

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 15, 2011**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, September 15, 2011.

Closed Session

2:00 p.m. Litigation and property

Work Session

3:30 p.m.	Elected Officials training	
4:00 p.m.	Council questions/comments	
4:10 p.m.	Budget public process update	P. 5
4:20 p.m.	HPCA infrastructure study (report under separate cover)	P. 6 - 9
4:50 p.m.	Short range transit plan	P. 10 - 40
	• Public input	
5:45 p.m.	Break	

Regular Meeting

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on agenda)*

**IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF AUGUST 25, 2011 AND
SEPTEMBER 1, 2011**

P. 41 - 51

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

1. Consideration of a Resolution proclaiming the week of October 16 – 22, 2001 as Audiovisual Week in Park City, Utah

P. 52 - 54

2. Consideration of an amendment to the contract for state lobbying services with Legislative Executive Consulting, LLC for an additional \$40,000 for the 2012 legislative session, in a form approved by the City Attorney

P. 55 - 56

3. Consideration of a professional services agreement with czb LLC for the General Plan Balanced Growth Study in the amount of \$38,583, in a form approved by the City Attorney

P. 57 - 61

VI RESIGNATIONS AND APPOINTMENTS

Consideration of the appointment of a member to the Public Art Advisory Board for a term expiring June 2013

VII NEW BUSINESS (*New items with presentations and/or anticipated detailed discussions*)

1. Consideration of an Ordinance amending the Land Management Code adding Historic Preservation Board review and approval for historic reconstruction and disassembly processes in Park City, Utah P. 62 - 107

- (a) Public hearing
- (b) Action

2. Consideration of authorization to the City Manager to execute a Construction Agreement for the Last Chance Waterline Replacement and Pump Station Modifications, in a form approved by the City Attorney P. 108 - 113

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

IX ADJOURNMENT

A majority of members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service available in the Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 22, 2011**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not** hold its regularly scheduled meeting on Thursday, September 22, 2011.

Posted: 09/12/11

Revised: 09/14/11

See: www.parkcity.org

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

September 2011

- 22 **No meeting**
- 29 3rd quarter update – work
 - Special event overhaul – (30 min)
 - Sports Complex proposal – work (30 min)
 - Transportation Master Plan – work (20 min)
 - Appointment of Public Art Advisory Board member
 - Short range transit plan adoption – public hearing/action
 - SR224 Corridor Study contract – action
 - Joint work session with Planning Commission - redevelopment

October 2011

- 6 **Alex gone**
 - Open space and conservation easement update (1 hour)
 - Transportation Master Plan adoption
 - MFL – Schirf Brewing 25th Anniversary
- 13 Co-housing field trip (90 min) – work
 - Environmental, sustainability, and regulatory update (40 min)
- 15 *Bonanza Tunnel ribbon-cutting*
- 20 **No meeting**
- 27 Donation policy McPolin Farm nature trail – work/action

November 2011

- 3
- 10
- 17
- 24 **Thanksgiving**

December 2011

- 1
- 8
- 15
- 22
- 29

Pending Items:

Field trip 1450 and 1460 Park Avenue
Inter-local agreement with Summit County for police database integration
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety



City Council Staff Report

Subject: Budget Public Process Update
Author: Michael Kovacs, Asst. City Manager
Department: Executive
Date: Sept. 15, 2011
Type of Item: Informational

Summary Recommendations:

Listen to a briefing on staff actions coming this fall regarding getting business group input into the 2012-2013 City budget process and capital program.

Topic/Description:

2012-2013 City budget and capital plan.

Background:

Last year, the City embarked on a "budgeting for objectives" preparation model with staff and the Council. An outcome of that exercise was the proposal of a minor tax increase due in part to the fact that taxes hadn't increased in X years and had never been adjusted for inflation or other increased costs. The business community input on any tax increase was consistently negative, even after definition issues and inflationary/system inadequacy's were explained and understood. Council directed staff to begin a series of listening sessions with these groups as a means of having a dialogue on the priorities and funding methods to accomplish certain capital projects.

Analysis:

Staff is setting up meetings to visit with the Prospector Square Merchants HOA, Interagency group, Park City Board of Realtors, Park City Chamber Board of Directors, Historic Park City Alliance, and the Lodging Association. We'll outline the capital projects on the horizon and seek input into ideas and solutions for funding them. We will not be advocating a tax increase.

Department Review:

This report was reviewed by the Executive and Legal departments.

Alternatives:

A. Approve:

Allow discussions with business groups to move forward.

B. Deny:

Redirect staff effort and cancel business group meetings.

C. Modify:

Propose an alternative solution.

D. Continue the Item:

Table the item until either the next meeting or another meeting.

City Council Staff Report



Author: Jonathan Weidenhamer
Subject: Historic Park City Alliance (HPCA) Infrastructure Committee Study
Date: September 15, 2011
Type of Item: Informational

Summary Recommendations:

Review the HPCA Study. Provide direction on next steps related to implementing study recommendations.

Background:

Using a portion of their share from the revenue raised from increased Main Street parking fees, the HPCA and PCMC split the cost of a consultant to identify project priorities for Main Street. The Downtown Action Plan has been the blueprint 1998 (available at: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=5811>). Almost all those projects have been implemented, including a transit center, parking garage and bulb-outs.

The HPCA created an infrastructure committee and they hired and worked closely with IBI's Dave Nicholas who works out of a Main Street office to complete the study. We see this as an opportunity to infuse comprehensively (timing, capital, budget) current other city planning work including OTIS, Neighborhood RDA Strategic and General Planning, as well as the new Streets/Transportation Master Plan.

Using the Study as a launching point, Staff will recommend a scope below that we believe will help prioritize which projects to fund and implement. The process will also help answer some of the following:

- Are sidewalks a priority?
- What about heating them? What about heating the street or gutters?
- Should we reconfigure existing bulb outs? What other streetscape and "place" creators are important?
- What type of attractions are a priority? Passive or indirect generators like a park or flexible gathering area? Or perhaps anchor retail? Or something that could be in between like an ice rink?
- How should we fund priority projects?

Analysis

During the FY12 budget process we discussed using the unallocated Main Street RDA funding to advance recommendations from the HPCA Study. This amount is about \$419,000. Staff recommends we hire a team to pursue the following scope:

1. Further a formal public input process
2. Discussion with HPCA and City Council
3. Produce concept drawings and preliminary cost estimates
4. Elicit specific policy direction on priorities
5. Design Development drawings, project engineering and formal cost estimates

Consequences of not taking the recommended action:

The business community will feel like they had no voice in any Council solution to capital project funding and may oppose any traditional or alternative mechanisms Council decides to use in the future.

Recommendation:

Listen to a quick briefing on staff actions coming this fall regarding getting business group input into the 2012-2013 City budget process and capital program.

6. Include in FY 13 budget process → identify funding source.
7. Implement phased priorities (based on funding)

Recommendation:

Review the HPCA Study. Provide direction on next steps related to implementing study recommendations.

HPCA Infrastructure study link:

http://www.historicparkcityutah.com/resources/docs/11_07_20_Historic_Park_City_Improvement_Plan.pdf

Exhibit A – Sundance Institute letter

SUNDANCE INSTITUTE

- FILM FESTIVAL
- FEATURE FILM
- DOCUMENTARY
- FILM MUSIC
- THEATRE

September 9, 2011

Dear Mayor Williams and City Council members,

Please accept this as a letter of support for the HPCA Infrastructure Plan. As an active member of this community and an organization that holds a major annual event in Park City, Sundance Institute encourages thoughtful growth that supports economic development while maintaining the integrity of this wonderful resort town.

The HPCA's plan for Main Street improvements would benefit all visitors to the area including those that visit during the Sundance Film Festival. Over the last few years we have given a particular focus to *improving the audience experience* at our event. Infrastructure improvements such as wider sidewalks, bulb outs and changes to restroom locations are all ideas that would contribute to a good audience experience, and further establish Main Street as a vibrant community space.

As many of you know we are constantly looking for event space. While the Brew Pub parking lot idea won't solve all our venue challenges, it would be a great addition to the current available options and one we could certainly use.

The HPCA plan is thorough and thoughtful and warrants consideration.

Thank you for the opportunity to comment on this plan.

Sincerely,

Sarah Pearce
Director of Operations,
Sundance Film Festival

City Council Staff Report



DATE: September 15, 2011
DEPARTMENT: Transportation & Transit
AUTHOR: Brooks T. Robinson, Senior Transportation Planner
TITLE: DRAFT Short Range Transit Development Plan
TYPE OF ITEM: Administrative – Work Session Discussion

Summary Recommendation

This is a work session discussion. No action is requested at this time. Staff and the consultant will present current recommendations for the DRAFT Short Range Transit Development Plan. Council direction is sought and any public input is encouraged.

Topic/Description:

Park City is currently updating the 2007 Short Range Transit Development Plan (SRTDP). This SRTDP is required by the Federal Transit Administration as a prerequisite to applying for and receiving federal funds. The Plan is the guideline for future decisions regarding transit operations, locations, services and budget. Previous plans have been used as a basis for operations, capital improvements, management, and financial decisions, particularly with expansion into unincorporated western Summit County. The proposed plan will also provide a framework for possible connections to Salt Lake City and other areas of the Wasatch Back, including Wasatch County and the South Summit County areas.

Background

Park City Transit is a free bus system that has operated for twenty-seven years. During the last few years it has expanded service from operating only within the Park City limits, to include several routes serving adjacent areas in Western Summit County including The Canyons Resort, Kimball Junction lodging and retail facilities and Snyderville Basin residential areas. Since the completion of the SRTDP in 2007, annual ridership has increased from approximately 1,800,000 to over 2,000,000. Much of this growth has occurred on County routes. Service and fleet expansion is expected to continue.

Park City Transit operates a 37-vehicle fleet of 30 35-foot transit buses on its fixed-routes, the Main Street Trolley, and six cutaway buses that are used for on-demand service, the Empire Canyon service, and for senior citizens and those who qualify under the eligibility requirements of the American with Disabilities Act. All vehicles are wheel-chair lift equipped. The service operates 365 days a year. Approximately 70% of the annual passengers ride during the four-month winter ski season.

The City entered into a contract with a consultant team headed by LSC Transportation Consultants, Inc. to undertake the Plan. At present, the following has been accomplished:

- Under Technical Report #1, LSC evaluated a number of Study Area characteristics including major activity centers, special events, population, employment, commute patterns and traffic volumes, and planned/potential development.
- In addition, Technical Report #1 evaluated the current transit services to Western Summit County including Park City and the Snyderville Basin and the financial characteristics of the current operations.
- Based on the characteristics and future development potential, the Transit Needs and Demands were prepared.
- Following the publication of Technical Report #1, a Steering Committee that includes the Joint Transit Advisory Board (JTAB) of City Council member Simpson and County Council member McMullin met to discuss the report and future steps.
- A ridership survey was conducted before the end of the ski season over four days to gauge activity levels and collect destination information. In addition, survey participants were asked several questions regarding service routes and times of operations.
- LSC then prepared a number of alternatives contained in Technical Report #2 that included service routes, capital alternatives, institutional and management alternatives, and possibilities for funding.
- Technical Report #2 also evaluated service to nearby areas (towns in North and South Summit County including Kamas and Coalville, western Wasatch County including Heber City, and Salt Lake City).
- The JTAB group met to go over the various alternatives and discuss recommendations.
- On July 7th, City staff presented an update to Council on the plan and the steps ahead. A similar presentation was made to the Summit County Council.
- Public Open Houses were held on July 12th (County Richins Building) and July 13th (City Miner's Hospital) to take input on the proposed alternatives.
- Staff and LSC have refined the alternatives in light of public input and comments from the two elected bodies.
- The Joint Transit Advisory Board met on September 1st to review the DRAFT Plan.

Analysis

The recommended Short Range Transit Development Plan has been developed based upon the goals of the region, public input and review, analysis of demographic and development trends, analysis of the efficiency and effectiveness of each alternative and legal requirements. A primary focus of the plan is implementation of more efficient and frequent services on SR-224 and expansion of services to outlying communities to the west, east and south of Park City.

Attached to this report is Chapter 10 of the Short Range Transit Development Plan. This chapter provides a summary of the Service, Capital and Management elements included in the recommended plan.

A complete copy of the 175 page Short Range Transit Development Plan Update (including technical memos 1 & 2) can be found at the following internet link:
<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8176>

The tables below contain the service, capital and management elements of the recommended plan (including implementation year). The tables also include which page of Chapter 10 (attached) contains more detail on the plan elements.

Service Elements

Service Element	Implementation Fiscal Year	Chapter 10 Page #
Improve SR-224 Service (20 minute frequency)	2014-15	151
Kimball Junction Cicularator	2014-15	153
Improved Canyons Transit Service	2011-2016	153
Kamas\Oakley Winter Commute Service	2013-14	154
Heber Commute Service	2012-13	154
Salt Lake City Service	2011-12	155
Winter Full Service extended to Midnight	2011-12	155
Quinn's Junction Dial A Ride Reservation Requirement Reduced to 1 Hour	2011-12	155

A graphic depicting each of the service and capital elements may be found on Page 152 of the attached Chapter 10.

Capital Elements

Capital Element	Implementation Fiscal Year	Chapter 10 Page #
Construct Kimball Junction Transit Center	2012-14	156
Construct PCMR Transfer Center	TBD	157
Bonanza Transfer Center	TBD	157
Implement Advanced Public Transit System Technologies	2011-12	158
Transit Signal Preemption	2011-13	159
Bus Stop Improvements	All Years	159
Bicycle\Pedestrian Facilities	All Years	159
New\Replacement Buses	All Years	159

Management Elements

Management Element	Implementation Fiscal Year	Chapter 10 Page #
Data Analyst	2012-13	159
Marketing Coordinator	2014-15	159
Equipment Coordinator	2013-14	159
Transit Goals and Objectives	All Years	160-164
Improved Marketing	2011-12	164
Centralized Bus Stop Maintenance Program	2011-12	165

Chapter 10 pgs. 169-175 includes a financial plan (for both City and County) integrating all the above elements. This plan indicates that the recommended plan is financially sustainable.

A year by year implementation plan for all the plan elements is included in Chapter 10 pgs. 175-177.

Department Review

This report has been reviewed by Public Works, Legal, and City Manager offices.

Significant Impacts

Once adopted, the SRTDP will be the blueprint for Transit operations within Park City and Summit County. Adjustments are made over time to routes, schedules, and budgets as better information becomes available.

Recommendation

This is a work session discussion. No action is requested at this time. Staff and the consultant will present current recommendations for the DRAFT Short Range Transit Development Plan. Council direction is sought and any public input is encouraged. Staff is prepared to return to Council for adoption of the SRTDP on September 29th with changes as directed.

Chapter 10

Park City/Summit County Short Range Transit Development Plan

The following Short Range Transit Development Plan has been developed for Summit County and Park City based upon the goals of the region, public input and review, demographic and development trends, the evaluation of alternatives presented in previous chapters, the coordinated elements necessary for an effective public transit services, and legal requirements. This plan is intended to maximize the benefits of public transit service, while remaining within projected financial constraints over the planning period.

The various Service, Capital, and Institutional, Management and Financial elements of the Short Range Transit Plan are presented in three sections below. Together, these plan elements will expand the availability of transit services to the community, provide service to areas not currently served, increase the effectiveness of existing services, provide the community with a viable transportation option to the private automobile, and make the systems more convenient to use and more efficient to operate. Finally, an implementation plan is presented to guide transit improvements over the next seven years. Figure 29 presents a map depicting the service and capital plan elements.

A primary focus of this plan is the improvement of more efficient and frequent services on key corridors and expansion beyond the Park City/Snyderville Basin service areas to the west, east and north.

OPERATING PLAN

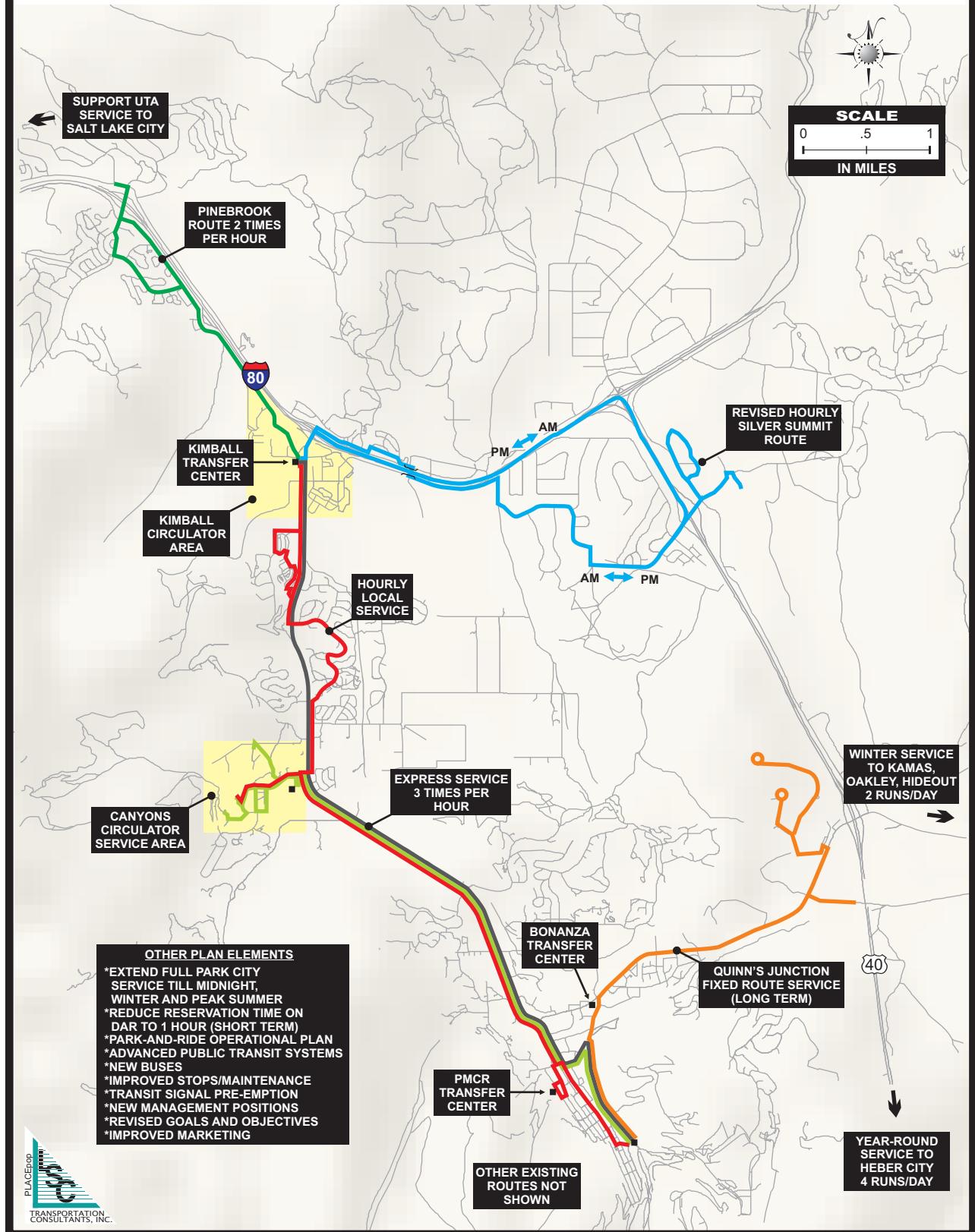
Implement SR 224 Corridor 20-Minute Headway Service

The existing Pinebrook and Silver Summit/Highlands Estates routes will be reconfigured based on the Alternative A plan presented in Chapter 5. This will require construction of the Kimball Junction Transit Center (as discussed below), in order to reduce route running time, and is thus scheduled to be implemented in 2014. Under this plan, the existing four buses operating the current service will be reconfigured as follows:

- Two buses will operate express service between the Old Town Transit Center (with an additional stop at the Canyons Transit Center) and the current route segment between Kimball Junction and Jeremy Ranch (modified to serve the Kimball Junction Transit Center rather than Newpark). The overall route will require an hour per round-trip.
- One bus will operate express service between the Old Town Transit Center and the Kimball Junction Transit Center (with a stop at Canyons Transit Center), and also operate a modified Silver Springs route that utilizes I-80 and US 40 in the “off-peak” direction (eastbound in the AM, westbound in the PM) and also serves the Silver Springs Business Park and the Summit County Justice Center. While service to the nine existing stops along Highland Drive between Old Ranch Road and Silver Summit Parkway will be eliminated, this change will increase overall ridership and improve on-time dependability. This overall route will also require one hour per round trip.

FIGURE 29

Park City/Summit County Short Range Transit Development Plan



- A fourth bus will operate “local” service between Old Town Transit Center and Kimball Junction Transit Center, serving Park City Mountain Resort, Canyons (including stops as far west as Grand Summit), Silver Springs, Bear Hollow (entering in both directions on Bear Cub and exiting at the Bobsled Boulevard/Cutter Lane signal).

As a whole, this route plan will provide express service along the SR 224 corridor every twenty minutes in both directions. Local service to the Silver Springs area will better match the ridership level in this neighborhood, and new service will be provided to Bear Hollow, Silver Creek Business Park and the Summit County Justice Center, as well as the Grand Summit Hotel.

Assuming timely completion of the Kimball Junction Transit Center, this plan element could be implemented for the 2014-15 summer season. This plan is also dependent on implementation of the Kimball Circulator, as discussed below, in order to replace service to the Redstone and Newpark areas.

Implement Kimball Junction Circulator

A new circulator bus route will be operated in the Kimball Junction area, beginning with the opening of the Kimball Junction Transit Center. Every 20 minutes, a loop will operate from the Kimball Junction Transit Center both to the east (serving Redstone, Newpark, the Snyderville Basin Field House and other nearby commercial/lodging properties) as well as to the west (serving Wal-Mart, the Tanger Outlet Center, and the Research Park). This route is important in providing more convenient service to existing areas (such as Redstone), serving new areas as they develop (such as the Kimball Research Park area), and allowing the other County routes to operate more efficiently. A smaller (25 to 30-foot long) transit vehicle will be operated. Depending on the final route, some minor modifications to intersections and onstreet parking may be necessary in the Redstone area, and good snow removal along the route will be important. A schedule from 7:00 AM to 11:00 PM year-round is assumed in this plan, though an earlier end of service may be considered in the off seasons, depending on funding availability.

Improve Canyons Transit Service

Beyond the extension of local SR 224 service to the Grand Summit Hotel (as discussed above), service to the Canyons area will be improved as follows:

- The **Canyons Collector/Express** service plan will be implemented in winter evenings (5:30 PM till Midnight). New stops will be established at the Sundial Lodge, Waldorf Astoria, Silverado Lodge, Hyatt Astoria, and along Red Pine Road and Chalet Drive⁴. One bus will operate on a 40-minute loop that serves these areas directly (as well as the existing stops along Canyons Resort Drive), and then operates an express run along SR 224 to the Old Town Transit Center. This will be particularly convenient for Canyons guests wishing to visit Old Town for dining and entertainment (and vice versa), while persons traveling to other parts of Park City and Deer Valley can make direct transfers to other routes at the Old Town Transit Center. This service would also be timed to provide direct transfers to County route service to and from Kimball Junction, via the Canyons Transit Center, once the changes to the County routes are put into effect. This service plan will also replace the current Canyons daytime summer service plan, providing half-hourly service. Winter evening service will be

⁴ Some streets will require enhanced snow removal/sanding to adequately accommodate transit operations.

implemented for the 2011-12 winter season, with summer service using this route starting in the summer of 2012. This service plan introduces transit service to a greater portion of the Canyons (which will become increasingly important as the area develops), provides more convenient service to and from Old Town, and reduces wasteful duplication of service with other PCT routes. Note that the existing Canyons route plan (serving the Prospector and Park City Mountain Resort areas directly, but limiting service in the Canyons to Canyons Resort Drive only) will continue to be operated in Winter daytime periods, as it better serves skier/snowboarder travel patterns.

- With future development, ultimately an internal **Canyons Circulator** will be warranted to provide comprehensive, coordinated service to all key lodging and commercial areas during the winter daytime. This will be particularly important with regards to development in the Frostwood area to the north and the Lower Village area south of the intercept parking lot. Timing for implementation of this improvement will depend on development schedules, but is assumed in this plan for 2015. A 20-minute shuttle will be operated from 7:00 AM to 5:30 PM that provides direct transfers to the every-20-minute express runs along SR 224.

Kamas/Oakley Winter Commuter Route

A winter commuter service will be initiated starting in the winter of 2013-14, connecting Oakley, Kamas and Hideout with Park City via State Highways 32 and 248. This will consist of one westbound run in the morning (arriving in Park City around 7:30 AM), and one eastbound run in the afternoon (departing after 5:00 PM). The bus will be parked overnight in Oakley or Kamas (at a County, UDOT, or municipal lot, to be determined), and the service will optimally be operated by PCT drivers living in the vicinity. A fare of \$3.00 per one way trip for general public and \$2.00 for youth (age 5-15), elderly (age 65 and above) and disabled will be charged for this service. In addition, monthly passes will be available that provide a 10 percent discount for regular riders. Beyond passenger fares, funding for this service will be provided by a Federal Transit Administration 5316 Job Access – Reverse Commute (JARC) grant, Summit County, and Park City. This service will improve access to jobs by residents in the outlying communities and allow day trips for shopping, errands and recreation, as well as reducing parking and traffic impacts in Park City.

Heber City Commuter Service

A year-round commuter service will be initiated between Heber City and Park City. Due to higher ridership demand, two northbound runs will be operated in the AM commute period (arriving in Park City around 6:30 AM and 7:30 AM) and two southbound runs in the PM commute period (departing around 4:30 PM and 5:30 PM). This route will originate in southern Heber City (near the US 40/US 189 junction), serving stops through central Heber City, at the Utah Valley University Wasatch campus, Stillwater Lodge, Prospector, and the Old Town Transit Center. Similar to the Kamas/Oakley service, the buses will be housed overnight in a public agency lot in the Heber City area, and staffed with drivers living in the same area. A fare of \$3.00 per one way trip for general public and \$2.00 for youth (age 5-15), elderly (age 65 and above) and disabled will be charged for this service, with a monthly pass providing a 10 percent discount for regular riders. Other funding will be provided by the FTA 5316 JARC program, and Wasatch County and/or Heber City. PCT staff will work with Heber City and Wasatch County to establish stops and park-and-ride opportunities.

