a minimum standard of physical conditions, as set forth in **Exhibit "D"** – Minimum Standards, for the Unit in order to receive the Maximum Resale Price. Sixty (60) days prior to any sale of the Unit, the City or a designee will conduct an inspection and provide a list to the Project Owner or Unit Owner as to the items that need to be remedied prior to closing to bring the Unit to minimum standards. If said inspection reflects items that do not meet the minimum standards for Project Owner or Unit Owner to receive Maximum Resale Price pursuant to Exhibit D, the Project Owner or Unit Owner shall be required to either bring the Unit to minimum standards or an equal cost will be deducted from the Maximum Resale Price. If the Unit meets the minimum standards for Project Owner or Unit Owner to receive Maximum Resale Price, the Unit may be sold for the Maximum Resale Price. The City will determine the Maximum Sales Price according to the formula set forth in Section 3.14, above.

5. EVENTS OF DEFAULT

- 5.1. IT IS A CRIMINAL OFFENSE TO DISREGARD THE RESTRICTIONS HEREIN. Each Project Owner and each Unit Owner, by acquiring the Unit, is deemed to acknowledge Ordinance 14-47 and Park City Municipal Code section 8-3-6, each as amended, which establish that it is a crime to commit affordable housing fraud. Ordinance 14-47 was ratified to "ensure that any fraud and unjust enrichment in the process is stopped and that buyers, sellers . . . and other intended beneficiaries of deed restricted affordable housing are protected from any fraudulent acts or statements." Any violation of Ordinance 14-47 and Park City Municipal Code section 8-3-6 as amended in connection with any Unit is an Event of Default, and the responsible party is subject to criminal prosecution.
- 5.2. EVENT OF DEFAULT. Noncompliance with any part of this Covenant constitutes an Event of Default. Events of Default shall include but are not limited to: (a) rental of all or a portion of the Unit that violates the provisions of Article 2 or Section 3.8 without prior written consent of the City; (b) obtaining financing or a combination of financings that in the aggregate exceed the Maximum Resale Price; (c) not using a Unit as an Owner-

Occupied Primary Residence; (d) failure to pay the monetary penalties of Section 5.3; (e) failure to submit the Annual Compliance Report required by Sections 2.8 or 3.18; (f) failure to make timely payments or otherwise defaulting on a lien or mortgage on any Unit; or (g) using the Unit for purposes other than as an affordable Unit for a Qualified Renter or an Unit for a Qualified Buyer.

5.2.1. Rental of any Unit on a nightly or weekly basis shall constitute an automatic Event of Default. Notwithstanding the cure period under Section 5.3, following a Notice from the City to a Project Owner or Unit Owner of an Event of Default, the City may charge any Project Owner or Unit Owner that rents that Unit Owner's Unit on a nightly or weekly basis, automatic fines of up to the greater of \$500 per day or the rate charged for rental of the Unit per night.

5.3. MONETARY PENALTIES. Upon written Notice from the City to the Project Owner or Unit Owner of an Event of Default, the Project Owner or Unit Owner shall have thirty (30) days to cure such noncompliance. If the Project Owner or Unit Owner does not cure the Event of Default within thirty (30) days, the City may assess monetary penalties against the Project Owner or Unit Owner of up to two-hundred and fifty dollars (\$250.00) per day beginning on the thirty-first (31) day after Notice of the Event of Default.

5.4. CITY TO MAINTAIN A POSSIBILITY OF REVERTER. If the Project Owner or Unit Owner does not cure an Event of Default within thirty (30) days, then the City may initiate the process of obtaining title to the Unit as further described in this paragraph. The City shall send Notice to the Project Owner or Unit Owner that contains the specific Event(s) of Default, the dates of such noncompliance, a record of other Notices sent regarding such Event(s) of Default, and that notifies the Project Owner or Unit Owner of an informal hearing before the City Council to take place within thirty (30) days of such Notice, at which the Project Owner or Unit Owner may present evidence or call witnesses. After such Notice and informal hearing, the City Council shall issue a final ruling within thirty (30) days of the hearing which shall make a finding as to the Project Owner or Unit Owner's Event(s) of Default. Upon a final ruling of an Event of Default against such Project Owner or Unit Owner, the occurrence of such condition subsequent shall trigger the City's right to title in fee simple to the Project Owner or Unit Owner's Unit, and, upon the exercise of such right by the City, title will revert to and become revested in the City, and such title will be revested fully and completely in it, and the City will be entitled to and, subject to applicable law, may of right enter upon and take possession of the Unit; provided that, contemporaneously with the City's exercise of its reversionary interest, the City shall repay, or cause to be repaid any outstanding debt or obligation incurred by the Project Owner or Unit Owner who is the then current holder of fee title to the Unit for the acquisition of the Unit to the extent such debt or obligation is secured by a recorded lien against the Unit. Upon successful closing of a Sale of the Unit from such Project Owner or Unit Owner to the City or its assign pursuant to Section 5.5, any reversionary interest of the City granted by this Section 5.4 shall terminate in regards only to that specific finding of Event of Default. If the City pays, or causes to be paid, pursuant to this Section 5.4, amounts to satisfy liens against the Unit that are more than the Maximum Resale Price, then the City may seek a deficiency judgment against

such Project Owner or Unit Owner for the difference between the amount paid and the Maximum Resale Price.

5.5. RIGHT TO PURCHASE. Upon a finding of an Event of Default by an informal hearing conducted by the City Council as described in Section 5.4, the Project Owner or Unit Owner shall offer to sell the Unit to the City at or below the Unit's Maximum Resale Price. Upon such finding of an Event of Default, the City shall have the option, in its sole discretion, to exercise or assign its reversionary interest pursuant to Section 5.4, to exercise or assign its right to purchase pursuant to this Section 5.5, or to seek any other remedy provided to it at law or in equity.

5.6. REMEDIES NOT EXCLUSIVE. No remedy conferred by any of the specific provisions of this Covenant is intended to be exclusive of any other remedy, and each and every remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity by statute or otherwise. The election of any one or more remedies shall not constitute a waiver of the right to pursue other remedies.

6. GENERAL PROVISIONS

6.1. TERM OF COVENANT. The term of this Covenant shall commence as of the Effective Date set forth above and shall continue in full force and effect for a period not less than forty (40) years. Upon the expiration of the initial forty (40) year term, or any subsequent term, the City shall have six (6) months in which to determine, based on an independent market study, that the Unit is no longer necessary to satisfy the affordable or employee housing needs of the City. The City Council or its successor shall make the final determination of such continuing need, and if the City makes no such determination, the Covenant shall automatically renew for one or more additional consecutive ten (10) year terms.

