PARK CITY COUNCIL MEETING

SUMMIT COUNTY, UTAH

OCTOBER 3, 2002

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 3, 2002.

Closed Session

3:15 p.m. Personnel

Work Session

4:15 p.m. Council questions/comments

4:45 p.m. Weber Basin contract - Rockport

5:15 p.m. Review of meeting

- Racquet Club pool
- Sandstone Cove plat amendment
- Fee resolution amendments
- Other meeting questions/comments

5:45 p.m. Break

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 29, 2002

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance amending Title 12, Sign Code, of the Municipal Code of Park City, Utah **(motion to continue to a date uncertain)**

2. Ordinance amending Chapter 15.4-30, Telecommunications, of the Land Management Code of Park City, Utah **(motion to continue to a date uncertain)**

3. Ordinance amending the record of survey plat for Lakeside Condominiums, located at1641 Lakeside Drive, Park City, Utah

4. Ordinance approving a plat amendment to relocate the lot line between Lots 100 and 119 (2197 Little Bessie Avenue) in the Prospector Village Subdivision, Park City, Utah fifteen feet to the west

VI CONSENT AGENDA

1. Ordinance amending the record of survey plat for Lakeside Condominiums, located at1641 Lakeside Drive, Park City, Utah

2. Ordinance approving a plat amendment to relocate the lot line between Lots 100 and 119 (2197 Little Bessie Avenue) in the Prospector Village Subdivision, Park City, Utah fifteen feet to the west

3. Resolution amending construction and development related fees, and miscellaneous fees of the Park City Fee Schedule, adding Section 8, Leisure Services and facility rental fees and repealing Resolutions

VII PUBLIC HEARING

Plat amendment request to shift Recreation Open Space on Lot 1 of the Sandstone Cove Subdivision, Park City, Utah

VIII NEW BUSINESS

1. Authorization to proceed with a professional services contract with J&R Development for the construction of the Racquet Club pool

2. Plat amendment request to shift Recreation Open Space on Lot 1 of the Sandstone Cove Subdivision, Park City, Utah

IX ADJOURNMENT

Note: This future meeting schedule is TENTATIVE and subject to change.

PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

October 2002

10 *Reception for Toby* - 5 p.m. - 7:30 p.m.

17 Weber Basin contract - work/action - JG

345 Deer Valley Drive plat amendment - KL

Telecommunications ordinance - RM

Sign Code ordinance - RM

24 **No meeting**

Tom and Jan gone

School District breakfast - 8 a.m.

31 Main Street area trash update

Business license special improvement district - HMBA

April Mountain condo plat - KW

November 2002

7

13 St Henry's Day

14 Canvass of special bond election

OTIS final report - CH

21 Chamber/Bureau quarterly update

28 Thanksgiving Day

26

Nightly rentals

Pechnick

Fee resolution review - June 2003

DATE: October 3, 2002

DEPARTMENT: Public Works

AUTHOR: Jerry W. Gibbs, P.E.

TITLE: Rockport Importation Project

TYPE OF ITEM: Discussion

SUMMARY RECOMMENDATIONS: Discuss final details.

DESCRIPTION:

A. Topic: Rockport Reservoir Importation Project

B. Background: Weber Basin, Park City and the County have been discussing a water project since an MOU was signed in 1996. The MOU reserved water until 2003. Weber Basin identified 5000 acre feet of water from Smith - Morehouse and "other Weber Basin sources. Summit County reserves an additional 1600 acre feet of underground water that may be legally available under Weber Basin water rights.

Reservation fees are charged for each acre foot. Each year the fee increases by $5 per acre foot for a maximum of seven years. At the end of seven years the water must be purchased or relinquished. Each party has 60 days to contract for the balance of water relinquished by the other party. Reservation fees are dedicated by Weber Basin for "design, engineering, construction and other uses related to Phase I and Phase II Systems."

Since 1996 two other options were explored East Canyon and Jordanelle Special Service District.

East Canyon:

1. Summit Water Distribution would be the controlling agency.
2. PCMC would have no control over the pricing structure or long term viability.
3. The overall water cost would be higher.
4. The project has legal and environmental issues
5. The project could meet Park City's ultimate water demand

JSSD:
1. Projects could meet Park City's ultimate water demand.
2. A twenty-year contract for 1000 ac-ft of water is in-place.
3. Water rights may be an issue.
4. The over all water cost would be higher.

A committee was formed in 1999 made up of staff members from Park City and Summit County organizations to finalize the details of an agreement. Numerous meetings were held with the county and Weber Basin. By the end of 1999 the county and the city had decided to move forward with Weber Basin in a 5000 ac-ft reservoir project. The county had reservations on paying for their portion of the project.

In 2000, the committee was increased to include two representatives from the city council (Fred and Candy) and one representative from the county commission (Eric Schifferli). The county hired a water manager to help identify their needs and changed Atkinson name to Mountain Regional Water Special Service District. A long term look at demand showed a need of 10,000 ac-ft. In March 2000 the county developed their Long Range Strategic Water Plan and identified a strategy called Upper Weber River Project.

The Upper Weber River Project used a groundwater approach to meet the initial demands for the county and city. The reservoir diversion was planned as a last resort if the wells did not produce a sufficient amount of water. The city raised many issues and concerns with this approach which proved to be true. The groundwater program met with resistance from the Kamas and Oakley ranchers and residents. Wells drilled on the east side of Promontory had lower than expected yields and water quality problems.

During the spring of 2002 Mountain Regional decided to pursue an incremental approach with wells drilled along the Weber Basin River and two pipelines conveying surface water and culinary water to the Promontory area. A *Letter of Understanding* was sent to Weber Basin signed by the city and County Commission where the county abdicated its interest in the Rockport Project. The county wanted only the opportunity to rejoin the project prior to construction and if Weber Basin had water available.

The proposed project:

Divert surface waters from the base of the Rockport dam from the Wanship powerhouse penstock to the PCMC water system. The Project elements include approximately 46,000 lineal feet of 24-inch to 30-inch diameter raw water pipeline, a 6000 to 9000 g.p.m. pump station, a 400 to 600 ac-ft raw water storage reservoir, a nine to 12 million gallons per day treatment facility, finished water pump station, a three to five million gallon finished water reservoir, and approximately 30,000 lineal feet of finished water pipeline ranging in diameter from 16 to 30 inches.

Park City received a $100,000 grant from the US Army Corp. of Engineers to finalize the pipe alignment, treatment plant site and the reservoir site. This will effort will be underway by November 2002. Future grants are anticipated to help offset some of the project costs.

C. Analysis: There are eight major elements to the Weber Basin Contract

5. Park City is responsible for the lease of 5000 ac-ft of water
6. Park City assumes responsibility for building and maintenance of the project
7. Weber Basin will complete the State Engineer process
8. The 5000 ac-ft of water will be a combination of District and Project water
9. Cutbacks during droughts will be on par with other users within the system
10. MOU is replaced with a water purchase agreement
11. Reservation fees are extended to project completion at the fixed rate of $250,000 per year.
12. Takedown of the 5000 ac-ft occurs over three years

Minor language changes are still be negotiated. The Weber Basin and Water Sales agreements will be on City Council's agenda for adoption on October 17. If adopted on the 17th, the Weber Basin Water Conservancy Board will consider approval at their October 25 meeting.

D. Department Review: The contracts have been reviewed by the city manager, assistant city attorney and the public works director.

ALTERNATIVES:

No formal action is required.

SIGNIFICANT IMPACTS: This project will provide sufficient water to meet Park City's long term water demands. It also achieves city councils' top priority goal of adequate water.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Future water supplies will need to come from East Canyon or Jordanelle Reservoirs. The cost to deliver water will be much higher.

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
AUGUST 29, 2002

Present: **Mayor Dana Williams; Council members Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier; and Fred Jones**

Toby Ross, City Manager; Tom Bakaly, Assistant City Manager; Bob Johnston, Leisure Services Director; Ron Ivie, Chief Building Official; Beth Sunday, Technical Services Manager; Bob Stephens, Administrative Services Director; Colin Hilton, consultant; Tim Twardowski; Jonathon Weidenhamer, Planner; Jeff Schoenbacher, Environmental Specialist; and Linda Cook, Project Manager

Jen Vaniston, Candesa; Rodman Jordan, Rail Trail project

1. Council questions/comments. Fred Jones suggested that the RAP Tax be scheduled on a work session. He reported that the resort component of the visioning plan will be rendering comments on the draft. With regard to applying to serve on the Olympic legacy task force, he suggested that there be a deadline and noticing in the paper and the radio. There was discussion about this being a two month assignment. He complimented staff on painting the crosswalks and the improvements made to the round-about. Ms. Erickson advised that the Board of Health is recommending to the County implementation of a mosquito abatement program. Dana Williams reported that he received emails on paid park; two in favor and one against and attended an Envision Utah meeting in Kamas. He made it clear that Park City is not interested in planning eastern Summit County. The recycling committee is making good progress. BFI is willing to work with independent haulers and a stronger curb-side program is anticipated by October.

2. Website update. Beth Sunday introduced Jen Vaniston, Candesa's interactive marketing director. Through illustration of a computer-assisted presentation, Ms. Sunday displayed examples of home pages and designs from other resort cities and techniques used to improve navigation and to reflect our image on our website. Ms. Vaniston explained that she has been working with the City for a year and explained features of their design, including modular components which can be updated easily. The product last year included government information and a focus on the Olympics. The goal is to provide a tool that residents can use to obtain updated information and there a search functionality has been added. She added that the water conservation campaign on the home page has been very successful and a *speak up and vote* feature will be activated next week. There is still a new Olympic section on facts and statistics about the Games and Ms. Vaniston discussed the water conservation campaign. Obtaining account and other water information is easily accessible. The *speak-up* feature has a comment box and capabilities for reports and archived information. Public service announcements are running and promoting speak-up, and as awareness grows, there will be more feedback. She continued that the next campaign is improving communications from departments and discussed the prominence of email marketing and improved navigation back to the home page. The benefits include building community awareness and establishing the branding of Park City Municipal. Ms. Vaniston stated that statistics reveal over

500 hits per day the past month, which is extremely high for a government site and the success of the newsletter. Keeping information current is critical and Candesa continues to monitor numbers. There are international users as Park City's site has global appeal because of the Olympics and is still in the spot-light.

Beth Sunday added that staff is always looking for suggestions for site improvements and to encourage feed-back from users. The Recreation Department will have a new design and structure as well as the golf course, in an attempt to maintain a consistent identity. Paying water bills online and a Main Street live cam are other considerations. Recognizing the volunteer or citizen of the month is another idea. She continued that the City has acquired a number of domain names including parkcityrecreation.org, council, water, etc. Staff is always looking at other government websites on the Wasatch Front and other resort towns. Ms. Sunday asked for Council input. Fred Jones felt that the *contact us* box could be more prominent but on the whole the look is terrific. There was discussion about promoting use of the site and links to other associates. Peg Bodell suggested being linked to other governmental agencies like Mountainlands and is in favor of the citizen of the month concept, which could evolve into an annual award from the Mayor. Additionally, the images should concentrate on the people here and Jen Vaniston pointed out that the home page always has a smiling face, which is a conscious decision. The live cam was discussed. Bodell suggested that maps of the City be included on the site as well as a location where people can volunteer.

