



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
April 27, 2023**

The Council of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online with options to listen, watch, or participate virtually. [Click here](#) for more information.

CLOSED SESSION - 2:00 p.m.

The Council may consider a motion to enter into a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, competence, or fitness of an individual; for attorney-client communications (Utah Code section 78B-1-137); or any other lawful purpose.

STUDY SESSION

2:30 p.m. - Park City Public Art Advisory Board Annual Update & Strategic Plan
[Public Art Advisory Board 2023 Staff Report](#)
[Exhibit A: PAAB 2023 Draft Strategic Plan & Current Budget](#)

3:00 p.m. - Mayor's Legacy Mine Soil Roundtable Update
[Mayor's Legacy Mine Soil Roundtable Staff Report](#)
[Exhibit A Mayor's Legacy Mine Soil Roundtable Presentation](#)
[Exhibit B Roundtable Participant Comments](#)

WORK SESSION

3:45 p.m. - Discuss FY24 Fee Schedule Changes
[FY24 Fee Schedule Staff Report](#)
[Exhibit A: FY24 Fee Schedule Redlined Copy](#)

4:00 p.m. - Discuss FY24 Capital Project Budgets
[Staff Report: Capital Budget Discussion](#)
[Exhibit A: All New FY24 Capital Requests](#)
[Exhibit B: Santy Three Party Agreement](#)
[Exhibit C: General Fund Transfer Requests](#)
[Exhibit D: ARCST Requests](#)
[Exhibit E: TRT Requests](#)
[Exhibit F: Water Fund Requests](#)
[Exhibit G: LPA RDA Requests](#)

5:15 p.m. - Break

REGULAR MEETING - 5:30 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. First Quarter 2023 Community Engagement Update
[Community Engagement Staff Report](#)
[Exhibit A: Social Media Quarterly Report](#)

III. RECOGNITION

1. Consideration to Adopt Resolution 06-2023, a Resolution Proclaiming April 2023 as Child Abuse Prevention Month in Park City
(A) Public Input (B) Action
[Child Abuse Prevention Month Staff Report](#)
[Exhibit A: Child Abuse Prevention Month Resolution](#)

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

V. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from March 23 and April 4, 2023
[March 23, 2023 Minutes](#)
[April 4, 2023 Minutes](#)

VI. CONSENT AGENDA

1. Request to Authorize the 1154 Park Avenue Owners' Request for Park City Municipal to Execute a Quit Claim Deed for 910 Square Feet at 1154 Park Avenue
[1154 Park Avenue Corrective Quit Claim Request Staff Report](#)
[Exhibit A: Requested Quit Claim Deed](#)
[Exhibit B: 1154 Park Avenue Title Report](#)
2. Request to Approve a Contract with Shape Architecture Studio LLC, for Architectural Design and Project Application Services for the 516 Marsac Avenue Construction Project, Not to Exceed \$137,650, in a Form Approved by the City Attorney's Office
[516 Marsac Avenue Construction Project Staff Report](#)
[Exhibit A: Draft Professional Services Agreement](#)
3. Request to Authorize the City Manager to Enter into a Design Professional Service Provider Agreement with Kimley-Horn, for Design and Permitting Services Associated with Rail Trail amenities and initial permitting for the SR-248 overpass, Not to Exceed \$287,731.00, as Approved in Form by the City Attorney
[Rail Trail Improvements Staff Report](#)
[Exhibit A: Kimley-Horn Rail Trail Scope of Services](#)
4. Request to Authorize a Professional Service Provider Agreement with Jesus Rea Landscaping and Snow Removal for Mechanical (Hand Pulling) Abatement of Invasive Species, Not to Exceed \$175,000, in a Form Approved by the City Attorney
[Invasive Species Abatement Contract Staff Report](#)

VII. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2023-16, Amending Land Management Code Sections 15-2.5-2 Historic Recreation Commercial Uses, 15-2.6-2 Historic Commercial Business Uses, 15-2.13-2 Residential Development Uses, 15-2.14-2 Residential

Development Medium Uses, 15-2.16-2 Recreation Commercial Uses, 15-2.17-2 Recreation Commercial Overlay Uses, 15-2.18-2 General Commercial Uses, and 15-15-1 Definitions, and Repealing Section 15-4-23 Dwelling Unit, Fractional Use

(A) Public Hearing (B) Action

[Fractional Use Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-16](#)

2. Discuss a Request from the Kimball Art Center (KAC) for a Five-Year Special Event License/City Service Agreement for the Park City Kimball Art Festival (KAF)

(A) Public Input

[KAC Future Agreement Staff Report](#)

[Exhibit A: KAC Letter of Request for KAF Future Agreement](#)

[Exhibit B: KAC Economic and City Service Fee Comparison 2018 to 2023](#)

3. Consideration to Approve Ordinance No. 2023-03, an Ordinance Approving a Zoning Map Amendment to Rezone a Six Acre Pod from Recreation and Open Space (ROS) to Estate (E) from a Portion of PCA-S-79-C (Bransford Property, also Known as the Logan Parcel), Park City, Utah, Subject to Subdivision Plat Approval by the City Council of Park City Prior to April 27, 2025

(A) Public Hearing (B) Action

[Bransford Zone Change Staff Report](#)

[Exhibit A: Draft Ordinance](#)

[Exhibit B: Applicant's Narrative](#)

[Exhibit C: Map of Northside Neighborhood and Property Owners](#)

[Exhibit D: Public Input](#)

[Exhibit E: 01.24.2023 CC Minutes](#)

[Exhibit F: Flagstaff Mountain Resort Development Pods Zoning Map](#)

VIII. NEW BUSINESS

1. Consideration to Approve Resolution 05-2023, a Resolution Adopting the Neighborhoods First - Streets Program for Park City, Utah

(A) Public Hearing (B) Action

[Neighborhoods First Streets Program Policy Staff Report](#)

[Exhibit A: Draft Neighborhoods First Street Program Policy](#)

[Exhibit B: NFSP Resolution](#)

[Exhibit C: Traffic Calming Policy 11-02](#)

[Exhibit D: 2008 NTMP Policy](#)

2. Consideration to Approve the City Sponsorship of the 2023 Proposed Special Events at McPolin Farm which will Enable the Final Staff Approval of the Special Events

(A) Public Hearing (B) Action

[McPolin Barn Staff Report](#)

3. Consideration to Approve Ordinance No. 2023-17, an Ordinance Amending Land Management Code Section 15-6-8 *Unit Equivalents* Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments and Sections 15-2.17-2 *Uses* for the Recreation and Open Space Zoning District, 15-2.18-2 *Uses* for the General Commercial Zoning District, and 15-2.19-2 *Uses* for the Light Industrial Zoning District to Clarify Resort Support Commercial is Allowed when Approved as part of a Master Planned Development

(A) Public Hearing (B) Action

[Accessory Uses in Master Planned Developments Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-17](#)

[Exhibit B: Public Input](#)

4. Consideration to Approve Ordinance No. 2023-18, an Ordinance Amending Land Management Code Section 15-3-9 *Bicycle Parking Requirements*
(A) Public Hearing (B) Action
[Bicycle Parking Staff Report](#)
[Exhibit A: Draft Ordinance No. 2023-18](#)
5. Consideration to Approve Ordinance No. 2023-19, an Ordinance Amending Land Management Code Chapter 15-2.21 *Sensitive Land Overlay Zone Regulations* and Section 15-15-1 *Definitions*
(A) Public Hearing (B) Action
[Sensitive Land Overlay Staff Report](#)
[Exhibit A: Draft Ordinance No. 2023-19](#)
[Exhibit B: Ridge Line Areas and Sensitive Land Overlay Map](#)
6. Consideration to Authorize the City Manager to Execute a Construction Agreement in a Form Approved by the City Attorney's Office with Staker & Parson Companies DBA Parsons Materials & Construction for the Upper Main Street Improvements Project Not to Exceed \$1,168,796.00
(A) Public Input (B) Action
[Upper Main Street Improvements Construction Award Staff Report](#)
[Exhibit A: Bid Schedule](#)
7. Consideration to Authorize the City Manager to Execute the following: a Construction Agreement with Beck Construction & Excavation, Inc. in a Form Approved by the City Attorney, Not to Exceed \$1,980,562 to Construct the Site Improvements; a Construction Agreement with Dimensional Innovations in a Form Approved by the City Attorney, Not to Exceed \$274,228 to Fabricate and Install Bus Shelters; and a Design Professional Services Agreement with WCG in a Form Approved by the City Attorney, Not to Exceed \$112,244 to Provide Construction Management
(A) Public Input (B) Action
[Combined Award Staff Report](#)
[Exhibit A: Site Improvement Drawings](#)
[Exhibit B: Bus Shelter Drawings](#)
8. Consideration to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney with HNTB Corporation Not to Exceed \$1,066,200.94 for the Program Management Services of Transit Site Improvements
(A) Public Input (B) Action
[Transit Site Improvements Program Management Contract Staff Report](#)
[Exhibit A: HNTB Statement of Qualifications](#)
[Exhibit B: Scope of Work](#)
9. Consideration to Approve Ordinance No. 2023-20, an Ordinance Approving the 2460 Iron Mountain Drive Plat Amendment, Located a 2460 Iron Mountain Drive, Summit County, Park City, Utah
(A) Public Hearing (B) Action
[2460 Iron Mountain Drive Staff Report](#)
[Exhibit A: Draft Ordinance 2023-20](#)
[Exhibit B: Iron Canyon Subdivision Plat](#)
[Exhibit C: Sensitive Land Overlay Materials](#)
[Exhibit D: 2460 Iron Mountain Drive 1989 Plans](#)
10. Consideration to Approve Ordinance No. 2023-21, an Ordinance Approving the 2426 Iron Canyon Drive Plat Amendment, Located at 2426 Iron Canyon Drive, Summit

County, Park City, Utah

(A) Public Hearing (B) Action

[2426 Iron Canyon Drive Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-21](#)

[Exhibit B: Iron Canyon Subdivision Plat](#)

[Exhibit C: Sensitive Land Overlay Materials](#)

[Exhibit D: 2426 Iron Canyon Drive 1989 Approved Building Plans](#)

11. Consideration to Approve Ordinance 2023-22, an Ordinance Approving the Kings Crown Condominiums, Second Amended Combining Units B302 & B401, Located at 1271 Lowell Avenue, Park City, Utah
(A) Public Hearing (B) Action
[1271 Lowell Avenue Staff Report](#)
[Exhibit A: Draft Ordinance No. 2023-22 and Proposed Plat](#)
[Exhibit B: Kings Crown First Amended Plat](#)
[Exhibit C: HOA Approval](#)
[Exhibit D: January 10, 2018, MPD CUP Action Letter](#)
[Exhibit E: February 10, 2021, MPD - CUP Final Action Letter, Amended](#)
[Exhibit F: Third Amended Kings Crown Housing Mitigation Plan](#)
12. Consideration to Sign the 20-year Appendix with Rocky Mountain Power for the Elektron Solar Project I
(A) Public Input (B) Action
[Appendix Renewable Energy Project Staff Report](#)
[Exhibit A: Elektron-Amended Appendix](#)

IX. ADJOURNMENT

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

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

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: STUDY SESSION

Subject:

2:30 p.m. - Park City Public Art Advisory Board Annual Update & Strategic Plan

Suggested Action:

Attachments:

[Public Art Advisory Board 2023 Staff Report](#)

[Exhibit A: PAAB 2023 Draft Strategic Plan & Current Budget](#)

City Council Staff Report

Subject: Public Art Advisory Board (PAAB) Update
Author: Jenny Diersen
Department: Special Events - Staff Liaison to PAAB
Date: April 27, 2023
Type of Item: Study Session

Recommendation

Receive an update from the Park City Public Art Advisory Board (PAAB) and review the draft strategic plan (**Exhibit A**), which includes current project updates, future project prioritization, and recommended funding allocations within the current public art budget.

If Council is supportive of the plans as outlined, we will begin RPFs for community art projects and return to Council for the selection of artwork at a future meeting.

Background

Public Art is an important part of creating connectivity and a sense of place and community in Park City. In 1984, the Park City Art Foundation dedicated Park City's first artwork, *Park City Scape* by James McBeth. Today the artwork is displayed at the Miners Hospital Garden. Park City's Public Art Collection is a defining characteristic of the City, and due to the City's investment, more than 100 artworks now reinforce our community's unique history and culture.

In 1999, the Park City Summit County Arts Council (Arts Council) created the first framework for an Art in Public Places plan. In 2003, the City Council created the [PAAB, a board](#) comprised of Park City residents whom the Mayor and City Council appoints. PAAB's policies were most recently amended and adopted by Council through resolution [18-2020](#). The eight-member board serves up to two consecutive, three-year terms. In addition, the Arts Council provides non-voting support and expertise to the PAAB through guidance on various projects and initiatives.

The PAAB makes recommendations to the City Manager and City Council regarding Public Art installations and collections. All decisions regarding Public Art are made final by the City Council, after consultation and review by PAAB.

PAAB's [mission, vision, and goals](#) were created in 2016/17 and aligned with Community critical priorities - Housing, Transportation, Energy, and Social Equity. The PAAB will update its goals and plans as City Council refines [new community priorities and lenses](#).

Analysis

In 2022, the PAAB focused on the following projects and priorities.

1. Vandalism, Repair, and Maintenance - Maintaining the City's collection requires ongoing work and is a collaborative effort with the Parks, Public Works, and Police Departments. In 2022, six murals were significantly vandalized (several multiple times), and two other artworks needed maintenance. Luckily, we could work with local and regional artists to get these repaired quickly. We are exploring putting a protective coating on all murals to ease maintenance.

2. Board Orientation & Review of Strategic Plan – In 2022, three new board members (Joann Stack, Elsa Gary, and Jess Griffiths) were appointed. They have been learning our processes and reviewing our strategic plan.
3. Donation Process – Over the past year, the PAAB spent considerable time discussing two donations: the Elks from Save People Save Wildlife; and a donation of metal from Friends of Ski Mountain Mining Legacy to commission a sculpture on the Rail Trail.

Strategic Plan 2023 (estimated \$140,000) – (Exhibit A)

1. Utility Box (Phase II) – The PAAB recommends continuing the program and identified 36 new utility boxes throughout Park City. We have worked with Rocky Mountain Power to update the Access Agreement required for this project. Two RFPs (one for the artists and the other for printing services) are in review, and we anticipate releasing shortly. After receiving proposals, we will return to Council in July to select artwork. The estimated budget is \$45,000.
2. Outreach and Engagement – To engage the community with our current collection, we are sending a [postcard to all City residents](#) this month. We are also working with a local videographer to create a new family-friendly video regarding the collection to release this summer. The estimated budget is \$5,000.
3. Daly West Headframe Artwork on Rail Trail – In January, City Council accepted a donation of metal from the Daly West Headframe and the Friends of Ski Mining Mountain Legacy to commission a sculpture near the Rail Trail. We are developing an RFP and hope to release the opportunity this spring. The estimated budget is \$60,000.
4. Intersection Art – The PAAB recommends intersection art to promote walkability and pedestrian safety. Engineering is developing locations to consider while following MUTCD standards, such as Main and Heber, Miners Hospital on Sullivan Road, and 5th Street. While the artwork is temporary and must be maintained annually, the PAAB will acquire the artwork design into our collection (capital asset) and can use the design annually or release new RFPs. The next step is a collaboration with business districts and residents. The estimated budget is \$5,000 per installation. An example is linked [here](#).
5. Bus Shelter – The PAAB coordinated with the Engineering Department on new bus shelter designs.
 - o Park Ave Bus Shelters - There are two existing artworks on the Park Avenue bus shelters that the PAAB is exploring resiting them to the Rail Trail and either Library Field or Quinn's Junction Dog Park. We also provided a review of the perforated design on the side of the new bus shelters.
 - o Other shelters – the PAAB recommends additional artwork installations on the back panel of the new shelters.
6. Neighborhood Art Program Research & Development (Estimated update next year). We [researched examples from 7 other communities](#). The concept is rather than staff completing projects. We have neighborhoods or HOAs apply to complete projects with community visibility and offer a small portion of funding and logistical support. The estimated budget is \$20,000.
7. Signage - We are working to complete signage for all artwork in English and Spanish. Costs are estimated at \$5,000.

Long-Term Planning Projects

The PAAB wants to focus on a larger capital project and is discussing private-public partnerships and locations, such as Dans to Jans, the Arts and Culture District, and Main Street. Each large capital project can cost \$100,000 to \$150,000, which requires a funding balance. The PAAB requests to support the development of Park Avenue/Dans to Jan's and Arts District Planning early in discussions to consider public art installations in these locations.

Ongoing Projects

1. Staffing – We are working to hire a part-time staff member to help with project management and RFP development and will begin recruitment soon.
2. Inventory – Since the [online inventory](#) was updated in 2022, we secured a small contract to update the art map with any new works bi-annually.
3. Donation Requests – There are no new donation requests (other than those listed above), but typically several requests come in each year. After review by the PAAB, any art donations come to Council for consideration.

Board Membership

The PAAB has five vacancies in June of 2023. One member, David Nicholas, is not eligible for reappointment due to term limits and we thank him for his six years of service to the community. [Applications for new recruitments](#) opened in April and will close on May 1. On August 4, 2016 ([report](#) p. 111 / [minutes](#) p. 9), City Council updated the PAAB's policies, and terms were intentionally staggered so that no board turnovers occur every third year to help accomplish projects.

Funding

Public Art has been financed primarily through two funding sources in the capital improvement plan (CIP). The first is a direct allocation to the Public Art capital project (CP0089) from the General Fund transfer and the Lower Park Avenue RDA. The second is through a 1% contribution from qualifying capital improvement projects. In the future, PAAB may request to explore changes to increase and clarify the [percentage for arts policy](#) (p. 9).

While the projects outlined are within the current Public Art budget, the PAAB is requesting a capital budget increase of \$100,000 through the FY24 budget process.

Exhibits

A 2023 PAAB Strategic Plan (DRAFT) & Current Budget

PUBLIC ART BOARD STRATEGIC PLAN & PROJECT PRIORITIZATION 2023 DRAFT

Project	Project Description	Estimated Funding Amount and Funding Area	Timeline	Tie to Council Critical Priories and Lenses
---------	---------------------	---	----------	---

DRAFT - RECOMMENDED TOP PRIORITY PROJECTS - 2023

#1 - Utility Boxes- EmPOWERment Project - Phase II	Continue Utility Box Wrap Program.EmPOWERment theme will continue to align with Council's four priorities including Transportation, Housing, Social Equity, and Energy	\$43,000 CIP Funding	Summer 2023	Energy & Social Equity Community Engagement
#2 - Community Engagement Project	Postcard and new art video. PAAB may consider volunteering their time for a tour of some of the art collection with the community. More info below in Engagement section.	\$5,000	Summer 2023	Community Engagement
#3 - Daly West Headframe	Council received a donation from Friends of Ski Mining Legacy. The City will commission a sculpture to be placed at Rail Trail entry and futher align the project theme with mining legacy.	\$60,000 - CIP Funding	Summer 2023	Historic Preservation / Walkability
#4 Intersection Art	Intersection Art - this would be artwork on pavement that aligns with Council's Priorities and Lenses. Art would be aquired into City's Art Collection. Locations are being identified in coordination with Engineering Department and will be coordinated with residents and business districts.	\$20,000 - CIP Funding	Summer 2023	Transportation / Commnity Engagement
#5 Bus Shelter as Art	Bus Shelter - Continue to collaborate with Engineering on new bus shelter placement, focusing on back panels of bus shelters as a location to potentially install artwork.	\$TBD - CIP Funding	TBD based on new bus shelter installation.	Transportation / Community Engagement
#6 Neighborhood Art Grant Program	Brainstorm included: allowing neighborhoods to submit mini grants to City to match or grant funding for neighborhoods to create artwork in their own community, instead of having City create artwork in neighborhoods. Thought is to be inclusive of all neighborhoods, not just affordable housing areas (but maybe prioritize affordable housing areas). In some cases city may not be project manager, but a funding agent. City of Boulder has a new program that is simular, but very focused on specifically allowing murals in neighborhoods. Other ideas include helping neighborhoods create art on their bus shelters, creating neighborhood murals at parks, etc. Other ideas include allowing neighborhoods to come up with creative ideas and pitch them to PAAB and Council.	\$20,000. Working to confirm we could use Public Art Budget for this.	2024	Housing, Social Equity, Community Engagement

LONG TERM PROJECTS - BEYOND 2023

Dans to Jans	This location continues to be prioritized, but because of future construction staff and PAAB are waiting to coordinate with Transportation Planning and Walkability. Long Term project.	\$30,000 + Funding TBD.	TBD	Transportation (Walkability)
Arts & Culture District Planning	PAAB wants to continue to be involved in this discussion and looks forward to long term planning in the district. Rather securing a significant work of art, or starting art programs in the district, PAAB wants to take time to develop programs, funding, partnerships etc in the area.	TBD	TBD	Social Equity, Housing, Transportation, Energy - Citizen Wellbeing & Community Involvement

ONGOING PROJECTS

Donation Proposals	PAAB reviews proposals as they are recieved. Elk Scultpures will be installed in the Spring of 2023	Will discuss funding options to bring back to Council.	Ongoing	Community Involvement
Resiting Artwork (or decomission)	PAAB anticipates needing to resite two works of art at the Park Avenue Bus Shelters.	Will discuss funding to resite.	Summer 2023	Community Involvement
Maintenance Repairs	Maintenance and Repairs are fundamental and ongoing in the collection. In 2023 PAAB and staff anticipate repairs on the School of Fish on Posion Creek. We are looking into coating all murals with sealant due to the graffiti we experienced in 2022.	\$5,000 - CIP	Summer 2023	PAAB Mission
OUTREACH, ENGAGEMENT & MEDIA				
Community Engagement & Outreach	Board has prioritized additional outreach including sending a Spring postcard and completing a new video of the art collection. Goal is to send postcard and have video completed in April/May.	Staff time, in coordination with City Communication Team and Arts Council	Spring 2023	Community Engagement
Historic Preservation Collection	One member of the PAAB participates in the HPB selection.	Coordination with Planning Department	Spring 2023	Community Engagement
Library Art Rail Exhibit	Library Exhibits are organized through Park City Library. Annually they have invited a member of the PAAB to sit on the exhibit selection committee. PAAB rotates this position each year and they report back to PAAB.	Library Staff leads	Annual Review	Community Involvement
PROJECTS THAT ARE ON THE LIST BUT HAVE NOT BEEN PRIORITIZED AT THIS TIME				
Neighborhood & Transportation Related Ideas	Woodside Phase II Art/ Wayfinding - As part of exploring neighborhood art programs, staff approached PAAB and recommened a project associated with Woodside Phase II and Affordable Housing - artwork or wayfinding. PAAB recommends to involve those moving into the housing area in development of such project.	\$10,000 to \$20,000 depending on scope of project. Possible funding from Lower Park RDA allocation.	Estimated complete pilot program complete by Fall 2022	Transportation and Community Engagement
	Neighborhood Art Treatments to help with traffic calming	NA	This is being done by Transportation Planning	Transportation and Community Engagement
	Creative Sidewalks	NA	This is being done by Streets - Stencils in crosswalks.	Transportation and Community Engagement
	Traffic Box Art (simular to Utility Box Wraps)	Estimated \$20,000	TBD	Transportation and Community Engagement
	Manhole Covers	Estimated \$20,000	TBD	Transportation and Community Engagement
Main Street Projects / Permanent Olympic Legacy / Glow in the Art	Board is interested in prioritizing a project on Main Street. May be able to combine with Intersection Art (above in prioritized projects). Next step is to discuss with HPCA.	Total funding in Main Street 1% for improvements is \$90,000 may combine with some of the transportation projects above.		
	See above for Transportation Items - Crosswalks, Manhole Covers, Sidewalks etc..	\$80,000		

	Permanent Olympic Legacy Project - Request to look into creating a permanet Olympic Legacy project to continue to celebrate City's Olympic Legacy and hopeful future bid. May look at 1% Main Street Funding. Connect to families and make interactive.	\$50,000 - source TBD	TBD	Transportation and Community Engagement
	Glow in the Art - Tie to Energy Critical Priority - Idea is that the artwork comes out after dark and is hidden away or changed during the day. illuminated artwork that would show off at night. Might be a good project to push forward in fall with Halloween, Day Light Savings Time and Electric Parade, Holiday Lights, If temporary project, grant funding needs to be explored. See examples of Breckenridge's WAVE exhibit. http://www.breckcreate.org/festivals/wave-light-water-sound/	\$20,000 - source TBD		
China Bridge Parking Garage Phase II	Board will discuss next steps on China Bridge connection walls and South walls. This could mean bringing Emily Herr back or it could mean looking at other wayfinding in the parking structure.	\$20,000 to 60,000 - depending on scope funding source is CIP	TBD - no date	Transportation & Community Engagement
Trail Connections	Project can be formed by the Public Art Board. Goal of this initial proposal was to create artwork along Poison Creek to help with way finding, creating sense of place and link our community together, but the board is open to exploring other ideas as the opportunities come up.	TBD - \$30,000 to \$60,000		Transportation (Walkability)
Temporary Rotating Murals	Location TBD, idea is for Swede Alley. Would need private property permissions potentially. Need to explore funding mechanism, may need grant funds for temporary work. Example includes Stick'em Up in Jackson Hole http://jhpublicart.org/exhibitions/stickum-up/	Estimated Costs \$10,000	TBD	Community Engagement
Dog's Town	With a town who loves dogs, idea is to incorporate dogs into an art project. Perhaps 3 dog statues on Main Street at various parts of the street showing a dogs life or different types of dogs. We have lots of miners, skiers, bikers etc in our artwork, but we dont have our four-legged best friend. Could also be around trails or something.	Estimated cost TBD, might be a theme we can pick up.	TBD	Community Engagement/ Culture
Rotating Outdoor Exhibit	There are several art pads available through Park City. Some have power connections. They were installed as requested by the board so that we could have a rotating art exhibit in these locations. Some of the pads do hold permanent works.	TBD	TBD	Community Engagement
Electronic Archive of Submissions	This was requested by some board members back in 2015. Part of this discussion was specifically at subscribing to a submission achieve database to help track the submissions we receive so that we can refer back to them.	TBD	TBD	PAAB Mission

PAAB Budget Update April 2023		
Budget Item	Amount	Notes
General Funds (CIP, Unrestricted):	\$117,090.00	3 year allocation (2015, 2016, 2017 Cp0089-031450) Combined with previous 2014 CIP Balance (Cp0089-031450), FY 2020 \$100,000 Allocation, FY 2022 \$40,000 Allocation
Lower Park RDA, Restricted	\$77,748.50	3 year allocation (FY16, 17, 18) Cp0089-03345, includes remaining Library 1% as those funds are restricted to Lower Park RDA
Total PAAB 'General Funds' Budget Balance	\$194,838.50	
1% Funding		
Deer Valley Drive II Beautification 1%	\$7,725.00	remaining in project budget.
Main Street Improvement Estimated Total 1%	\$90,000.00	Confirmed with Budget Department
Total 1% Funding	\$97,725.00	
Grant Funding		
No current grants	\$0.00	
Total Grant Funding	\$0.00	
Operational Funding	\$2,664.29	Removed marsac tree maintenance, Lucy art maintenance, DV tunnel repair, piano maintenance and mural maintenance on poison creek
Total Operational Funding	\$2,664.29	Removed restriction of deadline to spend funding. Original amount removed from CIP above
Total Public Art Budget Balance	\$295,227.79	Total Budget
Expenditures	Cost	Notes
Library Project (July 2015) 1%	\$60,251.50	July 2015 (total 1% amount was \$68,000.00)
Quinn's Public Art (September 2015) CIP	\$85,622.00	September 2015
Maintenance DV Dr. Tunnel Repair (March 2016)	\$409.71	March 2016
PC MARC Project (October 2018)	\$6,468.00	\$6,468 has been released. This was a 1% allocation from PCMARC solar rennovations.
China Bridge Mural Project (October 2018)	\$40,000.00	\$40,000 has been released - removed from General Funds above.
Maintenance Lucy Moosey (July 2018)	\$200.00	July 2018 - removed from Operational Funding. Estimated additional costs that will be removed to place Lucy are estimated at \$1,000.
Window Display - Olympic Legacy	\$17,000.00	Project Completed, funding removed from grant projects
Concrete Pad for Lucy Installation	\$2,000.00	Removed from Capital Funds
Maintenance Marsac Art Poles/Trees (July 2018)	\$426.00	June 2018 - removed from Operational Funding
Utility Box Project	\$22,665.63	\$3,600 has been released to artists and \$19,065.63 to the printing services contractor - removed from General Funds
Creekside Water Plant Public Art	\$26,500.00	\$19,000 from Public Art Capital Budget, \$6,500 from Water Dept
McPolin Tunnel Mural	\$10,000.00	\$10,000 has been released to artist and Removed from CIP funds above
Transit Center Tunnel	\$10,000.00	From Capital Budget
Utility Box Artwork Framing	\$3,000.00	Paid to frame works from Utility Box Artwork to display in City Hall
Maintenance Poision Creek Murals	\$2,800.00	removed from Operational funding above.
Chuck Landvatter, Mural Maintenance	\$500.00	removed vandalism from poison creek mural
Inventory	\$10,000.00	Project began, Minda to update funding released. Removed from General Fund.
Art District Fencing Artwork	\$2,400.00	from Capital Budget
Inventory Retainer	\$5,000.00	Paid \$850 based on current work so far.
Martinez Sculpture Site Prep	\$5,000.00	from Lower Park RDA funds.
Lucy the Moose Repairs	\$500.00	from Capital Budget
Utility Box Artwork and Printing	\$43,000.00	estimated - capital budget
Mural Repair	\$4,250.00	Ben & Chucks Murals. Graffiti sealer on Chuck's mural
Project Manager for Public Art	\$40,000.00	Estimated - hire project manager
Mural Repair	\$6,600.00	For mural & martinez sculpture repairs
FOSMML Daly West Sculpture	\$60,000.00	Estimated cost of art work
Total Expenditures	\$464,592.84	

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: STUDY SESSION

Subject:

3:00 p.m. - Mayor's Legacy Mine Soil Roundtable Update

Suggested Action:

Attachments:

[Mayor's Legacy Mine Soil Roundtable Staff Report](#)

[Exhibit A Mayor's Legacy Mine Soil Roundtable Presentation](#)

[Exhibit B Roundtable Participant Comments](#)



City Council Staff Report

Subject: Mayor's Legacy Mine Soil Roundtable

Author: Ryan Blair

Department: Sustainability

Date: April 27, 2023

Type of Item: Administrative

Recommendation

Review the work and deliberations conducted by the Mayor's Legacy Mine Soil Roundtable ("Roundtable") and consider providing direction based on feedback and recommendations.

Background

In January 2023, the Mayor launched a series of focused discussions around Park City's mining history in relation to the City's "Landscaping and Maintenance of Soil Cover" ordinance ("Soil Ordinance") and the potential environment and human health impacts. The Roundtable was made up of knowledgeable community and residents stakeholders and professional staff, including:

Francisco Astorga, AICP Director of Planning and Economic Development, Bountiful City	Dean Berrett Berrett Mortgage, Prospector Square Property Owner's Association	Ryan Blair, MPH, LEHS Environmental Regulatory Program Manager, Park City Municipal Corporation
Phil Bondurant, PhD, MPH Health Director Summit County	Joan Card, JD Facilitator Attorney, Culp & Kelly, LLP	Michelle Downard Resident Advocate, Park City Municipal Corporation
Tom Gadek, PhD Chemist, Co-Founder, MCAL Therapeutics	Sherie Harding, PhD Paleontologist-Ichnologist Department of Geology and Geophysics, University of Utah	Nell Larson, MEM Executive Director, Swaner Preserve and EcoCenter
Margaret Plane, JD City Attorney, Park City Municipal Corporation	John Russell, PG Environmental Hydrogeologist, Stantec	Adam Strachan, JD Attorney, Strachan, Strachan & Simon, PC

The purpose of the Roundtable was to create an informal and open discussion of Park City's mining history, particularly our legacy and the need for proactive and professional management of potentially contaminated soil. To this end, the Roundtable engaged in detailed discussions about Park City's existing Soil Ordinance and in-depth conversations about mining history, geography and jurisdictional boundaries, federal and state requirements, and potential enhancements.

The Roundtable also reviewed the recommendations of the previous community soils review – the *2013 Blue Ribbon Commission on the Soil Ordinance & Disposal Options*, in the context of regulatory changes and community sentiment over the last decade.

The Roundtable had four sessions, each with a small presentation introducing the topic and a series of questions to facilitate discussion. Topics included:

- Park City's Mining and Milling History.
- The Park City's Soil Ordinance.
- The Future of Municipal Soil Disposal Needs.
- Overarching discussion about the EPA and DEQ in Park City; and
- Recent update to State Environmental Disposal Regulations.

Questions asked of the Roundtable:

Session 2 Soil Ordinance Deep Dive

1. Should the City be more proactive with education and outreach about mine-contaminated soil and the ordinance?
2. Should the soil ordinance name be changed?
3. Should the City provide soil testing to residents?
4. Should the City bring back the Topsoil assistance program for residents?
5. Should the City be more proactive with education and outreach about mine-contaminated soil and the ordinance?
6. What additional resources do residents and businesses need to comply with the ordinance?
7. How should the City address non-compliance with the soil ordinance?

Session 3 Mining Sites/Ordinance Boundary

1. Should the soil ordinance boundary be expanded to include Woodside, Daly, and Marsac/Ontario Ave. residential areas?
2. Should the soil ordinance boundary be expanded to include Empire Canyon areas?
3. What criteria or information should be considered for potential boundary expansion?

Session 4 Future Soil Strategy

1. Should the soil ordinance be revised to include alternatives to the current requirement that all soil transported from the boundary must be disposed of at a regulated facility?
2. Should the City work with EPA to pursue the development of a soil repository for City project legacy mine soil?
3. If so, should the City provide access to any new repository space for legacy mine soil from private development projects within the soil ordinance boundary?
4. How proactive should the City be in negotiating/working with EPA?

Future Considerations

The April 27, 2023, Study Session is an opportunity for the Mayor and Council to review, discuss, learn from the Roundtable, and ultimately provide feedback. The Roundtable members plan to provide their insights to the Council directly and have offered their ongoing support as the community continues to work on the impacts of our mining legacy proactively.

Specifically, the Roundtable identified several areas for your consideration:

1. Consider revising the City's ordinance to reflect updated and modernized State environmental regulations. The State of Utah recognizes that non-hazardous contaminated waste could be responsibly reused within a regulated and professionally managed disposal facility ([R315-303-4\(4\)\(b\)\(i\)](#)).
2. Consider revising Park City's Soils Ordinance boundary and thoughtfully explore boundary expansion driven by a voluntary sampling program and risk assessments.
3. Consider exploring "leveling the playing" field between all applicable parties. For example, evaluate how the Soils Ordinance impacts commercial and residential development projects, including uniformity in enforcement across the Old Town, Prospector, and Commercial development zones.
4. Consider exploring additional community outreach and educational programs to facilitate better compliance with the Ordinance and enhance resident knowledge of Park City's underlying mining history.

Funding

No funding request, yet \$20,000 was proactively requested by the Soils Management Team in the FY24 budget process to contemplate a new community soils sampling program.

Exhibits

- A Legacy Mine Soil Roundtable PowerPoint Presentation
- B Roundtable Participant Comments



Legacy Mine Soil Roundtable

Environmental Regulatory Program



Meeting Structure

- 4 Sessions
- Cross Section of Community
 - Residents of Park City
 - Business owners
 - Technical Experts

Participants

Francisco Astorga, AICP Director of Planning and Economic Development, Bountiful City	Dean Berrett Berrett Mortgage, Prospector Square Property Owner's Association	Ryan Blair, MPH, LEHS Environmental Regulatory Program Manager, Park City Municipal Corporation
Phil Bondurant, PhD, MPH Health Director Summit County	Joan Card, JD Facilitator Attorney, Culp & Kelly, LLP	Michelle Downard Resident Advocate, Park City Municipal Corporation
Tom Gadek, PhD Chemist, Co-Founder, MCAL Therapeutics	Sherie Harding, PhD Paleontologist-Ichnologist Department of Geology and Geophysics, University of Utah	Nell Larson, MEM Executive Director, Swaner Preserve and EcoCenter
Margaret Plane, JD City Attorney, Park City Municipal Corporation	John Russell, PG Environmental Hydrogeologist, Stantec	Adam Strachan, JD Attorney, Strachan, Strachan & Simon, PC

Topic Overview

- Park City Mining History and Legacy
- EPA and UDEQ Activities
- Soil Ordinance Breakdown
- Community Education, Grants and Outreach

Mining Legacy

Historical Overview



Roundtable Highlights



Review of notable Mining Locations



Major Event Timeline

Ordinance History

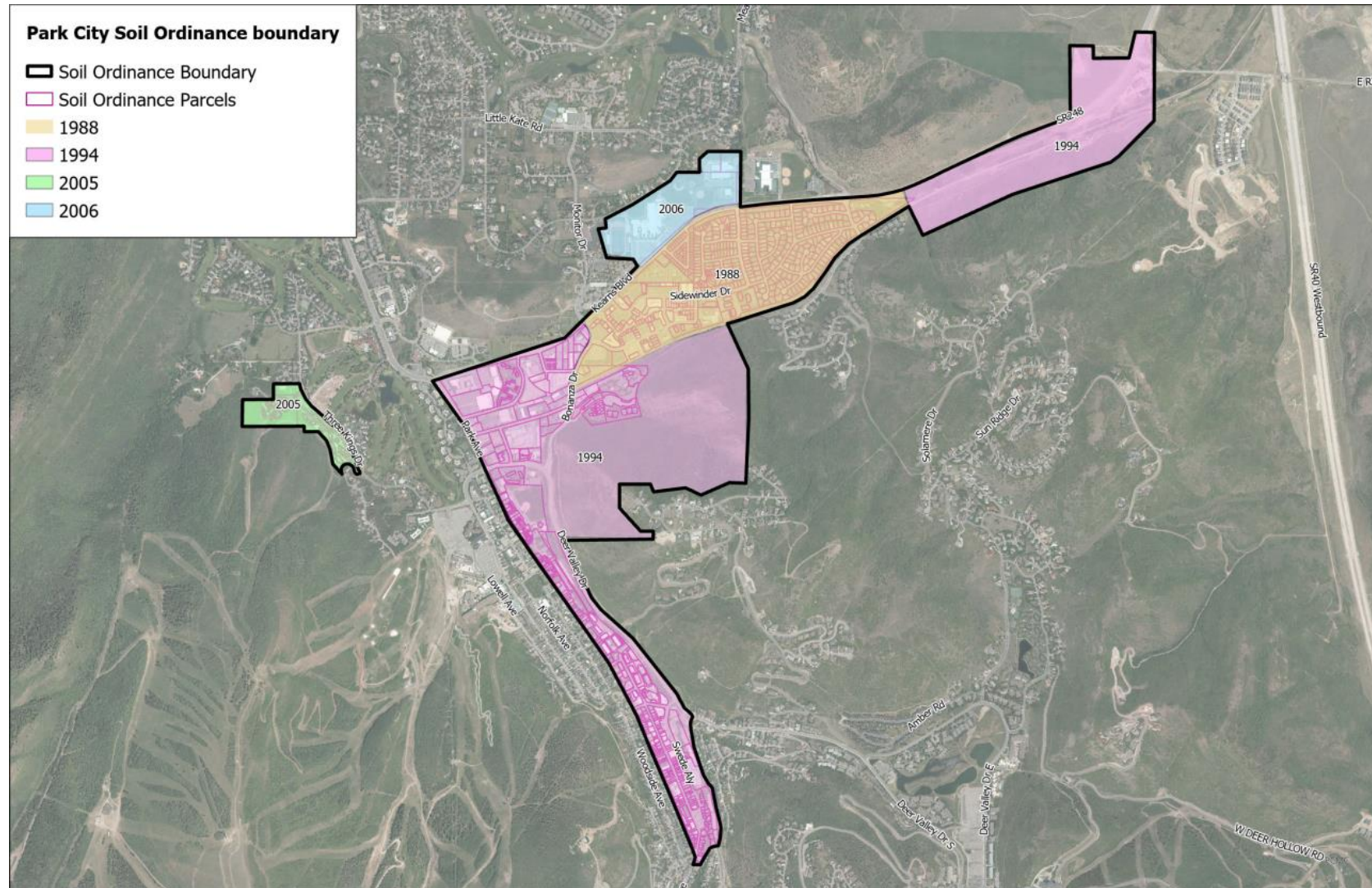
Select Ordinance Changes

	December 1988	March 1994	December 2003	January 2005	March 2006
Boundary	Original Prospector Square and Prospector Park neighborhood	City Hall and Old Town transit Center. Middle Reach and Gordo parcels	Expanded up Park Ave.; Removed "Chatham Crossing"	"Spiro Annexation"	Added Park City High School and McPolin Elementary
Compliance	Voluntary for Existing; Mandatory for New Construction	No Change	Mandatory compliance by 2006; Misdemeanor for non-compliance	No Change	No Change
Approved Cover	6" of soil; 200 ppm Lead Standard; Revegetation required; Planting bed requirements	No Change	Clarification of "Vegetation" to allow Xeriscape; Clarifications to planting bed language	No Change	No Change
Disposal	Test to determine if "hazardous waste;" Reincorporate onsite; Offsite according to state/federal rules	No Change	TCLP test to determine if "hazardous waste;" No reuse outside boundary; Reincorporation within boundary is ok	No Change	No Change

Roundtable Highlights

- Testing Requirements
- Acceptance Letter
- Dust Control
- Boundary
- Name
- Effectiveness

Boundary History



Other Highlights

- State Disposal Requirements
 - R315-303
- Impacts on City Projects
- Leveling the Playing Field
- EPA Engagement

Recommended Next Steps

- Ordinance Update
- Policy Review
 - Boundary Exploration
 - Internal Process Improvement
 - Mechanics of compliance
- Education and Outreach Exploration

TO: Ryan and Joan
FROM: Sherie and Tom
SUBJECT: Legacy Mine Soils Round Table, discussions, Review, April 2023
DATE: April 4, 2023

Regarding Park City's Legacy Mine Soils, following our Round Table discussions: Considering that the cost implications are outside of our purview, comments here pertain to other factors. Our comments relate to mine history and risks which ultimately impact public health. Hopefully this provides some insight for the review. To restate from the Land Management Code ...

The LMC preamble statement of purpose (15-1-2 A): "To promote the general health, safety, and welfare of the present and future inhabitants, Businesses, and visitors of the City."

Excerpts from the draft staff report (2023-3, by Ryan)

".. Second, taking a closer look at the ordinance boundary with thoughtful exploration of boundary expansion."

A review of the 2015 Settlement Agreement between EPA and UPCM on the Uintah Mining District provides some insight when exploring Soil Ordinance Boundary expansion. First some questions:

- 1) Was the Settlement Agreement between EPA and the Respondent, UPCM, fully complied with?
- 2) Did EPA review the Final Report and conclude that all work was fully performed in accordance with the Settlement? Is the Final Report available to review?
- 3) Is there a notice of Completion of Work?
- 4) Note: Appendix A (page 16) of the Settlement Agreement, states "UPCM will establish appropriate post-removal site control measures to maintain the erosion control features including vegetation at the Site." Who is responsible for monitoring the erosion control features?

The Uintah Mining District is the heart of Park City's mining legacy. The mediation measures conducted under the Settlement Agreement only hold up if no excavation or building ever is allowed on the mediated sites. It makes sense to include the mediated areas within the Soil Ordinance Boundary. It makes even more sense to prohibit future development of the mediated sites.

Ideally, the Soil Ordinance Boundary should include the Uintah Mining District, which should include the concerning Alice Claim and the Marsac Mill site. Some eye-opening findings by the EPA based on their sampling program (Appendix A, pg 2).

- Ontario Canyon – Historic mining features in Ontario Canyon included the Judge Loading Station as well as the Ontario Mine, Mill and Tunnel. The surface concentrations of lead in the waste piles at the Ontario Mine exceed 1,000 mg/kg and the piles display obvious signs of erosion. The historic Ontario Mill was effectively capped and re-vegetated during the construction of a runaway truck 2 ramp. The concentrations of lead in exposed soil at the Judge Loading Station and Ontario Tunnel area exceed 10,000 mg/kg in several locations and the soil displays obvious signs of erosion.

- Empire Canyon – Historic mining features in Empire Canyon included the Judge and Alliance waste pile. The surface concentrations of lead at the Judge and Alliance waste pile exceed 1,000 mg/kg of lead and some locations exceed 10,000 mg/kg. The pile displays obvious signs of erosion and contaminated soil was identified down gradient of this waste pile. The area is located on the outskirts of town just up gradient of the residential properties along Daly Avenue and is regularly used by hikers and bikers.
- Woodside Gulch – Historic mining features in Woodside Gulch include the Silver King Mine and Mill. The Silver King Mine and Mill area contains approximately 56,000 cubic yards of mine waste and the surface concentrations of lead exceed 10,000 mg/kg in several locations. The waste piles display obvious signs of erosion. The main drainage comes into direct contact with this mine waste and contaminated soil was identified downstream of the waste piles in the middle reaches of Woodside Gulch.
- Treasure Hollow – Historic mining features in Treasure Hollow include the Treasure Hollow waste pile. The waste pile at Treasure Hollow contains approximately 102,000 cubic yards of mine waste. The pile is relatively homogeneous and surface concentrations of lead exceed 1,000 mg/kg. The pile is poorly vegetated and displays obvious signs of erosion. A summer trail crosses the pile.
- Thaynes Canyon – Historic mining features in Thaynes Canyon include the California Mine, Comstock Mine, Apex Mine and Thaynes Shaft. These features together contain approximately 263,000 cubic yards of waste material and the surface concentrations of lead exceed 10,000 mg/kg in several locations. The waste piles display obvious signs of erosion including use of an excavator to maintain an access road on the ski resort. The main Thaynes drainage channel comes into direct contact with the waste piles and mill waste was identified in the drainage downstream of the piles.

That said, weathering and erosion are relentless. Drainage from Uintah Mining District sites undoubtedly moves downhill into our town, including the resort parking lots, into our water protection zones and percolates into our groundwater.

Several mill sites are outside of the current Soil Ordinance Boundary. Building should not occur on any of the mill sites. It is best to leave contaminated soil in place and contain it on the property. Moving or disturbing the material with associated dust is a public health hazard. Fine particles of dust in water are more soluble, thus more bioavailable. Certainly, trucks should be covered if transporting waste. If on-site storage is used, membranes might last 100 years. The minerals last forever. The waste then becomes a legacy for our children's children.

Example, currently Daly Avenue is outside of the Soil Ordinance. There is no control on excavation, hauling and dumping of material from this area of the Poison Creek drainage. Daly Ave, Woodside Ave, King Road, & Ridge Road clearly should be within the Soil Ordinance Boundary, to name a few.

Example, the catch basin at the Trail Head parking lot at the top of Daly Ave, is becoming clogged with sediment. It is drinking water for dogs and play area for children. I've seen gold panning in that section of Silver Creek. As it becomes further clogged, digging up and moving the sediment is a risk.

.. Third, an exploration of “leveling the playing” field between commercial and residential development.

Leveling the playing field means lots of things. Old Town residents currently are treated differently from Prospector residents. Builders are treated differently than residents. Workers are currently protected while residents are not.

As a final comment, I wish to note that the Galena mineral (PbS) commonly occurs in cubic crystals visible to the human eye in hand specimen. Galena crystals are admired by collectors. Often it is bought and sold at rock and mineral shows. Galena crystals are not a concerning health hazard, however, after mill processing to very fine, micro and nano size particles, it represents a greater exposure hazard to our public health. The milling objective is/was to grind to very fine particles, which when suspended in water essentially are able to travel further in the current, and more soluble and more bioavailable.

Ryan, If possible, may we see the power point presentation that you plan to use during the work session.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Budget, Debt & Grants

Item Type: Work Session

Agenda Section: WORK SESSION

Subject:

3:45 p.m. - Discuss FY24 Fee Schedule Changes

Suggested Action:

The City Council's feedback is requested in anticipation of the final Fee Schedule adoption planned for June 22, 2023.

Attachments:

[FY24 Fee Schedule Staff Report](#)

[Exhibit A: FY24 Fee Schedule Redlined Copy](#)



City Council Staff Report

Subject: FY24 Fee Schedule Changes
Department: Budget, Debt, & Grants
Date: April 27, 2023
Type of Item: Informational/Legislative

Summary Recommendation

Over the last several weeks, the Budget Team has presented potential aspects of what will become the FY24 City Manager's Recommended Budget. This report focuses on proposed changes to the City's FY24 Fee Schedule (Exhibit A) for Council consideration.

The City Council's feedback is requested in anticipation of the final Fee Schedule adoption planned for June 22, 2023.

Background

Park City charges a range of fees for public services provided to residents and businesses. Fees for services include recreational services, rental uses, and water utilities. Most fees traditionally charged by Utah municipalities have direct enabling legislation. For example, water and sewer rates and fees are specifically enabled by Utah Code sections 10-8-22 and 10-8-38.

The method for establishing fees and the extent to which they recover the cost of the service provided must be consistent with the recommendations of the Government Finance Officers Association (GFOA) and the requirements in Utah Code. During each budget process, the fee schedule is reviewed to ensure the amounts charged reasonably reflect the City's cost to deliver the service and not more.

Analysis

This year, all departments were encouraged to examine their fees with an eye toward covering actual costs while prioritizing the benefit provided to residents. While the cost of services is going up through inflation, managers were thorough and thoughtful in their approach, balancing the need to keep up with expenses while maintaining public accessibility and affordability.

The following departments are proposing some changes to the Fee Schedule for FY24:

- Water
- Recreation
- Golf
- Ice
- Special Events
- Trails

A redlined copy of the Fee Schedule can be found in Exhibit A and proposed changes are summarized below. Potential benefits to residents and additional estimated cost recovery are noted where applicable:

Utility Fees (Section 2, page 15)

- Summary of Changes:
 - o Adds fee for Water Labor after hours of \$70 per hour
 - o Adds equipment rental fee of \$45 per hour
 - o Increases the Renter Deposit from \$50 to \$175 to more accurately reflect the cost of water in Park City; the City only keeps the deposit if a renter fails to pay their bill
 - o Fee changes would apply to both residents and businesses
- Estimated additional fee income: anticipated to be minimal; in FY23 the City billed out \$1,000 in water labor and equipment rentals
- *Note: Water fee changes don't currently include an approximate 10% inflationary fee for water rates; the updated rates will be added prior to the final Fee Schedule adoption in June.*

Recreation Fees (Section 8, pages 26-29)

- Summary of Changes:
 - o Increases sliding fee schedule to track along with Summit County's Annual Median Income (AMI). The purpose of the Sliding Fee Schedule is to provide residents (defined as living within the Park City School District) with the opportunity to apply for a reduced fee for recreation activities. The fee reduction is based on Summit County's Average Median Income (AMI) and the applicant's gross family income. Discounts range from 30% - 70% depending on Gross Family Income.
 - o Streamlines and combines tennis and pickleball fees (pickleball fee increases only for instruction)
 - o Increases in youth and adult clinic fees, along with a few other fees
 - o Adds a new fee for outdoor court rentals for tennis and pickleball of \$25 per hour
- Potential benefits to residents: Adjusts fees for Fitness Studio Use to reflect a resident fee of \$65 and a non-resident fee of \$125 (formerly was a discount for non-profit groups); other discounts for residents were not considered this year as this objective ranked the lowest out of any recreation objectives during the Council's mid-year retreat. Instead, our Team's time was diverted to various recreation master planning initiatives.
- Estimated additional fee income: \$120,000

Golf Fees (Section 8.5, page 29)

- Summary of Changes:
 - o Increases Park City Resident 18 Hole fee from \$56 to \$60
 - o Increases Utah Resident 18 Hole fee from \$66 to \$75
 - o Increases non-resident 18 Hole fee from \$76 to \$85
 - o Increases Lodging/Pre-book 18 Hole fee from \$90 to \$100
 - o Increases to golf season and punch pass fees
- Potential benefits to residents: The majority of fee increases impact users based outside of Park City, with minimal increases to local residents
- Estimated additional fee income: While revenues are anticipated to increase for FY24, they may be negatively impacted by a late start in the season due to the snowpack; Golf will closely monitor monthly revenues to better understand the impact of these increases.

Ice Arena Fees (Section 9, pages 34-36)

- Summary of Changes:
 - o Increases in fees for admission from \$6.00 to \$6.50
 - o Increases several fees for drop-in activities
 - o Increases hourly ice use fees for different types of groups
 - o Increases birthday party package fee from \$175 to \$185
 - o Increases all locker rental fees by \$5.00
- Potential benefits to residents: Increases for residents are either minimal or apply to both residents and non-residents
- Estimated additional fee income: \$25,000

Special Event Application Fees (Section 10.14, page 40)

- Summary of Changes: Increases event application fees by 50% for FY24 based on Council direction and will increase again in FY25 to cover the administrative costs of reviewing Applications across multiple departments.
- Potential benefits to residents: Community-identifying Events will still receive a significant subsidy (only pay 10% of newly listed fees)
- Estimated additional fee income: \$43,100 (based on FY22 number of events)

Trail Use Fees (Section 10.16, pages 40-41)

- Summary of Changes:
 - o Updates Fee Schedule to match the Trails Special Events Policy
 - o Adds event participation caps on the number of people

- o Increases to Trail Use Fee and Deposit Schedule
 - o Adds cost of maintenance per trail mile
 - o Increases winter grooming fee
- Estimated additional fee income: No increase, only updating fee schedule to match Trails policy

Other Fees Currently Under Review:

The following fees are not included as part of the FY24 fee schedule but are currently under review or will be in the next year.