6.2. AMENDMENTS. Any amendments or modification to this Covenant in whole or in part must be made in writing and agreed to by the then current holder of fee title and the City and must be recorded with the Recorder of Summit County, Utah. Amendments or modifications to this Covenant may be made to affect the individual Unit only, and such amendments or modifications shall be effective only when made by writings signed by the by the then current holder of fee title to the Unit specified in such modification or amendment at the time of the amendment or modification and the City and recorded with the Recorder of Summit County, Utah. The City may unilaterally modify the Covenant to provide clarification to any provisions that may be subject to differing interpretations, to correct any errors identified, or where the City deems such modification or amendment necessary to effectuate the purposes and intent of the Covenant or bring this Covenant in compliance with applicable City Code or State of Utah or federal law and where such modification does not in the City's reasonable discretion materially impair the rights of the then current fee title owner or any Secured Creditor.

6.3. NO WAIVER. No waiver of any Event of Default or breach of this Covenant shall be implied from any omission by the City to take action on account of such Event of Default, and no express waiver shall affect any Event of Default other than the Event of Default specified in the waiver, and then the waiver shall be operative only for the time and to the extent therein stated. Waivers by the City of any covenant, term or condition contained in this Covenant shall not be construed as a waiver of any subsequent breach of the same

covenant, term or condition. The consent or approval by either Party to or of any act by either Party requiring further consent or approval shall not be deemed to waive or render unnecessary their consent or approval to or of any subsequent similar acts.

6.4.WAIVERS. The Project Owner and each Unit Owner hereby waives any defenses, rights, or remedies that each might otherwise assert against the City in connection with: (a) the application of the rule against perpetuities to this Covenant; or (b) any claim that the Covenants recorded against the Unit are not real covenants running with the land. This waiver shall be binding upon the successors and assigns of each of the Project Owner and Unit Owner and inure to the benefit of the successor and assigns of the City.

6.5.DISCONTINUANCE OF LIABILITY AFTER CONVEYANCE. Following the recording of a deed conveying the Unit to a Qualified Buyer, provided such conveyance was made in accordance with the requirements of this Covenant, including proper notice or consent rights of the City, the transferor of such Unit shall have no further liability under this Covenant respecting the Unit, except to the extent caused by the negligence or intentional misconduct of the transferor and excepting any outstanding fines or penalties due to the City hereunder and incurred during transferor's ownership of the Unit.

6.6.SALE AGAINST OWNER'S WILL. Without in anyway limiting the remedies and enforcement provisions granted the City by Sections 3.12, 5.4, and 5.5, nothing in this Covenant shall be interpreted to require the Project Owner or a Unit Owner to Sell the Unit against such Project Owner or Unit Owner's will.

6.7.SEVERABLE OBLIGATIONS AND LIABILITIES. Different individuals and entities may eventually own the Unit. Each Project Owner and Unit Owner of the Unit shall not be liable to the City for any default, or encumbered by the obligations or liabilities incurred, by any other Project Owner or Unit Owner pursuant to this Covenant.

6.8.NOTICES. Any and all Notices and demands required or desired to be given hereunder shall be in writing and shall be validly given or made if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested, or sent by Federal Express or other similar courier service keeping records of deliveries and attempted deliveries. Service by mail or courier shall be conclusively deemed made on the first business day delivery is attempted. Each Party to this Covenant may change their respective addresses for the purpose of receiving Notice by a written Notice to the other Parties.

Notice to a Unit Owner or Project Owner shall be sent to the address on file with the Office of the Recorder of Summit County, Utah.

Notice to the Initial Project Owner shall be addressed to the following address or to the address on file with the Office of the Recorder of Summit County, Utah:

Lot 2 Empire Pass North,
LLC 100 Saint Paul St. Suite
800

Denver, CO
80206 Attn:
William Fiveash

Any Notice or demand to the City shall be addressed to the City at the following address:

Park City Municipal
Corporation PO Box 1480; 445
Marsac Avenue Park City, Utah
84060-1480 ATTN: City Recorder
and Housing Office Fax: (435) 615-
4901

- 6.9. SEVERABILITY. If any term, provision, covenant or condition of this Covenant is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of this Covenant shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of such remaining provisions. In the event that all or any portion of this Covenant is found to be unenforceable, this Covenant or that portion which is found to be unenforceable shall be deemed to be a statement of intention by the Parties; and the Parties further agree that in such event, and to the maximum extent permitted by law, they shall take all steps necessary to comply with such procedures or requirements as may be necessary in order to make valid this Covenant or that portion which is found to be unenforceable.
- 6.10. ATTORNEYS' FEES. If any Party, including any Unit Owner, shall take or defend against any action for any relief against another party arising out of this Covenant, the prevailing Party in such action or defense shall be entitled to reimbursement by the other Party for all costs including but not limited to reasonable attorneys' fees and court costs incurred by the prevailing Party in such action or defense and/or enforcing any judgment granted therein, all of which costs shall be deemed to have accrued upon the commencement of such action and/or defense and shall be paid whether or not such action or defense is prosecuted to judgment. Any judgment or order entered in such action or defense shall contain a specific provision providing for the recovery of attorneys' fees and costs incurred in enforcing such judgment.
- 6.11. CHOICE OF LAW. This Covenant shall be governed and construed in accordance with the laws of the State of Utah.
- 6.12. SUCCESSORS. Except as otherwise provided herein, the provisions and covenants contained herein shall inure to the benefit of, and be binding upon, the heirs, successors, and assigns of the Parties.
- 6.13. THIRD PARTY BENEFICIARY. The benefit of this Covenant shall run to the City personally and is not intended to, and does not, confer enforcement rights on any third parties.
- 6.14. PARAGRAPH HEADINGS. Paragraph or section headings within this Covenant are

inserted solely for convenience of reference and are not intended to and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