3. Old Town needs assessment projects. Colin Hilton reported that when word got out about this project, was inundated with a lot of feedback. Throughout the first phase, prior studies and good data collected previously was used and there was a focus not to recreate the effort. The 1993 Sear-Brown study itemized street reconstruction and utility upgrades in the Old Town area which was valuable in prioritizing streets. The Lower Park Avenue Study from the early 1990s pointed out the need to beauty and improve this area and many projects have been completed; like the traffic calming at the intersection of Park Avenue and Deer Valley Drive. Wilbur-Smith conducted an extensive parking and transportation study in 1995-96, including a demand analysis for the Main Street corridor and looking at alternatives for parking; i.e., park and ride, concept for transit center. The Downtown Action Plan, formulated in the late 1990s, looks at pedestrian-friendly enhancements to the corridors to and on Main Street, including the additions of bulb-outs and parking policies. He stated that he has collected a lot of good information on streets, sidewalks, curbs, gutters, and infrastructure elements from Public Works and the Engineering Departments. The Water Department identified pipes that need to be replaced in the area. Mr. Hilton added that three meetings were held in Miners Community Center. Collectively approximately 75 residents and business owners participated and he felt that it was very important to objective. This project encompasses many of the Council's goals including preserving Park City character, ensuring quality water, being a multi-seasonal resort, improving historic Park City, providing an open and responsive government, providing effective transportation, and being a great place for families to live. There is a huge variety of opinions and it is important that not all projects can be accomplished. Cost estimates, time frames, prioritizing projects, and funding sources are components of the next stage. Mr. Hilton acknowledged Council's direction in having as much work as possible conducted in-house, but there are two areas where outside resources are needed relating to parking and utilities. With regard to under-grounding utilities and a parking structure, the final study will provide cost-sharing options. RFPs have been advertised and there has been an overwhelming response for both. He believes the cost for both studies will be less than $65,000 as opposed to the $200,000 currently budgeted, but asked if Council would like the scopes of services expanded from that outlined in the staff report. When enough technical information is available on projects, a second round of public meetings will be held before a final report is produced.

Ms. Bodell relayed that she has received good comments from Old Town participants about Mr. Hilton's objective approach. Fred Jones suggested that the parking study take a global look at parking in Main Street and Swede Alley and assess the impacts of improvements, i.e., wider sidewalks resulting in less parking. Before a parking structure is the focus, some of these issues need to be considered as there may be ways to reconfigure parking. Mr. Hilton agreed and the RFP requests evaluating increasing the supply of parking without building a structure and creative ways to use existing spaces. Jim Hier added that the ski areas' lots should be explored for additional parking. Colin Hilton stated that the data does not suggest that there are many days when the parking reaches capacity, however, there is a perception problem how difficult it is to park. Part of the analysis needs to address not only supply but perception. Ms. Calvert questioned if the consultant has a vested interest in a parking structure. Mr. Hilton explained that many of these firms not only design structures, but conduct studies so there is enough information to make a prudent decision. In response to a question from Ms. Calvert about a long-term plan, Mr. Hilton stated that Council will need to provide direction on projects first except for some projects, like street repairs, where staff input is appropriate. Toby Ross explained that the tact will be to provide Council with alternative packages and strategies with costs. With general Council direction, a priority list can be formulated based on criteria. There was discussion of public health and safety considerations. Fred Jones expressed that the parking study should provide a strategy for managing parking so that the quantity of spaces is not just the focus. Mr. Hilton felt that could be part of the study or a independent consultant could provide that analysis. Mr. Jones commented that arriving at alternatives for managing parking is appropriate as is looking at other solutions besides paid parking to achieve that goal or there may be other effective ways to manage paid parking. This ties into what is needed and where and there are trade-offs. Colin Hilton added that financing a new structure will entail determining if it will be paid parking and it will naturally be part of the discussion. Consulting contracts will be reviewed by Council.

4. Rail Central project. Fred Jones stated that he understood that the City purchased this section of the Rail-Trail with open space bond money and the City's property is very close to the commons building. He asked for advice on what is allowed on the open space land with regard to uses because that question needs to be answered before proceeding. Tom Bakaly explained that Council consideration is limited to providing permission to the owner to apply for an amendment of a master planned development with the Planning Commission; it is not a joint application. It may come back to Council on appeal and Mr. Bakaly hearing about the merits of the project at this point may not be appropriate. He referred to the site map in the staff report and explained that the bond language specifies that it must be used for open space and recreational amenities, which could be for parking at the Rail-Trail. However, parking for commercial use would not be permitted and the property is directly adjacent to a proposed commercial use. Additionally, the proposed street cut goes through the City's land and the Council can deny the request to proceed with the planning process. Ms. Erickson asked if the portion of land be sold and the proceeds allocated in the open space fund. Mark Harrington stated that it would likely require a reconveyance, but because of covenants in the original deed, would be difficult to achieve. Tim Twardowski explained that the bond language is specific with regard to *acquire and forever preserve* as open space and recreational land. The question here is whether the proposed use is consistent with the language in the bond. Rodman Jordan believed that his project is consistent with the intent, but relates to recreation rather than open space. For instance, asphalting the rail trail would bring it into compliance of the soils ordinance. Jim Hier stated that as a member of the open space committee, the thought of selling property purchased with open space money is inappropriate, in fact the goal was to prevent that from occurring. He added that the pamphlet promoting the bond may have a better description of the intent for the bond, than the actual ballot language. Rodman Jordan clarified that they are not interested in acquiring the property, but in sharing access. Ms. Erickson explained that she understands the plan but has a hard time justifying it as a recreational amenity if it is shared for commercial parking, and stressed that she likes the project and hopes there is an alternative. The Mayor stated that as a member of COSAC, the idea of using this open space property as the main access to the commercial project is not negotiable. He agreed with Ms. Erickson that there are merits to the project. Mr. Jordan stated that his proposal provides the opportunity to complete the Rail-Trail and at this time, there is no way for users to access the trail or to take advantage of the acquisition. This proposal integrates people into a concept; creating an amenity for tourists and residents, employment opportunities, and greatly improving the site. Jim Hier stated that he agrees with the concept but is concerned about precedence and felt that the project should be analyzed by staff before allowing the application to go to the Planning Commission. In response to a question from Kay Calvert about other options for access, Mr. Jordan explained that in order to support retail not just industrial, it needs to have a look and tie into the Rail-Trail. He stated he has received some good direction. The Mayor concurred that it is a good design and suggested that perhaps a pedestrian green space may work between the City's and Mr. Jordan's property. Rodman Jordan expressed that he has been working with the planning staff, and clarified that they had to take a lead to get ideas on the table. Jim Hier stated that providing another access at east end of the property would solve many problems. Peg Bodell recalled that when Council approved the sale on the recommendation of COSAC, it was based on controlling and improving the area. Councilman Hier, former member of COSAC, stated that there was a fear of someone buying it and turning it into a commercial site and the hope that the City's purchase would prevent further density. There was a debate about the intention of the City to improve it. Fred Jones felt that there are parameters by virtue of using bond monies and that needs to be resolved. Mr. Jordan thanked Council and will continue to work on the project.

5. Economic development work program. Jonathon Weidenhamer explained that the program is a result of the visioning session where the top priority goal of *developing and maintaining Park City as a world-class multi-seasonal resort community*. Kay Calvert will be the Council liaison on this project and the goal is to develop a formal economic development plan and provide a framework to establish action plans and bench marks which will help determine long and short term policies. There are preliminary focus areas, organizational structure and a public process is identified. Jim Hier suggested that the Restaurant Association be involved and Peg Bodell felt that the Art Council and Historical Society also be included. She discussed an upcoming cultural tourism conference in Pittsburgh and programs hosted by the Chamber and Historical Society. Mr. Weidenhamer indicated that staff is hoping to get the task force established as soon as possible. Fred Jones stated that he likes the time frames. Ms. Calvert added that there are experienced retired citizens who may want to participate. Rick Lewis discussed the probability of forming subcommittees to review individual vitality focus areas and Ms. Bodell felt the task force would be helpful in the long term, after these goals are met. Kay Calvert pointed out the effects of projects, like UVSC's new campus on US40 which will affect Park City and the benefits of partnering with other agencies. Ms. Erickson added that Kimball Junction activities directly affect Main Street and Rick Lewis noted that representation from both counties would be appropriate. Ms. Bodell felt that the Utah Olympic Park and Soldier Hollow are great assets and should be included.

6. Conservation reserve program. The Mayor complimented Jeff Schoenbacher on his thorough report and through a computer presentation, illustrated the McLeod Creek stream corridor. He explained the City's Storm Water Management Plan to facilitate and improve the management of storm water with the intent of improving surface water quality. Defined within the plan were practical goals that would be directed at controlling and minimizing non-point source pollutants from entering waters of the state. Non-point source (NPS) pollution, unlike pollution from industrial and sewage treatment plants, comes from many diffuse sources. NPS pollution is caused by rainfall or snowmelt moving over and through the ground surface.

PCMC's plan was structured in order to voluntarily comply with USEPA Phase II National Pollutant Discharge Elimination System (NPDES) Permit Program requirements (Utah adopted). By PCMC implementing the plan voluntarily, the city is avoiding being designated by the Utah Department of Environmental Quality as a "point source" which would require a prescriptive discharge permit. These permits are similar to discharge permits issued to the industrial sector (i.e. mining, oil/gas, utilities) and they contain compliance benchmarks that must be achieved in order to be in compliance with the permits.

Defined within PCMC Storm Water Management Plan are measurable goals that the city has chosen to pursue in order to assist in improving water quality within the watershed. As a result, one of the measurable goals was to improve the McLeod Creek river corridor. This creek is located adjacent to SR224 and is part of the East Canyon Creek Watershed which has been placed on the 303 (d) list of the federal Clean Water Act as being "impaired" or "threatened" for excess nutrient enrichment and dissolved oxygen. Because the McLeod Creek is headwaters for the East Canyon Creek watershed the improvement of this creek would play an important role in improving water quality within this watershed. As a result of PCMC Storm Water Management Plan strategy, the city is considering the Continuous Conservation Reserve Program that is administered by the United States Department of Agriculture (USDA).

The Conservation Reserve Program (CRP) is administered by the United States Department of Agriculture and is one of the largest private-lands enhancement improvement programs in the United States. The CRP encourages owners of agriculture land to voluntarily plant permanent areas of grass and trees on land that need protection in order to control non-point source pollutants from entering a watershed. The program's intent is to establish a 180' buffer zone of vegetation that would in turn retain topsoil thereby preventing erosion. In addition, the CRP program is known for enhancing habitat for wildlife while also providing a source of food.

Participants entering the CRP sign up for a period of 10 to 15 years. The areas that are entered into the program are at the discretion of the property owner. In return, the owner receives an annual rental payment, incentive payment, and cost share payment for the enhancements that occur (fencing, seed, water tanks) on the property. In addition, owners can also receive an additional one-time payment for completing the work defined in the work plan. Payments are made to the owner on a per acre basis, meaning the more acres you have in the program the higher the payment. For the areas PCMC is considering the CRP rental rate would be $52.00 per acre and buffer zone area would comprise of 23.2 acres with a total length of 16,000 ft. As a result, the base annual payment would be $1,206.04 and with additional incentives that rate would be raised 40% within the first year. In addition, the installation of fencing and other barriers would be cost shared at a rate of 95% with PCMC picking up the remaining 5%. This is the best cost-sharing program out of all the conservation programs. In addition, it is a no hassle program, the owner enrolls and implements the work plan and follows the rules of the program.