- Business Licensing Fee study is currently in process; likely to finish later this summer
- Building, Planning, and Engineering are in discussions to conduct a fee study next year

Exhibits:

A – FY24 Fee Schedule Redlined Copy

PARK CITY FEE SCHEDULE – Effective ~~June 23, 2022~~

TABLE OF CONTENTS

<u>Section 1. CONSTRUCTION AND DEVELOPMENT RELATED FEES</u>	3
1.1 Planning Fees	
1.2 Building Fees	
1.3 Engineering Fees	
1.4 Administrative Code Enforcement (ACE) Fees	
<u>Section 2. UTILITY FEES</u>	10
2.1 Water Impact Fees	
2.2 Water Metered Services Fee Schedule	
2.3 Water Violation Penalties	
2.4 Water Service Reinstatement Fee	
2.5 Water Meter Testing Fee	
2.6 Water Labor Rate	
2.7 Water Parts & Supplies Rate	
2.8 Fire Hydrant Meter Deposit Fee	
2.9 Renter Deposit	
2.10 Non-Mailed Shut-Off Notice Fee	
2.11 Improper Water Shut-Off or Turn-On	
2.12 Storm Water Fee	
<u>SECTION 3. SPECIAL MEETINGS FEES</u>	15
3.1 Special Council Meeting	
3.2 Type 2 CSL Special Meeting	
<u>SECTION 4. BUSINESS LICENSING</u>	15
4.1 Business Licenses	
4.2 Convention Sales and Hospitality Licenses	
4.3 Beer and Liquor Licensing Fee	
4.4 Solicitors Licensing Fee	
4.5 Outdoor Sales	
<u>SECTION 5. MISCELLANEOUS LAW ENFORCEMENT FEES</u>	17
5.1 Alarm Monitoring Fees	
5.2 Direct Access Alarms	
5.3 Dispatching Fee	
5.4 Vehicle Impound Fee	
5.5 Contract Law Enforcement Services	
<u>SECTION 6. GRAMA (Government Records Access and Management Act) FEES</u>	18
6.1 Copies	
6.2 Copies from outside copiers	
6.3 Copies retrieved from Utah State Archives or other storage facility	
6.4 Compiling Documents in a form other than that normally maintained by the City, pursuant to U.C.A. 63G-2-203 (2008)	
6.5 Fee Waiver for Public Benefit	
6.6 Requests for Police Records	
<u>SECTION 7. PARKING, METER RATES, VIOLATIONS, TOWING, AND IMPOUND FEES</u> ...	19
7.1 Fines for meter violations	
7.2 Fines for mobility disabled space violations	
7.3 Fines for special event parking violations	
7.4 Fines for time limit parking violations	
7.5 Fines for all other parking violations	

7.6	Parking Permits	
7.7	Special Event Parking	
7.8	Tow and Storage Fees	
7.9	Immobilization Fee	
7.10	Fees for Special Use of Public Parking	
7.11	Garage and Surface Lot Parking Rates	
7.12	Meter rates	
7.15	Meter payment by cell phone	
SECTION 8.	RECREATION SERVICES AND FACILITY RENTAL FEES	24
8.1	Purpose and Philosophy	
8.2	Cost Recovery	
8.3	Establishing User Fees	
8.4	PC MARC	
8.5	Golf Fees	
8.6	Library Fees	
8.7	Cemetery Fees	
8.8	Park Pavilion Rental Fees	
8.9	Miners Hospital Community Center Fees	
8.10	Park City Library Room Rental Rates	
SECTION 9.	ICE ARENA AND FIELDS RENTAL FEE SCHEDULE	34
9.1	Establishing User Fees/Field Fees/Ice Arena Admission Fees	
9.2	Recreation Program Fees	
9.3	Fee Increases	
9.4	Discounting Fees	
9.5	Fee Waivers	
9.6	Establishing Fields User Fees	
SECTION 10.	MISCELLANEOUS FEES	38
10.1	Fee for in lieu of providing public parking	
10.2	Returned Check Charge:	
10.3	News Rack Application and Permit	
10.4	Bleachers	
10.5	Banner Installation	
10.6	Parks Clean Up, Labor and Equipment	
10.7	Public Safety	
10.8	Parking Reservation Fees (Parking Department)	
10.9	Barricades (cost per barricade)	
10.10	Dumpsters	
10.11	Streets Equipment and Materials Equipment	
10.12	Materials	
10.13	Personnel	
10.14	Special Event Application Fee (Processing and Analysis)	
10.15	Public Parking Lot Use Rates for approved Events	
10.16	Trail Use Fees	
10.17	Credit Card Transaction Fees	
SECTION 11.	MUNICIPAL ELECTION FILING FEES	41

SECTION 1. CONSTRUCTION AND DEVELOPMENT RELATED FEES

1.1 PLANNING FEES

1.1.1 Plat/Subdivision *

Plat Amendment	\$900.00 per application
Subdivision	\$290.00 per lot/parcel
Administrative lot line adjustment	\$300.00 per application
Extension of Approval	\$330.00 per application

Condominium

Condominium or timeshare conversion	\$450.00 per unit
Record of Survey	\$450.00 per unit
Amendment to Record of Survey	\$100.00 per unit affected
Extension of Approval	\$330.00 per application

1.1.2 Master Planned Development (MPD) Process *

Pre-Master Planned Development	\$1,200.00
<i>Application includes one formal staff review and Planning Commission review of compliance with General Plan that includes a public hearing. If applicant files for formal Master Planned Development the \$1,200 will apply toward the application fee.</i>	
Master Planned Development	\$560.00 per unit equivalent
Modification to an MPD	\$330.00 per unit equivalent

1.1.3 Conditional Use Permit (CUP) *

Planning Commission Review	\$1,140.00 per application
Steep Slope Review	\$1,330.00 per application
Administrative Staff Review	\$330.00 per application
Extension or Modification	\$330.00 per application

1.1.4 Zone Changes *

\$1,650.00

1.1.5 Board of Adjustment *

Variance	\$940.00 per application
----------	--------------------------

1.1.6 Architectural and Design Review

Historic District/Site

New residential construction <1000 sf	\$200.00 per application
New residential construction >=1000 sf	\$750.00 per application
Commercial review	\$200.00 per unit equivalent for the first 10 units \$15.00/ue after

Non-Historic District/Site

New Residential - SF/Duplex	\$200.00 per application
Multi-Family/Commercial	\$100.00 per unit equivalent up to 10 units then \$15.00/ue after
Residential Additions	\$100.00 per application
Commercial Additions	\$100.00 per unit equivalent up to 10 units then \$15.00/ue after

1.1.7	<u>Historic Review *</u>	
	Historic Design Review (no increase in existing area)	\$210.00
	Historic Design Review (increase in existing area)	\$1,030.00
	Determination of Significance	\$350.00
	Certificate of Appropriateness for Demolition	\$300.00
1.1.8	<u>Land Management Code Review *</u>	\$2,000.00 per application
1.1.9	<u>General Plan Amendment *</u>	\$2,000.00 per application
1.1.10	<u>Sign Review</u>	
	Master Sign Plan Review	\$320.00
	Amendment to Master Sign Plan	\$120.00
	Individual sign permit	\$120.00 (\$118.80) plus 1% state tax
	Sign permit under master sign plan	\$130.00 (\$128.70) plus 1% state tax
	Temporary Sign Permit	\$60.00 (\$59.40) plus 1% state tax
1.1.11	<u>Annexation *</u>	\$5,850.00
	Annexation Fiscal Impact Analysis	\$1,550.00
	<i>plus actual cost of City approved consultant fee</i>	
	Modification to Annexation Agreement	\$4,150.00
1.1.12	<u>Appeals Fees *</u>	
	Appeals to Board of Adjustment	\$500.00
	Appeals to City Council	\$500.00
	Appeals to Historic Preservation Board	\$500.00
	Appeals to Planning Commission	\$500.00
1.1.13	TDR – Development Credit Determination	\$100.00

1.1.14 Refund of Withdrawn Planning Applications

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

1.1.15 Reactivation Fee

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

1.1.16 Attorney or Other Professional Services

Reimbursement for actual expense incurred

1.1.17 Mailing Fee

In addition to the Application Fee listed, the Applicant will also be responsible for a separate payment for the mailing of a property notice. A \$1.00 fee will be assessed per piece of mail that needs to be sent. The specifics on which Applications require property notices to be sent and to whom can be found in Land Management Code § 15-1-21, *Notice Matrix*.

* Projects under these classifications may be assessed the additional cost of the property posting and courtesy mailing as required by Land Management Code regulations at the time of submittal.

1.2 BUILDING FEES

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

1.2.2 Building Permit

Total Valuation

Free – Calculated by the actual value of construction, excluding the value of on-site renewable energy systems (including solar voltaic systems, ground source heat pumps and solar hot water)

\$1.00 and up 1.05% of the total valuation of construction as herein above described with a minimum fee of \$50.00.

1.2.3 Plan Check Fees

a. Deposit. On buildings requiring plan checks at the time of building permit application, the applicant shall pay a deposit of \$500.00 for residential buildings; and \$2,000.00 for commercial buildings. The deposit shall be credited against the plan check fee when the permit is issued. This deposit is non-refundable in the event permits are not issued.

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

1.2.4 Mechanical Permit

Plus 1% State Surcharge

See fee table below. Building Department enters the total valuation for materials and labor for each sub-permit into the Fee Table to determine the permit fee.

Total Valuation	Fee
\$1.00 to \$1,300.00	\$50.00
\$1,301.00 to \$2000.00	\$50.00 for the first \$1,300.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00

\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.5 Electrical Permit

See fee table below.

Total Valuation	Fee
\$1.00 to \$1,300.00	\$50.00
\$1,301.00 to \$2000.00	\$50.00 for the first \$1,300.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.6 Plumbing Permit

See fee table below.

Total Valuation	Fee
\$1.00 to \$1,300.00	\$50.00
\$1,301.00 to \$2000.00	\$50.00 for the first \$1,300.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.7 International Fire Code Fee Issuance Fee

\$20.00

In Addition:

Aircraft Refueling Vehicles	\$30.00
Open Burning	\$50.00
Candles and Open Flames in Assembly Area	\$50.00
Compressed Gas	\$30.00
Explosives or Blasting Agents	\$150.00
Fireworks (Displays)	\$150.00
Firework (Sales)	\$75.00
Flammable Liquids	\$15.00
Flammable or Combustible Liquid Tanks	\$130.00
Hot Work (welding)	\$15.00
Liquefied Petroleum Gases (heaters and devices up to 5 units)	\$55.00 Liquefied
Petroleum Gases (heaters and devices) each additional unit	\$11.00 Liquefied
Petroleum Gases on an active construction site (125+ gal) Assembly	\$130.00 Places of \$50.00
Vehicles (liquid or gas fueled) within a building	\$130.00
Others not listed	\$15.00

Tents, air-supported structures and trailers \$.20 per square foot. Temporary structures built to permanent standards will be subject to fees set forth in Section 1.2.2. For plans already on file and approved, the fee will be reduced to \$.13 per square foot.

1.2.8 Grading Plan Review and Permit Fees

See fee table below.

Total Valuation	Fee
\$1.00 to \$1,300.00	\$50.00
\$1,301.00 to \$2000.00	\$50.00 for the first \$1,300.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.9 Soil Sample Fee \$100.00

1.2.10 Demolition Permit Fee

Total Valuation	Fee
\$1.00 to \$1,300.00	\$50.00
\$1,301.00 to \$2000.00	\$50.00 for the first \$1,300.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00

\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.11 Flatwork Permit

Total valuation.

\$1.00 and up 1% of the total valuation of construction as herein above described with a minimum fee of \$15.00. Flatwork permits are subject to Plan Check fees as described above.

1.2.12 Other Inspections and Fees

Inspections outside normal business hours*	\$150.00 per hour (minimum charge 2 hours)
Re-inspection fee	\$150.00 per hour (minimum charge 1 hour)
Additional inspection services*	\$75.00 per hour (minimum charge 1 hour)
Starting work without a permit (first offense)	Double (x2) the building permit fee
Continuing work without a permit (second offense)	Quadruple (x4) the building permit fee
For use of outside consultants for plan reviews, inspections or both	Actual cost**

*Or the total hourly cost to the City, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved. These services will be offered based on inspector availability.

** Actual Cost includes administrative and overhead costs.

1.3 **ENGINEERING FEES**

1.3.1 Construction Inspection Fees. Prior to receiving a building permit, a notice to proceed or plat approval, developers shall pay a fee equal to six percent (6%) of the estimated construction cost as determined by the City Engineer. In projects with private street systems that limit city inspection requirements to water, drainage, and other improvements, but not to streets, the inspection fee shall be four percent (4%) of the estimated construction cost of the improvements to be inspected as determined by the City Engineer. The city, upon notice to the developer, may charge the developer a fee of \$90.00 per man-hour to recoup costs to the city above the fee charged. The city may also charge \$90.00 per man-hour for re-inspections of work previously rejected.

1.3.2 Permit to Work in Public Right-of-Way

Application Fee is \$200.00. In addition, the applicant shall:

1. Prepare and submit, in accordance with the table below, an estimated cost for the total work to be performed. Any item of work not listed on the table below shall be included in the list of items at a price agreed to by the applicant and City Engineer's office. The applicant shall either:
 - Post an irrevocable letter of credit issued by a bank authorized to do Business in the State of Utah or an out-of-state bank, provided that a bank authorized to do Business in Utah confirms in writing that it will honor the letter of credit naming Park City Municipal Corporation as the payee of funds drawn against the letter of credit and guaranteeing the availability or cash bond equal to the estimated total cost; or
 - Submit a cashiers check equal to the estimated total cost.

At a minimum, letter of credit or cashier's check shall be \$2,000. The letter of credit or bond shall remain in effect for a period of one (1) year from the date of the work is actually completed to guarantee the adequacy of repairs made to the streets.

Bonding Amounts for Work in the Right of Way

Item	Measurement	Unit Costs
Removal of Gutter	LF	\$10.80
Replacement of Gutter	LF	\$78.00
Removal of Asphalt	SF	\$8.70
Replacement of Asphalt	SF	\$15.60
Removal of Cross Street Gutter	SF	\$13.50
Replacement of Cross Street Gutter	SF	\$86.40
Removal of Sidewalk	SF	\$7.80
Replacement of Sidewalk	SF	\$30.00
Excavation of Trench	CF	\$3.00
Excavation of Trench in Soils Dist	CF	\$8.80
Flow fill of Trenching	CF	\$8.80

2. Applicant shall submit proof of insurance.

Starting work in the right of way without a permit (first offense) – Double (x2) the work in the right of way application fee

Continuing work without a permit (second offense) – Quadruple (x4) the work on the right of way application fee

1.3.3. Fee for the Processing of Small Wireless Facility Applications

Fees shall be consistent with Utah Code Section 54-21-503:

- \$100 for collocation of a small wireless facility on an existing or replacement utility pole for each small facility on the same application.
- \$250 for each application to install, modify, or replace a utility pole associated with a small wireless facility.

For an activity that is not a permitted use described in Utah Code Section 54-21-204, an application may not exceed \$1,000 per application to (a) install, modify, or replace a utility pole; or (b) install, modify, or replace a new utility pole associated with a small wireless facility.

1.3.4 Road Closure Permit

Application fee is \$50.00

Closing the road without a permit (first offense) – Double (x2) the work in the right of way application fee

Closing the road without a permit (second offense) – Quadruple (x4) the work on the right of way application fee

1.4 ADMINISTRATIVE CODE ENFORCEMENT (ACE) FEES

1.4.1 Civil Fee Schedule

Daily Violation Fee \$100.00 per day
Re-inspection Fee \$75.00

1.4.2 Operating without a Type 2 CSL \$800.00 per violation

SECTION 2. UTILITY FEES

2.1 WATER IMPACT FEES. Water Impact Fees are located in the Park City Municipal Code, Title 11, Section 13.

2.2 MONTHLY WATER METERED SERVICES FEE SCHEDULE:

2.2.1 Base Rates & Meter Price (For all water billed on or after July 1, 2020).

2.2.1.1 Single Family Residential

Meter Size	FY23 Base Rate	FY23 Meter Price
3/4"	\$55.24	\$876.30
1 "	\$74.57	\$1,007.15
1.5"	\$88.44	\$1,432.86

2.2.1.2 Multi-Family Residential or Commercial

Meter Size	FY23 Base Rate	FY23 Meter Price
3/4"	\$71.60	\$876.30
1"	\$121.51	\$1,007.15
1.5"	\$259.56	\$1,432.86
2 "	\$541.29	\$2,534.45
3"	\$1,408.68	\$2,998.29
4"	\$2,557.37	\$5,224.61
6"	\$4,820.72	\$8,128.46
8"	\$8,205.18	\$12,208.41

2.2.1.3 Irrigation

Meter Size	FY23 Base Rate	FY23 Meter Price
3/4"	\$122.21	\$876.30
1"	\$206.80	\$1,007.15
1.5"	\$441.77	\$1,432.86
2"	\$921.27	\$2,534.45
3"	\$2,397.40	\$2,998.29
4"	\$4,352.78	\$5,224.61
6"	\$8,205.18	\$8,128.46

2.2.1.4 Construction Base Rate: \$321.01

2.2.1.5 Necessitous Base Rate: \$4.82

2.2.2 Water Consumption Rates. The following water consumption rates apply. Relief in the event of a leak may be granted, consistent with the leak policy.

2.2.2.1 Single Family Residential

	Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
Price per 1,000 gallons	\$6.88	\$11.03	\$11.61	\$15.04	\$17.93	\$31.34
Gallons in Block	0-5,000	5,001-15,000	15,001-25,000	25,001-35,000	35,001-55,000	Over 55,000

2.2.2.2 Multi-Family Residential

	Block 1	Block 2	Block 3	Block 4
Price per 1,000 gallons	\$8.15	\$11.03	\$17.93	\$27.61
3/4" Meter, Allowance in Block	0-10,000	10,001-36,000	36,001-80,000	Over 80,000
1" Meter, Allowance in Block	0-17,000	17,001-57,000	57,001-120,000	Over 120,000
1.5" Meter, Allowance in Block	0-30,000	30,001-100,000	100,001-200,000	Over 200,000
2" Meter, Allowance in Block	0-48,000	48,001-160,000	160,001-320,000	Over 320,000
3" Meter, Allowance in Block	0-96,000	96,001-320,000	320,001-640,000	Over 640,000
4" Meter, Allowance in Block	0-150,000	150,001-500,000	500,001-1,000,000	Over 1,000,000

6" Meter, Allowance in Block	0-180,000	180,001-600,000	600,001-1,200,000	Over 1,200,000
------------------------------	-----------	-----------------	-------------------	----------------

2.2.2.3 Commercial

	Block 1	Block 2
Price per 1,000 gallons	\$9.67	\$14.98
3/4" Meter, Allowance in Block	0-150,000	Over 150,000
1" Meter, Allowance in Block	0-300,000	Over 300,000
1.5" Meter, Allowance in Block	0-500,000	Over 500,000
2" Meter, Allowance in Block	0-750,000	Over 750,000
3" Meter, Allowance in Block	0-1,200,000	Over 1,200,000
4" Meter, Allowance in Block	0-1,700,000	Over 1,700,000
6" Meter, Allowance in Block	0-1,700,000	Over 1,700,000

2.2.2.4 Irrigation

	Block 1	Block 2
Price per 1,000 gallons	\$11.78	\$19.15
3/4" Meter, Allowance in Block	0-56,000	Over 56,000
1" Meter, Allowance in Block	0-90,000	Over 90,000
1.5" Meter, Allowance in Block	0-185,000	Over 185,000
2" Meter, Allowance in Block	0-300,000	Over 300,000
3" Meter, Allowance in Block	0-600,000	Over 600,000
4" Meter, Allowance in Block	0-935,000	Over 935,000
6" Meter, Allowance in Block	0-1,865,000	Over 1,865,000

2.2.2.5 Construction \$12.99 per 1,000 gallons

2.2.2.6 Necessitous

The Necessitous Base Rate includes 10,000 gallons. Water consumption above 10,000 gallons is charged per the Single Family Residential rate structure in paragraph 2.2.2.1.

2.2.2.7 Contract Rules

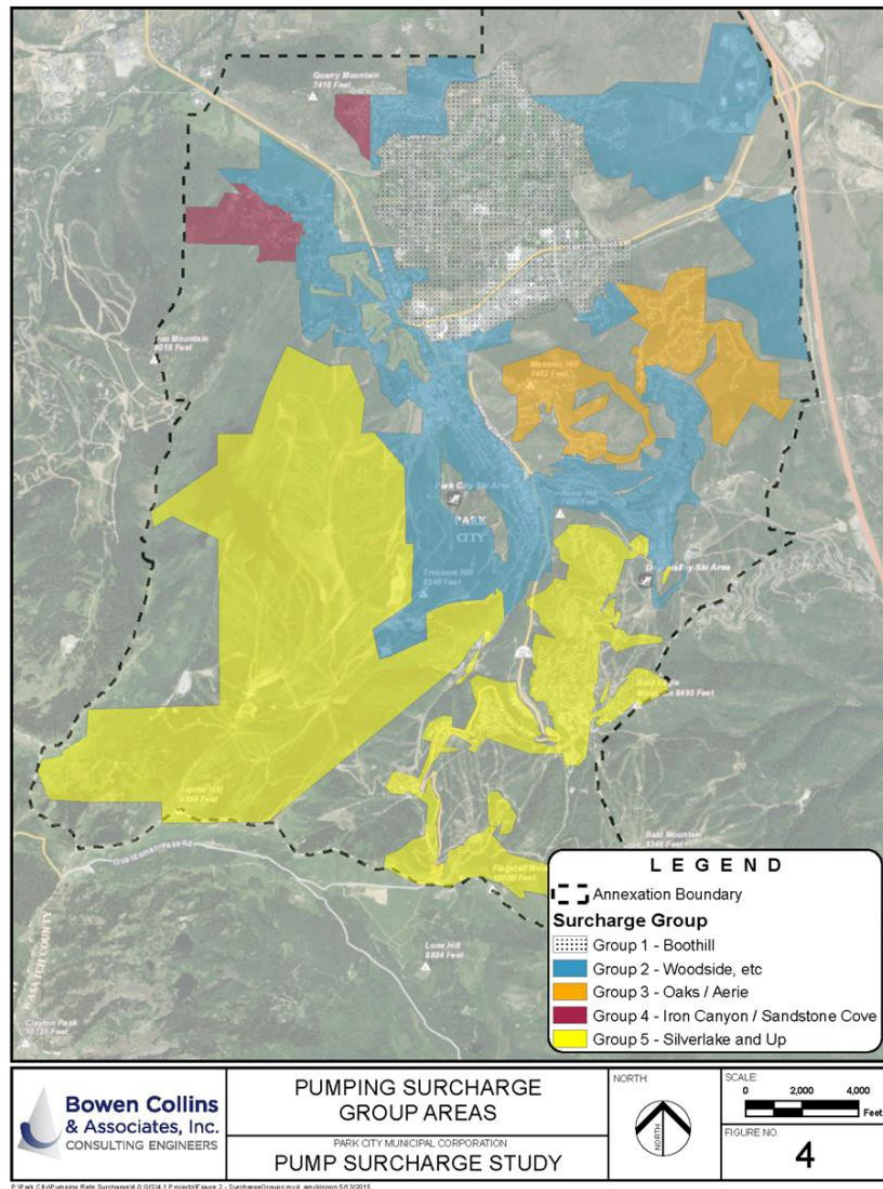
The City will honor the rates as they are set by a Council approved contract.

2.2.3 Energy Surcharge (For all water billed on or after July 1, 2023). All water billed under 2.2.2, except for paragraph 2.2.2.7 Contract Rules, shall be billed a location dependent Energy Surcharge, comprised of a Pumping Surcharge and an Efficiency Optimization Surcharge.

2.2.3.1. Surcharge Group

The following table and associated map identify an account's Surcharge Group Number. Conflicts between the map and the table will be resolved by reference to the table.

Surcharge Group No.	Surcharge Group	Pressure Zone Numbers Included in Group
1	Boothill	29
2	Woodside, etc	8,10,17,18,19,20,21,22,
		23,24,25,26,27,42,48,49,30,32
3	Oaks / Aerie	11,12,13,14,15,16
4	Iron Canyon / Sandstone Cove	28,31
5	Silver Lake and Up	1,37,2,3,4,5,6,7,
		34,38,39,40,41



2.2.3.2 Energy Surcharge

An Energy Surcharge shall be assessed by Surcharge Group and at a price per 1,000 gallons by as follows:

Group No	Pumping Surcharge	Energy Optimization Surcharge	Total Energy Surcharge
1	\$0.00	\$0.55	\$0.59
2	\$0.53	\$0.80	\$1.41
3	\$1.19	\$1.12	\$2.41
4	\$1.59	\$1.31	\$3.08
5	\$2.30	\$1.65	\$4.19

2.3 WATER VIOLATION PENALTIES

\$150.00	first violation
\$200.00	second violation
\$400.00	third violation
\$500.00	fourth violation
\$750.00	for the fifth violation and for each subsequent violation within that calendar year.

2.4 WATER SERVICE REINSTATEMENT FEE

The reinstatement fee shall be assessed at reconnection, based on the amount of time since the account was last active.

Time since last active	Amount
0-30 days	\$100.00
31-60 days	Two months' base rate as previously billed.
61-90 days or more	Three months' base rate as previously billed.

2.5 WATER METER TESTING FEE \$500.00 per test**2.6 WATER LABOR/EQUIPMENT OR SUPPLIES RATE**

2.6.1 Water Labor during business hours \$50.00 per hour (rounded up to the nearest half-hour)

2.6.2 Water Labor after hours \$70.00 per hour (rounded up to the nearest half-hour)

2.6.3 Backhoe, Mini Excavator, Skid Steer, Thawing Machine, Crane Truck, or 2-Ton Dump Truck \$45.00 per hour (rounded up to the nearest half-hour)

2.7 WATER PARTS & SUPPLIES RATE Cost + 15% stocking fee**2.8 FIRE HYDRANT METER DEPOSIT FEE**

2 Inch Meter	\$1,950.00
¾ Inch Meter	\$500.00
Fire hydrant wrench deposit fee	\$50.00
Meter Radio	\$200.00

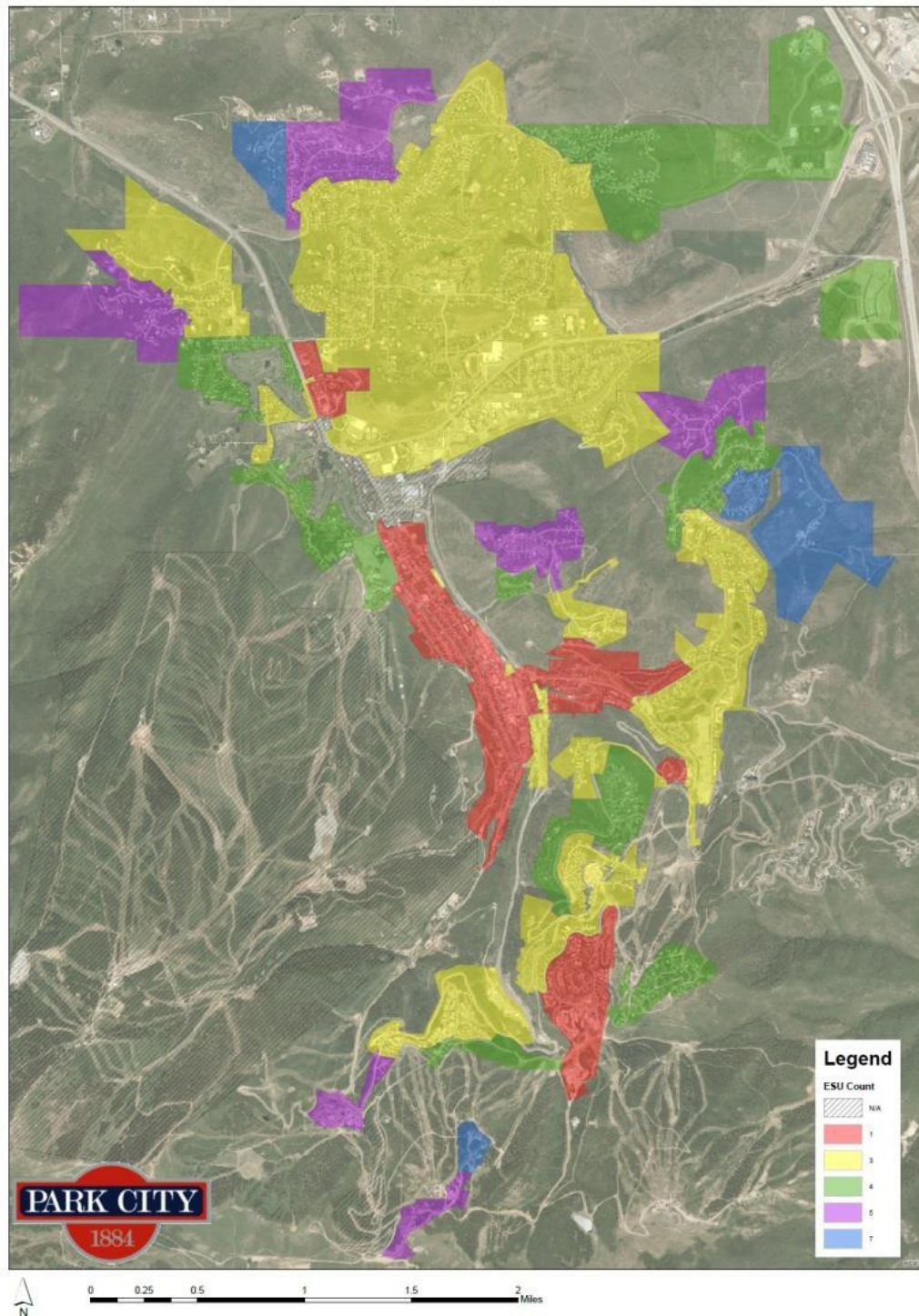
2.9 RENTER DEPOSIT ~~\$50.00~~ \$175.00**2.10 NON-MAILED SHUT-OFF NOTICE FEE** \$75.00**2.11 IMPROPER WATER SHUT-OFF OR TURN ON** \$250.00**2.12 STORMWATER FEE****2.12.1 An Equivalent Surface Unit or ESU** \$6.86**2.12.1.1 Green Infrastructure Reduction**

After submittal of a complete application for a Green Infrastructure ESU reduction, an account may be eligible for a reduction of up to 20% of the ESU fee listed in 2.12.1.2.

2.12.2 Single Family Residential Initial Assignment

A Single Family Residential property shall be assigned an ESU number based the following map. The assignment may be changed based on an evaluation of an individual property.

Park City Stormwater Utility Map



The default Residential ESU Map was updated to reflect the construction that has occurred in Park City Heights. A new average in the Phase I decreases the default ESU count of 4 to a default of 2. All other zones remain the same.

2.12.3 Multi-Family Residential Initial Assignment

A Multi-Family Residential property shall be assigned 1 ESU per dwelling unit. This assignment may be changed based on an evaluation of an individual property.

SECTION 3. SPECIAL MEETINGS FEES

3.1 SPECIAL COUNCIL MEETING

\$270.00 for initial 30 minutes and
\$133.00 per 30 minutes thereafter

When a special council meeting (not regularly scheduled) must be called to accommodate an applicant for a license, permit or any other issue not requested by Council or staff, the applicant will be assessed a \$270 fee per application. If the meeting is longer than 30 minutes the applicant will be charged an additional \$133 per 30 minute increment thereafter.

3.2 TYPE 2 CSL SPECIAL MEETING

\$76.00 per applicant

SECTION 4. BUSINESS LICENSING

4.1- 4.5.

PARK CITY BUSINESS LICENSE FEE SCHEDULE									
Transit Service Enhancement Fee		Festival Facilitation, Service Enhancement Fee		Enhanced Enforcement Fee		Administrative Fee			
Rate	Unit of Measure	Rate	Unit of Measure	Rate	Unit of Measure	Rate Renewals	Rate New/ Inspections	Unit of Measure	
Ski Resort	\$0.26	Skier Day	\$0.01	Skier Day	-	\$22.00	\$149.00	License	
Lodging	\$19.25	Per Bedroom	\$9.49	Per Bedroom	-	\$17.00	\$149.00	License	
Restaurant	\$0.23	Per Sq. Ft.	\$0.10	Per Sq. Ft.	-	\$22.00	\$149.00	License	
Outdoor Dining	\$0.06	Per Sq. Ft.	\$0.03	Per Sq. Ft.	-	\$22.00	\$149.00	License	
Retail	\$0.23	Per Sq. Ft.	\$0.10	Per Sq. Ft.	-	\$22.00	\$149.00	License	
Large Retail (>12,000 sq. ft.)	\$0.16	Per Sq. Ft.	\$0.07	Per Sq. Ft.	-	\$22.00	\$149.00	License	

Transit Service Enhancement Fee			Festival Facilitation, Service Enhancement Fee		Enhanced Enforcement Fee		Administrative Fee		
Rate		Unit of Measure	Rate	Unit of Measure	Rate	Unit of Measure	Rate Renewals	Rate New/ Inspections	Unit of Measure
Office, Service, Other	\$0.21	Per Sq. Ft.	\$0.01	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Warehouse	\$0.06	Per Sq. Ft.	\$0.00	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Resort and Amusement	\$1.04	Per User	\$0.05	Per User	-	-	\$22.00	\$149.00	License
For-Hire Ground Transportation Vehicles	\$37.50	Per Vehicle	\$1.75	Per Vehicle	\$45.58	Per Vehicle	\$71.83	\$71.83	License
Other Commercial Vehicles and Trailers	\$7.50	Per Vehicle	\$0.29	Per Vehicle	-	-	\$22.00	\$74.00	License
Employee Based	\$3.75	Per Employee	\$0.15	Per Employee	-	-	\$22.00	\$149.00	License
Commercial Vending, Game and Laundry Machines	\$18.75	Per Machine	\$0.73	Per Machine	-	-	\$22.00	\$149.00	License
Escort Services	\$3.75	Per Employee	\$0.15	Per Employee	\$46.19	Per Employee	\$22.00	\$149.00	License
Solicitor	\$10.50	Per Solicitor	\$2.50	Per Solicitor	-	-	\$74.00	\$74.00	License

	Transit Service Enhancement Fee		Festival Facilitation, Service Enhancement Fee		Enhanced Enforcement Fee		Administrative Fee		
	Rate	Unit of Measure	Rate	Unit of Measure	Rate	Unit of Measure	Rate Renew-als	Rate New/Inspections	Unit of Measure
Alcoholic Beverage/ Single Event Alcoholic Beverage	\$27.92	Per License	\$12.50	Per License	\$45.58	Per License	\$100.00	\$100.00	License
Type 1 CSL	\$0.23	Per Sq. Ft.	\$0.10	Per Sq. Ft.	-	-	-	\$149.00	License
Type 2 CSL	\$288.00	Per License	\$125.00	Per License	\$45.58	Per License	-	\$372.00	License
Type 3 CSL	-	-	-	-	-	-	-	\$149.00	License
Outdoor Sales	*In addition to regularly issued business license							\$5.00	License
Outdoor Sales-Promotion by Merchants Association	*In addition to regularly issued business license							\$4.00	License
Outdoor Sales-Seasonal Plants								\$50.00	License

SECTION 5. MISCELLANEOUS LAW ENFORCEMENT FEES.

5.1 Alarm Monitoring Fees

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

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

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

5.2 Direct Access Alarms

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

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

5.3 Vehicle Impound Fee

\$20.00 Per vehicle, per impound (also see Section 7.7).

5.3 Contract Law Enforcement Services

Police Officer (per employee, per hour - four hour minimum) \$75.00

Holiday (per employee, per hour - four hour minimum) \$165.00

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

6.1 Copies. Copies made at a city facility: \$.10 per page*. Double-sided copies shall be charged as two pages. **For police records requests, see Section 6.6.*

6.2 Copies from outside copiers. The city reserves the right to send the documents out to be copied and the requestor shall pay the actual cost to copy the documents, including any fee charged for pick-up and delivery of the documents.

6.3 Copies retrieved from Utah State Archives or other storage facility. In addition to the copy fee, the requester must pay actual cost for staff time and mileage (computed using the current official federal standard mileage rate).

6.4 Compiling Documents in a form other than that normally maintained by the City, pursuant to U.C.A. 63G-2-203 (2022). In the event the City compiles a record in a form other than that normally maintained by the City, the actual costs under this section may include the following:

(2)(a)(i) the cost of staff time for compiling, formatting, manipulating, packaging, summarizing, or tailoring the record either into an organization or media to meet the person's request;

(ii) the cost of staff time for search, retrieval, and other direct administrative costs for complying with a request; and

(iii) in the case of fees for a record that is the result of computer output other than word processing, the actual incremental cost of providing the electronic services and products together with a reasonable portion of the costs associated with formatting or interfacing the information for particular users, and the administrative costs as set forth in Subsections (2)(a)(i) and (ii).

(b) An hourly charge under Subsection (2)(a) may not exceed the salary of the lowest paid employee who, in the discretion of the custodian of records, has the necessary skill and training to perform the request.

6.5 Fee Waiver for Public Benefit. The City may fulfill a record request without charge if it determines that: releasing the record primarily benefits the public rather than a person; the

individual requesting the record is the subject of the record, or an individual specified in U.C.A. Subsection 63G-2-202(1) or (2); or the requester's legal rights are directly implicated by the information in the record, and the requester is impecunious.

6.6 Requests for Police Records

- \$10.00 per police report/traffic accident report
- \$20.00 per CD (compact disc) of Video or Photographs
- \$5.00 per printed color photograph
- \$15.00 per fingerprinting request

SECTION 7. PARKING. METER RATES. VIOLATIONS. TOWING. AND IMPOUND FEES

7.1 PURPOSE AND PHILOSOPHY. Parking Services applies fees and fines through permitting and enforcement in order to regulate and maintain parking compliance. Paid parking and application of code and fees are imperative pieces of Transportation Demand Management. The parking department is maintained as an enterprise revenue fund.

Fines for meter violations are as follows:

First thru Fifth (1st - 5th) violation per registered owner(s):

Effective July 1, 2022
\$50.00 from the date of violation until fourteen (14) days following the violation, escalating to:
\$55.00 after 14 days;
\$58.00 after 30 days;
\$60.00 after 60 days

More than five (>5) violations per registered owner(s):

Effective July 1, 2022
\$75.00 from the date of violation until fourteen (14) days following the violation, escalating to:
\$80.00 after 14 days;
\$85.00 after 30 days;
\$90.00 after 60 days

7.2 Fines for mobility disabled space violations are as follows:

Effective July 1, 2022
\$300.00 from the date of violation until fourteen (14) days following the violation, escalating to:
\$325.00 after 14 days;
\$350.00 after 30 days;
\$375.00 after 60 days

7.3 Fines for special event parking violations. When enacted by the City Manager under Section 7.7, the fines for special event parking violations are as follows:

A. Egregious violations (i.e., obstructing traffic on Main Street or along bus routes) or mobility disabled space violations. \$200.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$215.00 after 14 days;
\$235.00 after 30 days;
\$250.00 after 60 days

B. Fines for all other special event parking violations.

Effective July 1, 2022

\$200.00 from the date of violation until fourteen (14) days following the violation

\$215.00 after 14 days;
\$235.00 after 30 days;
\$250.00 after 60 days

7.4 Fines for time limit parking violations are as follows:

Effective July 1, 2022

\$50.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$55.00 after 14 days;
\$58.00 after 30 days;
\$60.00 after 60 days

Second thru Fifth (2nd - 5th) violation per registered owner(s):

Effective July 1, 2022

\$60.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$65.00 after 14 days;
\$70.00 after 30 days;
\$75.00 after 60 days

More than five (>5) violations in the previous three years per registered owner(s):

Effective July 1, 2022

\$75.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$80.00 after 14 days;
\$85.00 after 30 days;
\$90.00 after 60 days

7.5 Fines for all other parking violations are as follows:

Effective July 1, 2022

\$60.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$65.00 after 14 days;
\$70.00 after 30 days;
\$75.00 after 60 days

Second thru Fifth (2nd - 5th) violation per registered owner(s):

Effective July 1, 2022

\$75.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$80.00 after 14 days;

\$85.00 after 30 days;

\$90.00 after 60 days

More than five (>5) violations per registered owner(s):

Effective July 1, 2022

\$75.00 from the date of violation until fourteen (14) days following the violation, escalating to:

\$80.00 after 14 days;

\$85.00 after 30 days;

\$90.00 after 60 days

7.4 7.6 Parking Permits.

China Bridge Parking Permits –Business Permit: Businesses with a Main Street area address and a valid business license are eligible to purchase a parking permit(s) valid for China Bridge and Gateway covered areas. The permit is not valid during major events. Alternative parking areas may be provided for these events. This permit allows parking beyond the 6 hour limit not to exceed 72 hours at one time in a parking space. Cost for this permit is up to \$500.00 annually, up to \$250.00 if purchased after April 1st of each calendar year. A replacement permit can be purchased for \$200.00 subject to approval by the Parking Manager.

Drop & Load Parking Permits - \$200 per vehicle annually, \$100 replacement permit Ground Transportation, Lodging and TNC Companies with a valid business license per Title 4-8 and Title 9 are eligible to purchase a parking permit(s) valid for Drop and Load areas during timeframes, seasons, Special Events, and locations as approved by the Parking Manager and City Manager. Drop and Load parking permits may be transferable between vehicles.

Old Town Employee Parking Permit - \$30 per month Old Town employees with a Main Street area business address may apply for a monthly paid permit for \$30 per month. This permit allows for parking all hours (except where signed otherwise) in the China Bridge parking structure. This permit is non-transferrable and not a shareable permit. Quantities are limited with a first-come first-served basis. The permit is NOT valid during major events. Alternative parking locations maybe provided. Payments for this permit are automatically charged to the account holder until it is cancelled by the account holder.

Residential Business Permit – up to \$25.00 per day – businesses operating and requiring parking in residential permit zones including nightly rentals, landscaping, plumbing, etc. Replacement permit cost is \$20.00

7.2 7.7 Special Event Parking. The City Manager may implement Special Event Parking Permit Fees, Special Event Meter Rates and/or Special Event Parking Fines for events held under a Master Festival License. The fee for these Special Event Parking

Permits and Special Event Meter Rates will not exceed \$60.00 per day.

7.8 Tow and Storage Fees. Vehicles towed from City parking and stored in private lots are subject to Utah State allowed amounts as outlined in the Park City Police Department Towing Rate Schedule. Vehicles towed from City parking and stored in private lots are subject to Utah State allowed amounts as outlined in the Park Police Department Towing Rate Schedule.

Vehicles relocated from/to City parking are subject to administrative/towing fees up to \$100.

7.9 Immobilization Fee \$50.00

7.10 Fees for Special Use of Public Parking are as follows:

Main Street, Heber Avenue, Park Avenue (Heber to 9th St): Daily rate of \$20.00 per space

Swede Alley: Daily rate of \$15.00 per space

Sandridge, South City Park, Residential Permit Zones: Monthly rate of \$25.00 per space

- a. Up to two spaces for vehicle parking with approved and active building permit (issued in concert with the Building Department):
\$100.00
- b. Vehicle Permits: \$75.00 per space per month
- c. Dumpster or Equipment Permit: \$75.00 per space per month

Pay station removal for construction: \$1,000.00

Application Fee: \$50.00

Applications are reviewed by appropriate divisions, such as Parking Services, Transportation, Police, Building Departments, and Special Events.

7.11 Garage and Surface Lot Parking Rates, Effective July 1, 2022:

Peak Season, December through April 15 and June through September

China Bridge:

11:00 a.m.- 6:00 p.m. – FREE, no hourly max
6:00 p.m.-Midnight – \$3.00/hour, no hourly max
Hourly rate may be modified, and may not exceed \$4.00/hour
Lost ticket fee will equal the maximum daily fee

Swede Alley, Flag Pole, & Bob Wells Plaza:

AM – FREE, 4 hour max
11:00 a.m. – 5:00p.m. – FREE, 4 hour max
5:00 p.m.-Midnight – \$4.00/hour, 4 hour max
Hourly rate may be modified, and may not exceed \$4.00/hour

North Marsac:

AM-5:00 p.m. – FREE, 24 hour max
5:00 p.m.-Midnight – \$2.00/hour, 24 hour max
Hourly rate may be modified, and may not exceed \$3.00/hour

Sandridge:

AM-5:00 p.m. – FREE, 72 hour max
5:00 p.m.-Midnight – FREE, 72 hour max

South Marsac:

AM-5:00 p.m. – FREE, 2 hour max
5:00 p.m.-Midnight – FREE, 2 hour max

West Heber, between Main Street and Park Avenue:

11:00 a.m.-5:00 p.m. – \$3.00/hour, 3 hour max
Hourly rate may be modified, and may not exceed \$3.00/hour

5:00 p.m.-Midnight – \$5.00/hour, 3 hour max
Hourly rate may be modified, and may not exceed \$5.00/hour

Park Avenue:

Resident Permit Required – shared 2 hour free parking zone- resident permit exempt from visitor time limitation

East Heber, between Main Street and Swede Alley:

6:00 a.m.-2:00 a.m. – Load Zone, 2 hour max.

Gateway top level:

FREE for Main Street permit holders

Non-Peak Season, April 15 through May and October through November

China Bridge:

11:00 a.m.-6:00 p.m. – FREE-No hourly max
6:00 p.m.-Midnight \$1.00/hour, no hourly max
Hourly rate may be modified, and may not exceed \$3.00/hour

Swede Alley, Flag Pole, & Bob Wells Plaza:

AM – FREE, 4 hour max
11:00 a.m.-5:00 p.m. – \$2.00/hour, 4 hour max
Hourly rate may be modified, and may not exceed \$3.00/hour

5:00 p.m.-Midnight – \$3.00/hour, 4 hour max
Hourly rate may be modified, and may not exceed \$3.00/hour

Sandridge/North Marsac:

AM-5:00 p.m. – FREE, 24 hour max

5:00 p.m.-Midnight – FREE, 24 hour max

7.12 Meter rates are as follows:

Effective July 1, 2022:

Peak Season

AM – FREE, no hourly max

11:00 a.m.-5:00 p.m. –\$3.00/hour, 3 hour max

Hourly rate may be modified, and may not exceed \$3.00/hour

5:00 p.m.-Midnight –\$5.00/hour, 3 hour max

Hourly rate may be modified, and may not exceed \$5.00/hour

Non-Peak Season

AM – FREE, no hourly max

11:00 a.m.-5:00 p.m. –\$1.50/hour, 3 hour max

Hourly rate may be modified, and may not exceed \$2.00/hour

5:00 p.m.-Midnight –\$3.00/hour, 3 hour max

Hourly rate may be modified, and may not exceed \$4.00/hour

No less than one hour can be purchased with a credit card. For event rates, see Section 7.7.

Effective December 15, 2017 Tokens will no longer be an acceptable method of payment.

7.13 Meter payment by cell phone:

Users sign up for a free account. Meter rates in Section 7.12 apply; no less than one hour can be purchased. City pays the convenience fee charged by the service provider.

SECTION 8. RECREATION SERVICES AND FACILITY RENTAL FEES

8.1 PURPOSE AND PHILOSOPHY. Recreation Services, the Parks Department, Miners Hospital Community Center and the Library are supported primarily by tax dollars through the City's General Fund. The Golf Course has been established as an enterprise fund and should be primarily supported by revenues other than taxes. This policy applies to Recreation Services and the Golf Course Enterprise fund.

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

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

8.2 COST RECOVERY. It is the intent of the City to recover roughly 70% of the operations and maintenance expenses incurred by the Recreation Department and the PC MARC and 100% of the operations and maintenance expenses incurred by the Golf Course through sources of revenue other than taxes. The City's cost recovery plan is described in detail in the City's budget document. User fees should not be considered the only source for accomplishing this objective. Revenues may also include:

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

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

8.3.1 Area Resident Discount: Those people whose primary residence is within the Park City School District limits; are currently paying property tax within Park City School District limits; or are holding a valid Park City business license and leasing or renting office space within Park City may receive a discount on user fees for the PC MARC and Golf Course.

8.3.2 Recreation Program Fees: The Recreation Department, the PC MARC and the Golf Course offer a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published on the city's website. In most cases, fees will be kept commensurate with fees charged by others providing like service.

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

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

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

To establish and maintain the Council's objective of 70% cost recovery, the Recreation Director will have the authority to annually increase fees up to \$.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action.

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

8.3.5 Discounting Fees: The Recreation Director may, at their discretion, discount fees when:

- Offering special promotions designed to increase use.
- Trying to fill non-prime time.
- Introducing new programs or activities.
- Playing conditions are below standard due to weather or facility disrepair.

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

8.3.7 Sliding Fee Scale: The purpose of this program is to provide both adult & youth residents of the Park City School District (PCSD) with the opportunity to apply for a reduced fee for certain recreation activities. The fee reduction is based on Summit County's Average Median Income (AMI) and the applicant's gross family income. The discounts range from 30 to 70% depending on Gross Family Income.

Sliding Fee Scale

% of AMI	Family Size					Six
	One	Two	Three	Four	Five	
Below 30% AMI Receive 70% discount	Less than \$25,368 \$28,287 Gross Income (GI)	Less than \$28,992 \$32,328 GI	Less than \$32,616 \$36,669 GI	Less than \$36,240 \$40,410 GI	Less than \$39,139 \$43,643 GI	Less than \$42,038 \$46,876 GI
31% to 50% AMI Receive 50% discount	\$25,369 to \$42,280 \$47,145	\$28,993 to \$48,320 \$53,880	\$32,617 to \$54,360 \$60,615	\$36,241 to \$60,400 \$67,350	\$39,140 to \$65,232 \$72,738	\$42,039 to \$70,064 \$78,126
51% to 70% AMI Receive 30% discount	\$42,281 to \$59,192 \$66,003	\$48,321 to \$67,648 \$77,432	\$54,361 to \$76,104 \$84,861	\$60,401 to \$84,560 \$94,290	\$65,233 to \$91,325 \$101,833	\$70,065 to \$98,090 \$109,376

8.4. PC MARC:

8.4.1 PC MARC Fees

Punch Card Admission. For ease of administration and convenience to users, a punch card system has been established for use of the PC MARC programs and activities. The purchase of a punch card may result in a savings off the regular rate.

-

Punch Passes

Youth (3 to 17) 10 Punch
 Adult 10 Punch
 Senior & Military 10 Punch
 Child Care 10 Punch (10 hrs.)

Resident

\$28.00
 \$80.00
 \$70.00
 \$35.00

Visitor

\$40.00
 \$100.00
 \$80.00

Tennis and Pickleball Fees

Resident rate
 Visitor rate

Hourly Court Fees

Indoor	Outdoor
\$34.00	\$14.00
\$50.00	\$20.00

Youth Clinics Pre-Registration

~~Red Ball 45 Minute Clinic: \$14~~ \$16.00/day
~~Orange 1.5 Hour Clinic: \$26~~ \$28.00/day
 Green: \$26/day
 Yellow: \$26/day

Youth Clinic Drop-In

~~Red 45 Minute Clinic: \$17~~ \$20.00
~~Orange 1.5 Hour Clinic: \$30~~ \$32.00
 Green: \$30
 Yellow: \$30
 Peak: \$34

Other Tennis and Pickleball Fees

Private Lesson 1 Hour	\$80.00 <u>\$90.00</u>
Private Lesson 1/2 hour	\$44.00 <u>\$50.00</u>
Semi Private Lesson 1 hour (Per person)	\$42.00 <u>\$48.00</u>
Group of 3 (Per person)	\$32.00 <u>\$38.00</u>
Group of 4 (Per person)	\$27.00 <u>\$33.00</u>
Clinic drop-in fee Adult Clinic 1 hour	\$19.00 <u>\$20.00</u>
Clinic drop-in fee Adult Clinic 1.5 hours	\$28.00 <u>\$30.00</u>
Ball Machine per hour	\$12.00
Tennis Courts Non-Athletic (Daily)	\$3,000.00
<u>Outdoor (Professional/Group Fee) Court Fee</u>	<u>\$25/hr</u>

Pickleball Fees

Indoor Bubble Courts	\$17/hr
Outdoor Courts	\$14/hr
Per hr. Clinic	\$15/hr
Private Lesson 1 hour	\$50
Semi Private Lesson 1 hour	\$50/pp
Group of 3 (Per Person)	\$30/hr
Group of 4 (per person)	\$25/hr

Daily Drop-In	Resident	Visitor
Toddlers 2 & Under	Free	Free
Youth (3 to 17)	\$3	\$6
Adult	\$9	\$15
Senior 65+ & Military	\$8	\$10

Insurance Drop In Class Fee \$7.00

Facility Passes:

Individual Rate

Term	Facility Rate	Class Add On	Total
1 Month	\$50	\$25	\$75
3 Month	\$135	\$67	\$202
6 Month	\$245	\$121	\$366
12 Month	\$440	\$219	\$659

Senior 65+ & Military Individual Rate

Term	Facility Rate	Class Add On	Total
1 Month	\$45	\$25	\$70
3 Month	\$121	\$67	\$188
6 Month	\$218	\$121	\$339
12 Month	\$393	\$219	\$612

PC MARC Tennis Passes

<u>Term</u>	<u>Single</u>
1 Month	\$220
3 Month	\$520
6 Month	\$850
12 Month	\$1,330

Gymnasium	Hourly Resident	Hourly Visitor	Daily
Full Gym	\$65	\$125	
Half Gym	\$35	\$75	
Daily Full Gym	\$325	\$625	\$1,400
Non-Athletic			

Fitness Studios	\$65.00 (for profit) <u>Hourly Resident</u> \$35.00 (non-profit)	\$125.00 (for profit) <u>Hourly Non-Resident</u> \$75.00 (non-profit)
------------------------	---	--

Other Fees

Visitor 10 Punch Card	\$120.00
Child Care Per Hr.	\$4.00
Non-Contact Personal Training	\$60.00 per day

Personal Training Daily Fee	\$25.00 per session
Personal Training Monthly Fee	\$400.00 <u>\$440.00</u> per month
Personal Training Annual Fee	\$4,000 <u>\$4,400.00</u> per year
Birthday Party	\$150.00
Party Room per hour	\$50.00
Pool Per Hour	\$100.00 <u>\$150.00</u> plus guards
Lap Pool Per Lane	\$25.00 per lane per hour

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

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

Resident Season Pass	\$1,200.00 <u>\$1,260.00</u>
Junior Pass	\$425.00
Jr./Sr. Punch Pass	\$360.00 <u>\$380.00</u>
Non-Resident Sr. Punch Pass	\$400.00 <u>\$420.00</u>
Corporate Pass	\$3,000.00 <u>\$3,250.00</u>
Resident 18 Hole	\$40.00 <u>\$42.00</u>
Resident 18 Hole with Cart	\$56.00 <u>\$60.00</u>
Utah Resident 18 Hole	\$50.00 <u>\$57.00</u>
Utah Resident 18 Hole with Cart	\$66.00 <u>\$75.00</u>
Non-Resident 18 Hole	\$60.00 <u>\$67.00</u>
Non-Resident 18 Hole with Cart	\$76.00 <u>\$85.00</u>
Resident 9 Hole	\$20.00 <u>\$21.00</u>
Resident 9 Hole with Cart	\$28.00 <u>\$30.00</u>
Utah Resident 9 Hole	\$25.00 <u>\$28.00</u>
Utah Resident 9 Hole with Cart	\$33.00 <u>\$37.50</u>
Non-Resident 9 Hole	\$30.00 <u>\$33.50</u>
Non-Resident 9 Hole with Cart	\$38.00 <u>\$42.00</u>
Resident Off-Season 18 Hole	\$32.00
Non-Resident Off-Season 18 Hole	\$34.00 <u>\$37.00</u>
Small Range Bucket	\$5.00
Large Range Bucket	\$10.00
Rental Clubs for 18 Holes (includes 6 golf balls)	\$55.00
Rental Clubs for 9 Holes (includes 3 golf balls)	\$27.50

Lodging/Advance booking 18 Hole with cart	\$90.00 <u>\$100.00</u>
---	------------------------------------

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

Non-Resident Card Fees

Household	\$40.00 per year
Non-Resident Card Fees - Household (6 months)	\$20.00
Students residing in Summit County	Free
Educators in Park City School District	Free
Interlibrary Loans	\$1.00 charge per item

8.7. CEMETERY FEES.

	<u>Resident Fees</u>	<u>Eligible Non-Resident Fees</u>
Single adult grave	\$300.00	\$600.00
Opening and closing adult grave	\$600.00	\$600.00
Removal of adult from one grave to another within cemetery	\$960.00	\$960.00
Removal of infant from one grave to another within cemetery	\$720.00	\$720.00
Removal of adult for interment outside cemetery	\$1,000	\$1,000
Removal of infant for interment outside cemetery	\$360.00	\$360.00
Additional charge for after hour burials including Saturdays, holidays, weekends	\$200.00	\$300.00
Interment of cremated remains	\$70.00	\$140.00
Monument grave marker maintenance	\$100.00	\$100.00
Memorial Wall plaque space	\$250.00	\$500.00
Cremation Garden:		
Companion Premium Post	\$530.00	
Companion Peak Marker	\$980.00	
Companion Boulder	\$1,360.00	
Family Bench	\$1,045.00	
Individual Premium Post	\$300.00	
Individual Peak Marker	\$530.00	
Family Pedestal Foundation	\$300.00	

Opening and Closing

\$250.00

8.7.1. Cemetery Fee Waivers. Any or all of the fees associated with the operation of the Park City Cemetery may be waived by the Cemetery Sexton, however such consideration is focused on persons who provided exceptional community service or residents with proven financial hardship. Grave sites, located in the "Veterans Section" for Park City veterans, firemen and police officers will be provided free of charge and fees will be waived for, cemetery services. Family members wishing to be buried in this section of the cemetery will be charged for lots and services.