Salt Lake City Service

On an equal basis, Summit County and Park City Municipal Corporation will guarantee operating subsidy funding for Utah Transit Authority service connecting Park City, Canyons, Kimball Junction, Jeremy Ranch, the University of Utah campus, and downtown Salt Lake City. Both jurisdictions will provide up to \$235,000 per year for up to three years, though this figure is expected to drop as ridership becomes established.⁵ This service is expected to provide substantial benefits in both directions, including improved access to Park City/Summit County jobs and recreation by Wasatch Front residents, access to jobs, educational opportunities and entertainment “down the hill” for Park City/Summit County residents, and reductions in parking need, traffic levels, and air pollution.

Operate Full Park City Service Until Midnight in the Winter and Peak Summer Seasons

The full City Route service will be extended until Midnight during the winter season, as well as the peak summer season from mid-June through Labor Day. The current late-night winter service (operating between 10:55 PM and 2:00 AM, consisting of two buses operating half-hourly on longer, combined routes) reduces the convenience of transit service. In summer, the end of service around 10:30 PM limits ridership potential, and reduces ridership during the earlier hours of the operating day (as travelers not able to complete a round trip may choose to drive or not to travel). This element will be implemented for the 2011-12 winter season. Like other service elements, the effectiveness of this service will be evaluated on at least an annual basis.

Reduce Reservation Requirement on Quinn’s Junction Dial-A-Ride to One Hour

While ridership on the Quinn’s Junction DAR service has increased in recent years, it is still not achieving its full potential. One limitation to use is the current requirement for passengers to make reservations at least two hours in advance. While this requirement was initially implemented to provide the opportunity to use the DAR resources in Paratransit service between DAR trips, in actuality the DAR van is in almost constant use in DAR service. The reservation requirement will be reduced to at least one hour in advance (other than for standing orders). This will reduce the inconvenience of having to plan at least two hours in advance, while still giving PCT staff the ability to efficiently schedule the service.

Ultimately Replace Quinn’s Junction DAR with Fixed Route Service

As the Quinn’s Junction area develops, there will be increasing need to convert the current Dial-A-Ride service to a standard fixed-route service (eliminating the need for advance reservations). The incremental cost of establishing fixed route service, however, is substantial as it would need to be accompanied by expansion of Paratransit service to conform to ADA requirements. As the existing Paratransit program is operating close to capacity, this would trigger the need for an additional vehicle and driver, throughout the year.

⁵ New transit services typically do not reach full potential ridership until the third year of service.

A fixed route service providing service every 30 minutes should be implemented once development results in adequate need for service⁶. It is recommended that this service be initiated once housing in the area exceeds 150 dwelling units. In addition to enhancing service to all Quinn's Junction land uses, this service will also have the advantage of provided new, convenient express service to the Prospector and Bonanza area. It could provide additional service directly connecting new development in the Bonanza area with Old Town every 30 minutes. It should be noted that if Paratransit service is expanded due to other increases in needs, the marginal cost associated with fixed route service to Quinn's Junction would be reduced. For purposes of this study, service is assumed to be initiated in FY 2015-16.

Service Alternatives Considered and Not Adopted

The following service alternatives were evaluated as part of this study, but are not included in the plan, for the following reasons:

- Silver Creek – Due to the low density of development and distance to this area, service to this area would not be cost-effective. While service could potentially be provided in the future as extension of the Silver Summit route, this would require operation of an additional bus.
- Summit Park – An alternative was developed and seriously considered that would serve a transit stop near the Silver Summit (Parley's Lane) interchange. However, the service option selected for inclusion in this plan would serve approximately 35,000 additional transit passenger per year, as it would provide four buses per hour in each direction along the SR 224 corridor rather than the three buses that could be provided if Summit Park could also be served. Serving Summit Park would therefore require operating an additional bus, which would not be an efficient service given the limited ridership potential in the area.

CAPITAL PLAN

Kimball Junction Transit Center

The key facility improvement over the coming few years will be the Kimball Junction Transit Center. This facility is crucial to the realignment of County routes to provide enhanced frequency and efficiency, and also to support planned development in the Kimball Junction area. It can also expand opportunities for intercity and regional transit services. This facility will encompass the following:

- Bays for up to 10 buses plus 2 vans on-site at peak times, allowing independent ingress and egress to each bay at all times
- A transit passenger building of approximately 2,500 square feet, providing indoor waiting areas, restrooms, a transit information booth and a driver break room
- Two access points, allowing buses to return in the direction of approach
- Bike storage
- Landscaping, lighting, and outdoor passenger waiting areas
- Convenient access to nearby activity centers, particularly the Richins Building.

⁶ The efficiency and convenience of this service would be substantially enhanced if buses could use the existing emergency access route directly connecting the Quinn's Junction Recreation Complex and the Park City Medical Center.

- Approximately 20 Park-and-Ride spaces, to support Salt Lake City and intercity service.

This facility will cost on the order of \$2.4 million for design, permitting, and construction. It is expected to be completed by 2014.

Park City Mountain Resort Transit Center

The Park City Mountain Resort is currently preparing plans for redevelopment of the base area and nearby parking lots. The existing transit center serving this area has long generated operational problems, and warrants replacement and enhancement – particularly in light of the additional transportation demand that redevelopment will create. A new transit center in the base area is envisioned as part of this SRTDP. While dependent on the overall development process, construction is assumed to occur in Fiscal Year 2015-16.

Bonanza Redevelopment

Plans are also being prepared for redevelopment of the Bonanza area (generally bounded by Kearns Boulevard, Bonanza Drive, Ironhorse Drive and Park Avenue). A transit transfer center in this central location will be increasingly important in future years to allow transfers between expanded services (such as Kamas, Quinn's and Heber City routes) and the local Park City and County routes. This facility should provide space for up to four transit buses at a time, and be sited and designed to allow convenient ingress and egress in all directions.

Iron Horse Transit Operations Facility

The improvements to the Ironhorse Transit Operations Facility, currently being completed, will substantially enhance the operations of Park City Transit services. Funding for these improvements have been identified in previous plans and Capital Improvement Programs, and are not included in this plan. However, the expanded facility will result in increased ongoing operating and capital reserve fund costs, which are included in this plan.

Park and Ride Operational Plan

Demand for park-and-ride facilities in the study area is a dynamic mix of commuter, special event, regional, construction, and skier needs. The following regional park-and-ride management plan will be implemented to effectively accommodate the various uses:

- Quarterly, counts of commuter cars will be conducted at park-and-ride locations (both formal lots and observed informal locations) in the region. Prepaid mail back postcards left beneath windshield wipers will also be considered to survey driver's trip purpose, travel mode, and vehicle occupancy.
- On an ongoing basis, offsite parking usage for special events will be monitored. Event organizers will be required to provide the locations used for offsite parking, as well as a count of peak parking use at each location.
- Both the PCMC and County will designate an individual responsible for receiving and recording public comments/complaints regarding parking associated with the uses discussed above.

- On at least an annual basis, City and County staff will meet to (1) review the park-and-ride data, (2) discuss current park-and-ride issues, (3) coordinate the use of park-and-ride facilities for special events (including scheduling of major special events to ensure adequate parking availability and (4) discuss the potential for new park-and-ride facilities, including joint use of parking associated with planned developments.

In addition, both City and County staff will inform PCT staff regarding special events (such as concert and sporting events) that have the potential to significantly impact ridership demand for transit operations.

Advanced Public Transit Systems

Advanced Public Transit System (APTS) technologies are rapidly being implemented throughout the nation, including the Park City Transit system. The PCT will include the following elements:

- **Automatic Vehicle Location (AVL)** systems will be implemented on all transit vehicles. Using Global Positioning System technologies, AVL will allow dispatchers to track in “real time” the location of vehicles, thereby improving connections between routes, reducing service delays, and increasing the effectiveness of tripper bus services to address high passenger loads.
- **Automatic Passenger Count (APC)** technology will track and record the number of persons boarding, deboarding, and on the bus, providing extensive information on how the system is used, and on where tripper services should be provided.
- **Passenger Transit Information Systems** technology will provide the following: (1) real-time information regarding upcoming bus route departures provided on electronic reader boards at the transit centers, (2) real-time information provided on the internet, and (3) automated announcements of major bus stops on the transit buses.

Funding for these improvements has been included in previous plans. Staffing requirements for maintenance and data analysis regarding AVL are discussed below.

Once the APC technology is in place for a full winter or summer season, PCT will begin to use the resulting detailed data to review routing options. If there are portions of routes (such as in Silver Springs) that do not warrant continued service at current levels, modifications to routing will be considered.

Bus Stop Improvement Plan

Bus stop conditions are an important element in the overall quality of a public transit service. As every passenger spends a portion of their trip time at a bus stop, the comfort, attractiveness, safety and sense of security provided at bus stops can be a big element in an individual's decision to use public transit. Substantial improvements have been made in this area over recent years. An annual budget of \$25,000 per year for County stops and \$25,000 per year for City stops is included in this plan. In addition, stops serving new developments are assumed to be provided by the developer.

Bicycle/Pedestrian Facilities

At one end of their trip or the other, virtually all transit passengers also travel on foot or on bicycle as part of their transit trip. A key element of a successful transit system, therefore, is a convenient system of sidewalks and bikeways serving the transit stops. Park City and Summit County should continue to work with the branches of their respective public works and planning department to review construction plans and scheduling priorities for pedestrian and bicycle improvements to best coordinate with transit passengers' needs. In addition, both Summit County and Park City should continue to procure bicycle racks as part of vehicle purchases, as well as bicycle racks and lockers at bus stops.

Transit Signal Pre-emption

Given the proliferation of traffic signals along the PCT routes, traffic delays generated by signals are resulting in a substantial and increasing cost to the transit program. A "soft" signal pre-emption program will be implemented under which additional signal "green time" will be provided to buses approaching traffic signals near the end of the green indication. Rather than always providing buses with a green signal, these systems simply extend the length of green time up to a predetermined limit as buses approach the signal. Timing of this improvement will depend on the schedule for overall highway corridor improvements. Assuming that signal modifications are made as part of larger programs, the costs associated with placing the hardware on the buses is estimated to be \$50,000.

New Vehicles

Vehicle purchases will be required for both replacement of aging fleet, as well as for new services. As shown in Table 38, a total of 15 transit buses, 6 smaller transit vehicles and a trolley will require replacement over the coming seven years. In addition, three administrative/operational vehicles will be required. Three additional smaller buses will also be needed for expansion of circulator and Paratransit services.

MANAGEMENT PLAN

Establish New Administrative Positions

Over the next several years, PCT administrative staff will be expanded to manage the APTS systems, enhance dispatching and data analysis functions, and expand marketing efforts, and to manage the growing transit fleet and APTS systems. The following new positions will be established:

- **Data Analyst** – This position will be responsible for data collection and analysis including benchmarking, passenger counts, route and schedule efficiency, budget preparation and service billing. It would also be responsible for day-to-day management of the APTS system
- **Marketing Manager** – This position should be responsible for marketing functions, including interior advertising sales, schedule/route map production, brochures, and maintenance of Twitter/Facebook/web page. Much of the salary cost will be offset by eliminating third party contract for interior ad sales.
- **Equipment Coordinator** – This position will be responsible for coordinating equipment (bus and bus equip) readiness. Works closely with fleet maintenance and bus operations staff to ensure transit equipment required to meet scheduling demands is available. Addresses the hardware aspects of the APTS/AVL technology.

TABLE 38: PCT Fleet Replacement Plan

	County		City				
	Projected FY11-12	Projected FY12-13	Projected FY13-14	Projected FY14-15	Projected FY15-16	Projected FY16-17	Projected FY17-18
Transit Bus							
Unit Numbers	--	--	648	653	--	657	662
	--	--	649	654	--	658	663
	--	--	650	655	--	659	664
	--	--	--	656	--	660	665
Number of Units	0	0	3	4	0	4	4
Total County Cost (,000)	\$0.0	\$0.0	\$373.4	\$761.9	\$0.0	\$816.2	\$0.0
Total City Cost (,000)	\$0.0	\$0.0	\$746.8	\$761.9	\$0.0	\$816.2	\$1,691.4
Small Transit Vehicles							
Unit Numbers	--	--	--	622	--	--	620
	--	--	--	623	--	--	621
	--	--	--	624	--	--	625
Number of Units	0	0	0	3	0	0	3
Total County Cost (,000)	\$0.0	\$0.0	\$0.0	\$139.0	\$0.0	\$0.0	\$221.4
Total City Cost (,000)	\$0.0	\$0.0	\$0.0	\$277.9	\$0.0	\$0.0	\$435.8
Trolley							
Unit Numbers	--	--	--	--	661	--	--
Number of Units	0	0	0	0	1	0	0
Total City Cost (,000)	\$0.0	\$0.0	\$0.0	\$0.0	\$402.3	\$0.0	\$0.0
Support Vehicles							
Unit Numbers	--	--	602	--	--	--	--
	--	--	603	--	--	--	--
	--	--	608	--	--	--	--
Number of Units	0	0	3	0	0	0	0
Total City Cost (,000)	\$0.0	\$0.0	\$109.7	\$0.0	\$0.0	\$0.0	\$0.0
TOTAL COUNTY COST (,000)	\$0.0	\$0.0	\$373.4	\$900.9	\$0.0	\$816.2	\$221.4
TOTAL CITY COST (,000)	\$0.0	\$0.0	\$856.5	\$1,039.8	\$402.3	\$816.2	\$2,127.2

Source: Park City Transit. Excludes replacement for Units 601, 604, and 605, which are already funded.

Transit Goals and Objectives

This section presents a number of potential goals, objectives, and performance standards for Summit County and Park City's public transit system. It is worth noting that many of these goals inherently conflict with each other, such as the goals of (1) providing a high level of service, and (2) minimize financial cost to the community. In such cases, local officials and residents need to make policy decisions to balance these conflicting goals.

Planning and Management Goal: To evaluate strategies that help management maximize productivity while meeting the transit needs of the community and to develop a transit program that takes into account land development in the service area. In addition, Summit County and Park City will strive to provide services to reduce the use of the private automobile and maximize the use of alternative transportation modes (transit, bicycle, rideshare, etc.) within the respective service areas.

- Planning Standard – The Short-Range Transit Plan shall be updated at a minimum of every five years. This will be a joint effort between Summit County and Park City.
- Service Monitoring Standard – Monitoring reports on the effectiveness and efficiency of transit service will be collected and reviewed monthly.

- Land Use Planning Standard – Park City Transit staff will review development proposals within the service area with pertinent community development and public works departments to study the effects of development on transit service and to ensure land development that is compatible with alternative transportation as identified in the Summit County and Park City General Plans.

Service Effectiveness Goal: To maximize the ridership potential of area transit services.

- Fixed-Route Effectiveness Standard – Maintain the following annual productivity levels by route:
 - Park City Local Regular Route Services – 24 one-way passenger-trips per vehicle service hour.
 - County Kimball Junction Routes – 20 one-way passenger-trips per vehicle service hour.
 - Other County Routes – 10 one-way passenger-trips per vehicle service hour.

If route productivity figures fall below these standards, staff should conduct route segment analyses to determine what revisions (if any) could be implemented to boost ridership.

- Marketing Standard – Conduct marketing efforts to ensure that all service area residents are aware of area transit services. Conduct targeted marketing efforts for high-potential groups, including visitors, elderly, disabled, students, low-income, and transit-dependent residents.

Service Quality Goal: To provide safe, reliable, and convenient public transit services.

- On-Time Performance Standard – 95 percent of all fixed-route trips should be operated “on-time.” On-time is defined as not early and not more than five minutes late.
- Park City Mobility Denial Standard – No pattern of ADA-eligible trip denials (as defined in the Americans with Disabilities Act of 1990) due to capacity constraints. Passengers whose trip request resulted in a denial will be put on a “stand-by list” maintained by the scheduler; all attempts will be made to accommodate that trip should trip cancellations occur. Regardless of whether the trip can be accommodated, the scheduler will discuss the status of the standby request with the passenger at least two hours before the requested trip time. Call backs will occur only during normal office hours. If a denial can be accommodated within the two-hour window by adding capacity, operating staff should do so in the smallest increment possible (no more than a two hour block).
- Passenger Amenity Standard – Shelter should be considered at all bus stops serving 30 or more passenger boardings per day. Seating should be considered at all bus stops serving 15 or more passenger boardings per day. Benches and shelters will only be installed on existing UDOT, Park City or Summit County right-of-way, except where written confirmation from the property owner can be obtained to install a bench or shelter on private property. On an annual basis, the Transit/Transportation Manager will identify potential sites and prepare an installation priority list.

After review of the priority list by other public works staff, the Transit/Transportation Manager will contact adjacent property owners by telephone (with follow-up correspondence) to notify

them of intentions to install a passenger amenity. Adjacent property owners include all owners of parcels within a 50-foot radius of placement of the bus stop sign. If an adjacent property owner protests installation at the site, Park City Transit will not immediately install it until a protest proceeding is completed. However, if passenger boardings at that bus stop exceed 20 passengers per day for a bench or 60 passengers per day for a shelter, Park City Transit will begin proceedings to install the amenity while the protest is being processed.

The protest proceedings will begin with a written notice to adjacent property owners (return-receipt delivery) explaining Park City Transit's intent to install the passenger amenity, with a copy to either the Park City Mayor or Summit County Chief Administrative Official (as appropriate). This notice will detail the action being taken, projected milestones, and protest procedures available to the complainant.

- **Passenger Load Standard** – For passenger safety and comfort, vehicles should be sized and the transit service operated to require standees on no more than 20 percent of the runs for any route, and to avoid any recurring loads of more than 150 percent of the seated capacity.
- **Accident Standard** – Maintain a minimum of 50,000 miles traveled between preventable collision accidents, and 25,000 miles between all types of non-collision preventable accidents (i.e., employee injuries).
- **Maintenance Standard** – Maintain a minimum of 20,000 miles between road calls. Road calls are defined as any time passenger service is interrupted more than five minutes due to a mechanical failure (except for flat tires).
- **Vehicle Cleanliness Standard** – The exterior of each vehicle used in service will be washed at least every other day, and the interior will be swept daily and detailed at least weekly. Vehicle detailing includes mopping the floor, washing the windows, and removing any minor stains that may have accumulated on the passenger seats. A vehicle that experiences a major stain will be removed from service as soon as possible and cleaned/repared before re-entering service.
- **Service Frequency Standard** – Provide regularly-scheduled service with a maximum headway of 60 minutes. Specifically, Summit County and Park City will strive to attain the following service frequency standards (in minutes):

<u>Service Corridor</u>	<u>Winter</u>	<u>Non-Winter</u>
Prospector Square/Deer Valley	20	20
Park Meadows/Deer Valley	20	20
Thaynes Canyon/Deer Valley	20	20
Silver Lake/Empire Pass	30	30
Bonanza Express	20	N/A
Kimball Junction – Park City	20	30
Kimball Junction – Silver Summit	60	60
Kimball Junction – Pinebrook	30	30
The Canyons Route	20	20

- **Service Area Standard** – Maximize the area provided with transit service while maintaining minimum service efficiency standards. Summit County and Park City will strive to provide

service within ¼ mile of all major employment, medical, shopping, and institutional centers, and of all residential areas with four or more dwellings per acre. Major employment centers are defined as an industrial or commercial zone that employs 200 or more non-agricultural, non-construction employees.

- Service Quality Standard – Increase service levels where warranted and financially feasible to maintain the existing service quality. Below is a summary of pertinent service quality objectives:

Seasonal Visitor Services

- Offer direct winter day-time bus service connecting major hotels and condominium centers with Park City, Deer Valley and Canyons ski areas without requiring a transfer between buses.
- Offer direct evening bus service connecting major hotels and condominium centers with Old Town without requiring a transfer between buses.
- Offer convenient bus links to restaurants and visitor attractions in Silver Lake, Deer Valley, Empire Pass and the Kimball area.
- Increase the frequency of service to lodging establishments and ski areas on routes when extra “tripper” sections are called for on more than 65 percent of daily runs.
- Offer direct “front door” service at major hotel complexes in the service area where feasible. Work with hotel owners and city/county transportation officials to develop convenient bus stops where “front door” service is not safe or practical.
- Minimize delays during the winter season at the Old Town Transit Center for buses traveling between the Park City Mountain Resort, the Deer Valley Resort and The Canyons Resort.

Tourism Promotion and Visitor Transportation

- Increase the percentage of visitors who travel between the Salt Lake International Airport and Park City/Kimball Area without an automobile.
- Develop a marketing program to enable travel agents to sell car-free visitor packages and to increase public awareness of car-free travel options to and within the study area.
- Develop joint marketing agreements involving Park City Transit, private airport shuttle services and one or more Park City-based car rental agencies.
- Add vehicle capacity to regular Park City and Kimball Area transit routes as needed to accommodate increased demand resulting from travel agency marketing and sales efforts.

Regional Employee Transportation

- Provide transportation services necessary to help provide an adequate supply of workers for area employers.

- Increase the supply of available parking for visitors by minimizing the use of local in-town parking spaces by employees.
- Insure that commuter services provide area workers with direct and convenient access to employment sites.
- Work with major employers to expand existing employee transportation programs.
- Develop subscription commuter bus programs for outlying communities if commitments are received from enough individuals to insure that revenues will cover at least 85 percent of direct operating expenses.
- Vehicle Accessibility Standard – Maintain a fully accessible transit fleet (as defined by the Americans with Disabilities Act of 1990).
- Vehicle Spare Ratio Standard – Maintain sufficient fleet spare ratios to ensure adequate capacity for regularly-scheduled and tripper services. At a minimum, a 20 percent spare ratio should be maintained for each type of vehicle in each respective service category.
- Cost and Revenue Standards – Limit operating cost increases for the visitor transit program to the rate of increase in transit-dedicated funding, including tax and license revenues, unless a significant shift occurs in the percentage of visitors who utilize the bus system.
- Fare Standard – Maintain free fixed-route service within the Park City and Snyderville Basin areas.

Improved Marketing

Advanced Public Transportation Systems

A key focus of marketing over the coming few years will be in the integration of advanced public transit system technologies into the overall marketing program, including the following:

- Provision of real-time transit arrival/departure information on the web (including smartphones).
- Provision of arrival/departure information at transit centers and other key transit stops.
- Ongoing monitoring of ridership and service information through maintenance of the Google Transit web-based application (the main infrastructure for future infrastructure technologies).

In particular, the provision of transit information by smartphone and other mobile internet devices is rapidly becoming the prevalent form of transit marketing among younger demographic groups.

Route and Schedule Information Changes

PCT will enhance the Transit System Guide by including specific “minutes past the hour” scheduled times at one or two locations on each route as part of the Transit System Guide. For

example, a box next to the Jeremy Ranch Park-n-Ride indicating “Service at 00 and 30 minutes past the hour” along with a box next to the Newpark transfer point indicating “Pinebrook Service at 15 and 45 minutes past the hour” would give passengers along the entire Pinebrook leg a good idea of when their specific stop is served. It is also recommended that the “Transit System Time Point Guide” not be widely distributed to the public (as it is confusing if a new rider were to pick it up and think it is the only information piece), though it is worthwhile for internal use and for property managers interested in service to a specific stop.

Promotion of Potential New Services

Provision of new services (such as commuter services) will trigger the need for focused marketing efforts, including the following:

- Presentations to major employers and to employee groups. New employee orientation meetings are particularly effective.
- Presentations to social services (such as at Senior Centers) and clubs (Lions, Kiwanis, American Legion, etc.), particularly in the outlying communities.
- Free ride coupons for the first few days of service, distributed through local papers.
- A ribbon-cutting event.

Park City Maintenance of Bus Stops Systemwide

The Park City Municipal Corporation will take on maintenance of all bus stops in the current service area. This will ensure that all stops are well maintained and cleared of snow in a timely and consistent manner, which is an important factor in attracting and maintaining transit ridership. The costs of the overall maintenance program will be included in the existing cost allocation equation, and allocated to Summit County in proportion of overall service quantities.

FINANCIAL PLAN

FTA Section 5309 Bus and Bus Related Equipment and Facilities Program

FTA Section 5309 is a vital element of capital funding, particularly for improvements in Summit County. This study assumes Summit County and Park City will seek and obtain a total of \$6.3 million in FTA Section 5309 funds, with the full potential 80% Federal funding share for eligible projects. These funds are intended to partially fund the following:

- Kimball Junction Transit Center
- Park City Mountain Resort Transit Center
- Bonanza Transit Transfer Center
- Bus, van and trolley replacement
- New buses for Kimball Circulator, Canyons Circulator, and Quinn’s Junction Fixed Route service.

FTA Section 5311 Non-Urbanized Area Formula Program

This program, which is the Federal government's key program for funding transit programs in rural areas of the nation, will be used for a total of \$1.95 Million per year in transit services and capital needs. This figure is lower than has been historically received by Park City and Summit County, reflecting the increasing number of 5311-funded transit program around the state. This total is allocated between the County and City based upon the proportion of transit service operated in each jurisdiction.

FTA Section 5316 Job Access Reverse Commute Program

The 5316 program will be used to fund half of the operating subsidy needs for new services to Kamas/Oakley and to Heber City. As these new services will connect low income residents in the outlying communities with employment opportunities in the Park City/Western Summit County area, they will be very consistent with the goals of the 5316 program. Funding levels are expected to range between roughly \$22,000 and \$25,000 per year, once these new programs are started.