- 6.15. GENDER AND NUMBER. Whenever the context so requires herein, the neuter and gender shall include any or all genders and vice versa and the use of the singular shall include the plural and vice versa.
- 6.16. COVENANTS RUN WITH LAND. The City intends, declares, and covenants on behalf of itself, all future owners of the Unit, and all parties that obtain any interest in the Unit that this Covenant and the restrictions set forth herein regulating and restricting the rent, use, occupancy and transfer of the Unit shall be covenants running with the land and improvements constituting the Unit for the benefit of the City and shall encumber the Unit and shall be binding upon all subsequent assigns of the Project Owner of the Unit and each Unit Owner of the Unit and any other party with an interest in the Unit.
- 6.17. INTEGRATION. This Covenant constitutes the entire Covenant between the Parties with respect to the matters set forth herein.
- 6.18. INTERPRETATION. The terms of this Covenant shall be interpreted so as to avoid speculation on the Unit and to ensure to the extent possible that the Unit Maximum Rent or the Unit Maximum Resale Price remains affordable.
- 6.19. SUPERIORITY OF COVENANT. The Project Owner and each Unit Owner acknowledges that each have not and will not execute any other covenants or agreements with provisions contradictory to or in opposition to the provisions of this Covenant and that this Covenant is controlling as to rights and obligations between and among the Project Owner, the Developer, the City, and each Unit Owner related to the Unit.
- 6.20. NO CITY LIABILITY. Nothing herein requires or shall be construed to require the City or any officer, director, employee, agent, designee, assignee, or successor thereof to protect or indemnify the Project Owner or the Unit Owner against any loss.
- 6.21. COUNTERPARTS. This Covenant may be executed in several counterparts, all of which together shall constitute one binding Covenant on all parties hereto, notwithstanding that all the parties have not signed the same counterpart.
- 6.22. RECORDATION. Upon execution of this Covenant, the City shall cause this Covenant to be recorded in the public records of the County Recorder of Summit County, Utah, and shall pay all fees and charges incurred in connection therewith.
- 6.23. DEVELOPER'S CERTIFICATION. By execution of this Covenant the Developer certifies as to the following:
- 6.23.1 Lot 2 Empire Pass North, LLC is duly and validly organized under the laws of the State of Delaware, and validly existing in good standing under the laws of the State of Utah.
- 6.23.2 Developer has the requisite power and authority and has received any necessary lender or internal consents to own the Units, to enter into this Covenant, and to operate the Units according to the terms of this Covenant.

- 6.23.3 The person named below and signing on behalf of Lot 2 Empire Pass North, LLC has received all necessary approvals and is duly authorized to bind Lot 2 Empire Pass North, LLC to all of the terms and conditions found in this Covenant.
- 6.23.4 To the best of its knowledge and belief, the execution and delivery by the Developer of this Covenant, and the consummation of the transactions described herein, do not conflict with or result in a breach of any of the terms, provisions or condition of any agreement or instrument to which Lot 2 Empire Pass North, LLC may be bound, or of any order, law, rule or regulation of any court or governmental body or administrative agency having jurisdiction over the Developer or the Project.
- 6.23.5 This Covenant is intended to a legal, valid and binding obligation of Developer, enforceable in accordance with the terms herein.
- 6.23.6 The execution of this Covenant and its enforceability as a covenant running with the land, when recorded in the public land records of Summit County, Utah, does not require any additional notice or filing or the consent or approval of any partner, officer, or any other party, except those notices and filings which have heretofore been made and delivered to the City.
- 6.23.7 There is no litigation, action, or suit pending against or affecting or involving the Developer or the Project which would materially and adversely affect the ability of the Developer to operate the Unit in accordance with this Covenant.
- 6.23.8 To the best of Developer's knowledge, there is no default existing, or any condition existing which, with the passage of time, or the giving of notice, or both, would result in a default of the due performance or observance of any material obligation, agreement, covenant, or condition contained in any contract, indenture, mortgage, loan agreement, lease or other document binding upon the Developer or the Units which would materially and adversely affect the ability of the Developer to operate the Units in accordance with this Covenant.
- 6.23.9 In relation to the conveyance to the City pursuant to that Warranty Deed recorded _____, 2020 as Entry No. _____, at Book No. _____, Page No. _____ in the Office of the Summit County Recorder the Developer (a) owns good and marketable fee simple title to the Units conveyed, subject to all covenants, conditions, restrictions, easements, encumbrances and other matters of record (b) owns all of the beneficial and equitable interest in and to the Units conveyed, and (c) was and is now lawfully seized and possessed of the Units conveyed. The Developer has the right and authority to enter into this transaction as contemplated by this Covenant, including each Recital, and to restrict use of the Units, and the Units shall be bound by the terms herein. There are no Encumbrances on the Project except for those Encumbrances listed on **Exhibit "G"** hereto. As used in this Section 6.23.9, "Encumbrances" shall mean any lien, easement, right of way, roadway (public or private), declaration, condition, covenant, or restriction (including any declaration, condition, covenant, or restriction in connection with any condominium development or cooperative housing development), lease or other

matter of any nature that would affect title to the Units or that would affect the ability of the City to enforce the terms and conditions of this Covenant.

- 6.24. AUE REQUIREMENT. The Developer recognizes and agrees that the fulfillment of any AUE requirement related to the Property is conditional on the Unit being rented to a Qualified Renter for not more than the Maximum Rent or sold in accordance with the terms herein. In the event any subsequent Project Owner fails to operate the Units as AUEs pursuant to this Covenant, City may require such Project Owner to provide replacement AUEs in the amount which had previously been fulfilled by any Unit to which this Covenant is no longer enforceable.
- 6.25. INDEMNIFICATION. TO THE FULLEST EXTENT PERMITTED BY LAW, DEVELOPER AND EACH SUBSEQUENT PROJECT OWNER, FOR SO LONG AS EACH SHALL HOLD TITLE TO A UNIT, SHALL INDEMNIFY HOLD HARMLESS THE CITY AND ITS AGENTS, MEMBERS, SERVANTS, EMPLOYEES, AFFILIATES, SUCCESSORS, REPRESENTATIVES, OFFICERS AND DIRECTORS (COLLECTIVELY "INDEMNIFIED ENTITIES"), FROM AND AGAINST ANY AND ALL CLAIMS, DAMAGES, LOSSES, EXPENSES, ATTORNEYS' FEES, AND CAUSES OF ACTION ARISING OUT OF OR RESULTING FROM THIS COVENANT, THE PROJECT, OR THE CITY'S ENFORCEMENT OF THE TERMS HEREIN AGAINST SUCH PROJECT OWNER. SHOULD ANY PROJECT OWNER FAIL TO OPERATE THE PROJECT AS AUES IN FULFILLMENT OF THE DEVELOPER'S AUE REQUIREMENTS SPECIFIED HEREIN, SUCH PROJECT OWNER SHALL INDEMNIFY AND HOLD HARMLESS THE CITY FROM ALL COSTS, EXPENSES, AND ATTORNEYS FEES INCURRED IN ENFORCING THE AUE REQUIREMENTS OF DEVELOPER INTENDED TO BE FULFILLED BY THE OPERATION OF THE PROJECT IN ACCORDANCE WITH THIS COVENANT. THE OBLIGATIONS OF PROJECT OWNER AND ANY OTHER PROJECT OWNER PURSUANT TO THIS SECTION 6.25 SHALL BE JOINT AND SEVERAL.

IN WITNESS WHEREOF, the undersigned have executed this Covenant as of the Effective Date.

CITY:

PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
Name: Andy Beerman
Its: Mayor

Attest:

City Recorder

Approved as to Form:

City Attorney

ACKNOWLEDGEMENT

STATE OF UTAH)
):ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this _____ day of _____
2020, by Andy Beerman, in his capacity as Mayor of Park City Municipal Corporation, a
Utah municipal corporation.