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

<u>Rotary and South-End of City Park Pavilions</u>	<u>Half Day</u>	<u>Full Day</u>
Residents within Park City School District	\$75.00	\$100.00
Non-residents/commercial	\$150.00	\$200.00

8.9. MINERS HOSPITAL COMMUNITY CENTER FEES. This facility is located at 1354 Park Avenue. Reservation fees for use of the Miners Hospital Community Center are as follows:

- Group 1: Activities which are free and open to the public, or educational/informational.
Group 2: Activities which are open for public participation but charge a fee for participation such as fundraisers, conferences or other promotional events.
Group 3: Activities which are closed to the public such as private receptions, conferences or parties.
Group 4: Activities which are held between the hours of 6:00 p.m. and 8:00 a.m.

Location	Group 1	Group 2	Group 3	Group 4
Miners Hospital 1 st Floor	Free	\$18/Hour	\$23/Hour	\$30/Hour
Miners Hospital 2 nd Floor	Free	\$18/Hour	\$23/Hour	\$30/Hour
Miners Hospital 3 rd Floor	Free	\$15/Hour	\$20/Hour	\$25/Hour

Miners Hospital Basement	Free	\$15/Hour	\$20/Hour	\$25/Hour
--------------------------------	------	-----------	-----------	-----------

Cancellation Policies for entire building reservations:

For two hour reservations, a \$25.00 handling fee will be charged for cancellations received less than one week prior to rental.

For half-day reservations, a \$50.00 handling fee will be charged for cancellations received less than two weeks prior to rental.

For whole day reservations, a \$75.00 handling fee will be charged for cancellations received less than two weeks prior to rental.

Notes:

******a \$50.00 damage/cleaning deposit is required on all whole day rentals, refundable if the facility is left in satisfactory condition; full payment of all fees is due two weeks prior to the facility rental.

*******a \$300.00 damage/cleaning deposit is required on all special events rentals, \$275 is refundable if the facility is left in satisfactory condition; full payment of all fees for special events is due 30 days prior to the date of the event.

8.10. PARK CITY LIBRARY ROOM RENTAL RATES

Park City Library Rooms are located at 1255 Park Avenue. The rates for the spaces are as follows:

- Group 1: Activities which are free and open to the public during library hours. Groups such as book clubs, support groups, government institutions, Library/City partners, HOAs, and other affiliated community organizations, as approved by the Library Director.
- Group 2: Activities during Library hours which are open for public participation but charge a fee for entry or activities which are closed to the public.
- Group 3: Activities which are outside of Library operating hours or promote or solicit business. This includes businesses that offer initial free services/consultations /presentations, and then later charge a fee or contact attendees
- Non-Profits: Receive one free contiguous rental of up to four hours per month, which may be split between multiple rooms within the Library's operational hours.

Location	Room	Occ.	Group 1	Group 2	Group 3	Non-Cleaning Fine
Library 1 st Floor	Entry Hall	43	Unavailable	Unavailable	\$300/Hour (Unavailable during library hours)	\$20/hour, \$40 minimum
Library 1 st Floor	Entry Hall Patio	90	Unavailable	Unavailable	\$400/Hour (Unavailable during library hours)	\$20/hour, \$40 minimum
Library 1 st Floor	Public Meeting Room 101	34	Free	\$25/Hour	\$50/Hour	\$20/hour, \$40 minimum
Library 2 nd Floor	Study Rooms 1 - 8	3 - 6	Free	Unavailable	Free (Unavailable outside library hours)	\$20/hour, \$40 minimum
Library 2 nd Floor	Meeting Room 201	34	Free	\$25/Hour	\$50/Hour	\$20/hour, \$40 minimum
Library 2 nd Floor	North Conference Room	12	Free	\$20/Hour	\$40/Hour	\$20/hour, \$40 minimum
Library 2 nd Floor	South Conference Room	12	Free	\$20/Hour	\$40 (unavailable outside Library hours)	\$20/hour, \$40 minimum
Library 3 rd Floor	Public Meeting Room 301	34	Free	\$25/Hour	\$50/Hour	\$20/hour, \$40 minimum
Library 3 rd Floor	Jim Santy Auditorium	516	Free	\$95/Hour	\$200/Hour	\$20/hour, \$40 minimum
Library 3 rd Floor	Community Room	85	Free	\$75/Hour	\$150/Hour	\$20/hour, \$40 minimum
Library 3 rd Floor	Kitchen	10	Free	\$30	\$40	\$20/hour, \$40 minimum

Santy Technology Fees:

Projection Fees: Users have two options for projection.

1 - Users may use the in-house technology at no additional cost. Users are responsible for scheduling a training to learn to use the equipment and facilitate use during their rental. Training must be scheduled at least one week prior to the rental

date(s).

2 - Users may rent the Projection Booth and have a trained projectionist manage technology needs. The Projection Booth rents for \$500 per event rental (\$250 for Non-Profits), with a hired projectionist approved by the Park City Library. Projectionists have their own fee scale; Users pay projectionists directly. A list of approved projectionists is available upon request.

Lighting Fees: Stage lighting may be rented when approved by the Library Director or his/her designee. Any change in the direction of lighting must be made by a pre-approved vendor at the expense of the User. The User shall pay the vendor directly. Lighting must be returned to the original direction before vacating the rental. The Projection Booth and a projectionist must be reserved to utilize lighting.

Notes:

1. Advance reservations and standard lease agreement required, tenants included.
2. It is the responsibility of the User to review the *Park City Library Room Use and Rental Policy*.
3. Special parking arrangements may be required for events for more than 250 participants and guests.
4. All rates are subject to change without notice.
5. All deposits and fees are to be paid in advance.
6. Rental rates for auditorium equipment are calculated separately.
7. The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Library Director may, at her discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

SECTION 9. ICE ARENA AND FIELDS RENTAL FEE SCHEDULE.

9.1. Establishing User Fees. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council. Area rates apply to residents of Park City, Summit County and Wasatch County. Outside rates apply to requests outside Summit and Wasatch Counties.

Field Fees

Additional Restroom Cleaning \$30.00 per clean

<u>Ice Arena Admission Fees</u>	<u>Local Area Rates</u>	<u>Outside Area Rates</u>
---------------------------------	-----------------------------	-------------------------------

*discount for pre-registration

Public Skate – 5 years & under	Free	Free
Public Skate – youth & adult	\$6.00 <u>\$6.50</u>	\$12.00
Cheap Skate (includes skate rental)	\$6.00 <u>\$6.50</u>	\$12.00
Group Rates (20+) includes skate rental	\$6.00 <u>\$6.50</u>	\$12.00
School Rate – includes skate rental	\$6.00 <u>\$6.50</u>	\$12.00
Skate Rental	\$4.00	\$4.00
Stick & Puck	\$9.00 <u>\$9.50</u>	\$9.00 <u>\$9.50</u>
Drop-in Hockey	\$11.00 <u>\$12.00</u>	\$11.00 <u>\$12.00</u>
Coached Drop-in Hockey	\$13.00 <u>\$14.00</u>	\$13.00 <u>\$14.00</u>

Freestyle*	\$9.00 <u>\$10.50</u>	\$9.00 <u>\$10.50</u>
Drop-in Curling	\$200.00 <u>\$260.00</u> /lane	\$200.00 <u>\$260.00</u> /lane
Drop-in Skating Class	\$15.00	\$15.00
Off-Ice Programming: Strength & Conditioning, Ballet*	\$11.50 <u>\$12.00</u>	\$11.50 <u>\$12.00</u>
Visiting Coach Fee	\$16.00	\$16.00

Curling Instructor Fee \$50/per hour/per instructor

10 Session Punch Cards

Punch cards may be available for some activities or products.

Annual Passes

Bronze (Public Skate): (Includes Skate Rental) \$300.00

Hourly Ice

Tax Exempt User Groups*/Employees ~~\$205.00~~ \$210.00

Local Rate (Summit or Wasatch County Resident) ~~\$230.00~~ \$235.00

Non-Resident, Not-for-Profit ~~\$255.00~~ \$275.00

Camp ~~\$305.00~~ \$310.00

For-profit ~~\$395.00~~ \$450.00

**User Groups are defined as local, organized programs who regularly rent ice from the arena and who provide a certificate of insurance listing PCMC as additionally insured and are a 501(c)3 organization.
(minimum 50 hours per season).

Room Rental

Multi-purpose Rooms \$40/hr. (per room)

User Groups can use the Party Room for 24 hours at no cost, but rooms must be booked in advance.

Birthday Parties

Birthday Party Package ~~\$175.00~~ \$185.00

Instructor \$50/per 30 minutes

Equipment (per hour)

Curling \$50/hour/lane

Event Fees

Rentals 1-50 people \$50

Rentals 51-100 people \$100

Rentals 101+ people \$200

Bleachers \$200/day

Catering Fee \$150

Scheduling Impact Fee	\$150
Overnight Rental Staffing:	\$100/hour per employee

Skate Services

Fees listed below are for services requested for 24 hours or more. An additional fee may be paid for services requested within 24 hours. Punch cards available for overnight services only. There is no discount for skate sharpening punch cards, they are available for convenience. Pre-payment is required for all skate sharpening.

Hockey Skate Sharpening	\$8.50 \$9.50
Figure Skate Sharpening	\$10.00 \$11.00
Custom Radius	\$30.00
Figure Skate Sealing	\$30.00
Rivets Replacements	\$2.50 (ea.)
Figure Skate Blade Mounting (per pair)	\$25.00
Skate Fitting (without purchase)	\$20.00

<u>Locker Rental (Annual Fee)</u>	<u>First Floor</u>	<u>Second Floor</u>
Regular Locker	\$180 <u>\$185.00</u>	\$130 <u>\$135.00</u>
Large Locker	\$210 <u>\$215.00</u>	\$160 <u>\$165.00</u>

Gate Fees

The Park City Ice Arena will take 25% of any gate fees collected for an event.

Advertising Fees and Sponsorship Fees

Dasher Board Ads	\$1,600
Wall Banners	\$2,500
Glass Decals	\$400
Program Sponsorship	Varies by program
Information Screen	\$150/month

9.2. Recreation Program and Pass Fees: The Park City Ice Arena offers a variety of organized programs and passes. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs.

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

The City Manager will have the authority to annually increase fees up to \$.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action. Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

9.4. Discounting Fees: The Ice Arena Manager may discount fees when:

- a. Offering special promotions designed to increase use.

- b. Trying to fill non-prime time.
- c. Introducing new programs or activities.
- d. Playing conditions are below standard due to weather or facility disrepair.

- 9.5. **Fee Waivers:** The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Ice Arena Manager may, at their discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

The Ice Arena is pleased to offer the Fee Reduction program as a means for individuals to apply for reduced costs associated with our youth programs. Not all programs are eligible for fee reduction. Applicants must be residents of Summit or Wasatch Counties. Program fees may be discounted up to 75% off for students in the Park City School District who qualify for free or reduced lunch. Fees may be discounted for specified activities based on an individual's Average Median Income (AMI). Families qualifying for Fee Reduction may receive Public Skate admission and Skate Rental for a combined \$3.00 per person.

- 9.6 **Establishing Fields User Fees:** Fees shall be set at a level which ensures field quality and meets the objectives of the City Council. Resident rates apply to residents of Park City School District. Visitor rates apply to requests outside of the Park City School District Boundaries. In order to receive the resident rate a minimum of 75% of the participants must be residents of the Park City School District. A service charge of 2% will be applied to credit card charges over \$5,000.

Field/Venue	Resident Fees		Visitor Fees	
	Hourly	Full Day	Hourly	Full Day
City Park Grass Field	\$60	\$300	\$120	\$600
City Park Softball Field	\$60	\$300	\$120	\$600
City Park Volleyball Court	\$30	\$150	\$50	\$250
North 40 Grass Field North	\$60	\$300	\$120	\$600
North 40 Grass Field South	\$60	\$300	\$120	\$600
North 40 Full Complex		\$420		\$840
PCHS Dozier Field	\$100	\$500	\$200	\$1,000
PCHS Baseball Field	\$60	\$300	\$120	\$600
PCHS Softball Field	\$60	\$300	\$120	\$600
PCHS Little League Field	\$60	\$300	\$120	\$600
PCHS Ball Fields Complex		\$630		\$1,260
TMMS Pony Field	\$60	\$300	\$120	\$600
TMMS Little League South	\$60	\$300	\$120	\$600

TMMS Little League Admin	\$60	\$300		\$120	\$600
TMMS Grass Field	\$60	\$300		\$120	\$600
TMMS Full Complex		\$630			\$1,260
PCSC Stadium Grass Field	\$60	\$300		\$120	\$600
PCSC Stadium Softball Field	\$60	\$300		\$120	\$600
PCSC Field D Multi-Purpose	\$60	\$300		\$120	\$600
PCSC Turf Field Multi-Purpose	\$100	\$500		\$200	\$1,000
PCSC Full Complex		\$980			\$1,960
	Per Day	3-Month Season		Per Day	3-Month Season
Commercial Use of Outdoor Rec Facility (non-exclusive)	\$60	\$300		\$80	\$500

Youth Stakeholder Fee	\$275.00/team per season
Adult Stakeholder Fee	\$325/team per season
Additional Restroom Cleaning	\$40.00
Field Prep (Softball/Baseball)	\$100.00 Field Set
Up (Lacrosse, Soccer, Football)	\$383.00
Field Lights - PCSC & City Park	\$20.00/hr.
Baseball Fence	\$45.00 /field
Outfield Vinyl Fencing one week of use	\$337.00 /field

SECTION 10. MISCELLANEOUS FEES. The following fees are set to insure cost recovery and use fees for additional City services associated with but not limited to Special Event Permits and approved filming activity

10.1	<u>Fee for in lieu of providing public parking</u>	\$40,000.00 per stall
10.2	<u>Returned Check Charge:</u>	\$25.00
10.3	<u>News Rack Application and Permit</u>	\$50.00 per application \$75.00 per three-year permit
10.4	<u>Bleachers</u>	
	Bleacher Rental (per bleacher, per day)	\$80.00
	Bleacher Delivery and Pick Up (per event, all bleachers)	\$108.00
10.5	<u>Banner Installation</u>	
	Street Banner Installation-entire Main	\$859.00
	Street Banner Installation-every other Main	\$687.00
	Street Banner Installation-every 3rd	\$515.00
	Street banner Installation- Roundabout	\$346.65
	Street Banner Installation- Kearns	\$2,013.00
	(Includes state permit, barricades and signage, required during install)	

Street Banner Removal- Kearns	\$1515.00
<u>10.6 Parks Clean Up, Labor and Equipment</u>	
Pressure Washing (per hour, incl. operator)	\$75.05
Pavilion Cleaning	\$150.00
Trash Removal	\$33.90
(public property only - not provided for private property)	
Extra Trash Cans	\$10.00
Trash Bags	\$2.10
<u>10.7 Public Safety</u>	
Police Officer (per employee, per hour - four hour minimum)	\$75.00 Holiday
(per employee, per hour - four hour minimum)	\$165.00
Mobile Command Trailer (Placement, Day One, Removal)	\$250.00
Mobile Command Trailer (each additional day)	\$100.00
<u>10.8 Parking Reservation Fees (Parking Department)</u>	
Application Fee	\$22.25
Main Street, Heber Avenue, Park Avenue (Heber to 9th St)	\$20.00
Swede Alley Parking Space (per space, per day)	\$13.25
<u>10.9 Barricades (cost per barricade)</u>	
Crowd Control Barricades	\$5.90
Portable Electronic Sign/Message Board (per day)	\$151.20
Temporary Signs (each)	\$18.50
Street Barricades (per day)	\$1.40
<u>10.10 Dumpsters</u>	
8 Yard (delivery + haul off fee)	\$210.00
30 yard (delivery + haul off fee)	\$210.00
Landfill fee for 30 yard dumpster (per ton)	\$35.00
<u>10.11 Streets Equipment and Materials Equipment (2</u>	
hour min. - billable rate is portal to portal,	
cost includes operator, fuel, maintenance)	
Large Loader (per hour, 1 staff)	\$103.20
Small Loader (per hour, 1 staff)	\$71.95
Street Mechanical Sweeper (per hour, 1 staff)	\$150.60
Unimog with Snow Blower (per hour, 1 staff)	\$180.20
Unimog Snowplow (per hour, 1 staff)	\$88.35
Loader with Blower (per hour, 1 staff)	\$218.65
1 Ton Truck with dump (per hour, 1 staff)	\$54.15
2 Ton Truck with dump (per hour, 1 staff)	\$86.55
Bucket Truck (per hour, 2 staff)	\$117.65
Skid Steer (Cat 262 - per hour, 1 staff)	\$55.90
Add Grinder	\$7.60
Add Snow Blower	\$6.35
Backhoe (per hour, 2 staff)	\$98.75
Air Compressor (per hour, 1 staff)	\$42.00
Graffiti Truck (per hour, 1 staff)	\$75.05
<u>10.12 Materials</u>	

Salt (per ton)	\$45.00
Road base (per ton)	\$18.00
Sand (per ton)	\$16.00
Cold Patch (per ton)	\$90.70
Hot Mix (per ton)	\$66.95

10.13 Personnel (total compensation per employee, per hour, during regular business hours)

Parks Department (PCMC Parks employee)	\$38.50
Streets Department (Streets employee)	\$38.50
Special Events Department (staff)	\$42.25
Cleaning Labor – restrooms, buildings and other (contract labor)	\$35.00

10.14 Special Event Application Fee (Processing and Analysis)

Level Five Event	\$640.00 <u>\$5,188</u>
Level Four Event	\$320.00 <u>\$1,918</u>
Level Three Event	\$160.00 <u>\$ 905</u>
Level Two Event	\$ 80.00 <u>\$ 488</u>
Level One Event	\$ 40.00 <u>\$ 410</u>
<u>Community Identifying Event</u>	<u>10% of fees listed above</u>
First Amendment Event	\$ 40.00
Film Permit Application Fee	\$ 80.00

As according to section 4-8-9, Fee Reduction requests for Special Events will be reviewed twice a year. All event fee reduction requests must be submitted to the Special Events Department prior to the application deadlines:

- (1) October 1st – Events occurring between January 1st and June 30th.
- (2) April 1st – Events occurring between July 1st and December 31st.

Fee reduction applications received outside of the normal application process may be considered for reductions but must demonstrate an immediate need for reduction and provide justification as to why the application was not filled within the specified deadline.

10.15 Public Parking Lot Use Rates for approved Events:

All lot fees are for approved permitted Special Events only. Regular parking rates apply at all other times.

Brew Pub Lot – Upper Lot	\$240.00 per day
Brew Pub Lot – Lower Lot	\$105.00 per day
North Marsac Lot	\$ 50.00 per day
Swede Alley Surface Lot	\$ 50.00 per day
Swede Alley Wall Lot	\$ 50.00 per day
Flag Pole Lot	\$ 50.00 per day
Sandridge lot – Upper/Lower	\$ 50.00 per day/ per lot
Quinn's Sports Parking Lots 1, 2, 3	\$ 50.00 per day/ per lot
Mawhinney Parking Lot	\$ 50.00 per day
Library Parking Lot – Partial Use Only	\$ 50.00 per day

10.16 Trail Use Fees

Event Participation 'Caps'

Event participation numbers may be 'capped' at the following unless approval from City Council is provided.

<u>Running/Snowshoeing</u>	<u>500</u>
<u>Biking</u>	<u>350</u>
<u>Triathlon</u>	<u>350</u>
<u>Cross Country Skiing</u>	<u>350</u>
<u>OTHER</u>	<u>TBD</u>

Trail Use Fee and Deposit Schedule

ACTIVITY	NUMBERS	LOCAL NON-PROFIT	OUT OF AREA NON-PROFIT	LOCAL PROFIT	OUT OF AREA PROFIT	<u>DEPOSIT</u>
Mountain Biking	30-350	1% x \$150 <u>\$200</u> x number of participants	2% x \$150 <u>\$200</u> x number of participants	1.5% x \$150 <u>\$200</u> x number of participants	3% x \$150 <u>\$200</u> x number of participants	<u>TBD</u>
Cross Country Skiing*	30-350	.5% x \$150 <u>\$200</u> x number of participants	1% x \$150 <u>\$200</u> x number of participants	1% x \$150 <u>\$200</u> x number of participants	1.5% x \$150 <u>\$200</u> x number of participants	<u>TBD</u>
Triathlon*	30-350	1.5% x \$150 <u>\$200</u> x number of participants	2.5% x \$150 <u>\$200</u> x number of participants	2% x \$150 <u>\$200</u> x number of participants	3.5% x \$150 <u>\$200</u> x number of participants	<u>TBD</u>
Running/Walking/Snow shoe*	30-500	.5% x \$150 <u>\$200</u> x number of participants	1% x \$150 <u>\$200</u> x number of participants	1% x \$150 <u>\$200</u> x number of participants	1.5% x \$150 <u>\$200</u> x number of participants	<u>TBD</u>
Other (Events that may propose significant impacts to the system)	TBD	TBD	TBD	TBD	TBD	<u>TBD</u>

If Council approves additional participation above a capped quota of participants, add
~~\$2.00~~ \$3.00/participant in addition to fees provided below.

Cost per trail maintenance/mile \$200.

*All winter events that propose to use the winter trails system may be subject to a grooming fees
of ~~\$30.00~~ \$35.00/hr. This fee may include pre-event preparation of the trails and post event
maintenance of the trails.

10.17 Credit Card Transaction Fees

Effective July 1, 2019, there will be a 2.00% service fee for all non-utility credit card
payments equal to or greater than \$5,000.

SECTION 11. MUNICIPAL ELECTION FEES

11.1 Fees for municipal elections are as follows:

\$150.00 Mayoral filing fee*

\$100.00 Council filing fee*

*Fees are waived for candidates who prefer to collect 100 signatures of Park City registered voters.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Budget, Debt & Grants

Item Type: Staff Report

Agenda Section: WORK SESSION

Subject:

4:00 p.m. - Discuss FY24 Capital Project Budgets

Suggested Action:

Attachments:

[Staff Report: Capital Budget Discussion](#)

[Exhibit A: All New FY24 Capital Requests](#)

[Exhibit B: Santy Three Party Agreement](#)

[Exhibit C: General Fund Transfer Requests](#)

[Exhibit D: ARCST Requests](#)

[Exhibit E: TRT Requests](#)

[Exhibit F: Water Fund Requests](#)

[Exhibit G: LPA RDA Requests](#)

City Council Staff Report



Subject: Capital Budget Programs
Authors: Jed Briggs, Erik Daenitz
Departments: Budget
Date: April 27, 2023
Type: Work Session

Summary Recommendation

Review and discuss the initial draft of the FY24 capital budget requests and provide feedback in anticipation of additional budget discussions and eventual adoption of the FY24 Tentative Budget on May 11, 2023.

Executive Summary

As previously discussed, our revamped budget process focuses on greater collaboration and coordination between City Council, managers, and the Budget and Executive Team. Over the last few months, managers shared plans, projects, initiatives, and some of the challenges (inflation, increased demand/utilization, elevated expectations, etc.) shaping FY24 operating and capital budget requests with City Council.

This report focuses on the Capital Fund, Water Fund, Transportation Fund and Lower Park Avenue (LPA RDA) Redevelopment Authority for inclusion in the FY24 Tentative Budget. Importantly, and as we do each year, a comprehensive list of every single departmental capital request submitted to the City Manager is provided as Exhibit A.

FY24 Budget Process Timeline

Dec:

- Budget and Economic Update with Council
- Managers discuss FY24 proposals with Exec
- HR begins developing upcoming Pay Plan strategy
- Managers begin reviewing Fee Policy changes

Jan-Feb:

- Budget FY24 revenue projections calculated
- Managers present detailed FY24 proposals to Council (big initiatives)
- Managers submit FY24 proposals to CIP, Results Team, Executive
- Final Executive review of Results Team/CIP committee recommended budgets

March:

- Review and Finalize Tentative Budget
- Determine organizational wages and benefits adjustments
- Consider Blue-Ribbon Compensation Committee for Elected Officials

April-May:

- April 4 - Operating Budget Review
- April 27 – Capital Budget Review, Proposed Fee Changes
- May 11 - Misc/Outstanding Items, **Adopt Tentative Budget**

June:

- May 25, June 8, 15 - Follow up presentations as needed
- June 22 - Final Budget and Fee Schedule Adoption

Analysis

The near-term revenue outlook for Park City remains stable, but growth is likely to taper with some caution on the horizon. The underlying approach to the FY24 Budget is relatively conservative. We aim to balance capital maintenance strains associated with increased utilization, unprecedented winter weather and demand, inflationary cost increases, and the elevated expectations of our residents and visitors. If economic growth slows, it is likely that inflationary cost increases will slow as well, providing a potential window of opportunity to put capital resources to work at marginally higher real purchasing power relative to recent years. Further, with a robust and conservative fund balance in the City's Capital Fund and existing bond balances relatively unchanged, the City is well positioned to undertake new capital investments if desired by Council.

As a brief reminder, capital project requests are budgeted in at least four active funds; the Capital Fund, Water Fund, Transportation Fund, and LPA RDA. Capital project requests are balanced in two ways; expected revenues for the remainder of FY23, or the FY23 Adjusted Budget, and the FY24 Budget. Importantly, within the City's Transportation Fund, near-term projects can be funded, but as illustrated in the April 4, 2023, Council meeting, the 5-year plan of capital transportation projects cannot be funded within projected revenues.

Overall, the budget initiatives below represent the current recommendation. However, changes will occur based upon Council feedback, additional departmental needs, and changing revenue projections. Capital budget requests are detailed by fund below.

Capital Fund

The three major sources of recurring revenue in the City's Capital Fund are the General Fund Transfer (~18-21% of Resort Tax), 100% of Additional Resort City Sales Tax (ARCST), and 100% of Transient Room Tax (TRT). Requests made against each of these funding sources are detailed below, in addition to sections reviewing separate large-scale capital strategies such as housing and recreation.

General Fund Transfer Projects

FY23 Adjusted New Requests

Each year, Council adopts an adjustment to the existing fiscal year budgets to accommodate additional opportunities to execute near-term priorities and deploy excess

revenues, when and if available, plus the next fiscal year's budget projection. On the back of sales tax that are on pace to set a record, new FY23 requests are supported by approximately a \$1.2M increase from original the original FY23 Budget adopted in June last year.

FY23 Adjustment highlights include:

- **CP0338 Council Chambers Advanced Technology, \$210k** – This request is designed to target challenges associated with holding numerous and important virtual meetings in Council Chambers. We plan to overhaul the audio/visual systems in Council Chambers. Since COVID, the technology required to host public meetings on various platforms has drastically increased. So too have the challenges, integration, equipment, and labor required. For months, public meetings are frequently disrupted, conducted on one platform and not another, and/or required a complete system reboot mid-meeting. The last major Council Chambers technology upgrade was conducted pre-2019. This important meeting space requires considerable enhancement to maintain new standards of online meeting formats, reliability, and transparency.
- **CP0569 Replace Vehicle Wash, \$55k** – This program is shared between the Transportation Fund and the Capital Fund to replace an old vehicle washing facility at Public Works. In our harsh winter environment, vehicle washing is an important asset maintenance tool and elongates the lifespan of busses, plows, and various other pieces of front-line equipment.
- **CP0585 Facility Wireless Upgrades, \$50k** – Multiple buildings, including City Hall, the MARC, and the Park City Ice Arena experience insufficient wi-fi coverage or outdated routing technology. The plan is to replace and enhance wi-fi technology at these facilities to improve customer service and public access.
- **CP0559 Marsac Remodel, \$1M** – This project will renovate major portions of City Hall to accommodate the need for the modernization of the work environment post COVID-19. Due to growing teams, less demand for formal office spaces, and flexible work schedules, more adaptive and flexible space can accommodate our workforce within Marsac rather than contemplate expansion to other facilities. With an eye towards efficiency and collaboration, we seek to renovate portions of City Hall that better reflect the more modern concepts of professional work environments. This project appears in the budget as a +\$1.5M request in FY23, coupled with a -\$500k request in FY24. It will total \$1M over two years if approved.

FY24 New Requests

In FY24, we project approximately \$4M of General Fund Transfer (~\$18-21% of Resort Tax) revenue available to fund important community capital projects. New and existing expense requests against General Fund Transfer can be funded with this amount in FY24:

- **CP0570 Replace Fuel Pump System, \$24k**– This is shared between the Transportation and the Capital Fund to replace fuel island at Public Works. The existing fuel island is 13 years old and is occasionally out of service during critical periods.
- **CP0338 Council Chambers Advanced Technology, \$230k** – This request is designed to target challenges associated with virtual meetings in Council Chambers

and to continue to maintain and upgrade the audio/visual systems in Council Chambers. As noted above, a request of \$210k is made in FY23 as well.

- **CP0579 Guardrail Replacement, \$68k** – Guardrail street systems in Park City, particularly on Royal Street, are due for important safety and maintenance replacement. In addition, after record snow clearing, we plan to examine the condition of all old rails and upgrade with improved technology and equipment if necessary.
- **CP0332 Library Technology Equipment Replacement, \$310k** – This is comprised of two requests with separate goals. First, \$60k is requested for restroom facilities to enhance changing tables and infant care stations. Second, \$250k is requested for an audio/visual system replacement in the Santy Auditorium, which the City is committed to via a [tri-party agreement with the Park City Film Series and Sundance Institute \(Exhibit B\)](#).
- **CP0577 Police Station Parking Lot, \$210k** – Police Station parking capacity is currently limited to less than 30 spots, such that the facility cannot accommodate parking for the public, community and neighborhood meetings, and intergovernmental public safety and special event briefings. This request expands a very small portion of the parking area at the police station by 10-12 spots.
- **CP0585 Facility Wireless Upgrades, \$160k** – Multiple City buildings, including City Hall and the Park City Ice Arena, have insufficient wi-fi coverage or outdated routing technology. As noted above, a request of \$50k is made in FY23 as well.
- **CP0089 Public Art, \$100k** – This will fund the City’s recurring commitment to the Public Art Advisory Board investments. The City Council has continuously funded public art over many years. The City has more than 100 public artwork investments.
- **CP0339 Fiber Connection to Quinn’s Ice & Water, \$80k** – The fiber connection project plans to continue to maintain fiber lines between Quinn’s Junction and downtown Park City.
- **CP0431 MARC Bubble Repair, \$50k** – The Recreation team recommends updating the antiquated and inefficient lighting system in the PC MARC bubble. The existing lights are 18 years old and frequently result in player complaints and extensive maintenance.

FY24 Complete/Closeouts

Each year, we proactively close out completed projects and release any remaining balances back into fund balance or other projects. The completed projects below allow approximately \$275k to be redeployed in the FY24 new requests listed above.

CP0251 Electronic Record Archiving	\$73,281
CP0325 Network & Security Enhancements	\$33,187
CP0334 Repair of Historic Wall/Foundation	\$113,254
CP0435 GIS Satellite Imagery Multi-Spectral	\$6,000
CP0445 Add Uphill Marsac Gate Above Chambers	\$50,000

FY24 Reductions

As part of a concerted strategy to fund all FY24 General Fund Transfer requests, the City's Capital Budget Committee saw an opportunity to reduce project carry forward balances associated with the Bonanza Park Substation. A relatively minor carryforward balance has been maintained for years called 'Bonanza Park/RMP Substation Mitigation' and stands at \$958k. The balance has been used for minor efforts surrounding right-of-way evaluation and appraisals, but the goal was to build a balance over time to move the substation.

However, we are now more aware that moving the substation is a major expenditure that, if ever possible, likely requires an entirely new funding source or strategy to produce the magnitude of revenue necessary for a project this size. In other words, reducing the balance to \$58k would provide ongoing means to manage small projects and studies but also responsibly free up funding for tangible, near-term projects requested by departments. For all General Fund Transfer related projects please see Exhibit C.

Additional Resort City Sales Tax (ARCST) Projects

FY24 New Requests

In FY24, we project approximately \$7.7M of gross ARCST revenue. After ARCST associated debt service (-\$2.7M), approximately \$5M remains for capital projects. As a result, new and existing requests against ARCST can be funded in FY24, as \$2.3M of total project expenses are requested. All new requests are detailed:

- **CP0576 Ability Way Reconstruction, \$630k** – This project will reconstruct the roadway and pathways on Ability Way between the PC Ice Arena and the National Ability Center. The improvements will respond to elevated use of Round Valley trails and trailheads, growth of Quinn's Junction Recreation areas, and a request from the NAC to coincide with their own facility and access improvements. The integrated street design and trail connections will reflect safe and complete street standards.
- **CP0474 Upper Main Street Bollards Phase II, \$350k** – An existing public safety and emergency management initiative, bollard installation on upper Main Street, like those on lower Main Street, is considered essential for crowd safety and to reduce the use of police cruisers to block entrances/exits from major event areas.
- **CP0600 Strategic Asset Analysis, \$150k** – This project will document and compile common attributes surrounding City-owned land with the goal of. The purpose is to generate a catalog of the City's land assets with a set of common and comprehensive metadata.
- **CP0575 10th Street Retaining Wall Reconstruction, \$145k** – A stone retaining wall next to the 10th street stairs is failing. This investment will reconstruct the retaining wall and prevent the hillside from damaging the staircase next to the retaining wall in the future.
- **CP0583 Swede Alley Trash Compactors Replacement, \$126k** – The existing trash compactor on Swede Alley is incurring multiple operational and maintenance issues in recent years. Importantly, this will replace the trash compactor essential to better

serving (back of the house) and supporting Main Street businesses and sanitation goals in the business district.

For all ARCST related projects please see Exhibit C.

Transient Room Tax (TRT) Projects

FY24 Requests

In FY24, we project approximately \$4.5M of gross TRT revenue. After TRT associated debt service (-\$1.5M), \$3M remains for capital projects. Existing requests against the TRT can be funded within this amount in FY24, as only \$621k is requested. No new funding is requested in FY24. For all TRT related projects please see Exhibit D.

General Obligation Bond Projects

FY24 New Requests

At the February 2, 2023, City Council meeting, Council supported additional consideration of a potential 2023 General Obligation bond for new recreation capital investments at The PC MARC, City Park, and the Park City Sports Complex. The [February 2 Staff Report](#) indicated the Recreation Department's strategy to include:

- Full replacement of the Recreation Building in City Park used for Summer Day Camp;
- Full replacement and expansion of the aquatics facilities at the PC MARC;
- Several new facilities and equipment to support the Park City Sports Complex (PCSC):
 - o A new indoor and outdoor pickleball facility;
 - o A new seasonal outdoor ice sheet and multipurpose facility;
 - o A new maintenance and equipment storage facility; and
 - o New field lighting on the stadium field.

Overall expenses for the above projects are currently estimated at \$42-45M. After consulting with PCMC bond counsel, if Council seeks to move forward with evaluation, we will likely recommend a bond not-to-exceed \$50M. As part of the FY24 Budget, Council can adopt a budget recognizing intent to execute a Recreation Bond. However, if Council does not move forward or a General Bond does not pass, budgets will be amended to remove the planned expenses. A Council FY24 Budget adoption does not authorize a GO Bond to be placed on the ballot.

Initial budgets will be planned for the projects below. In addition, during public comment, the local leaders of the desire for more indoor pickleball facilities suggested they would embark on an aggressive fundraising campaign. The City's financial team recommends the RAB Council Liaison and RAB attempt to obtain an estimated fundraising contribution to incorporate into our financial plans to reduce the estimated GO bond amount:

- CP0386 Recreation Building in Park City - ~\$15M
- CP0558 PC MARC Expansion - ~\$15M

- CP0163 Quinn's Fields Phase III - ~\$20M

Additionally, a timeline for the steps involved in this initiative is listed below:

- February 2023 – Council indicated support for Recreation Master Plan findings and General Obligation bond consideration;
- February – June 2023 – Cost estimate development with visual design work proceeding;
- June 2023 – FY24 Budget adopted inclusive of Recreation Master Plan projects indicated above;
- July-August 2023 – Council considers adopting authorizing resolution to place General Obligation bond on November ballot;
- November 2023 – General election;
- Q1 2024 – City issues bonds, RFPs issued;
- FY25 – Contracts awarded and construction proceeds.

Housing Projects

FY24 New Requests

As part of the FY24 Budget, we propose consolidating historically allocated housing-related budgets into a smaller number of projects so that Council can be more flexible with various affordable housing initiatives. Overall, no increase or decrease to historical funding is occurring in the amount of housing related capital budgets or expenditures. The previously authorized amount of approximately \$24M remains, authorized in 2019.

The indicated allocation also recognizes the Council's continued intent to shift the risks associated with developing housing to the private sector – in the form of public-private partnerships. This strategy maximizes City funding and is arguably one of the only viable option to achieve the goal to create 800 new units.

New project names and their amounts are listed in the following:

- **CP0588 Housing Program Public Private Partnerships, \$17M** – This project is focused on adding new housing stock to the City through public-private partnerships.
- **CP0587 Housing Program Asset Acquisition, \$5.5M** – This project is designed to pursue long-term asset purchases of housing and/or land to facilitate future housing development.
- **CP0586 Housing Ongoing Asset Improvement & Maintenance, \$650k** – This project is identified to provide capital asset maintenance and upkeep on existing City-owned housing assets. Over time, the units the City owns to support employee housing are aging and require considerable capital investment. We plan to continue to build this balance moving forward.
- **CP0557 Lite Deed Program, \$1M** – This project reflects the City's Lite Deed Program, but asks for no expansion.

Characteristics of the 2019 Sales Tax Revenue Bond

As we continue to seek efficiency and creativity in housing opportunities, the nature and characteristics of the [2019 Sales Tax Revenue bond \(2019 STR\)](#) limits Council's ability to execute on short-term housing initiatives. At approximately \$23M in proceeds, the 2019 STR was issued by Council under the concept of a build-and-sell strategy. Amidst significant cost increases and seeing more scalable uses, we pivoted to a public-private partnership approach, which provides less risk, more scale, significantly lower cost-per-unit, and rapid development opportunities.

However, under the Utah Local Government Bonding Act, the City is required to maintain an ownership interest in assets purchased or improved with the 2019 STR proceeds. Further, the City's auditors recommend that any asset purchases comprise a tangible ownership interest. In many cases, private affordable housing developers seek funds to bridge a financing gap. However, the City cannot undertake lending activities out of or donate bond proceeds when an ownership interest is not obtained corresponding to these proceeds. Further, any improvements of City-owned assets that benefit a private development are capped at 10% of initial bond proceeds. With an initial par value of \$27.7M, we are limited to no more than \$2.7M in improvements of assets that would benefit a private development.

Nonetheless, while the use of the bond is constrained as mentioned above, it can be used for more than affordable housing. As noted in the [official statement](#), "The proceeds of the 2019 Bonds may be used by the City for financing: (i) a portion of the costs of a revolving program of acquiring and constructing affordable housing units, (ii) parking and plaza improvements, (iii) road improvements, (iv) open space acquisition, (v) park, recreation and community center improvements and (vi) paying costs of issuance of the 2019 Bonds."

In addition, the repayment of the portion of the bonds related to affordable housing comes from the Lower Park RDA. This means that a repurpose of the bond proceeds to new and pressing capital projects comply with the restrictions set by state code for RDA tax increment. Meaning the projects need to be within the geographic boundary of the Lower Park RDA or can be affordable housing projects within Summit County.

Given that the bond has authorized uses outside of affordable housing, the City's Financial Team and outside Bond Counsel strongly recommend Council consider swapping ARCST-linked road improvement projects within the LPA RDA, such as Park Avenue Reconstruction, to be funded with 2019 STR proceeds. Concurrently, we recommend moving the exact same corresponding amount of ARCST funding back to continue to meet the previous Council financial commitments to fund affordable housing.

In other words, as ARCST funds are unrestricted in potential use, the additional flexibility would offer Council a more direct and short-term path to execute on affordable housing opportunities and capital projects, yet not undermine any previous public commitments or funding pledged to affordable housing.

A review of the ARCST authorizing language and ordinance is provided below:

Ordinance No.12-33

“...the City Council intends to allocate all revenue generated with the added 0.5% Additional Resort Communities Sales Tax directly into the Capital Improvement Fund (Fund 31) to be used for but not limited to the following capital projects: Historic Park City/Main Street & Downtown Projects, OTIS (Old Town Infrastructure Streets), Storm Drain Improvements, Open Space Acquisitions and other capital improvement projects as determined appropriate by City Council.”

Senior Center Project

The remaining new request in the Capital Fund is associated with CP0311 Senior Community Center. In FY23, the project balance was \$991K from the LPA RDA. In FY24, we recommend an additional \$2.5M from Capital Fund balance. If approved, this would bring the total project funds to \$3.4M, and hopefully propel yet another public private partnership (City, private, County, MAG, etc.). Scope and definition of the project remains ongoing, yet providing an initial funding commitment is important to financial planning and maintaining our commitments to our seniors.

Capital Fund Balance

The fund balance of the Capital Fund remains a substantial tool to support additional capital project capacity, either within the capital fund, or in support of other funds. As noted in the April 4, 2023, Council meeting, the Capital Fund balance is projected to end FY23 at approximately \$41M. Of that amount, \$21.5M is unrestricted, \$13.6M is attributable to ARCST, and \$6.2M is attributable to TRT.

This remains a powerful tool for additional capital investment, bridging funding gaps in economic downturns, or as a funding tool for capital projects that may have constraints outside of the Capital Fund itself. At the same time, conservative and prudent application of fund balances must always be maintained.

Transportation Fund

As noted in the April 4, 2023, Council meeting, Transportation capital projects are traditionally funded by a combination of Transportation Sales Taxes and grants. As operating expenses increase, the Fund's capacity to execute capital projects with sales taxes continues to diminish. If Council wished to continue the Transportation Fund's five-year capital plan, [the fund is projected to incur an unsustainable deficit if alternate funding sources are not identified](#). Also, the 5-year capital plan does not include new budget requests for major transformative projects.

[For a full list of Transportation capital projects please review this exhibit from the 4/4/2023 City Council meeting.](#)

Water Fund

The 3Kings Water Treatment plant remains the most significant capital project undertaken by the Water Fund and the City as a whole. Due to quality project and construction management, the facility is on track to begin operations in FY24.

For example, building shells and roof structures for all eight buildings are now completed. Final roofing materials, windows, exterior siding, and stone veneer are being installed and generally complete on six of eight buildings. Work inside the buildings will continue through early spring. Start-up and testing of all building and treatment systems will occur with regulators on-site from early spring to early summer. Site piping is complete and site grading underway. Site landscaping, fencing, paving, cleanup, and removal of construction trailers will occur as soon as the weather allows, and we are aware this is important to our neighbors and golf community.

Construction is scheduled to be completed, water treatment operations to commence, and water administration to move onto the site in June 2023.

In addition to recent major capital initiatives funded by bond proceeds, the broader ongoing capital maintenance needs of the water system are served by net operating revenue remaining after operational costs and debt service. Annual water service fee increases will continue to maintain fund stability while also providing capacity for cash-funded or pay-as-you-go projects.

All requested water projects can be funded within the Water Fund's existing revenues. Please see Exhibit E for a list of all Water Fund capital projects.

Lower Park Avenue RDA (LPA RDA)

The LPA RDA is the primary source of repayment for the 2019 STR debt that currently provides funding for the City's affordable housing projects. Additionally, after debt service payments, smaller, annually recurring revenues are available for additional capital projects within the geographic boundary of the RDA.

The most significant request for capital project funding in the LPA RDA remains CP0311 Senior Community Center at \$991k as noted above. Additionally, CP0003 Old Town Stairs also has existing budgets of \$836k through FY24. Please see Exhibit F for a list of all LPA RDA capital projects.

Additional Large-Scale Capital and Funding Tools

While the City is building a robust capital budget plan for the next several years based on Council and community goals, our focus remains on core capital maintenance and medium-term infrastructure. Large capital projects likely require new funding sources, debt issuance due to magnitude, or a complete rewiring of municipal commitment and community priorities.

Additional major capital project ideas on the horizon include:

- Bonanza Park Neighborhood Area – Parking, Housing, Transportation and Transit
- Long-Range Transportation Plan Gap Closing – as noted, the Transportation Fund is projected to have a ~\$30M funding gap relative to targeted plans. Council could seek to close the gap to achieve more transportation projects sooner.

- Relocation of the Rocky Mountain Power Substation – estimates from over a decade ago ranged in the tens of millions of dollars.
- Soils Ordinance remediation and relocation – costs remain ongoing and considerable. A nearby repository would alter the course of this expenditure pattern long term.
- Affordable housing development expansion
- Regional recycling plan

Fortunately, Park City can raise considerable resources to finance major capital projects or ongoing operations using a variety of methods, as listed below. Even then, funding multiple projects at the same time will remain a challenge for any City.

These strategies include, but are not limited to:

- Pay-as-You-Go: This method pays for annual and short-term capital projects with funds on-hand or through saving up over time. We are already deploying this strategy effectively.
- General Obligation Debt: Property tax increase targeted toward specific projects and must be voter-approved in a general election. We have a successful history of deploying this strategy on large community issues.
- Property Tax Increase: This tool has not been used to our knowledge due to the strength of the tourism economy and imbalance in favor of year-round residential property owners. Council discussed the pros and cons most recently at your Annual Council Retreat.
- Revenue Debt: Issue bonds paid back through ongoing revenues. Historically, we used sales taxes but could source other areas, such as water revenues. Also, the City's debt capacity through sales taxes to issue bonds for new projects is considerable and relatively underutilized.
 - Today, based upon a 20-year maturity, the City could conservatively bond upwards of \$50-70M. We could also evaluate our conservative bonding policy that restricts Park City further than required by Utah Law and most other Utah municipalities.
- Grants/Other Government Agencies: Grant opportunities for local governments from other government agencies remain a focus of staff. However, to fund large capital projects, we have been the most successful in securing grants for transportation projects. The City has a handful of current transportation capital projects set to be paid for partially with grant funding and is continuously applying for more, such as the monies we are awarded to replace vehicles and support an SR248 park and ride. We plan to continue our aggressive use of the tool.
- Economic Development Tools: There are numerous economic development tools that the City could, but does not yet, strategically utilize like other cities and town. The most common are Community Reinvestment Agencies (CRA) or Public Improvement Districts (PID, see August 2021 staff report for further details).
 - Both tools leverage new property tax revenue generated from new development for capital investment in those areas or outside the project area. A more aggressive use of this tool may be recommended in the future.

- o Often the hardest part of using these tools is navigating the political environment and identifying a project and sustaining the purpose and commitment from the community and from one Council to the next.
- o We project approximately \$1.5Bn of additional new assessed value development is required to generate \$1M annually in new property tax. In addition, if this new assessed value growth was generated by the growth of commercial, resort-economy-linked assets, sales taxes would grow as well, with approximately \$2.7M of annually in total sales tax revenues associated with new resort-linked growth.

Attachments

[Exhibit A – All New FY24 Capital Requests](#)

[Exhibit B – Santy Auditorium Three Party Agreement](#)

[Exhibit C – General Fund Transfer Requests](#)

[Exhibit D – ARCST Requests](#)

[Exhibit E – TRT Requests](#)

[Exhibit F – Water Fund Requests](#)

[Exhibit G – LPA RDA Requests](#)

All Capital Projects							
Project	Carry Forward	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	Score	Manager
CP0163 Quinn's Fields Phase III	\$0	\$600,000	(\$600,000)	\$0	\$20,000,000	57.38	Twombly
CP0386 Recreation Building in City Park	\$241,383	\$0	\$0	\$0	\$15,000,000	56.50	Fisher
CP0558 PC MARC Expansion	\$0	\$2,000,000	(\$2,000,000)	\$2,000,000	\$13,000,000	63.18	Fisher
CP0025 Bus Shelters Design and Capital Improve	\$148,853	\$700,000	(\$48,948)	\$1,251,918	\$3,839,495	5.40	Collins
CP0009 Transit Rolling Stock Replacement	\$17,711,482	\$0	\$2,130,085	\$0	\$3,575,222	7.00	Fjelsted
CP0007 Tunnel Maintenance	\$0	\$2,781,619	\$508,312	\$292,884	\$3,000,000	6.00	McAfee
CP0311 Senior Community Center	\$991,390	\$0	\$0	\$0	\$2,508,610	54.46	McGrath
CP0592 CAD/AVL Replacement	\$0	\$0	\$0	\$0	\$1,000,000	23.30	Fjelsted
CP0594 Short Range Transportation Plan Implementation	\$0	\$0	\$0	\$0	\$1,000,000	29.39	Fjelsted
CP0396 Park Ave SD	\$0	\$0	\$0	\$0	\$800,000	33.40	McAfee
CP0576 Ability Way Reconstruction	\$0	\$0	\$0	\$0	\$630,000	40.25	Robertson, J.
CP0441 Transportation Demand Management Program	\$104,778	\$70,000	(\$59,246)	\$70,000	\$425,000	16.17	Collins
CP0474 Upper Main Street Bollards Phase II	\$0	\$0	\$0	\$0	\$350,000	57.18	Twombly
CP0332 Library Technology Equipment Replacement	\$0	\$123,104	\$0	\$24,387	\$310,000	45.91	Robertson
CP0565 Park City Parking Needs Assessment	\$0	\$150,000	(\$150,000)	\$0	\$300,000	32.36	Collins
CP0469 Deer Valley Drive Bicycle and Pedestrian	\$200,000	\$300,000	(\$200,000)	\$0	\$250,000	22.34	Collins
CP0338 Council Chambers Advanced Technology Upg	\$0	\$0	\$210,000	\$0	\$230,000	55.90	Robertson
CP0577 Police Station Parking Lot	\$0	\$0	\$0	\$0	\$210,000	43.38	Robertson, J.
CP0574 Landscaping Incentives	\$0	\$0	\$0	\$0	\$200,000	34.29	McAfee
CP0460 Bus lift	\$50,000	\$0	\$30,987	\$0	\$181,500	12.33	Dayley
CP0585 Facility Wireless Upgrades	\$0	\$0	\$50,000	\$0	\$160,000	46.42	Robertson
CP0582 China Bridge Elevator Replacement	\$0	\$0	\$0	\$0	\$150,000	23.33	Dayley
CP0600 Strategic Asset Analysis	\$0	\$0	\$0	\$0	\$150,000	26.29	McGrath
CP0575 10th Street Retaining Wall Reconstruction	\$0	\$0	\$0	\$0	\$145,000	42.42	Twombly
CP0583 Swede Alley Trash Compactors Replacement	\$0	\$0	\$0	\$0	\$126,000	33.46	Twombly
CP0591 Transit Operations Radios Upgrade	\$0	\$0	\$100,000	\$0	\$100,000	28.24	Fjelsted
CP0596 Public Transit Bus Engine Replacement	\$0	\$0	\$0	\$0	\$100,000	37.22	Dayley
CP0089 Public Art	\$355,749	\$40,000	\$71,832	\$0	\$100,000	58.73	Diersen
CP0593 Transit Snow Plow Equipment	\$0	\$0	\$0	\$0	\$98,000	34.36	Dayley
CP0339 Fiber Connection to Quinn's Ice & Water	\$0	\$18,000	\$0	\$0	\$80,000	23.30	Robertson
CP0595 Intercept Lot/Park & Ride Amenities	\$0	\$0	\$0	\$0	\$80,000	28.37	Fjelsted
CP0601 Parking Asset Maintenance & Improvements	\$0	\$0	\$265,760	\$0	\$80,000	28.30	Dayley
CP0579 Guardrail Replacement	\$0	\$0	\$0	\$0	\$68,000	34.46	Dayley
CP0590 Transportation Field Vehicle	\$0	\$0	\$0	\$0	\$60,000	22.30	Fjelsted
CP0431 Bubble Repair	\$0	\$0	\$0	\$0	\$50,000	63.00	Fisher
CP0580 Safety Netting at Quinns	\$0	\$0	\$0	\$0	\$33,090	50.73	Dayley
CP0573 Acoustifence - Pickleball Noise Mitigation	\$0	\$0	\$0	\$0	\$32,259	60.45	Fisher
CP0075 Equipment Replacement - Computer	\$172,889	\$628,026	\$0	\$502,564	\$25,000	31.30	Robertson
CP0581 Street Sign Replacement Program	\$0	\$0	\$0	\$0	\$9,754	46.77	Dayley
CP0297 Parking Wayfinding	\$0	\$10,000	(\$10,000)	\$10,000	(\$10,000)	24.39	Knotts
CP0150 Ice Facility Capital Replacement	\$1,046,340	\$407,000	(\$252,223)	\$132,000	(\$16,000)	44.31	Angevine
CP0325 Network & Security Enhancements	\$33,187	\$85,000	\$0	\$85,000	(\$33,187)	48.08	Gustafson
CP0353 Remote snow storage site improvements	\$74,898	\$0	\$0	\$0	(\$38,068)	33.92	Dayley
CP0570 Replace Fuel Pump System	\$0	\$0	\$0	\$78,000	(\$50,767)	31.24	Dayley
CP0152 Parking Equipment Replacement	\$0	\$70,000	(\$70,000)	\$70,000	(\$70,000)	36.24	Knotts
CP0334 Repair of Historic Wall/Foundation	\$113,254	\$0	\$0	\$0	(\$113,254)	44.23	Robertson, J.
CP0002 Information System Enhancement/Upgrades	\$2,688	\$120,000	\$0	\$120,000	(\$120,000)	41.00	Robertson
CP0528 MUNCKIN EXTN/MULTI TRAIL & WOODBINE IM	\$0	\$347,124	\$0	\$1,511,701	(\$131,616)	46.18	Robertson, J.
CP0552 TDM Capital Improvement Projects	\$560,000	\$180,000	(\$732,786)	\$180,000	(\$180,000)	38.40	Collins
CP0546 Old Town Complete Street Improvements	\$0	\$300,000	(\$300,000)	\$200,000	(\$200,000)	27.38	Collins
CP0393 Energy Projects	\$415,889	\$200,000	\$0	\$200,000	(\$200,000)	15.38	McAfee
CP0539 Box of Rocks Intersection Improvements	\$0	\$0	\$0	\$300,000	(\$300,000)	18.33	Collins
CP0547 Iron Horse Complete Street Improvements	\$0	\$0	\$0	\$300,000	(\$300,000)	40.22	Collins
CP0411 SR 248/US 40 Park and Ride Lot	\$4,441,823	\$300,000	\$1,800,000	\$360,000	(\$360,000)	7.40	Collins
CP0559 Marsac Remodel	\$0	\$1,500,000	\$0	\$0	(\$500,000)	58.98	McGrath
CP0318 Bonanza Park/RMP Substation Mitigation	\$958,568	\$0	\$0	\$0	(\$900,000)	60.92	Gustafson

**THREE PARTY AGREEMENT FOR THE PURCHASE & USE OF FILM
PROJECTION EQUIPMENT AT THE JIM SANTY AUDITORIUM**

THIS AGREEMENT IS MADE AND ENTERED into this 25 day of August, 2014, by and between Park City Municipal Corporation ("City") Park City Film Series ("PCFS"), and Sundance Institute ("Sundance").