The paybacks of PCMC entering the CRP are many; the following are just some of these benefits:

- A monetary return back to the city, higher than current agriculture rental rates. In addition, designated areas feed sensitive watersheds (Silver and East Canyon); as a result there is a 40% bonus payment on the acreage.

- Improving the entry corridor into the city, which is paid for by a government program (cost share rate 95/5). This cost sharing includes the restructuring of the fence to better reflect PCMC property. Also, the purchase of seed or trees would be paid for.

- Great opportunity to have participation by local high schools or civic groups to participate in the restoration of the area. NRCS will develop a work plan that recommends woody species and seed for the CRP areas. Many groups (i.e. Boy Scouts, PC Clubs) have expressed and interest to participate in assisting in CRP improvements.
- Entering the program would show PCMC commitment to improving water quality within an impaired watershed. In addition the program would showcase PCMC commitment to conservation.

- This would be a major achievement within PCMC Storm Water Management Plan, which UDEQ oversees.

- PCMC would be the only municipality entered into the program in the state.

- Great PR and Political Benefits as UDEQ or other environmental groups cannot accuse PCMC for not implementing conservation measures.

- No restrictions for the current use of the property (i.e. public access, cross country skiing, hiking)

- The nesting habitat for migratory birds will thrive in the CRP areas allowing the public to view a diverse population.

The USDA has received the CRP enrollment form and concurred with the NRCS that the land is eligible for entering the program. The Planning Commission, Historic District Commission, Friends of Farm, and Parks, Recreation and Beautification Board, reviewed the program. Notice has been given to Franklin Richards of the proposed fencing to eliminate cattle grazing within the stream corridor.

Mr. Schoenbacher explained that as with any federal program there are restrictions and rules and the following apply to the CRP.

- No grazing of any type of livestock. Since this area is going to be a riparian buffer, livestock is not allowed to impact the area. With the exception of the Richards parcel, this should not be a problem.

- No hay can be cut within the designated CRP areas. Much of these areas contain riparian species and in the wet zone. However as previously stated the CRP areas could encroach on the hay fields at the McPolin Barn area and Richards Parcel area on the east side of SR 224.

- The NRCS work plan (i.e. planting, maintenance) will be monitored to validate the plan is being implemented.

In conclusion, he explained that the enrollment into the CRP program has major benefits to the city as it reflects commitment towards water quality while at the same time the city would be compensated for land improvements. There was consensus among Council members to authorize staff to complete the CRP enrollment process.

7. Open space bond. Linda Cook pointed out the success of the prior bond for open space and the community's support of future acquisitions. A bond initiative could be placed on the November ballot with the assistance of bond counsel. Mr. Hier asked for clarification on using bond funds for maintenance and development of open space properties. Toby Ross felt that can be accomplished. The ability to issue bonds is based on parks and recreation and parks are narrowly identified. The question is not so much legal limitations but what is attractive to the voter. Jim Hier suggested the language change "forever preserve and *develop* park and recreational amenities". This would allow the City to use funds for redevelopment of trail heads, for instance. Fred Jones supported Mr. Hier's comments and suggested a limit of funding to that category. He believes that voters are most interested in open space and parameters should be provided, so it isn't confused with the park bond. His limit would be up to 10% for these type of improvements and the bulk of the money allocated to the purchase of open space. There was debate about the appropriate percentage. As a point of clarification, Toby Ross, explained that bond proceeds should be used for improvements not operating costs. Improvements have to be made on those properties acquired for the purpose of open space protection and language could be crafted to include only trail heads or fencing, etc. necessary for access to the public. Tom Bakaly recommended an accompanying resolution which sets forth guidelines which can be promoted by the non-profit open space committee, which occurred in 1998. Fred Jones suggested paying off the McMilllian purchase with these new funds, and free up monies from the first issuance for neighborhood parks. Tom Bakaly explained that the committee needs to clarify the distinction of the ice and parks bond and Fred Jones felt it advantageous not mention parks because it is confusing. The City Manager explained that there is no authority to issue bonds for open space and the language has to include *park and recreation*, and open space needs to be characterized as park open space. Fred Jones suggested taking neighborhood parks out as impact fees can be used for those projects, so the issues are separated. Jim Hier proposed to move forward with the bond issuance and the ballot language as presented. Council concurred. There was discussion about the bond amount of $10 million which was identified as the threshold for voters in 1998. Mr. Hier emphasized the importance of promoting this issuance through citizen groups.

8. Meeting questions/comments. See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 29, 2002

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:15 p.m. at the Marsac Municipal Building on Thursday, August 29, 2002. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorne; Pat Putt, Planning and Zoning Administrator; Jonathon Weidenhamer, Planner; and Bob Stephens, Administrative Services Director.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Pat Putt reported on the Planning Commission meeting last night where amendments to the Land Management Code were considered to accommodate Olympic legacy displays. The definition narrowly defines the existing improvements established as part of the Games, i.e., flag poles, banner poles and Olympic towers. Qualified projects are proposed as allowed uses in some zones in the land use table and there was public comment last night, for and against. The Planning Commission is highly supportive of maintaining existing improvements, specifically at PCMR and Deer Valley. However, the Planning Commission felt that moving a 65 foot tower to the Olympic Welcome Plaza should not be an allowed use but should provide an opportunity for public input. In response to a question from Fred Jones, Pat Putt explained that there are height exceptions in allowed zones for the 65 foot towers and the exception would only be applied to the defined legacy exhibits produced by SLOC. The Mayor and Council members Hier and Jones agreed with the recommendation and Mr. Putt indicated that he will make those changes to the draft document and return to the Planning Commission and City Council on September 12. Peg Bodell supported the Planning Commission’s approach by not providing the City with exceptions. Commissioner Bruce Erickson stated that the Commission is committed to processing this in a timely manner. He warned that the drafted definition could allow other devices imported by SLOC from other locations to the City and has the potential to allow elements that are created today that are considered commerative.

Rick Lewis asked if Council wanted to cancel the September 11 Planning Commission meting. The Mayor clarified that there was discussion but no direction rendered. Peg Bodell encouraged Council members to attend the NLC conference in December and the ULCT conference next month. Toby Ross referred to a very preliminary draft of the strategic plan distributed to Council which will be discussed on September 12.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 1, 2002

Kay Calvert disclosed that she will be abstaining as she was not in attendance. Jim Hier, "I move to approve the minutes as written for August 1". Candace Erickson seconded. Motion carried.

Peg Bodell	Aye
Kay Calvert	Abstention
Candace Erickson	Aye
Jim Hier	Aye
Fred Jones	Aye

V PUBLIC HEARING

Ordinance approving a plat amendment to relocate and reconfigure the building pad located within Lot 1 of the Morning Star Estates Subdivision (7301 Rising Star Lane), in Park City, Utah - Jonathon Weidenhamer explained that the applicants desire to move the building pad 65 feet away from the road in order to save an existing stand of aspen trees which is supported by staff. This will not raise the height of the structure and will not impact neighbors' views and adjacent property owners have submitted letters of support. The Planning Commission renders a positive recommendation; there was no public input. Hearing no questions or comments from the Council or the audience, the Mayor closed the public hearing.

VI CONSENT AGENDA

Fred Jones, "I move to approve Items 1 through 4 on the Consent Agenda". Jim Hier seconded. Motion unanimously carried.

1. Ordinance approving a plat amendment to relocate and reconfigure the building pad located within Lot 1 of the Morning Star Estates Subdivision (7301 Rising Star Lane), in Park City, Utah - See staff report and public hearing.

2. White Pine lease assignment - See staff report.

3. Insurance renewal for workers compensation and crime coverage in the amount of $35,797 - See staff report.

4. Authorization to enroll in the Continuous Conservation Reserve Program for McLeod Creek Stream Corridor - See staff report and work session notes.

VII NEW BUSINESS

License agreement with AT&T Broadband in the amount of $285,285 for use of City's fiber optic conduit - Bob Stephens explained that Rod Daughtee was the project manager for the installation of the conduit and negotiated the first City line with the Sewer District on Deer Valley in 1998. It was envisioned to have an opportunity like this to sell or lease a portion of our conduit to cover installation costs. Additionally, in the past four years, by not leasing phone lines at a cost of $100,000, the City has saved enough money to cover project costs. The $285,285 is to purchase a 25 year lease and in addition AT&T has agreed to give the City the fiber conduit to connect the last phase to the Racquet Club which will save the City about $11,000 a year in not leasing T-1 lines from Qwest. This would not have happened without the Olympics and AT&T installing infrastructure which is a great legacy and benefit to residents of Park City. Eventually, there will be enough capacity to serve the Snyderville Basin and AT&T has committed over $7 million to the community. AT&T is still reviewing the contract; there is some concern over the reversionary period of one year and the City may compromise with a slightly longer length of time. All other provisions are acceptable. In response to a question from Peg Bodell, Scott Dansie, Governmental Relations of AT&T, explained the situation with the government channel being used by Channel 8 and the availability of DSL to subscribers, with the exception of portions of Deer Valley. Fred Jones, "I move to authorize staff to enter into the license agreement, to be approved by the City Attorney, with AT&T Broadband, also known as TCI Cablevision of Utah, Inc., to lease 8,778 feet of PCMC fiber optic conduit". Jim Hier seconded. Motion carried unanimously.

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

* * * * * * * *

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately ___ p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney;. ___, "I move to close the meeting to discuss ". ___ seconded. Motion carried unanimously.

The meeting opened at approximately ___ p.m.

* * * * * * * *

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott

DATE: October 3, 2002
DEPARTMENT: Planning Department
TITLE: 2197 Little Bessie - Plat Amendment
TYPE OF ITEM: Legislative

RECOMMENDATION: Conduct a public hearing, take any public input and consider Staff's recommendation approve a relocation of the lot line between lots 100 and 119 in the Prospector Village Subdivision fifteen feet (15') to the west.

PROJECT

Applicant: Jen and Ken McCarthy
Location: 2197 Little Bessie Avenue - Lot 119 Prospector Village Subd.*
Zoning: SF(* - nightly rentals allowed in this subdivision)
Adjacent Land Uses: Residential
Date of Application: August 23, 2002
Project Planner: Jonathan Weidenhamer

BACKGROUND

The applicants propose to purchase a fifteen foot (15') section of land from their neighbor to the west. Their primary reason for doing this is to keep an open space buffer between the two existing homes. This application was reviewed by the Planning Commission on September 25, 2002, at which time a recommendation to approve the application was forwarded. A public hearing was held and no input was received.

ANALYSIS

Homes exist on both lot 119 and lot 100 (Exhibit B - proposed plat). The house on lot 100 is 40' from the eastern lot line and 49' from the applicant's home. The LMC requires a five foot (5') side yard setback in this subdivision. To prevent construction in this area, and to provide themselves with a larger side yard, the applicants would like to relocate the lot line between the two homes. The proposed lot line will be relocated 25' from the house on lot 100 and 24' from the applicant's house.