NOTARY PUBLIC

Residing at:

My Commission Expires:

*(Signature Page to Restrictive Covenant for Units EMP-A and EMP-B Argent at Empire Pass
Condominiums)*

DEVELOPER:

LOT 2 EMPIRE PASS NORTH, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

ACKNOWLEDGEMENT

STATE OF UTAH)

);ss.

COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this _____ day of _____
2020, by _____, in his capacity as a
_____ of Lot 2 Empire Pass North, LLC, a Delaware limited liability
company.

NOTARY PUBLIC

Residing at:

My Commission Expires:

EXHIBIT A

The following described real property is located in Summit County, Utah:

Legal Description of the Property

Parcel 1:

Lot 2, VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, according to the official plat thereof on file and of record in the office of the county recorder of Summit County, State of Utah.

Together with a right and easement of use and enjoyment in and to area described, and as provided for, in the following Declarations of Covenants, Conditions, and Restrictions: Entry No. 623450, recorded June 28, 2002, in Book 1457 at Page 747; Entry No. 635722, recorded October 22, 2002 in Book 1481 at Page 1538; Entry No. 665954, recorded July 18, 2003, in Book 1553 at Page 8; Entry No. 719855, recorded December 14, 2004, in Book 1666 at Page 1044; Entry No. 1085835, recorded January 31, 2018, in Book 2448 at Page 537; and Entry No. 1085839, recorded January 31, 2018, in Book 2448 at Page 542, which include, without limitation, an easement for vehicular ingress and egress over and across Village Way to and from said Lot 2 to a physically open and legally dedicated public street.

Parcel 1A:

Together with the beneficial rights and easements pursuant to that certain Reciprocal Easement Agreement recorded June 26, 2017 as Entry No. 1072158 in Book 2415 at Page 1416 of the official records.

Tax ID No. VEPNS-2

EXHIBIT B

Units EMP-A and EMP-B ARGENT AT EMPIRE PASS CONDOMINIUMS, a Utah condominium project, together with the undivided interest in the Common Areas and Facilities appurtenant to such Unit, according to the official plat thereof recorded in the Office of the County Recorder of Summit County, Utah on February 28, 2020 as Entry No. 1128150 and as further detailed in the **Supplemental Declaration and Amendment to the Master Declaration of Covenants, Conditions and Restrictions of Flagstaff, a Planned Community** ~~Declaration of Covenants, Conditions and Restrictions for Woodside Park Subdivision — Phase I Condominiums~~, Entry No. 635722, recorded October 22, 2002 in Book 1481 at Page 1538 on October 22, 2002.

Tax Parcel No. _____

Tax Parcel No. _____

EXHIBIT C
PERMITTED CAPITAL IMPROVEMENTS

1. The term "Permitted Capital Improvement" as used in the Covenant shall only be allowed as they are consistent with the CCRs and design guidelines and shall only include the following:
 - a. Improvements or fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacement and/or maintenance improvements.
 - b. Improvements for energy and water conservation;
 - c. Improvements for the benefit of seniors and/or handicapped persons;
 - d. Improvements for health and safety;
 - e. Addition of health protection devices (such as an exhaust system for the demonstrated existence of radon gas);
 - f. Improvements to add and/or finish permanent/fixed storage space; and/or
 - g. Improvements to finish unfinished space.
2. Permitted Capital Improvements as used in this Covenant shall NOT include the following:
 - a. Jacuzzis, saunas, steam showers and other similar items;
 - b. Upgrades or addition of decorative items, including lights, window coverings and other similar items.
 - c. Upgrades of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of a unit and/or improvements required to repair and maintain existing fixtures, appliances, plumbing and mechanical fixtures, painting, and other similar items, unless replacement is energy efficient or for safety and health reasons.
3. All Permitted Capital Improvement items and costs shall be approved by the City or its Designee in writing prior to construction in order to be added to the Maximum Resale Price at the time of resale subject to depreciation as defined in Section 3.14. Permitted Capital Improvements are not included in the additional 3% calculation in Section 3.14(i). Capital Improvements must remain with the Unit and are limited to five percent (5%) of the Purchase Price paid by the current owner. Capital Improvements shall be depreciated on a straight line basis, ten percent (10%) per year for ten (10) years. In order to get credit for Permitted Capital Improvement where a building permit is required, the improvement will not be counted unless it received a final inspection and is considered completed by the City Building Department.

EXHIBIT D
MINIMUM STANDARDS FOR
SELLER TO RECEIVE FULL RESALE VALUE

- Clean unit
- Carpets steam-cleaned two or three days prior to closing
- All scratches, holes, burned marks repaired in hardwood floors, linoleum, tile, counter tops etc.
- No broken or foggy windows
- All screens in windows (if screens were originally provided)
- All doors will be in working order with no holes
- All locks on doors will work
- All keys will be provided; e.g., door, mail box, garage
- All mechanical systems shall be in working order
- Walls paint ready
- Normal wear and tear on carpet; if carpet has holes, stains, etc., the carpet and padding shall be replaced or escrow funds at current market value per square foot for a comparable product shall be held at the time of closing to be used by the new buyer
- No leaks from plumbing fixtures
- Any safety hazard remedied prior to closing
- Satisfaction of radon issue if found at time of inspection
- All light fixtures shall be in working order
 - All appliances that existed in the original Unit, remain and are in good working order and good condition

DEFINITIONS:

Clean Unit: All rooms will be cleaned as stated below:

Kitchen:

- Range – Inner and outer services will be cleaned.
- Range hood and Exhaust Fan
- Refrigerator and Freezer – Inner and outer surfaces of refrigerator and freezer will be clean. Freezer will be defrosted.
- Cabinets and Countertops – Exterior and interior surfaces of cabinets and drawers will be clean. Door and drawer handles, if provided, shall be clean and in place.
- Sink and Garbage Disposal – Sink and plumbing fixtures will be clean. Garbage disposal must be in working order.
- Dishwasher – Must be in working order and inner and outer surfaces shall be clean.

Blinds, Windows, Screens:

- Mini-blinds, Venetian Blinds, Vertical Blinds, and Pull Shades – Will be clean.
- Windows – All window surfaces, inside and outside of the window glass, shall be clean.
- Screens – Screens will be clean and in place with no holes or tears.

Closets: Closets, including floors, walls, hanger rod, shelves and doors, shall be clean.

Light Fixtures: Light fixtures will be clean and shall have functioning bulbs/florescent tubes.

Bathrooms:

- Bathtub, Shower Walls, Sinks – Bathtubs, shower walls and sinks shall be clean.
- Toilet and Water Closet – Water closets, toilet bowls and toilet seats will be clean. If the toilet seat is broken or peeling, the seat shall be replaced.
- Tile – All tile and grout will be clean.

- Mirrors and Medicine Cabinets – Mirrors and medicine cabinets shall be cleaned inside and out.
- Shelves and/or Other Cabinetry – All other shelving or cabinetry shall be cleaned inside and out.