RECITALS

This Agreement is made and entered into with reference to the following facts:

- A. The City is the owner of a property located at 1255 Park Avenue, Park City, Utah. This property is referred to as the Carl Winters Building.
- B. The City, pursuant to making city owned facilities accessible and well used by the community, intends to renovate the Jim Santy Auditorium, which is located inside the Carl Winters building.
- C. As part of the renovation, new equipment for theatre lighting, sound, and film projection will be purchased.
- D. Sundance Institute has staged the Sundance Film Festival in Park City, using the Jim Santy Auditorium as a venue for the event. The City finds Sundance to be a valuable asset to the community, and wishes to ensure its long-term presence at the Carl Winters Building.
- E. PCFS is a local film series specifically catering to the community of Park City, and a long-term tenant of the Carl Winters Building. The City finds PCFS to be a valuable asset to the community, and wishes to ensure its long-term presence at the Carl Winters Building.

NOW, THEREFORE, based upon the mutual consideration herein, the sufficiency of which all parties hereby acknowledge, the parties agree as follows:

1. **Equipment Purchased.** The three parties agree to each contribute to the cost of upgrading the projection equipment inside the Santy Auditorium as specified in the "Equipment Purchase Sheet" (Exhibit A).
2. **Ownership of Equipment.** Each party will retain ownership of the equipment they have purchased as outlined in "Equipment Purchase Sheet" (Exhibit A). If at any point any of the parties desire to sell their equipment, first right of approval will be given to the other two parties.
3. **Maintenance of Equipment.** Sundance will be responsible for servicing the projector prior to the Festival dates in January and for ensuring the projector is in working order immediately after the Festival. Any work (including but not limited to repair or replacement parts) needed before the Festival will be PCFS' responsibility and any work needed immediately after the Festival will be Sundance's responsibility. All other times of the year a log will be kept to track usage by PCFS and PCMC. A sample sheet of the log is included in Exhibit B, "Sample Usage Log". If repairs are needed to the equipment than the usage log will be referenced to determine which party (PCFS or PCMC) is responsible for the costs of repairs or replacements. The City will be responsible for maintaining the light and sound system including the full costs of any repairs or replacement parts should damages or necessary repairs occur unless it is determined that another party is responsible for the damage.
4. **Use of Equipment.**
All parties will have unlimited use of the equipment free of charge so long as a

trained and approved projectionist is operating the equipment. This does not include the use of the theatre, which must be booked in advanced through the City at a fee that is pre-determined by the involved parties.

5. **Replacement of Equipment**

The three parties agree to meet annually to evaluate the equipment and determine if modifications or replacements are needed. If any party decides that the replacement needs to occur before the agreed upon replacement schedule, it will be the sole responsibility of that party to purchase and maintain the equipment. Both the City and PCFS agree to set aside funds on an annual basis to be used for future equipment replacement needs. The amount of funds will be calculated based on a seven-year replacement cost that includes a three percent annual inflationary component (Exhibit C).

6. **Insurance.**

Each party will maintain insurance on the replacement value of the projection equipment when it's in their use.

7. Planning Approval and Building Permits. The City will be responsible for obtaining proper planning approval for all renovation plans. In addition, the City will be responsible for securing all necessary building permits for the renovation.

8. **Approval by City Council.** This Agreement is subject to approval by City Council following a public hearing. .

9. **Assignment.** This Agreement is not assignable without the consent of the City.

10. **Miscellaneous Provisions.**

10.1. **Exhibits.** All exhibits hereto are expressly made a part hereof by this reference.

10.2 **Time of Essence**. Time is of the essence of this Agreement.

10.3. **Entire Agreement**. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof and may only be amended in writing, signed by both Parties.

10.4. **Governing Law**. This Agreement will be governed by the laws of the State of Utah without reference to its choice of law provisions.

10.5. **Attorney Fees**. If a lawsuit is instituted by any of the parties with respect to this Agreement, the prevailing party will be entitled to recover from the other its reasonable attorney fees

10.6 **Further Assurances**. In the event that additional documentation, consents or other action is required to carry into effect the intent of this Agreement, the parties agree that they will cooperate and provide any such further documentation or assurances as may reasonably be required.

10.7. **Termination**. This Agreement can be terminated by any of the three parties with 6 month written notice.

10.8. **Notices**. Any notice or designation to be given hereunder shall be given by placing the notice or designation in the United States mail, certified or registered, properly stamped and addressed to the address shown below or such other address as the respective party may direct in writing to the other, or by personal delivery to such address by a party, or by a delivery service which documents delivery, and such notice or designation shall be deemed to be received upon such placing in the mails or upon such delivery:

Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060
Attn: City Attorney

Park City Film Series
P.O. Box 683058
Park City, UT 84068
Attn: Executive Director

Sundance Institute
1825 Three Kings Dr.
Park City, UT 84060
Attn: Co-Managing Director

DATED AND ENTERED INTO as of the day and year first above written.

PARK CITY MUNICIPAL CORPORATION

By: Jack Thomas

Jack Thomas

PARK CITY FILM SERIES

By: Katharine Wang

Katharine Wang

SUNDANCE INSTITUTE

By: Sarah Pearce

Sarah Pearce

Attest:

Marci Heil

Marci Heil, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

ACKNOWLEDGMENT

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

On this _____ day of _____ 2014, personally appeared before me _____, who being duly sworn, did say that s/he is the _____ of Community Wireless of Park City, Inc., and acknowledged to me that the preceding Agreement was signed on behalf of said corporation, and s/he acknowledged that the company did execute the same for its stated purpose. ☐

Notary Public

Exhibit A – Equipment Purchase Spreadsheet
Exhibit B – Sample Usage Log
Exhibit C – Annual Replacement Fund

Exhibit A – Equipment Purchase Spreadsheet

Boston Light & Sound							
	cost	SD %	SD \$	PCFS %	PCFS \$	PCMC %	PCMC \$
Equipment							
DCP Projector (7 yrs)	\$85,500	100%	\$ 85,500.00		\$ -		\$ -
Christie aux extraction fan	\$1,790	0%	\$ -	100%	\$ 1,790.00		\$ -
Adobe 3D kit	\$10,000	100%	\$ 10,000.00		\$ -		\$ -
BARCO SPARES FOR PC FILM SERIES							
1 BARCO R865556K BME K DP-19/23B Lamp House	\$16,670		\$ -	100%	\$ 16,670.00		\$ -
1 BARCO R9855953 USHIO 3KW (DXL3BA) Lamp			\$ -		\$ -		\$ -
1 BARCO R9899604 DUSTFILTER KIT			\$ -		\$ -		\$ -
1 BARCO PRIME LENS, 2K model, ratio TBD			\$ -		\$ -		\$ -
Server +HMB			\$ -		\$ -		\$ -
Dolby dss200 decryptor	\$9,675	100%	\$ 9,675.00		\$ -		\$ -
Dlink des 1000 Mbps switch	\$325	100%	\$ 325.00		\$ -		\$ -
furman PL power conditioner	\$265	100%	\$ 265.00		\$ -		\$ -
Tripp Lite UPS	\$1,175	0%	\$ -	100%	\$ 1,175.00		\$ -
Stancor transformer	\$225	100%	\$ 225.00		\$ -		\$ -
Cinema Processor Upgrade							
Dolby CP650 cinema processor (existing) need to buy now	\$4,480		\$ -	80%	\$ 3,584.00	20%	\$ 896.00
1 Dolby Cat 790Z Dolby EX Card			\$ -		\$ -		\$ -
1 ODYSSEY 650-OPTIO-AES-RJ Dolby Option input card adaptor			\$ -		\$ -		\$ -
1 DOLBY DMA8+ Digital Media Adaptor			\$ -		\$ -		\$ -
Alternative Content Equip			\$ -		\$ -		\$ -
AMX Switcher (Sundance 50% is represented in negotiated discount)	\$15,110	50%	\$ 7,555.00	50%	\$ 7,555.00	0%	\$ -
Oppo bluray	\$1,250	0%	\$ -	80%	\$ 1,000.00	20%	\$ 250.00
AJA analog embedder	\$1,720	0%	\$ -	80%	\$ 1,376.00	20%	\$ 344.00
REPLACE EXISTING BOOTH VIDEO RACK WITH DUAL SWING OUT RACKS	\$7,670	0%	\$ -	80%	\$ 6,136.00	20%	\$ 1,534.00
2 MIDATL SR-40-22 Swing Out Wall Racks, with			\$ -		\$ -		\$ -
MIDATL DWR-RR40 Rear Rack Rails			\$ -		\$ -		\$ -
ALLOWANCE mounting UNISTRUT & HARDWARE			\$ -		\$ -		\$ -
ALLOWANCE MISC RACK RAILS, SHELVES & CABELING			\$ -		\$ -		\$ -
1 MIDATL USC-6R Universal Sequencing Controller, RACK MOUNT			\$ -		\$ -		\$ -
2 MIDATL PCR6-A Pre- Configured / 6-20a-Duplex Modules / 1-Circuit			\$ -		\$ -		\$ -
2 Tripp RS-1215-RA Power Strip 6-Outlet Rackmount			\$ -		\$ -		\$ -
1- FURMAN PL-PLUS DMC 15A POWER COND/LIGHTS W/SMP & DIGITAL VM			\$ -		\$ -		\$ -
Skype	\$9,740	0%	\$ -	0%	\$ -	100%	\$ 9,740.00
VIDEO PROJECTOR FOR NON CINEMA CONTENT	\$13,490	0%	\$ -		\$ -	100%	\$ 13,490.00
HOUSE PA SYSTEM	\$3,425	0%	\$ -		\$ -	100%	\$ 3,425.00
PA SPEAKERS, AMPS, PROCESSING	\$16,718	0%	\$ -		\$ -	100%	\$ 16,718.00
COMPUTER INPUT PANELS / HDMI & VGA / STAGE LIP & BOOTH WALL	\$3,864	0%	\$ -		\$ -	100%	\$ 3,864.00
HOUSE A/V CART	\$5,540	0%	\$ -		\$ -	100%	\$ 5,540.00
sub total equipment	\$208,632	0%	\$ -		\$ -		\$ -
ADA Compliance Equipment							
Equipment	\$16,000	0%	\$ -	0%	\$ -	100%	\$ 16,000.00
Sub Total	\$16,000		\$ -		\$ -		\$ -
Technical Services (10 hour days at \$125/hr)							
	60%		\$ -		\$ -		\$ -
Offsite fabrication & testing	\$19,500	0%	\$ -	33%	\$ 6,435.00	67%	\$ 13,065.00
on site labor	\$24,750	0%	\$ -	33%	\$ 8,167.50	67%	\$ 16,582.50
travel	\$10,500	0%	\$ -	33%	\$ 3,465.00	67%	\$ 7,035.00
local help	\$2,640	0%	\$ -	33%	\$ 871.20	67%	\$ 1,768.80
subcontract	\$6,000	0%	\$ -	33%	\$ 1,980.00	67%	\$ 4,020.00
subtotal tech svcs	\$63,390		\$ -		\$ -		\$ -
*Sundance obligation is to work to get discount on install (no cash)			\$ -		\$ -		\$ -
Expenses							
air	\$4,550		\$ -	50%	\$ 2,275.00	50%	\$ 2,275.00
meals	\$2,475		\$ -	50%	\$ 1,237.50	50%	\$ 1,237.50
hotel	\$4,125		\$ -	40%	\$ 1,650.00	60%	\$ 2,475.00
car	\$4,000		\$ -	50%	\$ 2,000.00	50%	\$ 2,000.00
freight	\$4,500		\$ -	50%	\$ 2,250.00	50%	\$ 2,250.00
misc	\$1,500		\$ -	50%	\$ 750.00	50%	\$ 750.00
subtotal expenses	\$21,150		\$ -		\$ -		\$ -
elec 16	100		\$ -		\$ -	100%	\$ 9,500.00
other	\$5,000		\$ -		\$ -	100%	\$ 5,000.00
total	\$307,672		\$ -		\$ -		\$ -
*Sundance obligation is to work to get discount on install (no cash)			\$ -		\$ -		\$ -
Park City Film Series							
Screen Brio Tech	\$26,607		\$ -	100%	\$ 26,607.00	0%	\$ -
install for screen only should be less??	\$2,600		\$ -	100%	\$ 2,600.00	0%	\$ -
Masking Oasis	\$2,850		\$ -	100%	\$ 2,850.00	0%	\$ -
Remote Oasis	\$1,900		\$ -	100%	\$ 1,900.00	0%	\$ -
crank st Brio Tech	\$200		\$ -	100%	\$ 200.00	0%	\$ -
crane re Brio Tech	\$2,001	0%	\$ -	100%	\$ 2,001.00	0%	\$ -
			\$ -		\$ -		\$ -
Other			\$ -		\$ -		\$ -
basic security			\$ -		\$ -		\$ -
total	\$36,158		\$ -		\$ -		\$ -
Grand total	\$343,830		\$ 113,545.00		\$106,525		\$ 139,759.80
training on projector							
Indicates who owns the equipment.							

[illegible]

Exhibit C – Annual Replacement Fund

Party	Life Cycle	Base Value	Estimated Replacement Cost	Annual Contribution
PCFS	10	\$106,525	\$143,161	\$14,316
PCMC	10	\$139,760	\$187,825	\$18,783
Total				\$33,099

**FIRST ADDENDUM TO THREE PARTY AGREEMENT FOR THE PURCHASE
& USE OF FILM PROJECTION EQUIPMENT AT THE JIM SANTY
AUDITORIUM**

THIS FIRST ADDENDUM is made and entered into in duplicate this 28 day of April, 2017, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation and political subdivision of the State of Utah ("City"), and Park City Film Series, a Utah Non-Profit Organization ("PCFS"), and the Sundance Institute, a Utah Non-Profit Organization (Sundance) to amend the THREE PARTY AGREEMENT FOR THE PURCHASE & USE OF FILM PROJECTION EQUIPMENT AT THE JIM SANTY AUDITORIUM signed and executed by the Parties on AUGUST 25, 2014.

WITNESSETH;

WHEREAS, the parties entered THREE PARTY AGREEMENT FOR THE PURCHASE & USE OF FILM PROJECTION EQUIPMENT AT THE JIM SANTY AUDITORIUM (hereinafter "Original Agreement"); and

WHEREAS, unanticipated needs and additional equipment arose that were not addressed in the Original Agreement;

WHEREAS, the parties desire to amend the Original Agreement to provide changes to the terms to meet new needs identified by both parties.

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, the parties hereto now amend the Original Agreement as follows:

1. AMENDMENTS:

- a. **Ownership of Equipment.** Each party will retain ownership of the equipment they have purchased as outlined in "Equipment Purchase Sheet" (Exhibit A UPDATED APRIL 2017 – Ownership is identified by highlighted organization on each equipment line). If at any point any of the parties desire to sell their equipment, first right of approval will be given to the other two parties and must be compliant to State funding requirements.
- b. **Replacement of Equipment.** The three parties agree to meet annually to evaluate the equipment and determine if modifications or replacements are needed. If any party decides that the replacement needs to occur before the agreed upon replacement schedule, it will be the sole responsibility of that party to purchase and maintain the equipment. Both the City and PCFS agree to set aside funds on an annual basis to be used for future equipment replacement needs. The amount of funds will be calculated based on a seven-year replacement cost that includes a three percent annual inflationary component (Exhibit C UPDATED APRIL 2017).

First Addendum – Three Party Agreement

2. **OTHER TERMS.**

All other terms and conditions of the Original Agreement shall continue to apply.

3. **ENTIRE AGREEMENT.** This First Addendum is a written instrument pursuant to Section 10.3 of the Original Agreement between the parties and cannot be altered or amended except by written instrument, signed by all parties.

4. **EFFECTIVE DATE.** This First Addendum shall be effective upon execution, but shall immediately terminate if the pending Restaurant Tax Application dated _____ is not granted by Summit County.

First Addendum – Three Party Agreement

IN WITNESS WHEREOF the parties hereto have caused this First Addendum to be executed the day and year first herein above written.

PARK CITY MUNICIPAL CORPORATION

By: [Signature]
Matt Dias, Acting City Manager

PARK CITY FILM SERIES, a Utah Non-Profit Organization

By: [Signature]
Katharine Wang

SUNDANCE INSTITUTE, a Utah Non-Profit Organization

By: [Signature]
Betsy Wallace Michelle Anderson

Attest:

[Signature]
City Recorder

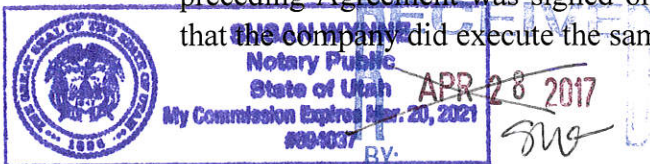
Approved as to form:

[Signature]
Mark D. Harrington, City Attorney



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

On this 28 day of April 2017, personally appeared before me Katharine Wang, who being duly sworn, did say that s/he is the Exec. Director of Park City Film Series, a Utah Non-Profit Organization, and acknowledged to me that the preceding Agreement was signed on behalf of said corporation, and s/he acknowledged that the company did execute the same for its stated purpose.



Notary Public [Signature]

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

On this 28 day of April 2017, personally appeared before me Michelle Anderson, who being duly sworn, did say that s/he is the Director of Finance of Sundance Institute, a Utah Non-Profit Organization, and acknowledged to me that the preceding Agreement was signed on behalf of said corporation, and s/he acknowledged that the company did execute the same for its stated purpose.



Notary Public [Signature]

Exhibit A Equipment Spreadsheet

Boston Light & Sound	cost	SD %	SD \$	PCFS %	PCFS \$	PCMC %	PCMC \$	ORIGINAL TOTAL	2017 UPDATED TOTAL
Equipment									
DCP Projector (7 yrs)	\$85,500	100%	\$ 85,500.00		\$ -		\$ -	\$85,500.00	\$0.00
Christie aux extraction fan	\$1,790	0%	\$ -	100%	\$ 1,790.00		\$ -	\$1,790.00	\$0.00
Adobe 3D kit	\$10,000	100%	\$ 10,000.00		\$ -		\$ -	\$10,000.00	\$0.00
BARCO SPARES FOR PC FILM SERIES			\$ -		\$ -		\$ -		
1 BARCO R865556K BME K DP-19/23B Lamp House	\$16,670		\$ -	100%	\$ 16,670.00		\$ -	\$16,670.00	\$0.00
1 BARCO R9855953 USHIO 3KW (DXL3BA) Lamp			\$ -		\$ -		\$ -		
1 BARCO R9899604 DUSTFILTER KIT			\$ -		\$ -		\$ -		
1 BARCO PRIME LENS, 2K model, ratio TBD			\$ -		\$ -		\$ -		
Server +IMB			\$ -		\$ -		\$ -		
Dalby DCP-2/4 (upgraded in 2017 for ADA equipment)	\$8,100	100%	\$ 5,000.00		\$ 3,100.00		\$ -	\$9,675.00	(\$1,575.00)
Dlink des 1000 Mbps switch	\$325	100%	\$ 325.00		\$ -		\$ -	\$325.00	\$0.00
furman PL power conditioner	\$265	100%	\$ 265.00		\$ -		\$ -	\$265.00	\$0.00
Tripp Lite UPS	\$1,175	0%	\$ -	100%	\$ 1,175.00		\$ -	\$1,175.00	\$0.00
Stancor transformer	\$225	100%	\$ 225.00		\$ -		\$ -	\$225.00	\$0.00
Cinema Processor Upgrade			\$ -		\$ -		\$ -		
Dolby CP650 cinema processor (existing) need to buy now	\$4,480		\$ -	80%	\$ 3,584.00	20%	\$ 896.00	\$4,480.00	\$0.00
1 Dolby Cat 7902 Dolby EX Card			\$ -		\$ -		\$ -		
1 ODYSSEY 650-OPTIO-AES-RJ Dolby Option input card adaptor			\$ -		\$ -		\$ -		
1 DOLBY DMA8+ Digital Media Adaptor			\$ -		\$ -		\$ -		
Alternative Content Equip			\$ -		\$ -		\$ -		
AMX Switcher (Sundance 50% is represented in negotiated discount)	\$15,110	50%	\$ 7,555.00	50%	\$ 7,555.00	0%	\$ -	\$15,110.00	\$0.00
Oppo bluray	\$1,250	0%	\$ -	80%	\$ 1,000.00	20%	\$ 250.00	\$1,250.00	\$0.00
AJA analog embedder	\$1,720	0%	\$ -	80%	\$ 1,376.00	20%	\$ 344.00	\$1,720.00	\$0.00
REPLACE EXISTING BOOTH VIDEO RACK WITH DUAL SWING OUT RACKS	\$7,670	0%	\$ -	80%	\$ 6,136.00	20%	\$ 1,534.00	\$7,670.00	\$0.00
2 MIDATL SR-40-22 Swing Out Wall Racks, with			\$ -		\$ -		\$ -		
MIDATL DWR-RR40 Rear Rack Rails			\$ -		\$ -		\$ -		
ALLOWANCE mounting UNISTRUT & HARDWARE			\$ -		\$ -		\$ -		
ALLOWANCE MISC RACK RAILS, SHELVES & CABLING			\$ -		\$ -		\$ -		
1 MIDATL USC-6R Universal Sequencing Controller, RACK MOUNT			\$ -		\$ -		\$ -		
2 MIDATL PCR6-A Pre-Configured / 6-20a-Duplex Modules / 1-Circuit			\$ -		\$ -		\$ -		
2 Tripp RS-1215-RA Power Strip 6-Outlet Rackmount			\$ -		\$ -		\$ -		
1- FURMAN PL-PLUS DMC 15A POWER COND/LIGHTS W/SMP & DIGITAL VM			\$ -		\$ -		\$ -		
Skype	\$9,740	0%	\$ -	0%	\$ -	100%	\$ 9,740.00	\$9,740.00	\$0.00
VIDEO PROJECTOR FOR NON CINEMA CONTENT	\$13,490	0%	\$ -		\$ -	100%	\$ 13,490.00	\$13,490.00	\$0.00
HOUSE PA SYSTEM	\$3,425	0%	\$ -		\$ -	100%	\$ 3,425.00	\$3,425.00	\$0.00
PA SPEAKERS, AMPS, PROCESSING	\$16,718	0%	\$ -		\$ -	100%	\$ 16,718.00	\$16,718.00	\$0.00
COMPUTER INPUT PANELS / HDMI & VGA / STAGE LIP & BOOTH WALL	\$3,864	0%	\$ -		\$ -	100%	\$ 3,864.00	\$3,864.00	\$0.00
HOUSE A/V CART	\$5,540	0%	\$ -		\$ -	100%	\$ 5,540.00	\$5,540.00	\$0.00
sub total equipment	\$207,057	0%	\$ -		\$ -		\$ -	\$208,632.00	(\$1,575.00)
ADA Compliance Equipment									
Equipment	\$0	0%	\$ -	0%	\$ -	100%	\$ -	\$0.00	\$0.00
2017 ADA Upgrades	\$5,581		\$ -	100%	\$ 5,581.00		\$ -	\$0.00	\$5,581.00
Sub Total	\$5,581		\$ -		\$ -		\$ -	\$0.00	\$5,581.00
Technical Services (10 hour days at \$125/hr)									
Offsite fabrication & testing	\$19,500	0%	\$ -	33%	\$ 6,435.00	67%	\$ 13,065.00	\$19,500.00	\$0.00
Engineering, System Installation, Commissioning, Documentation and Training of ADA Equipment (2017)	\$8,690	0%	\$ -	100%	\$ 8,690.00	0%	\$ -	\$0.00	\$8,690.00
on site labor	\$24,750	0%	\$ -	33%	\$ 8,167.50	67%	\$ 16,582.50	\$24,750.00	\$0.00
travel	\$10,500	0%	\$ -	33%	\$ 3,465.00	67%	\$ 7,035.00	\$10,500.00	\$0.00
local help	\$2,640	0%	\$ -	33%	\$ 871.20	67%	\$ 1,768.80	\$2,640.00	\$0.00
subcontract	\$6,000	0%	\$ -	33%	\$ 1,980.00	67%	\$ 4,020.00	\$6,000.00	\$0.00
subtotal tech svcs	\$72,080		\$ -		\$ -		\$ -	\$63,390.00	\$8,690.00
*Sundance obligation is to work to get discount on install (no cash)			\$ -		\$ -		\$ -		
Expenses									
air	\$4,550		\$ -	50%	\$ 2,275.00	50%	\$ 2,275.00	\$4,550.00	\$0.00
meals	\$2,475		\$ -	50%	\$ 1,237.50	50%	\$ 1,237.50	\$2,475.00	\$0.00
hotel	\$4,125		\$ -	40%	\$ 1,650.00	60%	\$ 2,475.00	\$4,125.00	\$0.00
car	\$4,000		\$ -	50%	\$ 2,000.00	50%	\$ 2,000.00	\$4,000.00	\$0.00
freight	\$4,500		\$ -	50%	\$ 2,250.00	50%	\$ 2,250.00	\$4,500.00	\$0.00
misc	\$1,500		\$ -	50%	\$ 750.00	50%	\$ 750.00	\$1,500.00	\$0.00
subtotal expenses	\$21,150		\$ -		\$ -		\$ -	\$21,150.00	\$0.00
elec 16	\$9,500	100	\$ -		\$ -	100%	\$ 9,500.00	\$9,500.00	\$0.00
other	\$5,000		\$ -		\$ -	100%	\$ 5,000.00	\$5,000.00	\$0.00
total	\$320,368		\$ -		\$ -		\$ -	\$307,672.00	\$12,696.00
*Sundance obligation is to work to get discount on install (no cash)			\$ -		\$ -		\$ -		
Park City Film Series									
Screen Brio Tech	\$26,607		\$ -	100%	\$ 26,607.00	0%	\$ -	\$26,607.00	\$0.00
installat for screen only should be less??	\$2,600		\$ -	100%	\$ 2,600.00	0%	\$ -	\$2,600.00	\$0.00
Masking Oasis	\$2,850		\$ -	100%	\$ 2,850.00	0%	\$ -	\$2,850.00	\$0.00
Remote Oasis	\$1,900		\$ -	100%	\$ 1,900.00	0%	\$ -	\$1,900.00	\$0.00
crank sta Brio Tech	\$200		\$ -	100%	\$ 200.00	0%	\$ -	\$200.00	\$0.00
crane rei Brio Tech	\$2,001	0%	\$ -	100%	\$ 2,001.00	0%	\$ -	\$2,001.00	\$0.00
Other			\$ -		\$ -		\$ -		
basic security			\$ -		\$ -		\$ -		
total	\$36,158		\$ -		\$ -		\$ -	\$36,158.00	\$0.00
Grand total - UPDATED April 2017	\$356,526		\$ 108,870.00		\$123,896.20		\$ 123,759.80	\$343,830	\$12,696
Grand total - Per Original Agreement	\$343,830								
VARIANCE - ADJUSTED vs ORIGINAL CORRECTED	\$12,696.00								

\$0.00

training on projector
HVAC to meet THX specs for noise pollution
light upgrades, single ops of house & stage lights, separate from on stage performance lighting
replacement 5-7 yrs

indicates who owns the equipment.

Exhibit B

This page left intentionally blank

Exhibit C - Annual Replacement Fund

3%

Party	Life Cycle	Base Value	Estimated Replacement Cost	Annual Contribution
PCFS	7	\$123,896	\$152,377	\$21,768
PCMC	7	\$123,760	\$152,209	\$21,744
Total				\$43,512

General Fund Transfer 2023 and 2024							
Project	Carry Forward	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	Score	Manager
CP0006 Pavement Managment Implementation	\$726,102	\$630,000	\$0	\$630,000	\$0	21.92	Dayley
CP0569 Replace Vehicle Wash	\$0	\$0	\$55,370	\$0	\$0	35.31	Dayley
CP0267 Soil Repository	\$1,745,093	\$0	\$0	\$0	\$0	27.92	Robertson, J.
CP0191 Walkability Maintenance	\$84,746	\$71,825	\$0	\$78,825	\$0	28.23	Dayley
CP0332 Library Technology Equipment Replacement	\$0	\$123,104	\$0	\$24,387	\$310,000	45.91	Robertson
CP0217 Emergency Management Program	\$0	\$15,000	\$0	\$15,000	\$0	29.38	McComb
CP0340 Fleet Shop Equipment Replacement	\$27,538	\$15,000	\$0	\$15,000	\$0	22.25	Dayley
CP0457 City AED Replacement and Maintenance	\$0	\$15,000	\$0	\$15,000	\$0	32.33	McComb
CP0003 Old Town Stairs	\$50,000	\$0	\$0	\$0	\$0	30.58	Dayley
CP0266 Prospector Drain - Regulatory Project	\$0	\$150,000	\$0	\$150,000	\$0	31.42	Robertson, J.
CP0412 PC MARC Tennis Court Resurface	\$169,135	\$30,000	\$0	\$0	\$0	23.25	Fisher
CP0338 Council Chambers Advanced Technology Upg	\$0	\$0	\$210,000	\$0	\$230,000	55.90	Robertson
CP0352 Parks Irrigation System Efficiency Imp	\$63,731	\$30,000	\$0	\$30,000	\$0	33.64	Dayley
CP0577 Police Station Parking Lot	\$0	\$0	\$0	\$0	\$210,000	43.38	Robertson, J.
CP0248 Middle Silver Creek Watershed	\$234,297	\$0	\$0	\$0	\$0	34.25	Robertson, J.
CP0585 Facility Wireless Upgrades	\$0	\$0	\$50,000	\$0	\$160,000	46.42	Robertson
CP0036 Traffic Calming	\$43,968	\$150,000	\$0	\$10,000	\$150,000	32.50	Robertson, J.
CP0250 Irrigation Controller Replacement	\$20,000	\$0	\$0	\$0	\$0	35.23	Dayley
CP0041 Trails Master Plan Implementation	\$147,506	\$50,000	\$0	\$50,000	\$0	36.67	Twombly
CP0092 Open Space Improvements	\$0	\$85,000	\$0	\$100,000	\$0	37.18	McComb
CP0074 Equipment Replacement - Rolling Stock	\$1,979,518	\$1,350,000	\$0	\$1,500,000	\$0	32.36	Dayley
CP0568 Gate for Mine bench and Judge Tunnel	\$0	\$15,000	\$0	\$0	\$0	25.34	Dayley
CP0567 Safety Style Soccer Goals	\$0	\$59,000	\$0	\$0	\$0	25.31	Dayley
CP0280 Aquatics Equipment Replacement	\$418,601	\$25,000	\$0	\$25,000	\$0	40.25	Fisher
CP0146 Asset Management/Replacement Program	\$142,729	\$704,760	\$0	\$1,105,418	\$0	40.62	Dayley
CP0089 Public Art	\$318,000	\$40,000	\$0	\$0	\$100,000	58.73	McGrath
CP0333 Engineering Survey Monument Re-establish	\$35,000	\$0	\$0	\$0	\$0	41.17	Robertson, J.
CP0020 City-wide Signs Phase I	\$32,445	\$0	\$0	\$0	\$0	43.08	Gustafson
CP0339 Fiber Connection to Quinn's Ice & Water	\$0	\$18,000	\$0	\$0	\$80,000	39.39	Robertson
CP0150 Ice Facility Capital Replacement	\$650,358	\$66,000	\$0	\$66,000	\$0	44.31	Angevine
CP0432 Office 2016 Licenses	\$218,576	\$0	\$0	\$0	\$0	45.00	Robertson
CP0264 Security Projects	\$27,566	\$0	\$0	\$0	\$0	45.77	McComb
CP0142 Racquet Club Program Equipment Replaceme	\$381,660	\$65,000	\$0	\$65,000	\$0	45.82	Fisher
CP0579 Guardrail Replacement	\$0	\$0	\$0	\$0	\$68,000	34.46	Dayley
CP0431 Bubble Repair	\$0	\$0	\$0	\$0	\$50,000	63.00	Fisher
CP0075 Equipment Replacement - Computer	\$59,105	\$471,062	\$0	\$345,600	\$25,000	33.30	Robertson
CP0324 Recreation Software	\$12,000	\$0	\$0	\$0	\$0	47.55	Dayley
CP0570 Replace Fuel Pump System	\$0	\$0	\$0	\$0	\$24,273	30.24	Dayley
CP0336 Prospector Avenue Reconstruction	\$31,812	\$0	\$0	\$0	\$0	48.73	Robertson, J.
CP0312 Fleet Management Software	\$47,917	\$0	\$0	\$0	\$0	49.17	Dayley
CP0354 Streets and Water Maintenance Building	\$100,269	\$0	\$0	\$0	\$0	49.18	McAfee
CP0292 Cemetery Improvements	\$136,635	\$0	\$0	\$0	\$0	50.00	Deters
CP0028 5 Year CIP Funding	\$5,000,000	\$0	\$0	\$0	\$0	51.23	Briggs
CP0581 Street Sign Replacement Program	\$0	\$0	\$0	\$0	\$9,754	46.77	Dayley
CP0128 Quinn's Ice/Fields Phase II	\$34,296	\$0	\$0	\$0	\$0	57.73	Twombly
CP0326 Website Remodel	\$12,378	\$0	\$0	\$0	\$0	58.38	McComb
CP0434 GIS GeoEvent Server License	\$5,000	\$0	\$0	\$0	\$0	58.50	Robertson
CP0353 Remote snow storage site improvements	\$74,898	\$0	\$0	\$0	(\$38,068)	33.92	Dayley
CP0294 Spriggs Barn	\$5,000	\$0	\$0	\$0	\$0	58.83	Dayley
CP0002 Information System Enhancement/Upgrades	\$0	\$120,000	\$0	\$120,000	(\$120,000)	41.00	Robertson
CP0559 Marsac Remodel	\$0	\$1,500,000	\$0	\$0	(\$500,000)	58.98	McGrath
CP0447 EV Chargers	\$69,483	\$0	\$0	\$0	\$0	61.82	Cartin
CP0236 Triangle Property Environmental Remediat	\$0	\$99,779	\$0	\$0	\$0	62.00	Robertson, J.
CP0318 Bonanza Park/RMP Substation Mitigation	\$958,568	\$0	\$0	\$0	(\$900,000)	60.92	Gustafson
CP0535 Santy Chairs Replacement	\$0	\$33,500	\$0	\$33,500	\$0	72.36	Twombly

ARST							
Project	Carry Forward	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	Score	Manager
CP0157 OTIS Phase III(a)	\$3,458,762	\$0	\$0	\$0	\$0	45.82	Robertson, J.
CP0270 Downtown Enhancements Phase II	\$325,990	\$327,104	\$0	\$327,104	\$0	59.64	McGrath
CP0329 Main Street Infrastructure Asset Managem	\$110,433	\$100,000	\$0	\$599,310	\$0	41.42	Dayley
CP0361 Land Acquisition/Banking Program	\$0	\$0	\$1,000,000	\$0	\$0	52.45	Glidden
CP0385 Park Avenue Reconstruction	\$4,381,702	\$746,580	\$0	\$0	\$0	38.91	Robertson, J.
CP0401 Downtown Projects Plazas	\$543,046	\$0	\$0	\$0	\$0	55.91	Twombly
CP0402 Additional Downtown Projects	\$0	\$1,200,000	\$0	\$0	\$0	64.00	Twombly
CP0454 Prospector Sq. Rail Trail Connector	\$0	\$40,000	\$0	\$0	\$0	60.45	Robertson, J.
CP0455 Olympic Park Pathway Connector	\$0	\$113,000	\$0	\$0	\$0	65.50	Robertson, J.
CP0456 PC Heights Pathway	\$0	\$65,000	\$0	\$0	\$0	55.67	Robertson, J.
CP0474 Upper Main Street Bollards Phase II	\$0	\$0	\$0	\$0	\$350,000	57.18	Twombly
CP0556 Upper Main Street Intersection Improve	\$0	\$750,000	\$1,461,562	\$0	\$0	45.75	Robertson, J.
CP0575 10th Street Retaining Wall Reconstruction	\$0	\$0	\$0	\$0	\$145,000	42.42	Twombly
CP0576 Ability Way Reconstruction	\$0	\$0	\$0	\$0	\$630,000	40.25	Robertson, J.
CP0583 Swede Alley Trash Compactors Replacement	\$0	\$0	\$0	\$0	\$126,000	33.46	Twombly
CP0600 Strategic Asset Analysis	\$0	\$0	\$0	\$0	\$150,000	29.36	McGrath

TRT							
Project	Carry Forward	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	Score	Manager
CP0429 Arts and Culture District	\$96,581	\$450,000	\$0	\$0	\$0	46.50	McGrath
CP0527 HOMESTAKE ROADWAY IMP & MULTI-USE TRAIL	\$0	\$783,836	\$0	\$0	\$0	29.00	Robertson, J.
CP0528 MUNCHKIN EXTN/MULTI TRAIL & WOODBINE IMP	\$0	\$238,232	\$0	\$620,953	\$0	29.00	Robertson, J.

Water Fund							
Project	Carry Forward	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	Score	Manager
CP0389 MIW Treatment	\$29,236,885	\$20,094,153	\$0	\$250,000	\$0	5.75	McAfee
CP0040 Water Dept Infrastructure Improvement	\$2,235,618	\$3,954,863	\$0	\$3,496,538	\$0	5.13	McAfee
CP0178 Rockport Water, Pipeline, and Storage	\$3,230,775	\$1,274,570	\$0	\$1,357,520	\$0	7.63	McAfee
CP0007 Tunnel Maintenance	\$0	\$2,781,619	\$508,312	\$292,884	\$3,000,000	6.00	McAfee
CP0443 West Neck Tank	\$1,398,914	\$1,250,000	\$0	\$0	\$0	17.38	McAfee
CP0390 QJWTP Treatment Upgrades	\$2,839,109	\$0	\$0	\$0	\$0	11.38	McAfee
CP0343 Park meadows Well	\$2,678,908	\$0	\$0	\$0	\$0	10.13	McAfee
CP0371 C1 - Quinns WTP to Boothill - Phase 1	\$1,026,839	\$0	\$0	\$0	\$0	13.25	McAfee
CP0304 Quinn's Water Treatment Plant Asset Repl	\$712,015	\$231,525	\$0	\$238,471	\$0	11.88	McAfee
CP0301 Scada and Telemetry System Replacement	\$0	\$1,000,000	\$0	\$200,000	\$0	10.75	McAfee
CP0276 Water Quality Study	\$100,000	\$350,000	\$0	\$300,000	\$0	12.00	McAfee
CP0303 Empire Tank Replacement	\$34,611	\$0	\$0	\$0	\$0	13.63	McAfee
CP0393 Energy Projects	\$415,889	\$200,000	\$0	\$200,000	(\$200,000)	15.38	McAfee
CP0372 Regionalization Fee	\$400,000	\$200,000	\$0	\$200,000	\$0	14.38	McAfee
CP0342 Meter Replacement	\$198,347	\$150,000	\$0	\$150,000	\$0	12.13	McAfee
CP0010 Water Department Service Equipment	\$86,886	\$200,000	\$0	\$133,200	\$0	10.88	McAfee
CP0418 JSSD Interconnection Improvements	\$146,686	\$0	\$0	\$90,000	\$0	18.38	McAfee
CP0075 Equipment Replacement - Computer	\$62,442	\$138,232	\$0	\$138,232	\$0	33.26	McAfee
CP0341 Regional Innterconnect	\$186,244	\$0	\$0	\$0	\$0	14.25	McAfee
CP0325 Network & Security Enhancements	\$0	\$85,000	\$0	\$85,000	\$0	48.08	McAfee
CP0312 Fleet Management Software	\$17,307	\$0	\$0	\$0	\$0	49.17	McAfee
CP0392 Distribution Zoning Meters	\$8,358	\$0	\$0	\$0	\$0	19.88	McAfee
CP0415 Mobile Control	\$13,000	\$0	\$0	\$0	\$0	32.37	McAfee
CP0275 Smart Irrigation Controllers	\$4,353	\$0	\$0	\$0	\$0	13.00	McAfee
CP0416 Windows 10 Client Licenses	\$1,480	\$0	\$0	\$0	\$0	13.40	McAfee
CP0442 MIW Offsite Improvements	\$9,494,153	\$0	\$0	\$0	\$0	13.75	McAfee

LPA RDA							
Project	Carry Forward	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	Score	Manager
CP0386 Recreation Building in City Park	\$241,383	\$0	\$0	\$0	\$0	56.5	Fisher
CP0311 Senior Community Center	\$991,390	\$0	\$0	\$0	\$0	54.5	McGrath
CP0005 City Park Improvements	\$736,490	\$100,000	\$0	\$100,000	\$0	3.8	Fisher
CP0003 Old Town Stairs	\$436,340	\$150,000	\$0	\$300,000	\$0	30.6	Twombly
CP0167 Skate Park Repairs	\$9,749	\$5,000	\$0	\$5,000	\$0	4.3	Fisher
CP0264 Security Projects	\$0	\$40,000	\$0	\$40,000	\$0	45.8	McComb
CP0089 Public Art	\$37,749	\$0	\$0	\$0	\$0	58.7	Diersen
CP0036 Traffic Calming	\$31,275	\$0	\$0	\$0	\$0	32.5	Robertson, J.
CP0013 Affordable Housing Program	\$25,886	\$0	\$0	\$0	\$0	35.8	Glidden
CP0020 City-wide Signs Phase I	\$7,156	\$0	\$0	\$0	\$0	43.1	Gustafson
CP0362 Woodside Phase II	\$2,208	\$0	\$0	\$0	\$0	6.0	Glidden
CP0308 Library Remodel	\$449	\$0	\$0	\$0	\$0	10.3	Twombly

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Information

Agenda Section: WORK SESSION

Subject:

5:15 p.m. - Break

Suggested Action:**Attachments:**

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Community & Public Affairs

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM
COUNCIL AND STAFF

Subject:

First Quarter 2023 Community Engagement Update

Suggested Action:

Informational

Attachments:

[Community Engagement Staff Report](#)

[Exhibit A: Social Media Quarterly Report](#)

City Council Staff Communications Report



Subject: Community Engagement Quarterly Update
Authors: Linda Jager, Tanzi Propst, Emma Prysunka, Clayton Scrivner
Department: Community Engagement
Date: April 27, 2023
Type of Item: Informational

Executive Summary

The first quarter of 2023 has been active for the Community Engagement Team. From executing the State of Park City to releasing an annual report and hosting several public involvement events, the Team continues its mission to foster “communication and connection between the community and Park City Municipal.” This comprehensive overview relays activities from January - March 2023. As always, we welcome feedback from Council to optimize our performance in support of the community’s goals.

Progress Overview and Highlights

Areas of emphasis this quarter were: strategic communications, stakeholder outreach, digital content development, and community events.

Strategic Communications



Media relations and coordination is a core responsibility of our Team. Having three media outlets in a town of our size means the City consistently generates significant media coverage. The legislative session was an incredibly active time, with coverage extending to the Wasatch Front on several issues. Many bills required nuanced responses in short timeframes.

The State of Park City event and the release of the **Together We Can – a Year in Review** publication were significant projects in the first quarter of 2023.

The Team also developed and executed many public service announcements, City newsletters, news releases and briefings, and webpage updates.

Here are some of the key activities in strategic communications:

- Year-in-Review (a 30-page overview on all PCMC accomplishments in 2022)
- State of Park City speech

- 13 City Briefs
- Five news releases
- Four community newsletters
- Proactive media outreach daily and especially during the legislative session to raise community awareness
- Nine public service announcements were arranged and recorded ranging from ski wax recycling to snow safety.

Stakeholder Outreach



The Community Engagement Team works with each department across the City to provide professional communications and stakeholder engagement services, whether citywide mailings, open houses, surveys, Engage Park City projects, and awareness campaigns to gauge community sentiment around a variety of issues.

Stakeholder outreach activities in the first quarter of 2023 included:

- [2023 RainHarvest Program](#)
- 2023 Snowplowing and snow hauling schedule
- 2023 Sundance Film Festival event impact information
- [2023 Sundance Film Festival community survey](#)
- Homestake Road Waterline Replacement Project
- Implementation of new Polco survey platform
- [Lower Park Avenue Improvement Project](#)
- [National Community Survey](#)
- [Park City Bicycle and Pedestrian Plan](#)
- Park City Transit Microtransit and Richardson Flat/6 Silver Pilot Program outreach and survey
- [Shape Your City](#) - Feasibility Study and Small Area Plan advisory committee recruitment (resulted in 73 applications)
- [Fluoro Ski Wax Takeback Program](#)
- [Spring runoff preparation](#) – Creation of a website and social media campaign to share timely resources and information to prepare for spring runoff flooding
- Summit County Energy Burden Survey
- [Upper Main Street Improvement Project](#)
- [Proposed Water Rate Updates](#)
- Winter Peak Day Traffic Communications
- World Water Day

Digital Content and Strategy

Our digital media communication tools and robust social media activities continue to inform, engage (and even entertain!) our residents and community stakeholders. In the social media realm, PCMC is active on Facebook, Instagram, Twitter, and Nextdoor. We also release the Municipal Newsletter every three weeks, employ email marketing campaigns, utilize Engage Park City, and update the City's website to reach residents regularly.

We also lead a quarterly PCMC Social Media internal workgroup to coordinate our various and dispersed digital campaigns. The results are captured quantitatively in our most recent report in Exhibit A.

Highlights of note:

- Our NextDoor account is gaining traction – we posted more content displayed to users nearly 10,000 more times in January-March 2023 than in October-December 2022.
- Park City Transit's Routes & Schedules page was up over 40,000 pageviews in January-March 2023 from October-December 2022 – more than doubling our Q4 numbers.
- The open rate on our email marketing saw a 4.57% increase in January-March 2023 from October-December 2022. Again, we are well above the industry standard.

Community Events



Our Team leads the development, planning, promotion, and execution of various in-person and virtual events. In addition, the Team collaborates with the Resident Advocate and Mayor's Office to co-host events. As a result, we supported the following community events this quarter:

- 2023 State of Park City
- Leadership 101
- Leadership Park City Community Lecture Series
- Mayor & Council in the Neighborhood – Park Meadows
- Meet Up with the Mayor Series
- Running for Office Workshop

Looking Forward

Based on the Community Engagement Team's strategic initiatives for FY23, we will focus on planning and implementing the following programs and initiatives over the next few months:

- 2023 Mayor & Council in the Neighborhood Series (monthly events through October)
- 2023 Spring Projects Open House
- 3Kings Water Treatment Plant Grand Opening planning
- Continued community updates on major planning efforts in Bonanza Park
- Continued evaluation of Customer Relationship Management (CRM) and e-mail/text alert platforms to enhance our stakeholder database and customize messaging based on geographic location(s) and areas of interest
- Creating a printed City news brief to be distributed quarterly as an insert in Park City Municipal water customers' bills and attached to online billing notices
- Future of Empire Creek information events

Exhibits

Exhibit A: Park City Municipal Quarterly Social Media Report

SOCIAL MEDIA REPORT

[QUARTERLY: JANUARY-MARCH 2023]

AUDIENCE

13,595

An increase of 4% from
January–March 2022.

PUBLISHED POSTS

503

Compared to 403 posts
throughout January–March
2022.

ENGAGEMENTS

25,702

Down 5.6% from
January–March 2022.

The number of times users
clicked on/viewed our
content.

VIDEO VIEWS

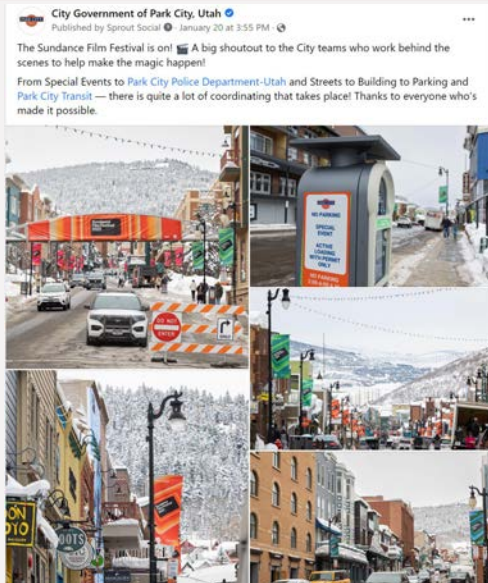
35,519

A decrease of 16.0% from
January–March 2022.

Top Performing Posts

The Best Performing Posts throughout January–March

HIGHEST REACH / HIGHEST ENGAGEMENT

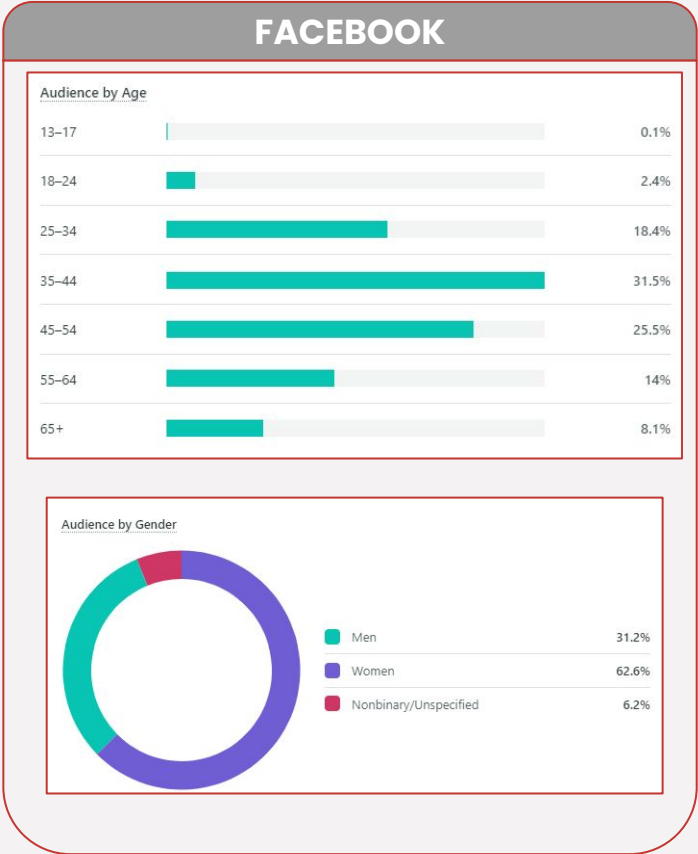


9,717 unique users saw this post.
Users engaged with this post 1,708 times.
31 shares and 2 retweets.

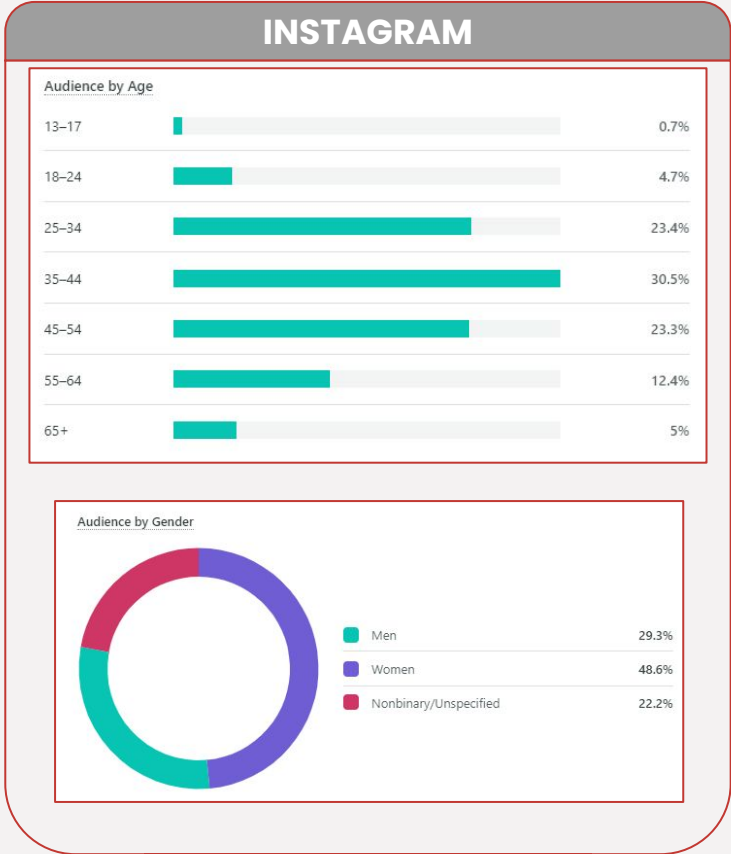
MOST VIDEO VIEWS



6,896 views (on Instagram alone) on
a 41 second Reel.



Mostly women, ages 35–44.



Mostly women, ages 35–44.

Quarterly Performance Breakdown

Organic

CHANNEL	NEW FOLLOWERS	# OF POSTS PUBLISHED	ENGAGEMENT	LINK CLICKS	VIDEO VIEWS
Instagram (Posts + Reels)	253 (6,863 total)	347 (179 Stories)	9,326	877	27,929
Facebook	145 (4,417 total)	261	14,717	1,189	6,228
Twitter	105 (2,261 total)	270	1,659	329	1,362
TOTAL	503	1,057	25,702	2,395	35,519

Quarterly Update

Snapshot Report of our Progress
January–March on **NextDoor**

The screenshot shows the City of Park City's profile on the NextDoor platform. At the top, there's a search bar and navigation icons. The profile header includes a scenic photo of Park City, the city name, and a brief description: 'A former silver mining town, Park City is now home to ~8,500 residents, two world-class ski resorts, and many special and cultural events. Park City is a proud alpine host for the 2002 Olympic Winter Games. PCMC Social Media Commenting See more...'. Below this are buttons for 'Edit page description' and 'Share'. A row of action buttons includes 'Post', 'Poll', and 'Alert'. A section titled 'Viewing posts from your agency.' shows a post from 'City of Park City' about snow plow crews, with 8 likes and 355 impressions. At the bottom, there's a 'HOLIDAY HOURS' banner.

FOLLOWERS

4,115

IMPRESSIONS

38,812

The number of times our content was displayed to users.

PUBLISHED POSTS

109



USERS

163,139

A decrease of 12.1% from
January-March 2022.