Funding From Wasatch County and/or Heber City

The "local match" for the operating subsidy associated with transit service to Heber City will need to be funded locally by Wasatch County, Heber City, or a combination thereof. Annual funding of roughly \$23,000 is expected in the first year of service, dropping to approximately \$20,000 per year once full ridership is established. Park City Transit staff will work with Wasatch County and Heber City to discuss funding arrangements (as well as other elements of implementing this service such as stop location and overnight bus storage). Funding allocations between Park City and Summit County will also need to be determined.

Passenger Fare Revenues for Kamas/Oakley and Heber City Services

Once established, the Kamas/Oakley service is expected to generate on the order of \$8,000 in fares annually, while the Heber City service will generate roughly \$75,000 per year. The Kamas/Oakley revenues will be split evenly between Park City and Summit County, as equal local funding partners in the service.

Maintain or Expand Other Existing Funding Sources

Other existing funding sources are assumed to continue, with the following changes:

- The Kimball Junction Assessment is assumed to double from current levels in FY 2015, in order to partially fund the costs associated with the Kimball Circulator service.
- The Canyons Assessment is assumed to increase starting in FY 2015 (when the current agreement expires) to fund the subsidy required to operate the Canyons Circulator/Express (winter evenings and summer) and Canyons Circulator (winter daytime).
- The Snyderville Basin sales and use tax is assumed to grow by 2.5 percent annually.

- Growth in Transit Sales Tax, Resort Tax, Business License revenues, and Night Rental License Fees are based on forecasts provided by the Park City Finance Office.

Provide Transit Services and Capital Improvements through New and Existing Local, State, and Federal Funding

Existing and new funding programs are relied upon over the Short Range Transit Plan period to fund ongoing operating costs. The financial impacts on operating costs of the recommended Service Plan were developed based upon the current cost model, as shown in Table 26, while the resulting costs are presented in Table 39.

Summit County Transit Services

The following methodology was utilized in developing the Financial Plan for Summit County:

- First, forecasts of annual operating and administrative costs were developed, as presented in Table 39 for 2007 through 2013. “Base case” operating cost forecasts were estimated, assuming a 3 percent annual inflation rate of current costs in the absence of any change in service levels. Next, marginal operating cost estimates were identified for each Service Plan element, based upon the analyses presented in previous sections of this document and the cost model shown in Table 26. Costs for the Kimball Junction (Pink) Route and the Silver Summit/Highland Estates (Brown) Route are allocated between the County and the City based on the proportion of miles and hours operated in each jurisdiction. Half of the Kamas/Oakley Commuter costs are allocated to the County, and the remaining half to the City. These costs also include County funding responsibilities for an allocated proportion of Ironhorse Transit Operations Facility costs, as well as the additional administrative positions.

In addition, funding for Salt Lake City service of \$235,000 in the first year of service is assumed, declining over a three year period as ridership reaches its full potential. Operating costs over the seven-year period will total approximately \$17.4 million with the service modifications, which is a 34 percent increase over the base case total of \$12.9 million.

- Next, Summit County ridership was estimated for 2004 through 2010, as presented in Table 40. The “base case” ridership reflects expected ridership assuming no changes in service or implementation of fares, and is based upon the forecasts presented in Chapter 5, above. This ridership is assumed to increase at 2 percent per year, reflecting expected population growth. In addition, the ridership potential is factored downward to reflect that full transit ridership of new services is typically not achieved until the third year of service. A reduction of 35 percent in the first year and 10 percent in the second year is assumed, except for expansion of existing services (which is easier to market to the potential ridership) where factors of 20 percent and 5 percent are assumed. The ridership impact of each Service Plan element is then identified and summed. Consistent with the cost allocation, half of the Kamas/Oakley Commuter ridership and Salt Lake City service ridership is allocated to the County, and half to the City. In total, implementing all Service Plan elements is forecast to increase system-wide ridership from a 2017 base case figure of 643,600 one-way passenger-trips per year to a 2017 total with the service improvements of 1,031,400 one-way passenger-trips – a 60 percent increase in ridership.

TABLE 39: Summit County / Park City Transit Plan - Estimated Operating Cost All Figures in Thousands, Assuming an Annual Inflation Rate of 3 Percent							
Project Description	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18
Summit Co. Base Case Operating Cost							
Marginal Operating Costs	\$1,420.8	\$1,463.4	\$1,507.3	\$1,552.5	\$1,599.1	\$1,647.1	\$1,696.5
Allocated Administrative Costs	\$268.9	\$277.0	\$285.3	\$293.9	\$302.7	\$311.8	\$321.1
Total	\$1,689.7	\$1,740.4	\$1,792.6	\$1,846.4	\$1,901.8	\$1,958.8	\$2,017.6
Summit County Service Plan Elements (Marginal Operating Costs)							
County Service Alternative A	\$0.0	\$0.0	\$0.0	\$116.0	\$119.5	\$123.1	\$126.8
County Winter Service Till 11 PM	\$32.9	\$33.9	\$34.9	\$36.0	\$37.0	\$38.1	\$39.3
Kimball Circulator ⁽¹⁾	\$0.0	\$0.0	\$0.0	\$379.4	\$390.8	\$402.5	\$414.6
Canyons Collector/Express -- Winter Evenings, Summer	\$45.5	\$33.9	\$34.9	\$36.0	\$37.0	\$38.1	\$39.3
Canyons Circulator -- Winter Daytime	\$0.0	\$0.0	\$0.0	\$0.0	\$85.4	\$88.0	\$90.6
Kamas Commuter Winter Service ⁽²⁾	\$0.0	\$0.0	\$7.6	\$7.8	\$8.1	\$8.3	\$8.6
Salt Lake Service Operating Support	\$235.0	\$135.0	\$65.0	\$0.0	\$0.0	\$0.0	\$0.0
Ironhorse Facility Expansion Lease and Capital Renewal	\$102.7	\$102.7	\$102.7	\$102.7	\$102.7	\$102.7	\$102.7
Data Analyst Position ⁽³⁾	\$0.0	\$23.0	\$23.6	\$29.1	\$28.7	\$29.6	\$30.5
Equipment Coordinator Position ⁽³⁾	\$0.0	\$0.0	\$23.6	\$29.1	\$28.7	\$29.6	\$30.5
Marketing Manager ⁽³⁾	\$0.0	\$0.0	\$0.0	\$29.1	\$28.7	\$29.6	\$30.5
Subtotal Summit Co. Transit Service Plan Elements	\$416.2	\$328.5	\$292.3	\$765.1	\$866.8	\$889.8	\$913.4
Total Summit Co. Transit Operating Cost	\$2,105.9	\$2,068.9	\$2,084.9	\$2,611.5	\$2,768.6	\$2,848.6	\$2,931.0
Park City Transit Base Case Operating Cost							
Marginal Operating Costs	\$3,310.0	\$3,409.3	\$3,511.5	\$3,616.9	\$3,725.4	\$3,837.1	\$3,952.3
Allocated Administrative Costs	\$627.9	\$646.7	\$666.1	\$686.1	\$706.7	\$727.9	\$749.7
Other Transportation Expenses in PCT Budget	\$565.0	\$582.0	\$599.4	\$617.4	\$635.9	\$655.0	\$674.6
Total	\$4,502.8	\$4,637.9	\$4,777.0	\$4,920.3	\$5,067.9	\$5,220.0	\$5,376.6
Park City Transit Service Plan Elements (Marginal Operating Costs)							
Extend Winter Service till Midnight	\$68.8	\$70.8	\$73.0	\$75.2	\$77.4	\$79.7	\$82.1
Extend Peak Summer Service till Midnight	\$1.7	\$27.7	\$28.5	\$29.3	\$30.2	\$31.1	\$32.1
Heber Winter Service	\$0.0	\$37.1	\$38.2	\$39.3	\$40.5	\$41.7	\$43.0
Heber Service in Non-Winter Seasons	\$0.0	\$27.8	\$69.9	\$72.0	\$74.2	\$76.4	\$78.7
Kamas Commuter Service (Split 50/50)	\$14.4	\$14.8	\$15.2	\$15.7	\$16.2	\$16.6	\$17.1
Quinn Junction Route & Expansion of Paratransit Service	\$0.0	\$0.0	\$0.0	\$0.0	\$426.8	\$439.6	\$452.7
Salt Lake Service Operating Support	\$235.0	\$135.0	\$65.0	\$0.0	\$0.0	\$0.0	\$0.0
Data Analyst	\$0.0	\$53.5	\$55.2	\$52.1	\$54.8	\$56.5	\$58.2
Equipment Coordinator	\$0.0	\$0.0	\$55.2	\$52.1	\$54.8	\$56.5	\$58.2
Marketing Manager	\$0.0	\$0.0	\$0.0	\$52.1	\$54.8	\$56.5	\$58.2
Subtotal Park City Transit Service Plan Elements	\$319.8	\$366.7	\$400.2	\$387.7	\$829.7	\$854.6	\$880.2
Total Park City Transit Operating Cost ⁽²⁾	\$4,822.6	\$5,004.6	\$5,177.2	\$5,308.1	\$5,897.6	\$6,074.6	\$6,256.8
Combined Base Case Operating Cost	\$6,192.5	\$6,378.3	\$6,569.6	\$6,766.7	\$6,969.7	\$7,178.8	\$7,394.2
Combined Service Plan Elements	\$736.0	\$695.2	\$692.5	\$1,152.8	\$1,696.5	\$1,744.4	\$1,793.6
Total Operating Cost ⁽¹⁾	\$6,928.5	\$7,073.4	\$7,262.1	\$7,919.6	\$8,666.2	\$8,923.2	\$9,187.8
Note 1: Funding would need to be finalized before implementation. Note 2: Assuming a 50%/50% split of costs between the City and the County. Actual cost sharing will be negotiated when service is implemented. Note 3: County funding for these plan elements provided through allocated administrative cost factor. Source: LSC Transportation Consultants, Inc.							

TABLE 40: Summit County / Park City Transit Plan - Estimated Ridership							
<i>All Figures in Thousands</i>							
Project Description	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18
7-Year Total							
Summit Co. Transit Base Case Ridership	570.4	582.0	593.8	605.9	618.2	630.8	643.6
Summit Co. Transit Service Plan Elements							
County Service Alternative A	0.0	0.0	0.0	93.2	129.7	147.0	150.0
County Winter Service Till 11 PM	6.2	7.6	8.1	8.3	8.5	8.6	8.8
Kimball Circulator	0.0	0.0	0.0	61.4	85.5	96.9	98.8
Canyons Collector/Express -- Winter Evenings, Summer	19.5	23.7	25.4	25.9	26.4	27.0	27.5
Canyons Circulator -- Winter Daytime	0.0	0.0	0.0	0.0	17.9	21.7	23.3
Kansas Commuter Winter Service ⁽¹⁾	0.0	0.0	2.0	2.8	3.2	3.2	3.3
Salt Lake City Service ⁽¹⁾	37.5	58.5	66.7	71.6	73.1	74.5	76.0
Subtotal Summit Co. Transit Service Plan Elements	63.2	89.7	102.3	263.2	344.1	378.9	387.8
Net Summit Co. Transit Ridership	633.7	671.7	696.1	869.1	962.3	1,009.7	1,031.4
7-Year Total	4,244.7						
519.8							
56.1							
342.6							
175.5							
62.9							
14.6							
457.9							
1,629.3							
5,874.1							
Park City Transit Base Case Ridership	1,155.3	1,178.8	1,202.8	1,227.3	1,252.3	1,277.8	1,303.8
Park City Transit Service Plan Elements							
Extend Winter Service till Midnight	9.4	13.0	14.8	15.1	15.4	15.7	16.0
Extend Peak Summer Service till Midnight	0.0	7.0	7.2	7.3	7.5	7.6	7.8
Kansas Commuter Winter Service ⁽¹⁾	0.0	0.0	2.0	2.8	3.2	3.2	3.3
Heber Winter Service	0.0	8.9	12.4	14.1	14.4	14.7	15.0
Heber Summer Service	0.0	9.8	12.1	14.6	15.7	16.0	16.4
Quinn's Junction Route	0.0	0.0	0.0	0.0	73.8	102.6	116.3
Salt Lake City Service ⁽¹⁾	37.5	58.5	66.7	71.6	73.1	74.5	76.0
Subtotal Park City Transit Service Plan Elements	46.8	97.3	115.2	125.6	203.0	234.4	250.8
Net Park City Transit Ridership	1,202.2	1,276.1	1,318.0	1,352.9	1,455.3	1,512.2	1,554.6
7-Year Total	8,598.1						
99.4							
44.4							
14.6							
79.4							
84.6							
292.7							
457.9							
1,073.1							
9,671.3							
Combined Base Case Ridership	1,725.8	1,760.8	1,796.6	1,833.2	1,870.5	1,908.6	1,947.4
Combined Service Plan Elements	110.1	187.0	217.5	388.8	547.1	613.4	638.6
Net Ridership	1,835.8	1,947.8	2,014.1	2,222.0	2,417.6	2,522.0	2,586.0
7-Year Total	12,842.9						
2,702.5							
15,545.3							
Note 1: Allocated 50% County / 50% City. Source: LSC Transportation Consultants, Inc.							

- The next element necessary in the development of the Financial Plan is estimation of the capital costs for vehicles, passenger amenities, passenger facility improvements, and operating equipment, as presented in Table 41 for each year of the Short Range Transit Development Plan period. Service expansion will require two mini-buses, and the County will be responsible for replacement of vehicles used in County service (as shown in Table 39). All revenue vehicles will be diesel-powered. In addition, the Capital Plan assumes implementation of the following:
 - Initial work on a Kimball Transit Center (with Park-and-Ride) in 2012 with completion by 2014.
 - A bus stop improvement program throughout the planning period of \$25,000 (increasing with inflation).

County capital costs over the seven-year period will total approximately \$5.4 million.

- The results of Tables 39 through 41 were used to develop the Financial Plan, as presented for each of the seven years of the Short Range Transit Plan period in Table 42. This Financial Plan incorporates funding assumptions for individual funding programs as discussed above. As shown, the total operating revenues are estimated to equal \$2.44 million in 2011-12, rising to \$3.18 million in FY 2017. Subtracted from the annual operating costs, a net positive balance of \$218,500 is estimated for the current year. Positive operating balances are provided through the seven year planning period, with a balance of \$82,500 generated in FY 2015.
- The County capital financial plan is shown in the bottom portion of Table 41, and is based on the following:
 - The Canyons assessment is assumed to provide a total of \$30,000 towards development of bus stops in the Canyons.
 - The Western Snyderville Basin Traffic Impact Fee is assumed to provide a total of \$250,000, with the majority allocated for the Kimball Junction Transit Center.
 - FTA 5309 funds allocated towards County responsibilities are calculated as 80 percent of the annual County costs associated with the Kimball Transit Center (a 100% County responsibility) and the County responsibilities for vehicle replacement and fleet expansion.

As indicated, the existing capital reserve fund of \$1,075,000 maintains a positive balance through the plan period, ending with a fund balance of \$153,400 by FY 2018.

Park City Transit Services

Similar to the discussion regarding development of the Financial Plan for Summit County, the following methodology was utilized in developing the Financial Plan for Park City, as shown in Table 43:

TABLE 41: Summit County / Park City Transit Capital Plan									
<i>All Figures in Thousands</i>									
Project Description	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	7-Year Total	
Transit Buses									
Cost of Replacement Vehicles: County	\$0.0	\$0.0	\$373.4	\$761.9	\$0.0	\$816.2	\$0.0	\$1,951.5	
Cost of Replacement Vehicles: City	\$0.0	\$0.0	\$746.8	\$761.9	\$0.0	\$816.2	\$1,691.4	\$4,016.2	
Transit Minibuses									
Cost of Replacement Vehicles: County	\$0.0	\$0.0	\$0.0	\$139.0	\$0.0	\$0.0	\$221.4	\$360.4	
Cost of Replacement Vehicles: City	\$0.0	\$0.0	\$0.0	\$277.9	\$0.0	\$0.0	\$435.8	\$713.7	
Number: County Expansion	0	0	0	1	1	0	0	2.0	
Number: City Expansion	0	0	0	0	1	0	0	1.0	
Cost of Expansion Vehicles: County ⁽¹⁾	\$0.0	\$0.0	\$0.0	\$139.0	\$143.2	\$0.0	\$0.0	\$282.2	
Cost of Expansion Vehicles: City ⁽¹⁾	\$0.0	\$0.0	\$0.0	\$0.0	\$143.2	\$0.0	\$0.0	\$143.2	
Trolley Replica Replacement	\$0.0	\$0.0	\$0.0	\$0.0	\$402.3	\$0.0	\$0.0	\$402.3	
Non-Revenue Vehicles	\$0.0	\$0.0	\$109.7	\$0.0	\$0.0	\$0.0	\$0.0	\$109.7	
Kimball Junction Transit Center ⁽²⁾	\$0.0	\$270.0	\$2,290.0	\$0.0	\$0.0	\$0.0	\$0.0	\$2,560.0	
Park City Mountain Resort Transfer Center ⁽²⁾	\$0.0	\$0.0	\$0.0	\$0.0	\$1,500.0	\$0.0	\$0.0	\$1,500.0	
Bonanza Park Transit Transfer Center ⁽²⁾	\$0.0	\$0.0	\$0.0	\$0.0	\$200.0	\$0.0	\$0.0	\$200.0	
Transit Signal Priority	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	
Summit Co. Bus Stop Shelters/Improvements ⁽³⁾	\$25.0	\$25.8	\$26.5	\$27.3	\$28.1	\$29.0	\$29.9	\$191.6	
Park City Bus Stop Shelters/Improvements ⁽³⁾	\$25.0	\$25.8	\$26.5	\$27.3	\$28.1	\$29.0	\$29.9	\$191.6	
Total Summit Co. / Park City Capital Costs ⁽⁴⁾	\$50.0	\$321.6	\$3,622.9	\$2,134.3	\$2,444.8	\$1,690.4	\$2,408.4	\$12,672.3	
County Capital Costs	\$25.0	\$295.8	\$2,714.9	\$1,067.2	\$171.3	\$845.2	\$251.3	\$5,370.6	
- 5309 Eligible	\$0.0	\$270.0	\$2,688.4	\$1,039.9	\$143.2	\$816.2	\$221.4	\$5,179.0	
City Capital Costs	\$25.0	\$25.8	\$908.0	\$1,067.1	\$2,273.5	\$845.2	\$2,157.1	\$7,301.7	
- 5309 Eligible	\$0.0	\$0.0	\$721.8	\$1,039.8	\$2,245.4	\$816.2	\$2,127.2	\$6,950.4	
Note 1: This analysis assumes that small buses cost \$139,000 per unit for 2WD in 2014-15 dollars (3.0 percent annual inflation assumed). Note 2: These figures are planning-level cost estimates only. Costs and allocations will be determined more accurately as site and program are finalized. Note 3: Bus stop improvements include bus stop benches, shelters, site improvements and bus stop signs. Note 4: While capital costs associated with completion of the Ironhorse Operations Facility will occur during this plan, they have been previously budgeted and are not included in this plan. Note 5: County costs consist of County vehicle purchases, Kimball Junction Transit Center, bus stop improvements and half of transit signal priority program. Note 6: City costs consist of City vehicle purchases, trolley replacement, non-revenue vehicles, PCMR and Bonanza Park Transfer Centers, bus stop improvements and half of transit signal priority program. Source: LSC Transportation Consultants, Inc.									

TABLE 42: Summit County Financial Plan <i>All Figures in Thousands</i>							
Project Description	2012	2013	2014	2015	2016	2017	2018
7-Year Total							
OPERATING PLAN							
Base Case Costs (Including Allocated Administrative Costs)							
Service Plan Elements ⁽¹⁾							
Marginal Operating Costs	\$427.6	\$341.2	\$550.6	\$781.6	\$866.8	\$889.8	\$913.4
Allocated Administrative Costs	\$14.9	\$13.1	\$60.3	\$112.1	\$128.5	\$132.4	\$136.3
Total Costs	\$2,157.5	\$2,120.8	\$2,430.4	\$2,767.7	\$2,925.6	\$3,010.3	\$3,095.8
Operating Revenues							
Snyderville Basin Sales & Use Tax ⁽²⁾	\$1,400.0	\$1,435.0	\$1,470.9	\$1,507.6	\$1,545.3	\$1,584.0	\$1,623.6
Kamas Commuter Service Passenger Fares	\$0.0	\$0.7	\$3.8	\$3.9	\$4.0	\$4.1	\$4.1
The Canyons Assessment ⁽³⁾	\$343.0	\$343.0	\$343.0	\$544.4	\$642.7	\$662.0	\$681.8
Kimball Transit Assessment ⁽⁴⁾	\$75.0	\$76.5	\$78.0	\$159.2	\$162.4	\$165.6	\$168.9
Donations	\$12.0	\$14.2	\$14.9	\$15.5	\$16.1	\$16.6	\$17.1
Bus Advertising	\$10.0	\$10.0	\$10.0	\$10.0	\$10.0	\$10.0	\$10.0
FTA Section 5316 JARC Operating Funds	\$0.0	\$0.4	\$1.9	\$2.0	\$2.0	\$2.1	\$2.2
FTA Section 5311 Operating Funds	\$599.0	\$581.2	\$643.4	\$702.0	\$670.8	\$670.8	\$670.8
Total	\$2,439.0	\$2,461.0	\$2,565.8	\$2,944.6	\$3,053.3	\$3,115.1	\$3,178.6
Balance	\$281.5	\$340.2	\$135.5	\$176.9	\$127.6	\$104.8	\$82.8
CAPITAL PLAN							
Capital Costs (From Table 42)	\$25.0	\$669.2	\$3,381.4	\$166.3	\$844.3	\$250.4	\$29.9
Capital Revenues							
Beginning Fund Balance	\$1,100.0	\$1,075.0	\$970.5	\$473.0	\$447.9	\$256.6	\$183.3
Capital Reserve Funds	\$25.0	\$104.5	\$497.5	\$25.1	\$191.3	\$73.3	\$29.9
The Canyons Assessment	\$0.0	\$0.0	\$0.0	\$30.0	\$0.0	\$0.0	\$0.0
Western Snyderville Basin Traffic Impact Fee	\$0.0	\$50.0	\$200.0	\$0.0	\$0.0	\$0.0	\$0.0
FTA 5309	\$0.0	\$514.7	\$2,683.9	\$111.2	\$653.0	\$177.1	\$0.0
Total	\$25.0	\$669.2	\$3,381.4	\$166.3	\$844.3	\$250.4	\$29.9
Ending Fund Balance ⁽³⁾	\$1,075.0	\$970.5	\$473.0	\$447.9	\$256.6	\$183.3	\$153.4
Note 1: Includes allocated administrative cost factor. Note 2: At 1 percent annual growth rate, per County direction. Note 3: Existing assessment plus operating cost of Circulator and Express/Circulator services and associated allocated overhead costs after renegotiation of agreement in December 2014. Note 4: Assumes doubling of assessment rate in 2015 to partially fund Kimball Circulator Source: LSC Transportation Consultants, Inc.							

TABLE 43: Park City Financial Plan <i>All Figures in Thousands</i>									
Project Description	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	7-Year Total	
OPERATING PLAN									
Base Case Costs (Includes Allocated Administrative Costs)									
Service Plan Elements	\$4,502.8	\$4,637.9	\$4,777.0	\$4,920.3	\$5,067.9	\$5,220.0	\$5,376.6	\$34,502.6	
Total Costs	\$319.8	\$366.7	\$400.2	\$387.7	\$829.7	\$854.6	\$880.2	\$4,039.0	
	\$4,822.6	\$5,004.6	\$5,177.2	\$5,308.1	\$5,897.6	\$6,074.6	\$6,256.8	\$38,541.6	
Operating Revenues									
Transit Sales Tax ⁽¹⁾	\$1,710.0	\$1,883.6	\$1,944.1	\$2,004.6	\$2,065.1	\$2,125.6	\$2,186.1	\$13,919.1	
Resort Tax	\$1,349.0	\$1,601.6	\$1,653.1	\$1,704.5	\$1,756.0	\$1,807.4	\$1,858.9	\$11,730.5	
Business Licenses	\$920.0	\$843.6	\$857.4	\$871.2	\$885.0	\$898.8	\$912.6	\$6,188.6	
Night Rental License Fee	\$222.0	\$225.0	\$225.0	\$225.0	\$225.0	\$225.0	\$225.0	\$1,572.0	
FTA 5311 ⁽²⁾	\$1,353.7	\$1,364.7	\$640.6	\$397.7	\$507.5	\$549.0	\$595.8	\$5,409.0	
FTA Section 5316 JARC Operating Funds	\$0.0	\$9.0	\$23.4	\$19.7	\$19.7	\$20.6	\$21.6	\$114.1	
Donations/Fare Revenue	\$50.0	\$59.0	\$61.9	\$64.5	\$66.9	\$69.2	\$71.3	\$442.8	
Kamas Commuter Service Passenger Fares	\$0.0	\$0.0	\$2.5	\$3.5	\$4.0	\$4.1	\$4.1	\$18.2	
Heber City Service Passenger Fares	\$0.0	\$46.8	\$61.3	\$71.9	\$75.3	\$76.9	\$78.4	\$410.7	
Paid Parking Revenues	\$40.0	\$40.0	\$40.0	\$40.0	\$40.0	\$40.0	\$40.0	\$280.0	
Bus Advertising	\$17.0	\$25.0	\$25.0	\$25.0	\$25.0	\$25.0	\$25.0	\$167.0	
Interest Earnings	\$80.0	\$80.0	\$80.0	\$80.0	\$80.0	\$80.0	\$80.0	\$560.0	
Wasatch County and/or Heber City	\$0.0	\$9.0	\$23.4	\$19.7	\$19.7	\$20.6	\$21.6	\$114.1	
County Funding for Administrative Costs of Service Expansion	\$14.9	\$12.8	\$14.7	\$109.0	\$128.5	\$132.4	\$136.3	\$548.6	
Total	\$5,756.6	\$6,200.2	\$5,652.4	\$5,636.4	\$5,897.6	\$6,074.6	\$6,256.8	\$41,474.7	
Balance	\$934.0	\$1,195.6	\$475.1	\$328.4	\$0.0	\$0.0	\$0.0	\$2,933.1	
CAPITAL PLAN									
Capital Costs (From Table 42)	\$25.0	\$25.8	\$908.0	\$1,067.1	\$2,273.5	\$845.2	\$2,157.1	\$7,301.7	
Capital Revenues									
Capital Reserve Funds	(\$125.0)	(\$124.2)	\$29.7	(\$89.3)	\$167.1	(\$111.5)	\$159.1	(\$94.1)	
Real Estate Transfer Fee	\$150.0	\$150.0	\$151.9	\$153.8	\$155.7	\$157.6	\$159.6	\$1,078.7	
FTA Section 5309 ⁽³⁾	\$0.0	\$0.0	\$0.0	\$148.9	\$1,178.9	\$68.8	\$1,155.0	\$2,551.6	
FTA Section 5311 ⁽²⁾	\$0.0	\$0.0	\$726.4	\$853.7	\$771.8	\$730.2	\$683.5	\$3,765.5	
Total	\$25.0	\$25.8	\$908.0	\$1,067.1	\$2,273.5	\$845.2	\$2,157.1	\$7,301.7	
Balance	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	
CAPITAL RESERVE FUND BALANCE									
Beginning Fund Balance	\$10,650.0	\$11,709.0	\$13,028.8	\$13,474.3	\$13,891.9	\$13,724.8	\$13,836.3		
Transfers from Operating Surplus	\$934.0	\$1,195.6	\$475.1	\$328.4	\$0.0	\$0.0	\$0.0	\$0.0	
Capital Expenses	(\$125.0)	(\$124.2)	\$29.7	(\$89.3)	\$167.1	(\$111.5)	\$159.1		
Ending Fund Balance	\$11,709.0	\$13,028.8	\$13,474.3	\$13,891.9	\$13,724.8	\$13,836.3	\$13,677.2		
Note 1: Assumes all existing revenues allocated to transit. As an example, diversion of 5 percent starting in FY 2014-15 would reduce transit operating revenues by approximately \$230,000 per year. Note 2: Allocation of 531.1 funding between capital and operating categories may change depending on funding needs and availability. Note 3: 5309 funding is dependent up the discretionary grant process, and on capital funding available through other sources. Full 80 percent federal funding requirements for eligible projects assumed. Source: LSC Transportation Consultants, Inc.									