Walls, Ceilings, Painted Doors and Baseboards: Painted surfaces must be cleaned with care to ensure the surface is clean without damaging the paint.

Floors: Floor cleaning includes sweeping and mopping and could include stripping, waxing and buffing. Types of floor surfaces include bamboo and marmoleum.

Interior Storage/Utility Rooms: Storage/utility rooms shall be cleaned. Properly cleaned storage/utility rooms will be free from odors, removable stains, grease marks or accumulations.

Washer/Dryer- Must be in working order and inner and outer surfaces shall be clean

Safety Hazard: Any item that provides a safety hazard shall be fixed. This would include, but is not limited to, exposed electrical wiring, satisfaction of any radon issue found, ventilation for gas hot water system, etc.

Walls Paint-Ready: All holes shall be patched; all posters, pictures, etc., shall be removed from all walls; all nails, tacks, tape, etc., shall be removed from all walls; and all walls shall be clean and ready for the new buyer to paint. If wallpaper has been placed on the wall and in good condition, the wallpaper can remain; if the wallpaper is peeling off, the wallpaper must be removed.

Windows: If a window is broken, including the locking mechanism, the window shall be replaced. If the window has a fog residue in the inside, it shall be replaced.

EXHIBIT E

**Park City Affordable Housing Affidavit
For Rented Units**



State of Utah
County of Summit

BEFORE ME, the undersigned Notary, _____ [name of
Notary before whom affidavit is sworn], on this _____ [day of month] day of
_____, [month], 20____, personally appeared
_____, [name of affiant], known to me
to be a credible person and of lawful age, who being by me first duly sworn, on _____ [his
or her] oath, deposes and says:

I currently own the property at _____ (street address)
which is a deed restricted home for affordability. I am fully aware of the restrictions and am to
the best of my knowledge in compliance. I verify that I am currently renting it to a qualified
individual for \$ _____ per month.

[signature of affiant]

[printed name of affiant]

[phone]

[mailing address of affiant, line 1]

[mailing address of affiant, line 2]

Subscribed and sworn to before me, this _____ [day of month] day of _____ [month],
20____.

[Notary Seal:]

[signature of Notary]

[typed name of Notary]

NOTARY PUBLIC

My commission expires: _____, 20____.

Please return completed form to the attention of Rhoda J. Stauffer, PCMC, PO Box 1480, Park City, Utah 84060 by no
later than November 29, 2013. rhoda.stauffer@parkcity.org or fax#435-658-9019

EXHIBIT F

Park City Affordable Housing Affidavit For Owner Occupied Units



State of Utah
County of Summit

BEFORE ME, the undersigned Notary, _____ [name of
Notary before whom affidavit is sworn], on this _____ [day of month] day of
_____ [month], 20____, personally appeared _____
_____ [name of affiant], known to me to be a credible person and of
lawful age, who being by me first duly sworn, on _____ [his or her] oath, deposes and says:

*I currently own my residence at _____ (street address) which is
a deed restricted property to preserve affordability. I am fully aware of the restrictions and am to the
best of my knowledge in compliance including the requirement for owner occupancy. I verify that I
continue to live in it as my primary residence. * I have never rented my home even for short periods
of time. I have not acquired any direct interest in other real property since my purchase of the deed
restricted unit listed above. If approved by the city's housing office to rent to a roommate, please list
name, employment and amount of rent charged: _____*

[signature of affiant]

[printed name of affiant]

[phone]

[mailing address of affiant, line 1]

[mailing address of affiant, line 2]

[email address]

Subscribed and sworn to before me, this _____ [day of month] day of _____ [month],
20____.

[Notary Seal]

[signature of Notary]

[typed name of Notary]

NOTARY PUBLIC

My commission expires: _____, 20____.

**Primary Residence is defined as the domicile in which you live for no less than 9 months out of any given 12 month
period.*

Please return completed form to the attention of Rhoda J. Stauffer, PCMC, PO Box 1480, Park City, Utah 84060.
Forms may also be emailed to rhoda.stauffer@parkcity.org or faxed to 435-858-9019.

EXHIBIT G
PERMITTED ENCUMBRANCES

DRAFT

Argent at Empire Pass
Deed Restriction AMI Limit Relative to Deer Valley Resort Wages
8/1/2022

Deer Valley Wages by Job Title		
Job Title - Salaried	Minimum	Maximum
Front Desk Manager	\$50,000	\$65,000
Maintenance Manager	\$60,000	\$80,000
Resident Manager	\$60,000	\$75,000
Asset Manager	\$70,000	
General Manager	\$100,000	
Job Title - Hourly	Minimum	Maximum
Houskeeper	\$21.00	\$28.00
Maintenance	\$21.00	\$30.00
Front Desk	\$21.00	\$25.00
Houskeeping Supervisor	\$23.00	\$28.00

Deer Valley Resort Starting Wage	\$20.00
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Annual 2022 Summit County AMI Income Limits*			
AMI	1 Person	2 Person - Total	2 Person - Per Person
45% AMI	\$42,435	\$48,510	\$24,255
50% AMI	\$46,800	\$53,500	\$26,750
60% AMI	\$56,160	\$64,200	\$32,100
80% AMI	\$74,880	\$85,600	\$42,800
100% AMI	\$94,300	\$107,800	\$53,900
150% AMI	\$141,450	\$161,700	\$80,850

Hourly 2022 Summit County AMI Income Limits**			
AMI	1 Person	2 Person - Total	2 Person - Per Person
45% AMI	\$20.40	\$23.32	\$11.66
50% AMI	\$22.50	\$25.72	\$12.86
60% AMI	\$27.00	\$30.87	\$15.43
80% AMI	\$36.00	\$41.15	\$20.58
100% AMI	\$45.34	\$51.83	\$25.91
150% AMI	\$68.00	\$77.74	\$38.87

*45% and 150% AMI are percentages of published 100% AMI. These limits are not published on Mountain Lands Community Housing Trust resource webpage.

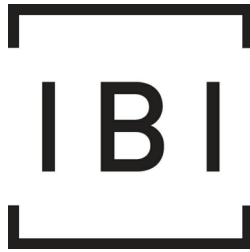
**Hourly rate is equal to the annual rate divided by 2 persons divided by 2,080 hours

Hourly Rate = Annual Rate ÷ Persons in Household ÷ Annual Hours Worked

Client

east west partners

Prime Consultant



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Seal

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Contact: Brad Welch

Issues

No.	Date	Approv.	Description
1.	12.18.2019	PP	PERMIT SET
2.	03.27.2020	PP	GMP SET
3.	05.12.2020	PP	CONFORM SET
4.	11.30.2021	PP	ASI 022 - CONFORM SET

Revisions

No.	Date	Approv.	Description
1.	11.16.2020		CCD 004-R1
2.	03.23.2021		RFI 150
3.	04.16.2021		ASI 011-R1
4.	05.18.2021		CCD 022-R1
5.	05.28.2021		ASI 016

Notes

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Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and the Architect/Engineer shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to the Architect/Engineer for approval before proceeding with fabrication.