PAGEVIEWS

427,546

A decrease of 5.1% from
January-March 2022.

AVERAGE SESSION DURATION

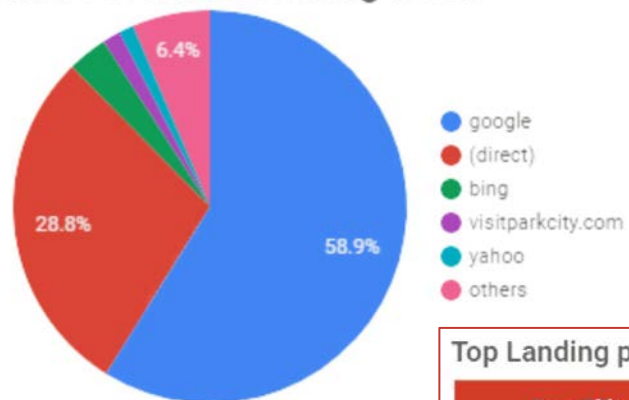
1:49 minutes

An increase of 6.2% from January-March 2022.

Quarterly Performance Breakdown

ParkCity.org Website

Where is traffic coming from?



Top Landing pages and stats

	Page Title	Pageviews ▾	Bounce Rate	Avg. Time on Page	Avg. Session Duration
1.	Routes & Schedules Park City, UT	83,925	81.47%	00:04:33	00:01:16
2.	Park City, UT Home	46,690	51.36%	00:00:59	00:01:33
3.	PARK CITY TRANSIT Park City, UT	35,167	51.78%	00:01:10	00:01:25
4.	Park City MARC & Recreation Home Park City, UT	20,682	58.3%	00:01:39	00:01:35
5.	Park City Ice Arena Park City, UT	16,400	78.7%	00:02:32	00:00:55

Quarterly Check-In

Snapshot Report of our Progress from January-March
On EngageParkCity.org

TOTAL VISITS

3,336

INFORMED VISITORS

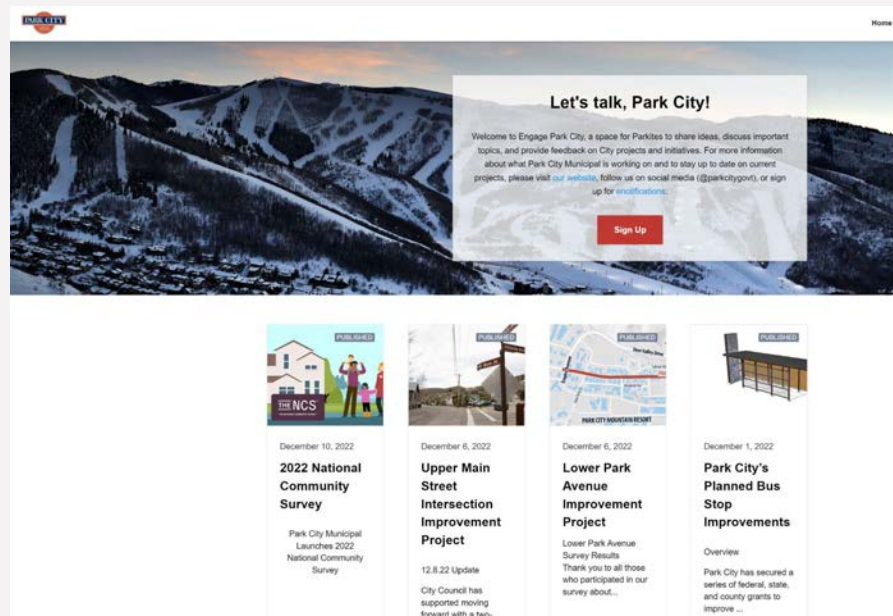
235

Users that have taken some sort of action on our project page(s).

TOP PAGE

462
participants

Take Microtransit for a Spin



OPEN RATE

55.24%

10,029 opens.

Industry standard for local governments is 19.4%.

CLICK RATE

2.65%

597 clicks.

Industry standard for local governments is 2.8%.

CAMPAIGNS SENT

10

A 9.09% decrease from
January-March 2022.

RECIPIENTS

6,367

The number of people that
received our emails
January-March 2023.

Key Learnings

What worked? What didn't work? Anything major to note?

Wins

- * Our NextDoor content was displayed to users 9,787 more times in Q1 2023 than in Q4 2022.
- * **Park City Transit's Routes & Schedules page was up 40,132 pageviews from Q4 2022 — that's more than double!**
- * We saw a huge jump in our MyEmma email marketing open rate in Q1 (compared to Q4 2022) — a 4.57% increase.

Challenges

- * Twitter is still not reporting demographics information.
- * *ParkCity.org* saw a decrease in pageviews between 2022 and 2023.
- * **Following through on video production - we are running into scheduling conflicts and timeline challenges in executing engaging video ideas in a timely manner. Everyone's busy! How can we more seamlessly fit in?**

Key Takeaways / Opportunities

- * Our audience loves visuals. Let's keep offering high quality photos/videos.
 - Current implementations:
 - Staff Spotlights
 - Behind-the-Scenes videos
 - Event recaps
- * **NextDoor seems to be gaining traction...let's use this attention to push informational polls, surveys, and drive up our engagement numbers.**

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Resolution

Agenda Section: RECOGNITION

Subject:

Consideration to Adopt Resolution 06-2023, a Resolution Proclaiming April 2023 as Child Abuse Prevention Month in Park City

(A) Public Input (B) Action

Suggested Action:

Attachments:

[Child Abuse Prevention Month Staff Report](#)

[Exhibit A: Child Abuse Prevention Month Resolution](#)



City Council Staff Report

Subject: Resolution Proclaiming April 2023 as Child Abuse Prevention Month
Author: Michelle Downard
Department: Executive
Date: April 27, 2023
Type of Item: Legislative

Summary Recommendation

Consider a proclamation to recognize April 2023 as Child Abuse Prevention Month.

Analysis

April is National Child Abuse Prevention Month, a time when child wellness and child welfare organizations across the U.S. recognize the importance of creating systems and programs that put children and families first.

Unfortunately, child malnutrition and abuse are a worldwide reality. Communities are stronger when citizens are aware of child maltreatment prevention, are able to recognize child abuse, and ensure a comprehensive response.

A Proclamation helps to raise awareness and demonstrates Park City's support for Child Abuse Prevention Month.

Department Review

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

Exhibit

A Resolution Proclaiming April 2023 as Child Abuse Prevention Month

Resolution 06-2023

**A Resolution Proclaiming April 2023 as Child Abuse Prevention Month
in Park City**

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Park City;

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect;

WHEREAS, it is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe and nurturing childhood;

WHEREAS, Park City has dedicated individuals and organizations who work daily to counter the problem of child maltreatment and to help parents obtain the assistance they need;

WHEREAS, our communities are stronger when all citizens become aware of child maltreatment prevention and become involved in supporting parents to raise their children in a safe and nurturing environment;

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community; and

WHEREAS, all citizens, community agencies, faith organizations and businesses will work to increase their efforts to support families.

NOW, THEREFORE, be it resolved by the Park City Council that April 2023 is recognized as Child Abuse Prevention Month in Park City.

PASSED AND ADOPTED this 27th day of April, 2023.

PARK CITY MUNICIPAL CORPORATION

Mayor Nann Worel

ATTEST:

Michelle Kellogg, City Recorder

APPROVED TO FORM:

City Attorney's Office

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: CONSIDERATION OF MINUTES

Subject:

Consideration to Approve the City Council Meeting Minutes from March 23 and April 4, 2023

Suggested Action:

Attachments:

[March 23, 2023 Minutes](#)

[April 4, 2023 Minutes](#)



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

March 23, 2023

The Council of Park City, Summit County, Utah, met in open meeting on March 23, 2023, at 3:30 p.m. in the City Council Chambers.

WORK SESSION

Special Events Summer Preview and Event Requests Update:

Jenny Diersen, Stephanie Valdez, Chris Phinney, and Heather Weinstock, Special Events Department, were present for this item. Diersen stated her department balanced 60 events per year. She reviewed how special events had shifted away from economic benefits to community benefits. She indicated it would take time to transition events to community identifying events (CIE) since the City was a resort town and there was a delicate balance. Overall, there was decline in events this year, but less events didn't mean less work. Many events required extra coordination. She noted the code changes made in 2022 promoted community events.

Diersen reviewed events sponsored by the City, including the Fourth of July. The City received grants to fund this event, but they were conditioned on marketing outside Summit County. Diersen also discussed the Arts and Culture District programming during the summer and Park Silly Sunday Market (PSSM). She noted the Historic Park City Alliance (HPCA) didn't support a market moving forward and Council wanted to see major changes which PSSM could not meet. If Council wanted to have a market, the City could issue an RFP.

The Council members responded to four questions:

- 1) Clarify goals of CIE category:
 - a. All CIE criteria or just one as written to be considered?
 - b. Does language regarding local participation need to be updated?
- 2) Civic Events:
 - a. Should we consider City funding instead of marketing grants?
 - b. Does City Council support drones moving forward (\$60,000)?
- 3) Arts and Culture District:
 - a. Does City Council Support funding (\$150,000) for infrastructure in addition to programming (\$50,000)?
- 4) PSSM/A Market:

- 1 a. Does City Council support moving forward with an RFP for a future market
2 with major changes as outlined?
3

4 Council Member Rubell supported issuing an RFP for a market and requested the City
5 work with community partners. He was against programming the Arts and Culture
6 District area but requested to see numbers for costs compared to use. He was open to
7 using City funding for July 4th and supported using drones. He wanted to partner with
8 other community stakeholders to make the drone show bigger.
9

10 Council Member Toly asked if Diersen had a list of Deer Valley's big concerts and
11 wanted to know if they would happen on peak days. Diersen stated she had a Deer
12 Valley event list. Because their events had been held for so long, Deer Valley was
13 allowed to hold them during peak days. There were two events that would overlap.
14 Council Member Toly asked about the revamped website. Diersen stated they would
15 have new software to help with event applications. Council Member Toly asked if
16 Diersen had information about the County taking away the restaurant tax money.
17 Diersen stated it would have to change at the legislature, but for now marketing was
18 required to receive the grant.
19

20 It was indicated that code changes were made to promote CIEs and an event could be
21 classified as a CIE if it met one or more criteria from a list of six options. Council
22 Member Dickey asked what the implication would be from removing Criteria C from the
23 criteria, which stated *"Attendance is targeted primarily at local participation from Park
24 City and Summit County residents, employees and businesses. A growth or marketing
25 model to bring attendance from outside of Summit County is secondary to local
26 attendance and participation."* Diersen indicated the most important criteria was A on
27 the list. Both Sundance and Arts Fest were community events, but they attracted a large
28 non-local audience. Criteria C was included because residents didn't want non-locals at
29 the events. Council Member Toly thought the term "local" should include the Wasatch
30 Back instead of just Summit County.
31

32 Mayor Pro Tem Gerber thought each CIE criterium should be rated on a scale. They
33 were each important but not the deciding factor.
34

35 Council Member Toly favored issuing an RFP for a market. She did not support
36 programming for the Arts and Culture District area. She favored drones but did not have
37 an opinion on the marketing grant. She was okay to remove Criteria C from the CIE
38 criteria. Diersen asked if all the other criteria should apply. Council Member Toly didn't
39 know how one would define "affordable."
40

41 Council Member Rubell indicated he was okay with not marketing outside the area and
42 using City funds. He supported removing CIE Criteria C and he liked including the
43 region by designating the Wasatch Back as local. He wanted all the other CIE criteria to
44 be considered.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

March 23, 2023

Page | 3

Council Member Dickey supported issuing an RFP, but he didn't think we should limit ourselves to a market because there could be other alternatives that were free and attracted locals to Main Street. Diersen stated it would be an RFP for a significantly changed event. She heard direction that Council didn't want an event on Sundays. Council Member Dickey thought there should be a discussion prior to issuing an RFP. He was against programming the Arts and Culture District and favored drones on July 4th. He would like information on the cost of the event if the City was funding it. He supported eliminating Criteria C from the CIE code, and suggested adding language referring to longstanding events that had become CIEs regardless of the attending audience. Applicants should meet all the criteria.

Council Member Doilney referred to the CIE code and suggested adding language to incorporate the legacy events. The intention was to have community-based events, but it was not intended to put Sundance or Arts Fest at risk. He did not support marketing for City events. He favored drones but did not support the Arts and Culture District programming because it cost too much money for such limited activation. He requested further conversations on what we were looking for in a market or PSSM replacement event. He indicated it hurt a little to see PSSM leave since it had a lot of support in years past.

Mayor Pro Tem Gerber reviewed PSSM was not a City event, but people started it as a flea market. Now the community felt like it needed a break. She didn't think the City should issue an RFP to replace it. If someone had a proposal, they could bring an event application to the City. She was against issuing an RFP. She did not support programming for the Arts and Culture District but supported City funding for July 4th as well as drones for that event. She favored the CIE criteria as-is but suggested giving each a weight.

Council Member Dickey asked what the RFP would be issued for. Diersen indicated they planned to issue an RFP for an event organizer, and they would pitch an event if they had an idea. They could also have a consultant come in. She indicated she would bring this back for further discussion.

Diersen summarized all the CIE criteria would count. The City would fund City sponsored events. There was support for drones, but not for programming at the Arts and Culture District.

FY22 Library Annual Report:

Adriane Juarez, Library Director, presented this item with the Library Board members. Juarez presented 2022 data, such as study room use, volunteer hours, electronic items borrowed, and number of people who visited the library. Other milestones included new library cards, a strategic plan, a teen advisory board, a sustainability center, multigenerational programming, installation of quiet booths, and receiving America's Star Library Award.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

March 23, 2023

Page | 4

Juarez reviewed the library's strategic plan and stated it had four pillars: User Experience, Inclusivity, Community Relationships, and Lifelong Learning. Each pillar had goals for 2022, 2023, and 2024. The goals for this year were to evaluate service hours, which were changed at the beginning of the year, conduct a diversity and accessibility audit, issue library cards for every Park City School District student, and develop intergenerational programming.

Bill Humbert, Board Chair, stated the library awards reflected the work by Juarez and her staff. He noted Juarez received the Mountain Plains Library Association (MPLA) Innovator Award. She got it for interviewing librarians from all over the U.S. and Canada on her podcast. Humbert indicated he was also proud of the Library Board. He requested an additional full-time staff member and stated the data showed how much the library was growing. Patricia Stokes, Board member, asked Council to consider the library budget and fund the additional staff member. Deb Shafsholdt, Board member, agreed the children's librarian needed help.

Council Member Doilney commended the library staff and board and stated the programs and amenities were great. Council Member Dickey agreed and asserted they were a great team. Council Member Toly noted she was the library liaison and announced the Good Reads event at the library in April. Council Member Rubell expressed his appreciation as well and stated he was impressed with the variety of books available. He also liked the banned books section. Mayor Pro Tem Gerber expressed gratitude to the library team.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Pro Tem Becca Gerber Council Member Ryan Dickey Council Member Max Doilney Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
Mayor Nann Worel	Excused

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Toly stated Transit to Trails would be available this summer. She resigned her liaison role to HPCA, noting she preferred to participate as a business owner. Council Member Dickey offered to take that liaison assignment. The Council agreed to the change.

Staff Communications Reports:

1. Library Coffee Shop Lease Update:

2. Incentivizing Fire Sprinklers in Historic Residential Structures:

3. Communities That Care FY23 Financial Contribution:

4. 2022 Golf Season Recap and 2023 Season Update:

5. 2023 Spring Runoff Preparations:

Council Member Toly encouraged residents to read this report.

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

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

Nils Thorjussen started a drone company six years ago and stated he wanted to be part of the community.

Melissa Mendez stated she worked in Park City as a child development program director. She indicated the stabilization grant was not being renewed and 79% of daycares would need to raise their prices. Early childhood education was very important.

Bobbie Greenfield, Kimball Art Center (KAC) Board, indicated KAC brought art to four out of five elementary schools in the community. They also served the senior citizens. She encouraged Council to give KAC a home in Park City.

Mayor Pro Tem Gerber closed the public input portion of the meeting.

IV. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from March 2 and 3, 2023:

Council Member Doilney moved to approve the City Council meeting minutes from March 2 and 3, 2023. Council Member Toly seconded the motion.

RESULT: APPROVED

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

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Shapeshift Terrain Parks to Redesign and Build the Park City Dirt Jump Park, in an Amount Not to Exceed \$110,000:

2. Request to Authorize a Seasonal Extension for Jans/White Pine Touring Nordic Services Located at the Park City Municipal Golf Course through April 9, 2023:

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

RESULT: APPROVED

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

VI. OLD BUSINESS

1. Consideration of an Ordinance Amending Land Management Code Sections 15-2.13-2 Residential Development Uses, 15-2.14-2 Residential Development - Medium Density Uses, 15-2.18-2 General Commercial Uses, and 15-2.19-2 Light Industrial Uses Regarding Timeshares, Private Residence Clubs and Fractional Use of Dwelling Units:

Rebecca Ward, Assistant Planning Director, stated this item was withdrawn based on the bill the State Legislature passed with regard to fractional use. She noted a summary of the bill was on the website. Council Member Dickey thanked the Planning Department for all their work.

2. Consideration to Authorize the City Manager to Execute a Construction Agreement in a Form Approved by the City Attorney's Office with Vancon Inc., for the Construction of the 9th and 10th Street Stairs and Water Improvements Project in an Amount Not to Exceed \$1,423,161.00:

Matt Twombly, Project Manager, presented this item and reviewed the stairs and waterline contract. He noted during the design process, waterlines from 1978 were discovered. Staff decided to construct concrete stairs for the project.

Mayor Pro Tem Gerber opened the public input.

Kathleen Redmon eComment: "We live at 841 Park Ave. unit 1A, the proposed stairs will be to the north adjacent to our property line. Our concern is snow storage during the winter from shoveling the stairs. we would also like to know about the replacement of the waterline. we are concerned about water shut off during the process. It has also been mentioned that there will be work done by Rocky Mountain power on eighth and ninth Street and we would like to know how this would affect us."

Mayor Pro Tem Gerber closed the public input.

Council Member Rubell stated this was what Council asked for and he thought it would help get people out of cars. Council Member Toly thought it was a great project. She noted wayfinding signs would be put up in conjunction with this project.

Council Member Doilney moved to authorize the City Manager to execute a construction agreement in a form approved by the City Attorney's Office with Vancon Inc., for the construction of the 9th and 10th Street Stairs and Water Improvements Project in an amount not to exceed \$1,423,161.00. Council Member Toly seconded the motion.

RESULT: APPROVED

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

VII. NEW BUSINESS

1. Discuss Health Insurance Procurement:

Sarah Mangano, Human Resources Manager, presented this item and reviewed the RFP submitted for health insurance. She defined fully insured, level funded, and self-funded plans. The selection committee decided on Aetna, due to the significant cost savings. She indicated this would come back to Council for approval on April 4th. Council Member Doilney asked if employees leaving the City could stay on the City's insurance, to which Mangano stated they could opt to stay in through COBRA.

2. Consideration to Approve the Funding Recommendations for the FY23 Mental Health Special Service Contracts for a Total Amount Not to Exceed \$60,000:

Kirsten Darrington, Budget Department, presented this item and stated Communities That Care (CTC) returned \$50,000 to the City and the Council could discuss how to use that. She reviewed the background of special services contracts. There were three categories for SSC: regular service, Diversity, Equity and Inclusion (DEI), and mental health. The mental health SSC process included mental health goals from applicants. Council approved \$120,000 to support mental health. Sixty thousand dollars went to CTC and the remaining \$60,000 was being distributed now. She recommended the funds be allocated to People's Health Clinic, Christian Center of Park City, CONNECT, Live Like Sam, and Summit County Clubhouse.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

March 23, 2023

Page | 8

1 Council Member Rubell asked how much was contributed to DEI contracts, to which
2 Darrington stated \$215,000. Council Member Rubell asked if the allocations were made
3 based on the remaining funds or on the qualifications. Mayor Pro Tem Gerber replied
4 the projects were scored and ranked. Three groups received full funding because the
5 committee felt they would have the biggest impact and the other three groups received
6 partial funding. Council Member Rubell asked to talk about the process. Darrington
7 explained when a group was awarded the funding amount, the contract was executed,
8 and they would receive 80% of the funds. The remaining 20% would be paid after the
9 City received the group's mid-year report on their goals. Council Member Rubell
10 suggested using the extra funds to fully fund the Summit County Clubhouse, and fund
11 Big Brothers Big Sisters and Saddle of Love if they were qualified requests. He also
12 recommended funding Live Like Sam at \$15,000. He asked what would happen to the
13 excess funds. Matt Dias stated unspent money would rollover for next year's budget. It
14 would be calculated in the budget review process for FY24. Council Member Rubell
15 favored returning the excess to the General Fund and having a conversation on how
16 much Council wanted to allocate for next year.

17
18 Council Member Doilney stated historically CTC used their money. He asked why the
19 money was returned. It was indicated they were disbanded. Dias indicated that after this
20 year, CTC would have been required to compete with the other organizations for funds.
21 Council Member Doilney asked if there was a gap in services for young people and
22 hoped that gap could be filled. Council Member Toly stated Live Like Sam offered
23 services to youth. Council Member Doilney thought Live Like Sam offered some but not
24 everything that CTC offered. Mayor Pro Tem Gerber indicated CTC was for all Summit
25 County. She asked for discussions with the other entities before that money was used
26 for other things. She was fine allocating this \$60,000.

27
28 Mayor Pro Tem Gerber opened the public input.

29
30 Amber Mackay eComment: "On behalf of the board, members and staff of Summit
31 County Clubhouse I want to thank you for considering Summit County Clubhouse for
32 the Special Services Contract. We are grateful for the support we have received from
33 the entire community as we worked to launch a place for any adult living with a history
34 of mental illness to gain confidence, purpose and independence through genuine
35 respect, relationships and hard work. We are committed to providing an evidence-based
36 model of community support and stability to any adult in Park City Municipal and
37 Summit and Wasatch Counties. Thank you again for considering Summit County
38 Clubhouse."

39
40 Mayor Pro Tem Gerber closed the public input.

41
42 Council Member Dickey thought slicing up a big amount sometimes didn't have the
43 same impact. He could go with Council Member Rubell's suggestion, but he thought
44 there needed to be future discussions with the school district and Summit County on

1 mental health. Council Member Doilney preferred to hold onto the extra \$50,000 and
2 further consider what it should go for. He suggested more needs could be met early
3 next fiscal year. Mayor Pro Tem Gerber noted the \$50,000 could be designated for
4 mental health, but it wouldn't need to be spent this year. She asked for a discussion on
5 what the roles of the City, County, and School District should be regarding mental
6 health.

7
8 Dias stated Council could approve or not approve how to spend the \$50,000. Council
9 Member Dickey asked if the applications would have been funded differently if the
10 committee had more than \$60,000. Council Member Toly stated she would have funded
11 Big Brothers Big Sisters and would have allocated more funding to Live Like Sam.

12
13 Council Member Rubell moved to approve the funding recommendations for the FY23
14 Mental Health Special Service Contracts with the amendment to fund Big Brothers Big
15 Sisters at \$7,500 and a total funding of Live Like Sam at \$15,000 for a total amount of
16 \$73,000. Council Member Toly seconded the motion.

17 **RESULT: APPROVED**

18 **AYES:** Council Members Dickey, Gerber, Rubell, and Toly

19 **NAY:** Council Member Doilney

20
21 Mayor Pro Tem Gerber asked for future process regarding the Mental Health SSC,
22 specifically to put guiderails on the number of years an organization could be funded.

23
24 **3. Consideration to Approve Ordinance 2023-13, an Ordinance Amending Title 5,**
25 **Government Records Access and Management Act, Chapters 1 and 2, of the**
26 **Municipal Code of Park City:**

27 Margaret Plane, City Attorney, presented this item and reviewed that a lot of State law
28 was included in the municipal code. Since State code was now online, there was less
29 need to duplicate the State law in the City code. She also noted this code amendment
30 would eliminate the appeals board step in the appeals process. She explained there
31 currently wasn't an appeals body at the City level. With the amendment, a GRAMA
32 appeal would go to the State Records Committee or to district court.

33
34 Council Member Doilney asked if this amendment would make a requestor's appeals
35 process faster, to which Plane stated it would be a more transparent and robust
36 process, but it wouldn't necessarily be faster. Council Member Toly clarified the State
37 Records Committee was set up to hear appeals.

38
39 Mayor Pro Tem Gerber opened the public hearing. No comments were given. Mayor
40 Pro Tem Gerber closed the public hearing.

Council Member Doilney moved to approve Ordinance 2023-13, an ordinance amending Title 5, Government Records Access and Management Act, Chapters 1 and 2, of the Municipal Code of Park City. Council Member Toly seconded the motion.

RESULT: APPROVED

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

4. Consideration of City Policy for the Use of City Flagpoles, Buildings, and Resolutions for Government Expression:

Sarah Pearce, Deputy City Manager, and Luke Henry, Assistant City Attorney, presented this item. Pearce defined government speech as expressions made by the City government. Henry stated when venues were made available for the public, the first amendment issues came into the scene. He related the recent experience with Boston, Massachusetts. They allowed other entities to temporarily fly their flags on one of the city flagpoles. They approved these flag flying requests for years, but then denied a flag request to fly a Christian flag. They were sued and the court ruled that the City had violated the First Amendment by discriminating against religious speech.

Pearce stated resolutions historically passed by the City from other organizations had no vetting process, and the recommendation was to stop accepting them so it wouldn't be perceived as government speech. Council members and the public could express support for these causes during public comment. She also stated City policy only allowed seat of government flags on City flagpoles but the policy had not been strictly followed. She requested the flag policy be strictly adhered to. Pearce also indicated there was no policy in place for lighting City buildings, but Council should consider banning requests to light City buildings for expressive messages.

Council Member Rubell stated the flags were classified as government speech, but the Council could pass a resolution making a flag request government speech. Henry responded Council could use resolutions to clearly state its intent. Council Member Rubell asked if this was a policy that could change as needed, to which Henry affirmed. Rubell asked what the process would be to vet requests. Pearce stated a community member could approach a Council member to fly a flag or adopt a resolution. The Council member could take that to the mayor and if a quorum agreed, it could be placed on the agenda. Plane clarified the process would include the Council talking to each other and if a majority agreed to put the resolution on the agenda for consideration, it would be placed on the agenda. She stated there needed to be a gatekeeper on how to get an item on the agenda.

Council Member Doilney asked if how the City spent its money could be considered government speech. Henry stated the government could say what it wanted, and it was government speech. Council Member Toly asked about banners, to which Pearce stated that process was through Special Events and was not part of this discussion.

1 Council Member Dickey asked why there needed to be a vetting process before a
2 resolution was considered. Henry stated passing the resolution was government
3 speech, but he was concerned there was no vetting process to decide what went on an
4 agenda.

5
6 Council Member Toly asked why the current process wasn't working. Dias stated the
7 favorable outcome from having a protocol would be to get ahead of the requests. Henry
8 stated the recommendation for a quorum to approve an agenda item was a good
9 process. Council Member Rubell indicated the Council was polled whenever a Council
10 member requested an item on the agenda and this process would be similar. Dias noted
11 the difference was an outside organization was petitioning to be on an agenda. There
12 was discussion on how to poll the Council for a proposed resolution.

13
14 Mayor Pro Tem Gerber opened the public input.

15
16 Joe Urankar, LGBTQ+ Taskforce, stated his taskforce benefitted from the Council
17 adopting resolutions on their behalf. It created a layer of visibility for them. He thought
18 Council could elevate voices. If there was a process that would protect the City and
19 allow for expression, he thought it should continue.

20
21 Insa Riepen reviewed she presented a Parkinson's resolution last year to bring
22 awareness to the community. The resolution was important for her and she thought it
23 was important that Council remain approachable.

24
25 Joel Zarrow encouraged the Council not to shy away from values-based comments. He
26 thought it was a core part of being a government leader. He thought resolutions and
27 flags were part of those values.

28
29 Peter Tomai via Zoom echoed the former commenter and noted leadership was taking a
30 stand on items important to the community. He agreed there should be a process, but
31 he hoped it didn't get so protracted that the community became sterile. He noted in
32 many cases, resolutions proclaimed joy or success.

33
34 Kris Campbell indicated it should be clarified the nature of resolutions or flags was
35 government speech and not free speech. It could be done in a way that did not show
36 privilege or access.

37
38 Mayor Pro Tem Gerber closed the public input.

39
40 Council Member Toly asked what the County did. Plane stated they did proclamations
41 mostly to honor employees. But there was no flag policy. Council Member Doilney liked
42 having a policy in place against arbitrary decision making. He knew this was a reaction
43 to things happening in the world and most requests were feel good requests. He hoped
44 everyone in the community would step up and help those who needed it.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

March 23, 2023

P a g e | 12

1 Council Member Dickey agreed with the proposed flagpoles and lighting City buildings
2 policy. He wanted to retain resolutions but put a process around it. Council Member
3 Toly agreed with Council Member Dickey. She didn't know what the resolution process
4 should be. Pearce stated a process could be put on the website so people would know
5 how to make a request. Council Member Toly didn't want to get rid of the resolutions but
6 wanted a process. She favored keeping the flagpole policy restricted to seat of
7 government flags and the proposed policy regarding the lighting of City buildings.

8
9 Council Member Rubell asked if seats of government flags were government speech.
10 Henry stated yes but there weren't requests for that. Council Member Rubell asked if a
11 flag approved by a resolution could be flown even though policy limited the use to seats
12 of government flags. Henry stated the current policy was an administrative policy and a
13 resolution could override it. Council Member Rubell was fine with the flags and lighting
14 policies. He stated this was a proactive measure. He hoped not to lose the good
15 requests because we were afraid of bad requests. He liked it taking a majority of
16 Council to get it on the agenda. Plane suggested putting the resolution request process
17 on Council Protocols and it would not need to come back to Council.

18
19 Mayor Pro Tem Gerber indicated words mattered. It was important for Council to see
20 and recognize their citizens. She supported this process and was comfortable with the
21 proposal.

22
23 **VIII. ADJOURNMENT**

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

26
27
28

Michelle Kellogg, City Recorder



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

April 4, 2023

The Council of Park City, Summit County, Utah, met in open meeting on April 4, 2023, at 1:30 p.m. in the City Council Chambers.

Council Member Doilney moved to close the meeting to discuss property and advice of counsel at 1:30 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED

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

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 2:30 p.m. Council Member Rubell seconded the motion.

RESULT: APPROVED

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

STUDY SESSION

Historic Park City Alliance Discussion:

Monte Coates, Rhonda Sideris, Ginger Wicks, Historic Park City Alliance (HPCA), were present for this item. Coates reviewed the history of HPCA. He asserted this organization was for the businesses and for the City. Sideris explained the different responsibilities of the officers in HPCA. She asked for funding from the City so HPCA could continue operating. She wanted Council to think about what would happen if HPCA disbanded. Coates stated Matt Dias, City Manager, looked at other cities to see how they dealt with these situations, and there was no exact match. He hoped the Council would see value in keeping HPCA and being an ongoing funding source.

Council Member Gerber stated the City collected the Business Improvement District (BID) fees and she asked if HPCA could collect the fees. Sideris stated HPCA could collect the fees on a voluntary basis, but she didn't think the businesses would pay.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

Page | 2

1 Coates stated prior to the City collecting the BID, HPCA collected it but it mainly
2 survived on grants from the City that paid for the executive directors. He indicated
3 without the executive directors, HPCA would be a smaller organization and many
4 members didn't want the organization without an executive director. Council Member
5 Gerber asked about Prospector. Council Member Toly stated that was a different
6 scenario because they owned their own infrastructure, i.e., waterlines, trash, etc. She
7 stated the City was the HOA for Main Street because staff cleared the street, watered
8 the flowers, and picked up trash.

9
10 Council Member Doilney asked if there was less support for a BID process, to which
11 Coates affirmed. Sideris thought it was difficult now that there were chain stores on
12 Main Street. Council Member Doilney deduced the chains and newer stores weren't as
13 enthusiastic about what HPCA did for Main Street, and he asked if the businesses did
14 not want to pay dues. Sideris stated HPCA had infighting, and the atmosphere was
15 contentious. Some policies were put in place and the board met with businesses to
16 listen to their concerns. They were trying to be a better working organization.

17
18 Council Member Toly noted the Chamber had made changes to give value to small
19 businesses. She thought HPCA could change so businesses would see the value of
20 being members. Wicks hoped the City would see the value of HPCA. She felt there was
21 collaboration between the City and HPCA. Sideris stated they met with business owners
22 and relayed any complaints or suggestions to City staff, and they had seen results.

23
24 Council Member Doilney noted if HPCA could not require dues from members, the
25 responsibility would fall to the City. He had a hard time with the request for help,
26 knowing that over 50% of the businesses were not willing to pay for this service. If the
27 City funded HPCA, the rest of the community would be helping a street that the
28 businesses on the street wouldn't support.

29
30 Council Member Gerber asked if Main Street could be a Public Infrastructure District
31 (PID), which would impose a self-assessment to districts for flowers, sidewalks and
32 other infrastructure. Erik Daenitz, Economic Development Manager, stated PIDs were
33 targeted for capital investments, not for ongoing maintenance. If one was created, the
34 properties would increase in value and property taxes would increase to pay for the
35 projects.

36
37 Mayor Worel summarized the Council found value in HPCA and indicated staff could
38 work on a funding mechanism that would work for the City.

39
40 Council Member Rubell asked for information on Salt Lake City's special taxing district.
41 Wicks didn't have the details, but noted they taxed certain landowners, did
42 sponsorships, and they had support from the Chamber Bureau. This was very different
43 than how HPCA worked. Council Member Rubell agreed with Council Member Doilney
44 that the lack of support from the Main Street businesses was concerning. He thought it

1 would be difficult to gain community support to subsidize this business district but not
2 the others. He hoped to look at mechanisms to keep the support within the business
3 district.

4
5 Sarah Pearce, Deputy City Manager, stated she was anxious to find a solution since
6 staff coordinated with HPCA to get the word out on events and other things. Council
7 Member Rubell hoped to see options for this issue.

8
9 **WORK SESSION**

10
11 **Discuss FY24 Operating Budget Requests:**

12 Jed Briggs and Penny Frates, Budget Department, presented this item. Frates reviewed
13 work had been done on revenue projections and each department had submitted their
14 budget requests over the past couple months. The requests were broken out into one-
15 time expenses, same level of service requests, personnel, acute requests, etc. She
16 noted there would be a childcare discussion in May, and there was a budget request to
17 help with the childcare initiative.

18
19 Briggs projected an increase in revenue to support the budget requests. Erik Daenitz,
20 Economic Development Manager, indicated sales tax was a big revenue source. His
21 projection for FY24 included a decrease in sales tax revenue and he referred to it as
22 prudent growth. Briggs stated the City was up 17% in sales tax revenue for January
23 compared to last year, and he felt the City was doing well. Regarding reserves, he
24 predicted \$14.1 million in reserves, which equaled 33% of the total revenue and noted
25 this made the City desirable when bonding. One reason for having big reserves was the
26 seasonal cash flow into the City. Briggs indicated one-time expenses should be paid for
27 with one time revenues and ongoing expenses paid for with ongoing revenue.

28
29 Briggs gave options for funding budget requests, and noted sales tax revenue could be
30 redistributed, property taxes could be increased, budgets could be cut, or money in the
31 General Fund and Capital Fund could be used. He wanted Council to look at the budget
32 requests and discuss how to fund those requests.

33
34 Council Member Dickey asked what growth projections were. Daenitz stated it was
35 below FY22 realized. Briggs stated the revenues budgeted for FY23 were less than
36 actual revenues from FY22. Council Member Dickey expressed the projections were
37 conservative.

38
39 Council Member Rubell liked the report. He noted there was uncertainty with the
40 economy. He had concern with reallocating capital. Briggs indicated he was looking for
41 feedback on the budget requests and suggestions on how to fund them. The requests
42 presented today were not capital requests, and he noted those would come to Council
43 for consideration at the next meeting. Council Member Rubell was open to the funding
44 tool options except for property tax increase.

1 Council Member Gerber stated the Council was hesitant to raise property taxes and she
2 felt it tied the City down and put the City at risk in times of economic uncertainty. She
3 indicated property taxes had not been raised in recorded Park City history, yet other
4 entities raised property taxes incrementally on a consistent basis. She didn't want to
5 ignore raising property taxes now and then to be put in a position at some point and
6 have to raise them a lot.

7
8 Council Member Dickey wanted to protect the pay plan, which could mean doing fewer
9 things but do them well. This was a tough year, especially if a General Obligation (GO)
10 Bond was going on the ballot. A property tax increase didn't seem feasible this year, but
11 he thought they should be looked at in the future.

12
13 Council Member Toly was not in favor of a property tax increase. The town was built on
14 tourism and she thought sales tax would continue to be high. She indicated she would
15 send her comments on requests to Budget. Council Member Doilney thought revenue
16 sources should be discussed in a future conversation. Sales tax revenue drove the
17 economy but it was not as stable as real estate.

18
19 Mayor Worel agreed with Council Members Dickey and Rubell and she was not
20 comfortable dipping into fund balances. She thought it was expensive to live in Park City
21 and she didn't know how increasing property taxes would affect people struggling to live
22 here. Council Member Gerber stated a GO bond was a tax that would go to recreation.
23 People loved recreation or open space, but people didn't have issues like childcare on
24 the ballot. She knew it was expensive to live here, but for a small tax increase, a lot of
25 revenue could be generated to fund things like childcare.

26
27 **Discuss FY24 Transportation Operations and Capital Budget Requests:**

28 Sarah Pearce, Deputy City Manager, Jed Briggs, Budget Manager, and Kim Fjeldsted
29 and Scott Burningham, Transit Department, were present for this item. Pearce stated
30 the funding was not keeping up with Transportation expenses, and indicated this was
31 not a FY24 problem, but a five-year problem.

32
33 Fjeldsted reviewed the increase in route frequency produced more riders this winter and
34 she recommended that the program continue next winter. Feedback from riders on the
35 Silver route from Richardson Flat was to split the route and have buses go to each
36 resort with as few stops as possible. The microtransit pilot was also well received and
37 they hoped to expand that to year-round.

38
39 Fjeldsted stated other funding sources were needed to fund the increased ridership.
40 She hoped to provide more direct routes. Pearce noted additional funds were needed to
41 meet the needs of the community. She stated they put a \$1.5 million request in the
42 budget to continue the microtransit for next year. Since the pilot was expanded citywide,
43 they learned many things and they would report back to Council on May 25th after
44 analysis was done.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

Page | 5

Briggs stated the operating budget increased by 25% year-over-year and had implications. The Transportation Fund had a considerable balance now, but that would be depleted by year three of a five-year plan. Julia Collins stated staff created a five-year capital improvement projects plan. Fjeldsted indicated it was important to keep existing assets in good repair. Collins reviewed the multiyear timeline for capital projects. Briggs displayed a five-year revenue and expense chart and noted the fund would have a negative balance in FY26, and it needed to be addressed before that time.

Council Member Toly favored the Richardson Flat route expansion to resorts, but she wanted the resorts to pay for it. She did not want to extend the microtransit pilot until she heard the analysis. She favored funding the five-year Capital Improvement Projects (CIP) using the fund balance and exploring additional funding sources to cover the enhanced service and the funding gap.

Council Member Doilney supported making microtransit year-round and thought it was the first step to controlling traffic. He wanted to find revenue sources to provide these services. He agreed with Council Member Toly on funding the five-year CIP using the fund balance and exploring additional funding sources to cover the enhanced service and the funding gap.

Council Member Dickey felt the City took a hit by not running the bus route from Richardson Flat to the resorts and noted the resorts initially didn't want to help out with that route. He hoped to see the route to the resorts being funded by the resorts. Regarding microtransit, he wanted to see the pilot cost. He agreed there would be consistency with it going year-round but thought there would be very little demand for it other than as a substitute for private transportation. He wanted to assess the results and then discuss it. He supported funding the five-year CIP using the fund balance and exploring additional funding sources to cover the enhanced service and the funding gap.

Council Member Gerber hesitated funding bus service to the resorts and thought it made sense to have a partnership with them. She indicated people would get used to switching buses once. She asked if the microtransit pilot could be extended to end the day the resorts closed on April 23rd. She also asked if the program would be cheaper if not as many patrons used it. Pearce stated the drivers would need to be paid, but in contracting with Summit County, drivers could go outside the area to pick up riders and Park City would not have to pay. Council Member Gerber asked if the parking plan would end when the resorts closed. Pearce stated that would change on April 15th. Council Member Gerber thought the goal in the long run was to train people not to use their cars to get around town. She favored ending the pilot and reviewing the numbers before starting it up again. She supported funding the five-year CIP using the fund balance and exploring additional funding sources to cover the enhanced service and the funding gap.

1 Council Member Rubell hoped Richardson Flat fixed route would be a permanent
2 service. This was an investment for future service. He indicated going directly to the
3 resort was great, but the resort should pay. The express service worked well going to
4 Old Town. He favored High Valley Transit (HVT) extending microtransit to June 30th. He
5 requested a debrief from the pilot before decisions were made for the future. Council
6 Member Doilney agreed and stated the funding source was a primary concern. Council
7 Member Rubell asked to expand electric vehicle (EV) charging in town. With regard to
8 exploring additional funding sources to cover the enhanced service and the funding gap,
9 Council Member Rubell thought there would be grants in future years and he would wait
10 until he had a bigger picture of expenses before trying to fix the revenues. Pearce asked
11 for general direction on what he wanted to see in the tentative budget. Council Member
12 Rubell wanted to discuss where the money was spent instead of just spending more
13 money. He wanted to look at the services given away before putting more burden on the
14 residents and workforce. He supported all the tentative budget except the cost of the
15 direct Richardson Flat service to the resort without help from resorts.

16
17 Council Member Toly asked if the SR-224 project would be on hold since Summit
18 County lost some funding. Pearce stated it wasn't confirmed the funding was lost.
19 Council Member Toly asked if Transportation funding was ever on a GO bond. Briggs
20 stated he could look into that but a lot of GO bonds were used for infrastructure.

21
22 Mayor Worel hadn't heard about the impact of microtransit on the transportation
23 companies and asked for more information on that. She requested that staff explore
24 partnerships with the resorts and other entities for additional funding sources.

25
26 **Short Range Transit Plan Update:**

27 Alex Roy, Scott Burningham, and Kim Fjeldsted, Transportation Department, and Jason
28 Miller, Fehr and Peers, were present for this item. Roy stated this study was a follow up
29 from the Park City and High Valley Transit (HVT) separation. The plan was based on
30 public outreach and the traffic demand.

31
32 Miller reviewed the plan was finished in fall of 2022 and some of the projects were
33 implemented over the winter. The goal was to increase ridership and connectivity. This
34 plan was intended to be for the next five years. It would address traffic congestion, the
35 separation of PC Transit and HVT, innovate with regard to travel patterns and service,
36 have integrated mobility, and address capacity constraints. Miller reviewed the timeline
37 for creating the plan. The final plan included SR248 investments, microtransit for
38 underserved areas, high frequency core/express routes, and the Richardson Flat Park
39 and Ride lot. Within the plan, there was a fall/spring base system and a winter/summer
40 peak system. He noted implementation of the plan was budget dependent. Roy
41 indicated this was a linear funding path, but that could change if Council wanted to
42 implement programs earlier.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

Page | 7

Council Member Gerber asked if staff was looking at neighborhood shuttles or if it was just a recommendation. Roy stated that could be covered through microtransit, and they weren't planning on immediately funding it as a separate program.

Council Member Rubell thought the plan was a book of ideas, but nothing was set in stone. He wanted to make sure people knew the plan was not an implementation plan. He asked if the projects would come to Council for approval or direction, to which Roy affirmed. Council Member Rubell felt some of the recommendations prioritized efficiency over service. He wanted to discuss having more bus lines that would go to Deer Valley first.

Council Member Dickey thought the microtransit zones made sense. He hoped to look at options that would drive ridership overall. He thought the concepts were great. Council Member Toly liked the revolutionary ideas presented in the plan. She indicated there was concern for trailhead parking and wanted to discuss that further.

REGULAR MEETING

I. ROLL CALL

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

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Doilney stated Park City and Summit County residents spoke clearly on their opinion of legislative overreach as some people tried to get land use exceptions. Media covered these types of stories. People who wanted to subvert the process through state legislative action should get the same media attention. One incident wasn't covered by the media. One person tried to get the legislature to change language in a bill to help them as they remodeled their home.

Council Member Gerber indicated this was a hard week for parents because of the school snow days and PC Tots announced a tuition increase. She hoped everyone could find ways to work together.

Council Member Rubell indicated he would excuse himself for 20 minutes to take care of some business. Council Member Toly announced the library had displayed some favorite books of the Council members on the Good Reads table. Mayor Worel thanked the 73 people who applied to be on the Bonanza Park Small Area Plan committee and the feasibility study committee. She noted 45 people had been selected to fill those spots.

Staff Communications Reports:

1. Landscaping Incentive and Backflow Updates:

Council Member Rubell was glad to see the incentive rolled out.

2. Dark Sky Week:

3. 2023 Spring Runoff Preparations - FEMA-Designated Special Flood Hazard Areas within Park City Limits:

Mike McComb, Emergency Manager, indicated the Public Works team offered sandbags to residents and over 450 sandbags had been claimed since yesterday. He noted people could claim 25 sandbags per household. Council Member Rubell stated there were low-lying areas where sump pumps were in homes. He asked McComb to send a message to owners to check those pumps before the melt began.

4. Ranked Choice Voting:

Council Member Doilney encouraged people to read this report since Council would discuss this for future elections.

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

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

Sue Banerjee, PC Tots Executive Director, stated they served 100 children and had a waitlist of 230 children. They had to raise the tuition because of reduced federal funding and current market conditions. Families had trouble affording to live here. There was a Park City Cares About Kids proposal. She urged Council to consider the proposal.

Michelle Yung stated she and her husband lived and worked in the community and they relied on extended hour childcare. She was concerned with the availability of childcare, extended hour childcare, and the affordability of childcare. Her family was lucky to have

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

Page | 9

flexible jobs and noted there were many families who didn't have that flexibility. She asserted all children deserved to have quality childcare.

Taissa Folden 84017 echoed what was said about childcare. She related she waited a year to get into PC Tots and now the tuition was raised. She now had to consider whether to quit her job. She noted her daughter had grown from attending preschool.

Matthew Nagie 84060 shared his thoughts on electric and magnetic fields (EMF) for Homestake and wanted to stress EMF did not have enough evidence on health. He thought it was frustrating that people said there was no evidence that EMF was not safe. He thought it was an unnecessary delay to the project and it should not be held up because of where the burden of proof lay.

Abbey Eddy shared her support for early childcare education. She thought the PC Tots teachers were incredible. She thought the community cared about education and that should extend to the youngest members too.

Kyle Osborne, 84017 asked Council to support the Park City Cares About Kids proposal. He had two children in the system and they thrived in daycare.

Montana Burack 84098 supported Dark Skies and appreciated the action the City took to promote dark skies. She stated light pollution was bad and it was important to preserve the dark skies. This would also protect the migrating birds.

Joe Butterfield 84060 wanted to discuss the project scheduled at the top of Main Street. During Special events, Park Avenue became a roundabout. He knew residents were vocal, but Main Street should stay commercial. There was an existing roundabout at the top of Main Street and it worked fine. As for childcare, he suggested some of the transient room tax (TRT) go to childcare and he thought that was more community-minded than advertising expenses. He also was concerned about Mr. Prince trying to go through the legislature for his personal advantage.

Katy Morgan lived in Old Town but had to move back with her family. She thought PC Tots was a staple for full time workers. There was concern for the tuition increase, the availability of childcare, and the lack of childcare options. She hoped Council would address those issues.

Julia Collins 84098 echoed the childcare discussion. She and her husband moved to Park City for the outdoor recreation and the likeminded community. She liked that the City cared about social issues. She hoped they would support Park City Cares About Kids proposal. She belonged to a Park City Moms group and 50% of the comments were about finding childcare.

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

P a g e | 10

1 Megan McKenna, Housing Advocate for Mountainlands Community Housing Trust,
2 84060 supported Park City Cares About Kids proposal and thought it intersected with
3 the housing crisis in the community. She stated nonprofits were stretched thin and could
4 not handle all the issues alone.

5
6 Mackenzie Genecov 84098 stated she was on the PC Tots waitlist and didn't know the
7 tuition increased. She took her child to Deer Valley a couple days a week. She almost
8 quit her job to take care of her baby, but didn't want to move backwards in her career.
9 She also submitted the following eComment: "I concur with the previous comment
10 regarding childcare. My family moved to PC a little over a year ago. I almost had to quit
11 my job because of the lack of childcare. I could only get my then 3 month-old into one
12 school, which takes over an hour to drop-off and pick-up each way due to location and
13 traffic. I'd like to get my now 1 year-old into a different school more convenient school,
14 but I'm stuck on the waiting lists.....or I don't want to fork over the \$600-\$1,000
15 application fee without a guarantee of getting my child into the next school session. This
16 lack of childcare resources is potentially going to drive my family out of Park City."

17
18 Eliana Bourne came to Park City 20 years ago as a J1 student. She met her husband
19 here. She echoed other comments on childcare affordability.

20
21 Michelle Guttenplan 84098 supported the Park City Cares About Kids proposal. She
22 praised PC Tots and indicated they performed a developmental analysis each year. She
23 stated the tuition increase would hurt but she knew it hurt other families more.

24
25 Brooke Ahlberg 84036 supported the Park City Cares About Kids proposal. Her son got
26 into PC Tots. This was one of two options for childcare in the area. The curriculum was
27 above par. Parents had to evaluate whether they could still work with the tuition
28 increase. She asked the City to bridge the funding gap.

29
30 McKenna Hawley 84060 supported the Park City Cares About Kids proposal and stated
31 she was shocked by the tuition, but she knew it was cheap for the hours her child spent
32 there. Now the cost had almost doubled. She would probably leave the workforce and
33 she thought it was a gender equity issue.

34
35 Heidi Hoven 84109 was a board member of the International Association of Dark Sky
36 Utah Chapter. She stated 80% of birds migrated at night and invited Council to adopt a
37 resolution promoting dark skies.

38
39 Lisa Baker 84098 stated she had two children who went to PC Tots and she pled with
40 the Council to support the Park City Cares About Kids proposal. She and her husband
41 were having a difficult conversation about one of them quitting their job.

1 Rachel Alday stated she had three children and she supported PC Tots. She was
2 considering putting a childcare in her business because of the lack of options in Park
3 City.

4
5 Sam Mueller eComment: "Please consider an investment in our youngest community
6 members and us! (their hard working parents). It will be crucial to keeping working
7 young families in our community. We are part of the local workforce and part of the 83%
8 of parents with children under 5 who rely on childcare. We are part of the 66% of
9 parents paying more than 10% of our income on childcare. With the new tuition increase
10 announcements, we will be paying more like 18% of our income on childcare starting in
11 July. We have 2 children under 5 and rely on child care to do our jobs in this community.
12 And we would like to BOTH continue to be contributing members of this community. As
13 the cost of childcare continues to increase, and this year on a severely drastic level,
14 families like mine cannot afford to stay in this community without the support of the city.
15 Please support early childhood care stabilization to make up for the grants that are
16 disappearing on the federal level, help stabilize our childcare centers, and lessen the
17 burden on families."

18
19 Peregrine Bosler eComment: "I understand that childcare is a part of the budget
20 discussion. Though I know that what makes a great city is complex and requires
21 compromise, there are two issues that have made Park City a nearly unattainable
22 community over the years for me: affordable housing and lack of childcare. Childcare is
23 competitive nationwide, and we are not unique in this struggle, but we are an
24 exaggerated example. I was lucky enough to get into a daycare because I had a referral
25 and put myself on a waitlist when I was 11 weeks pregnant. Still, I have no coverage for
26 the month of Aug or any school district holiday or snow day, and I leave work early
27 every day. I am lucky. I am able to pay the high prices and have the flexibility with my
28 job that I am grateful for. But if I still worked my past Park City jobs in restaurants or
29 nonprofits, childcare would be impossibly expensive and the lack of coverage would
30 impact my ability to stay employed. I know this is the case for many in our community
31 that truly keep the wheels on the bus through their work. I am also aware that Pc tots
32 had to double their prices. As one of the primary sliding scale daycares, this will surely
33 leave some choosing between childcare to attend work and funds to buy groceries.
34 This, in addition to the the recent closure of the school district's childcare, leaves an
35 even larger gap in our community. We need to do better for those that live and work
36 here. It is unacceptable to prioritize recreation for retirees and tourist over the basic
37 needs of your workforce. I hope you'll consider doing what you can to ensure support
38 for these services."

39
40 Mayor Worel closed the public input portion of the meeting.

41
42 **IV. CONSIDERATION OF MINUTES**

1. Consideration to Approve the City Council Meeting Minutes from March 9 and 16, 2023:

Council Member Doilney moved to approve the City Council meeting minutes from March 9 and 16, 2023. Council Member Gerber seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with MC Contractors, Inc., to Construct the Homestake Road Waterline Replacement Project, in an Amount Not to Exceed \$1,424,315.50:

2. Request to Approve a Contract with Musco Sports Lighting LLC pursuant to the State of Utah Cooperative Contract to Replace the City Park Multi-Purpose Field Sports Lights, Poles, Electrical Service Panel, and Lighting Controls in a Form Approved by the City Attorney, in an Amount Not to Exceed \$675,806:

Council Member Gerber moved to approve the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

VI. OLD BUSINESS

1. Public Hearing on the Proposed Water Rate Structure Modifications:

Mayor Worel opened the public hearing.

Dallas Green 84060 National Ability Center (NAC) facility manager stated based on the proposed rates, he thought they would spend \$50,000 on water. He thought the basis of the increase was commercial or residential and meter size. He asked for consideration for water usage used in the past and if the usage increased, then penalize them. He noted the NAC was also a nonprofit and he asked for an exemption to the rate increase.

Rachel Alday owned a couple businesses and one was a laundry mat. She was concerned with the water rate increase. The new changes would prompt them to get water efficient machines, but they wouldn't be able to get the new machines because

they would be paying a higher water bill. She suggested a subsidy or tradeoff for businesses.

Nickie Nelson stated there were 37 units in her condo complex on one water meter and it was impossible to conserve water. They were looking for a contractor who could put in separate water meters and she needed help finding grants for putting in the meters. Currently, they had no way to help owners conserve water.

Meeche White, NAC, echoed Dallas Green's comments and asked for a nonprofit rate. She wanted to see residences pay their fair share.

Mayor Worel closed the public hearing.

2. Consideration to Approve an Interim Use of 1959 Cooke Drive:

Rhoda Stauffer, Housing Specialist, reviewed the City purchased this unit in January. The Housing Policy Working Group determined they needed to do more work before presenting a proposed policy to Council.

Mayor Worel asked why additional upgrades were needed for this unit before it could rented. Stauffer stated the deed restrictions had a standard for selling the unit, and the City had a different standard for renting the unit. She stated someone was putting a bid package together, but it had not been submitted to her yet. There was money in the rental income fund that could cover the projects.