- First, forecasts of annual operating and administrative costs were developed for Park City Transit services, as presented in Table 39, using the same forecasting assumptions described above. Operating and administrative costs over the seven-year period will total approximately \$38.5 million with the service modifications, which is a 12 percent increase from the base case total of \$34.5 million. Note that this base cost includes \$565,000 in non-transit annual costs (rising with inflation) incurred by the Transportation Department that use revenue sources identified in this plan.
- Next, ridership on Park City Transit services was estimated for Fiscal Year 2004-05 through Fiscal Year 2010-11, as presented in Table 40. The “base case” ridership reflects expected ridership assuming no changes in service, and is based upon the forecasts presented in Chapter 8 above. The ridership impact of each Service Plan element is then identified and summed (adjusted for the growth factor associated with new services). In total, implementing all Service Plan elements is forecast to increase system-wide ridership from a Fiscal Year 2017-18 base case figure of 1,303,800 one-way passenger-trips per year to a Fiscal Year 2017-18 total with the service improvements of 1,554,600 one-way passenger-trips – a 19 percent increase in ridership.
- The next element necessary in the development of the Financial Plan is estimation of the capital costs for vehicles, passenger amenities, passenger facility improvements and operating equipment, as shown in Table 41 for each year of the Short Range Transit Plan period. One expansion vehicle is needed for additional On Call services. All revenue vehicles will be diesel-powered. In addition, three non-revenue vehicles will be replaced during the plan period. Finally, the Capital Plan assumes the following implementation of other City transit capital items:
 - Public sector participation in a Park City Mountain Resort Transit Center and a Bonanza Transit Transfer Center, assumed to occur in FY 2015-16.
 - Transit signal priority program in FY 2013-14.
 - Ongoing bus stop improvements.

Park City Transit’s capital costs over the seven-year period will total approximately \$7.3 million.

The results of Tables 39 through 41 were used to develop the Financial Plan, as presented for each of the seven years of the Short Range Transit Plan period in Table 43, and incorporating the following revenue sources:

- County funding for allocated overhead costs, including allocated overhead costs for service expansions.
- Transit sales tax revenues, resort tax revenues, business license fees, and night rental license fees, as discussed above.
- Fare revenue and bus advertising revenues, assumed to increase at 3 percent per year.

Total operating revenues are forecast to increase from a FY 2011-12 level of \$5.8 million to a FY 2013-14 level of \$6.3 million. Subtracting operating costs, this yields a net positive operating surplus for the first four years of the plan period. These surplus operating revenues are assumed to flow into the capital reserve fund.

- The City transit capital financial plan is shown in the bottom portion of Table 43. Capital funding sources are assumed to consist of the following:
 - FTA Section 5311 funding. When needed to fund eligible capital programs, these funds are allocated to capital projects, up to the maximum 80 percent federal funding proportion. However, starting in FY 2017-18, additional available 5311 funds will need to be shifted to fund operating costs.
 - FTA Section 5309 funds are allocated to funding 80 percent of the City's capital costs, excluding the bus stop improvements, non-revenue vehicle replacement, and signal preemption costs, and excluding other available capital funding. This assumes the City is successful with all 5309 applications.
 - Real estate transfer fees, assumed to equal \$150,000 per year in FY 2011-12 increasing with inflation.

Capital reserve funds are used to make up any shortfall in capital funding. Under this plan the City transit capital reserve fund will end up with a 2017-18 ending positive fund balance of \$13.7 million. Even if the City is not fully successful with obtaining discretionary Federal capital grant programs, this fund balance indicates that capital needs of the City program can be met.

IMPLEMENTATION PLAN

The implementation schedule for this plan is as follows:

City Fiscal Year 2011-12 / County Fiscal Year 2012

- Extend services till Midnight on the Park Meadows, Prospector Square, Prospector Express and Thaynes Canyon routes throughout the winter and in the peak summer season
- Implement winter evening Canyons Circulator/Express service, including establishment of new stops.
- Extend winter service till 11 PM on the Kimball Junction and Silver Summit/Highland Estates route.
- Reduce reservations requirement for Quinn's Junction Dial-A-Ride to one hour in advance.
- Coordinate with Heber City and Wasatch County regarding funding and design of Heber City service.
- Support Park City – Salt Lake City service.
- Implement AVL system, and plan for signal pre-emption.
- Finalize plans and permitting for Kimball Junction Transit Center
- Implement park-and-ride management program.

- Finalize agreement between Park City and Summit County for City maintenance of bus stops in the county, and begin City maintenance of bus stops citywide.
- Continue bus stop enhancement program throughout the system.

City Fiscal Year 2012-13 / County Fiscal Year 2013

- Implement year-round service between Heber City and Park City.
- Continue to support Park City – Salt Lake City service.
- Review routing based upon passenger activity data generated by AVL system.
- Establish and fill the Data Analyst position.
- Finalize plans and stop locations for Kamas service, as well as funding agreements.
- Begin construction of Kimball Junction Transit Center.
- Continue bus stop enhancement program throughout the system.

City Fiscal Year 2013-14 / County Fiscal Year 2014

- Finalize plans and stop locations for Kimball Circulator
- Finalize schedules and stops for revisions to Kimball Junction and Silver Summit/Highland Estates routes.
- Implement winter Kamas Commuter service.
- Continue to support Park City – Salt Lake City service.
- Establish and fill the Equipment Coordinator position.
- Complete construction of the Kimball Junction Transit Center.
- Continue bus stop enhancement program throughout the system.
- Purchase three transit buses.
- Purchase three transit support vehicles.

City Fiscal Year 2014-15 / County Fiscal Year 2015

- Implement 20 minute headway express service on SR 224, with hourly local route.
- Modify Silver Summit/Highland Estates route.
- Implement Kimball Junction Circulator.

- Finalize plans and stop locations for Canyons Circulator
- Establish and fill the Marketing Manager position.
- Continue bus stop enhancement program throughout the system.
- Purchase four transit buses and three smaller transit vehicles

City Fiscal Year 2015-16 / County Fiscal Year 2016

- Implement Canyons Circulator.
- Conduct Short Range Transit Development Plan update study.
- Continue bus stop enhancement program throughout the system.
- Purchase a replacement trolley vehicle.

City Fiscal Year 2016-17 / County Fiscal Year 2017

- Continue bus stop enhancement program throughout the system.
- Purchase four transit buses

City Fiscal Year 2017-18 / County Fiscal Year 2018

- Continue bus stop enhancement program throughout the system.
- Purchase four transit buses and three smaller transit vehicles.

There are also elements of this plan (such as transit passenger facility improvements at Park City Mountain Resort and Bonanza, and implementation of fixed route Quinn's Junction service) that will occur during this planning period, but which are dependent on private development schedules.

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
AUGUST 25, 2011**

Present: Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; Dick Peek; and Liza Simpson

Tom Bakaly, City Manager; Mark Harington, City Attorney; Matt Cassel, City Engineer; Michael Kovacs, Assistant City Manager; Katie Cattan, Planner

Tina Quayle, Martine Parizot and Lisa Cerezal, Sister-City Program; and Matt Ripken, InterPlan Consultant

1. City Council questions/comments. Alex Butwinski reported on the Planning Commission meeting where there was considerable public input on the Temporary Zoning Ordinance. He complimented Planner Francisco Astorga for writing a very comprehensive staff report on the TZO. Cindy Matsumoto stated that the Chamber Board meeting was held at the Canyons. Marketing efforts will focus on New York and Los Angeles. Joe Kernan encouraged staff to attend the next interagency meeting where significant changes to the recycling program will be discussed that may impact Park City residents. Liza Simpson relayed that the Friends of the Farm are gearing up for the Scarecrow Festival. She thanked everyone involved in making the Armstrong Trail a reality. Dick Peek stated that he attended the Historical Society's award presentation where the renovation of the Marsac Building was recognized. High West Distillery won the Historic Preservation Board's annual award and a painting of the building was commissioned and has been completed to be displayed in the Marsac Building.

Mayor Williams thanked Park Record reporter Jay Hamberger with helping correct a Salt Lake Tribune story about Treasure. He requested that water impact fees be reviewed as he has received complaints, specifically from Wahso and Deer Valley that they are out of line. The City Manager indicated that staff is aware of the Wahso situation and will report back on both.

2. Courchevel student exchange presentation. Mayor Williams acknowledged individual efforts in keeping this program alive including volunteers and host families and the community is very appreciative. He presented certificates to exchange students and Tina Quayle introduced Martine Parizot, President of the Courchevel Sister-City Exchange. Ms. Quayle explained that she is the current Park City President and was part of the 1984 exchange. Expanding the program beyond student exchanges is a goal of both organizations.

Martine Parizot stated that they are honored to be here and to be a Sister-City to Park City since 1984. Since 2000, over 100 students and chaperons have participated in the program and the new and energized board is looking forward to growing the relationship to the next level.

Lisa Cerezal, Courchevel student, expressed that these exchanges are a good idea because of new friendships. She had never been to the USA before. It is beautiful and she felt very fortunate to be here.

Ms. Parizot distributed mementos from Courchevel to Council members.

3. Traffic and Transportation Master Plan. City Engineer Matt Cassel explained that it is staff's intent to introduce Council to several chapters of the draft at a time. Housing unit and employment numbers will be confirmed. The Mayor questioned the assumption that the

population will increase by 30% by 2020 because it is inconsistent with trends in the census. Liza Simpson also expressed that it seems unlikely that Park City will reach the level of density projected. Summit County's and UDOT's proposed expansion of SR224 was discussed. Matt Cassel noted that UDOT does not have funding for this project which is scheduled for 2040. Undeveloped lots and potential build-out will be considered. There were few questions and members were pleased with the progress of the project.

4. Co-housing Discussion. Michael Kovacs stated that a local co-housing group, *Green Park*, is interested in partnering with the City on City-owned property, specifically lower Park Avenue. Co-housing is basically cooperative housing that uses clustered development in order to generate common spaces. Owners design their own neighborhood as a group and lay-outs typically face inward. Common facilities, green space, and/or accommodations for visitors are usually provided and facilities are typically more environmentally responsible. Co-housing assumes a non-hierarchical structure for decision-making and tasks are shared by residents. With the right partnerships, it often provides more attainable unit costs for home buyers.

Mayor Williams asked if the City is required to issue a RFP for the Park Avenue location. Mr. Kovacs explained that the property is part of the RDA which provides more flexibility with regard to regulations but since there are City officials and employees in the local group, a RFP process is strongly suggested to avoid any potential perception of conflict. The Mayor asked if the RFP will be written for individuals or groups and Mark Harrington explained that criteria depends on what type of project is preferred by Council but presumably it would be co-housing groups. Michael Kovacs stated that there are advantages of looking at co-housing and this proposal could be a model or pilot project. The location is in a walkable section of the City and would boost housing choices within the City limits. He added that there is a multi-generational component to co-housing which ties into senior housing goals. The lower Park Avenue location provides an opportunity to evaluate redevelopment and the creative use of density. Mr. Kovacs pointed out that some designs he has seen are lower in density than allowed on the properties. Car sharing was briefly discussed.

Michael Kovacs requested direction from members. If this is a priority, he will delay other projects mentioned in his staff report. Tom Bakaly further explained that these are projects Mr. Kovacs has already been assigned to and if this is a new service or project, the identified projects outlined in the staff report would be delayed to facilitate co-housing. In response to a question from Alex Butwinski, Mr. Kovacs stated that the next step would be to work with the Planning Department on this location and other potential properties and begin drafting the RFP. Mr. Butwinski asked if resources would be minimized if there is Council consensus on the Park Avenue location.

Mr. Bakaly responded that it would be good to get input from Council on preference for individuals or a group, Park Avenue or other locations so that the RFP can be drafted reflecting Council's direction. Dick Peek expressed that creating a core neighborhood there is a great idea if the historic homes are part of the plan. Michael Kovacs explained that treatment of the historic homes will be part of the RFP criteria. Liza Simpson asked if there is documentation of the condition of the historic properties and Mr. Kovacs indicated that there are full assessments on both structures. Tom Bakaly interjected that the RFP should reflect if members want *more* than what is required in the Code or go with what is allowed and staff can help with distinctions. This is a policy question that staff needs clarity on with regard to this project.

Planner Katie Cattan explained that Sandra Hatch had done an assessment of old buildings so there are architectural details available on both of the homes. She suggested to the group to

sign up for a pre-application meeting to discuss with the Planning Department staff what can be done on the site. This is part of the HDDR process and applicants do not have to be the property owners. Full plans documenting the structures are available. Liza Simpson stated that she is supportive of this idea but would like to know how this proposal fits within the lower Park Avenue RDA plan and she is not comfortable deciding if there should be more than what is required until she has reviewed the assessment and visited the site. Cindy Matsumoto believed that at the very least if the houses are torn down they need to be reconstructed in their original form and location but Joe Kernan pointed out that the current homes' locations may not work in a co-housing site plan.

Mayor Williams summarized that all members are supportive of the Park Avenue properties and didn't feel a lot of time should be spent on looking at other City-owned parcels. Members are very interested in reviewing the condition of the structures. Ms. Simpson requested clarify on whether the homes can be moved because there is confusion on this point. Mayor Williams stated that he is reluctant to assign Mr. Kovacs another task and would like to know how this project will affect his workload. Michael Kovacs indicated that additional historic preservation work tends to be time-consuming but if the RFP can proceed, it turns into a private project and is processed accordingly. Tom Bakaly commented that within the context of the RFP, staff will need to know how members want the historic homes treated and a site visit may be helpful in determining this. An assessment will be distributed to members in advance of a field trip which will be scheduled sometime next month.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 25, 2011**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at a special time of 5 p.m. at the Marsac Municipal Building on Thursday, August 25, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Tommy Youngblood, Special Events Coordinator; Phyllis Robinson, Public Affairs Manager; Francisco Astorga, Planner; and Thomas Eddington, Planning Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT (*Any matter of City business not scheduled on agenda*)

1. Shoe Tree - Janet Kaul stated that she emailed Council about cleaning up the Shoe Tree which has actually expanded to four trees. She felt that this quaint tradition has turned into a trash heap and gives a bad impression of our town. It has reached the level of vandalism and is detrimental to the trees. She asked members to consider cleaning the trees up so that they look pretty and are healthy again. The Mayor mentioned that the trees are pruned a couple of times a year but staff can take a look at them again. Liza Simpson added that The Marriott actually receives requests for rooms facing the Shoe Tree.

2. BoardDocs Conference - Michael Hanahan, BoardDocs, extended a personal invitation to attend an eGovernance Conference on September 15 and 16 at Stein Eriksen's Lodge.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 4, 2011 AND AUGUST 11, 2011

Joe Kernan, "I move we approve the notes and minutes of August 4 and August 11". Cindy Matsumoto seconded. Motion unanimously carried.

V RESIGNATIONS AND APPOINTMENTS

Consideration of three appointments to the Police Complaint Review Board for terms expiring June 30, 2014 – The Mayor recommended the appointment of Tore Steen, Tom DeLeone and Michael Kaeske. Liza Simpson, "I move we appoint the three mentioned applicants to the Police Complaint Review Board". Joe Kernan seconded. Motion unanimously carried.

VI CONSENT AGENDA (*Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items"*)

1. Consideration of authorization to staff to execute a change order to the Comstock/Sidewinder Walkability Project Construction Agreement in a form approved by the City Attorney with Miller Paving for \$154,778 – Liza Simpson, "I move we approve Consent Agenda No. 1". Alex Butwinski seconded. Motion unanimously carried.

2. Consideration of authorization to staff to enter into a Professional Services Agreement, in a form approved by the City Attorney, with Curb It Recycling in an annual amount not to exceed \$20,000 annually – Joe Kernan disclosed that he will be abstaining from voting because he is an owner of a recycling business. Cindy Matsumoto, “I move we approve Consent Agenda Item No. 2”. Alex Butwinski seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Abstention
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

VII NEW BUSINESS (*New items with presentations and/or anticipated detailed discussions*)

1. Consideration of an Ordinance amending the Land Management Code adding Historic Preservation Board review and approval for historic reconstruction and disassembly processes in Park City, Utah – Dick Peek, “I move to continue to September 15th”. Liza Simpson seconded. Motion unanimously carried.

2. Consideration of a Master Festival License for the Valley Mental Health Recovery Days to be held September 9, 2011 from 5 p.m. to 9 p.m. at the South City Park Gazebo and Picnic Area – Tommy Youngblood described the application. The Mayor opened the public hearing; there was no input. Liza Simpson, “I move we approve the Master Festival License for the Valley Mental Health Recovery Days to be held September 9th”. Cindy Matsumoto seconded. Motion unanimously carried.

3. Consideration of Amended and Restated Park City Heights Co-tenancy Agreement, in a form approved by the City Attorney – Phyllis Robinson explained that the City acquired a co-tenancy interest in the project from The Boyer Company in November 2009. The City and Boyer are equal co-tenants in an undivided interest of 200 acres. The annexation was approved in May 2010 and the MPD in June 2011. The MPD consists of 160 market units and 79 affordable units.

She relayed that there are five goals associated with this partnership including (1) to reduce the overall density of the project; (2) to address the City's affordable housing needs; (3) to provide input on the design of the project located on our entry corridor; (4) to recover the public's investment; and (5) to transfer 28 IHC affordable housing units into the subdivision. The co-tenancy agreement clarifies roles and the City's role at this point is infrastructure development and off-site improvements like the water tank after a certain density is reached. This is also true for the IHC units. The project will be going to the Planning Commission in September and it is hoped to begin construction in Spring 2012 for Phase 1 which includes 75 market units, 35 City affordable units, and 28 units for IHC. Ms. Robinson noted that Phase 2 will be tied to market development for the remaining 85 units. The Boyer Company is the applicant for the annexation and the MPD and the City has agreed that both parties will jointly plan the site and the infrastructure and also participate in the creation of the budget and the authorization of all expenditures. The Boyer Company is responsible for the bidding of consulting contracts and contractor services and will act in the capacity of Project Manager, although both parties will formulate marketing strategies, a marketing budget, and target sales prices. Project financing will cover operating expenses which are split by both parties and the site infrastructure may be

funded through Municipal Building Authority bonds for Phase 1. MBA bonds or private financing would be used for Phase 2. With regard to return on investment, the City took its initial share when it removed 40 market units from the project and The Boyer Company therefore can retain additional earnings from the project up to a \$4 million cap equated to \$100,000 for each removed lot and any remaining proceeds will be split by both parties. Any additional money accruing to the City would be allocated to the capital improvements program.

Ms. Matsumoto understood Phase 1 wouldn't break ground until the market warranted it and Patrick Moffat of The Boyer Company explained that 28 IHC affordable housing units are included in Phase 1, as well as the City's affordable housing units and market units. Ms. Matsumoto asked if there is market demand for affordable housing and Ms. Robinson explained that the current market study for the project shows an existing shortfall for single family detached product as well as other ownership projects. The market will be monitored before the City moves into construction.

The Mayor invited public input; there was none. He acknowledged that this is the first public/private partnership the City has been involved in and he thanked The Boyer Company for its willingness to work with the City. Alex Butwinski, "I move we approve the amended and restated Park City Heights co-tenancy agreement, in a form approved by the City Attorney". Liza Simpson seconded. Motion unanimously carried.

VIII OLD BUSINESS

Consideration of Ordinance No. 11-19 enacting a temporary land use regulation pursuant to UCA §10-9A-504 and §15-1-7F of the Park City Land Management Code which prohibits approval of plat amendment applications filed after June 15, 2011 in the HR-1, HR-2, and HRL Zoning Districts for a period not to exceed six months until the City Council considers limits on the maximum building footprint allowed as a result of lot combinations in such zoning districts – The Mayor complimented Francisco Astorga on his staff report. Mr. Astorga stated that the Planning Commission made a motion to recommend to the City Council to end the TZO without adopting further limitations on maximum footprint solely for plat amendments. The Commission provided direction to staff not to spend any more time with regard to research and analysis for the TZO and felt the General Plan rewrite would answer those questions. Thomas Eddington added that there was discussion with regard to potential approaches to the alternative but ultimately decided to wait and see how the 2009 Historic District Guidelines and Land Management Code revisions played out which will take more than a few months.

Mr. Astorga indicated that staff has been receiving many questions about the pending ordinance reviewed by the Planning Commission on July 13, 2011 and also discussed on July 21, 2011. The Mayor stated that he will never be sorry for responding to people concerned about the sizes of historic buildings in Old Town and pointed out inconsistencies throughout the Historic District. The work on historic neighborhoods in the General Plan will be helpful. The Mayor opened the public hearing

Ruth Meisma, resident, stated that she did not say anything at the Planning Commission meeting last night because her view was not popular. She had all the confidence in the world that the City was taking care of business as it should and the public over-reacted. She emphasized that she did not see a problem with the TZO.

Kate Briggs, Park City Board of Realtors, felt that the 2009 Guidelines need an opportunity to demonstrate themselves. There was harm done by the uncertainty of the threat of change early

on in the process and the Planning Commission received significant public input on this issue. She strongly urged that members support the recommendation from the Planning Commission as it has been advanced to Council.

With no further input, the public hearing was closed. Liza Simpson thanked everyone who sent members thoughtful and measured input on this issue. However, some of the communications were inflammatory and raised the fear factor for a number of Old Town residents and she has spent the last three weeks talking with residents and developers. There were some who chose to misrepresent the TZO and continue to communicate to residents that Council was considering limiting the number of stories, etc. Alex Butwinski indicated that he attended the Planning Commission meeting where the discourse was very civil for the most part. The Planning Commission based its decision on the fact that a review will continue under the General Plan rewrite. He also encouraged the public to attend meetings as participation is integral and considered when decisions are made. Mr. Butwinski stated that the Planning Commission was clear that this is not totally dead. Cindy Matsumoto commented on the staff report which made issues clearer to her and she referred to a graph illustrating the increase in floor area in Old Town which was the reason for public outcry, although it may not be from the same people in the room today. She would like to continue to study scale and mass in the Historic District in the context of the General Plan and hoped recent dissenters will be part of the public process.

Alex Butwinski, "I move we rescind the Temporary Zoning Ordinance". Dick Peek seconded. Motion unanimously carried.

IX ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

X ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a joint work session with the Planning Commission on redevelopment convened at 6 p.m.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Diane Foster, Sustainability Manager; and Mark Harrington, City Attorney. Dick Peek, "I move to close the meeting to discuss litigation and property". Cindy Matsumoto seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Liza Simpson, "I move to open the meeting". Dick Peek seconded. Motion unanimously carried.

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, City Recorder

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 1, 2011**

Present: Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; Dick Peek; and Liza Simpson

Tom Bakaly, City Manager; Mark Harington, City Attorney; and Matt Cassel, City Engineer

Ronda Danica, Park City Postmaster

1. City Council questions/comments. Alex Butwinski commented on the open house hosted by the Snowcreek neighborhood; it was very nice to meet residents and tour their homes. Joe Kernan stated that he completed his review of the retention schedules as part of the GRAMA Ordinance and felt about 26 are worthy of a work session discussion to extend retention times. He will meet with staff in the meantime on this issue before a work session is scheduled. Liza Simpson thanked HR for organizing the City Summer Picnic. Recycle Utah and the City performed a pilot clean-up program last weekend with the intent of doing this on a monthly basis and eliminating the annual May dumpster program. She invited the public to the Friends of the Library book sale this weekend. Cindy Matsumoto commented on participating in the Recycling Green Waste event and attending the Chamber overview of the feasibility study on an event center in town. Dick Peek reported on the Historical Society Board meeting. He commented on its successful fund-raising event and plans to pay off the remainder of its construction loan early. Mayor Williams noted that he met with Recycle Utah and the Jordanelle Special Service District during the week.