A platted, ten foot (10') non-exclusive utility easement exists along the location of the original lot line (5' on each side). This easement will remain in place, and improvements will be prohibited in this area. This will be included as a condition of approval and added as a note to the new plat.

NOTICE

Notice of this hearing was sent to property owners within 300' on September 11, 2002.

DEPARTMENT REVIEW

The Community Development Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with State Law prior to recording. The request was discussed at a Staff Review Meeting on September 3, 2002, where representatives from local utilities and City Staff were in attendance. No major issues or concerns were raised at that time.

RECOMMENDATION

Conduct a public hearing, take any public input and consider Staff's recommendation to approve a relocation of the lot line between lots 100 and 119 in the Prospector Village Subdivision fifteen feet (15') to the west based on the following:

Findings of Fact:

25. The applicants, owners of lot 119 in the Prospector Village Subdivision, propose to purchase a fifteen foot (15') section of land from their neighbor to the west (lot 100, Prospector Village Subdivision).
26. Homes exist on both lot 119 and lot 100. The house on lot 100 is currently 40' from the eastern lot line and 49' from the applicant's home.
27. The Park City Land Management Code requires a five foot (5') side yard setback in the Prospector Village Subdivision.
28. To prevent construction in this area, and to provide themselves with a larger side yard, the applicants would like to relocate the lot line between the two homes.
29. The new lot line, as proposed, will be located 25' from the house on lot 100 and 24' from the applicant's house.
30. A ten foot (10') non-exclusive utility easement exists along the original lot line (5' on each side). This easement will remain in place, and will prevent improvements in this area. The continuation of this easement will be included as a condition of approval and added as a note to the plat.
31. This application was reviewed by the Planning Commission on September 25, 2002, at which time a recommendation to approve the application was forwarded. A public hearing was held and no input was received.

Conclusions of Law:

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

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The existing, platted ten foot (10') utility easement will be maintained in its current location. A note shall be shown on the amended prohibiting the owners from interfering with this easement in any way.

3. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.

EXHIBITS

Exhibit A - Subdivision/Location Map
Exhibit B - Proposed Plat Amendment

AN ORDINANCE APPROVING A PLAT AMENDMENT TO RELOCATE THE LOT LINE BETWEEN LOTS 100 AND 119 (2197 LITTLE BESSIE AVENUE) IN THE PROSPECTOR VILLAGE SUBDIVISION, IN PARK CITY, UTAH, FIFTEEN FEET (15') TO THE WEST.

WHEREAS, owners of the property known as 2197 Little Bessie Avenue, have petitioned the City Council for approval of a subdivision plat; and

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

WHEREAS, on September 25, 2002 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

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

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

SECTION 1. APPROVAL. The plat amendment as shown in Exhibit B is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

4. The applicants, owners of lot 119 in the Prospector Village Subdivision, propose to purchase a fifteen foot (15') section of land from their neighbor to the west (lot 100, Prospector Village Subdivision).
5. Homes exist on both lot 119 and lot 100. The house on lot 100 is currently 40' from the eastern lot line and 49' from the applicant's home.
6. The Park City Land Management Code requires a five foot (5') side yard setback in the Prospector Village Subdivision.
7. To prevent construction in this area, and to provide themselves with a larger side yard, the applicants would like to relocate the lot line between the two homes.
8. The new lot line, as proposed, will be located 25' from the house on lot 100 and 24' from the applicant's house.
9. A ten foot (10') non-exclusive utility easement exists along the original lot line (5' on each side). This easement will remain in place, and will prevent improvements in this area. The continuation of this easement will be included as a condition of approval and added as a note to the plat.

10. This application was reviewed by the Planning Commission on September 25, 2002, at which time a recommendation to approve the application was forwarded. A public hearing was held and no input was received.

Conclusions of Law:

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

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The existing, platted ten foot (10') utility easement will be maintained in its current location. A note shall be shown on the amended prohibiting the owners from interfering with this easement in any way.
3. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 3rd day of September, 2002.

DATE:	October 3, 2002
DEPARTMENT:	Planning Department
TITLE:	Amendment to Record of Survey - Lakeside Condominiums
TYPE OF ITEM:	Legislative

RECOMMENDATION: Staff recommends that the City Council review the proposed record of survey plat amendment, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in this staff report.

TOPIC

Applicant:	Harvey Plonsker
Applicant's Representative:	Ed Orschel
Project Address:	1641 Lakeside Circle
Zoning:	Residential Development - Master Planned Development (RD - MPD)
Adjacent Land Uses	Residential
Project Planner	Ray Milliner

BACKGROUND

The applicant is requesting that the Planning Commission review an application to expand the platted private ownership area of building 3 of the Lakeside Condominiums by approximately one hundred fifty (150) square feet. The expansion will entail the raising and extension of an upper roof line which will allow the owner to convert a storage area to living area. This record of survey plat amendment is necessary because the exterior walls and roof of the condominium are defined as common ownership on the plat, and therefore, any expansion of the unit beyond the platted walls requires an amendment.

The applicant has received the necessary 2/3 unit owner approval from the Lakeside Condominium home owners association to amend the existing record of survey plat to allow the property under common ownership to be converted to "Private Ownership" and subsequently developed.

ANALYSIS

The applicant would like to convert common area to private ownership. The existing unit is approximately 3,500 square feet. The requested improvement will not increase the footprint of the building, however, it will add approximately 150 square feet to the calculated total of the unit, as the space in question is currently used as storage, and therefore, not included in the square footage calculations. Consequently, the total square footage for the unit will increase to approximately 3,650 square feet.

Chapter 3 of the Land Management Code states that the parking requirement for multi-unit dwellings with a square footage greater than 2,500 square feet requires three parking spaces. The existing unit is approximately 3,500 square feet in size. Staff finds that the proposed project and additional square footage will not trigger the need for expanded parking, as unit # 1641 has three existing parking spaces.

As stated, the amendment will result in no expansion of the footprint of unit # 1641, and therefore, if this application is approved, the amount of open space for the Lakeside Condominiums will not be diminished. A certified survey will be required prior to issuance of a building permit to verify compliance with the record of survey approval, and all applicable Land Management Code regulations.

DEPARTMENT REVIEW

The Community Development Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with State Law prior to recording. The request was discussed at a Staff Review Meeting on July 16, 2002, where representatives from local utilities and City Staff were in attendance. No major issues or concerns were raised at that time.

NOTICE

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also placed in the Park Record. No public input has been received the time of this report.

RECOMMENDATION

Staff recommends that the City Council review the proposed record of survey plat amendment, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in this staff report.

Findings of Fact:

4. The Condominium project known as Lakeside Condominiums is located at 1641Lakeside Circle and is zoned RD-MPD, and is identified as unit #1641.
5. The applicant is proposing to raise the roof of Unit #1641 by three (3) feet and convert the area from common ownership to private ownership.
6. The proposed amended record of survey changes the type of ownership of the area in question from common area to private area.
7. An approval letter for the amendment was received from the members of the Homeowners Association.
8. The existing unit is approximately 3,500 square feet in size.
9. The conversion of common area to private ownership will add approximately 150 square feet to the unit for a total of 3,650.
10. The proposed application will allow for the conversion of a storage area to livable space.
11. The parking requirement for multi-unit dwellings stipulates that any unit above 2,500 square feet requires three parking spaces.
12. The existing unit has three parking spaces.
13. The additional square footage will not require additional parking.
14. The proposal will not decrease the amount of open space on the property to a level below 60%.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the application at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All other conditions of approval of the Lakeside Condominium project continue to apply.
4. Converted Private area cannot be used to create a lockout unit.

EXHIBITS

Exhibit A -Proposed Ordinance

Exhibit B - Proposed Elevations

ORDINANCE AMENDING THE RECORD OF SURVEY PLAT FOR THE LAKESIDE CONDOMINIUMS LOCATED AT 1641 LAKESIDE DRIVE, PARK CITY, UTAH

WHEREAS, the owner of the property known as 1641 Lakeside Drive, has petitioned the City Council for the approval of an amendment to record of survey plat; and

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

WHEREAS, on August 14, 2002 the Planning Commission held a public hearing to receive public input on the proposed amendment to the record of survey plat and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed amendment to the record of survey plat allows the property owner to convert existing common ownership area to private ownership; and

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

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

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

5. The Condominium project known as Lakeside Condominiums is located at 1641Lakeside Circle and is zoned RD-MPD, and is identified as unit #1641.
6. The applicant is proposing to raise the roof of Unit #1641 by three (3) feet and convert the area from common ownership to private ownership.
7. The proposed amended record of survey changes the type of ownership of the area in question from common area to private area.

8. An approval letter for the amendment was received from the members of the Homeowners Association.
9. The existing unit is approximately 3,500 square feet in size.
10. The conversion of common area to private ownership will add approximately 150 square feet to the unit for a total of 3,650.
11. The proposed application will allow for the conversion of a storage area to livable space.
12. The parking requirement for multi-unit dwellings stipulates that any unit above 2,500 square feet requires three parking spaces.
13. The existing unit has three parking spaces.
14. The additional square footage will not require additional parking.
15. The proposal will not decrease the amount of open space on the property to a level below 60%.

<u>SECTION 2. CONCLUSIONS OF LAW</u>. The City Council hereby adopts the following Conclusions of Law:

I.II.III.IV.

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

<u>SECTION 3. CONDITIONS OF APPROVAL</u>. The proposed subdivision plat attached as Exhibit B is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the application at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All other conditions of approval of the Lakeside Condominium project continue to apply.
4. Converted Private area cannot be used to create a lockout unit.

<u>SECTION 4. EFFECTIVE DATE</u>. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of October, 2002.

DATE: October 3, 2002

DEPARTMENT: Community Development/OCMB

AUTHOR: Rick Lewis/Gary Hill

TITLE: Resolution amending Section 1, Construction and Development Related Fees, and Section 9, Miscellaneous Fees of Resolution 10-02, adding Section 8, Leisure Service and Facility Rental Fees and replacing Resolution 9-00 and 10-02 in their entirety.

TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATION: Review the resolution for the proposed fee amendments to Construction and Development Related Fees, Leisure Service and Facility Rental Fees, and Miscellaneous Fees, hold a public hearing and consider any public input, and adopt the resolution with any revisions deemed necessary.

DESCRIPTION

E. Topic

Amendment to City's Fee Schedule - Construction and Development Related Fees & Leisure Service and Facility Rental Fees.

F. Background

Construction and Development Related Fees An analysis was conducted by Rosenthal and Associates (Community Development Cost of Service Analysis - May 2001) to determine the estimated total cost of providing Planning Department services. The total average cost of providing Planning Department application review services includes overhead and support services from other departments. To help offset these costs, the City Council amended Resolution 27-01 as it relates to Construction and Development Related Fees on June 21, 2001.

Leisure Service and Facility Rental Fees Many of the City's recreation and facility rental fees have not been updated to reflect increases in service costs for several years. Several of the programs have received recommendations from their advisory boards or have performed internal analyses to evaluate their respective fee schedules.