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

Council Member Gerber moved to approve the proposed interim use of 1959 Cooke Drive. Council Member Toly seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

3. Consideration to Authorize the City Manager to Approve a New Health Insurance Policy with Aetna, Inc. for PCMC Employee Health Insurance, with the Annual premium Not to Exceed \$5,682,620 in Year One:

Sarah Mangano, HR Manager, reviewed the City issued an RFP for employee insurance and multiple insurance companies responded. She recommended Aetna and indicated they were able to provide the same benefit at significant cost savings.

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

Council Member Doilney moved to authorize the City Manager to approve a new health insurance policy with Aetna, Inc. for PCMC employee health insurance, with the annual premium not to exceed \$5,682,620 in year one. Council Member Dickey seconded the motion. Council Member Rubell excused.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

VII. NEW BUSINESS

1. Consideration to Authorize the Mayor to Sign an Olympic Guarantee in a Form Approved by the City Attorney's Office:

Jenny Diersen, Special Events Manager, Catherine Raney Norman, Salt Lake City Olympic Committee Chair, Colin Hilton, CEO Utah Olympic Legacy Foundation, and Christian Napier, Salt Lake City Olympic Committee Advisor, were present for this item. Morgan reviewed the committee was formed in 2018 to bring Olympic and Paralympic games to Utah. They were working with the International Olympic Committee (IOC) to put forward a strong proposal to bring the games back to Utah.

Napier stated they were preparing a technical report to be submitted in May. The IOC requested tables on capacities, weather, etc., as well as guarantees from venues, accommodations, and marketing rights. Hilton indicated they were looking to Park City for a letter of commitment to provide services to promote safety and accessibility. After the selection, the committee would work with the City and would pay for any services provided over and above normal service.

Council Member Rubell rejoined the meeting at 7:10 p.m.

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

Council Member Doilney asserted he was happy to see the process moving forward and supported anything the City could do to promote the Olympics in Utah. Council Member Toly agreed. Council Member Rubell asked if guarantee was defined. Napier stated he met with staff to ensure the level of commitment was appropriately framed for the City. This letter would show that there was support for the Olympics at all levels of government. Hilton stated utilities were referenced in the letter. The City didn't provide that, but the City could facilitate that. Council Member Rubell clarified the City committed to do its best to provide it.

Council Member Doilney moved to authorize the Mayor to sign an Olympic Guarantee in a form approved by the City Attorney's Office. Council Member Toly seconded the motion.

RESULT: APPROVED

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

2. Consideration to Approve the Extension of the Main Street Dining Deck Program for 2023, and Authorize the Mayor to Lease City Property/Right-of-Way with Nine Main Street Restaurants in a Form Approved by the City Attorney:

Jenny Diersen, Special Events Manager, stated this was a successful program that had been functioning for the last 13 years. She reported The Brick paid their outstanding City invoice, which was a condition for deck approval. Fletchers requested to continue its one meal service and HPCA supported that. Shabu requested a one meal service and HPCA did not support that. She noted additional improvements might be needed in 2024, so lease terms could be adjusted in the future. Also, if Council wanted to adjust the lease fee for 2024, she needed to know this year. Council Member Toly asked if The Brick deck would move so the corner wouldn't be blind. Diersen indicated the deck would move 10 feet.

Council Member Rubell asked why HPCA supported one restaurant's request and not the other. Mayor Worel explained the two-meal service was to promote vibrancy on Main Street but Fletchers' dining was behind the building and not on Main Street. Council Member Toly stated parking was a premium on Main Street and if a deck was there, it needed to be used during the day. Council Member Rubell asked to adjust the lease fees to what the City's parking fees were. Diersen asked if a rate increase should be considered every year or if Council wanted a new set fee. Council Member Rubell wanted it to offset parking. Council Member Dickey agreed there should be cost recovery. Council Member Gerber asked if the Shabu lease was prorated because it would only be up part of the season, to which Diersen affirmed.

Mayor Worel opened the public input.

Joe Butterfield requested increased enforcement for the decks. One owner put his deck further onto the sidewalk, prohibiting wheelchairs from passing on the sidewalk. When he approached the owner, he was rebuffed. Diersen stated staff addressed the issues last year.

Mayor Worel closed the public input.

Council Member Dickey moved to approve the extension of the Main Street Dining Deck Program for 2023, and authorize the Mayor to lease City property/right-of-way with nine

1 Main Street restaurants in a form approved by the City Attorney. Council Member
2 Gerber seconded the motion.

3 **RESULT: APPROVED**

4 **AYES:** Council Members Dickey, Doilney, Gerber, and Toly

5 **ABSTAINED:** Council Member Rubell

6
7 **3. Discuss Blue Ribbon Council Report on Mayor and Council Compensation:**

8 Sarah Mangano, HR Manager, and Bill Humbert, Greg Hembrock, Stephen Pettise, and
9 Trent Rentfrow, Blue Ribbon Commission members, were present for this item.

10 Mangano reviewed Council asked for a Blue Ribbon Commission to analyze Council
11 compensation against similar cities and recommend salary adjustments accordingly.
12 She indicated they did not evaluate compensation based on work performed since that
13 service could not be valued. The commission evaluated comparable cities. She noted
14 compensation was not commensurate with housing prices to any of the cities analyzed.
15 She also reported that in surveying council members, time spent on city duties varied by
16 council member.

17
18 Hembrock discussed Wasatch and Summit Counties and why these entities were
19 outliers in the study and not comparable to Park City. Humbert stated those entities
20 were so much bigger, which was another reason for being an outlier. Hembrock
21 indicated 13 cities met the criteria for being comparable. Within those cities, Park City
22 was in the 75th percentile.

23
24 Hembrock stated the commission looked at the time commitment. Other areas of
25 consideration were the Council members' personal styles, goals, familiarity of their role,
26 and their other obligations. The commission recommended that the City maintain the
27 current salary and benefits level, implement an annual cost of living increase and
28 rebalance voluntary Council commitments to reduce barriers to entry. For time
29 commitment, they recommended using staff for liaison assignments, so Council
30 members could focus their energy on their priorities. Also, for certain City projects, one
31 Council member could be the lead who informed the other members.

32
33 Mayor Worel opened the public input. No comments were given. Mayor Worel closed
34 the public input.

35
36 Council Member Doilney was impressed with the commission and their understanding
37 of the Council's concerns. He thought the position should be focused on issues
38 important at the moment and be flexible to switch attention as needed.

39
40 Council Member Toly disagreed that the counties were outliers and felt they did similar
41 things. She thought similar cities were Aspen and Jackson. She also didn't think
42 Council's role was defined because the required meetings was not the role. She didn't

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

Page | 17

1 think the recommendation was the solution if the City wanted to attract diverse people to
2 run for Council.

3
4 Council Member Dickey thanked the commission for their time. He thought the
5 objectives for setting a salary included being fair to the people asked to do the work and
6 allowing the broadest set of people who could serve. The work was driven by the size of
7 the budget and complexity of the issues. He thought the counties were the best
8 comparables. Also, the resorts being in town was a factor. He would value it based on
9 the issues. He differed on the valuation. For compensation, he thought the bottom and
10 top wage earners were fine, but the middle group of residents with fixed schedules and
11 needed income were excluded from running for office. He recommended a wage
12 increase.

13
14 Council Member Gerber thought it was an impossible job to compare. Other
15 communities had complex issues as well. She asked what the required meeting time
16 included, to which Mangano stated it was the average scheduled meeting time for
17 Councils. Council Member Gerber stated after being on Council for a time, she realized
18 she didn't have to attend budget meetings, but she wanted to be part of how to help
19 them. There were opportunities to be more efficient with Council's time. She was
20 comfortable with the recommendations. Council Member Rubell thought the report was
21 well written.

22
23 Mayor Worel indicated she asked for the commission hoping to reduce a barrier to
24 running for Council. She had hoped for a different outcome. She asked if they saw any
25 other barriers to running for Council. Humbert stated the cost to run for office was a
26 barrier. He suggested a nonprofit could help subsidize campaign costs. Pettise stated
27 there was a lot of time involved in running for office. He asked the commission what it
28 would take dollar wise to get a diverse group and the members thought it would take a
29 salary of \$100,000-\$120,000, which was a big gap from the current \$25,000. Council
30 Member Doilney noted the living wage was lower in Summit County and it wasn't
31 affordable living in 84060. The number of hours spent in a meeting varied depending on
32 the Council member. He was open to a wage increase although he was happy with
33 where the Council was at.

34
35 Mangano stated this was a highly contested conversation and many municipalities were
36 having this discussion. She explained how some councils handled compensation on a
37 three-year scale. Hembrock noted they discussed attracting diverse candidates, but
38 they couldn't come up with a solution. They also tried to look at quantifiable data and
39 stated it was difficult trying to find equal comparisons.

40
41 Council Member Gerber thought it was important to talk about time commitment. There
42 were meetings in the middle of the day, which would exclude many professions from
43 being on Council. She suggested putting the day meetings all on one day. Council
44 Member Toly asked if the commission looked at other parts of service like emails,

1 phone, talking to public, etc. Humbert suggested condensing the packet by providing a
2 summary of each item. He also suggested taking a time management class.

3
4 **4. Review and Approve 2023 City Council Liaison Assignments:**

5 Michelle Downard, Resident Advocate, stated the Council discussed liaison
6 assignments annually and the scope was described in the packet. These roles had
7 varied commitments and Council could discuss revising them. She also asked Council
8 to look at the liaison list in the packet and discuss the revisions. She stated the revisions
9 did not reflect the importance of the organizations and stakeholders.

10
11 Council Member Dickey referred to the City Council Liaison Guide and felt a Council
12 member should not be the conduit to keeping organizations apprised of the goings on of
13 the City. Organizations should keep up on issues. Council Member Gerber stated most
14 organizations were aware of things that affected them.

15
16 In looking at the Liaison List, Mayor Worel asked if Special Events needed a liaison.
17 Jenny Diersen thought it was helpful since events were under Council approval. Council
18 Member Dickey explained since Special Events and Economic Development were
19 separated, the liaison role could be divided. Dias stated Economic Development was
20 covered through other liaison roles such as Lodging, HPCA, etc. Council Member
21 Gerber indicated liaisons were involved in approving Economic Development grants.
22 They also had meetings with business owners and helped with issues such as resort
23 shuttles using Hillside. Dias stated when issues like those arose, liaisons could be
24 assigned for those purposes, but it didn't need to be ongoing. Mayor Worel noted they
25 were redefining the department and staff should be given time to work that out.

26
27 Mayor Worel stated the LGBTQ+ Taskforce had grown and were successful now and
28 didn't need a liaison. Council Member Rubell thought it made sense to have a point of
29 contact on Council for this group. Browne Sebright would be the primary liaison and
30 Council Member Rubell the alternate.

31
32 Council Member Toly stated the Trails and Open Space committee was working on a
33 master plan and she was involved in this. It was decided that Council Member Toly
34 would work on Trails and Open Space and all the trails organizations would be
35 consolidated to have one liaison.

36
37 Council Members Gerber and Dickey were on Housing committees. Council Member
38 Gerber wanted to keep both liaison roles for all the Housing organizations. Council
39 Member Dickey stated he was liaison to both critical priority groups and suggested he
40 would still be involved in Housing but someone else could join. Council Member Gerber
41 felt continuity was key, to which Council Member Dickey agreed.

42
43 Council put Mountainlands Associated Governments (MAG) with Seniors. Council
44 Member Toly stated the Public Art Advisory Board (PAAB) meetings were difficult for

her to attend. Diersen suggested she could attend quarterly. It was indicated the Library was another board that didn't need a lot of Council oversight and quarterly attendance was sufficient. Council Member Toly stated she could be liaison for Prospector Square, but Daenitz could fill that spot easily. Dias stated that was an organization that could have staff or a Council liaison on an as-needed basis. It was agreed the other redlined items were okay to remove from the list.

5. Consideration to Approve the Following Applications for the Historic District Grant Program 2023 Competitive Cycle: Silver King Coalition Hoist House, Thaynes Mine Hoist House, 1128 Park Avenue, 517 Park Avenue, and 22 Prospect Street:

Caitlyn Tubbs, Historic Preservation Planner, stated the City had \$100,506 in funding for grants. The Historic Preservation Board (HPB) recommended five projects for grant awards.

Council Member Rubell asked if the Hoist houses were structures, to which Tubbs affirmed they were mining structures. The money would be spent for asbestos mitigation. Council Member Rubell asked to look at the policy and how the City went about this. He felt homes had an individual benefit. Council Member Toly stated it was a Historic District grant, so the structure didn't have to be a home. It had to be within the Historic District. Council Member Rubell thought it was different because the public could look at the mining structures as opposed to individual homes.

Council Member Rubell asked if the project at 1128 Park Avenue could be accomplished for \$38,600 since they originally asked for \$100,000. Tubbs stated that was all the money that was available from the Lower Park RDA. Although it was only a third of the request, the board approved the funds. Council Member Rubell asked if the owner would still do the project with the lower amount. Tubbs stated the applicant's application was already going through the process. After the project was finished, the applicant would receive the grant money as reimbursement.

Council Member Toly thought \$5,000 was low to come to Council. The board knew historic history and was capable. Mayor Worel thought that could be looked at when the policy was reviewed.

Council Member Gerber asked if the Hoist houses grants would be matched by the Friends of Ski Mountain Mining History and Park City Museum. Tubbs stated Friends of Ski Mountain Mining History provided \$15,000 as well.

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

Council Member Gerber moved to approve the following applications for the Historic District Grant Program 2023 Competitive Cycle: Silver King Coalition Hoist House,

PARK CITY COUNCIL MEETING - DRAFT

SUMMIT COUNTY, UTAH

April 4, 2023

Page | 20

Thaynes Mine Hoist House, 1128 Park Avenue, 517 Park Avenue, and 22 Prospect Street. Council Member Toly seconded the motion.

RESULT: APPROVED

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

Mayor Worel asked if there was a policy that governed how grants were decided. Tubbs affirmed and stated this topic would be discussed at tomorrow's HPB meeting. Council Member Rubell asked how applicants were treated who had an individual benefit versus applicants who had a community benefit. Dias stated staff would discuss this with HPB to determine if adjustments needed to be made.

6. Consideration to Continue an Ordinance Approving the North Norfolk Plat Amendment to June 15, 2023:

Virgil Lund, Planner, presented this item and indicated the Planning Commission requested more time for this item so it needed to be continued.

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

Council Member Gerber moved to continue an ordinance approving the North Norfolk Plat Amendment to June 15, 2023. Council Member Doilney seconded the motion.

RESULT: CONTINUED TO JUNE 15, 2023

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

7. Consideration to Approve Ordinance 2023-14, an Ordinance Approving the 1313 Park Avenue Subdivision, Located at 1313 Park Avenue, Park City, Utah:

Olivia Cvetko, Planner, stated this property had a meets and bounds description and there was a property line dispute. The portion in question was left out of the lot description. The applicant was remodeling the structure to transform it from a duplex to a single-family structure. The Planning Commission requested that the applicant obtain an access agreement to the two parking stalls on the property.

Mayor Worel asked why a Planning Commissioner dissented in the recommendation. Cvetko indicated the duplex was considered affordable and that was being lost with the conversion to single family.

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

Council Member Rubell asked about the property dispute. Cvetko stated there was a small area where the lot line overlapped with county property. Polly Samuels McLean,

Counsel for the applicant, stated the area was on the adjacent property so a quiet title lawsuit was filed with the adjacent property. Cvetko stated the property on the proposed parcel was two feet wide and 30 feet deep.

Council Member Rubell noted the Planning Commissioner wanted the City deal to be done because it affected access. McLean stated the Planning Commission wanted the applicant to wait, but they couldn't do any work on the property until it became a lot of record. She noted the parking easement had been used since the structure was built and was essentially a prescriptive easement. Council Member Dickey understood the concerns but noted the rest of the Planning Commission approved it.

Council Member Dickey moved to approve Ordinance 2023-14, an ordinance approving the 1313 Park Avenue Subdivision, located at 1313 Park Avenue, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

ABSTAINED: Council Member Rubell

8. Consideration to Approve Ordinance 2023-15, an Ordinance Approving the First Restated Black Diamond Plat, Located at 2280 Deer Valley Drive, Park City, Utah:

Virgil Lund, Planner, reviewed the Black Diamond Lodge HOA sold common space to two units. The original plat was the construction plat. The applicant was amending the plat to reflect what was actually constructed.

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

Council Member Gerber moved to approve Ordinance 2023-15, an ordinance approving the First Restated Black Diamond Plat, located at 2280 Deer Valley Drive, Park City, Utah. Council Member Dickey seconded the motion.

RESULT: APPROVED

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

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: CONSENT AGENDA

Subject:

Request to Authorize the 1154 Park Avenue Owners' Request for Park City Municipal to Execute a Quit Claim Deed for 910 Square Feet at 1154 Park Avenue

Suggested Action:

Attachments:

[1154 Park Avenue Corrective Quit Claim Request Staff Report](#)

[Exhibit A: Requested Quit Claim Deed](#)

[Exhibit B: 1154 Park Avenue Title Report](#)



City Council Staff Report

Subject: 1154 Park Avenue Corrective Quit Claim Request
Author: Heinrich Deters, Trails & Open Space Manager
Department: Trails & Open Space
Date: April 27, 2023
Type of Item: Administrative- Property

Recommendation

Consider authorizing a request from the owners of 1154 Park Avenue for PCMC to 'Quit Claim Deed' (QCD) for 910 square feet (sf) at 1154 Park Avenue. (Exhibit A)

Executive Summary

The owner of 1154 Park Avenue is requesting City Council authorize a 'Quit Claim Deed' on a portion of his property conveyed by Royal Street Land Company (RSLC) in 1973 to one individual and then incorrectly included in a second conveyance by RSLC to Park City Municipal in 1981.

The situation resulted in a 'cloud' on the owner's title report, impacting the property's ability to sell

A person who quitclaims interest in a property renounce or relinquishes any interest they may have in the land. Generally, a quitclaim conveys any title the grantor has in the land without warranties. However, as in this case, a quitclaim deed is also used as a formal abandonment of a legal right to claim disputed land.

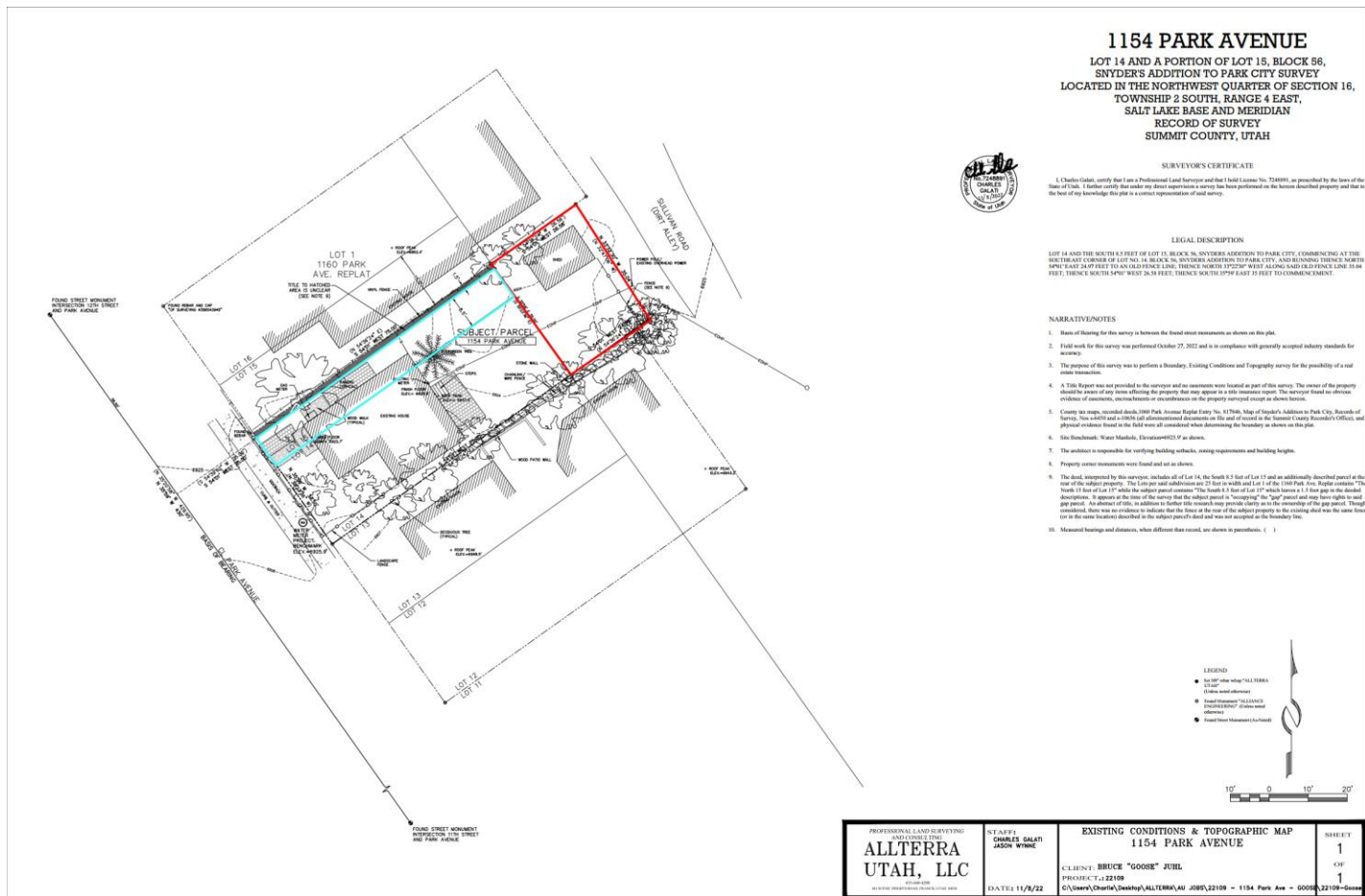
Background

In February 2023, representatives of 1154 Park Avenue, owned by Bruce 'Goose' Juhl and Julie Norcross, contacted the City with a title issue. A title report and survey were provided by the representatives to demonstrate that Juhl took title before any subsequent deed interest by the City. (Exhibit B)

Analysis

Below is a survey of the 1154 Park Avenue property and the three components of the property which make up the current ownership. These include:

- All of Lot 14;
- The southern 8.5' of Lot 15 (in blue); and
- 910sf in the rear of the property (in red).

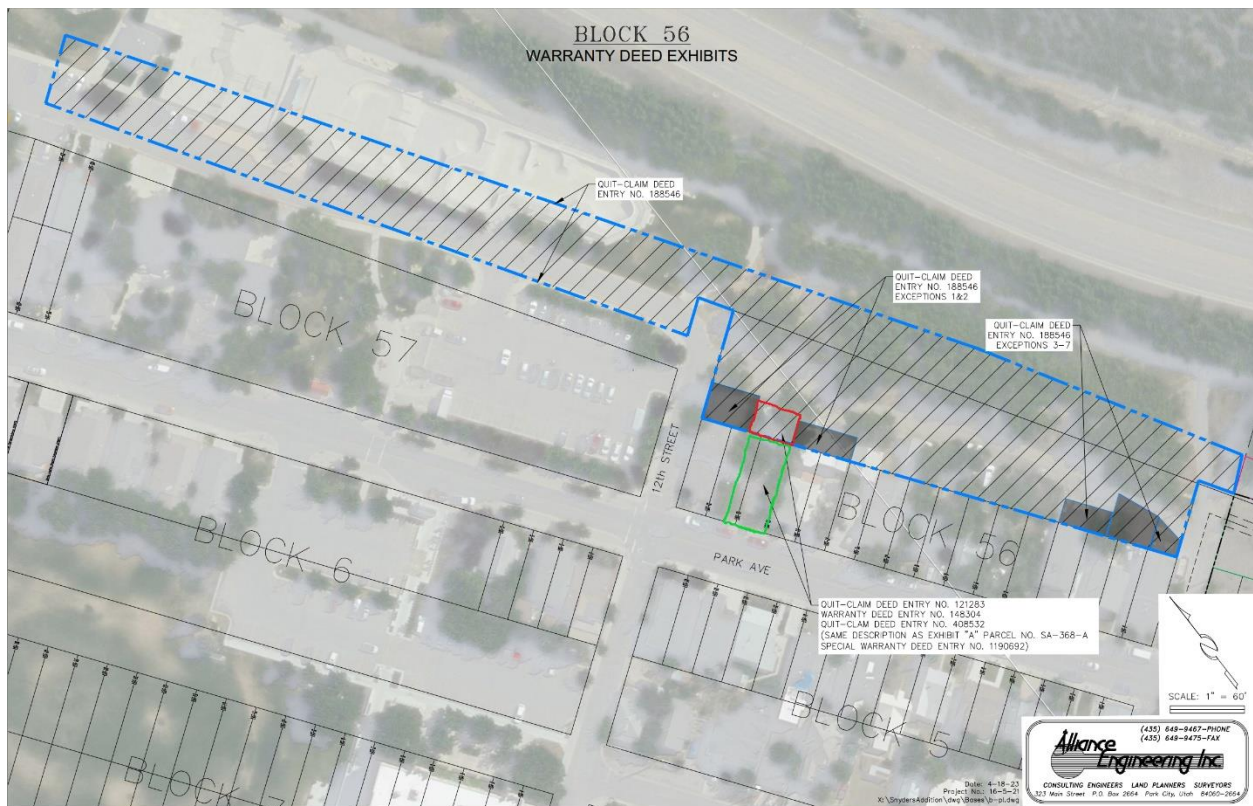


Below is a timeline of recorded property conveyances associated with 1154 Park Avenue.

- In 1973, M. Walker Wallace and his wife, Constance C. Wallace, and John Wallace, conveyed all of Lot 14, the southern 8.5' of Lot 15, and approximately 910sf located within Block 56 of the Snyder's Addition to R.E. McConaughy. (Entry Number 121283)
- In June 1978, RSLC conveyed the same, approximate 910sf, to R.E McConaughy III and Clare C. McConaughy, his wife. (Entry Number 146960)
- In August 1978, R.E. McConaughy and Clare C. McConaughy conveyed all of Lot 14, the southern 8.5' of Lot 15, and approximately 910sf located within Block 56 of the Snyder's Addition to Clara V. Juhl and Gordon A. Juhl. (Entry Number 148304)
 - o In June 1994, the property was subsequently conveyed from Clara and Gordon Juhl to their son Bruce 'Goose' Juhl, one of the current owners. (Entry Number 408532)

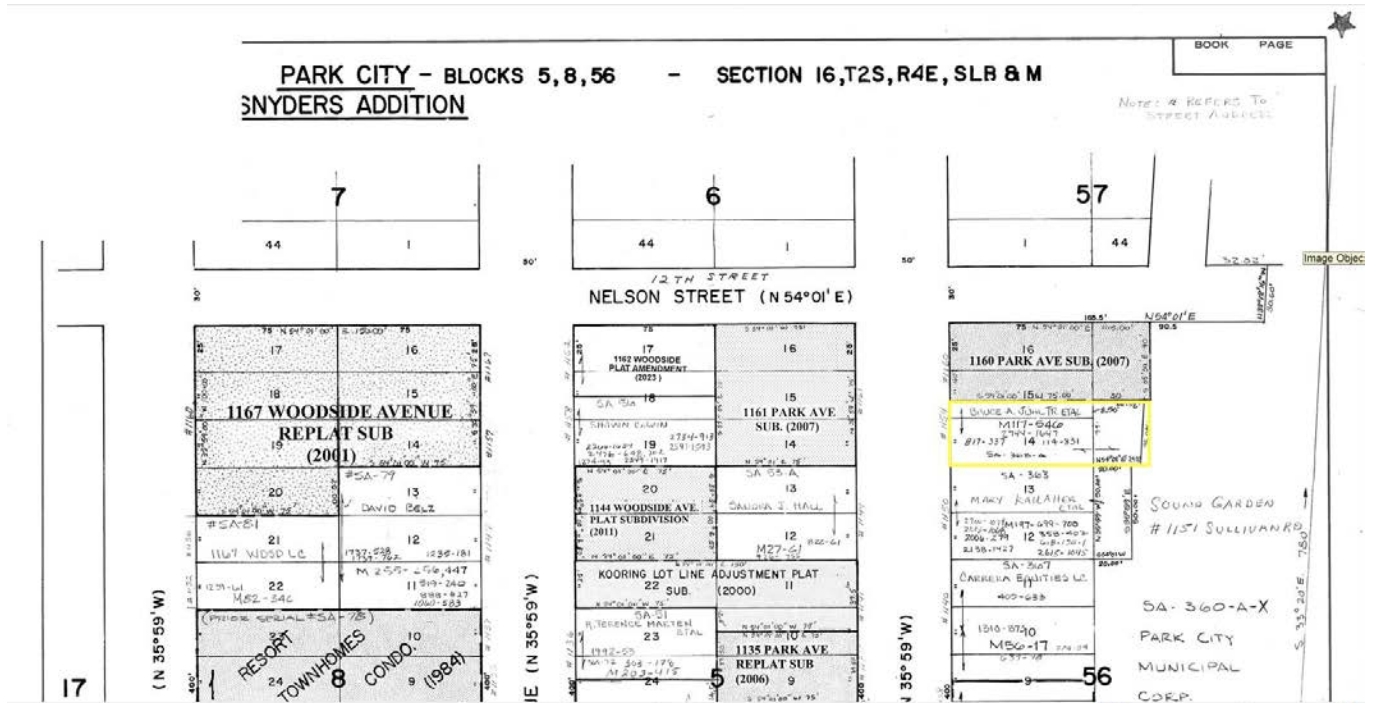
Below is an exhibit noting the QCD deed for portions of the City-owned Boo Radley and Mawhinney Lot.

- In December 1981, RSLC conveyed several acres (in blue below) to PCMC, via a QCD. This deed included numerous exceptions but failed to include the approximate 910sf (in red below) in those exceptions. (Entry Number 188546)
 - o Lot 14 and the southern 8.5' of Lot 15 are represented in green below.



Property due diligence was performed, including consultation with the Summit County Recorder's Office and Surveyor, a new title exhibit drafted by Alliance Engineering, and chain-of-title concurrently provided Summit Escrow and Title Company. As illustrated, the 910sf was originally conveyed in 1973, which nullifies Park City's interest in the 1981 QCD from RSLC.

The item has been reviewed by the City Attorney's Office, and the Summit County Recorder. The [Snyder's Addition Block 56](#) Plat Map for the area has already been amended to reflect the ownership vested under Bruce A. Juhl. (below)



Funding

No funding is required for this item.

Attachments

Exhibit A- Requested Quit Claim Deed

Exhibit B- 1154 Park Avenue Title Report

Mail Tax Notices to:
BRUCE A. JUHL
2377 NORTH 450 WEST
KAMAS UTAH 84036

QUITCLAIM DEED

PARK CITY, A MUNICIPAL CORPORATION, Grantor(s), does hereby REMISE, RELEASE AND QUIT CLAIM to THE GOOSE AND JULIE TRUST , DATED 12TH DAY OF APRIL, 2022, BRUCE A. JUHL AND JULIE NORCROSS TRUSTEES. , Grantee(s), for the sum of TEN DOLLARS and other good and valuable consideration, the following described tract of land in Summit County, State of Utah, to-wit:

COMMENCING AT THE SOUTHEAST CORNER OF LOT NO. 14 BOCK 56, SNYDERS ADDITION PARK CITY, AND RUNNING THENCE NORTH 54°01' EAST 24.79 FEET TO AN OLD FENCE LINE THENCE NORTH 33°22'30" WEST ALONG SAID OLD FENCE 35.04 FEET; THENCE SOUTH 54°01' WEST 26.58 FEET; THENCE SOUTH 35°59' EAST 35 FEET TO COMMENCEMENT.

Tax Identification #SA-368-A.

Witness the hand of said Grantor(s), this _____ day of _____, 2023.

STATE OF UT)
:
COUNTY OF SUMMIT)

On this _____ day of _____, 2023, before me _____, a notary public, personally appeared _____ proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

My Commission Expires: _

NOTARY PUBLIC

WHEN RECORDED MAIL TO:
Richard H. Bradley
4525 South Wasatch Blvd. #250
Salt Lake City, Utah 84124

ENTRY NO. 01190692

06/13/2022 09:32:32 AM B: 2744 P: 1627

Warranty Deed PAGE 1/3

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 40.00 BY RICHARD H BRADLEY



Mail Tax Notices to:
Bruce A. Juhl
2377 North 450 West
Kamas, Utah 84036

SPECIAL WARRANTY DEED

FOR VALUABLE CONSIDERATION, receipt of which is acknowledged, We, Bruce A. Juhl and Julie Norcross, GRANTORS, BARGAIN AND SELL, CONVEY AND CONFIRM to: THE GOOSE AND JULIE TRUST, dated the 12th day of April, 2022, Bruce A. Juhl and Julie Norcross, TRUSTEE(S), GRANTEES, the following described real property in the County of Summit, State of Utah.

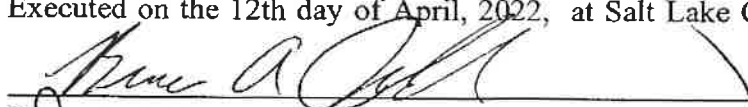
THE PROPERTY IS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Subject to all recorded easements, covenants, conditions, restrictions of record, agreements, and encumbrances.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantees, and to the heirs and assigns of the Grantees forever.

The Grantors hereby covenanting that said Grantees and the heirs, executors, administrators and assigns of the Grantees, shall and will WARRANT AND DEFEND the title to the premises unto the Grantees, and to the heirs and assigns of the Grantees forever, against the lawful claims of all persons by and through the Grantor and none other.

Executed on the 12th day of April, 2022, at Salt Lake City, Utah.


Bruce A. Juhl

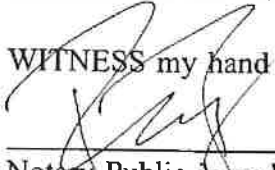

Julie Norcross

ss.

} STATE OF UTAH
}
} COUNTY OF SALT LAKE

On this 12th day of April, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Bruce A. Juhl and Julie Norcross personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed it.

WITNESS my hand and official seal.



Notary Public in and for said State

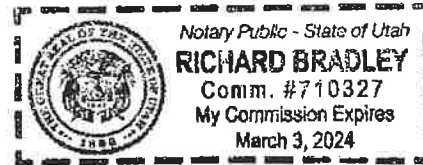


EXHIBIT "A"

LOT 14 AND THE SOUTH 8.5 FEET OF LOT 15, BLOCK 56, SYNDERS ADDITION TO PARK CITY, COMMENCING AT THE SOUTHEAST CORNER OF LOT NO. 14, BLOCK 56, SNYDERS ADDITION TO PARK CITY, AND RUNNING THENCE NORTH 54°01' EAST 24.97 FEET TO AN OLD FENCE LINE; THENCE NORTH 33°22'30" WEST ALONG SAID OLD FENCE 35.04 FEET; THENCE SOUTH 54°01' WEST 26.58 FEET; THENCE SOUTH 35°59' EAST 35.00 FEET TO COMMENCEMENT

PARCEL NO. SA-368-A

BEGINNING AT A POINT WHICH IS 675.33 FEET NORTH AND 1680.71 FEET EAST FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SLBM AND RUNNING THENCE NORTH 76°28'23" EAST 1041.43 FEET ALONG A FENCE TO A COUNTY ROAD; THENCE SOUTH 7°09'05" EAST 179.72 FEET; THENCE SOUTH 77°06'25" WEST 1051.00 FEET ALONG A FENCE TO A FENCE CORNER; THENCE NORTH 3°31'11" WEST 169.56 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED RIGHT OF WAY

A STRIP OF LAND 25 FEET WIDE, 12.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; BEGINNING AT A POINT 1320 FEET SOUTH AND 53 FEET WEST OF THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 6 EAST SLM AND RUNNING THENCE SOUTH 2° 15'00" WEST 929 FEET; THENCE SOUTH 28°23'00" EAST 145 FEET; THENCE NORTH 75°16'00" EAST 1711 FEET MORE OR LESS TO A PUBLIC ROAD.

PARCEL NO. CD-480-A

LOT 5, BLOCK 9, SYNDERS ADDITION TO PARK CITY

PARCEL NO. SA-86

Recorded at Request of
at Fee Paid
by Dep. Book Page Ref
Mail tax notice to GRANTEE Address 1154 PARK AVENUE PARK CITY, UT 84060

19666

QUIT CLAIM DEED

CLARA V. JUHL AND GORDON A. JUHL grantor
of SALT LAKE County of SALT LAKE State of
UTAH hereby QUIT CLAIM(S) to

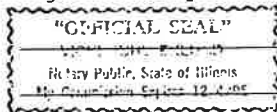
BRUCE A. JUHL, a married man grantee
of PARK CITY County of SUMMIT State of Utah
for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS
the following described tract of land in SUMMIT County,

State of Utah, to-wit:
LOT 14 AND THE SOUTH 8.5 FEET OF LOT 15, BLOCK 56, SNYDERS ADDITION TO PARK CITY
COMMENCING AT THE SOUTHEAST CORNER OF LOT NO. 14, BLOCK 56, SNYDERS ADDITION TO PARK
CITY, AND RUNNING THENCE NORTH 54 DEGREES 01 MINUTES EAST 24.97 FEET TO AN OLD
FENCELINE; THENCE NORTH 33 DEGREES 22 MINUTES 30 SECONDS WEST ALONG SAID OLD FENCE
35.04 FEET; THENCE SOUTH 54 DEGREES 01 MINUTES WEST 26.58 FEET; THENCE SOUTH 35
DEGREES 59 MINUTES EAST 35.00 FEET TO THE COMMENCEMENT.

00408532 000111-11111-1111

ALPH SPRINGS, SUMMIT CO., UTAH
RECORDED 10/12/94 BY REC-1000
BY INSTRUMENT ASSOCIATED TITLE

WITNESS the hand(s) of said grantor(s), this 14 day of June A.D. 1994
Signed in the presence of



Clara V. Juhl
CLARA V. JUHL
Gordon A. Juhl
GORDON A. JUHL

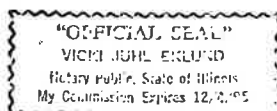
STATE OF UTAH)
COUNTY OF SUMMIT) SS.

On June 14, 1994, personally appeared
before me, *Gordon A. Juhl & Clara V. Juhl*
the signer (s) of the foregoing instrument, who being by me duly sworn,
acknowledged to me that executed the same.

My Commission Expires:

Vicki Juhl Ehl
NOTARY PUBLIC

Residing in: *Sherradale, Illinois*



Recorded at Request of CLARA V. JUHL 1154 PARK AVENUE PARK CITY UTAH 84060

at _____ M. Fee Paid \$ _____

by _____ Dep. Book _____ Page _____ Ref.: _____

Mail tax notice to AMERICAN HOME Address 5300 SOUTH 360 WEST
MORTGAGE, INC. MURRAY UTAH 84107

WARRANTY DEED

ROBERT E. MCCONAUGHY CLAIRE C. MCCONAUGHY grantor
of PARK CITY, County of SUMMIT, State of Utah, hereby
CONVEY and WARRANT to

CLARA V. JUHL and GORDON A. JUHL, husband & wife, & BRUCE A. JUHL*
AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP
*an unmarried man

of PARK CITY UTAH grantee
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION. DOLLARS,
for the sum of

the following described tract of land in SUMMIT County,
State of Utah:

LOT 14 AND THE SOUTH 8.5 FEET OF LOT 15, BLOCK
56, SNYDER S ADDITION TO PARK CITY
COMMENCING AT THE SOUTHEAST CORNER OF LOT NO. 14,
BLOCK 56, SNYDER S ADDITION TO PARK CITY, AND
RUNNING THENCE NORTH 54° 01' EAST 24.97 FEET TO AN
OLD FENCE LINE; THENCE NORTH 33° 22' 30" WEST ALONG
SAID OLD FENCE 35.04 FEET; THENCE SOUTH 54° 01' WEST
26.58 FEET; THENCE SOUTH 35° 59' EAST 35.00 FEET TO
THE COMMENCEMENT.

Entry No.	148304	Book	M 117
RECORDED	8-8-78	at 12:28 M	Page 546
REQUEST of	WESTERN STATES TITLE		
FEE	WANDA Y. SPRIGGS, SUMMIT CO. RECORDER		
\$	4.50	By Wanda Y. Spriggs	
INDEXED	ABSTRACT		

WITNESS the hand of said grantor, this 10 day of
AUGUST, A. D. 1978

Signed in the Presence of

X Robert E. McConaughy
ROBERT E. MCCONAUGHY

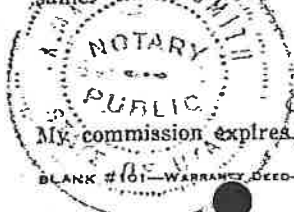
X Claire C. McConaughy
CLAIRE C. MCCONAUGHY

STATE OF UTAH,
County of SALT LAKE

ss.

On the 10 day of AUGUST, A. D. 1978
personally appeared before me
ROBERT E. MCCONAUGHY CLAIRE C. MCCONAUGHY

the signers of the within instrument, who duly acknowledged to me that he executed the
same



J. Madeline Smith
Notary Public.
Residing in Park City, Utah

BOOK 117 PAGE 546

WHEN RECORDED MAIL TO

NAME
STREET
ADDRESS
CITY
STATE &
ZIP CODE

Pioneer Title Company
45 East 4th South
Salt Lake City, Utah 84111

Entry No. <u>121283</u>	Book <u>M51</u>
RECORDED <u>10-30-73</u>	at <u>11:05 AM</u> Page <u>460</u>
REQUEST of <u>Pioneer Title Co</u>	
FEE <u>\$ 2.70</u>	WANDA Y. SHERROD, CLERK CO. RECORDER
INDEXED <u>C</u>	Explanatory <u>2/8/73</u>
	ABSTRACT

(U1-14066)

QUIT-CLAIM DEED

M. WALKER WALLACE and CONSTANCE C. WALLACE, his wife; and
For Value JOHN M. WALLACE, JR., a single man
of Salt Lake City, County of Salt Lake, State of Utah, hereby
QUIT CLAIM to R. E. McCONAUGHY III

of Salt Lake City, Utah

grantee

the following described tract of land in Summit County, State of Utah:

Lot 14 and the South 8.50 feet of Lot 15, Block 56,
SNYDERS ADDITION to Park City.

ALSO, Commencing at the Southeast corner of Lot 14, Block 56,
SNYDERS ADDITION to Park City, and running thence North 54° 01'
East 24.97 feet to an old fence line; thence North 33° 22' 30"
West along said old fence 35.04 feet; thence South 54° 01' West
26.58 feet; thence South 35° 59' East 35.00 feet to the
commencement. Together with a right of ingress and egress to
above described property from and over the existing (10.0 foot
more or less wide) roadway East of said property.

EXCEPTING THEREFROM all oil, gas and/or other minerals,
together with rights of ingress and egress necessary for
the purpose of removing same.

Dated October 18, 1973

Signed in the presence of

M. Walker Wallace

John M. Wallace Jr.

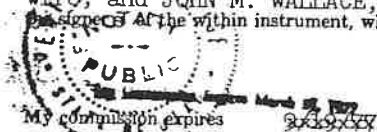
Constance C. Wallace

STATE OF UTAH

COUNTY OF SALT LAKE

ss.

On the 18th day of October, A.D. 19 73
personally appeared before me M. WALKER WALLACE and CONSTANCE C. WALLACE, his
wife; and JOHN M. WALLACE, JR., a single man
as signers of the within instrument, who duly acknowledged to me that they executed the same.



Wanda Y. Sherrod
Notary Public.

Residing in Salt Lake City, Utah

PIONEER TITLE INSURANCE COMPANY
45 East 4 South
Salt Lake City, Utah 84111

BOOK M51 PAGE 460

Entry No.	146960	Book	M 114
RECORDED	6-21-78	at 10:09 M	Page 831-2
REQUEST of	R.E. McConaughy		
FEE	5.00	WANDA Y. SPRIGGS, SUMMIT CO RECORDER	
INDEXED	By Wanda Y. Spriggs		

SPECIAL WARRANTY DEED

ROYAL STREET LAND COMPANY, a Utah corporation, Grantor,
hereby CONVEYS AND WARRANTS against all persons claiming by, through
or under it, but not otherwise R.E. McConaughy, III and Clare C.
McConaughy, his wife as joint tenants with full rights of survivor-
ship and not as tenants in common of Park City, Utah Grantee, for the
sum of TEN DOLLARS (\$10.00) and other valuable consideration, the
following described tract of land in Summit County, State of Utah:

Commencing at the Southeast corner of Lot No. 14,
Block 56, Snyder's Addition to Park City, and running
thence North 54°01' East 24.97 feet to an old fence
line; thence North 33°22'30" West along said old fence
35.04 feet; thence South 54°01' West 26.58 feet; thence
South 35°59' East 35.00 feet to the commencement.

Expressly excepting and reserving to United Park City
Mines Company, its successors and assigns, all ores and
minerals situated in, upon or under the above described
tract of land, together with all rights in connection
with or relative to the mining, removal or sale of the
same (but not including the right to enter upon the sur-
face of the premises).

BOOK 114 PAGE 831

Subject to:

1. Taxes for the year 1978.

The officers who sign this Special Warranty Deed hereby
certify that this Special Warranty Deed and the transfer represented
thereby were fully authorized under a resolution duly adopted by the
Board of Directors of the Grantor at a lawful meeting duly held and
attended by a quorum.

IN WITNESS WHEREOF, the Grantor has caused its corporate name an

seal to be hereunto affixed by its duly authorized officers this

30th day of May, 1978.

ROYAL STREET LAND COMPANY

By J. Warren King
J. Warren King, President

ATTEST:

STATE OF UTAH)
 : ss.
SUMMIT COUNTY)

On the 30th day of May, 1978, personally appeared before me J. Warren King who being by me duly sworn, did say that he, the said J. Warren King is the President of ROYAL STREET LAND COMPANY, a Utah corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said J. Warren King duly acknowledged to me that said corporation executed the same.

Sharon G. Shier
Notary Public

Residing at Rock City, Utah



My Commission Expires:

2-11-82

BOOK 114 PAGE 832

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Community Development

Item Type: Staff Report

Agenda Section: CONSENT AGENDA

Subject:

Request to Approve a Contract with Shape Architecture Studio LLC, for Architectural Design and Project Application Services for the 516 Marsac Avenue Construction Project, Not to Exceed \$137,650, in a Form Approved by the City Attorney's Office

Suggested Action:

Attachments:

[516 Marsac Avenue Construction Project Staff Report](#)

[Exhibit A: Draft Professional Services Agreement](#)

City Council Staff Report



Subject: 516 Marsac Avenue (Old Peace House)
Authors: Browne Sebright, Housing Program Manager
Department: Housing
Date: April 27, 2023
Type of Item: Administrative

Recommendation

Consider approving a contract, in a form approved by the City Attorney's Office, with Shape Architecture Studio LLC, for architectural design and project application services, not to exceed \$137,650. This contract follows prior Council direction to design the rehabilitation of the Old Peace House property into a triplex suitable for the City's municipal employee housing program.

Background

Park City Municipal owns 516 Marsac Avenue, the former site of the Peace House Shelter. The City originally purchased the building for seasonal Transit housing. After decades of use, the building requires significant repair or remodeling prior to any future occupation.

Three City Council work sessions were held: June 23, 2022 ([Staff Report](#), [Meeting Minutes](#) – beginning on p.4), October 6, 2022 ([Staff Report](#), [Meeting Minutes](#) – beginning on p. 6), and December 15, 2022 ([Staff Report](#), [Meeting Minutes](#)—beginning on p. 10). Council preferred use as municipal workforce housing, redevelopment into a triplex configuration, and exploring alternatives to minimize parking.

Pursuant to Council direction, on February 7, 2023, the Housing team moved forward with soliciting proposals for architectural design and project application services. Pursuant to Utah Procurement Code § 63G-6a- Part 15, the 516 Marsac Avenue project is considered a Design Professional Services contract. The Housing and Budget teams posted the RSOQ to the Utah Public Procurement Place (U3P) portal.

Statements of Qualification Review

PCMC convened a selection committee with experience in surveying, engineering, and land use planning. Responses were evaluated under the Request for Statement of Qualifications (RSOQ) process, which requires a review of the qualifications of the design professional and does not include price or cost.

The committee conducted their evaluation with criteria that included: the design professional's work history and experience; performance ratings earned by the design professional or references for similar work; a quality assurance or quality control plan; the quality of the design professional's past work product; the time, manner of delivery, and schedule of delivery of the design professional services; the design professional's demonstrated financial ability; and management plan.

As a result, Shape Architecture, in partnership with Epic Engineering, was the top vendor based on experience, project team composition, and proposed work plan. They

demonstrated deep familiarity in past projects with sustainable, net-zero workforce housing in mountain town communities. They have also shown an ability to deliver their project on a work schedule that meets the City's needs. The committee asked Shape Architecture if they would be willing to add an electrical engineer to the project team. They agreed and provided that team member's information.

For the 516 Marsac Avenue project, Shape Architecture created a work plan that calls out architectural design tasks (mechanical, electrical, plumbing, structural, net zero energy coordination, schematic drawings, building plans, code review, bidding documents, deliverables, etc.), and engineering tasks (scan of the existing building, record of survey, parking improvements, plat amendment, stormwater calculations, Conditional Use Permit, response to RFIs, structural calculations package, heat loss and electrical load calculations, mechanical, plumbing, electrical, and lighting design). Some of the engineering fees are specific to the City's [net zero energy performance requirements](#) and the anticipated land use applications required to convert the property into a triplex.

Following the selection, the RSOQ process requires the City to negotiate a price. During that negotiation, the Housing team noted that the original bid included a time frame that must be adjusted due to the anticipated UDOT summer reconstruction of portions of Marsac Avenue. The bid price estimated in the [2022 feasibility study](#) was \$114,671, with an additional allowance for inflation/escalation of \$57,335.

As a result, Shape Architecture submitted a revised work plan with a new price estimate of \$137,650. Of this amount, the additional Engineering fees are \$70,150. The architectural and design fees are \$67,500.

Next Steps

Following the finalization of the Design Professional Services Agreement contract, Shape Architecture will work with Epic Engineering to begin executing the work plan. The anticipated timeline for this project is as follows:

- May: Meetings with stakeholders, review of existing building conditions, and site analysis.
- June – September: Schematic design, sustainability charrette, and development of net zero energy strategies.
- August – October: Design development, project entitlements (conditional use permit, historic district design review, etc.), selection of a construction manager, and development of construction project schedule.
- October – January (2024): Development of construction documents and beginning of the bidding process for contractor services.
- Early 2024: Construction begins and is completed by end of the year.

Funding

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

Department Review

This report has been reviewed by Housing, the City Attorney's Office, and the City Manager.

Exhibits

Exhibit A: Draft Professional Services Agreement Contract

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

This Design Professional Services Agreement (the "Agreement") is made and entered into as of this ____ day of _____, 2023, by and between **PARK CITY MUNICIPAL CORPORATION**, a Utah municipal corporation, ("City"), and **SHAPE ARCHITECTURE STUDIO LLC**, a Colorado limited liability company, ("Design Professional"), collectively, the City and the Design Professional are referred to as (the "Parties)."

WITNESSETH:

WHEREAS, the City desires to have certain services and tasks performed as set forth below requiring specialized skills and other supportive capabilities;

WHEREAS, sufficient City resources are not available to provide such services; and

WHEREAS, the Design Professional represents that the Design Professional is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, where required, to perform the services and/or tasks set forth in this Agreement.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, the Parties hereto agree as follows:

1. **SCOPE OF SERVICES.**

The Design Professional shall perform such services and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as Design Professional responsibilities throughout this Agreement and as set forth in the "Scope of Services" attached hereto as "**Exhibit A**" and incorporated herein (the "Project"). The total fee for the Project shall not exceed **\$137,650.00**.

The City has designated Browne Sebright, or his designee as City's Representative, who shall have authority to act on the City's behalf with respect to this Agreement consistent with the budget contract policy.

2. **TERM.**

No work shall occur prior to the issuance of a Notice to Proceed, and shall continue for twenty (20) months, or until such time as the not-to-exceed dollar amount specified in Paragraph 1, Scope of Services, is reached, whichever is earlier, unless earlier terminated as specified herein. The term may be extended for an

additional six (6) months by mutual written agreement of the Parties in order to complete the Scope of Services.

3. COMPENSATION AND METHOD OF PAYMENT.

- A. Payments for services provided hereunder shall be made monthly following the performance of such services.
- B. No payment shall be made for any service rendered by the Design Professional except for services identified and set forth in this Agreement.
- C. For all “extra” work the City requires, the City shall pay the Design Professional for work performed under this Agreement according to the schedule attached hereto as “**Exhibit B,**” or if none is attached, as subsequently agreed to by both Parties in writing.
- D. The Design Professional shall submit to the City Manager or her designee on forms approved by the City Manager, an invoice for services rendered during the pay period. The City shall make payment to the Design Professional within thirty (30) days thereafter. Requests for more rapid payment will be considered if a discount is offered for early payment. Interest shall accrue at a rate of six percent (6%) per annum for services remaining unpaid for sixty (60) days or more.
- E. The Design Professional reserves the right to suspend or terminate work and this Agreement if any unpaid account exceeds sixty (60) days.
- F. Design Professional acknowledges that the continuation of this Agreement after the end of the City’s fiscal year is specifically subject to the City Council’s approval of the annual budget.

4. RECORDS AND INSPECTIONS.

- A. The Design Professional shall maintain books, records, documents, statements, reports, data, information, and other material with respect to matters covered, directly or indirectly, by this Agreement, including (but not limited to) that which is necessary to sufficiently and properly reflect all direct and indirect costs related to the performance of this Agreement, and shall maintain such accounting procedures and practices as may be necessary to assure proper accounting of all funds paid pursuant to this Agreement.
- B. The Design Professional shall retain all such books, records, documents, statements, reports, data, information, and other material with respect to matters covered, directly or indirectly, by this Agreement for six (6) years after expiration of the Agreement.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- C. The Design Professional shall, at such times and in such form as the City may require, make available for examination by the City, its authorized representatives, the State Auditor, or other governmental officials authorized by law to monitor this Agreement all such books, records, documents, statements, reports, data, information, and other material with respect to matters covered, directly or indirectly, by this Agreement. The Design Professional shall permit the City or its designated authorized representative to audit and inspect other data relating to all matters covered by this Agreement. The City may, at its discretion, conduct an audit at its expense, using its own or outside auditors, of the Design Professional's activities, which relate directly or indirectly to this Agreement.
- D. The City is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code 1953, as amended and Park City Municipal Code Title 5 ("GRAMA"). All materials submitted by Design Professional pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming an exemption from disclosure rests solely with Design Professional. Any materials for which Design Professional claims a privilege from disclosure based on business confidentiality shall be submitted marked as "confidential - business confidentiality" and accompanied by a concise statement from Design Professional of reasons supporting its claim of business confidentiality. Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair competitive injury. The City will make reasonable efforts to notify Design Professional of any requests made for disclosure of documents submitted under a claim of confidentiality. Design Professional specifically waives any claims against the City related to any disclosure of materials pursuant to GRAMA.