2. Post office gang boxes. Matt Cassel explained that the Post Office has requested permission to install cluster mail boxes in and around Park City, including some parts of Old Town. If Council supports the proposal, the first one will be installed at the bottom of Rossi Hill and the Deer Valley Loop intersection. If Council does not give permission to install cluster boxes, the Post Office will deem these areas to be deliverable and will start charging a fee for post office boxes, affecting over 200 addresses. In response to a question from Cindy Matsumoto, Mr. Cassel advised that existing gang boxes will remain. Joe Kernan believed there may be parts of Park City where these are appropriate but others that are too challenging. The Mayor expressed concerns about funding turn-out areas for the boxes and the City may want them to be more attractive, potentially increasing costs. Postmaster Danica believed that the 200 post office addresses are primary residents and not second home owners.

Alex Butwinski asked for clarification on a point in the staff report and Thomas Eddington explained that staff is asking for policy direction from Council. Using the Land Management Code as a basis to not allow clustered boxes would require further research on the architectural guidelines as written. Staff is recommending policy direction as opposed to LMC direction. He pointed out that even if the Main Street Post Office closes, there may be an opportunity to reconfigure and use the space for post office boxes. Dick Peek liked the idea of preserving a community gathering place which would be a benefit to the Post Office because it would only need to deliver to a single location.

Cindy Matsumoto asked if a resident installs a mailbox, will mail be delivered there and Postmaster Ronda Danica explained that it depends on the location. The Post Office will not deliver in cul-de-sacs but will deliver to mail boxes on a straight-away street. Liza Simpson

stated that she has a number of concerns, including cost, additional carbon footprint and the requirement of the property owner to clear snow from the boxes. She pointed out the difficulty in keeping fire hydrants clear and did not feel that gang boxes belong in the Historic District. The Postmaster explained that there is delivery to cluster boxes now available in the Bonanza/Park area.

Mayor Williams pointed out that staff recommends denial of new gang boxes in town and Council members unanimously supported staff's recommendation.

3. Public Art Advisory Board interviews. Council interviewed Nancy Hall, Maren Mullen and Jean Rapoport.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 1, 2011**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 1, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT (*Any matter of City business not scheduled on agenda*)

New recreation center designs and logos – Designer Lindon Leader presented Council members with logo wear created for the new recreation center, The Marc.

**IV WORK SESSION NOTES OF JOINT MEETING WITH PLANNING COMMISSION
JULY 21, 2011**

Alex Butwinski, "I move approval of the work session notes of July 21, 2011". Liza Simpson seconded. Motion unanimously carried.

V RESIGNATIONS AND APPOINTMENTS

Consideration of the appointment of Liza Simpson as Mayor Pro Tem for a term beginning September 9, 2011 and expiring September 12, 2011 – Alex Butwinski, "I move to appoint Liza Simpson as Mayor Pro Tem for a term beginning September 9, 2011 and expiring September 12, 2011". Cindy Matsumoto seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Abstention

VI CONSENT AGENDA (*Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items"*)

Joe Kernan, "I move approval of Items 1 through 4 on the Consent Agenda". Alex Butwinski seconded. Motion unanimously carried.

1. Consideration of a Resolution proclaiming September 2011 as National Preparedness Month in Park City, Utah – Staff recommends approval.

2. Consideration of Professional Service Provider Contract in the amount of \$55,691 with Techlogic, in a form approved by the City Attorney's Office, for replacement of the library's materials security system – Staff recommends approval.
3. Consideration of a Construction Agreement with Counterpoint Construction Inc. for the construction of the intake and splitter structures and north ditch rehabilitation in the amount of \$269,208, in a form approved by the City Attorney – Staff recommends approval.
4. Professional Services Agreement with James C Barker PC in the base amount of 89,000 for federal lobbying services, in a form approved by the City Manager – Staff recommends approval.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

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 3 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jon Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Cindy Matsumoto, "I move to close the meeting to discuss litigation and property". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Cindy Matsumoto, "I move to open the meeting". Liza Simpson seconded. Motion unanimously carried.

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, City Recorder



City Council Staff Report

Subject: Resolution – AV Week
Author: Jan Scott, City Recorder
Department: Mayor's Office
Date: September 15, 2011
Type of Item: Administrative

Summary Recommendations:

Approve the Resolution proclaiming the week of October 16 – 22, 2011 as Audiovisual Week in Park City, Utah

Topic/Description:

Wesley Garrett, International Sales Manager of SoundTube Entertainment, contacted the Mayor's Office requesting consideration of a proclamation recognizing the variety of technical applications and achievements of the audiovisual industry.

Background:

The following is an excerpt from Mr. Garrett's email further explaining the purpose of the Resolution:

On behalf of SoundTube in Park City, Utah and InfoComm International, representing 40 companies and individuals in Utah, I respectfully request a proclamation from you, Mayor Dana Williams for AV Week to be held in October to recognize the power of AV technology applications at home, in business, government, education, entertainment, healthcare and more.

The AV industry is a bright spot in today's economy. Our U.S. tradeshow attracted 30,000+ attendees this June. Our industry members are positive about the future as indicated in a recent economic survey. Our local members continue to hire and employ individuals in satisfying, challenging and well-paid jobs generating millions for the local economies. I think you would be surprised by the number of people in Park City employed by the audio video industry.

AV Week is our way of calling attention to an industry that is often taken for granted. Thank you for your consideration of recognizing the value our members bring in Park City and around the world to entertain, education and inform. We're wanting to provide you with time in advance as we'd welcome the opportunity to not only have the proclamation, but also members of our AV industry to be in attendance for the signing and if possible a photo opportunity.

Department Review:

City Manager and City Attorney

Alternatives:

A. Approve: Staff finds the request reasonable and appropriate and recommends approval.

B. Deny: Denial is not recommended or typical.

C. Modify: Modifying the language is well within the discretion of Council.

D. Continue: Continuance of the Resolution is well within the discretion of Council. There is no meeting on September 22, 2011.

Recommendation: Approve the Resolution proclaiming the week of October 16 – 22, 2011 as Audiovisual Week in Park City, Utah



**RESOLUTION PROCLAIMING THE WEEK OF
OCTOBER 16 – 22, 2011 AS AUDIOVISUAL WEEK
IN PARK CITY, UTAH**

WHEREAS, AV solutions providers work with architects and building owners to create buildings that are sustainable, safer, more comfortable, productive and efficient; and

WHEREAS, the audiovisual industry is improving people's lives through lifesaving medical technology; and

WHEREAS, audiovisual equipment allows government proceedings to be memorialized, allowing for a more active and involved citizenry; and

WHEREAS, AV equipment and services are used to protect our nation's people and infrastructure through command and control facilities; and

WHEREAS, millions of students are receiving an enhanced educational experience through use of AV information communications technology; and

WHEREAS, the audiovisual industry provides entertainment value to millions of sports fans and concert goers; and

WHEREAS, the audiovisual industry allows companies to meet with customers, shareholders and others around the world without leaving their boardroom; and

WHEREAS, networked digital signage helps the public receive critical information in real-time; and

WHEREAS, the audiovisual industry is a \$75 billion industry worldwide; and

WHEREAS, during this week, across the globe, community outreach projects will be performed by the audiovisual industry.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council find it appropriate to proclaim the week of October 16 – 22, 2011 as

AUDIOVISUAL WEEK IN PARK CITY, UTAH

PASSED AND ADOPTED this 15th day of September, 2011.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



City Council Staff Report

Subject: State Lobbyist Services Contract Amendment
Author: Michael Kovacs, Assistant City Manager
Department: Executive
Date: September 15, 2011
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council amend the contract for state lobbying services with Legislative Executive Consulting, LLC (David Stewart) for an additional \$40,000 until December 31, 2012 to include lobby efforts regarding limiting the State from increasing zoning densities at Quinn's or create a State enterprise zone.

Topic/Description:

Amendment of consulting services contract for state level lobbying to the Utah legislature.

Background:

The City's legislative agenda is primarily defensive in regards to stability of existing sources of revenue (property, sales and utility/energy taxes) and impacts on our citizens resulting from redistributed resources or eliminated local powers. Our proactive issues range from positive environmental initiatives to a host of issues related to our colleagues at the League of Cities and Towns. This contract amendment is to lobby actively limiting state action regarding the Quinn's Junction movie studio issue. We know of efforts underway in the Utah legislature to bring bills to force the City to increase zoning densities at Quinn's or create a State enterprise zone.

The City rehired Mr. Stewart's firm last December in a competitive proposal process to serve us for one year, with two automatic one year term renewals to represent the City's interest before the Utah Legislature, Governor's Office and regulatory bodies at the state or local level. Although the contract with Mr. Stewart contemplated working with Summit County and MIDA to resolve the military needs of a hotel in Summit County and to actively pursue all interests identified by the City, the Parties are in agreement that it did not anticipate the amount of work which would be needed to specifically lobby the Legislature regarding limiting the State from getting involved with local zoning issues specifically the movie studio. Therefore, in order to have Mr. Stewart actively pursue an effort to lobby the City's position on this issue, more resources are required.

Analysis:

Mr. Stewart's role during the 2011 session was absolutely critical to our strategy and success. In cooperation with the Utah League of Cities and Towns, we may have a chance to defeat these new zoning override measures. A one-time \$40,000 increase is needed to begin efforts. The City's contingency funds are the identified source for paying for this effort.

Amended Scope of Services. The Consultant will assist the City with crucial relationships at the State Legislature and discourage state legislative actions from enabling development inconsistent with local zoning. This amendment will specifically expand the scope of services to include assisting the City with the movie studio issue and the possibilities of increased zoning densities at Quinn's Junction or the creation of a State enterprise zone at Quinn's Junction. The term of this amendment to the scope of services will only be until December 31, 2012.

Department Review:

This report was reviewed by the Executive and Legal departments.

Alternatives:

A. Approve:

Approve the contract amendment for added lobbying services with Legislative Executive Consulting (recommended).

B. Deny:

Do not approve the contract.

C. Modify:

Propose a different solution.

D. Continue the Item:

Take up the matter at the next possible meeting.

E. Do Nothing:

Provide other direction to staff.

Significant Impacts:

The costs of the Council's policy stance at Quinn's continue to rise.

Consequences of not taking the recommended action:

Without an effective voice at the state capital on this issue, the City and our citizens will increasingly be at risk of substantial impacts from adverse state legislation. Nonetheless, staff utilizes ULCT and coordination with other public agencies as much as possible to minimize the need and cost of individual lobbying on behalf of the City.

Recommendation:

Staff recommends Council amend the contract for state lobbying services with Legislative Executive Consulting, LLC (David Stewart) for an additional \$40,000 until December 31, 2012.

City Council Staff Report



Subject: Historic Preservation Projects
– Consulting Services
Author: Katie Cattan, Senior Planner
Department: Planning
Date: September 15, 2011
Type of Item: Administrative

Summary Recommendations:

The Council consider authorizing the City Manager to execute a contract for the Balanced Growth Management Study with CZB, LLC (Charles Buki) in the amount of \$38,583.00.

Topic/Description:

The Planning Department has been working on an update to the General Plan with a goal of completing the complete draft by April 15, 2011. To do so, the department identified a need to hire an outside consultant to complete a balanced growth study that reflects the Community Vision results from 2009. The following description is from the publicly distributed request for proposal:

The Balanced Growth Study will be based on the Park City Municipal Corporations data of current build-out and future redevelopment. Additional data must be collected on the external growth influences to Park City. The study will include growth projections for Park City in ten year increments until 2050. Park City Planning Department had completed research on current trends and will provide this to the chosen firm.

Once the growth projections are documented, balanced growth strategies for Park City will be proposed. The Balanced Growth Strategies must be geared toward achieving the Communities Vision and protecting the City's Core Values as defined in the Visioning Process. The Balanced Growth Study will create growth management strategies to achieve the Park City Vision and protect the Core Values. The recommended growth strategies will be further analyzed to outline the benefits, shortcomings, and costs associated with each (infrastructure and social).

Deliverables Include:

1. Growth trends
 - o Review the Growth trends as provided by the Park City Planning Department from 1990 to present.
 - o Utilize the data from Park City to project future Growth trends from present – 2050
 - o Project growth trends from influences outside the City Boundary from present to 2050.

2. *Identify Growth Trends that will Impact the City's Core Values. This portion of the Report must be very thorough. The report should rate the threat and timing of the trend. Identify positive and negative trends.*
3. *Create Balanced Growth Strategies to address the identified growth trends that will impact the City's Core Values. The Balanced Growth Strategies must be specific to provide guidance to the City on implementing the strategies. Balanced Growth strategies must be in compliance with Utah Law.*
4. *One area of focus within the Trends and Balanced Growth Strategies should be focused on primary and secondary home owners. Park City's demographics have been changing from a majority primary homeowner to majority secondary homeowners. Over the past ten years the amount of primary homeowners has stayed almost constant at approx. 7000.*
5. *With each recommended strategy identify the benefits, shortcomings, and cost associated with the strategy.*

Consistent with the City's policies regarding professional services, the Planning Department sent out three (3) Requests for Bids and published the RFP on the City Website.

Proposals were received from the following Firms:

1. Wikstrom Economic and Planning Consultants, Inc., Karen Wikstrom, President
2. Design Workshop, Becky Zimmermann, Principal
3. RRC Associates, Christian Cares, Managing Director
4. Zions Bank, Susie Becker, Vice President Public Finance Municipal Consulting Group
5. Richman & Associates, Christine Richman, Principal
6. Strategy 5, Ernest Bleinberger, Principal
7. The Planning Center/DC&E, Bill Fulton, Principal
8. CZB, LLC, Charles Buki, Principal

Analysis:

A team of staff reviewed the eight proposals and rated all the proposals against the evaluation criteria listed within the RFP. The top two rated proposals were submitted by CZB, LLC and The Planning Center. Originally staff had expected to spend approximately \$20,000 on the study, but as the proposals came in, there was a great range in experience and pricing. Staff finds that there is a need to raise the funding in order to get the level of work necessary to implement a balanced growth plan within the General Plan. The top two qualifying proposals came in at \$38,582.05 (CZB, LLC) and \$82,668 (The Planning Center/DC&E).

Staff recommends the Council award CZB the Balanced Growth Study. Charles Buki's team has had previous experience with creating growth strategies for other cities, including Snowmass, CO and Virginia's Northern Neck. His team consists of Karen Pooley, Ph.D housing specialist; Ted Koebel Professor of Urban Planning and co-director of the Center for Housing Research at Virginia Tech; and Drew Sanderford,

research associate at the Center for Housing Research. CZB also created an advisory group with expertise in balanced growth and experience within Utah. Within the proposal, CZB acknowledges the difficulty communities have coming to agreement on balanced growth strategies. The proposal emphasizes that CZB has the experience with asking communities the difficult questions and “creating a client and community relationship where emotional resilience to handle hard tradeoff discussions can constructively occur.” Charles Buki’s ability for working with communities to make implementation strategies, his knowledge of Vision 2009, and his teams expertise in balanced growth and housing, made his team the top candidate for this project.

Staff recommends that Council consider awarding the project to CZB, LLC in the amount not to exceed \$38,582.05.

The funds will be allocated from the Planning Department’s funds for the general plan as well as some assistance from the City Professional Services funds.

Department Review:

This report has been reviewed by the City Manager and the Legal Department. All issues have been appropriately resolved.

Alternatives:

A. Approve the Request:

This is the staff’s recommendation.

B. Deny the Request:

The Council may deny the request and direct staff to award the contract to a firm within the original budget of \$20,000.

C. Continue the Item:

If the Council needs more information the item can be continued, but the City possibly runs the risk of setting back the General Plan draft completion date of April 15, 2011.

D. Do Nothing:

This option would delay the General Plan progress.

Consequences of not taking the recommended action:

One of the most important parts of a General Plan is creating a growth strategy. Our visioning results have shown us that we must balance our Core Values in order to preserve the Park City we know and enjoy today. The Planning Department would like to contract a team specialized in balanced growth to ensure that future growth strategies in the General Plan mirrors the goals of Vision 2009 and will help preserve the core values of Park City.

Significant Impact:

The study will guide staff in creating a balanced growth implementation strategy within the general plan, protecting the Core Values of Park City.

Recommendation:

The Council should authorize the City Manager to execute a contract for the Balanced Growth Study with CZB, LLC (Charles Buki) in the amount of \$38,582.05.

Attachments:

Exhibit A: Scope of Services

Exhibit A: Scope of Services

1. Growth trends
 - o Review the Growth trends as provided by the Park City Planning Department from 1990 to present.
 - o Utilize the data from Park City to project future Growth trends from present – 2050
 - o Project growth trends from influences outside the City Boundary from present to 2050.
2. Identify Growth Trends that will Impact the City's Core Values. This portion of the Report must be very thorough. The report should rate the threat and timing of the trend. Identify positive and negative trends.
3. Create Balanced Growth Strategies to address the identified growth trends that will impact the City's Core Values. The Balanced Growth Strategies must be specific to provide guidance to the City on implementing the strategies. Balanced Growth strategies must be in compliance with Utah Law.
4. One area of focus within the Trends and Balanced Growth Strategies should be focused on primary and secondary home owners. Park City's demographics have been changing from a majority primary homeowner to majority secondary homeowners. Over the past ten years the amount of primary homeowners has stayed almost constant at approx. 7000.
5. With each recommended strategy identify the benefits, shortcomings, and cost associated with the strategy.



City Council Staff Report

Planning Department

Subject: Land Management Code Amendments -
HPB review of Reconstructions and Disassembly of Historic
Structures
Author: Kayla Sintz, Architect/Planner
Project #: PL-11-01203
Date: September 15, 2011
Type of Item: Legislative

Summary Recommendations

Staff recommends the City Council conduct a public hearing and discuss proposed amendments to the Land Management Code for Chapters 1, 11 and 15 which would require the Historic Preservation Board review and approve all Reconstructions and Disassembly of structures on the Historic Sites Inventory.

Topic

Project Name: LMC Amendments
Applicant: Planning Department
Proposal: Revisions to the Land Management Code – HPB review of
Reconstructions and Disassembly of Historic Structures

Background

During the February 3, 2011 joint City Council, Planning Commission and Historic Preservation Board visioning session, concerns in regards to the process by which Reconstruction is permitted as part of a Historic District Design Review were discussed. Much of the discussion revolved around the reconstruction of the structure at 657 Park Avenue which was subject to the requirements of the Land Management Code prior to the 2009 amendments. Public and property noticing, as well as, opportunity for public input were also discussed. Direction was given to Staff to expand the review of all Reconstructions to include a formal, noticed review and approval by the Historic Preservation Board. An excerpt of the Draft visioning minutes are attached (Exhibit D).

On August 10, 2011 the Planning Commission heard this item as part of their regular agenda. Meeting minutes are attached (Exhibit E). The Planning Commission heard public comment that generally was against imposing an additional step in the historic review process. Commissioners agreed that additional requirement was both unnecessary and cumbersome to applicants. Commissioners indicated that the 2009 LMC amendments as to the criteria of reconstructions/disassembly didn't have an opportunity to be implemented and they wished to see them be applied. In addition, some Commissioners were concerned that such a move would eliminate the Historic Preservation Board as an appeals body for reconstruction or disassembly projects. The

Planning Commission unanimously voted to forward a negative recommendation to the City Council for the proposed LMC language.

The current process for a Reconstruction or Disassembly approval (by staff) as updated in the 2009 LMC amendments as part of a Historic District Design Review (HDDR) is as follows:

- o Staff reviews application file for completeness within 72 hours of submittal
- o Upon completeness staff posts property for 14 days to receive public comment
- o Following 14 day noticing the 45 day review period for HDDR starts; Staff reviews public comment and application for compliance with Historic District Guidelines and writes report
- o Approval or Denial of application is publically posted at property for 10 days (appeal period). Any appeal would be heard by the Preservation Board.
- o HPB's decision may be appealed to the Board of Adjustment (taking up to 45 days)
 - Review time if decision not appealed: up to 69 days
 - If appealed would take up to an additional 45 days with the possibility of an additional appeal to BOA (also taking up to 45 days): up to 159 days

The process for a Reconstruction or Disassembly as part of a Historic District Design Review (HDDR) if the HPB is added for review and approval:

- o Staff reviews file for completeness within 72 hours of submittal
- o Upon completeness staff posts property for 14 days to receive public comment
- o Following 14 day noticing the 45 day review period for HDDR starts; Staff reviews public comment and application for compliance with Historic District Guidelines and writes report
- o Staff schedules HPB meeting for reconstruction/disassembly approval; report is routed internally for review, and meeting is publically noticed (estimated 30-45 days)
- o HPB reviews and approves/denies Reconstruction/Disassembly request
- o Approval or Denial of HPB's decision of application is posted at property for 10 days (appeal period)
- o Any appeal would go directly to the Board of Adjustment (taking up to 45 days)
 - Review time if decision not appealed: 99 to 114 days
 - If appealed would take up to an additional 45 days: 144 to 159 days

Staff does not receive a large number of HDDR Reconstruction/Disassembly requests with the adoption of the 2009 Historic District Guidelines and LMC changes. Requests are due to mold and loss of structural stability of many of the wood structures (predominately roofs and lower wall panels). Since the adoption of the 2009 Historic District Guidelines staff has received only two applications involving Reconstructions/Disassembly. Both of those are currently under review by staff. Since June, 2006, the Planning Department has calculated 10 other Reconstruction or Disassembly applications.

The criteria for Reconstruction/Disassembly of a historic structure is not proposed to be changed as part of this ordinance. The same criteria will be applied whether staff reviews the application or the HPB reviews the application.

The LMC criteria for Disassembly 15-11-14 (A) is as follows:

- (1) A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) cannot reasonably be moved intact; or
- (2) The proposed disassembly and reassembly will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
- (3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or
- (4) The Planning Director and Chief Building Official determine that unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly;

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and the Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.

The LMC criteria for Reconstruction 15-11-15 (A) is as follows:

- (1) The Historic Building(s) and/or Structures are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building code; and
- (2) The Historic Building(s) and/or Structure(s) cannot be made safe and/or serviceable through repair; and
- (3) The form, features, detailing, placement, orientation and location of the Historic Building(s) and/or Structure(s) will be accurately depicted, by means of new construction, based on as-built measured drawings, historic records, and/or current or Historic photographs.

Additional definition needed:

Currently, the term disassembly is not defined in the Land Management Code. Staff recommends that the following definition be added to the Code regardless of the outcome of the other proposed amendments.

1.86 DISASSEMBLY. *The act or process of taking apart a Historic Building or Structure in the largest workable components possible for the purpose of accurately reassembling it in its original form, location, and orientation.*

Other Proposed Amendments

If the Land Management Code is amended, the Historic Guidelines will also have to be updated to match those changes . Amendments to the Guidelines are adopted by Resolution by the Council.

Amendments to Chapter 1 – General Provisions

These amendments add the HPB's review of Reconstructions and Disassemblies to the Notice Matrix which include Posting requirements, Courtesy Mailing requirements and Publishing requirements.

Section 15-1-21. Notice Matrix.

Posted: 14 days prior to the hearing before the Historic Preservation Board

Courtesy Mailing: 14 days prior to the hearing before the Historic Preservation Board to Owners within 300 feet

Published: Once 14 days prior to the hearing before the Historic Preservation Board

Amendments to Chapter 11- Historic Preservation

These amendments requires the HPB instead of the Planning Department to review Reconstructions and Disassemblies

Section 15-11-5. Purposes (J)

Section 15-11-14. (A) Criteria for Disassembly and Reassembly of the Historic Building(s) on a Landmark or Significant Site.

Section 15-11-14. (B) Procedure for the Disassembly and Reassembly of a Landmark Site or a Significant Site.

Section 15-11-15. (A) Criteria for Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark or a Significant Site.

Section 15-11-15. (B) Procedure for the Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site.

Amendments to Chapter 15 – Definitions

These amendments add the term *Disassembly* to Definitions.

Section 15-15-1. Definitions.

Section 15-15-2. List of Defined Terms.

Department Review

These amendments have been reviewed by the Planning, Engineering, and Building Departments as well as the Legal Department.

Process

Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC Section 15-1-18.

Notice

Legal notice of a public hearing was posted in the required public spaces and published in the Park Record.

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of Land Management Code amendments. The public hearing for these amendments was properly and legally noticed as required by the Land Management Code. No public input has been received at the time of this report.

Alternatives

- Conduct a public hearing on the LMC amendments described herein and adopt all changes as presented, or as amended at the hearing.
- Conduct a public hearing on the LMC amendments and only adopt the definition for Disassembly as outlined herein.
- Conduct a public hearing on the LMC amendments described herein and choose not to adopt any amendments as outlined.
- Conduct a public hearing on the LMC amendments described herein and continue action on the LMC amendments to a date certain providing staff with direction for further analysis, modifications and/or changes.

Significant Impacts and Consequences of *not* taking the Suggested Recommendation

With these proposed amendments, owners of Historic Structures proposing Reconstruction or Disassembly as part of their remodeling or renovation project would need approval by the Historic Preservation Board. If the proposed amendments were not approved, Staff would continue the Reconstruction and Disassembly review and approval process administratively which has occurred since the June, 2009 adoption of the Historic Guidelines and associated LMC changes as noted above. The HPB would continue to act as the appeal board in the case a request for a Reconstruction or Disassembly was denied by staff.

Recommendation

Staff recommends the City Council conduct a public hearing, discuss the proposed amendments to the Land Management Code as described in this report and as redlined in the Exhibits, and consider adopting the changes based on the findings of fact and conclusions of law found in the ordinance.

Exhibits

Ordinance

Exhibit A - LMC Chapter One - General Provisions and Procedures

Exhibit B - LMC Chapter Eleven – Historic Preservation

Exhibit C - LMC Chapter Fifteen – Definitions

Exhibit D - Excerpt Draft Joint Visioning Minutes – February 3, 2011

Exhibit E - Excerpt Planning Commission Meeting Minutes – August 10, 2011

Ordinance No. 11-____

AN ORDINANCE APPROVING AMENDMENTS TO THE PARK CITY LAND MANAGEMENT CODE REQUIRING HISTORIC PRESERVATION BOARD REVIEW AND APPROVAL OF RECONSTRUCTIONS AND DISASSEMBLY OF STRUCTURES ON THE HISTORIC SITES INVENTORY AMENDING CHAPTERS 1, 11 AND 15.