Project Title

ARGENT AT EMPIRE PASS

East West Partners

Sheet Title

ENLARGED UNIT PLANS - UNIT 105, EMP B103 & B104

Scale
AS SHOWN

Date
05.12.2020

Drawn
Author

Checked
Checker

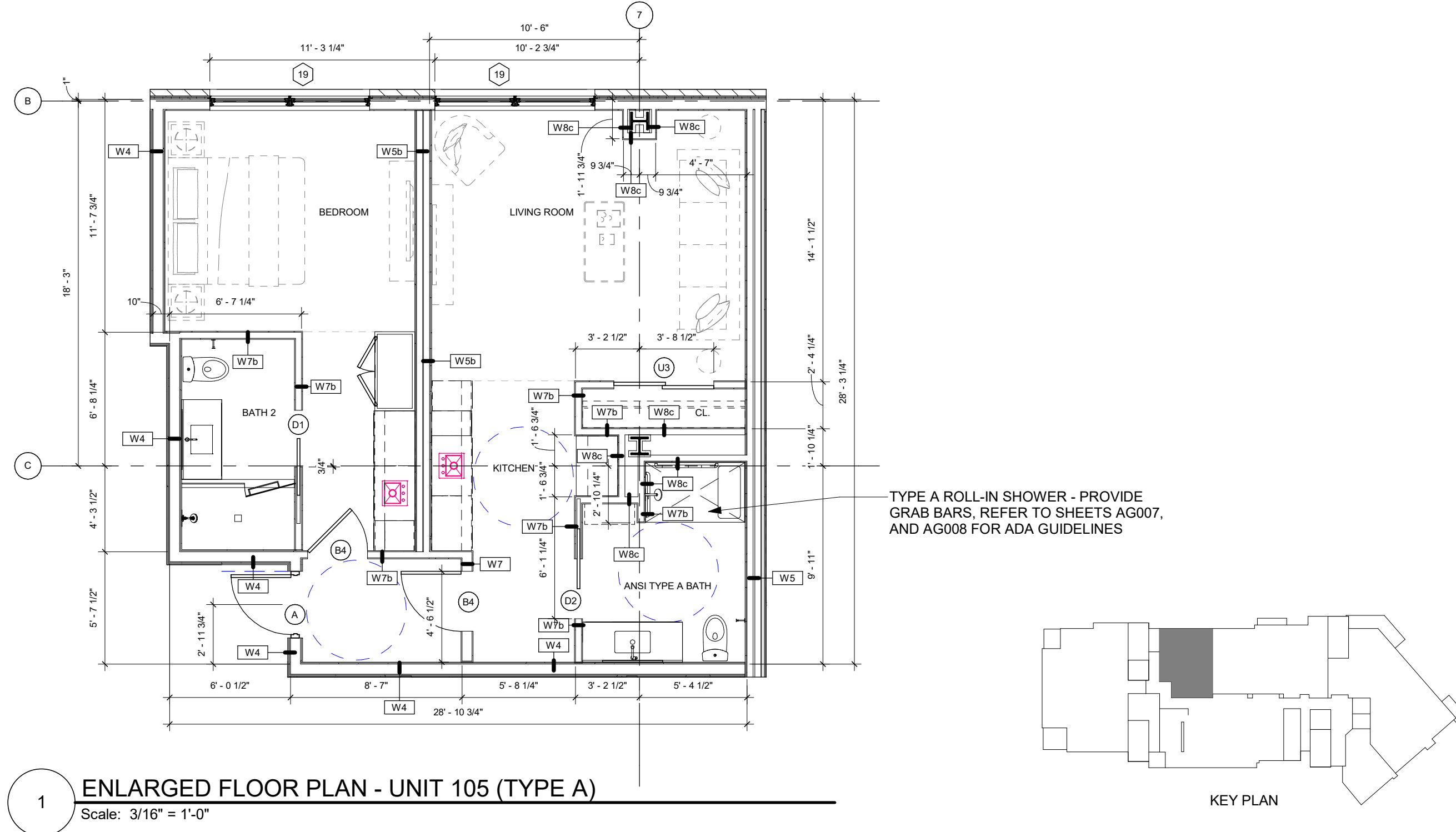
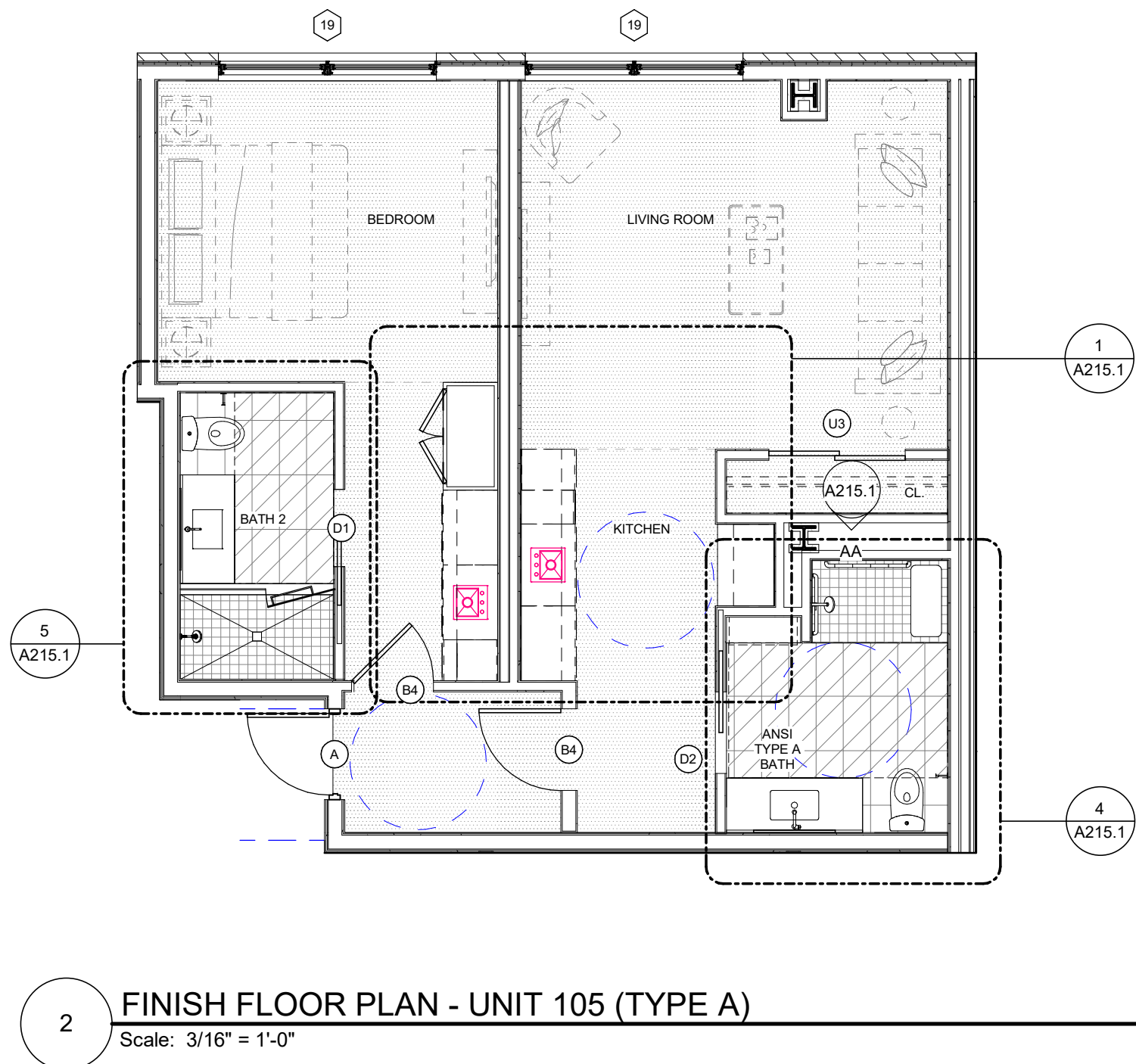
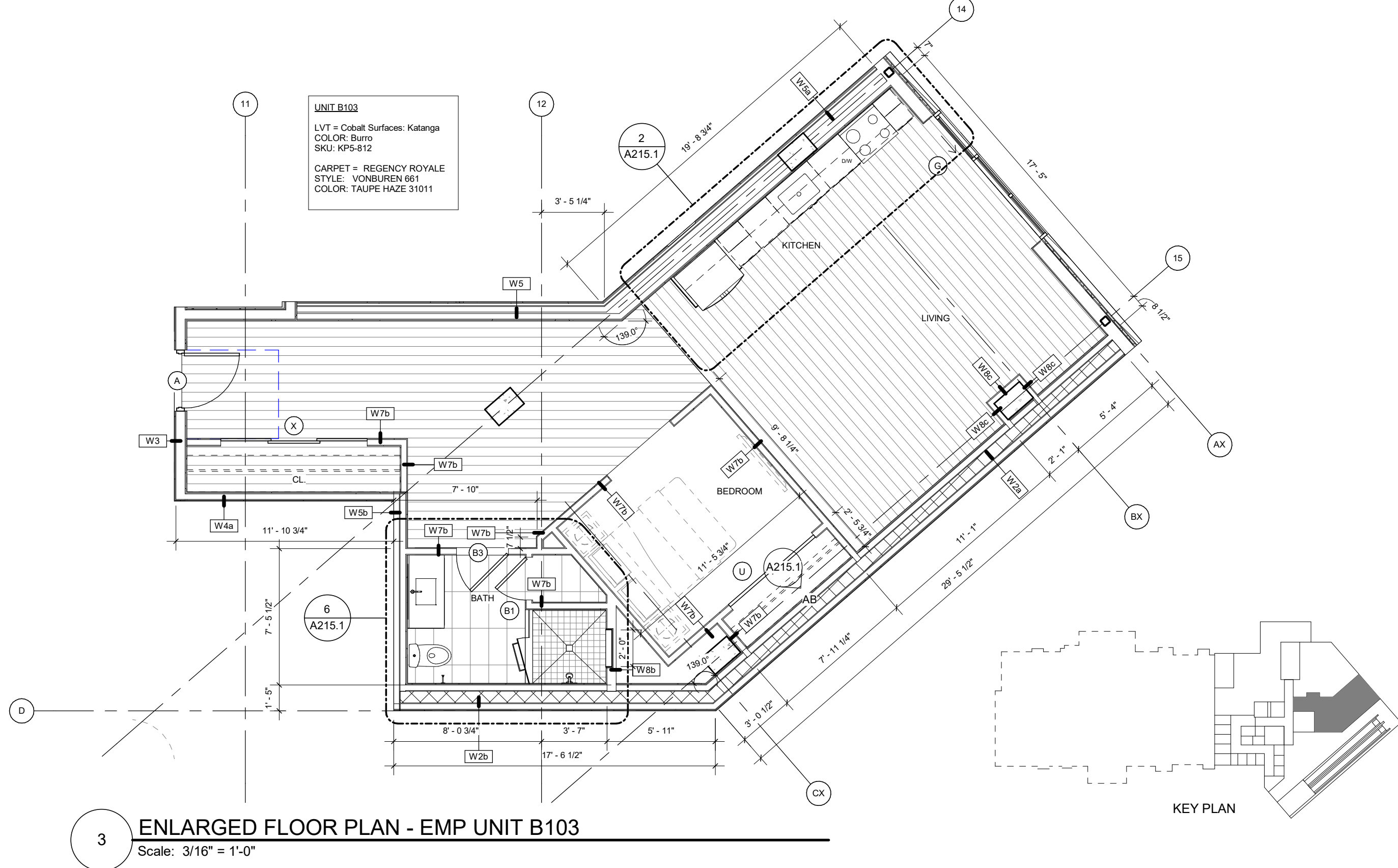
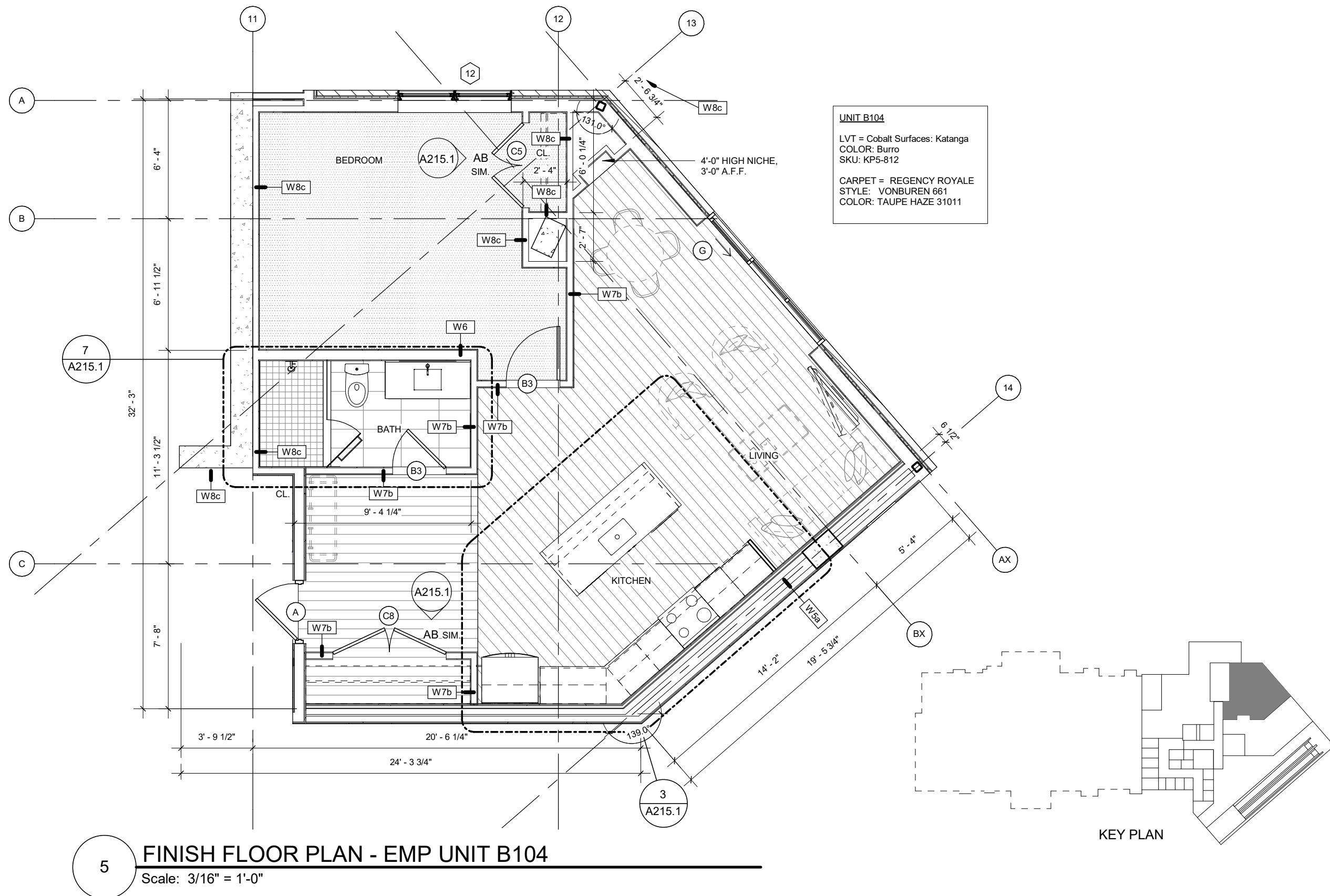
Cad File