5. INDEPENDENT CONTRACTOR RELATIONSHIP.

- A. The Parties intend that an independent Design Professional/City relationship will be created by this Agreement. No agent, employee, or representative of the Design Professional shall be deemed to be an employee, agent, or representative of the City for any purpose, and the employees of the Design Professional are not entitled to any of the benefits the City provides for its employees. The Design Professional will be solely and entirely responsible for its acts and for the acts of its agents, employees, subcontractors or representatives during the performance of this Agreement.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- B. In the performance of the services herein contemplated the Design Professional is an independent contractor with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of the City and shall be subject to the City's general rights of inspection and review to secure the satisfactory completion thereof.

6. DESIGN PROFESSIONAL EMPLOYEE/AGENTS.

The City may at its sole discretion require the Design Professional to remove an employee(s), agent(s), or representative(s) from employment on this Project. The Design Professional may, however, employ that (those) individual(s) on other non-City related projects.

7. HOLD HARMLESS INDEMNIFICATION AND ATTORNEY FEES.

- A. The Design Professional shall indemnify and hold the City and its agents, employees, and officers, harmless from any and all liability for damages, including claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the City arising out of, in connection with, or incident to (1) the Design Professional's breach of contract, negligence, recklessness, or intentional misconduct; or (2) the Design Professional's subconsultant's or subcontractor's negligence.
- B. The Design Professional shall also reimburse the City, including its agents, employees, and officers, and any other person for attorney fees or other costs incurred by the person in defending against a claim alleging liability for damages to the extent the attorney fees or costs were incurred due to (1) the Design Professional's breach of contract, negligence, recklessness, or intentional misconduct; or (2) the Design Professional's subconsultant's or subcontractor's negligence.
- C. If such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and officers, this indemnity provision shall be valid and enforceable to the extent of the Design Professional's breach of contract, negligence, recklessness, or intentional misconduct; or the Design Professional's subconsultant's or subcontractor's negligence.
- D. The Design Professional expressly agrees that the indemnification provided herein constitutes the Design Professional's limited waiver of immunity as an employer under Utah Code Section 34A-2-105; provided, however, this waiver shall apply only to the extent an employee of Design Professional claims or recovers compensation from the City for a loss or injury that Design Professional would be obligated to indemnify the City for under this

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

Agreement. This limited waiver has been mutually negotiated by the Parties, and is expressly made effective only for the purposes of this Agreement.

- E. Further, nothing herein shall require the Design Professional to hold harmless, defend, or reimburse the City, its agents, employees and/or officers from any claims arising from the sole negligence of the City, its agents, employees, and/or officers.
- F. The Design Professional is required to maintain and to provide a standard of care consistent with other design professionals with the same or similar professional license, who normally provide projects, work, and/or services as is established in this Agreement in Park City, Utah. Accordingly, if the nature of the project, work, and/or services established in this Agreement requires specialized design expertise, the Design Professional is required to provide services consistent with the specialized design expertise established in this Agreement.
- G. No liability shall attach to the City by reason of entering into this Agreement except as expressly provided herein.
- H. The provisions of this section shall survive the expiration or termination of this Agreement.

8. INSURANCE.

The Design Professional shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Design Professional, their agents, representatives, employees, or subcontractors. The Design Professional shall provide a Certificate of Insurance evidencing:

- A. General Liability insurance written on an occurrence basis with limits no less than One Million Dollars (\$1,000,000) per occurrence and Three Million Dollars (\$3,000,000) aggregate for personal injury, bodily injury and property damage.

The Design Professional shall increase the limits of such insurance to at least the amount of the Limitation of Judgments described in Section 63G-7-604 of the Governmental Immunity Act of Utah, as calculated by the state risk manager every two years and stated in Utah Admin. Code R37-4-3.

- B. Automobile Liability insurance with a combined single limit of not less than Two Million Dollars (\$2,000,000) each accident for bodily injury, death of

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

any person, and property damage arising out of the ownership, maintenance, and use of owned, hired, and non-owned motor vehicles. This policy must not contain any exclusion or limitation with respect to loading or unloading of a covered vehicle.

- C. Professional Liability (Errors and Omissions) insurance (if applicable) with annual limits no less than One Million Dollars (\$1,000,000) per occurrence. Design Professional agrees to continue to procure and maintain professional liability insurance coverage meeting these requirements for the applicable period of statutory limitation of claims (or statute of repose, if applicable) after the project completion or termination of this Agreement.

If written on a claims-made basis, the Design Professional warrants that the retroactive date applicable to coverage precedes the effective date of this agreement; and that continuous coverage will be maintained for an extended reporting period endorsement (tail coverage) will be purchased for a period of at least three (3) years beginning from the time that work under this agreement is complete.

- D. Workers Compensation insurance and Employers Liability coverage with Workers Compensation limits complying with statutory requirements, and Employer's Liability Insurance limits of at least One Million Dollars (\$1,000,000) each accident, One Million Dollars (\$1,000,000) for bodily injury by accident, and One Million Dollars (\$1,000,000) each employee for injury by disease.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of Park City Municipal Corporation for all work performed by the Design Professional, its employees, agents and subcontractors.

- E. Park City Municipal Corporation, its officers, officials, employees, and volunteers are to be covered as additional insureds on general liability and auto liability insurance policies, with respect to work performed by or on behalf of the Design Professional including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired, or borrowed by or on behalf of the Design Professional and a copy of the endorsement naming the City as an additional insured shall be attached to the Certificate of Insurance. Should any of the above described policies be cancelled before the expiration date thereof, Design Professional shall deliver notice to the City within thirty (30) days of cancellation. The City reserves the right to request certified copies of any required policies.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- F. The Design Professional's insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- G. For any claims related to this Design Professional Services Agreement, the Design Professional's insurance coverage shall be primary insurance coverage with respect to Park City Municipal Corporation, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by Park City Municipal Corporation, its officers, officials, employees, or volunteers shall be excess of the Design Professional's insurance and shall not contribute with it.

9. TREATMENT OF ASSETS.

Title to all property furnished by the City shall remain in the name of the City and the City shall become the owner of the work product and other documents, if any, prepared by the Design Professional pursuant to this Agreement (contingent on City's performance hereunder). The Design Professional shall have the right to use representations of the project for marketing purposes. The City may, at its discretion, may notify the Design Professional that certain materials may not be used for marketing purposes.

10. COMPLIANCE WITH LAWS AND WARRANTIES.

- A. The Design Professional, in the performance of this Agreement, shall comply with all applicable federal, state, and local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in this Agreement to assure quality of services.
- B. Unless otherwise exempt, the Design Professional is required to have a valid Park City business license.
- C. The Design Professional specifically agrees to pay any applicable fees or charges which may be due on account of this Agreement.
- D. If this Agreement is entered into for the physical performance of services within Utah the Design Professional shall register and participate in E-Verify, or an equivalent program. The Design Professional agrees to verify employment eligibility through E-Verify, or an equivalent program, for each new employee that is employed within Utah, unless exempted by Utah Code Ann. § 63G-12-302.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- E. Design Professional shall be solely responsible to the City for the quality of all services performed by its employees or sub-contractors under this Agreement. Design Professional hereby warrants that the services performed by its employees or sub-contractors will be performed substantially in conformance with the standard of care observed by similarly situated companies providing services under similar conditions.

11. NONDISCRIMINATION.

Any Design Professional that enters into an agreement for goods or services with Park City Municipal Corporation or any of its boards, agencies, or departments shall:

- A. Implement an employment nondiscrimination policy prohibiting discrimination in hiring, discharging, promoting or demoting, matters of compensation, or any other employment-related decision or benefit against a person otherwise qualified, because of actual or perceived race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; gender identity; genetic information; or military status.
- B. In the performance of this Agreement, Design Professional shall not discriminate on account of actual or perceived race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; gender identity; genetic information; or military status.
- C. Incorporate the foregoing provisions in all subcontracts or assignments hereunder and take such actions as may be required to ensure full compliance with the provisions of this policy.

12. ASSIGNMENTS/SUBCONTRACTING.

- A. The Design Professional shall not assign its performance under this Agreement or any portion of this Agreement without the written consent of the City, and it is further agreed that said consent must be sought in writing by the Design Professional not less than thirty (30) days prior to the date of any proposed assignment. The City reserves the right to reject without cause any such assignment. Any assignment made without the prior express written consent of the City, as required by this paragraph, shall be deemed null and void.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- B. Any work or services assigned hereunder shall be subject to each provision of this Agreement and proper bidding procedures where applicable as set forth in local, state or federal statutes, ordinance and guidelines.
- C. Any technical/professional service subcontract not listed in this Agreement, must have express advance approval by the City.
- D. Each subcontractor that physically performs services within Utah shall submit an affidavit to the Design Professional stating that the subcontractor has used E-Verify, or an equivalent program, to verify the employment status of each new employee, unless exempted by Utah Code § 63G-12-302.

13. CHANGES.

Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon either party unless such change or addition be in writing and signed by both Parties. Such amendments shall be attached to and made part of this Agreement.

14. PROHIBITED INTEREST, NO THIRD PARTY RIGHTS AND NO GRATUITY TO CITY EMPLOYEES.

- A. No member, officer, or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.
- B. Nothing herein is intended to confer rights of any kind in any third party.
- C. No City employee who has procurement decision making authority and is engaged in the procurement process, or the process of administering a contract may knowingly receive anything of value including but not limited to gifts, meals, lodging or travel from anyone that is seeking or has a contract with the City.

15. MODIFICATIONS TO TASKS AND MISCELLANEOUS PROVISIONS.

- A. All work proposed by the Design Professional is based on current government ordinances and fees in effect as of the date of this Agreement.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- B. Any changes to current government ordinances and fees which affect the scope or cost of the services proposed may be billed as an “extra” pursuant to Paragraph 3(C), or deleted from the scope, at the option of the City.
- C. The City shall make provision for access to the property and/or project and adjacent properties, if necessary for performing the services herein.

16. TERMINATION.

- A. Either party may terminate this Agreement, in whole or in part, at any time, by at least thirty (30) days' written notice to the other party. The Design Professional shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The Design Professional shall promptly submit a termination claim to the City. If the Design Professional has any property in its possession belonging to the City, the Design Professional will account for the same, and dispose of it in a manner directed by the City.
- B. If the Design Professional fails to perform in the manner called for in this Agreement, or if the Design Professional fails to comply with any other provisions of the Agreement and fails to correct such noncompliance within three (3) days' written notice thereof, the City may immediately terminate this Agreement for cause. Termination shall be effected by serving a notice of termination on the Design Professional setting forth the manner in which the Design Professional is in default. The Design Professional will only be paid for services performed in accordance with the manner of performance set forth in this Agreement.

17. NOTICE.

Notice provided for in this Agreement shall be sent by certified mail to the addresses designated for the Parties below. Notice is effective upon the date it was sent, except that a notice of termination pursuant to Paragraph 16 is effective upon receipt. All reference to “days” in this Agreement shall mean calendar days.

18. ATTORNEYS FEES AND COSTS.

If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in connection with that action or proceeding.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

19. JURISDICTION AND VENUE.

- A. This Agreement has been and shall be construed as having been made and delivered within the State of Utah, and it is agreed by each party hereto that this Agreement shall be governed by the laws of the State of Utah, both as to interpretation and performance.
- B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement, or any provisions thereof, shall be instituted and maintained only in any of the courts of competent jurisdiction in Summit County, Utah.

20. SEVERABILITY AND NON-WAIVER.

- A. If, for any reason, any part, term, or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.
- B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Utah, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform in such statutory provisions.
- C. It is agreed by the Parties that the forgiveness of the non-performance of any provision of this Agreement does not constitute a subsequent waiver of the provisions of this Agreement. No waiver shall be effective unless it is in writing and signed by an authorized representative of the waiving party.

21. ENTIRE AGREEMENT.

The Parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both Parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both Parties recognize time is of the essence in the performance of the provisions of this Agreement.

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

22. **COUNTERPARTS.** This Agreement may be executed in counterparts, each of which will be deemed an original and all of which together will constitute one and the same instrument.
23. **ELECTRONIC SIGNATURES.** Each party agrees that the signatures of the parties included in this Agreement, whether affixed on an original document manually and later electronically transmitted or whether affixed by an electronic signature through an electronic signature system such as DocuSign, are intended to authenticate this writing and to create a legal and enforceable agreement between the parties hereto.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

PARK CITY MUNICIPAL CORPORATION, a
Utah municipal corporation
445 Marsac Avenue
Post Office Box 1480
Park City, UT 84060-1480

Matt Dias, City Manager

Attest:

City Recorder's Office

Approved as to form:

City Attorney's Office

**PARK CITY MUNICIPAL CORPORATION
DESIGN PROFESSIONAL SERVICES AGREEMENT**

SHAPE ARCHITECTURE STUDIO LLC, a
Colorado limited liability company

23 N Lincoln Street, Suite 200
Denver, CO 80203

Tax ID#: _____
PC Business License# BL _____

STEVE SCRIBNER

Title

**THE CITY REQUIRES THE DESIGN PROFESSIONAL TO COMPLETE EITHER THE NOTARY BLOCK
OR THE UNSWORN DECLARATION, WHICH ARE BELOW.**

**PARK CITY MUNICIPAL CORPORATION
DESIGN PROFESSIONAL SERVICES AGREEMENT**

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this ____ day of _____, 2023, personally appeared before me **STEVE SCRIBNER**, whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed, did say that he is the _____ of **SHAPE ARCHITECTURE STUDIO LLC**, a Colorado limited liability company, by authority of its Operating Agreement/Member Resolution, and acknowledged that he signed it voluntarily for its stated purpose as _____ (title) for **SHAPE ARCHITECTURE STUDIO LLC**, a Colorado limited liability company.

Notary Public

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

I declare under criminal penalty under the law of Utah that the foregoing is true and correct. Signed on the ____ day of _____, 2023, at _____ (insert State and County here).

Printed name _____

Signature: _____

DRAFT

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

EXHIBIT “A”

SCOPE OF SERVICES

The work required by this Agreement is intended to assist the City in preparing for the renovation of 516 Marsac Avenue, Park City, Utah (Parcel: OA-2-X, Lot 2 of the Ontario Avenue Subdivision), including schematic design and construction administration. The work to be performed by Epic Engineering (Epic), a sub-consultant, will be concurrent with the work performed by Service Provider.

Shape Phase: Schematic Design (SD)

Duration: 12 weeks

- 6 bi-weekly client meetings & preparation
- Sustainability charrette with client/city staff/community members
- Net zero strategy coordination
- Engineering (MEP/S/Civil) coordination
- Planning Commission hearing
- Deliverables: schematic drawing set with site plan, building plans, elevations, rough sections, 3D renderings

Shape Phase: Design Development

Duration: 12 weeks

- 6 bi-weekly client meetings & preparation
- Planning Commission hearing (if 2nd hearing is required)
- Detailed code review
- Net zero coordination
- Engineering (MEP/S/Civil) coordination
- Develop a project construction schedule
- Assist in the selection of CM
- Deliverables: progress drawing set with dimensioned site & building plans, elevations, sections, envelope/wall sections; structural approach incorporated; drawings adequate for preliminary cost estimation by a contractor; a BIM 3D fly-through model will be provided for review

Shape Phase: Construction Documents (CD)

Duration: 12 weeks

- 6 bi-weekly client meetings & preparation
- Engineering & envelope final coordination
- Value engineering as required
- Outline specifications

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- Deliverables: construction document set: fully dimensioned & coordinated drawings including floor plans, elevations, building & wall sections, details; door & window schedules, interior elevations, and lighting plans.

Shape Phase: Bidding

Duration: approximately 6 weeks

- Support preparation of instructions to bidders, issuing addenda
- Pre-bid conference
- Assist in the review and evaluation of bids

Shape Phase: Construction Administration

Duration: approximately 12 months

- Site visits (2); field observation reports
- Submittal review
- RFI responses
- Coordination with the contractor and Epic Engineering
- Detailed drawings, clarifications, discussions with contract and owner, responses to requests for information, review of product information

Epic Phase: Project Management

- Attend pre-design kickoff meeting and site visit with the client to determine existing conditions
- Create Matterport scan of the existing building
- Build Revit model of the existing structure
- Assist with the preparation of Engineer's Opinion of Probable Cost
- Attend pre-bid meeting
- Attend pre-construction meeting
- Conduct monthly construction progress meetings (5 total).
- Review monthly partial pay requests from contractor for recommendation to City
- Process change orders
- Conduct pre-final and final walkthrough

Epic Phase: Civil Design

- Supplemental Record of Survey
- Parking improvements (site plan)
- Plat amendment
- Stormwater report and calculations
- Conditional Use Permit from Park City

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

- Bidding assistance (pre-bid meeting, questions, and addenda)
- Submittal review
- Responses to RFIs
- Construction progress meetings

Epic Phase: Structural Design

- Perform structural calculations for remodel of existing wood-framed building
- Prepare structural calculations package for submission to the building department. The structural calculations package will be stamped by a professional engineer licensed in the state of Utah.
- Prepare structural drawings including the following. Structural drawings will be stamped by a professional engineer licensed in the state of Utah
 - Structural notes
 - Foundation plans
 - Structural framing plan(s)
 - Shear wall plans
 - Structural details
- Attend four (4) design progress meetings virtually, including design kickoff meeting, schematic design meeting, design development meeting, and construction documents meeting
- Respond to and address building department plan review comments
- Prepare addendums as necessary during bidding
- Review structural deferred submittal items for compliance with construction documents
- Review structural submittals for compliance with construction documents
- Review structural deferred submittal items for compliance with construction documents
- Review structural submittals for compliance with construction documents
- Respond to contractor RFIs during the construction phase
- Prepare as-built drawings

Epic Phase: MEP

- Heat loss and electrical load calculations
- Mechanical & plumbing design
- Electrical & lighting design
- Coordination with an energy consultant
- Address plan review comments
- Prepare addendums as necessary during bidding
- Review MEP submittals for compliance with construction documents
- Respond to contractor RFIs during construction phase

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

Exclusions:

The following services are not included in this scope of work. These services may be requested for an additional fee.

1. Book specifications will not be provided. The specification will be provided as notes on drawings sheets.
2. Geotechnical investigation.
3. Rework due to changes in floor plans after structural and MEP work has commenced.
4. Value engineering.
5. Special inspections.
6. Construction means and methods.
7. Architectural-specific problem resolution (example: non-structural element design, hand railings, deck railing, appendages, ornamentation, etc.).
8. Product research (Example: hardware for anchorage, proprietary products, non-traditional building materials not governed by code, etc.).
9. Contract error.
10. Specialty structural items (Example: steel stairs, cold-formed steel, extruded aluminum, etc.).

SCHEDULE OF DELIVERABLE DUE DATES

	Due Date
Shape Phase: Schematic Design (SD)	October 1, 2023
Shape Phase: Design Development (DD)	November 1, 2023
Shape Phase: Construction Documents (CD)	February 1, 2024
Shape Phase: Bidding	February 1, 2024
Shape Phase: Construction Administration	February 1, 2025
Epic Phase: Project Management	November 1, 2023
Epic Phase: Civil Design	November 1, 2023
Epic Phase: Structural Design	November 1, 2023
Epic Phase: MEP	February 1, 2024

FEE SCHEDULE

Discipline	SD	DD	CD	BN	CA	TOTAL
Shape Architecture	\$13,300	\$20,000	\$20,000	\$2,000	\$12,200	\$67,500
On-site Documentation	\$5,500	\$5,500	\$7,400		\$9,000	\$27,400

**PARK CITY MUNICIPAL CORPORATION
DESIGN PROFESSIONAL SERVICES AGREEMENT**

& Proj Mgmt (Epic)						
Civil Engineering and Survey (Epic)	\$1,500	\$4,700	\$6,300		\$3,100	\$15,600
Structural Engineering (Epic)	\$1,700	\$5,100	\$6,800		\$3,400	\$17,000
MEP Engineering (Epic)	\$1,000	\$3,000	\$4,100		\$2,050	\$10,150
TOTAL EPIC FEE						\$70,150
TOTAL COMBINED FEE						\$137,650

TOTAL ESTIMATED FEES: \$137,650 100%

PARK CITY MUNICIPAL CORPORATION DESIGN PROFESSIONAL SERVICES AGREEMENT

EXHIBIT “B”

PAYMENT SCHEDULE FOR “EXTRA” WORK

Any additional services beyond those described in Exhibit “A” herein will be charged at the following standard hourly rates, occurring only after written approval from PCMC:

HOURLY RATE SCHEDULE

Shape Architecture:

Principal: \$150/hour

Project Manager: \$125/hour

Designer: \$100/hour

Epic Engineering:

Principal: \$257/hour

Project Manager II: \$203/hour

Project Manager I: \$187/hour

Engineer II PE: \$161/hour

Engineer Technician: \$96/hour

Design Tech I: \$133/hour

CAD Tech I: \$91/hour

Reimbursable Expenses

Mileage outside of Park City or Denver Area: 58.5 cents/mile

Reproductions, Mailing, etc. (when authorized): cost + 10%

Any additional services required will be discussed and billed accordingly. The estimates provided are based on the scope of work outlined above.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: CONSENT AGENDA

Subject:

Request to Authorize the City Manager to Enter into a Design Professional Service Provider Agreement with Kimley-Horn, for Design and Permitting Services Associated with Rail Trail amenities and initial permitting for the SR-248 overpass, Not to Exceed \$287,731.00, as Approved in Form by the City Attorney

Suggested Action:

Attachments:

[Rail Trail Improvements Staff Report](#)

[Exhibit A: Kimley-Horn Rail Trail Scope of Services](#)



City Council Staff Report

Subject: Rail Trail Design and Permitting Contract
Author: Heinrich Deters, Trails & Open Space Manager
Department: Trails & Open Space
Date: April 27, 2023
Type of Item: Administrative- Award of Contract

Recommendation

Consider authorizing the City Manager to enter into a professional service provider agreement with Kimley-Horn for design and permitting services (Exhibit A) associated with Rail Trail amenities, and initial permitting for the SR-248 overpass identified within the Rail Trail Master Plan.

The contract will not exceed \$287,731.00, as approved in form by the City Attorney.

Background

Working with a consultant team and community stakeholder group, the Trails & Open Space Team developed the community-oriented [Rail Trail Master Plan](#). The Master Plan identifies potential capital improvements to the Historic Union Pacific Rail Trail, creates a project [website](#) to provide information, and maps out a cohesive set of plans and actions for consideration and stewardship.

On [September 1, 2022](#), City Council reviewed and adopted the Master Plan, with the exception of proposals to widen the trail in specific sections ([Minutes page 10](#)). The Trails Team committed to returning to Council with any future capital design and construction contracts associated with the Rail Trail.

Analysis

In February, the Trails Team drafted a Request for Qualifications (RFQ) for design and permitting of improvements listed in the Rail Trail Master Plan, including environmental enhancements, trail crossings/overpass, and minor/major node amenities. The Team advertised the RFQ on the Transportation Project Management and General Transportation Services vendor list, which was developed through a competitive process that evaluated qualifications, references, insurance requirements, and personnel, and locked in a rate structure for the approved firms.

The Team received submittals from three firms and recommends Kimley-Horn as the most qualified, based on their response and qualifications. Because the Rail Trail is located within a FEMA flood zone and within a mining soil impacted area, the scope of services includes significant design, engineering, and permitting. The environmental enhancements require technical assistance and planning, while structural engineering and hydrology analysis is required for the proposed bridge replacements and overpass.

The scope of services addresses the design, engineering, and permitting necessary for the projects identified for completion in 2023-2024, including:

- Minor trail improvements, including additional trash cans, public art installments approved by the Public Art Advisory Board (PAAB), additional benches/seating, more frequent mutt mitt stations, wayfinding, and road crossings;
- Environmental enhancements, including stream and wetland enhancements, landscaping, wildlife habitat recommendations, and tree planting;
- Replacement of the three existing pedestrian bridges along the corridor to improve safety and allow for additional maintenance/public safety access; and
- A Utah Department of Transportation planning application for the SR-248/Rail Trail Overpass.

Future Rail Trail project design and implementation are subject to additional grants currently being sought by the Transportation Planning and Trails & Open Space Teams in conjunction with Summit County. Should funding become available through grants, it is anticipated that the Team will return to Council with additional project updates and contracts.

The Team anticipates providing 'in-house' construction services, such as placing wood posts and pouring concrete pads, for wayfinding posts/signage, mutt mitt stations, approved public art (minor), and additional seating this summer. Projects requiring additional construction services will return, once designed, to City Council for final contract approval.

Funding

Funding for requirements outlined in the scope of services will be provided through grants as follows:

- Rail Trail/SR-248 Overpass funded by a County COG TST \$160,000 grant; and
- Rail Trail Amenities funded by a \$500,000 Summit County Recreation, Arts and Parks (RAP) grant.

Exhibits

Exhibit A- Kimley-Horn Rail Trail Contract Scope of Services

April 2023

Task 1: Phase I Rail Trail Amenities Design and Construction

Kimley-Horn will work with PCMC in finalizing the location for Phase I amenities, and provide design, survey, environmental permitting, and engineering (possibly structural), as needed for construction in 2023. Kimley-Horn will coordinate with PCMC to develop a soils remediation plan if required. Phase I projects, with the exception of the minor bridge replacements, are anticipated to have minimal design, engineering, construction support and permitting requirements. They include and are outlined in the Rail Trail Master Plan.

Task 1.A Project Management

Kimley-Horn will conduct regular client meetings and internal team meetings. We will provide interdisciplinary coordination for project delivery and QA/QC for all design efforts. Task also includes project setup activities and monthly invoicing.

- Assume 16 hours for project setup
 - Includes project file setup, CADD setup, and initial project billing setup
- Assume biweekly Client meetings for duration of project phases (April-October, assume 14 meetings)
 - Meetings will be one hour in length in virtual format
 - Kimley-Horn will prepare meeting agendas and minutes
- Assume biweekly internal team meetings (14 one hour meetings)
- Project Design Submittals and Reviews:
 - Geometry Review (to be conducted within regular Client team meeting)
 - 60% Review – To be held during regular client meeting time
 - PCMC will be given 2 weeks for submittal review and comments
 - Kimley-Horn will evaluate and provide responses to PCMC review comments
 - Any design changes will be incorporated into 90% review package
 - 90% Review – To be held during regular client meeting time
 - PCMC will be given 2 weeks for submittal review and comments
 - Kimley-Horn will evaluate and provide responses to PCMC review

- comments
 - Any design changes will be incorporated into Final Bid package
 - Final Bid Package
 - Kimley-Horn will prepare final bid package including plans, specifications, and estimate
- Monthly invoicing – assume 2 hrs per month (7 months)

Task 1.B Data Collection and Complete Design for Two minor bridge replacements

- Bridge Location 1
- Bridge Location 2
- Bridge Design
 - Bridges will be replaced to enable crossing by the widest/heaviest snow groomer operated by PCMC – A 2009 Piston Bully 100 snow groomer, which is 12 feet wide, requiring bridge widths to be at least 14 feet. The groomer weights approximately 10,500 lbs.
 - Understand the historic nature of abutments and preserve and protect when possible/applicable.
 - The bridges will be support by pile foundations. Small jointless stub abutments will be used. The bridges will be single span without approach slabs. Bridge plan sets will be separated per bridge and will be a maximum of 11 sheets per bridge.
 - Metal Railing meeting bike standards
 - The specification will be in accordance with APWA
 - Complete topographic and cross-sectional survey will be collected for hydraulic analysis and bridge design
 - A standalone survey control sheet will not be developed. Survey control information will be provided on project Cover Sheet
 - Geotechnical data collection will be performed for these two bridge locations. This will include one bore hole for each crossing.
 - Horizontal utility mapping will be developed with the rail trail prism for a distance of 100' on each side of both structures.
 - Trail Design
 - Trail typical section will match existing
 - Horizontal and Vertical trail profiles will be developed with intent to match existing as closely as practical within hydraulic and bridge design constraints
 - Trail pavement section will be provided by PCMC

Hydraulic and Floodplain Analysis

Data Collection and Review

Kimley-Horn will collect the FEMA effective mapping and hydraulic models from FEMA. This task will include one (1) meeting one with the Local Floodplain Administrator (LFA) to determine any specific criteria they will mandate for a No-Rise Analysis for Silver Creek.

Hydraulic Models

Park City is part of the National Flood Insurance Program (NFIP) and the project is located within

Map Numbers 49043C0936D and 49043C0937D, effective March 23, 2021. The project site is mapped as a FEMA floodplain Zone AE. A FEMA Zone AE is defined as “Areas subject to inundation by the 1-percent-annual chance-flood event determined by detailed methods with Base Flood Elevations (BFE)”. If it is determined that an updated effective hydraulic model has not been completed. Kimley-Horn will coordinate with the City on the required process (scope change) needed to bring the effective model up to current FEMA standards. It is assumed that this project will not impact the existing floodplain and not require a Conditional Letter of Map Revision (CLOMR). Kimley-Horn assumes that a No-Rise certification will be needed for each bridge replacement to show that the BFEs are not increasing in the proposed condition. It is assumed that a hydrology study on Silver Creek will not be needed and published discharge values from the Flood Insurance Study will be used.

Kimley-horn will coordinate with the local floodplain administrator to expedite this process. A site visit will be done to assist in determining the typical parameter and other hydraulics properties. Cross section geometry will be determined based on topographic survey data for the project. In areas outside available survey the Effective cross sections will be used.

Up to four (4) hydraulics models of the Silver Creek will be prepared. The models are required to “tie-in” to the upstream and downstream floodplain elevations so the extent of the models will be limited to what is needed to show tie-in to the effective floodplain. The actual extents of the modeling will depend on the results.

Duplicate Effective Model

Kimley-Horn will duplicate the FEMA effective model on Kimley-Horn computers using the same version of the software used to develop the effective floodplain. FEMA requires this so that the revised data will be integrated into the effective data to provide a continuous model upstream and downstream of the revised reach. It is assumed that the effective model has recently been updated.

Corrected Effective Model

The Corrected Effective Models corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model. The current effective model that will be used for modeling purposes will be based on FEMA's effective model as previously stated. At this time, it is not known what the errors may be, if any, or how many additional cross sections may be needed.

Pre-Project Conditions Model

Kimley-Horn will prepare a Pre-Project Conditions Model. This model will build on the Corrected Effective Model, but will also reflect any modification that have occurred within the floodplain since the date of the Effective Model, but prior to the construction of the project. If no modifications are identified, this model will not be prepared.

Post-Project Conditions Model

The Pre-Project Conditions models will be revised to include the proposed modifications to the floodplain. Kimley-Horn will evaluate the changes to the floodplain from the proposed design and attempt to mitigate any impacts to the effective floodplain elevations. All FEMA effective storm frequencies will be modeled for the floodplain.

No-Rise Certification and Report

Kimley-Horn will prepare a No-Rise certificate and report detailing and summarizing the modeling process and results. The certificate and report will be submitted to the LFA for review. One round of comments is anticipated.

Bridge Design Plans

- Project Plans to include the following:
 - Project Title Sheet
 - Trail Typical Section and Profile
 - Horizontal Control
 - Bridge Structure Plans
- Project specifications will be prepared for all design elements as part of the final bid package
- Engineer's Estimate will be prepared at 60% review level and will be updated at 90% review and with final bid package.

Task 1.C Data Collection and Concept Design for Bridge #3

This task will develop a Concept Design for Bridge #3 sufficiently to provide a geometric layout (commonly referred to as a Situation and Layout plan) accounting for hydraulic design considerations and FEMA requirements. This concept design will include a cost estimate for the bridge structure and will provide detail necessary for submittal to UDOT as part of the pre-application package and meeting, as well as use by PCMC in grant funding applications.

- Complete Topographic Survey and cross sections for hydraulic and FEMA analysis at Bridge #3.
- Preliminary Geotechnical Bore Holes data will be collected at Bridge #3. This will include one bore hole south of Bridge #3 and one bore hole located on the north side of SR-248.
 - Geotechnical exploration and analysis for Bridge #3 will be performed in compliance with UDOT standards so that it can be used in final bridge design and approval by UDOT.
 - Additional bore holes will be required at all pier elements of this Bridge structure prior to final design. Once the bridge design is developed further, this data will be collected. This additional boring and geotechnical analysis is not included in the current project scope and will be negotiated at a later time.
 - Additional survey and utility mapping is anticipated for final design of this structure and is not included in this scope and will be negotiated at a later time.
 - Preliminary Trail Design to tie-in to structure
 - Structures work will consist of developing a concept Situation and Layout Drawing for discussion with the city and UDOT.
 - Kimley-Horn will develop a pre-application package and submit to UDOT

- Kimley-Horn will conduct a pre-application meeting with UDOT prior to submitting a formal permit (Permit will be submitted with Final Design and is not included in current scope of work)
- Hydraulic and FEMA analysis will be performed for Bridge #3 according to scope outlined in Task 1B.
- Kimley-Horn will evaluate aesthetic enhancements to Bridge #3 including inclusion of historic railroad elements appended to the bridge structure.

Task 1.D Landscape Feasibility

The purpose of this task is to identify appropriate landscape improvements, irrigation needs, and feasibility for staff and public review and approval. We anticipate that design decisions coordinated in phase 1 tasks will be used to inform phase 2 design efforts as well. Task includes the preparation of a high-level conceptual design package that includes the following:

Site Landscape Feasibility: Conceptual planting layout (general), identified species, and concept irrigation connection feasibility.

1. **Preliminary plant list and concept layout:**
 - a. Identify/confirm the use of plants as part of future trail improvements. Provide simple plant list that includes a couple species for each of the following: deciduous and evergreen trees and shrubs. (8-10 plants total)
 - b. Prepare conceptual level drawing for one node location identified by staff. Provide supporting precedent images of plants or rendered section/elevation to facilitate public understanding and feedback.
2. **Concept irrigation connection feasibility:**
 - a. Coordination with city staff to determine approach for landscape maintenance and the use of irrigation along the trail. We anticipate reviewing permanent and temporary irrigation strategies.
 - b. Identify possible points of connection for irrigation, pipe routing and provide rough order of magnitude costing.

Meetings and coordination with City Staff, the Project Team and Client required for this Task, will be provided within Task #1, Phase #1. Scope anticipates (2) meetings required.

This Task includes addressing one (1) rounds of design feedback comments from the City and one (1) round of review comments from the public review.

Additional Services Not Included (Can be provided for additional fee)

- Conceptual design for major or minor site amenities
- Perspective Renderings
- Public engagement support
- Permitting or environmental design
- Technical design
- Formal Opinion of Probable Cost

ASSUMPTIONS/EXCLUSIONS

Kimley-Horn has made the following assumption of exclusions in the development of our scope of services:

1. Major and Minor site amenity design is not included in Task 1 Phase 1
4. Improvements are per Rail Trail Master Plan areas only.
5. PCMC will provide information related to water system locations and connection points

Task 1.E Identify Minor and major Wildlife, Environmental, stream Restoration Projects

Task 1.E.1: Site Visit. Bowen Collins & Associates (BC&A) will conduct one site visit with Kimley Horn staff to assess the bridge locations and evaluate potential riparian and other environmental enhancements along the rail trail corridor.

Task 1.E.2: Meetings and Coordination. BC&A staff will attend in-person or virtual meetings (up to 15 hours) to coordinate on design and discuss project progress with the Kimley Horn and Park City staff.

Task 1.E.3: Prepare Alternatives and Recommendations. BC&A will coordinate their ongoing environmental field work and wetland clearances with the project team to help minimize environmental impacts. BC&A will prepare a plan of environmental enhancement recommendations within the project parameters which may include riparian restoration areas and wildlife viewing areas illustrated through plan view concepts and renderings.

Task 1.E.4: Cost Analysis. A cost analysis will be prepared for the concept plan idea and enhancements identified in Task 3 to be incorporated into Kimley Horn's overall plan and recommendations for the project measures.

Exclusions:

Additional environmental field surveys

Design drawings

Task 1 Phase 1 Deliverables

- **Complete Design and construction bid packages for Bridges #1 and #2**
 - Complete survey/topography
 - Geotechnical report
 - Package includes full structural design and hydraulic analysis
 - Package includes plans, specifications, and Engineer's Estimate
- **Initial feasibility, Situation and Layout (Concept Design), and concept report for Bridge #3**
 - Complete survey/topography
 - Preliminary Geotechnical report (additional investigation is anticipated with final design)
 - Report will include hydraulic analysis, bridge design concept, and cost estimate
 - Situation and Layout Plan for the bridge crossing
 - Pre-application package submittal to UDOT in preparation of Permit application
 - Report will be used for scoping of final design efforts in Task #2
- Plant list for general use on Rail Trail, Conceptual landscape drawing for general node location, precedent images of plants or rendered section/elevation to facilitate public understanding and feedback, and plan identifying possible points of connection for irrigation, pipe routing and high-level cost data.

- Soils remediation plan for all bridge and site amenity work to be constructed in Phase 1
- Environmental enhancement recommendation plan document including illustrated plan view concepts and renderings.



Fee Proposal for Engineering and Design for Historic Union Pacific Rail Trail Projects
Prepared for Park City Municipal Corporation
4/4/2023

Task		Cost
1.A	Project Management	\$29,795
	Total Task 1.A	\$29,795
1.B	Data Collection and Complete Design for Two minor bridge replacements (Bridges #1 and #2)	\$152,265
	Survey Subconsultant - Meridian	\$24,245 (includes survey for 1.B and 1.C)
	SUE Subconsultant - KCI Technologies	\$4,348
	Geotech Subconsultant - Ninyo and Moore	\$12,970
	Total Task 1.B	\$193,828
1.C	Data Collection and Concept Design for Bridge #3	\$29,782
	Survey Subconsultant - Meridian	\$0 (Included in cost for 1.B)
	Geotech Subconsultant - Ninyo and Moore	\$12,761
	Total Task 1.C	\$42,543
1.D	Landscape Feasibility	\$5,573
	Total Task 1.D	\$5,573
1.E	Identify Minor and major Wildlife, Environmental, stream Restoration Projects	\$15,441
	Total Task 1.E	\$15,441
Reimbursable Expenses		\$550
Total Cost for Task 1 Phase 1:		\$287,731

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: CONSENT AGENDA

Subject:

Request to Authorize a Professional Service Provider Agreement with Jesus Rea Landscaping and Snow Removal for Mechanical (Hand Pulling) Abatement of Invasive Species, Not to Exceed \$175,000, in a Form Approved by the City Attorney

Suggested Action:

Attachments:

[Invasive Species Abatement Contract Staff Report](#)

City Council Staff Report

Subject: 2023 Invasive Species Mitigation

Author: Hannah Halsted

Department: Trails and Open Space

Date: April 27, 2023

Type of Item: Consent - Contract Award

Recommendation

Consider a request to authorize a Professional Service Provider Agreement with Jesus Rea Landscaping and Snow Removal, not to exceed \$175,000, for mechanical (hand pulling) abatement of invasive species, in a form approved by the City Attorney.

Background

Park City Municipal Corporation (PCMC) currently manages over 5,500 acres of open space. Historically, the Trails & Open Space Team, in conjunction with the Parks Department, has worked to control invasive species as part of the noxious weed abatement program. Control of invasive species represents a significant maintenance aspect of owning open space. Invasive species are a threat to our environment and can increase wildfire danger. For decades, the City has worked to control the spread and mitigate the impacts on wildlife, natural resources, and recreational assets consistent with City, County, and State rules.

Jesus Rea Landscaping and Snow Removal crews will be overseen and directed by Trails and Open Space Team in conjunction with Invasive Species Mitigation Program Coordinator, Ecology Bridge LLC.

Analysis

On March 24th, 2023, the Team advertised a Request for Proposal (RFP) for the mechanical control of noxious weeds and restoration projects of native plant species. On April 4, 2023, Jesus Rea Landscaping and Snow Removal was the only respondent. On April 5, 2023, a selection committee met and reviewed the proposal. The contractor has provided similar services over the past several years, of which the Trails and Open Space team has been pleased with the level of service.

Funding

Funding associated with noxious weed control comes from two sources, the Open Space Maintenance Budget and Invasive Species Mitigation (ISM) Grants. This year PCMC, in partnership with the Summit County Weed Management Area Group, received \$271,421 in grants for weed control.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: OLD BUSINESS

Subject:

Consideration to Approve Ordinance No. 2023-16, Amending Land Management Code Sections 15-2.5-2 Historic Recreation Commercial Uses, 15-2.6-2 Historic Commercial Business Uses, 15-2.13-2 Residential Development Uses, 15-2.14-2 Residential Development Medium Uses, 15-2.16-2 Recreation Commercial Uses, 15-2.17-2 Recreation Commercial Overlay Uses, 15-2.18-2 General Commercial Uses, and 15-15-1 Definitions, and Repealing Section 15-4-23 Dwelling Unit, Fractional Use
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Fractional Use Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-16](#)

City Council Staff Report



Subject: Fractional Use of Dwelling Units
Nightly Rentals in Chatham Crossing &
West Ridge Subdivisions
Application: PL-22-05439
Author: Rebecca Ward, Assistant Planning Director
Date: April 27, 2023
Type of Item: Legislative – Land Management Code Amendments

Recommendation

(I) Review proposed Land Management Code amendments repealing Fractional Use of Dwelling Unit regulations and prohibiting Nightly Rentals in the Chatham Crossing and West Ridge Subdivisions; (II) conduct a public hearing; and (III) consider adopting Ordinance No. 2023-16 (Exhibit A).

Summary

Repeal Fractional Use of Dwelling Unit Regulations

Fractional Use is when a company sells fractional or co-ownership shares—where multiple investors each own a limited portion of a home that is typically but not always managed by a third party— of Single-Family Dwellings and other Dwelling Units as vacation properties, including many within Park City’s primary resident areas. To regulate this new use and to protect primary resident neighborhoods and allow for Fractional Use near the resort bases and in those Zoning Districts where Timeshares and Private Residence Clubs are allowed, on October 27, 2022, the City Council adopted [Ordinance No. 2022-21](#) ([Staff Report](#); [Minutes](#), p. 10).

On this same date, the City Council requested we study and recommend potential updates to the City’s Timeshare, Private Residence Club, and Fractional Use regulations in the Residential Development, Residential Development Medium, and General Commercial Zoning Districts.

On January 11, 2023, the Planning Commission conducted a work session on our findings and recommended amendments to:

- Allow transient uses in the General Commercial (hotels only), Historic Commercial Business, Historic Recreation Commercial, and Recreation Commercial Zoning Districts
- Allow in the Residential Development Zoning District within Lower Deer Valley south of the Solamere Subdivision and the Upper Deer Valley neighborhoods ([Staff Report](#); [Minutes](#), p. 30).

On February 22, 2023, the Planning Commission conducted a public hearing on the proposed amendments and unanimously forwarded a positive recommendation for City Council's Consideration ([Staff Report](#), [Minutes](#), p. 23).

However, as predicted and despite Park City's opposition, on March 3, 2023, the Utah Legislature overwhelmingly enacted [Senate Bill 271](#) (S.B. 271), preempting municipalities from regulating Fractional Use. On March 23, 2023, Utah Governor Cox signed the bill without comment.

S.B. 271 still expressly preserves the ability for homeowner associations to address Fractional Use in their CC&Rs. The City advises homeowner associations to consult with their membership and legal counsel as appropriate.

On March 23, 2023, the City Council was scheduled to review the Planning Commission's recommended amendments. However, due to state preemption, the application was withdrawn ([Staff Report](#); [Audio](#)).

On April 12, 2023, the Planning Commission conducted a public hearing on the proposed amendments to repeal Fractional Use regulations and unanimously forwarded a positive recommendation for City Council's consideration ([Staff Report](#); [Audio](#)).

Prohibit Nightly Rentals in the Chatham Crossing and West Ridge Subdivisions

The Chatham Crossing, West Ridge, Solamere, and Bellevue Subdivisions petitioned the City to amend the LMC to prohibit Fractional Use of Dwelling Units. Additionally, Chatham Crossing and West Ridge Subdivisions requested the LMC be amended to prohibit Nightly Rentals in their Subdivisions. On January 11, 2023, the Planning Commission reviewed the request and unanimously forwarded a positive recommendation for City Council's consideration ([Staff Report](#); [Minutes](#), p. 23).

On February 16, 2023, the City Council conducted a public hearing on the proposed amendments and continued the item to April 27, 2023, in order to allow time for Council review of recommended Fractional Use regulations citywide ([Staff Report](#); [Minutes](#), p. 17). When the Utah Legislature enacted S.B. 271, the Planning team contacted the Subdivisions with pending code amendments to let them know they could amend their CC&Rs to prohibit Fractional Use, but the City could no longer move forward with their requests to amend the LMC to prohibit Fractional Use.

Chatham Crossing and West Ridge Subdivisions requested the City Council consider a modified request to prohibit Nightly Rentals in their Subdivisions. Their proposed request is incorporated in Ordinance No. 2023-16 and the Planning Commission reiterated their positive recommendation for City Council's consideration to prohibit Nightly Rentals in these Subdivisions on April 12, 2023.

Department Review

The Planning Department and City Attorney's Office reviewed this report.

Notice

Staff posted notice to the Utah Public Notice and City websites on March 23, 2023. The Park Record published notice on March 29, 2023.¹

Public Input

No public input was received prior to the staff report publication.

Alternatives

- The City Council may adopt Ordinance No. 2023-16;
- The City Council may modify and adopt Ordinance No. 2023-16;
- The City Council may deny Ordinance No. 2023-16;
- The City Council may request additional information and continue the item to a date certain.

Exhibit

A: Ordinance No. 2023-16

¹ LMC [§ 15-1-21](#)

Ordinance No. 2023-16

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTIONS 15-2.5-2 HISTORIC RECREATION COMMERCIAL USES, 15-2.6-2 HISTORIC COMMERCIAL BUSINESS USES, 15-2.13-2 RESIDENTIAL DEVELOPMENT USES, 15-2.14-2 RESIDENTIAL DEVELOPMENT MEDIUM USES, 15-2.16-2 RECREATION COMMERCIAL USES, 15-2.17-2 RECREATION COMMERCIAL OVERLAY USES, 15-2.18-2 GENERAL COMMERCIAL USES, AND 15-15-1 DEFINITIONS, AND REPEALING SECTION 15-4-23 DWELLING UNIT, FRACTIONAL USE

WHEREAS, on October 27, 2022, the City Council adopted Ordinance No. 2022-21 regulating Fractional Use of Dwelling Units, allowing them in those Zoning Districts where Timeshares and Private Residence Clubs are allowed;

WHEREAS, on March 3, 2023, the Utah State Legislature enacted Senate Bill 271 prohibiting municipalities from regulating Fractional Use of Dwelling Units;

WHEREAS, the Chatham Crossing and West Ridge Homeowner Associations petitioned the City to amend the Land Management Code to prohibit Nightly Rentals in their subdivisions;

WHEREAS, on April 12, 2023, the Planning Commission conducted a public hearing on the proposed amendments and unanimously forwarded a positive recommendation to the City Council;

WHEREAS on April 27, 2023, the City Council conducted a public hearing on the proposed amendments to the Land Management Code;

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND MANAGEMENT CODE.

The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Sections 15-2.5-2 *Historic Recreation Commercial Uses*, 15-2.6-2 *Historic Commercial Business Uses*, 15-2.13-2 *Residential Development Uses*, 15-2.14-2 *Residential Development Medium Uses*, 15-2.16-2 *Recreation Commercial Uses*, 15-2.17-2 *Recreation Commercial Overlay Uses*, 15-2.18-2 *General Commercial Uses*, and 15-15-1 *Definitions* are hereby amended, and Section 15-4-23 *Dwelling Unit, Fractional Use*, is hereby repealed, as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 27th date of April 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

ATTACHMENT 1

15-2.5-2 Uses

Uses in the HRC are limited to the following:

A. ALLOWED USES.¹⁰

1. Single Family Dwelling⁵
2. Duplex Dwelling⁵
3. Secondary Living Quarters⁵
4. Lockout Unit^{1,5}
5. Accessory Apartment^{2,5}
6. Nightly Rental⁵
7. Home Occupation⁵
8. Child Care, In-Home Babysitting
9. Child Care, Family³
10. Child Care, Family Group³
11. Child Care Center³
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn^{4,5}
16. Boarding House, hostel⁵
17. Hotel, Minor, fewer than sixteen (16) rooms⁵
18. Office, General⁵
19. Parking Area or Structure, with four (4) or fewer spaces⁵

24 20. Food Truck Location¹¹

25 B. **CONDITIONAL USES.**^{9, 10}

26 1. Triplex Dwelling⁵

27 2. Multi-Unit Dwelling⁵

28 3. Guest House, on Lots one (1) acre⁵

29 4. Group Care Facility⁵

30 5. Public and Quasi-Public institution, church, or school

31 6. Essential Municipal public utility Use, facility, service, and Structure

32 7. Telecommunication Antenna⁶

33 8. Satellite dish, greater than thirty-nine inches (39") in diameter⁷

34 9. Plant and Nursery stock products and sales

35 10. Hotel, Major⁵

36 11. Timeshare Projects and Conversions⁵

37 12. Private Residence Club Project and Conversion^{4,5}

38 13. Office, Intensive⁵

39 14. Office and clinic, Medical⁵

40 15. Financial institution, without drive-up window⁸

41 16. Commercial Retail and Service, Minor⁸

42 17. Commercial Retail and Service, Personal Improvement⁸

43 18. Neighborhood Convenience Commercial, without gasoline sales

44 19. Café or Deli⁸

45 20. Restaurant, General⁸

46 21. Restaurant and Café, outdoor dining⁴

- 47 22. Outdoor Events and Uses⁴
- 48 23. Bar
- 49 24. Parking Area or Structure, with five (5) or more spaces⁵
- 50 25. Temporary Improvement⁴
- 51 26. Passenger Tramway station and ski base facility
- 52 27. Ski tow, ski lift, ski run, and ski bridge
- 53 28. Recreation Facility, Commercial, Public, and Private¹²
- 54 29. Entertainment Facility, Indoor
- 55 30. Fences greater than six feet (6') in height from Final Grade⁴
- 56 31. Private Residence Club, Off-Site⁵
- 57 32. Private Event Facility⁵
- 58 ~~33. [Dwelling Unit, Fractional Use⁴³]~~

59 C. **PROHIBITED USES**. Unless otherwise allowed herein, any Use not listed above

60 as an Allowed or Conditional Use is a prohibited Use.

61 ¹Nightly rental of Lockout Units requires a Conditional Use permit.

62 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

63 ³See Section 15-4-9, Child Care And Child Care Facilities.

64 ⁴Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4.

65 ⁵Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue,

66 excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC

67 Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the

68 plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street,

69 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within

70 Storefront Property; however access, circulation, and lobby areas are permitted within Storefront

71 Property.

⁶See Section 15-4-14, Telecommunication Facilities.

⁷See Section 15-4-13, Placement Of Satellite Receiving Antennas.

⁸If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use.

⁹No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

¹⁰Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in Storefront Properties.

¹¹The Planning Director or designee shall upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

¹²See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

~~¹³Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.]~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [07-55](#) on 8/30/2007

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [12-37](#) on 12/20/2012

Amended by Ord. [16-02](#) on 1/7/2016

Amended by Ord. [2017-45](#) on 8/17/2017

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2020-36](#) on 7/30/2020

Amended by Ord. [2020-42](#) on 9/17/2020

Amended by Ord. [2021-51](#) on 12/16/2021

98 Amended by Ord. [2022-08](#) on 4/28/2022

99 Amended by Ord. [2022-16](#) on 5/26/2022

100 Amended by Ord. [2022-21](#) on 10/27/2022

101 **15-2.6-2 Uses**

102 Uses in the Historic Commercial Business (HCB) District are limited to the following:

103 A. **ALLOWED USES**.¹¹

- 104 1. Single Family Dwelling¹
- 105 2. Multi-Unit Dwelling¹
- 106 3. Secondary Living Quarters¹
- 107 4. Lockout Unit^{1,2}
- 108 5. Accessory Apartment^{1,3}
- 109 6. Nightly Rental⁴
- 110 7. Home Occupation¹
- 111 8. Child Care, In-Home Babysitting¹
- 112 9. Child Care, Family^{1,5}
- 113 10. Child Care, Family Group^{1,5}
- 114 11. Child Care Center^{1,5}
- 115 12. Accessory Building and Use¹
- 116 13. Conservation Activity
- 117 14. Agriculture
- 118 15. Bed and Breakfast Inn^{1, 6}
- 119 16. Boarding House, hostel¹
- 120 17. Hotel, Minor, fewer than 16 rooms¹

121	18. Office, General ¹
122	19. Office, Moderate Intensive ¹
123	20. Office and clinic, Medical ¹
124	21. Financial institution, without drive-up window
125	22. Commercial Retail and Service, Minor
126	23. Commercial Retail and Service, Personal Improvement
127	24. Commercial Neighborhood Convenience, without gasoline sales
128	25. Restaurant, Cafe or Deli
129	26. Restaurant, General
130	27. Bar
131	28. Parking Lot, Public or Private with four (4) or fewer spaces
132	29. Entertainment Facility, Indoor
133	30. Salt Lake City 2002 Winter Olympic Games Legacy Displays ⁷
134	31. Temporary winter Balcony enclosures
135	32. Food Truck Location ¹²
136	B. <u>CONDITIONAL USES.</u> ^{10, 11}
137	1. Group Care Facility ¹
138	2. Public and Quasi-Public institution, church, or school
139	3. Essential municipal public utility Use, facility, service, and Structure
140	4. Telecommunication Antenna ⁸
141	5. Satellite dish, greater than thirty-nine inches (39") in diameter ⁹
142	6. Plant and Nursery stock products and sales
143	7. Hotel, Major ¹

- 144 8. Timeshare Projects and Conversions¹
- 145 9. Timeshare Sales Office, Off-Site within an enclosed Building¹
- 146 10. Private Residence Club Project and Conversion^{1,6}
- 147 11. Commercial Retail and Service, Major
- 148 12. Office, Intensive¹
- 149 13. Restaurant, outdoor dining⁶
- 150 14. Outdoor Events and Uses⁶
- 151 15. Hospital, Limited Care Facility¹
- 152 16. Parking Area or Structure for five (5) or more cars¹
- 153 17. Temporary Improvement⁶
- 154 18. Passenger Tramway station and ski base facility
- 155 19. Ski tow, ski lift, ski run, and ski bridge
- 156 20. Recreation Facility, Public
- 157 21. Recreation Facility, Private¹³
- 158 22. Recreation Facility, Commercial
- 159 23. Fences greater than six feet (6') in height from Final Grade⁶
- 160 24. Private Residence Club, Off-Site¹
- 161 25. Private Event Facility¹
- 162 26. ~~Dwelling Unit, Fractional Use¹⁴~~

163 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use

164 is a prohibited Use.

165 ¹Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and

166 Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and

167 lobby areas are permitted within Storefront Property.

²Nightly Rental of Lock Units requires a Conditional Use permit.

³Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

⁴Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses.

⁵See Section 15-4-9, Child Care And Child Care Facilities.

⁶Requires an Administrative or Administrative Conditional Use permit.

⁷Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services Agreement and/or Master Festival License. Requires an Administrative Permit.