WHEREAS, the Land Management Code is designed and enacted to implement the objectives of the Park City General Plan; to protect the general health, safety, welfare of Park City's citizens and property owners; to maintain the quality of life and experience for its residents and visitors; and to preserve the community's unique character and values;

WHEREAS, Staff saw a need to expand the ability of the Historic Preservation Board to review and approve the Reconstruction and Disassembly of historic structures in order to provide more oversight to preserve historic character;

WHEREAS, these amendments were identified during the 2011 City Council Visioning;

WHEREAS, Chapter 15 – Definitions provides clarity of meaning for words used in the Land Management Code and amendments to existing definitions and new definitions are necessary to clarify terms that are not currently defined in the Code. The City desires to clarify these terms to including and/or revising definitions in the Land Management Code.

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings;

WHEREAS, the City's historic sites are among its most important cultural, educational, and economic assets;

WHEREAS, the Planning Department duly noticed and conducted a public hearing at the regularly scheduled meeting on August 10, 2011, and forwarded a negative recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on September 15, 2011; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Utah State Code and the Park City General Plan, and to be consistent with the values and identified goals of the Park City community to protect health and safety, maintain the quality of life for its residents, and to preserve the community's unique character.

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

SECTION 1. AMENDMENTS CHAPTER 1 OF THE LAND MANAGEMENT CODE.

Chapter 15-1 is hereby amended as attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 15-1 shall be resolved by the Planning Director.

SECTION 2. AMENDMENTS TO CHAPTER 11 OF THE LAND MANAGEMENT CODE.

Chapter 15-11 is hereby amended as attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 11 shall be resolved by the Planning Director.

SECTION 3. AMENDMENTS CHAPTER 15 OF THE LAND MANAGEMENT CODE.

Chapter 15-15 is hereby amended as attached hereto as Exhibit C. Any conflicts or cross-references from other provisions of the LMC to Chapter 15 shall be resolved by the Planning Director.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

Dated this ____ day of _____, 2011

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 1 - General Provisions and Procedures

15-1-24

NOTICE MATRIX			
ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
<u>Reconstruction and Disassembly of sites on Historic Sites Inventory</u>	<u>14 days prior to the hearing before the Historic Preservation Board</u>	<u>14 days prior to the hearing before the Historic Preservation Board to Owners within 300 feet</u>	<u>Once 14 days prior to the hearing before the Historic Preservation Board</u>
Historic District or Historic Site Design Review	First Posting: The Property shall be posted for a 14 day period once a Complete Application has been received. Other posted legal notice not required. Second Posting: For a 10 day period once the Planning Department has determined the proposed plans comply or does not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal notice not required.	First Mailing: To Owners within 100 feet once a Complete Application has been received, establishing a 14 day period in which written public comment on the Application may be taken. Second Mailing: To Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning Department determines the proposed plans comply or do not comply with the Design Guidelines for Historic Districts and Historic Sites and no later than 45 days after the end of the initial public comment period. This establishes a 10 day period in which the Planning Department's decision may be appealed.	See appeals from Planning Director, Historic Preservation Board, Planning Commission, including City Council Call-Up. Section 15-1-18.

**PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE

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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 11 - HISTORIC PRESERVATION

*Chapter adopted by Ord. No. 02-07;
Chapter Amended in Entirety by Ord. No.
03-34*

**CHAPTER 11 – HISTORIC
PRESERVATION**

**15-11-1. ESTABLISHMENT OF
BOARD.**

Pursuant to the Historic District Act, Section 11-18-1, et seq. of the Utah Code, 1953, and other applicable power, there is hereby created a Park City Historic Preservation Board (HPB). The HPB shall be composed of seven (7) members.

(Amended by Ord. No. 06-69)

**15-11-2. TERMS AND
QUALIFICATIONS OF MEMBERS.**

Members of the HPB shall serve terms of three (3) years. The terms shall be staggered. Terms may expire on May 1, however, members of the HPB shall continue to serve until their successors are appointed and qualified.

(A) The Mayor shall appoint a new HPB member to fill vacancies that might arise

and such appointments shall be to the end of the vacating member's term.

(B) It is the first priority of the City Council that the HPB have technical representation in Historic preservation, therefore, when vacancies occur and if appropriate, it shall be the first consideration of the City Council to ensure that there is a licensed architect, or other professional having substantial experience in rehabilitation-type construction, serving on the HPB, and secondly that there is representation from the Park City Historical Society. After being notified by the City of a vacancy, at least two (2) nominations shall be rendered to the City Council by the Park City Historical Society if it desires to participate in the Application process.

(C) In addition, the HPB should include members with the following qualifications, or representing the following interests:

(1) A member recommended by or associated with the Utah State Historical Society or Utah Heritage Foundation.

(2) A member living in the Historic District with demonstrated

interest and knowledge of Historic preservation.

(3) A member appointed at large from Park City with demonstrated interest and knowledge of Historic preservation.

(4) A member associated with Main Street Business and commercial interests.

15-11-3. ORGANIZATION.

(A) **CHAIR**. The HPB shall elect one of its members to serve as Chair for a term of one (1) year at its first meeting following the expiration of terms and appointment of new members. The Chair may be elected to serve for one (1) consecutive additional term, but not for more than two (2) successive terms. If the Chair is absent from any meeting where a quorum would otherwise exist, the members may appoint a Chair Pro Tem to act as Chair solely for that meeting.

(B) **QUORUM**. No Business shall be conducted without a quorum at the meeting. A quorum shall exist when the meeting is attended by four (4) of the appointed members, including the Chair or Chair Pro Tem.

(C) **VOTING**. All actions of the HPB shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall approve any action taken. The Chair may vote at the meetings.

(Amended by Ord. Nos. 07-34; 09-10; 11-05)

15-11-4. ABSENCE DEEMED RESIGNATION OR GROUNDS FOR REMOVAL.

Any HPB member who is absent from two (2) consecutive regularly scheduled Board meetings, or a total of four (4) regularly scheduled meetings per calendar year may be called before the City Council and asked to resign or removed for cause by the Council. Members of the HPB are not required to reside within the City limits, however, the majority of the members shall reside in Park City.

15-11-5. PURPOSES.

The purposes of the HPB are:

(A) To preserve the City's unique Historic character and to encourage compatible design and construction through the creation, and periodic update of comprehensive Design Guidelines for Park City's Historic Districts and Historic Sites;

(B) To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land Uses;

(C) To provide input to staff, the Planning Commission and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures;

(D) To recommend to the Planning Commission and City Council ordinances that may encourage Historic preservation;

(E) To communicate the benefits of Historic preservation for the education, prosperity, and general welfare of residents, visitors and tourists;

(F) To recommend to the City Council Development of incentive programs, either public or private, to encourage the preservation of the City's Historic resources;

(G) To administer all City-sponsored preservation incentive programs;

(H) To review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites; and

(I) To review and take action on all designation of Sites to the Historic Sites Inventory Applications submitted to the City.

(J) To review and take action on all Reconstruction and Disassembly of Sites on the Historic Sites Inventory

(Amended by Ord. No. 09-23)

15-11-6. ADDITIONAL DUTIES.

In addition to the powers set forth in Section 15-11-5, the HPB may, at the direction of the City Council:

(A) Participate in the design review of any City-owned projects located within the designated Historic District.

(B) Recommend to the City Council the purchase of interests in Property for purposes of preserving the City's cultural resources.

(C) Recommend to the Planning Commission and the City Council zoning boundary changes for the district to preserve the historical integrity of the Area. Subdivision, Conditional Uses and planned unit Development Applications must continue to be acted upon by the Planning Commission.

(D) Provide advice and guidance on request of the Property Owner or occupant on the construction, restoration, alteration, decoration, landscaping, or maintenance of any cultural resource, Historic Site, and Property within the Historic District, or neighboring Property within a two (2) block radius of the Historic District.

(Amended by Ord. No. 09-23)

15-11-7. LIMITATIONS.

The HPB has no authority to waive or increase any requirement of any ordinance of the City.

15-11-8. STAFF ASSISTANCE.

The City may, subject to the approval of the City Manager, provide staff and/or the HPB with such assistance from:

(A) Utah Heritage Foundation.

(B) National Trust for Historic Preservation.

(C) Utah State Division of History.

- (D) Park City Historical Society.
- (E) American Institute of Architects (AIA).
- (F) The National Alliance of Preservation Commissions.
- (G) American Planning Association (APA)

(Amended by Ord. Nos. 06-35; 09-23)

15-11-9. PRESERVATION POLICY.

It is deemed to be in the interest of the citizens of Park City, as well as the State of Utah, to encourage the preservation of Buildings, Structures, and Sites of Historic Significance in Park City. These Buildings, Structures and Sites are among the City's most important cultural, educational, and economic assets. In order that they are not lost through neglect, Demolition, expansion or change within the City, the preservation of Historic Sites, Buildings, and Structures is required. This section is intended to provide an incentive for identification and preservation of Historic Buildings, Structures or Sites that may occur within the Park City Historic District, as well as those that may be located outside the Historic District.

- (A) **HISTORIC PRESERVATION PLAN.** The Planning Department is authorized to require that Developers prepare a Historic Preservation Plan as a condition of approving an Application for a Building project that affects a Historic

Structure, Site or Object. The Planning Director and the Chief Building Official, or their designees, must approve the Historic Preservation Plan.

- (B) **GUARANTEE REQUIRED.** The Planning Department is also authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.

- (C) **TERMS OF GUARANTEE.** The Guarantee shall be similar in form to other Guarantees required by this title and shall consist of an Escrow deposit, a cash deposit with the City, a letter of credit or some combination of the above as approved by the City, including but not limited to a lien on the Property.

- (D) **AMOUNT OF THE GUARANTEE.** The amount of the Guarantee shall be determined by the Chief Building Official, or his designee. The Building and Planning Departments shall develop standardized criteria to be used when determining the amount of the Historic preservation Guarantee. Such amount may include additional cost or other penalties for the destruction of Historic material(s).

- (E) **EFFECT OF NON-COMPLIANCE.** If the Developer does not comply with the terms of the Historic Preservation Plan as determined by the Chief Building Official and the Planning Director, or their designees, the City shall have the right to keep the funds of the Guarantee, including the ability to refuse to grant the Certificate of Occupancy and

resulting in the requirement to enter into a new Historic Preservation Plan and Guarantee. The funds of the Guarantee shall be used, in the City's discretion, for Historic preservation projects within the City.

(F) **RELEASE OF GUARANTEE.**

The Guarantee shall not be released prior to the issuance of the final Certificate of Occupancy or at the discretion of the Chief Building Official and Planning Director, or their designees, based on construction progress in compliance with the Historic Preservation Plan.

(Amended by Ord. Nos. 09-09; 09-23)

15-11-10. PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community.

(A) **CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.**

(1) **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty

(50) years if the Site is of exceptional importance to the community; and

(b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and

(c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

(i) An era that has made a significant contribution to the broad patterns of our history;

(ii) The lives of Persons significant in the history of the community, state, region, or nation; or

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman.

(2) **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used

during the Historic period.

(3) Any Development involving the Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Section 15-11-15 of this code shall remain on the Park City Historic Sites Inventory and shall be listed as a Significant Site.

(B) PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

The Planning Department shall maintain an inventory of Historic Sites. It is hereby declared that all Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures within Park City, which comply with the criteria found in Sections 15-11-10(A)(1) or 15-11-10(A)(2) are determined to be on the Park City Historic Sites Inventory.

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

(1) **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon

receiving a Complete Application for designation, the Planning staff shall schedule a hearing before the Historic Preservation Board within thirty (30) days.

(2) **NOTICE.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.

(3) **HEARING AND DECISION.** The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be added to the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(4) **APPEAL.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of Historic Preservation Board final action. Notice of pending appeals

shall be made pursuant to Section 15-1-21 of this code. Appeals shall be considered only on the record made before the Historic Preservation Board.

(C) **REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY.**

The Historic Preservation Board may remove a Site from the Historic Sites Inventory. Any Owner of a Site listed on the Park City Historic Sites Inventory may submit an Application for the removal of his/her Site from the Park City Historic Sites Inventory. The Planning Department may submit an Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and procedures for removing a Site from the Park City Historic Sites Inventory are as follows:

(1) **CRITERIA FOR REMOVAL.**

- (a) The Site no longer meets the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) because the qualities that caused it to be originally designated have been lost or destroyed; or
- (b) The Building (main, attached, detached, or public) Accessory Building, and/or Structure on the Site has been demolished and will not be reconstructed; or
- (c) Additional information indicates that the Building, Accessory

Building, and/or Structure on the Site do not comply with the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2).

(2) **PROCEDURE FOR REMOVAL.**

(a) **Complete Application.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning staff shall schedule a hearing before the Historic Preservation Board within thirty (30) days.

(b) **Notice.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.

(c) **Hearing and Decision.** The Historic Preservation Board will hear testimony from the Applicant and public and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." The HPB shall review the Application "de novo" giving no deference to the prior determination. The

Applicant has the burden of proof in removing the Site from the inventory. If the HPB finds that the Application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure will be removed from the Historic Sties Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(d) **Appeal.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of the Historic Preservation Board decision. Notice of pending appeals shall be made pursuant to Section 15-1-21 of this Code. Appeals shall be considered only on the record made before the Historic Preservation Board and will be reviewed for correctness.

(Amended by Ord. Nos. 09-05; 09-23)

15-11-11. DESIGN GUIDELINES FOR PARK CITY'S HISTORIC DISTRICTS AND HISTORIC SITES.

The HPB shall promulgate and update as necessary Design Guidelines for Use in the Historic District zones and for Historic Sites. These guidelines shall, upon adoption by resolution of the City Council, be used by the Planning Department staff in reviewing Historic District/Site design review Applications. The Design Guidelines for Park City's Historic Districts and Historic Sites shall address rehabilitation of existing Structures, additions to existing Structures, and the construction of new Structures. The Design Guidelines are incorporated into this Code by reference. From time to time, the HPB may recommend changes in the Design Guidelines for Park City's Historic Districts and Historic Sites to Council, provided that no changes in the guidelines shall take effect until adopted by a resolution of the City Council.

(Amended by Ord. No. 09-23)

15-11-12. HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW.

The Planning Department shall review and approve, approve with conditions, or deny, all Historic District/Site design review Applications involving an Allowed Use, a Conditional Use, or any Use associated with a Building Permit, to build, locate, construct, remodel, alter, or modify any Building, accessory Building, or Structure, or Site located within the Park City Historic Districts or Historic Sites, including fences and driveways.

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5. Whenever a conflict exists between the LMC and the Design Guidelines, the more restrictive provision shall apply to the extent allowed by law.

(A) **PRE-APPLICATION
CONFERENCE.**

(1) The Owner and/or Owner's representative shall be required to attend a pre-Application conference with representatives of the Planning and Building Departments for the purpose of determining the general scope of the proposed Development, identifying potential impacts of the Development that may require mitigation, providing information on City-sponsored incentives that may be available to the Applicant, and outlining the Application requirements.

(2) Each Application shall comply with all of the Design Guidelines for Historic Districts and Historic Sites unless the Planning Department determines that, because of the scope of the proposed Development, certain guidelines are not applicable. If the Planning Department determines certain guidelines do not apply to an Application, the Planning Department staff shall communicate, via electronic or written means, the

information to the Applicant. It is the responsibility of the Applicant to understand the requirements of the Application.

(3) The Planning Director, or his designee, may upon review of a Pre-Application submittal, determine that due to the limited scope of a project the Historic District or Historic Site Design Review process as outlined in LMC Sections 15-11-12(B-E) is not required and is exempt.

If such a determination is made, the Planning Director, or his designee may, upon reviewing the Pre-Application for compliance with applicable Design Guidelines, approve, deny, or approve with conditions, the project. If approved, the Applicant may submit the project for a Building Permit.

Applications that may be exempt from the Historic Design Review process, include, but are not limited to the following:

(a) For Non-Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, foundations, windows, doors,

trim, lighting, mechanical equipment, paths, driveways, retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.

(b) For Significant Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood, the Historic Structure or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, replacement of windows and doors in existing or to historic locations, trim, lighting, mechanical equipment located in a rear yard area or rear façade, paths, driveways, repair of existing retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.

(c) For Landmark Historic Structures and Sites - minor routine maintenance and minor routine construction having no negative impact on the historic character of the surrounding neighborhood,

the Historic Structure, or the Historic District, such as re-roofing; repair of existing decks, railing, and stairs; hot tubs and patios located in a rear yard; replacement of existing windows and doors in existing or historic locations; repair of existing trim and other historic detailing; lighting, mechanical equipment located in a rear yard area or rear façade, repair of paths, driveways, and existing retaining walls; fences, landscaping, interior remodels, temporary improvements, and similar work.

(B) **COMPLETE APPLICATION.**

The Owner and/or Applicant for any Property shall be required to submit a Historic District/Site design review Application for proposed work requiring a Building Permit in order to complete the work.

(C) **NOTICE.** Upon receipt of a Complete Application, but prior to taking action on any Historic District/Site design review Application, the Planning staff shall provide notice pursuant to Section 15-1-12 and 15-1-21 of this Code.

(D) **DECISION.** Following the fourteen (14) day public notice period noted in Section 15-1-21 of this Code. The Planning Department staff shall make, within forty-five (45) days, written findings, conclusions of law, and conditions of approval or

reasons for denial, supporting the decision and shall provide the Owner and/or Applicant with a copy. Staff shall also provide notice pursuant to Section 15-1-21.

(1) Historic District/Site design review Applications shall be approved by the Planning Department staff upon determination of compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites. If the Planning Department staff determines an Application does not comply with the Design Guidelines, the Application shall be denied.

(2) With the exception of any Application involving the Reconstruction of a Building, Accessory Building, and/or Structure on a Landmark Site, an Application associated with a Landmark Site shall be denied if the Planning Department finds that the proposed project will result in the Landmark Site no longer meeting the criteria set forth in 15-11-10(A)(1).

(3) An Application associated with a Significant Site shall be denied if the Planning Department finds that the proposed project will result in the Significant Site no longer meeting the criteria set forth in 15-11-10(A)(2).

(E) **APPEALS.** The Owner, Applicant, or any Person with standing as defined in Section 15-1-18(D) of this Code may appeal any Planning Department decision made on a Historic District/Site design review

Application to the Historic Preservation Board.

All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project, and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

Notice of all pending appeals shall be made by staff, pursuant to Section 15-1-21 of this Code. The appellant shall provide required stamped and addressed notice envelopes within fourteen (14) days of the appeal. The notice and posting shall include the location and description of the proposed Development project. The scope of review by the Historic Preservation Board shall be the same as the scope of review at the Planning Department level.

(1) The Historic Preservation Board shall either approve, approve with conditions, or disapprove the proposal based on written findings, conclusions of law, and conditions of approval, if any, supporting the decision, and shall provide the Owner and/or Applicant with a copy.

(2) Any Historic Preservation Board decision may be appealed to

the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of the Historic Preservation Board decision. Notice of all pending appeals shall be made by staff, pursuant to Section 15-1-21 f this Code. Appeals shall be considered only on the record made before the Historic Preservation Board and will be reviewed for correctness.

(Amended by Ord. Nos. 09-23; 10-11; 11-05)

15-11-13. RELOCATION AND/OR REORIENTATION OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the relocation and/or orientation of Historic Buildings, Structures, and Sites.

(A) **CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Planning Department shall find the project complies with the following criteria:

(1) A portion of the Historic Building(s) and/or Structure(s) encroaches on an adjacent Property and an easement cannot be secured; or

(2) The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or

(3) The Planning Director and the Chief Building Official determine that unique conditions warrant the proposed relocation and/or reorientation on the existing Site; or

(4) The Planning Director and the Chief Building Official determine that unique conditions warrant the proposed relocation and/or reorientation to a different Site.

(B) **PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the relocation and/or reorientation of any Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.

(Created by Ord. No. 09-23)

15-11-14. DISASSEMBLY AND REASSEMBLY OF A HISTORIC

BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the **Disassembly** and reassembly of Historic Buildings, Structures, and Sites.

(A) **CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE.** In approving a Historic District or Historic Site design review Application involving **Disassembly** and reassembly of the Historic Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the **Planning Department Historic Preservation Board** shall find the project complies with the following criteria:

- (1) A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) cannot reasonably be moved intact; or
- (2) The proposed **Disassembly** and reassembly will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
- (3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or
- (4) The Planning Director and the Chief Building Official

determine that unique conditions and the quality of the Historic preservation plan warrant the proposed **Disassembly** and reassembly;

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and

The Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.

(B) **PROCEDURE FOR THE DISASSEMBLY AND REASSEMBLY OF A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the **Disassembly** and reassembly of any Historic Building(s) and/or Structure(s) on a Landmark Site of a Significant Site within the City shall be reviewed by the **Planning Department Historic Preservation Board** pursuant to Section 15-11-12 of this Code.

If an Application involving the **Disassembly** and reassembly of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the reassembled Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

(Created by Ord. No. 09-23; Amended by Ord. No. 11-05))

15-11-15. RECONSTRUCTION OF AN EXISTING HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the Reconstruction of Historic Buildings, Structures, and Sites.

(A) **CRITERIA FOR RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** In approving an Application for Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the [Planning Department Historic Preservation Board](#) shall find the project complies with the following criteria:

- (1) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; and
- (2) The Historic Building(s) and/or Structure(s) cannot be made safe and/or serviceable through repair; and
- (3) The form, features, detailing, placement, orientation and location of the Historic Building(s) and/or Structure(s) will be accurately depicted, by means of new construction, based on as-built measured drawings, historical records, and/or current or Historic photographs.

(B) **PROCEDURE FOR THE RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the Reconstruction of any Historic Building and/or Structure on a Landmark Site or a Significant Site within the City shall be reviewed by the [Planning Department Historic Preservation Board](#) pursuant to Section 15-11-12 of this Code.

If an Application involving the Reconstruction of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the Reconstructed Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

(Created by Ord. No. 09-23; Amended by Ord. No. 11-05)

15-11-16. DEMOLITION OF HISTORIC BUILDINGS, STRUCTURES AND SITES.

It is the intent of this and succeeding sections to preserve the Historic and architectural resources of Park City, through limitations on Demolition of Historic Buildings, Structures and Sites to the extent it is economically feasible, practical and necessary. The Demolition or removal of Historic Buildings, Structures and Sites in Park City diminishes the character of the City's Historic District and it is strongly discouraged. Instead, the City recommends and supports preservation, renovation,

adaptive reuse, Reconstruction, and relocation within the Historic District. It is recognized, however, that economic hardship and other factors not entirely within the control of a Property Owner may result in the necessary Demolition of a Historic Building, Structure or Site.

(A) **DEMOLITION, RECONSTRUCTION, OR REPAIR OF HAZARDOUS BUILDINGS.** If, upon review, the Chief Building Official determines the subject Building, Structure or Site to be structurally unsound, and a hazardous or dangerous Building, pursuant to Section 116.1 of the International Building Code, the Chief Building Official may order its Demolition, Reconstruction, or repair.

(B) **REQUIREMENT FOR STAY OF DEMOLITION.** In the absence of a finding of public hazard, the Application for Demolition shall be stayed for 180 days.

(Amended by Ord. Nos. 09-10; 09-23; 11-05)

15-11-17. CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION (CAD).

With the exception of any Building or Structure falling under the purview of Section 116.1 of the International Building Code or undergoing complete renovation/reconstruction in compliance with this Chapter, no Building, other Structure or Site deemed to be Historic, pursuant to the standards of review set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) herein, may be Demolished

without the issuance of a Certificate of Appropriateness for Demolition (CAD) by an independent CAD Hearing Board appointed by the City. Application for a CAD shall be made on forms prescribed by the City and shall be submitted to the Planning Department.

(Amended by Ord. Nos. 06-35; 09-10; 09-23)

15-11-18. CAD PRE-HEARING APPLICATION REQUIREMENTS.

Upon submittal of a CAD Application to the Planning Department, a pre-hearing period of forty-five (45) days shall commence, during which time the Owner shall allow the City to post and sustain a visible sign stating that the Property is “threatened.” Said sign shall be at least three feet by two feet (3’X2’), readable from a point of public Access and state that more information may be obtained from the Planning Department for the duration of the stay. In addition, the Owner shall conduct negotiations with the City for the sale or lease of the Property or take action to facilitate proceedings for the City to acquire the Property under its power of eminent domain, if appropriate and financially possible.

At the end of the forty-five (45) days, the Application will be scheduled for a hearing before the CAD Hearing Board, upon showing that the above requirements have been met and all economic hardship information required has been submitted. The Applicant must also submit fees in accordance with the Park City Municipal fee schedule. The Planning Department staff shall notify the Owner if any additional

information is needed to complete the Application.

(A) **CAD HEARING BOARD.** Upon confirmation of receipt of a complete CAD Application, the City shall appoint an independent CAD Hearing Board, consisting of three (3) members, for the purpose of reviewing and taking action upon the Application. The City Manager shall appoint the CAD Board as the need might arise, solely for the purpose of reviewing and taking final action on all CAD Applications.

It is the first priority of the City that the CAD Board has substantial experience in finance, real estate, and commercial business interests. Hence, the Board should possess the following qualifications, or represent the following interests:

- (1) A member appointed at large from Park City with demonstrated knowledge of economics, accounting and finance;
- (2) A member appointed at large from Park City who is an attorney at law; and
- (3) A member appointed from the Board of Adjustment.

15-11-19. CAD HEARING.

At the hearing, the CAD Hearing Board will review the Application pursuant to the economic hardship criteria set forth in Section 15-11-19(A) herein, and consider public input. The CAD Hearing Board may only approve Demolition of a Historic

Building, Structure or Site if the Owner has presented substantial evidence that demonstrates that unreasonable economic hardship will result from denial of the CAD Application.