G. Analysis

Section 1 - Construction and Development Related Fees

After implementing the updated Fee Schedule, the Community Development Staff suggests the following minor adjustments for simplification and ease of application -They can be found italicized in Exhibit A:

- 1.1.2 has been reformatted to separate subdivision / condominium fees
- 1.1.2 - *Amendment to Record of Survey - $100 per unit affected* has been added as an individual line item

- 1.1.2 - *Extension of approval - $250* has been added as an individual line item to both Subdivision and Condominium
- 1.1.3 - Small Scale and Large Scale MPD has been combined into one line item - *MPD (with preliminary plat) - $390 per unit equivalent*
- 1.1.4 - Administrative CUP (which includes Outdoor Display of Art) - fee changed from *$350* to *$100*
- 1.1.4 - Extension or modification to a CUP - fee changed from *$425* to *$250*
- 1.1.9 - *Minor amendment to existing master sign plan - $55.55* has been added
- 1.1.11 - *A $2000 deposit for annexation petitions less than 40 acres* has been added
- 1.1.12 - Appeal of Staff intrepretation of LMC... - fee changed from *$50* to *$100*

<u>Section 8 - Leisure Service and Facility Rental Fees</u>
Section 8 replaces Resolution 9-00 and updates service charges and fees for some leisure services and facilities-related activities. The specific fee changes can be seen in Exhibit A and are briefly explained below:

- 8.4.1 through 8.4.4 - Recreation and Racquet Club Fees: These sections have been updated at the request of the Recreation Department to reflect fee increases necessary to maintain current service levels. The changes include increases to the City and County Recreation Cards, Tennis Court charges, and facility pass rates.

- 8.4.4 - Golf Fees: The resolution reflects the Golf Rates that were approved by City Council for the 2002 and 2003 seasons (see Exhibit A for specific changes).

- 8.4.5 - Library Fees: The Park City Library Board routinely reviews non-resident fee options and recommends changes. On September 8, 2002, the Library Board voted to decrease the Family Membership fee from $75.00 to $40.00 per year, and the Student card from $25.00 to $15.00 per year. These fees reflect the amount contributed by Park City residents and makes using the Library less cost prohibitive to Summit County families and students who live outside the City limits.

- 8.4.8 - Miners Hospital Community Center Fees: The fee schedule has been changed to combine Snyderville Basin and Park City residents and non-profit groups into one fee category. The fee for Special Events such as weddings and receptions has also been increased by $100 for both the “resident” (Park City/Snyderville Basin) and “non-resident” categories to reflect increased costs for maintaining the same level of service.

- 8.4.9 - Park City Library and Education Center Auditorium Rental Rates: The rate reduction for multi-day events has been changed from 20 to 25%.

<u>Section 9 - Miscellaneous Fees</u>
Formerly Section 8, the only change to this section is to increase the returned check charge from $15 to $25. This fee has not been changed for several years and the updated fee reflects the current cost of maintaining the same level of service.

4. Department Review

This application has been reviewed by the City’s Office of Capital Management and Budget, The City Attorney’s office, the City Manager, and the Community Development Department.

5. Recommendation

Staff is requesting the City Council review the resolution for the proposed fee schedule amendments, hold a public hearing and consider any public input, and adopt the resolution with any revisions deemed necessary.

A RESOLUTION AMENDING CONSTRUCTION AND DEVELOPMENT RELATED FEES, AND MISCELLANEOUS FEES OF THE PARK CITY FEE SCHEDULE, ADDING SECTION 8, LEISURE SERVICE AND FACILITY RENTAL FEES AND REPEALING RESOLUTIONS 9-00 AND 10-02 IN THEIR ENTIRETY.

WHEREAS it is necessary to update the fee resolution to reflect the changing costs of performing services; and

WHEREAS, a public hearing was held on Sept. 26,2002, to receive public comments on the user fee increases,

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

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby re-adopted with changes as outlined in Exhibit A, and Resolutions No 9-00 and 10-02 are hereby repealed in their entirety.

SECTION 2. EFFECTIVE DATE. This resolution shall take effect upon adoption.
PASSED AND ADOPTED this 3rd day of October, 2002.

EXHIBIT A
PARK CITY FEE SCHEDULE
(REVISED ~~JUNE 27~~ OCTOBER 3, 2002)

SECTION 1. CONSTRUCTION AND DEVELOPMENT RELATED FEES

1.1 PLANNING FEES

1.1.1 Special Meeting Fee $610
One formal staff review and one Planning Commission Work Session. If an applicant files a formal application, the $610 will be applied toward the application fee.

1.1.2 Subdivision

~~Revision to Final Plat~~ *Plat Amendment*	$450 per ~~unit equivalent~~ *application*
Lot line adjustment	$290 per ~~unit equivalent~~ *application*
Revision to conditions of final plat	$585 per revision
Extension of approval	*$250*

Condominium

Preliminary Plat Review *(w/out MPD)*	$255 per unit/ unit equivalent
Final Plat Review	$180 per unit ~~equivalent~~
Condominium or timeshare conversion	$450 per unit ~~equivalent~~
Record of Survey	$450 per unit ~~equivalent~~
Amendment to Record of Survey	*$100 per unit affected*
Extension of approval	*$250*

1.1.3 Master Planned Development Process

~~Large Scale~~ MPD *(w/ preliminary plat)*	$390 per unit equivalent
~~Small Scale MPD~~	~~$390 per unit equivalent~~
Modification to an MPD	$195 per unit equivalent

1.14 <u>Conditional Use Permit</u>

Discretionary	$720
Steep Slope Review	$350
Administrative	~~$350~~ *$100*
Extension or Modification	~~$425~~ *$250*

1.1.5 <u>Zone Changes</u>

Change to existing zone	$1,250
Request to create new zoning district	$2,600
Modification of existing zone language	$2,000

1.1.6 <u>Board of Adjustment</u> $365 per application

1.1.7 <u>Architectural and Design Review</u>

1.1.7.1 Historic District Review

New residential construction involving up to 1,000 sf, including renovation or remodels	$185
New residential construction or additions in excess of 1,000 sf	$200
Commercial review	$200 per unit equivalent (1,000 sq. ft.)
Determination of Significance	$200 per structure
Certificate of Appropriateness for Demolition (CAD)	$400 plus hourly fee for fiscal economic analysis
Economic Analysis for CAD	Billed at actual cost

1.1.7.2 Non-Historic (All Other Districts)

New Residential - SF/Duplex (per appl)	$200
Multi-Family/Commercial (per appl)	550
Residential Additions (per appl)	100
Commercial Additions (per appl)	440

1.1.8 <u>General Plan Amendment</u> $3,475 per application

1.1.9 <u>Sign Review</u>

Master Sign Plan Review____	$110
Individual signs or *minor amendment to existing master* sign plans	$55.55
Individual signs when a *master* sign plan has been approved	$35.35
Temporary Signs	$20.20

1.1.10 <u>Satellite Receiving Stations</u> $170

1.1.11 <u>Annexation</u>

Preapplication $3,300

Upon certification of completeness of the preapplication and prior to the filing of the annexation petition, the applicant shall submit a $10,000 deposit *for annexation petitions exceeding 40 acres. A $2000 deposit shall be required for annexation petitions less than*

40 acres. The applicant shall be charged for actual City staff time for the annexation processing and this time will be charged against the deposit. When the deposit is depleted, the application shall submit another ~~$10,000~~ *equivalent deposit* for the continued review. All deposited funds will be reimbursed to the application upon completion of the annexation and agreements.

Annexation Fiscal Impact Analysis $1,550
plus actual cost of City approved consultant fee
Modification to Annexation Agreement $3,300

1.1.12 Appeals Fees
The following administrative fees, which will include processing costs for mailing notice and postage, shall apply:

Appeals of Planning Commission and/or Historic District Commission conditions	$365
Appeals to the U.B.C. Board of Appeals	$365
Appeals of staff interpretation of Land Management Code Regulations or Historic District Guidelines/Design Guidelines	~~$ 50~~ *$100*

1.1.13 Refund of Withdrawn Planning Applications
In the case of a withdrawal of an application, the associated fees shall be refunded, less the actual cost for professional services rendered by City staff.

1.1.14 Re-application Fees
For projects that have been cancelled by the applicant from a scheduled meeting

$100

1.1.15 Reactivation Fee
For projects that have been inactive by the applicant for more than six months 50% of orig. application fee

1.1.16 Attorney or Other Professional Services
Reimbursement for actual expense incurred

1.2 **Building Fees**

1.2.1 Impact Fee Schedule Impact fees are now located in the Park City Municipal Code, Title 11, Chapter 13.

1.2.2 Building Permit

Total Valuation Free

$1 and up	3/4 of 1% (.75%) of the total valuation of construction as herein above described with a minimum fee of $15. Any additional fees will be as otherwise outlined in Section 304 and Table 3A of the Uniform Building Code.

1.2.3 Plan Check Fees

a. Deposit. On buildings requiring plan checks at the time of building permit application, the applicant shall pay a deposit of two hundred dollars ($200.00) for buildings up to three (3) units or 3000 square feet of commercial area; five hundred dollars ($500.00) for buildings up to six (6) units or 6000 square feet of commercial area; and one thousand dollars ($1000.00) for buildings in exceeding six (6) units or 6000 square feet of commercial area. The deposit shall be credited against the plan check fee when the permit is issued. This deposit is non-refundable in the event permits are not issued.

b. Fee. Except as otherwise provided herein, the plan check fee shall be equal to sixty-five percent (65.0%) of the building permit fee for that building. The plan check fee for identical plans shall be charged at a rate of $54.26 per hour of total Community Development staff time. As used herein, "identical plans" means building plans submitted to Park City that: (1) are substantially identical to building plans that were previously submitted to and reviewed and approved by Park City; and (2) describe a building that is: (A) located on land zoned the same as the land on which the building described in the previously approved plans is located; and (B) subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans.

1.2.4 Security to Secure Code Required Landscaping $1,000

1.2.5 Mechanical Permit ISSUANCE FEE $10.00

In Addition:

Furnace		$10.00
Suspended Heater & Vent		10.00
Wall Heater & Vent		10.00
Floor-Mounted Heater & Vent		10.00
Cooling, Absorption	8.00	
Boiler or Compressor 3 HP/up 36,000 BTU	10.00	
3 to 15 HP/36,000 BTU to 180,000 BTU	15.00	
15 to 30 HP/180 BTU to 360,000 BTU		20.00
30 to 50 HP/360,000 BTU to 600,000 BTU	30.00	
50 HP and up/600,000 BTU & up		50.00
Air Handling Unit		5.00
Evaporative Cooler		7.50
Vent Fan		3.00
Vent System		4.50
Hood Exhaust	4.50	
Incinerator		10.00
Comm. Incinerator		30.00
Others not listed		5.00

PLUS 1% STATE SURCHARGE

1.2.6 Electrical Permit ISSUANCE FEE 10.00

In Addition:

RESIDENTIAL

New and Addition	3¢ per square ft
Remodel or Service Change	$20.00
Temporary Power: on pole or underground	20.00

COMMERCIAL

Total Service	$20 for first 100 Amps 3 for each adl. 100 Amps
Sub or Branch Circuits	
0-30	$1.00
31-60 Amps	2.00
61-100 Amps	3.00
over	2 + 1.00 ea. adl. 100 Amps

PLUS 1% STATE SURCHARGE

1.2.7 Plumbing Permit ISSUANCE FEE $10.00

In Addition:

For each plumbing fixture or trap on set of fixtures on one trap (including water, drainage piping and backflow protection therefore)	$ 4.00
For each building and trailer park sewer	15.00
For each water heater and/or vent	7.00
for each industrial water pretreatment interceptor, including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps	7.00
For installation, alternation, or repair of water piping and/or water treating equipment	7.00
For repair or alteration of drainage or vent piping	7.00
For each lawn sprinkler system on any one meter, including backflow protection devices therefore	7.00
For vacuum breakers or backflow protective devices vats, etc. or for installation on unprotected plumbing fixtures	5.00
For each gas piping system	5.00

PLUS 1% STATE SURCHARGE

1.2.8 Uniform Fire Code Fees ISSUANCE FEE $10.00 *(Amended by Resolution No. 7-01)*

In Addition:

Aircraft Refueling Vehicles	$30.00	
Bonfires or Rubbish Fires		10.00
Burning in Public Places		10.00
Candles and Open Flames in Assembly Area	15.00	
Excavations Near Flammable or Combustible Liquid Pipelines		15.00
Explosives or Blasting Agents		45.00
Fireworks		30.00
Flammable Liquids		15.00
Flammable or Combustible Liquid Tanks	15.00	
Garages		15.00
Liquefied Petroleum Gases	15.00	
Places of Assembly	15.00	
Others not listed		15.00

Tents, air-supported structures and trailers $.20 per square foot
Temporary structures built to permanent standards
will be subject to fees set forth in Section 1.2.2.