Sheet No.

Project No.

120917

A215



UNIT PLAN GENERAL NOTES

- REFER TO OVERALL LAYOUT PLANS FOR EXTERIOR WALL DIMENSIONS
- PROVIDE SOLID BLOCKING FOR ALL MILLWORK, WALL MOUNTED FIXTURES AND ACCESSORIES
- REFER TO WALL TYPES SHEET FOR WALL ASSEMBLY INFORMATION
- DIMENSIONS ARE TO FACE OF STUDS.
- G.C. TO COORDINATE LOCATION OF WALL MOUNTED A/V RACK IN UNIT LAUNDRY ROOMS; REFER TO ELECTRICAL PLANS FOR INFORMATION REGARDING A/V RACK

UNIT PLAN FINISH FLOOR LEGEND

CARPET - WOOL Warm Package Manufacturer: Masland Style: Heather Glen Material/Pile: 100 % British Wool Pattern: 9256 Color: 867 Chelsea Pattern Repeat: Random Width: 12' Light Package Manufacturer: Masland Style: Heather Glen Material/Pile: 100 % British Wool Pattern: 9256 Color: 121 Antique Lace Pattern Repeat: Random Width: 12'	CARPET - NYLON Warm Package Manufacturer: Regency Royale Style: 6661 Vanburen Material/Pile: 100% Stainmaster BCF Pattern: Random Width: 12' Color: 31011 Taupe Haze Pattern Repeat: Random Width: 12' Light Package Manufacturer: Regency Royale Style: 6661 Vanburen Material/Pile: 100% Stainmaster BCF Pattern: Random Width: 12' Color: 11009 Linen Pattern Repeat: Random Width: 12'	WARM PACKAGE: FLORIDA TILE; TIME 2.0; FTIT22B124X24 - 12"x24"; WHITE NATURAL CUT TO 2"x2" Light Package: FLORIDA TILE; TIME 2.0; FTIT22B124X24 - 12"x24"; WHITE NATURAL CUT TO 2"x2" WARM PACKAGE: FLORIDA TILE; TIME 2.0; FTIT22B124X24 - 12"x24"; WHITE NATURAL Light Package: FLORIDA TILE; TIME 2.0; FTIT22B124X24 - 12"x24"; WHITE NATURAL	WARM PACKAGE: FLORIDA TILE; COTTO D'ESTE; X- BENTON; NATURALE; COLOR: DOT-30 Light Package: FLORIDA TILE; COTTO D'ESTE; X- BENTON; NATURALE; COLOR: DOT-70 WARM PACKAGE: FLORIDA TILE; WEXFORD; FTI35301M12CUBE; CUBE DARK NATURAL Light Package: FLORIDA TILE; WEXFORD; FTI35301M12CUBE; CUBE LIGHT NATURAL	HARDWOOD FLOORING WARM PACKAGE: CHATEAU NAPOLEON; CHENE FUME; BRUN; FRENCH OAK Light Package: CHATEAU NAPOLEON; CHENE FUME; PALE; FRENCH OAK VCT 12"x12" TILE ELECTRIC HEAT MAT AREA AREA = 60 SF (UNIT 105)
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UNIT ELEVATION FINISH LEGEND

REFER TO UNIT ELEVATIONS FOR ADDITIONAL INFORMATION

KITCHEN: WARM PACKAGE: SOHO STUDIO; URBAN BRICK REPLAY; DEKLAB GRAY Light Package: SOHO STUDIO; KAYOKI; KNOLL WHITE MATTE	BATHROOM: WARM PACKAGE: FLORIDA TILE; COTTO D'ESTE; X- BENTON; NATURALE; COLOR: DOT-30 Light Package: FLORIDA TILE; COTTO D'ESTE; X- BENTON; NATURALE; COLOR: DOT-70 WARM PACKAGE: TILE BAR; GOSSAMER LAVAGNA; 3X12 PORCELAIN TILE; MATTE BLACK Light Package: TILE BAR; GOSSAMER TALCO; 3X12 PORCELAIN TILE; MATTE WHITE	WARM PACKAGE: TILE BAR; ENIGMA GRAPHITE; 2X8 POLISHED CERAMIC TILE; GRAY Light Package: TILE BAR; ENIGMA GRAPHITE; 2X8 POLISHED CERAMIC TILE; GRAY PEARL
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