(A) **ECONOMIC HARDSHIP CRITERIA.** In order to sustain a claim of unreasonable economic hardship, the Owner shall provide information pertaining to whether the Property is capable of producing a reasonable rate of return for the Owner or incapable of beneficial Use. The City shall adopt by resolution separate standards for investment or income producing and non-income producing Properties, as recommended by the HPB. Non-income Properties shall consist of Owner occupied Single-Family Dwellings and non-income producing institutional Properties. The information required by the City may include, but not be limited to the following:

- (1) Purchase date, price and financing arrangements;
- (2) Current market value;
- (3) Form of ownership;
- (4) Type of occupancy;
- (5) Cost estimates of Demolition and post-Demolition plans;
- (6) Maintenance and operating costs;
- (7) Costs and engineering feasibility of rehabilitation;
- (8) Property tax information; and

- (9) Rental rates and gross income from the Property.

The CAD Hearing Board, upon review of the CAD Application, may request additional information as deemed appropriate.

(B) **CONDUCT OF OWNER**

EXCLUDED. Demonstration of economic hardship by the Owner shall not be based on conditions resulting from:

- (1) willful or negligent acts by the Owner; or
- (2) purchasing the Property for substantially more than market value at the time of purchase; or
- (3) failure to perform normal maintenance and repairs; or
- (4) failure to diligently solicit and retain tenants; or
- (5) failure to provide normal tenants improvements.

(C) **DECISION.** The CAD Hearing Board shall make written findings supporting the decision made. The CAD Hearing Board may determine that unreasonable economic hardship exists and approve the issuance of a CAD if one of the following conditions exists:

- (1) For income producing Properties, the Building, Structure or Site cannot be feasibly used or rented at a reasonable rate or return

in its present condition or if rehabilitated and denial of the Application would deprive the Owner of all reasonable Use of the Property; or

- (2) For non-income producing Properties, the Building, Structure or Site has no beneficial Use as a residential dwelling or for an institutional Use in its present condition or if rehabilitated, and denial of the Application would deprive the Owner of all reasonable Use of the Property; and

- (3) The Building, Structure or Site cannot be feasibly Reconstructed or relocated.

(D) **APPROVAL.** If the CAD Hearing Board approves the Application, the Owner may apply for a Demolition permit with the Building Department and proceed to Demolish the Building, Structure or Site in compliance with other regulations as they may apply. The City may, as a condition of approval, require the Owner to provide documentation of the Demolished Building, Structure or Site according to the standards of the Historic American Building Survey (HABS). Such documentation may include a complete history, photographs, floor plans, measured drawings, an archeological survey or other information as specified. The City may also require the Owner to incorporate an appropriate memorializing of the Building, Structure or Site, such as a photo display or plaque, into the proposed replacement project of the Property. Approval of a CAD shall be valid for one (1) year.

(E) **DENIAL**. If the CAD Hearing Board denies the Application, the Owner shall not Demolish the Building, Structure or Site, and may not re-apply for a CAD for a period of three (3) years from the date of the CAD Hearing Board's final decision, unless substantial changes in circumstances have occurred other than the re-sale of the Property or those caused by the negligence or intentional acts of the Owner. It shall be the responsibility of the Owner to stabilize and maintain the Property so as not to create a structurally unsound, hazardous, or dangerous Building, as identified in Section 116.1 of the International Building Code. The City may provide the owner with information regarding financial assistance for the necessary rehab or repair work, as it becomes available.

(F) **APPEAL**. The City or any Persons adversely affected by any decision of the CAD Hearing Board may petition the District Court in Summit County for a review of the decision. In the petition, the plaintiff may only allege that the Officer's decision was arbitrary, capricious, or illegal. The petition is barred unless it is filed within thirty (30) days after the date of the CAD Hearing Board's decision.

(Amended by Ord. Nos. 09-10; 09-23; 10-11; 11-05)

1.80 DEVELOPMENT AGREEMENT.

A contract or agreement between an Applicant or Property Owner and the City pursuant to the provisions in this Code and used as an implementation document for Master Planned Developments.

1.81 DEVELOPMENT APPROVAL APPLICATION. Includes any Application for any Development approval including, but not limited to Grubbing, Grading, an alteration or revision to an approved MPD, Conditional Use permit (CUP), zoning or rezoning, Subdivision, or annexation. The term "Development Approval Application" shall not include any Building Permits associated with construction within an approved Subdivision or on an existing platted Lot unless otherwise specified.

1.82 DEVELOPMENT CREDIT. A credit measured in Unit Equivalents that denotes the amount of density on a Sending Site which may be Transferred.

1.83 DEVELOPMENT CREDIT CERTIFICATE. The certificate issued by the Planning Director of Park City that represents the total number of development credits recognized for and derived from the sending site that may be Transferred.

1.84 DEVELOPMENT RIGHT. The right held by a fee simple property owner to build on a legally established parcel of real property. This right is limited by applicable zoning ordinances.

1.85 DISABLED CARE. A long-term care residential facility for disabled Persons, Persons suffering from a physical or mental impairment that substantially limits one (1)

or more of a Person's major life activities, including a Person having a record of such an impairment or being regarded as having such an impairment.

1.86 DISASSEMBLY. The act or process of taking apart a Historic Building or Structure in the largest workable components possible for the purpose of accurately reassembling it in its original form, location, and orientation

1.87 DISSIMILAR LOCATION. A location that differs from the original location in terms of vegetation, topography, other physical features, and proximity of Structures.

1.88 DWELLING.

(A) **Dwelling, Duplex.** A Building containing two (2) Dwelling Units.

(B) **Dwelling, Triplex.** A Building containing three (3) Dwelling Units.

(C) **Dwelling, Multi-Unit.** A Building containing four (4) or more Dwelling Units.

(D) **Dwelling, Single Family.** A Building containing not more than one (1) Dwelling Unit.

1.89 DWELLING UNIT. A Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.

1.90 ECONOMIC HARDSHIP.

PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 15- Definitions

15-15-38

Facility, Co-Location)	Dwelling, Multi-Unit
Commercial Use	Dwelling, Single Family
Commercial Use, Support	Dwelling Unit
Commercial Use, Resort Support	
Common Area	-E-
Common Ownership	Economic Hardship, Substantial
Compatible or Compatibility	Elder Care
Conditional Use	Elevator Penthouse
Condominium	Equipment Shelter (see Telecommunications
Conservation Activity	Facility, Equipment Shelter
Conservation Easement	Escrow
Constitutional Taking	Essential Historical Form
Construction Activity	Exterior Architectural Appearance
Construction Mitigation Plan	
Construction Plan	-F-
Contributing Building, Structure, Site/Area	Facade, Building
or Object	Facade, Front
Council	Facade Easement
Cover, Site	Facade Shift
Crawl Space	Fence
Crest of Hill	Filtered Light Fixture
Cul-de-sac	Final Action
	Final Plat
-D-	First Story
Deli or Delicatessen	Flood Plain Area
Demolish or Demolition	Floor Area, Gross Commercial
Density	Floor Area, Gross Residential
Design Guideline	Floor Area, Net Leasable
Detached	Floor Area Ratio (FAR)
Developable Land	Foot Candle
Developer	Foot Candle, Average (afc)
Development	Foot Candle, Horizontal (hfc)
Development Agreement	Foot Candle, Vertical (vfc)
Development Approval Application	Frontage
Development Credit	Fully Shielded
Development Credit Certificate	
Development Right	-G-
Disabled Care	Garage, Commercial
<u>Disassembly</u>	Garage, Front Facing
Dissimilar Location	Garage, Private
Dwelling, Duplex	Garage, Public
Dwelling, Triplex	Geologic Hazard

DRAFT MEETING MINUTES

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 3 AND 4, 2011**

ROLL CALL

Mayor Dana Williams called the annual City Council Visioning Session to order at approximately 8:30 a.m. at the Lloyd D. Evans, Jr., Conference Room at the Park City Police Facility on Thursday, February 3, 2011. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Michael Kovacs, Assistant City Manager.

CLOSED SESSION

Liza Simpson, "I move to close the meeting to discuss property and personnel". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 11:30 p.m. Candace Erickson, "I move to open the meeting". Liza Simpson seconded. Motion unanimously carried.

Historic Preservation - HPB and Planning Commission Included HPB members Roger Durst, Ken Martz, Sara Werbelow, David White, and David McFawn.

Thomas Eddington – role of HPB, they have expressed interest in more proactive role with regard to preservation. Executive summary reviews history of transition from hdc to hpb

Purpose statements of HPB in LMC and staff has made recommendations regarding areas they HPB has expressed to us in various visioning sessions and work sessions. Want to talk about hpb and reconstruction issues in second part of report. Proactive steps we would like to work with HPB on.

DW – Dec 16, Council work session discussion regarding adding independent review/assessment for any proposed reconstruction project. That was talking about independent review with regard to an applicant that comes in requesting reconstruction. We typically left it up to them and their architect to do and have them seal that. There was discussion of having 3rd party architect or structural engineer document that. When staff came forward about 1 ½ years ago and created new historic site inventory there was tremendous amount of discussion that the initial draft had lost a number of houses. We then added significant structures so we had two tiers, landmark and significant. There was discussion at that point that challenges of owning historic home in old town became greater. Restrictions were greater, design review process got longer, added design review team, no doubt we tried to make it more one on one and friendly but it got more detailed, more refined, more black and white. Given that how do we help out these homeowners and one issues was the opportunity to look at additional historic grants, increasing the grants, look into redevelopment area, are there more monies we could devote. Coming back to incentivizing what you want to see. Don't know monetary impact for thorough analysis for detailed preservation plan, 2-6,000.

Labor costs for panelization are high. Owner could save money by reconstruction. Park ave house, total shock and awe, realized, we understand the application was before new guidelines kicked in, based on all HDC guidelines, but – we are all concerned that toughest thing to do in this town is tear down a house in old town.

DW We have heard different things from you about how we should be looking at things. In terms of reading things you sent us, is that reflection of Board? Are you in agreement that this board should be tweaked so that it is in more of regulatory stance than an appeal stance. Have you talked in terms of appeals if you are coming in at different level – seems this is nitty gritty of what we wanted to get to today.

They are mutually exclusive. If we are putting you in position where you are reviewing reconstructions that will involve demolitions, threatened buildings, etc., you are losing ability to be appeal board for it. What are your best thoughts

Roger Durst, would initially defer. Have made my case well known in communications with Council and with Te and his staff and have sent copy to board. My feelings are that the design review process is not don't see in all deference to Tom a vast improvement and before I make any more comments I defer to any of board members here who might like to express themselves about that.

Sarah Werbelow – I have been selected as first board member to participate in design review process. Have ben to one meeting, little early to make definitive comment. Had an epiphany in the meeting and the process I was able to witness was reason I chose to serve. Had a chance to see that guidelines are being utilized and it is too soon to make a judgment as to how these guidelines are going to affect design and the impact on the historic district. Thanked Roger, took me while to understand what you were getting at with whole design review team process but had a sense that there is a process at work, very structured process, guidelines are carefully utilized. Saw how guidelines are being put into practice and design community is going to get sense to see how they need to be factored into the process. Little soon to make judgment. Would love to see each commission member to have chance to see process at work and get sense for how guidelines are translating into reality. Useful and inspiring. **Having HPB be involved with determination of historic significance or CAD process or anything pertaining to demolition/reconstruction would be critical role.** Don't know how that interacts with appeal scenario. That one specific issue is such a passionate hot button issue for community that being on this board and not having those applications come before doesn't make any sense.

Ken Martz - go along with what Sarah mentioned last. David White and I were both on old historic district commission in the 90s. was chair through establishment of new guidelines that we have. Area of oversight has been issue gone back and forth with and Tom E has outlined issues we have. In favor of new guidelines, they need to have chance to work. Need another year to have most of it go through process. Still want to address reconstruction issue – that was such difficult process, not that anyone made a mistake, in area of reconstruction we need some oversight which acts as PR system to get word out – takes care of issues along the way. Need oversight in this one area. Oversight takes care of issues along the way. We need this oversight just in one area – te outlined cost of having us involved, additional time in process, not asking for panelization, regular areas, in this one area we need oversight. Would help to have us involved in that one area and go through the process and see if all ducks are in row. Other one is inventory – nothing has been mentioned about the inventory. How does this affect the

inventory, are we going to lose properties off inventory the negative feeling it gives to people when backhoes start tearing something down. Needs to be addressed.

DW – do you feel that what was done on redone on panelization works and if that is something. Distillery was done on new guidelines. Reconstruction guidelines came out through national parks.

TE – had reconstruction in old guidelines and when we came to you for the new historic site and expanded it, we at that time had already included reconstruction it got reinforced, reconstruction for significant structures anyway, that got added in as cast net bigger. Department of Interior – method of last resort, listed that way in your guidelines too.

Don't think you are interested in historic preservation if you are going to build and sell for \$2M. not labor of love. We have to watch and maintain inventory there are huge amount of projects under old guidelines that is a donut hole and ambiguous as to how that process works. HPB needs to have oversight on reconstruction under both the old and new guidelines. Something to review that process.

DW Having our eyes open as to what limitations of significant and landmark studies work. Visual representation of each house, not structural ... in terms of moving forward and we have talked about the fact that should we go that next step with significant and landmark houses – it will cost a fortune to do it, or is it the type of thing that if something is coming up with an action associated with it that kicks in certain

David White – one of most important things we need to do right now is include HPB in any applications for demolition. We need to be involved with planning, building depts. In review of CAD process – another set of eyes and ears.

Cindy m – what happened on park avenue was not demolition so I think we have to make sure you don't to just be involved in demolition, you want to be involved with reconstruction.

David – when you have a demolition, theoretically you are going to have a reconstruction.

Cindy – if it comes under classification of reconstruction we are only going to look at demolitions – I want to make sure that we don't want to miss out.

Two go hand in hand. One of the mistakes that were made, they decided to take building down but project wasn't going to start for 6-8 months so they took it down and we end up with vacant lot with for sale sign. That freaked everybody out. If there was going to be demolition it should have been postponed until just before the project was going to start rather than having all this time with vacant lot. Those two things go hand in hand.

David McFawn – process needs a chance to play itself under new rules before we start saying they don't work. We want to look forward to make sure they will work given these circumstances that came into play this time around. Talked about communication, how much time was spent doing damage control educating all of us, council, board, citizens – what happens if there is a sign that explains they are using panelization, restoring project, rendering of what it will look like.

Watts garage panelization project was one of the best preservation projects that we have done.

Liza – bigger concern is properties that are demolition by neglect. That is how we end up with properties that need to be reconstructed rather than restored. We need to set process where HPB reviews all cads and reconstructions, appeal process..... Comes out of your hands..... probably best way to insure – have second set of eyes and Second level of review for this most

extreme last resort option for these buildings happens. Would like to not lose trust with all the other communications tools and ideas that you talk about implementing. Our historic district is in danger partially because of how small it was when it started. Equally important to keeping historic district is making sure infill is contributory. Much better partnership between HPB and Historic Society – should be jointed at hip.

Candy – don't have issue with HPB getting more involved in this one are and maybe that is first step.

Don't think it is bad thing if HPB doesn't act as appeal board on every issue

Cindy having another set of eyes look at reconstruction and demolition very critical – old town is crucial to our town and sense of community, economic drivers, etc. favor giving extra responsibility to HPB. Clarify donut hole – not just things going forward under new guidelines but all inventory that is coming up that will be done under old guidelines over next year or so. Need to look at those also. It will be a cost to homeowners and I think that one you take on buying a historic home. Not burdensome to historic homeowner to get second evaluation as to whether something should be demolished or reconstructed, if you are just relying on homeowner and their architect you aren't getting clear picture. We expect inside of historic homes to be gutted and rearranged, we are looking at outside and face to public and scale and what it adds to existing neighborhood. What was appeals process before when HDC denied something – varied – Council switched to Board of Appeals. Look for ways to incentivize people.

Alex – whole idea of regulation to extreme level bothers me, in order to move forward with restoration versus reconstruction, we need to be very specific. At what point do I have enough information. Specificity – planning commission had discussion about neighborhoods and putting in LMC, raised question of what is neighborhood – is it Old Town, Park Meadows, could be narrower than that it could 16 square block area. tear down reconstruction versus restoration, has to be clear. How many boards do you have to have, how restorable does a place have to be in order to qualify as a reconstruction. Legislative question which goes to, you have a house that everybody recognizes should be torn down and don't have a plan for it yet – catch 22 dilemma of am I forced to tear it down, do I leave it in unsafe condition because I'm not ready to build and know I have a 6 month clock – is that resolved in any of this somewhere.

TE – if you have a house that has been deemed unsafe by the building official you would have to prepare preservation plan outlining exactly what house consists of now, measurements, drawings, materials, and it could be torn down for reconstruction.

Polly – situation like that, either person would have to shore up house if they didn't want to tear it down so that it could remain standing and be safe, or if they were to enter into preservation plan and do all that, we have in language the timeframes by which they have from date of demolition get a CO, lien or guarantee, if they don't the City has the right to pull that money to ensure that it gets rebuilt. Most cost effective, shore it up

Joe – historic homes are important to our character and our branding. We have seen a lot of people build on them and have lost a lot of that value. It is appropriate to ramp things up with both incentives and regulation and review. Willing to look at funding through RDA. Look at smaller grants to help people with reconstruction and look at possibility of other ways such as just giving money from RDA or density transfer to encourage them not to reconstruct at all or minimize it. Additional layer of outside architect if cost is reasonable and fair. Okay with HPB involvement in design review.

Dana – in terms of demolition associated with or a reconstruction, HPB would be required to add another layer in there.

Liza – clarify what Sarah does.

Sarah – HPB doesn't see applications that come into the city for remodel, new construction, or demolition/reconstruction in the historic district idea was to have a member of the board sit in as an observer only to get a sense for what the process looks like.

Just focus on reconstruction section only

If that is going to be the case, and a board member sits in as an observer, should go a step further and that individual should be able to share in some capacity some findings with the board that can be useful. New design guidelines are supposed to be more fluid than original guidelines and that was one of the issues, it wasn't an evolving document and now the way these guidelines are written the purpose is that they can be fluid. So, as things are observed and shared with commission if there are places that those guidelines can be cleaned up or amended to have more use, that could be a way to utilize that observation role. Actually has to be a purpose for what one witnesses to show the commission they can have some kind of impact on guidelines.

DW do you see that as something that
TE guideline specific.

Dana – the goal of the new guidelines, which I think we are all on the same page, was that so someone is buying in Old town they could grab something, sit down and read it, and have some basic understanding. They are not going to know every nuance, the realtor is not going to tell them, but basically what they could do and what they couldn't do.

Thomas E – as well, exactly what Sarah said, they would grow and evolve year after year. We would come back and relook at them. The old guidelines were written in 1983, things have changed.

Gary Kimball - One of things when I was heading up the commission then was that we wanted it to be fluid so we could tweak it every year and Tom has addressed that and

Roger Durst – thanks for opening this dialogue. It's necessary and it is my concern that this historic preservation board is a more proactive entity. Compliment Tom on his commentary and I certainly Those recommendations he just made. It is, I think we are on the right track. I have a much bigger goal and otherwise I wouldn't be so outspoken. Have spent a good deal of my career in historic preservation. Have worked on 3 buildings that were on listing of National Historic Register and I think I understand it. I have also participated in my community, I am an outsider, I live in Salt Lake City in the Avenues, a portion of which is an historic district. I have served on the Board of Utah Heritage Foundation. Having said that, I think there are some, we will make the same mistakes that these other communities have made and will lose our historic sense if we don't go beyond that. I participated in the deliberations, it took a year or more when we talked about these guidelines and I think they are good. They are a wonderful presentation to either an architect or property buyer in the town as to what it is we are looking for. They are guidelines and they should not be dealt with as regulations. I don't have a concern, as an architect I have dealt with the design review team and I understand what they are doing. Unfortunately, these people are regulators, they are controllers, they adjudicate, they prescribe and they regulate. That is their function and there is nothing wrong with that. The problem that I have is the subjective side of this. I have gone through these guidelines and I have listed 42

items of valuation that are subjective. From what I have seen, what has come to the historic preservation board from the DRT, I think they have done a remarkable job. If you don't go beyond those prescriptive remedies and look at these buildings in context, you can't salvage the historic essence, the character, high standards, feasibility ... distinctive, I won't go through all of these but that is the kind of evaluation that I think needs to be made. One of the things about the US Secretary of Interior's Guidelines for Rehabilitation, they deal with buildings individually in an historic sense. What it is to restore this building individually. What we are talking about in this community is retaining the context of history. In another few years, we will have the a-frames and recreational buildings that in fact will become a part of our history and we need to look at that. It is the mining, it is the depression, it's the regeneration. That is the kind of history that is important and I respectfully understand the need not to be excessively subjective. I don't want attorneys designing this town.

Dana – there is a word that you used last year – delight.

Roger Durst – It is that character that we want to sustain because it has such great cultural, social and economic value to us. We are on the right track and because you have opened this dialogue, I would continue to be aggressive beyond these controls. I think there needs to and the start of this is, I think we have a bunch of committed, well-intentioned, bright people on this board. They make judgments about music, food they eat, plays they go to see, movies that they enjoy; there is no reason they can't do that about their town.

Liza – having spent a lot of blood, sweat and tears maintaining an 1880's building in Old Town, I am fairly familiar without being able to make a professional opinion of parts of it that needed to be replaced and milled to match. Currently, per our guidelines and our regulations the building department makes a determination as to whether a building is up for reconstruction or that there is "x" amount of rot, there is "x" amount of ..., the one that struck me that we toured was the one down on Lower Woodside, which I don't think was the raccoon house, not only was in horrible shape but had been remodeled and basically Ron wanted them to tear it down. We do have a professional determination being made by someone in the City.

Thomas E – if a building is deemed unsafe by the building official, that is a more proactive step by the city. If somebody is coming in and buying an old house and they want to submit an historic district design review application, they would come in and we would work them through the DRT process, of which Sarah is a part, and we would see what they are proposing with their architect, work with them, if they said you haven't been out to this house, but let me tell you, this thing is a ... their structural engineer would bring in photographs, documentation, prepare preservation plan that recommends reconstruction. We would generally send the planner and building official out to look at that to basically make a determination that that was true. We are basing it on their architect's or structural engineer's application.

Liza - We are verifying it. We are talking about that extra layer of inspection, that third party inspection, which I don't think that is a bad idea, but I want to be clear that we are currently verifying by a qualified person.

David White – but we are also proposing an extra review from our board.

Liza – I get it, but when we started talking about that third party inspection by a professional, I wanted to make sure that was a different extra layer as opposed to ...

Thomas Eddington – it is already there, this would be in addition

Alex Butwinski In future who is going to know whether I restored, or reconstructed, that house. Driving down the street it looks exactly the same.

Dana - bring this to a close because ...

Jeff Love – Application in for 811 Norfolk – it has been a 10 month process, every historic house has some unique situations and circumstances and part of reason I attended today is hoping at some point, I think there are some things that happened .. streamlined better for future people and I would like to be able at some point to convey that.

Dana – is it possible for you to write that up and send it to us?

Jeff – it would take a long time, I would rather just do it verbally at some point if that is possible. One thing I would like to convey today that I think people have brought up statement that they don't know if the design guidelines were working or not and I have a great example of how I think they are working. Tom Peek owns house at 957 Woodside. It is a landmark house, like my house it is a landmark house, each property consists of 3,000 sf, exactly same lot sizes. In my application, I am proposing a 2,450 sf house; Tom's house has approvals from old guidelines for 3700 sf. His house is essentially the exact historic house, both landmarked, both on same lot size, but his house is 1/3 bigger. Some of things that are working is that 4 stories aren't allowed anymore; there is transitional element from historic house to new house, that reduces square footage, and in my case if I could move the house forward that would allow additional square footage. There are limitations on movements of the house. If I could move it forward that would add square footage. The point is that the design guidelines are working. I personally think the pendulum has swung too far the other way. I have some great examples of flaws, I think, in the design guidelines. My favorite, and I think it is very interpretation neighbors to contest the project but under new construction B1.4 it says "taller portions of buildings should be constructed so as to minimize obstruction of sunlight to adjacent yards rooms". How do you build anything in Old Town and not affect sunlight to an adjacent property? That is so subjective and leaves it wide open for some neighbor to challenge your project. There are a lot of good things in the design guidelines, but there are some things that need to be looked at. There are also a lot of inconsistencies between the design guidelines and the Land Management Code, and I have some great examples. It says that the more restrictive should apply, but there are inconsistencies and conflicting information between the two.

Dana – let's set something up where we can sit down for an hour

Dana – there were some recommendations on page 3 and 4 in terms of an action plan on certain things associated with you guys. Are you okay with moving ahead and adding some of these things to your plate, and (c) specifically ... HPB Action Plan for 2011, the second page starts with c on the top.

I think this goes to what you were saying Sarah is that, this is saying it would be once or twice a year, but maybe that we make that quarterly or as needed if something comes up. I want the dialogue to continue because it seems like where we get sideways at times is at times when we are all so caught up in everything else that we are doing that we don't talk to each other. Are you basically okay with this action plan?

HPB members – yes - other than it doesn't address the old guidelines, the only thing

Liza requested clarity from Mark. Would we be changing the LMC to give HPB review authority over demolitions and reconstructions

Mark Harrington – anything that doesn't currently have an approval, even though if it is pending you are adding ... I think you could probably do that, but if they have already got staff approval you couldn't add another layer of approval.

Liza – but that does make the doughnut hole much smaller

Tom Bakaly – one clarification I had ...

Thomas E –we reviewed old reconstructions for old guidelines and we list the six houses that have actually had been, or will be, reconstructed. These have been demolished and they will be reconstructed. We tried to look back to see if there were others, there may be two, it was unclear in the notes. That doughnut hole is not very big.

....