1.2.9 Grading Plan Review and Permit Fees

See attached appendix of fees as adopted by the Uniform Building Code Table No. 70-A and 70-B, adopted by Park City and incorporated herein by this reference.

1.2.10 Soil Sample Fee $100

1.3 **Engineering Fees**

1.3.1 Construction Inspection Fees

Prior to receiving a building permit, a notice to proceed or plat approval, developers shall pay a fee equal to six percent (6%) of the estimated construction cost as determined by the City Engineer. In projects with private street systems that limit city inspection requirements to water, drainage, and other improvements, but not to streets, the inspection fee shall be four percent (4%) of the estimated construction cost of the improvements to be inspected as determined by the City Engineer. The city, upon notice to the developer, may charge the developer a fee of $25.00 per man-hour to recoup costs to the city above the fee charged. The city may also charge $25.00 per man-hour for re-inspections of work previously rejected.

1.3.2 Permit to Work in Public Right-of-Way

$100 fee plus $1,000 letter of credit or cashier's check plus proof of insurance

SECTION 2. WATER FEES *(Amended by Resolutions 17-95, 10-01, and 10-02)*

SECTION 2. WATER FEES

2.1 Water Development Fees Water Development Fees are now located in the Park City Municipal Code, Title 11, Section 13.

2.2 Water Connection Fees/Fire Standby Fees Water Connection and Fire Standby Fees are now located in the Park City Municipal Code, Title 11, Section 13.

2.3 Water Meter Fees

Meter Size	Fee
3/4	$120
1	$180
1.5	$370
2	$520
3	$800
4	$1,410
6	$3,005
8	$4,645

2.4 MONTHLY WATER METERED SERVICES FEE SCHEDULE:

2.4.1 Base Rates

Individually Metered Residential (single-family, condo, townhouse)

Meter size	Monthly Base/Demand Charge
5/8 x 3/4"	$10.00
1"	$13.50
1½ "	$16.00

Other than Individually metered Residential

Meter Size	Monthly Base/Demand Charge
3/4"	$13.00
1"	$22.00
1 ½"	$47.00
2"	$98.00
3"	$255.00
4"	$463.00
6"	$873.00
8"	$1503.00
Construction Meter	$58.00

Construction water will be charged at the rate of $2.30 per 1000 gal.

2.4.2 Water Consumption Rates All water delivered through each meter serving commercial customers all year and all other customers between October 1 and May 31 of each year shall be charged at the rate of $1.75 per thousand gallons.

2.4.3 Water Conservation Rates
All water delivered through each meter serving single family residential, multi-family residential and landscape irrigation customers per month between June 1 and September 30 of each year shall be billed at the following rates:

Type	Block 1 $1.25/k-gal	Block 2 $2.00/k-gal	Block 3 $3.25/k-gal	Block 4 $5.00/k-gal
Single Family/Condo 3/4" to 1.5"	0-5,000 Gal	5,001- 30,000 Gal	30,001 -80,000 Gal	Over 80,000 Gal
Multi-Family				
3/4"	0-10,000 Gal	10,001-36,000 Gal	36,001-80,000 Gal	Over 80,000 Gal
1"	0-17,000 Gal	17,001-57,000 Gal	57,001-120,000 Gal	Over 120,000 Gal
1.5"	0-30,000 Gal	30,001-100,000 Gal	100,001-200,000 Gal	Over 200,000 Gal
2"	0-48,000 Gal	48,001-160,000 Gal	160,001-320,000 Gal	Over 320,000 Gal
3"	0-96,000 Gal	96,001-320,000 Gal	320,001-640,000 Gal	Over 640,000 Gal
4"	0-150,000 Gal	150,001-500,000 Gal	500,001-1,000,000 Gal	Over 1,000,000 Gal
6"	0-180,000 Gal	180,001-600,000 Gal	600,001-1,200,000 Gal	Over 1,200,000 Gal
Irrigation		0-56,000 Gal	Over 56,000 Gal	
3/4"		0-90,000 Gal	Over 90,000 Gal	
1"		0-185,000 Gal	Over 185,000 Gal	
1.5"		0-300,000 Gal	Over 300,000 Gal	
2"		0-600,000 Gal	Over 600,000 Gal	
3"		0-935,000 Gal	Over 935,000 Gal	
4"		0-1,865,000 Gal	Over 1,865,000 Gal	
6"				

2.5 Water Violation Penalties

$ 50.00	first violation
100.00	second violation
200.00	third violation
400.00	fourth violation

500.00 for the fifth violation and for each subsequent violation within that calendar year.

2.6 Water Service Reinstatement Fee

$100 fee for meter shut off because of non-payment of account.

2.7 Water Service Call Fee $50 fee per service call

2.8 Water Meter Testing Fee $50

SECTION 3. BEER AND LIQUOR LICENSE

See attached Beer and Liquor license fees adopted and incorporated herein by this reference.

SECTION 4. PEDDLERS AND SOLICITORS LICENSING

4.1 Solicitors Licensing Fee: $75.00 annually for each person licensed as a solicitor, except that any business which has already paid its solicitation fee of $75.00 shall pay $10.00 annually for every additional solicitor.

4.2 Street Musicians: $5.00 per day for no more than 10 days

4.3 Convention Sales: $50.00 plus 5% of the regular Park City business license fee for a business of that type, with the square footage based on the square footage of the meeting or convention facility (or portion thereof) rented or used by the licensee for his sales location site at the convention site. For licenses effective during the Sundance Film Festival, the fee shall be $250.00.

4.4 Outdoor Sales

$ 5.00 In addition to the regularly issued business license for that business.

$4.00 In addition to the regularly issued business license for that business if business is a member of merchant's association organizing the outdoor sale.

$50.00 Seasonal plants, Christmas trees or landscaping materials for a maximum period of 8 weeks per year.

SECTION 5. MISCELLANEOUS LAW ENFORCEMENT FEES.

5.1 Alarm Monitoring Fees

$100.00 Cash deposit to be posted at time of installing each alarm system within the Park City limits.

$ - 0 - First response within 6 months, no fee deducted from $100.00 bond.

$25.00 Second response to premise within 6 months, and for each subsequent response to said premise. [$25 deducted from bond].

5.2 Direct Access Alarms

$100.00 Per alarm connected through a direct access device, and not per alarm company, for the initial installation of the alarm.

$50.00 Per year, per alarm for subsequent years or parts thereof.

5.3 Dispatching Fee

$100.00 Per month for each private agency being dispatched from the City Communication Center.

5.4 Vehicle Impound Fee

$20.00 Per vehicle, per impound (also see Section 7.5).

SECTION 6. GRAMMA (Government Records Access and Management Act) FEES.

6.1 Copies

Copies made at a city facility: $.10 per page. Double-sided copies shall be charged as two pages.

6.2 Copies in Excess of 50 Pages

Outside copy facilities: For requests for copies in excess of 50 pages, the city reserves the right to send the documents out to be copied and the requestor shall pay the actual cost to copy the documents, including any fee charged for pick-up and delivery of the documents.

6.3 Compiling Documents [In a form other than that maintained by the city]

$50.00 per request or $20.00 per employee hour required to compile the record, whichever is greater.

SECTION 7. PARKING VIOLATIONS, TOWING AND IMPOUND FEES

7.1 Fines for meter violations are as follows:

$15 from the date of violation until thirty (30) days following the violation, escalating to:

$22 after 30 days;
$42 after 60 days;
$52 after 90 days, and
$62 after 120 days

7.2 Fines for mobility disabled space violations are as follows:

$150 from the date of violation until thirty (30) days following the violation, escalating to:

$157 after 30 days;
$177 after 60 days;

$187 after 90 days; and
$197 after 120 days

7.3 Fines for Special Event Parking Permit Violations are as follows:

$150 from the date of violation until thirty (30) days following the violation, escalating to:

$157 after 30 days;
$177 after 60 days;
$187 after 90 days; and
$197 after 120 days

7.4 Fines for all other parking violations are as follows:

$25 from the date of violation until thirty (30) days following the violation, escalating to:

$32 after 30 days;
$52 after 60 days;
$62 after 90 days; and
$72 after 120 days

7.5 A parking permit for the first through the third level of the China Bridge Parking Structure and the Gateway Garage will be $75 annually, $50 if purchased after April 1st of each calendar year.

7.6 The City Manager may implement a Special Event Parking Permit AND; Special Event Parking Fines for events held under a Master Festival License. The fee for these Special Event Parking Permits will not exceed $50 per day.

7.7 An administrative fee of $20 will be charged per vehicle for towing. In addition to the administrative fee there is a fee, negotiated with private providers, for a basic tow, or state impound, or accident tow and which may vary annually. These towing charges are outlined in the Park City Police Department Towing Rate Scale. Vehicles stored in the City lot will be charged $3 per day. Vehicles stored in private lots are subject to market pricing, negotiated with the Park City Police Department, and outlined in the Park City Police Department Towing Rate Schedule.

~~SECTION 8. MISCELLANEOUS FEES~~

~~8.1 Fee for in lieu of providing public parking $14,000 per stall~~

~~8.2 Returned Check Charge: $15.00~~

~~8.3 News Rack Application and Permit $50 per application~~
~~$75 per three-year permit~~

SECTION 8. LEISURE SERVICE AND FACILITY RENTAL FEES

8.1 Purpose and Philosophy Leisure Services Administration, the Parks Department, Miners Hospital Community Center and the Library are ~~divisions of Leisure Services~~ supported primarily by tax dollars through the City's General Fund. The Recreation Department, Racquet Club and Golf Course have been established as enterprise funds and should be primarily supported by revenues other than taxes. This policy applies to Recreation/Racquet Club and Golf Course Enterprise funds.

The purpose of this ~~resolution~~ section is to establish a level of operations and maintenance cost recovery for programs, activities and facilities, and direction for establishing fees and charges for the use of and/or participation in the programs, activities and facilities offered by the Recreation Department, Racquet Club and Golf Course, Library, and Miners Hospital Community Center.

It is the intent of the City to offer its Leisure Services programs, activities and facilities to the entire community. To help offset the cost of providing these services, and since the primary beneficiaries of these services are users, it is appropriate to charge fees that are adequate to fund operation of the facility in line with other like programs.

8.2 Cost Recovery It is the intent of the City to recover roughly 80% of the operations and maintenance expenses incurred by the Recreation Department and the Racquet Club and 100% of the operations and maintenance expenses incurred by the Golf Course through sources of revenue other than taxes. The City's cost recovery plan is described in detail in the City's budget document. User fees should not be considered the only source for accomplishing this objective. Revenues may also include:

A. Increases in program participation.
B. Fees charged for non-recreational use of facilities (conventions/special events)
C. Rental income
D. New programs or activities
E. Private sponsorship of programs or activities
F. Public agency grants or contributions.

8.3 Establishing User Fees Fees shall be set at a level which ensures program quality and meets the objectives of the City Council.

8.3.1 Resident Discount Those people whose primary residence is within the City limits; are currently paying property tax within Park City; or are holding a valid Park City business license and leasing or renting office space within Park City are entitled to obtain a recreation card. In most circumstances those who qualify for a recreation card will pay lower fees. Those who don't qualify for a recreation card may, for an annual fee, participate in select programs or activities at the resident discount rate for Racquet Club and recreation programs only.

8.3.2 Recreation Program Fees The Recreation Department, the Racquet Club and the Golf Course offer a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published in the Leisure

Services quarterly brochure. In most cases, fees will be kept commensurate with fees charged by others providing like service.

8.3.3 Fees for Non-Recreational Activities at the Racquet Club Facility The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Racquet Club facility is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

8.3.4 Fee Increases Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be required to provide an annual review and analysis of the financial posture of the Recreation Fund and Golf Course Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay.

To establish and maintain the Council's objective of 80% cost recovery, the City Manager will have the authority to annually increase fees up to $.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action.

Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

8.3.5 Discounting Fees The Leisure Services Director may, at his discretion, discount fees when:

1. Offering special promotions designed to increase use.

2. Trying to fill non-prime time.
3. Introducing new programs or activities.
4. Playing conditions are below standard due to weather or facility disrepair.

8.3.6 Fee Waivers The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Leisure Services Director may, at his discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

8.4 Revised Established Fees and Charges

8.4.1 Annual City Resident Recreation Card

$~~6.00~~ 6.50 First card per family
~~6.00~~ 6.50 Each card thereafter
~~6.00~~ 6.50 Per card renewal fee

8.4.2 Annual County Resident Recreation Card

$~~225.00~~ 250.00 First card per family
~~6.00~~ 6.50 Each card thereafter

8.4.3 Racquet Club Fees

Punch Card Admission. For ease of administration and convenience to users, a punch card system has been established for Racquet Club programs and activities. Tennis court time and drop-in use may be purchased in advance and used when needed. The purchase of a punch card may result in a savings off the regular rate.

Tennis Court Charges	Hourly Court Fees	
	Indoor	Outdoor

Resident discount rate	$~~18.00~~	20.00*	$6.00
Regular rate	24.00	27.00*	9.00

*New rates effective November 1, 2002

Drop-in Fees: Drop-in activities fall into two categories - those with instructors, and those without.

Instructed classes

Resident discount rate	$~~6.00~~ 7.00
Regular rate	~~8.00~~ 9.00

Facility use

Resident discount rate	$~~5.00~~ 5.50
Regular rate	~~6.25~~ 7.00
Resident 12 and under	2.00
Regular 12 and under	3.00

Monthly and multiple month passes: Passes may include use of any or all facility classes and amenities, except tennis.

Resident discount passes	Single	Couple
1 month	$~~45~~ 49	$~~80~~ 88
3 month pass	~~120~~ 132	~~215~~ 235
6 month pass	~~215~~ 235	~~385~~ 425
12 month pass	~~370~~ 410	~~665~~ 730

Regular passes	Single	Couple
1 month	$~~56~~ 60	$~~100~~110
3 month pass	~~150~~ 165	~~269~~ 295
6 month pass	~~269~~ 295	~~481~~ 530
12 month pass	~~463~~ 510	~~831~~ 915

8.4.4 Golf Fees

The Park City Municipal Golf Course is an 18 hole course and 6,743 yards in length. The fees listed below are established fees, however they may be altered for certain types of tournament play. To receive a resident discount, the recreation card (which must have a City resident designation) must be presented to the golf starter. Season passes are available only to those who possess a locals card. Playing conditions on the course may vary due to weather constraints, particularly early and late in the season. The Golf Pro may, at his discretion, discount the established fees in order to encourage use of the course when playing conditions are less than optimum.

Regular Season- Memorial Day through September
Off-Season- Pre-Memorial Day, October and November

~~Green Fees~~

~~Resident 9 $12.50~~
~~Resident 18 25.00~~

~~Regular 9 17.50~~
~~Regular 18 35.00~~

~~Off season 9 15.00~~
~~Off season 18 30.00~~

~~Pass Rates~~

~~Resident pass $750.00~~
~~Regular pass 900.00~~
~~Junior pass 330.00~~
~~Resident senior punch pass 200.00~~
~~Punch pass 300.00~~
~~Corporate pass 2,500.00~~

~~Golf Cart Rental~~

~~Pull cart 9~~	~~$ 2.00~~
~~Pull cart 18~~	~~4.00~~
~~Ride 9~~	~~14.00~~
~~Ride 18~~	~~26.00~~
~~Cart pass~~	~~390.00~~

~~Range Fees~~

~~Small bucket~~	~~$ 2.50~~
~~Large bucket~~	~~5.00~~
~~Range pass~~	~~145.00~~

~~County - Association Golf Tag~~ ~~$ 75.00~~

	2002*	2003
Resident Season Pass	$900	$930
Non-Resident Season Pass	$1,100	$1,140
Junior Pass	$380	$400
Jr./Sr. Punch Pass	$250	$260
Non-Resident Punch Pass	$350	$365
Corporate Pass	$2,750	$2,850
Resident 18 Hole	$30	$31
Resident 18 Hole with Cart	$44	$45
Non-Resident 18 Hole	$40	$41
Non-Resident 18 Hole with Cart	$54	$55
Resident 9 Hole	$15	$15.50
Resident 9 Hole with Cart	$22	$22.50

Non-Resident 9 Hole	$20	$21
Non-Resident 9 Hole with Cart	$27	$27.50
Resident Off-Season 18 Hole	$23	$23
Non-Resident Off-Season 18 Hole	$30	$30
Small Range Bucket	$3.00	$3.00
Large Range Bucket	$6.00	$6.00

*2002 Fees were implemented in May 2002 following a public meeting

8.4.5 Library Fees

The Park City Library Board routinely reviews non-resident fee options and recommends changes. Library services, which are funded by the General Fund, are provided without charge to property owners, residents, and renters within the City's boundaries. Non-resident card fees are charged to those who request borrowing privileges but live outside the City's taxing area. On September 8th, 2002, the Library Board voted to change the fee charged to some non-resident library users.

Non-Resident Card Fees

Family membership	$~~75.00~~ 40.00 per year
Temporary membership	20.00 plus $10.00 deposit for a period of 90 days
Student card	~~25.00~~ 15.00 per year
Organization card - non-profit	50.00 per year
Organization card - for-profit	100.00 per year

8.4.6 Cemetery Fees

Anyone owning property, currently residing, or having resided in Park City for a period of more than ten years consecutively, is eligible to purchase cemetery property or may be buried in the Park City Cemetery. There are a limited number of lots available for individuals not meeting the eligibility requirements set forth in Resolution No. 11-93. These will be sold on a first-come, first-served basis.

	Eligible Resident Fees	Non-Resident Fees
Single adult grave	$300	$600
Single infant grave	150	300
Opening and closing adult grave	270	370
Opening and closing infant grave	150	225
Removal of adult from one grave to another within cemetery	600	600
Removal of infant from one grave to another within cemetery	400	400
Removal of adult for interment outside cemetery	300	300
Removal of infant for interment outside cemetery	150	150
Schil for flower beds/grave	N/A	N/A
Additional charge for after hour burials including Saturdays, holidays, weekends	200	300
Interment of cremated remains	70	140
Monument grave marker maintenance	100	100

Cemetery Fee Waivers. Any or all of the fees associated with the operation of the Park City Cemetery may be waived by the Cemetery Sexton. Grave sites, located in the "veterans section" for Park City veterans, firemen and police officers will be provided free of charge, as well as fees for cemetery services. Family members wishing to be buried in this section of the cemetery will be charged for lots and services.

8.4.7 Park Pavilion Rental Fees

It is not mandatory that a fee be paid for the use of a park pavilion. However, those persons having reserved a pavilion and paid the reservation fee shall have the exclusive use to use that pavilion over others. Reservation fees for park pavilion use are as follows:

City Park Pavilions

Regular Rate:

Monday-Thursday	$ 70.00 Full Day
	40.00 Half Day
Friday-Sunday	140.00 Full Day
	80.00 Half Day

Resident Discount:

Any day	$ 35.00 Full Day
	20.00 Half Day

Rotary Park Pavilion

Regular Rate	$ 50.00 Full Day
	30.00 Half Day
Resident Discount	$ 30.00 Full Day
	15.00 Half Day

8.4.8 Miners Hospital Community Center Fees

This facility is located at 1354 Park Avenue. Reservation fees for use of the Miners Hospital Community Center are as follows:

Function/Use	Park City/Snyderville Basin Resident or Non-Profit Group*	Non-Resident or Commercial
Single level:		
Hourly:		
First/additional up to 3 hrs.	$15/$10	$25/$15
Half day (4 hrs.)**	40	60
Whole day (8 hrs.)***	75	110
Entire building:		
Two hrs. minimum	60	110
Half day**	100	175
Whole Day (8am - 5pm)**	125	200
Special events		
(weddings, receptions, etc.)***	~~300~~ 400	~~450~~ 550

Park City/Snyderville non-profit groups will receive 12 free rentals per year, after which time the standard rate applies.

Cancellation Policies for entire building reservations:

For two hour reservations, a $25 handling fee will be charged for cancellations received less than one week prior to rental.

For half-day reservations, a $50 handling fee will be charged for cancellations received less than two weeks prior to rental.

For whole day reservations, a $75 handling fee will be charged for cancellations received less than two weeks prior to rental.

Notes:

*Snyderville Basin and Park City residents and groups were formerly charged two separate rates. Those groups have now been combined.

**a $50 damage/cleaning deposit is required on all whole day rentals, refundable if the facility is left in satisfactory condition; full payment of all fees is due two weeks prior to the facility rental.

***a $300 damage/cleaning deposit is required on all special events rentals, $275 is refundable if the facility is left in satisfactory condition; full payment of all fees for special events is due 30 days prior to the date of the event.

Snyderville Basin Resident is defined as a resident or business that is located within the boundaries of the Park City School District and Park City Fire Service District.

Commercial is defined as any use of the facility wherein participants are charged fees for profit.