Dana – basically, we are moving ahead with the action plan for 2011 and we are going to move ahead to try to set this up so that we are adding authority to HPB in terms of demolition, demolition by neglect, reconstruction, and things associated with CAD.

Liza – are we going to add the 3rd party inspection?

Dana – part of that is wanting architects to look at it, or is it structural engineers?

Liza – my thought was structural, but I am certainly okay for at least a while going for

Dana –agreed that they move ahead with it,

Liza – are we increasing due diligence enough by having these go to the HPB when we know that Roger is going out and doing inspections, or do we think in addition to raising the level of vigilance we have to have another.

Thomas E – recommendation, go that way with this level and then as this body also works with you and the planning commission, to look at maybe RDA funds, etc, maybe there is a way to move to that next level that is a little less burdensome.

Dana – as part of their review process couldn't they say we don't have enough information to the applicant and that you need to have a structural engineer go through this house and we are not going to proceed further with this until you do that report.

Mark H – let us come back with clarity. Problem with this element is it is a real hot topic for legislators right now in terms of independent fees that municipalities are utilizing on this. We don't want to give them cause We may already have the ability in terms of existing lmc. Staff will come back with some detailed recommendations.

Joe – although think these guys are totally capable and interested in performing that function to a high degree, that protection in the long run, you never know what is going to happen with this body and these people, nice to have some level of protection from outside

Tom – we will come back as LMC change and you will all have a chance to discuss it

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
AUGUST 10, 2011

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Mick Savage, Jack Thomas, Nann Worel

EX OFFICIO:

Planning Director, Thomas Eddington; Planner, Kirsten Whetstone Planner; Kayla Sintz, Planner;
Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Wintzer called the meeting to order at 5:40 p.m. and noted that all of the Commissioners were present except Commissioners Pettit, Hontz and Strachan who were excused.

ADOPTION OF MINUTES – July 27, 2011

MOTION: Commissioner Thomas moved to APPROVE the minutes of July 27, 2011.
Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington reminded the Planning Commission that the next joint meeting with the City Council was scheduled for August 25th. The Commissioners would be receiving a Staff report and agenda.

Chair Wintzer stated that he would be out of Town for the next regular Planning Commission meeting on August 24th and the joint meeting with the City Council on August 25th.

Commissioner Savage asked if the Planning Commission would hold their regular meeting the night before Thanksgiving. Director Eddington replied that due to the holidays, the Planning Commission typically has one meeting in November and December. He could not foresee canceling any other Planning Commission meetings prior to November.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

5. Land Management Code – Amendments to Chapter 1 (General Provisions), Chapter 11 (Historic Preservation), and Chapter 15 (Definitions) – to amend the review process of reconstructions and panelizations to include the Historic Preservation Board (Application #PL-11-01203)

Planner Sintz reported that on September 3, 2011, the City Council, the Planning Commission and the HPB held a joint visioning session. During that session a discussion occurred regarding the process for when a reconstruction is permitted as part of the Historic District Design Review application. Public and property noticing, as well as opportunity for public input were also discussed. Direction was given to Staff to expand the review of all reconstructions to include a formal notice review and approval by the Historic Preservation Board. The Staff would make a recommendation and the application would move forward per the criteria currently outlined in the LMC.

Planner Sintz noted that reconstruction is defined as “The act or process of depicting by means of new construction, the form, features and detailing of a non-surviving site, landscape, building structure or object for the purpose of replicating its appearance at a specific period of time and in its Historic location”. She stated that reconstruction is a recognized form of preservation for Park City and industry standards. It is documented in the LMC and in the design guidelines.

Planner Sintz stated that from the Staff review and in preparing the amendments, she recommended adding disassembly to the Historic Preservation Review. The Staff worked with Dina Blaes, the Preservation Consultant, to draft a new definition for disassembly to be included in the Land Management Code. Disassembly would be defined as, “The act or process of taking apart a Historic building or structure in the largest workable components possible for the purpose of accurately reassembling it in its original form, location, and orientation”.

Planner Sintz remarked that anyone who has been actively involved in Historic District Design Reviews knows that disassembly is sometimes called panelization. However, panelization is not a historic preservation term. The Staff recommended that the Planning Commission also add disassembly to the Historic Preservation Board review since reconstruction and disassembly are the only times when a site is scrubbed and nothing is on it while work is being done or a foundation is being poured. Planner Sintz stated that if the original intent was in regards to a project on Park Avenue in which the public was not aware of what was going back up, the Staff would recommend that disassemblies be added to that as well.

Planner Sintz stated that the Staff has also been working with the HPB on a new signage system. Therefore, in addition to the possible change to the LMC, there would be increased signage at the disassembled and reconstructed sites.

Planner Sintz reviewed the proposed amendments and identified the applicable chapters. In Chapter 1, they would add a new noticing matrix required for new applications. The Staff

recommended the same noticing that occurs for a conditional use permit. Chapter 11 would add Historic Preservation Board in places where it currently says Planning Staff approval. It would also capitalize the D in disassembly wherever that phrase occurs, since it is a newly defined term. A new definition would be added for Disassembly. Planner Sintz requested input from the Planning Commission as to whether they support including disassembly as part of the amendments.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the draft ordinance.

Chair Wintzer asked if the Historic District Guidelines would be changed to match the proposed amendments. Planner Sintz replied that any language in the guidelines that would conflict with the new LMC would be updated.

Commissioner Savage asked about the vetting process between the HPB and the Planning Department associated with how the LMC amendments were created. He assumed the HPB supported the proposed amendments. Planner Sintz explained that the LMC is not reviewed by the Historic Preservation Board. However, the HPB members favored the idea of being more involved in different historic design reviews, and this was deemed to be an appropriate way for the HPB to be involved. Commissioner Savage asked if they could assume that the HPB would embrace these amendments as being satisfactory to address the issues that caused the problem in the first place.

Director Eddington stated that the HPB fully supports the amendment to the LMC. He summarized that the change started with reconstruction and now includes disassembly, formerly known as panelization. Director Eddington noted that the information presented this evening would be given to the HPB as an information update. Planner Sintz remarked that the HPB would have to receive training in terms of how their review and approval would occur.

Commissioner Savage questioned whether they were putting the cart ahead of the horse as it relates to review by the HPB. If this change to the Land Management Code was being driven by their desire, he suggested that it would be better for the Planning Commission to review the amendment with the HPB prior to the City Council process. Planner Sintz understood that the direction came from the City Council in terms of what they deemed to be an appropriate role for the Historic Preservation Board. Director Eddington noted that the City Council gave that direction in conjunction with the joint visioning session with the HPB.

Assistant City Attorney McLean stated that the HPB has appointed a liaison to attend Planning Commission meetings when items on the agenda relate to the Historic District. The Liaison would then report back to the HPB.

Commissioner Thomas appreciated the liaison, but he felt it was one-way communication. He asked if the Planning Commission has ever had a liaison to the HPB to see what they do. Assistant City Attorney McLean stated that the Planning Commission could appoint a liaison if they wished. Commissioner Thomas commented on the number of times situations have occurred in the review process, even with the expertise of Dina Blaes, that he has questioned as an architect involved in historic restorations. Commissioner Thomas suggested an educational process to better

understand how some things are approved in certain conditions. Assistant City Attorney recommended a joint work session with the Planning Commission and the HPB to discuss those issues. Chair Wintzer asked if it was possible to schedule a joint work session with the HPB prior to a Planning Commission meeting. Director Eddington thought the HPB would be amenable to a joint work session. The HPB also has new members and it would be a good opportunity for everyone to get acquainted. Commissioner Thomas suggested that Dina Blaes be invited to attend the work session.

Chair Wintzer opened the public hearing.

Jeff Brille, was concerned about the redundancy of another review body and the potential of creating additional delays. He agreed with the concerns expressed by the Planning Commission regarding the qualifications of the HPB and their ability to streamline the process. He supported reconstruction but he had reservations about disassembly. In a community where they are trying to be sustainable and productive with energy use, disassembly turns into an intensive process, particularly for mobilizing portions of the structure on and off site. If contractors have facilities in the Valley, transporting up and down the canyon creates energy waste, which would be the case with disassembly.

Ruth Meintsma stated that she had spoken with Planner Sintz about adding additional language to the definition of disassembly. Ms. Meintsma remarked that disassembly in itself is a course process typically done by hard labor. She felt that if the definition was not clear, disassembly could involve babysitting by the Planning Staff. Ms. Meintsma read her suggested language to the definition. "...for the purpose of accurately assembling, and for the purpose of accurately reproducing the placement, scale, and dimensions of the historic elements (windows, doors and porch posts). Ms. Meintsma noted that those words are used in the historic design guidelines under B-2, Exterior Walls. She has seen instances where the forms and panels were saved, but the porch posts that were supposed to be saved were lost. In those cases the porch posts were recreated but they were not like the original. Ms. Meintsma remarked that the lost details take away from the historic.

Mike Sweeney echoed the comments regarding a second layer of review. He pointed out that the City already has a knowledgeable Planning Group, and to add another layer that would require a property owner to spend more time going through the process makes no sense. Mr. Sweeney thought the Staff was more than capable of answering the questions and addressing the issues, and he believed the decision would be the same. It would just take longer and cost more money to reach that decision. Mr. Sweeney preferred to see the process streamlined rather than expanded.

Mary Cook stated that she did not want to cause problems for property owners; however, a friend was visiting Park City and they were walking up Park Avenue. Her friend had lived in Park City many years ago and they were talking about building that had been changed or taken down. The very items being discussed, such as trim, porch posts, shape of windows, etc, were the same things her friend immediately noticed had been removed and replaced with plastic or machined trim. Her friend's commented that you cannot have a historic district if you don't preserve those elements that are the hallmark of that historic time period. Ms. Cook could see arguments on both sides of the issue, but she felt it was important for the Planning Commission to hear her story.

Helen Alvarez stated that her comments were not related to historic preservation or elements or disassembly. She agreed with Commissioner Thomas that the City should not be layering on boards. The Planning Staff and the Legal Staff are paid to make decisions, and the Planning Commission volunteers hours and hours discussing those decisions. As a citizen, she did not feel protected when volunteer citizens assemble as a board to make decisions that should be made by the elected officials and their appointed Planning Commission. Ms. Alvarez urged the Planning Commission not to grant the Historic Preservation Board the right to review projects within the Historic District. She strongly favored professional review and she asked them to consider that. The City is surrounded by competent professionals to serve the citizens. She was not opposed to a volunteer Board in an advisory capacity, but she was strongly opposed if they are placed in a decision making capacity. Ms. Alvarez knows of situations where citizen boards, without the benefit of legal counsel, have said things that could be strongly challenged if the decision went to court. She did not want to be unprotected from that kind of legal action. Ms. Alvarez urged the Planning Commission to assume their responsibility as professionals and not grant their authority or the authority of the Planning Staff to a board.

Chair Wintzer closed the public hearing.

Commissioner Savage understood that the amendment being reviewed was mandated by the City Council. In accordance with that mandate, the Planning Staff recommended a modification to the LMC that the Planning Commission was being asked to review and approve. Commissioner Savage assumed that the Planning Commission was not in a capacity to make a decision as to whether or not this was an appropriate decision on behalf of City Council. They could only determine whether the proposed Land Management Code amendment supports the recommendation from City Council.

Assistant City Attorney McLean explained that as part of the joint visioning in February the City Council gave Staff direction to make the proposed changes to the Land Management Code. The Planning Commission is responsible for their own recommendations and if they disagree with the City Council they need to stand behind their opinion. When forwarding their recommendation, it is important for the Planning Commission to articulate why they disagree so the City Council has the benefit of that information. Ms. McLean clarified that direction from the City Council does not abdicate the Planning Commission from their duties.

Commissioner Savage stated that he was emboldened by Ms. Alvarez and her comments. If there is a way to facilitate a more efficient process for construction using the existing Staff and the existing mechanisms, he would support that approach. Commissioner Savage believed the recommended modification was a consequence of one incident that created a tumult, and it did not justify adding another layer to an already cumbersome approval process. Commissioner Savage opposed the amendments to the LMC.

Commissioner Worel concurred. She completely supports streamlined processes. Commissioner Worel stated that the HPB has the opportunity as citizens to attend public hearings and make their opinions known, particularly if they have a liaison to the Planning Commission. She believed adding another layer of review would be difficult.

Assistant City Attorney McLean stated that under the current process, if someone applies for a reconstruction it goes to the Planning Department. If the Staff decision is appealed, it would go to the HPB. Director Eddington clarified that the HPB is an appeal body in their current capacity. Ms. McLean pointed out that in those cases, the decision would not come before the Planning Commission. If the Staff's decision is not appealed, the project would move forward without going to another body. Ms. McLean remarked that the proposed amendment would require a public hearing for those reconstructions. If that was appealed it would go to the Board of Adjustment.

Planner Sintz noted that existing LMC criteria must be met. There are four criteria under disassembly and three criteria under reconstruction. Planner Sintz explained the current approval process for disassembly and reconstruction. She clarified that the only difference was that the proposed amendment takes the approval away from the Planning Department and puts it in the hands of the Historic Preservation Board.

Chair Wintzer asked if the Planning Staff needed another layer of review or if they felt they could handle it on their own. Director Eddington replied that the process works well with the Planning Staff. There were issues with a recent reconstruction; however, he did not believe the City Council or the HPB thought a mistake was made. The problem was a lack of public involvement with the reconstruction on Park Avenue. During visioning the City Council and some HPB members thought a public forum at the HPB level would inform the neighbors of the project and what to expect. Director Eddington stated that the Planning Staff was more than capable of architectural review and/or interpreting the guidelines and City Codes. The proposed amendment provides public opportunity that would not occur in the Staff review process.

City Council Member, Alex Butwinski, stated that the City Council is always concerned about not adding another layer of bureaucracy. He clarified that the issue resulted from 657 Park Avenue and the City Council was interested in finding a better way to keep the public informed. Mr. Butwinski agreed with Ms. McLean that the Planning Commission has the purview to offer a different opinion. However, he asked the Planning Commission to consider the potential in the Historic District for many things falling through the cracks, particularly with regard to reconstruction. The amendment would heighten awareness of the Historic preservation they were striving to maintain in Old Town. Mr. Butwinski remarked that less bureaucracy is generally better, except in this case.

Chair Wintzer stated that having another review board would take the pressure off the Staff from always being the ones to interpret the Code, and it would provide them with back-up. Chair Wintzer favored the amendment.

Commissioner Savage stated that if the Staff wanted to involve the HPB in a given set of decisions, they should have that discretion. However, he was not in favor of compelling the Staff to involve the HPB. Assistant City Attorney McLean thought it was important to have a clear process in place. Ms. McLean pointed out that the HPB is an appeal Board for Staff decisions, and therefore, it would be difficult for the Staff to use the HPB in an advisory capacity. It is not a viable option because of how the Code is structured.

Commissioner Savage reiterated his objection to changing an entire process because of one incident that generated public outcry, particularly since many other applications were successfully reviewed and approved under the same process.

Planner Sintz pointed out that the application on Park Avenue was under the old historic guidelines and was not subject to the new noticing requirements.

Commissioner Thomas agreed with Helen Alvarez. As an architect he was more comfortable with the Staff review procedure and process. He liked the professionalism of the Staff and the fact that the Planning Department has an architect on Staff. He was not comfortable adding another layer to the process. He agreed that there was an obvious hiccup on Park Avenue and they need to consider that in future discussions about the General Plan and the LMC. He believed they could reinforce the design process in the Historic District and he looked forward to having that discussion at a later date. Commissioner Thomas stated that he could not support the recommendation.

MOTION: Commissioner Thomas moved to forward a NEGATIVE recommendation to the City Council for approval of the Land Management Code Amendment. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission meeting adjourned at 7:55 p.m.

Approved by Planning Commission: _____ 3



City Council Staff Report

Author: Roger McClain
Subject: LAST CHANCE WATERLINE REPLACEMENT AND PUMP
STATION MODIFICATIONS
CONSTRUCTION CONTRACT
Date: September 15, 2011
Type of Item: Administrative PUBLIC WORKS

Summary Recommendations:

Staff recommends Council authorize the City Manager to execute a Construction Agreement, consistent with Park City Municipal Corporation's standard contract/agreement and in a form approved by the City Attorney, with (to be presented at City Council meeting), for the construction of the Last Chance Waterline Replacement and Pump Station Modifications for a lump sum amount of \$(to be presented at City Council Meeting).

Staff determined that in order to complete this water line replacement before the start of the Deer Valley Resort snow making season, pre-purchasing the welded steel pipe for this project by the Water Department was required. The preliminary purchase amount for this material is \$68,763 however; this amount will change slightly based on freight costs. This emergency purchase is discussed further in the Analysis section of this report.

Description:

The Water Strategic Plan outlines major objectives and associated strategies/policies in areas of water rights, leases and agreements, source, financial stability, water quality, infrastructure, water conservation, and customer service/outreach. This project is consistent with the Park City Municipal Water Strategic Plan under the following: Topic: Infrastructure, Strategy/Policy: Maximize useful life of all water infrastructure.

Topic:

Water transmission line replacement from the Last Chance Pump Station to the base of Deer Valley Ski Resort's Little Kate ski run.

Background:

Last Chance Transmission Line

The Last Chance water transmission line is located in the Wide West, Little Kate, and Last Chance ski runs and conveys culinary water from the Last Chance Pump Station, which is located adjacent to the Snow Park Lodge in Lower Deer Valley, to the upper Deer Valley service area. The 10-inch and 12-inch diameter water transmission line was originally installed in 1982 and 1997 respectively and is the sole means of delivering

culinary, fire protection, and snowmaking water to a large portion of the Upper Deer Valley area.

In late summer of 2011 two water line breaks occurred along the ski run in the vicinity of the Snow Park Lodge. These breaks were repaired by Water Department crews and upon examination of the pipe condition by staff and subsequently a corrosion expert it was determined that the pipe is severely corroded and presents a high likelihood of near-term failures.

Due to the criticality of the Last Chance Waterline and the potential for major property damage and threat to the health and safety of residents and guests in the event of a water line break, the PC Water Department began actions to facilitate immediate replacement of the pipeline. Meetings with Deer Valley Resort were held to establish a construction schedule that would minimize disruption to the Deer Valley Summer Concert Series and the upcoming snow making and ski seasons. To expedite waterline construction, Contractors were prequalified while a design for the waterline replacement was being prepared.

Emergency Purchase of Steel Pipe

Due to the large elevation change from the Last Chance Pump Station to the Upper Deer Valley area, the pressure in the Last Chance Transmission Line is approximately 515 psi at the pump station which requires welded steel pipe. During the design process it was discovered that once ordered, delivery time for welded steel pipe is at least 4 weeks. Due to the nature of this project and the late start date, the conventional approach of having the contractor procuring all materials after contract award would prohibit completion of this project this year. As a result, the Water Department ordered the pipe and will assign the pipe contract to the contractor once an award has been made.

With limited construction time available, approximately 900 linear feet of pipe replacement is scheduled for 2011 and the remainder of the pipeline to Royal Street, approximately 4,100 linear feet, will be evaluated and potentially replaced in the spring/summer of 2012. The 2012 pipe replacement work will be designed and bid during the winter of 2011/2012. In the interim, the PC Water Department is working closely with Deer Valley Resort to develop an Emergency Operations Plan in the event a pipe failure occurs in the upper segments of the pipeline during the ski season.

Proposed Construction:

The 2011 Last Chance Waterline Replacement and Pump Station Modifications consist of the pre-purchase of approximately 900 feet of 12 inch diameter welded steel pipe and fittings by Park City and installation by the construction contractor. The new pipe alignment will be generally parallel to the Burns Lift, then cross the Wide West ski run, and extend to the bottom of Little Kate ski run where it will be temporarily connected to the existing Last Chance ductile iron waterline. Existing ductile iron discharge piping underneath the existing Last Chance Pump Station will be replaced with welded steel pipe, concrete encased below the existing floor slab, and connected to the existing

discharge header within the pump station. Steel pipe and fittings will be supplied with a protective exterior coating and an interior cement mortar lining. A passive cathodic corrosion protection system will be installed on all new pipe, fittings, and valves. The existing surge protection system in the Last Chance Pump Station will also be upgraded to protect the transmission line.

The Water Department has worked closely with Deer Valley's operation and snow making staff to minimize impact on Deer Valley's utilities. The Water Department and Deer Valley are also working closely to coordinate the construction schedule and impacts with the upcoming snowmaking season. This includes the project's impacts on water delivery to Deer Valley's snowmaking system and disruption to the lower ski area where snowmaking is one of the first priorities. In the event of an early snow season that would prohibit the completion of this project, the design has incorporated an intermediate connection point that will allow a winter shut down of the project. If this occurs, the Water Department will work with Deer Valley on a response plan in the event of a water line break over the winter season.

The project is scheduled to be completed late fall and the work in the ski run completed by October 28, 2011.

Analysis:

Construction Contract:

Prequalification of Contractors for the Last Chance Waterline Replacement and Pump Station Modifications construction project was advertised in the Park Record on August 10, 13, and 17, 2011, and on the Park City Website beginning August 10, 2011. Five proposals were received, reviewed, and evaluated by a team of City Staff. Three contractors were selected to be able to submit bids.

<i>Contractor</i>	<i>Prequalified</i>
VanCon, Inc.	No
SCI, Inc.	Yes
Counterpoint Construction Inc.	Yes
Lyndon Jones Construction	No
Whitaker Construction, Inc.	Yes

A bid package was issued to the prequalified bidders on September 1, 2011 and a non-mandatory pre-bid meeting was held on September 8, 2011. Three bids were received and opened on September 15, 2011. The following summarizes the bids:

<i>Contractor</i>	<i>Total Bid</i>
<i>Engineer's Estimate</i>	<i>\$175,000</i>
SCI, Inc.	\$(to be presented at City Council meeting)
Counterpoint Construction Inc.	\$(to be presented at City Council meeting)

Whitaker Construction, Inc.

\$(to be presented at City Council meeting)

(To be presented at City Council meeting) is the lowest responsive bidder. Bid Documents were verified by our Engineer, Bowen Collins & Associates Engineering and Staff. Staff therefore recommends (to be presented at City Council Meeting) , as the successful Bidder.

Emergency Purchase of Steel Pipe:

As discussed in the Background Section of this report, it was determined that an immediate purchase of pipe material was required to ensure completion of the project this year. A Request for Quotations for the pre-purchase of welded steel water pipe, fittings, and appurtenances was issued to three pipe suppliers on September 1, 2011. Two bids were received on September 7, 2011. The following summarizes the bids:

<i>Supplier</i>	<i>Total Bid</i>
Utility Coatings	\$68,763.00
West Coast Pipe	\$79,879.00
Ameron	Declined to Bid

Utility Coatings was the lowest responsive bidder. Bids were verified by our Engineer, Bowen Collins & Associates Engineering and Staff. Staff therefore proceeded with ordering the welded steel pipe from Utility Coatings.

The funding for the project is water service fees and is part of the approved FY12 CIP under Water Department Infrastructure Improvements.

The City's Project Manager, Roger McClain, will be working under the guidance of the Water Engineer.

Department Review:

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

A. Approve the Request:

Construction Contract:

Council could accept the Bid and authorize the City Manager to execute a Construction Agreement, consistent with Park City Municipal Corporation's standard contract/agreement and in a form approved by the City Attorney, with (to be presented at City Council meeting), for the construction of the Last Chance Waterline Replacement and Pump Station Modifications in the amount of \$(to be presented at City Council meeting).

B. Deny the Request:

Council could deny Staff's request. Denying the request would delay the replacement of the pipeline until the spring/summer of 2012, and would result in potential water service loss in Upper Deer Valley and property damage and threat to the health and safety of residents and guests in the event of a pipe failure.

C. Continue the Item:

Council could continue the request. Continuing the request and not awarding the Contract within two (2) weeks would result in a delay to the start of construction and potential inability to complete the work prior to area closures for the preparation of ski operations (by October 28, 2010).

D. Do Nothing:

Staff does not recommend this alternative. Doing nothing would delay the pipeline replacement until the spring/summer of 2012, and would result in potential water service loss in Upper Deer Valley and property damage and threat to the health and safety of residents and guests in the event of a pipe failure.

Significant Impacts:

The costs associated with this project are approved in the FY2012 CIP budget.

The replacement of the waterline is critical to the operation of the water conveyance system and the delivery of water to meet existing obligations.

Recommendation:

Staff requests and recommends Council accept the Bid submitted by (to be presented at City Council meeting), and authorize the City Manager to execute a Construction Agreement, consistent with Park City Municipal Corporation's standard contract/agreement and in a form approved by the City Attorney, with (to be presented at City Council meeting), for the construction of the Last Chance Waterline Replacement and Pump Station Modifications in the amount of \$(to be presented at City Council meeting).

Exhibits:

Exhibit A – Scope of Work – Last Chance Waterline Replacement and Pump Station Modifications, Construction Contract

EXHIBIT A

Scope of Work

Last Chance Waterline Replacement and Pump Station Modifications, Construction Contract

DESCRIPTION AND SITE OF WORK: For the project known as the LAST CHANCE WATERLINE REPLACEMENT AND PUMP STATION MODIFICATIONS. (hereinafter "Project"), the Work consists of the furnishing and installing of all materials required to construct the Last Chance Waterline Replacement and Pump Station modifications, complete, including but not limited to welded steel pipe, fittings, high performance butterfly valves, concrete work, appurtenances, site grading, connection to existing ductile iron pipe, cathodic protection, materials testing. The work is located on Deer Valley Resort near 2250 Deer Valley Drive South, Park City, UT 84060-5108. In addition, the Work includes modifications and abandonment of existing pump and valve vaults on Deer Valley Resort in Park City, Utah, as indicated on the Drawings.

COMPLETION OF WORK: All steel pipeline WORK on the Deer Valley Resort ski slope shall be completed by October 28, 2011. Pump Station Modifications and connection to the existing transmission line shall be completed by December 15, 2011. No work will be allowed on Deer Valley Resort ski slope areas between October 28, 2011 and the date of resort closing for the ski season in spring 2012. Time is of the essence.