8.4.9 Park City Library & Education Center Auditorium Rental Rates

This facility is located at 1255 Park Avenue. The rates for this facility are as follows:

Number of Patrons	5 Hours (or less)	Per Day	Refundable Deposit
Fewer than 50	$ 50	$100	$100
50 -100	75	150	150
100 - 150	150	300	300
150 - 250	250	500	500

More than 250	500	1,000	1,000

Notes:

1. Advance reservations and standard lease agreement required, tenants included.

2. Events without admission or fee or non-profit groups are eligible for 50% rate reduction.

3. Tenants of the Park City Library and Education Center are eligible or a 50% rate reduction.

4. Multi-day events (more than three days) are eligible for a ~~20%~~ 25% rate reduction.

5. Special parking arrangements may be required for events for more than 250 participants and guests.

6. All rates are subject to change without notice.

7. All fees are to be paid in advance.
8. Only one rate reduction may apply to any group or user (the largest allowable reduction will apply).

9. City reserves the right to change fees, especially in the case of commercial enterprises.

10. These rates apply to Auditorium rental only, rental rates for film equipment are calculated separately.

SECTION 9. MISCELLANEOUS FEES

9.1	Fee for in lieu of providing public parking	$14,000 per stall
9.2	Returned Check Charge:	~~$15.00~~ $25.00
9.3	News Rack Application and Permit	$50 per application $75 per three-year permit

DATE: October 3, 2002

DEPARTMENT: Planning

AUTHOR: Brooks T. Robinson

TITLE: Lot 1, Sandstone Cove subdivision

TYPE OF ITEM: Plat amendment to shift Recreational Open Space

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SUMMARY RECOMMENDATIONS Conduct a public hearing, consider any public input, and consider staff's recommendation to deny the plat amendment.

DESCRIPTION

13. Topic

Owners	Steve and Helen Weldon
Location	3 Sandstone Cove
Zoning	Estate (E) with Recreational Open Space (ROS)
Adjacent Land Uses	Residential and Open Space
Reason for Review	Plat Amendments require Planning Commission review and City Council approval.

2. Background

The property is located at 3 Sandstone Cove, also known as lot 1 of the Sandstone Cove subdivision. It is 0.78 acres (34,010 square feet) in size. It is an improved lot at the entrance to Sandstone Cove. A Building Permit was issued in March of 1999 for the construction of the house. A final Certificate of Occupancy was issued in September of 2000.

The subdivision plat has Building Zones for each lot and Recreational Open Space (ROS) zoning across all the north and western lots, including lot 1 (see Exhibit A). In addition, Limits of Disturbance (LOD) are required for each lot with disturbance limited to 15 feet on the side yards, 20 feet on the rear yard and 25 feet on the front yard (Exhibit B, Note 7). At the time of building permit issuance, the LOD was shown on the plans with a concrete patio extending into the ROS (Exhibit C). Staff highlighted this encroachment and crossed it off the plans. In disregard of this, the builder installed an elevated wood deck extending into the ROS. Subsequent to the completion of the house, the owner or builder landscaped the entire front and east side of the yard along Mountain Top Lane and Sandstone Cove.

The applicants subsequently purchased this house and wish to enclose the wood deck with a sunroom. To accomplish this, a plat amendment is required to shift the ROS line around the deck (Exhibit D). The Planning Commission heard this request at its regular meeting of September 25, 2002 and forwards a **negative recommendation.**

3. Analysis

Staff has visited the site and finds substantial additional landscaping, irrigation and disturbed area encompassing almost all of this lot. Although the previous owner/builder had landscaped the front yard, the ROS area (except for the deck) was undisturbed. The current owner has not been respected the ROS in any manner. Staff is holding enforcement action in abeyance pending the outcome of this application. As an aside, it is also noteworthy that the Covenants, Conditions and Restrictions for Sandstone Cove prohibits improvements of any kind in the Open Space except utilities and permitted fencing along the trail easement, neither of which applies here.

The purpose of the ROS zone (15-2.7-1 of the Park City Municipal Code) is to permit recreational uses, such as public trails, and to preserve the native vegetation. The ROS zone was established with the Sandstone Cove annexation to preserve a large contiguous area that encompasses the rear of lots 1-11 of 16. Disturbance and landscaping outside of the LOD and in the Open Space is prohibited. Both this applicant and the previous owner/builder have expanded the Limits of Disturbance beyond what is allowed. The applicant has seriously compromised the Recreational Open Space with additional disturbance and landscaping, and have not paid the additional water fees required by the Building Department. Staff cannot recommend approving this plat amendment based on the substantial non-compliance of the lot.

4. Department Review

This project has gone through an interdepartmental review.

5. Notice

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

ALTERNATIVES

1. The City Council approve the plat amendment and direct staff to prepare findings supporting this action, or;

2. The City Council deny the plat amendment based on the findings provided or;

3. The City Council may continue the discussion with direction to the staff and applicant.

RECOMMENDATION

Staff recommends that the City Council open the public hearing, consider any public input, and consider staff's recommendation to deny the plat amendment based on the following findings of fact and conclusions of law:

Findings of Fact:

1. The property is located at 3 Sandstone Cove, also known as lot 1 of the Sandstone Cove subdivision. The property is zoned Estate (E) with Recreational Open Space.
2. Building Zones are located on each lot.
3. Disturbance is limited to 15 feet on side yards, 20 feet on rear yards, and 25 feet on front yards, measured from the foundation.

4. A concrete pad was highlighted and crossed off the approved building plans because it encroached into the ROS.
5. An unapproved elevated wood deck was built into the ROS despite the expressed prohibition on the approved plans.
6. The Limits of Disturbance were ignored during the construction, resulting in the landscaping of the entire front of the lot.
7. The current owner has further expanded the landscaping and disturbance throughout the entirety of the lot, including the Recreational Open Space.
8. Irrigation has been extended into the ROS, without paying water fees to the City.
9. Enforcement action is being held in abeyance pending the outcome of this application.
10. Chapter 15-2.7- of the Municipal Code preserves and protects vegetation within ROS zones.
11. The Planning Commission forwards a negative recommendation from its regular meeting of September 25, 2002.

<u>Conclusions of Law:</u>

1. There is not good cause for this plat amendment.
2. The plat amendment is inconsistent with the Park City Land Management Code, the General Plan and applicable State law regarding subdivision plats.
3. The public has already been materially injured by the action of the applicants and the proposed plat amendment will increase the public harm.
4. Approval of the plat amendment, subject to the conditions stated below, adversely affects the health, safety and welfare of the citizens of Park City.

EXHIBITS

Exhibit A - Sandstone Cove plat
Exhibit B - Plat Notes
Exhibit C - Approved Building Plans
Exhibit D - Proposed Plat

DATE:	**September 30, 2002**
DEPARTMENT:	**Leisure Services**
AUTHOR:	**Kathy Kelly**
TITLE:	**Award of pool construction contract**
TYPE OF ITEM:	**Contract**

SUMMARY RECOMMENDATION: Authorize the City Manager to execute the pool construction contract with J & R Development, in a form approved by the City Attorney's Office, in the amount of $322,000 with a portion of the play feature excluded from the initial contract, but included as an alternate.

DESCRIPTION:

A. Topic: Construction contract for the pool and update on the projected budget.

B. Background:

On September 26, 2002, five bids were received for the construction of the leisure pool at the Racquet Club. The bids ranged from a high of $483,000 to a low of $343,000. The low bid was from J & R Development, Inc. of Sandy, Utah. The project manager would be Bob Greer, a Park City resident.

The leisure pool budget as estimated by VCBO and revised is as follows:

	Architect Estimate	Revised Estimate
SOFT COSTS		
Design Services	$ 22,800	$ 22,800
Geotechnical Investigation	560	2,500
Total Estimate of Soft Costs:	**$ 23,360**	**$ 25,300**
CONSTRUCTION COSTS		
Demolition	$ 12,000	$ 16,000
Pool & Pool Equipment	$275,000	$285,000
Pool Play Features	$ 30,000	$ 9,000
Pool Deck	$ 25,000	$ 25,000
Electrical work	$ 3,000	$ 3,000
Contingency	$ 10,350	$ 9,700
Project Management		$ 2,000
Total Estimate Construction Costs	**$355,350**	**$349,700**
TOTAL PROJECT ESTIMATE	**$378,710**	**$375,000**
ALTERNATES		
Pool Slide	$ 45,000	$ 62,000
Play Feature		$ 21,000

C. Analysis:

The total budget for the project is $375,000. Since the estimate was prepared, two items have come in higher than projected: the low bid on the demolition was $16,000 and the geotechnical work was $2,500, meaning that before the bid, the project is about $6,000 over the original budget.

The low construction bid of $343,000 is $10,000 more than projected. The bids on the slide and stairs were in the low to mid $60,000's.

To exert maximum control over the project, staff recommends two actions:

1. Move the play feature (the overhead, interactive fountain) to the "alternatives" list with the slide. This may require simultaneously authorizing a contract for the bid amount, and then issuing a change order reducing it $21,000 to $322,000. The required piping and pumps would be installed and the feature could be added when funding was acquired. This would reduce the immediate costs by $21,000, leaving a contingency fund of $9,700. We would then work very closely with the contractor to minimize additional costs. Funds remaining at the end of the project would be added to the fund raising pot for the slide and the play feature.

2. Assign Paul Noetling as the project supervisor. Paul is a contract employee of the City, and has assisted staff on several complicated construction projects, including the Transit Center. Paul, whose expertise is in construction management, has saved the City significant money by overseeing the actual work performed by the contractor and the sub-contractors. He is creative is finding solutions when problems arise, and has an in-depth understanding of the responsibilities of the contractors. Paul could charge his time, estimated at $2,000 directly to the pool project, or to the OCMB Department.

   As can be seen from the table on the prior page, the recommended actions keep the revised budget for the project at $375,000. The Council could allocate an additional $21,000 to the budget and proceed with the project as bid with the whole play feature and with a contingency in place. Staff would still recommend assigning Paul Noetling as project manager.

D. Department Review: This staff report has been reviewed by the City Manager's Office and by the Chair and the Racquet Club Sub-committee of the Parks, Recreation and Beautification Board. The Sub-committee expressed varying opinions: scale down the play feature; further study the causality of the bid discrepancy; ask for more contigency funds.

E. Alternatives:

1. The Council could award the bid with the play feature removed from the contract as described.

2. The Council could award the bid as proposed and authorize the additional funding of $21,000.

3. The Council could request that the project be rebid (with or without design changes)

F. Significant Impacts: If both the play feature and the slide are moved to the "alternatives list" staff will need to increase fund raising efforts. The leisure pool needs as many of its features as possible when it opens next summer. Both the slide and the overhead fountain will be significant draws. From a marketing standpoint, we want to make a good "first impression" when our citizens come to the pool's grand opening. Delaying the signing of the contract could increase costs. Since autumn is the pool builders' off season, there is a risk that costs of any work put off could be more next spring. Delay in pool construction will likely impact Recreation Fund revenues for the next season and possibly eliminate any swim lessons, classes or open swim for next summer if the pool construction is not begun within the next month.

G. **<u>Recommendation</u>:** Authorize the Mayor to execute the pool construction contract, in a form approved by the City Attorney's Office, in the amount of $322,000 with the play feature removed from the contract to be possibly added as an alternate.