⁸See Section 15-4-14, Telecommunication Facilities.

⁹See Section 15-4-13, Placement Of Satellite Receiving Antennas.

¹⁰No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

¹¹Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are permitted in Storefront Properties.

¹²The Planning Director or designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

¹³See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

~~¹⁴Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [07-55](#) on 8/30/2007

195 Amended by Ord. [09-10](#) on 3/5/2009
196 Amended by Ord. [12-37](#) on 12/20/2012
197 Amended by Ord. [16-02](#) on 1/7/2016
198 Amended by Ord. [16-01](#) on 1/7/2016
199 Amended by Ord. [2017-45](#) on 8/17/2017
200 Amended by Ord. [2018-55](#) on 10/23/2018
201 Amended by Ord. [2020-36](#) on 7/30/2020
202 Amended by Ord. [2020-42](#) on 9/17/2020
203 Amended by Ord. [2021-51](#) on 12/16/2021
204 Amended by Ord. [2022-08](#) on 4/28/2022
205 Amended by Ord. [2022-16](#) on 5/26/2022
206 Amended by Ord. [2022-21](#) on 10/27/2022

207 **15-2.13-2 Uses**

208 Uses in the RD District are limited to the following:

209 A. **ALLOWED USES.**

- 210 1. Single-Family Dwelling
- 211 2. Duplex Dwelling
- 212 3. Secondary Living Quarters
- 213 4. Lockout Unit¹
- 214 5. Accessory Apartment²
- 215 6. Nightly Rental³
- 216 7. Home Occupation
- 217 8. Child Care, In-Home Babysitting⁴

- 218 9. Child Care, Family⁴
- 219 10. Child Care, Family Group⁴
- 220 11. Accessory Building and Use
- 221 12. Conservation Activity Agriculture
- 222 13. Parking Area or Structure with four (4) or fewer spaces
- 223 14. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 224 15. Food Truck Location¹⁶
- 225 16. Internal Accessory Dwelling Unit¹⁷
- 226 B. **CONDITIONAL USES.**
- 227 1. Triplex Dwelling⁶
- 228 2. Multi-Unit Dwelling⁶
- 229 3. Guest House
- 230 4. Group Care Facility
- 231 5. Child Care Center⁴
- 232 6. Public and Quasi-Public Institution, Church, and School
- 233 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 234 8. Telecommunication Antenna⁷
- 235 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁸
- 236 10. Raising, grazing of horses
- 237 11. Cemetery
- 238 12. Bed and Breakfast Inn
- 239 13. Hotel, Minor⁶
- 240 14. Hotel, Major⁶

241	15. Private Residence Club Project and Conversion ¹⁰
242	16. Office, General ^{6,9}
243	17. Office, Moderate Intensive ^{6,9}
244	18. Office, Medical ^{6,9}
245	19. Financial Institution without drive-up window ^{6,9}
246	20. Commercial Retail and Service, Minor ^{6,9}
247	21. Commercial Retail and Service, personal improvement ^{6,9}
248	22. Commercial, Resort Support ^{6,9}
249	23. Café or Deli ^{6,9}
250	24. Restaurant, Standard ^{6,9}
251	25. Restaurant, Outdoor Dining ¹⁰
252	26. Outdoor Event ¹⁰
253	27. Bar ^{6,9}
254	28. Hospital, Limited Care Facility ^{6,9}
255	29. Parking Area or Structure with five (5) or more spaces
256	30. Temporary Improvement ¹⁰
257	31. Passenger Tramway Station and Ski Base Facility ¹¹
258	32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge ¹¹
259	33. Recreation Facility, Public
260	34. Recreation Facility, Commercial ⁶
261	35. Recreation Facility, Private ¹⁸
262	36. Entertainment Facility, Indoor ^{6,9}
263	37. Commercial Stables, Riding Academy ¹²

- 264 38. Heliport¹²
- 265 39. Vehicle Control Gate¹³
- 266 40. Fences and walls greater than six feet (6') in height from Final Grade¹⁰
- 267 41. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁴
- 268 42. Amenities Club
- 269 43. Club, Private Residence Off-Site¹⁵
- 270 ~~44. [Dwelling Unit, Fractional Use^{3, 19}]~~

271 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

272 is a prohibited Use.

273 ¹Nightly rental of Lockout Units requires a Conditional Use permit

274 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

275 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses. Nightly Rentals ~~[and Dwelling~~

276 ~~Unit, Fractional Use]~~ are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions,

277 Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, ~~[and]~~ Hidden Oaks

278 at Deer Valley Phases 2 and 3, Chatham Crossing Subdivision, and West Ridge and West Ridge Phase 2

279 Subdivision.

280 ⁴See Section 15-4-9 Child Care and Child Care Facilities

281 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

282 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

283 on the original Property set forth in the services agreement and/or Master Festival License

284 ⁶Subject to provisions of LMC Chapter 15-6, Master Planned Development

285 ⁷See Section 15-4-14, Telecommunications Facilities

286 ⁸See Section 15-4-13, Placement of Satellite Receiving Antennas

287 ⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a

288 convenience for residents or occupants of adjacent or adjoining residential Developments.

289 ¹⁰Requires an Administrative Conditional Use permit.

290 ¹¹As part of an approved Ski Area Master Plan. See Section 15-4-18 Passenger Tramways and Ski Base
291 Facilities.

292 ¹²Omitted.

293 ¹³See Section 15-4-19, Review Criteria For Control Vehicle Gates.

294 ¹⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
295 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
296 in an Area other than the original location set forth in the services agreement and/or Master Festival
297 License.

298 ¹⁵Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit.
299 Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more
300 units with approved Support Commercial space. A Parking Plan shall be submitted to determine site
301 specific parking requirements.

302 ¹⁶The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
303 Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

304 ¹⁷See Section 15-4-7.1, Internal Accessory Dwelling Units.

305 ¹⁸See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

306 ~~[¹⁹Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.]~~

307 HISTORY

308 *Adopted by Ord. [00-51](#) on 9/21/2000*

309 *Amended by Ord. [02-38](#) on 9/12/2002*

310 *Amended by Ord. [04-08](#) on 3/4/2004*

311 *Amended by Ord. [05-39](#) on 6/30/2005*

312 *Amended by Ord. [06-76](#) on 11/9/2006*

313 *Amended by Ord. [11-05](#) on 1/27/2011*

314 *Amended by Ord. [14-35](#) on 6/26/2014*

315 *Amended by Ord. [2018-23](#) on 5/17/2018*

316 Amended by Ord. [2018-55](#) on 10/23/2018

317 Amended by Ord. [2020-38](#) on 7/30/2020

318 Amended by Ord. [2020-45](#) on 10/1/2020

319 Amended by Ord. [2021-16](#) on 4/15/2021

320 Amended by Ord. [2021-38](#) on 9/23/2021

321 Amended by Ord. [2021-52](#) on 12/16/2021

322 Amended by Ord. [2021-51](#) on 12/16/2021

323 Amended by Ord. [2022-08](#) on 4/28/2022

324 Amended by Ord. [2022-21](#) on 10/27/2022

325 **15-2.14-2 Uses**

326 Uses in the RDM District are limited to the following:

327 A. **ALLOWED USES.**

328 1. Single Family Dwelling

329 2. Duplex Dwelling

330 3. Triplex Dwelling

331 4. Secondary Living Quarters

332 5. Lockout Unit¹

333 6. Accessory Apartment²

334 7. Nightly Rental³

335 8. Home Occupation

336 9. Child Care, In Home Babysitting⁴

337 10. Child Care, Family⁴

338 11. Child Care, Family Group⁴

339	12. Accessory Building and Use
340	13. Conservation Activity
341	14. Agriculture
342	15. Parking Area or Structure with four (4) or fewer spaces
343	16. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays ⁵
344	17. Food Truck Location ¹⁴
345	18. Internal Accessory Dwelling Unit ¹⁵
346	B. <u>CONDITIONAL USES.</u>
347	1. Multi Unit Dwelling ⁶
348	2. Guest House
349	3. Group Care Facility
350	4. Child Care Center
351	5. Public and Quasi Public Institution, Church, and School
352	6. Essential Municipal Public Utility Use, Facility, Service, and Structure
353	7. Telecommunication Antenna ⁷
354	8. Satellite Dish, greater than thirty nine inches (39") in diameter ⁸
355	9. Raising grazing of horses
356	10. Cemetery
357	11. Bed and Breakfast Inn
358	12. Boarding House, Hotel
359	13. Hotel, Minor ⁶
360	14. Hotel, Major ⁶
361	15. Private Residence Club Project and Conversion ¹¹

362	16. Office, General ⁶
363	17. Office, Moderate Intensive ^{6,9}
364	18. Office and Clinic, Medical ^{6,10}
365	19. Financial Institution, without drive up window ^{6,10}
366	20. Commercial Retail and Service, Minor ^{6,10}
367	21. Commercial Retail and Service, personal improvement ^{6,10}
368	22. Commercial, Resort Support ^{6,10}
369	23. Cafe or Deli ^{6,10}
370	24. Restaurant, Standard ^{6,10}
371	25. Restaurant, Outdoor Dining ¹¹
372	26. Outdoor Event ¹¹
373	27. Bar ^{6,10}
374	28. Hospital, Limited Care Facility ^{6,9}
375	29. Parking Area or Structure with five (5) or fewer spaces
376	30. Temporary Improvement ¹¹
377	31. Passenger Tramway Station and Ski Base Facility ¹²
378	32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge ¹²
379	33. Recreation Facility, Public
380	34. Recreation Facility, Commercial ⁶
381	35. Recreation Facility, Private ¹⁶
382	36. Entertainment Facility, Indoor ^{6,9}
383	37. Commercial Stables, Riding Academy ^{6,10}
384	38. Fences greater than six feet (6') in height from Final Grade

39. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹³

~~40. [Dwelling Unit, Fractional Use¹⁷]~~

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly Rental of Lockout Units requires a Conditional Use permit.

²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

³Nightly Rentals do not include the Use of Dwellings for Commercial Use.

⁴See Section 15-4-9, Child Care and Child Care Facilities

⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

⁶Subject to Master Planned Development approval. See Chapter 15-6.

⁷See Section 15-4-14, Telecommunication Facilities.

⁸See Section 15-4-13, Placement of Satellite Receiving Antennas.

⁹General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in the Chapter 15-6 Master Planned Developments, the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office use will substantially advance the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

¹⁰Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Development.

¹¹Requires an administrative Conditional Use permit.

¹²As part of an approved Ski Area Master Plan. See Section 15-4-18, Passenger Tramways and Ski Base

412 Facilities

413 ¹³Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
414 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
415 in an Area other than the original location set forth in the services agreement and/or Master Festival
416 License.

417 ¹⁴The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
418 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
419 letter.

420 ¹⁵See Section 15-4-7.1, Internal Accessory Dwelling Units.

421 ¹⁶See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

422 [¹⁷~~Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

423 HISTORY

424 *Adopted by Ord. [00-51](#) on 9/21/2000*

425 *Amended by Ord. [02-24](#) on 6/27/2002*

426 *Amended by Ord. [02-38](#) on 9/12/2002*

427 *Amended by Ord. [04-39](#) on 3/18/2004*

428 *Amended by Ord. [06-76](#) on 11/9/2006*

429 *Amended by Ord. [2018-55](#) on 10/23/2018*

430 *Amended by Ord. [2020-45](#) on 10/1/2020*

431 *Amended by Ord. [2021-38](#) on 9/23/2021*

432 *Amended by Ord. [2021-51](#) on 12/16/2021*

433 *Amended by Ord. [2022-08](#) on 4/28/2022*

434 *Amended by Ord. [2022-21](#) on 10/27/2022*

435 **15-2.16-2 Uses**

436 Uses in the RC District are limited to the following:

437 A. **ALLOWED USES.**

- 438 1. Single Family Dwelling
- 439 2. Duplex Dwelling
- 440 3. Triplex Dwelling
- 441 4. Secondary Living Quarters
- 442 5. Lockout Unit¹
- 443 6. Accessory Apartment²
- 444 7. Nightly Rental³
- 445 8. Home Occupation
- 446 9. Child Care, In-Home Babysitting⁴
- 447 10. Child Care, Family⁴
- 448 11. Child Care, Family Group⁴
- 449 12. Child Care Center⁴
- 450 13. Accessory Building and Use
- 451 14. Conservation Activity
- 452 15. Agriculture
- 453 16. Bed and Breakfast Inn
- 454 17. Boarding House, Hostel
- 455 18. Hotel, Minor
- 456 19. Parking Area or Structure with four (4) or fewer spaces
- 457 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 458 21. Food Truck Location¹²

459 B. **CONDITIONAL USES.**

- 460 1. Multi-Unit Dwelling
- 461 2. Group Care Facility
- 462 3. Public and Quasi-Public institution, church, and school
- 463 4. Essential municipal and public utility Use, facility, service, and Structure
- 464 5. Telecommunications Antenna⁶
- 465 6. Satellite dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 466 7. Raising, grazing of horses
- 467 8. Cemetery
- 468 9. Hotel, Major
- 469 10. Timeshare Project and Conversion
- 470 11. Timeshare Sales Office
- 471 12. Private Residence Club Project and Conversion⁹
- 472 13. Office, General⁸
- 473 14. Office, Moderate⁸
- 474 15. Office and clinic, Medical⁸
- 475 16. Financial institution without drive-up window⁸
- 476 17. Minor Retail and Service Commercial⁸
- 477 18. Retail and Service Commercial, Personal Improvement⁸
- 478 19. Transportation Service⁸
- 479 20. Neighborhood Market, without gasoline sales⁸
- 480 21. Café or Deli⁸
- 481 22. Restaurant, General⁸
- 482 23. Restaurant, outdoor dining^{8,9}

- 483 24. Bar⁸
- 484 25. Hospital, Limited Care Facility⁸
- 485 26. Parking Area or Structure with five (5) or more spaces
- 486 27. Temporary Improvement⁹
- 487 28. Passenger Tramway station and ski base facility¹⁰
- 488 29. Ski tow rope, ski lift, ski run, and ski bridge¹⁰
- 489 30. Outdoor Events and Uses⁹
- 490 31. Recreation Facility, Public and Private^{8, 13}
- 491 32. Recreation Facility, Commercial⁸
- 492 33. Entertainment Facility, Indoor⁸
- 493 34. Commercial Riding Stable(s), riding academy⁸
- 494 35. Heliport⁸
- 495 36. Amenities Club
- 496 37. Club, Private Residence Off-Site¹¹
- 497 ~~38. [Dwelling Unit, Fractional Use¹⁴]~~

498 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

499 is a prohibited Use.

500 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

501 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

502 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

503 ⁴See Section 15-4-9, Child Care And Child Care Facilities

504 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

505 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

506 on the original Property set forth in the services agreement and/or Master Festival License. Requires an

507 Administrative Permit.

508 ⁶See Section 15-4-14, Telecommunication Facilities

509 ⁷See Section 15-4-13, Placement Of Satellite Receiving Antennas

510 ⁸As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master

511 Planned Developments

512 ⁹Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4

513 ¹⁰As part of an approved Ski Area Master Plan

514 ¹¹Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial

515 spaces or Developments that have ten (10) or more units with approved Support Commercial space. A

516 Parking Plan shall be submitted to determine site specific parking requirements.

517 ¹²The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with

518 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval

519 letter.

520 ¹³See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

521 [~~¹⁴Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

522 HISTORY

523 *Adopted by Ord. [00-51](#) on 9/21/2000*

524 *Amended by Ord. [02-38](#) on 9/12/2002*

525 *Amended by Ord. [04-39](#) on 3/18/2004*

526 *Amended by Ord. [06-76](#) on 11/9/2006*

527 *Amended by Ord. [09-10](#) on 3/5/2009*

528 *Amended by Ord. [11-05](#) on 1/27/2011*

529 *Amended by Ord. [15-35](#) on 10/12/2015*

530 *Amended by Ord. [2018-23](#) on 5/17/2018*

531 *Amended by Ord. [2018-55](#) on 10/23/2018*

532 *Amended by Ord. [2020-36](#) on 7/30/2020*

533 *Amended by Ord. [2020-45](#) on 10/1/2020*

534 Amended by Ord. [2021-51](#) on 12/16/2021

535 Amended by Ord. [2022-08](#) on 4/28/2022

536 Amended by Ord. [2022-21](#) on 10/27/2022

537 **15-2.17-2 Uses**

538 Uses in the RCO District are limited to the following:

539 A. **ALLOWED USES.**

540 1. Secondary Living Quarters

541 2. Lockout Unit¹

542 3. Accessory Apartment²

543 4. Nightly Rental

544 5. Home Occupation

545 6. Child Care, In-Home Babysitting³

546 7. Child Care, Family³

547 8. Child Care, Family Group³

548 9. Accessory Building and Use

549 10. Conservation Activity

550 11. Agriculture

551 12. Parking Area or Structure with four (4) or fewer spaces

552 13. Recreation Facility, Private¹²

553 14. Allowed Uses in the Underlying Zoning District

554 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁴

555 16. Food Truck Location¹¹

556 B. **CONDITIONAL USES.**

557	1. Multi-Unit Dwelling ⁵
558	2. Group Care Facility ⁵
559	3. Child Care Center ^{3,5}
560	4. Public and Quasi-Public Institution, Church and School ⁵
561	5. Essential Municipal Public Utility Use, Facility, Service, and Structure ⁵
562	6. Telecommunication Antenna ⁶
563	7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁷
564	8. Plant and Nursery stock products and sales ⁵
565	9. Bed and Breakfast Inn ⁵
566	10. Boarding House, Hostel ⁵
567	11. Hotel, Minor ⁵
568	12. Hotel, Major ⁵
569	13. Private Residence Club Project and Conversion ⁹
570	14. Timeshare Sales Office, off-site ⁵
571	15. Office, General ⁵
572	16. Office, Moderate Intensive ⁵
573	17. Office, Intensive ⁵
574	18. Office and Clinic, Medical ⁵
575	19. Financial Institution, with and without drive-up window ^{5,8}
576	20. Retail and Service Commercial, Minor ⁵
577	21. Retail and Service Commercial, personal improvement ⁵
578	22. Retail and Service Commercial, Major ⁵
579	23. Transportation Service ⁵

580	24. Retail Drive-Up Window ⁸
581	25. Neighborhood Convenience Commercial ⁵
582	26. Commercial, Resort Support ⁵
583	27. Gasoline Service Station ⁵
584	28. Cafe, Deli ⁵
585	29. Restaurant, General ⁵
586	30. Restaurant, Outdoor Dining ⁹
587	31. Outdoor Event ⁹
588	32. Restaurant, Drive-up window ⁸
589	33. Bar ⁵
590	34. Hospital, Limited Care Facility ⁵
591	35. Hospital, General ⁵
592	36. Parking Area or Garage with five (5) or more spaces ⁸
593	37. Temporary Improvement ⁹
594	38. Passenger Tramway Station and Ski Base Facility ⁵
595	39. Ski tow rope, ski lift, ski run, and ski bridge ⁵
596	40. Recreation Facility, Public ⁵
597	41. Recreation Facility, Commercial ⁵
598	42. Entertainment, Indoor ⁵
599	43. Heliport ⁵
600	44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays ¹⁰
601	45. [Dwelling Unit, Fractional Use¹³]

C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly Rental of Lockout Units requires a Conditional Use permit.

²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

³See Section 15-4-9, Child Care and Child Care Facilities.

⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License.

⁵Subject to Master Planned Development approval. See Chapter 15-6.

⁶See Section 15-4-14, Telecommunication Facilities.

⁷See Section 15-4-13, Placement of Satellite Receiving Antennas.

⁸See Section 15-2.18-5 criteria for drive-up windows.

⁹Requires an administrative Conditional Use permit.

¹⁰Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

¹¹The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

¹²See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

~~¹³Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-39](#) on 9/23/2004

Amended by Ord. [06-76](#) on 11/9/2006

629 Amended by Ord. [2018-55](#) on 10/23/2018

630 Amended by Ord. [2020-45](#) on 10/1/2020

631 Amended by Ord. [2021-51](#) on 12/16/2021

632 Amended by Ord. [2022-08](#) on 4/28/2022

633 Amended by Ord. [2022-21](#) on 10/27/2022

634 **15-2.18-2 Uses**

635 Uses in the GC District are limited to the following:

636 A. **ALLOWED USES.**

637 1. Secondary Living Quarters

638 2. Lockout Unit¹

639 3. Accessory Apartment²

640 4. Nightly Rental

641 5. Home Occupation

642 6. Child Care, In-Home Babysitting³

643 7. Child Care, Family³

644 8. Child Care, Family Group³

645 9. Child Care Center³

646 10. Accessory Building and Use

647 11. Conservation Activity

648 12. Agriculture

649 13. Plant and Nursery Stock production and sales

650 14. Bed and Breakfast Inn

651 15. Boarding House, Hostel

- 652 16. Hotel, Minor
- 653 17. Hotel, Major
- 654 18. Office, General
- 655 19. Office, Moderate Intensive
- 656 20. Office, Intensive
- 657 21. Office and Clinic, Medical and Veterinary Clinic
- 658 22. Financial Institution without a drive-up window
- 659 23. Commercial, Resort Support
- 660 24. Retail and Service Commercial, Minor
- 661 25. Retail and Service Commercial, Personal Improvement
- 662 26. Retail and Service Commercial, Major
- 663 27. Cafe or Deli
- 664 28. Restaurant, General
- 665 29. Hospital, Limited Care Facility
- 666 30. Parking Area or Structure with four (4) or fewer spaces
- 667 31. Parking Area or Structure with five (5) or more spaces
- 668 32. Food Truck Location¹⁰

669 B. **CONDITIONAL USES.**

- 670 1. Single Family Dwelling
- 671 2. Duplex Dwelling
- 672 3. Triplex Dwelling
- 673 4. Multi-Unit Dwelling
- 674 5. Group Care Facility

- 675 6. Public and Quasi-Public Institution, Church, and School
- 676 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 677 8. Telecommunication Antenna⁴
- 678 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- 679 10. Timeshare Project and Conversion
- 680 11. Timeshare Sales Office, off-site within an enclosed Building
- 681 12. Private Residence Club Project and Conversion⁸
- 682 13. Financial Institution with a Drive-up Window⁶
- 683 14. Retail and Service Commercial with Outdoor Storage
- 684 15. Retail and Service Commercial, Auto Related
- 685 16. Transportation Service
- 686 17. Retail Drive-Up Window⁶
- 687 18. Gasoline Service Station
- 688 19. Restaurant and Cafe, Outdoor Dining⁷
- 689 20. Restaurant, Drive-up Window⁶
- 690 21. Outdoor Event⁷
- 691 22. Bar
- 692 23. Sexually Oriented Businesses⁸
- 693 24. Hospital, General
- 694 25. Light Industrial Manufacturing and Assembly
- 695 26. Temporary Improvement⁷
- 696 27. Passenger Tramway and Ski Base Facility
- 697 28. Ski tow rope, ski lift, ski run, and ski bridge

- 698 29. Commercial Parking Lot or Structure
- 699 30. Recreation Facility, Public
- 700 31. Recreation Facility, Commercial
- 701 32. Recreation Facility, Private⁹
- 702 33. Indoor Entertainment Facility
- 703 34. Heliport
- 704 35. Temporary Sales Trailer in conjunction with an active Building permit for
- 705 the Site.⁸
- 706 36. Fences greater than six feet (6') in height from Final Grade⁷
- 707 37. Household Pet, Boarding⁷
- 708 38. Household Pet, Daycare⁷
- 709 39. Household Pet, Grooming⁷
- 710 ~~40. [Dwelling Unit, Fractional Use¹⁴¹]~~

711 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

712 is a prohibited Use.

713 ¹Nightly rental of Lockout Units requires Conditional Use permit.

714 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

715 ³See Section 15-4-9, Child Care and Child Care Facilities.

716 ⁴See Section 15-4-14, Telecommunication Facilities.

717 ⁵See Section 15-4-13, Placement of Satellite Receiving Antennas.

718 ⁶See Section 15-2.18-6 for Drive-Up Window review.

719 ⁷Requires an Administrative Conditional Use permit.

720 ⁸See Section 15-4-16 for additional criteria.

721 ⁹See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

722 ¹⁰The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with

723 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
724 letter.

725 ~~[¹⁴Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.]~~

726 HISTORY

727 *Adopted by Ord. [00-51](#) on 9/21/2000*

728 *Amended by Ord. [04-39](#) on 9/23/2004*

729 *Amended by Ord. [06-76](#) on 11/9/2006*

730 *Amended by Ord. [14-57](#) on 11/20/2014*

731 *Amended by Ord. [2018-55](#) on 10/23/2018*

732 *Amended by Ord. [2020-45](#) on 10/1/2020*

733 *Amended by Ord. [2021-51](#) on 12/16/2021*

734 *Amended by Ord. [2022-08](#) on 4/28/2022*

735 *Amended by Ord. [2022-21](#) on 10/27/2022*

736 ~~[15-4-23 Dwelling Unit, Fractional Use~~

737 ~~Planning staff shall evaluate the Fractional Use Applications, and shall find compliance~~
738 ~~with the following:~~

739 ~~A. The following are prohibited:~~

740 ~~1. Nightly Rentals;~~

741 ~~2. On-Street Parking;~~

742 ~~3. Outdoor display of goods and merchandise;~~

743 ~~4. Signs;~~

744 ~~5. Commercial uses.~~

~~B. The Applicant submits a Management Plan describing the satisfactory level of management and maintenance of the Dwelling Unit, Fractional Use that addresses the following:~~

- ~~1. A designated responsible party that is a property management company, realtor, lawyer, owner, or another individual, who resides within a one-hour drive of the property, or, in the case of a company, has offices in Summit County, Utah. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of the receipt of such inquiries. The responsible party is also designated as the agent for receiving all official communications.~~
- ~~2. Snow removal during winter months to a level that allows safe access to the Dwelling Unit over the normal pedestrian access.~~
- ~~3. Snow removal service to off-street parking associated with the property to ensure parking is available for owner use at all times.~~
- ~~4. Summer yard maintenance, including landscaping, weed control, and irrigation to a level that is consistent with the level of landscaping and maintenance on adjoining and nearby properties.~~
- ~~5. Structural maintenance to preserve substantial code compliance.~~
- ~~6. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties.~~

- ~~7. Trash collection which ensures that trash cans are not left at the curb for any period in excess of 24 hours; the property must be kept free from accumulated garbage and refuse.~~
- ~~8. Noise and Occupancy Control—Property management and owners are responsible for regulating the occupancy of the property and noise created by occupants. Violation of the Noise Ordinance in Municipal Code of Park City Chapter 6-3, violation of occupancy loads, failure to use designated off-street parking, illegal conduct, or any other abuse, which violates any law regarding use or occupancy of the property is grounds for revocation.~~
- ~~9. Information on the proposed Fractional Use, including:~~
- ~~1. A description of the method of management of the Fractional Use.~~
 - ~~2. Any restrictions on the use or occupancy of the Dwelling Unit and property.~~
 - ~~3. Any additional documentation the Applicant or City staff deem reasonably necessary to evaluate the Fractional Use.~~
- ~~10. An active Business License for the fractional ownership company.~~

~~HISTORY~~

~~Adopted by Ord. 2022-21 on 10/27/2022]~~

~~**15-15-1 Definitions**~~

~~. . .~~

~~**[DWELLING UNIT, FRACTIONAL USE.** Any Dwelling Unit which is owned by a limited liability company, corporation, partnership, or other joint ownership structure in which unrelated persons or entities own, sell, purchase or otherwise for consideration create~~

789 ~~or acquire any divided property interest including co-ownership or fractional or divided~~
790 ~~estates, shares, leaseholds, or memberships which are subject to, or subsequently~~
791 ~~bound by any agreement limiting interest holders' or their designees' right or functional~~
792 ~~ability to occupy or use the property to their respective interests or any other agreement~~
793 ~~which limits interest holders' or their designees' use of the property to fractional~~
794 ~~reservations through stay limitations of any duration. Fractional Use is established by~~
795 ~~any of the following elements : co-ownership or fractional or divided estates, shares,~~
796 ~~leaseholds, or memberships which are openly advertised, marketed, or offered for sale~~
797 ~~and sold individually at separate times; centralized or professional management;~~
798 ~~reservation systems; maximum or minimum day limits on each interest holder's~~
799 ~~occupancy or use of the property; or management fees reflective of interval use or~~
800 ~~ownership, irrespective of whether the agreement may be canceled individually or by~~
801 ~~any party. This definition shall not include non-commercial groups such as families,~~
802 ~~partnerships, associations, or trusts with divided interests or agreements in which the~~
803 ~~real estate is held and transferred within the family, partnership, association, or trust as~~
804 ~~opposed to sold on the free market for commercial purposes.]~~
805

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: OLD BUSINESS

Subject:

Discuss a Request from the Kimball Art Center (KAC) for a Five-Year Special Event License/City Service Agreement for the Park City Kimball Art Festival (KAF)

(A) Public Input

Suggested Action:

Attachments:

[KAC Future Agreement Staff Report](#)

[Exhibit A: KAC Letter of Request for KAF Future Agreement](#)

[Exhibit B: KAC Economic and City Service Fee Comparison 2018 to 2023](#)

City Council Staff Report

Subject: Park City Kimball Arts Festival Future Agreement
Author: Jenny Diersen
Department: Special Events
Date: April 27, 2023
Type of Item: Work Session

Recommendation

Consider a request from the Kimball Art Center (KAC) for a five-year Special Event License/City Service Agreement (Agreement) for the Park City Kimball Art Festival (KAF/Festival), as outlined in **Exhibit A**.

Based upon Council feedback, we will return at a future meeting with a final Agreement for action.

Executive Summary

The KAF began in 1969 when a group of local Park City artists came together to launch an open-air market on Main Street. Over time as the Festival grew, considerable adjustments were made to reduce scope and costs, protect residential areas, and align with the shifting priorities of the Historic Park City Alliance (HPCA) and community. Today, with nearly 200 artists, the Festival is held for three days and serves as Kimball Art Center's (KAC) primary fundraiser, accounting for more than 40% of its annual operating budget.

Festival proceeds help provide free year-round exhibitions and low-cost art programs in Park City. Annually, the KAC presents a Supplemental Special Event Plan to outline Festival changes and debrief economic impact and community benefits. A complete Festival history is [linked here](#) and economic reports provided by KAC from 2022 to 2016 can be found [here](#).

The most recent [KAF Agreement](#) was approved on November 3, 2016, was extended twice, and expires on August 15, 2023, after the 2023 Festival.

- On July 15, 2021 ([report](#) p. 259, [minutes](#) p. 13), Council approved a one-year extension for the 2022 Festival as neither KAC nor the City was ready to consider a new contract during the pandemic recovery.
- On May 26, 2022 ([report](#) p. 5 / [minutes](#) p. 1), in anticipation of the Agreement expiring, Council held a Work Session to discuss the importance of local artists, increase evening vibrancy, and fee waivers. Council asked the KAC to continue providing economic impact reports and a desire to continue contract discussions after conducting community outreach and surveys.
- On October 27, 2022 ([report](#) p. 174/ [minutes](#) p. 6), Council held a work session to review a debrief of the 2022 Festival and community outreach. Council supported a long-term Agreement and requested a one-year contract extension while further evaluating the economic benefits and future subsidies.
- On December 8, 2022 ([report](#) p. 368 / [minutes](#) p. 10), Council extended the Agreement through 2023 and outlined a timeline for the next steps.

Park City uses formal Agreements to manage significant special events that provide economic, community, and cultural value. Agreements provide a clear scope of services and predictability for each party, including:

- City Services and costs;
- Financial assistance or monetary exchange;
- Lease terms including City Property or Facilities;
- Locked-in Event dates over the term of the Agreement;
- Required performance measures; and
- Economic impact studies.

Analysis

The Special Events Department met with KAC and Council Liaisons to review KAC's proposal (**Exhibit A**), including:

- Name of the Event: The name remains "Park City Kimball Arts Festival" to honor the festival's beginnings and long-standing partnership with Park City Municipal.
- Venue and Use Areas: Main Street and the surrounding side streets will remain the KAF venue. Acknowledging there may be significant development projects (two ski resort base area developments and Park City School District) in the future that may impact operations and transportation, KAC requests the City support ongoing Festival operations during construction and work with KAC to find alternative offsite parking with transit options.
- Contract Length, Dates, and Conflicts: KAC requests a five-year contract (2024 to 2028). The KAF will remain on the first weekend in August, except 2026, when KAC will move one week later to address a conflict with the Extreme Soccer Tournament.
 - o August 3 to 5, 2024
 - o August 1 to 3, 2025
 - o August 7 to 9, 2026
 - Extreme Soccer Tournament will be held July 30, 31, and August 1
 - o August 6 to 8, 2027
 - o August 5 to 7, 2028
- Festival Hours: The KAF will continue set up, which includes parking removal and other operations, the Monday before the Festival. The breakdown will complete by midnight on Sunday evening. KAF hours stay the same - Friday from 5:00 to 9:00 p.m., Saturday from 10 a.m. to 8 p.m., and Sunday from 10 a.m. to 6 p.m.
- Demonstrated Measures of Success: Social Equity (DEIA): The KAC plans to:
 - o Maintain a minimum of 10 artists from the Wasatch Back;
 - o Continue improving the Emerging Artist Program to support artists in the beginning stages of their careers and break down financial and social barriers surrounding participation. KAC assumes all costs for the program;
 - o Continue providing diverse culinary offerings and reduce participation fees for vendors with financial barriers;
 - o Continue offering free Festival admission to Summit County residents on Friday night. To recognize the increased cost of living and the many that work on Main Street but do not live in Summit County, starting in 2023, KAC will extend locals free admission to Main Street employees regardless of Summit County residency.

- o Continue developing programs that target organizations and underserved populations in Summit County. In 2022, KAC donated 100 wristbands to the Solomon Fund giving 100 children and guardians free attendance.
 - o Make ongoing efforts to translate all materials to Spanish to better serve our Spanish-speaking population. KAC is also working on providing American Sign Language interpreters.
- Sustainability and Transportation:
KAC is committed to sustainability measures to improve sustainability practices. This includes:
 - o Promote public transportation to the arts festival;
 - o Host a bike valet each day of the event; and
 - o Report pounds of glass, mixed recycling, compost, and landfill waste produced throughout the event, creating a consistent year-over-year analysis.
- Event/ Economic Impact Survey: KAC will conduct a third-party survey regarding attendance and spending demographics. The City outlined metrics for special event reporting, including attendance, change over total attendance and local (Wasatch Back) attendance, annual survey sentiment regarding event support, and City funding.
- Parking Areas:
The 2016 contract does not outline all of the parking areas vital for Festival operations. KAC requests the new agreement outline the use of the roof of China Bridge, the flagpole lot, Bob Wells Plaza, the south side of China Bridge, and public parking along Swede Alley. This is in addition to the removal of parking on Main Street, Park Avenue, and Brew Pub Lot that is required for Festival operations.
- City Services:
KAC requests the current City Service Fee waiver of up to \$180,000, and KAC will contribute \$10,000 annually toward the cost of services (refer to **Exhibit B** for KAC Economic and City Service Fee Summary 2018 to 2023).
- Outreach:
We conducted significant outreach last summer regarding a future agreement as outlined on October 27, 2022, City Council report ([report](#) p. 174/ [minutes](#) p. 6). More than 560 people took the survey and 75% agreed with the hours, days, and weekend of the event. We understand HPCA is supportive of the event continuing based on their from October as well.

Financial Analysis:

In preparation for this conversation, Special Events asked all departments to analyze potential fees over the next five years deeply. Based on the analysis, City service fees and hard costs are estimated at \$172,388 (detail below). Specifically, increases are anticipated in Parking Services (parking removal), Emergency Management (mobile command), Kane Security (residential protection, bollard installation, and taxi management), Trash and Recycling (extra dumpsters), and Community Engagement (Impact Notices and boots on the ground outreach).

Some of these costs have been approved in Supplemental plans, while others have not been tracked closely in previous years and are not necessarily new. As we work on a

new agreement, we strive to make sure all potential costs are included and transparent. As a result, we rounded up to \$180,000 based on the likelihood of minor annual adjustments. We report actual fees each year during the Supplemental Plan and annual debrief.

Event Costs 2022 Actual & 2023 Estimate			
Cost Item	2022 Actual	2023 Estimate	Notes
Special Event Application Fee	\$640	\$1,038	This is the new updated Special Event Fee at the CIE rate, which we anticipate being adopted by June. Do we want this to reflect actual the \$10,380 cost for a Level 5 permit review?
Fire & Building Permit	\$218	\$1,900	This will include after hours fees and time for staff to do inspections. That is not currently being charged.
Parking Services - Removal of Parking	\$10,000	\$10,000	Per current fee schedule - remove parking for 3 days on Main Street
Parking Services - Parking Spaces	\$0	\$36,000	\$30/day for 400 parking spaces for 3 days - Swede Alley Surface, Bob Wells, Flagpole, Wasatch Brew Pub, China Bridge
Building Maintenance	\$1,500	\$3,000	Extra restroom cleanings. Arts Fest pays separately for increased trash removal on Main Street through a contractor.
Transit Operations	\$21,987	\$25,000	\$150/hour rates estimate. Includes golf carts = \$21,987. Rounded up incase adjustments are needed.
Banner Installation	\$5,300	\$3,000	Actual cost is \$2,872, because a UDOT permit was not required due to Park's coordination.
Public Safety - Police	\$38,625	\$55,000	Estimate of cost of all positions were filled + added earlier hours for Swede/Heber intersection.
Mobile Command	\$0	\$450	Per Fee Schedule
Equipment & VMS	\$3,000	\$13,000	Public Works estimate includes type 1, bus lane and equipment including VMS + PW man hours to implement. (Actual is \$12,032, but rounded up).
Kane Security	\$0	\$20,000	Hard Cost - Residential, Taxi and Bollard Management
Trash & Recycling Services	\$0	\$2,000	Hard Cost - Extra Dumpsters and Increased Dumps

Community Engagement & Outreach	\$0	\$2,000	For Event Impact Notices, Impact Map and Boots on the Ground Outreach
Total	\$81,270	\$172,388	

KAC provided a third-party analysis of the economic impact reviewed by Council on October 27, 2022 ([report](#) p. 174/ [minutes](#) p. 6). After an internal evaluation, we believe KAF produces about \$100,000 in additional sales tax revenues to the City. In 2022, KAC received an average of \$179,398 in grants from Summit County, some of which require out-of-area marketing as an obligation in return for funding.

Summary:

We request City Council provide direction on the following items:

- Is City Council supportive of the terms as outlined by KAC or do they desire additional changes?
- Does City Council support a waiver of City Services up to \$180,000, with KAC paying \$10,000 regardless of the total amount. \$100K is covered by direct economic benefit to the City, while up to \$80,000 (minus annual payment) would be a direct subsidy.

Funding

Funding for City Service Fees are budgeted within department budgets. Any invoiced special event fees go to departmental budgets within the General Fund.

Exhibits

- A KAC Letter of Request for KAF Future Agreement
- B KAC Economic and City Service Fee Summary 2018 to 2023



Park City Municipal
445 Marsac Ave.
Park City, UT 84060

March 17, 2023

To the Special Events Department,

Kimball Art Center (KAC) is looking to renew the Park City Kimball Arts Festival's (PCKAF) multi-year city service contract with Park City Municipal Corporation (PCMC), effective for the 2024 festival. Our current contract, a one-year extension from our 2016-2021 contract (no festival in 2020), expires after this summer's festival, August 4-6, 2023.

After reviewing feedback surveys conducted by city staff, participating in open houses hosted by PCMC, and listening to public comment given at city council meetings, it is clear that the Park City Kimball Arts Festival is an integral piece to Park City's cultural community. While Park City has long offered a connection point through outdoor recreation, the Park City Kimball Arts Festival creates an opportunity for both residents and tourists to connect through art. Without the Park City Kimball Arts Festival, local, national, and international artists lose an important venue to connect with audiences and Park City residents and visitors lose the opportunity to experience the unique celebration of Park City's art community.

In addition to contributing to Park City's cultural fabric during the festival weekend, the Park City Kimball Arts Festival has year-long impacts through its host organization, the Kimball Art Center. By hosting the Park City Kimball Arts Festival, KAC raises significant revenue that is used to run KAC's exhibition space and education department. Through its arts education programs, KAC reaches all of the Park City School District's children to offer a robust arts education curriculum, a subject that is not funded by the state. KAC also continues to grow its exhibition program, providing locally renowned and nationally recognized artists an opportunity to connect with Park City audiences. In addition, KAC offers hundreds of classes, studio time, workshops, and opportunities for the professional and personal advancement of our adult community members, including a robust cohort of seniors. The Park City Kimball Arts Festival enables our community members to live their fullest and most creative lives.

Kimball Art Center is asking the city council to support the arts. The following contract terms, both new and existing terms from the previous contract, proposed by Kimball Art Center will help PCMC achieve their sustainability, transportation, and social equity goals as well as allow Kimball Art Center to continue serving the Park City community through its mission: to inspire, educate, and connect through art.

1. **Name of Event:** The official name of the arts festival will remain the Park City Kimball Arts Festival to honor the festival's grassroots beginnings by the Park City artist community and Kimball Art Center's long standing partnership with Park City Municipal Corporation.
2. **Venue and Use Areas:** Historic Main Street and the surrounding side streets will remain the festival venue. KAC acknowledges that there may be significant development projects in the future that will impact additional use areas. These may include but are not limited to Deer Valley Resort parking lots, Park City Mountain Resort parking lots, and the Park City High School parking lots, areas that KAC relies on for off-site festival parking. KAC asks that the council

support ongoing festival operations during these discussions and construction periods and actively work with KAC to find other off-site parking options if needed in order to fulfill permit requirements. KAC recognizes this potential challenge and KAC will work with city staff and council to mitigate festival, resident, and tourism impacts during these construction periods.

3. **Contract Length and Dates:** 5 year contract term to host the arts festival on the first full weekend in August. Full weekend is defined as both Saturday and Sunday falling in August. The only exception to this will be the 2026 festival, which will be moved to the second full weekend in August to accommodate the Extreme Soccer Tournament.
 - a. August 3-5, 2024
 - b. August 1-3, 2025
 - c. August 7-9, 2026
 - d. August 6-8, 2027
 - e. August 5-7, 2028
4. **Festival Hours:** As in the previous contract, the festival hours will remain Friday: 5-9pm, Saturday 10am-8pm, and Sunday 10am-6pm. Main Street and surrounding side streets will close at 3am on Friday to allow for event set-up. Main Street and surrounding side streets will be cleared of all festival equipment and reopen to the public by Sunday at 11:59pm, if not earlier. The Main Street reopen time is listed as 10pm in the previous contract, however this has been changed to 11:59pm in the supplemental plan since 2019. Additional closures of parking lots, city property, and private property will be approved by city council. KAC will continue to work with PCMC to minimize street closure impacts to Park City residents and business owners.
5. **Demonstrated & Measured Success - Social Equity (DEIA):** KAC acknowledges PCMC's commitment to social equity and as such, KAC would like to align with PCMC to support city council's diversity, equity, inclusion, and access goals through the PCKAF. KAC believes accountability is a cornerstone of success and would like to incorporate social equity goals into the festival's measured success.
 - a. KAC will maintain a minimum of 10 participating artists from the Wasatch Back (Summit and Wasatch Counties) per festival. The final number is greatly dependent on the artists that apply to the festival and KAC will strive to keep this number as high as possible without compromising the overall quality of work presented at the festival.
 - b. KAC will continue to improve the Emerging Artist Program, a program that provides support to artists in the beginning stages of their careers via mentorship, media recognition, and financial support. This program is currently in the pilot stage and aims to help break down financial and social barriers surrounding festival participation. KAC assumes all costs associated with this program including waiving or reducing festival participation fees.
 - c. KAC will continue to seek out food vendors who offer a wide range of cuisine from various cultural backgrounds. If necessary, KAC will reduce fees associated with festival participation if a vendor communicates a financial barrier. KAC will absorb any loss of income.
 - d. KAC is committed to continue offering free festival admission to Summit County locals on Friday night. Depending on the year, this costs KAC approximately \$40,000-\$65,000 in admissions income. KAC also acknowledges that the cost to live in Summit County has risen dramatically since our last contract negotiation and that many people who work on Main Street do not live in Summit County. Starting in 2023, KAC will extend Locals Night free admission to all Main Street employees regardless of Summit County residency.

KAC will take on all additional costs for this which may include admissions income loss, increased security costs, additional gate equipment costs and staffing costs.

- e. Beginning in 2022, KAC donated Saturday and Sunday festival wristbands to the Solomon Fund, giving 100 children and adult guardians the opportunity to attend the PCKAF free of cost. KAC is committed to expanding this program to organizations that target other populations in Summit County and will absorb the associated loss of admissions income.
 - f. KAC looks forward to continuing efforts to translate all materials (signs, instructions, gate talking points, etc.) to Spanish to better serve our Spanish speaking population. KAC is also working towards incorporating additional translations including ASL interpreters. KAC will take on all costs associated with translations and interpreters including contract fees and additional printing costs.
6. **Sustainability and Transportation:** KAC supports the city council's sustainability and transportation goals for Park City. KAC is committed to the below sustainability measures as well as continuing the conversation with PCMC staff and other organizations on how to improve our sustainability practices. KAC acknowledges that there is a lot more work to be done and asks for council's support while we navigate the financial challenges associated with additional changes.
- a. Promote use of public transportation to the arts festival and throughout Park City as well as Park City's walkability
 - b. Host a bike valet each day of the festival
 - c. Report pounds of glass, mixed recycling, compost, and landfill waste produced throughout the festival weekend creating consistent year over year data analysis. This will require a larger investment from KAC in equipment, contract services, printing costs, and staffing.
7. **Event Survey:** KAC will continue to conduct a third party survey to report on attendance demographics and spending estimates. KAC will work with PCMC on survey questions to ensure the correct information is collected needed to calculate the festival's economic impact. This survey will be completed at KAC's expense.
8. **Parking Areas:** KAC asks that the parking areas be changed to the top level of China Bridge parking garage, the flagpole lot, Bob Well's Plaza, the south side of China Bridge parking garage, and public parking spaces along Swede Alley. These are the lots that have been used for festival parking (artists, operations set-up, etc.) for the past three festivals even though the current contract lists the upper and lower Sandridge parking lots and the top level of the China Bridge garage as festival parking areas. As in the past, KAC will continue to work with PCMC to determine the best use of parking areas for each festival.
9. **City Services:** KAC requests that PCMC maintain the current service waiver of up to \$180,000 for basic city services previously established in the existing contract. KAC will continue to contribute \$10,000 cash towards these fees. After reviewing the updated expected costs of basic city services for the 2023 festival, which includes increases in application fees, parking service fees, building maintenance, security costs, and equipment costs, KAC has determined that a \$180,000 city service waiver is necessary to sustain the festival. A reduction in the city service waiver value or services included will cause negative impacts to festival operations, sustainability work, and social equity initiatives, as well as cause year-round impacts to the arts education programming the Kimball Art Center provides to the community, programs which are directly funded by the arts festival's net income.



All of the above terms have been considered with financial and social implications in mind. Kimball Art Center looks forward to working with the Park City Municipal Corporation and the Park City community to create a culturally rewarding and sustainable arts festival experience. KAC believes the terms presented above will strengthen our community's relationship to arts and culture and bring the council closer to achieving their strategic goals.

Please advise on next steps. We appreciate your time, consideration, and continued service and support.

Sincerely,

Aldy Milliken

Aldy Milliken
Executive Director
Kimball Art Center

Hillary Gilson

Hillary Gilson
Arts Festival Director
Kimball Art Center

From: Hillary Gilson <hillary.gilson@kimballartcenter.org>
Sent: Tuesday, April 18, 2023 2:27 PM
To: Jenny Diersen <jenny.diersen@parkcity.org>
Cc: Aldy Milliken <aldy.milliken@kimballartcenter.org>
Subject: [External] Grant Financials - AF/KAC 2022

Hey Jenny,

Below are the grant financials for 2022. I've included information for specific arts fest grants, grants that are hybrids (support other KAC programs/departments as well), and some additional information on our overall grant funding numbers. Let me know if you have any questions!

Kimball Art Center received a total of \$404,851.12 from granting entities for 2022 operational and programming support. Between the Chamber of Commerce Sustainable Tourism Grant, the Summit County RAP Tax grant, and the Summit County Restaurant Tax grant, Kimball Art Center received \$179,398 of grant funding in 2022 from Summit County.

Grants used specifically for arts festival support:

2022 George and Dolores Eccles Grant: \$10,000

- Restricted use for music/dance performance related expenses, culturally focused

Chamber of Commerce Sustainable Tourism Grant: \$12,000

- Funded by Summit County tax dollars

Summit County RAP tax: \$102,398 total KAC support

- \$15,000 allocated to specifically support Local's Night, remaining supports education and exhibition programming and KAC operational costs

Summit County Restaurant Tax: \$65,000 total KAC support

- \$15,000 specifically funds arts festival marketing, remaining supports marketing for other KAC events, exhibition programming, and education programming

Utah Office of Tourism: \$43,544 total KAC support

- Approximately \$21,000 specifically funded arts festival marketing to in-state and out-of-state visitors. Please note, we are still in the reporting process for this grant, so this is not a final number. The remaining funds were used for exhibition marketing.

--



Hillary Gilson
Arts Festival Director
435-649-8862

630 North Woodward,
Park City, UT 84060
kimballartcenter.org

Kimball Art Center

Exhibit B KAC Economic and City Service Fee Summary 2018 to 2023					
Item	2018	2019	2021	2022	2023 Estimate
Contract Term	5 year + 2, 1 year extensions (2017 to 2023, no event in 2020 due to pandemic)				
Number of Days	3	3	3	3	3
Attendance					
Total Attendance	49,921	53,550	26,853	29,059	TBD
Locals Tickets	4,286	7,145	4,576	6,385	TBD
Top State Attendance	Utah	Utah	Utah	Utah	TBD
Top 4 States Attendance	California, Texas, Floridia, Arizona	California, Texas, Florida, Arizona	California, Texas, Florida, Arizona	Texas, California, Florida, Arizona	TBD
Economic Impact					
Overall Economic Impact	\$23,314,237	\$26,366,146	\$14,079,909	\$23,282,294	TBD
Estimated Park City Taxes	\$233,142	\$263,661	\$267,518	\$442,363	TBD
Average Spending Per Person	\$915	\$492	\$1,521	\$1,208	TBD
Number of Artists					
Total Artist Represented	227	218	191	184	TBD
Wasatch Back	NA	NA	17	14	TBD
In State	52	NA	29	34	TBD
Out of State	175	NA	145	150	TBD
Sustainability Measures					
Recycled/Composted	NA	NA	12,112 lbs	965 lbs	TBD
Transportation Measures					
Bike Valet Total	NA	NA	NA	450	TBD
Parking Rate	\$5/hr, max \$18	\$5/hr, max \$18	\$5/hr, max \$18	\$7/hr, max \$30 from 10:00 to 4:00 p.m.	TBD
Parking Occupancy	85% or higher	85% or higher	85% or higher	85% or higher	TBD
Transit Ridership	35,765	34,426	21,280	29,059	TBD
Fees and Costs					
Annually Fees Waived Up To	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000
Actual Fees	\$148,288	\$152,552	\$149,095	\$81,270	TBD
Fees Paid to City Annually	\$10,000	\$10,000	\$10,000	\$10,000	TBD
Detailed Fees					Notes
Special Event Application Fee	\$160	\$640	\$640	\$640	\$1,038 This is the new updated Special Event Fee at the CIE rate, which we anticipate being adopted by June. Do we want this to reflect actual the \$10,380 cost for a Level 5 permit review?
Fire & Building Permit	\$203	\$203	\$218	\$218	\$1,900 This will include after hours fees and time for staff to do inspections. That is not currently being charged.
Parking Services - Removal of Parking	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000 Per current fee schedule - remove parking for 3 days on Main Street
Parking Services - Parking Spaces	\$0	\$0	\$0	\$0	\$36,000 \$30/day for 400 parking spaces for 3 days - Swede Alley Surface, Bob Wells, Flagpole, Wasatach Brew Pub, China Bridge
Building Maintenance	\$1,500	\$1,500	\$1,500	\$1,500	\$3,000 Extra restroom cleanings. Arts Fest pays separately for increased trash removal on Main Street through a contractor.
Transit Operations	\$70,000	\$72,473	\$72,473	\$21,987	\$25,000 \$150/hour rates estimate. Includes golf carts = \$21,987. Rounded up incase adjustments are needed.
Banner Installation	\$800	\$800	\$5,300	\$5,300	\$3,000 Actual cost is \$2,872, because a UDOT permit was not required due to Park's coordination.
Public Safety - Police	\$62,625	\$66,937	\$55,963	\$38,625	\$55,000 Estimate of cost of all positions were filled + added earlier hours for Swede/Heber intersection.
Mobile Command	\$0	\$0	\$0	\$0	\$450 Per Fee Schedule
Equipment & VMS	\$3,000	\$0	\$3,000	\$3,000	\$13,000 Public Works estimate includes type 1, bus lane and equipment including VMS + PW man hours to implement. (Actual is \$12,032, but rounded up).
Kane Security	\$0	\$0	\$0	\$0	\$20,000 Hard Cost - Residential, Taxi and Bollard Management
Trash & Recycling Services	\$0	\$0	\$0	\$0	\$2,000 Hard Cost - Extra Dumpsters and Increased Dumps
Community Engagement & Outreach	\$0	\$0	\$0	\$0	\$2,000 For Event Impact Notices, Impact Map and Boots on the Ground Outreach
Total	\$148,288	\$152,553	\$149,094	\$81,270	\$172,388

City Council Staff Report



Subject: Bransford Parcels Rezone
Application: PL-21-05042
Author: Alexandra Ananth, Sr. Planner
Date: April 27, 2023
Type of Item: Legislative - Zoning Map Amendment

Recommendation

Consider a request to (I) review Ordinance 2023-03, a Zoning Map Amendment to rezone six (6) acres from Recreation and Open Space (ROS) to Estate (E) for a portion of PCA-S-79-C; (II) Hold a Public Hearing; and (III) Consider approving Ordinance 2023-03.

Description

Applicant: Anne Bransford, Bransford Land Company LLC represented by Jeffrey Kuhn, Kuhn Company
Location: Parcels: PCA-S-79-C & PCA-S-79-B
Existing Zoning: Recreation and Open Space, Sensitive Land Overlay
Proposed Zoning: Estate, and Recreation and Open Space and Sensitive Land Overlay with a Conservation Easement at Subdivision
Adjacent Uses: Deer Valley Resort, Ski and Bike Trails, Red Cloud Subdivision, Open Space
Reason for Review: Rezone Applications Require a Planning Commission Recommendation and City Council Action.¹

1999 DA	1999 Flagstaff Development Agreement
2007 DA	2007 Amended Flagstaff Development Agreement
E	Estate
LOD	Limits of Disturbance
LMC	Land Management Code
MPD	Master Planned Development
RD	Residential Development
ROS	Recreation Open Space
SFD	Single Family Dwelling
SLO	Sensitive Land Overlay
UPCM	United Park City Mines

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

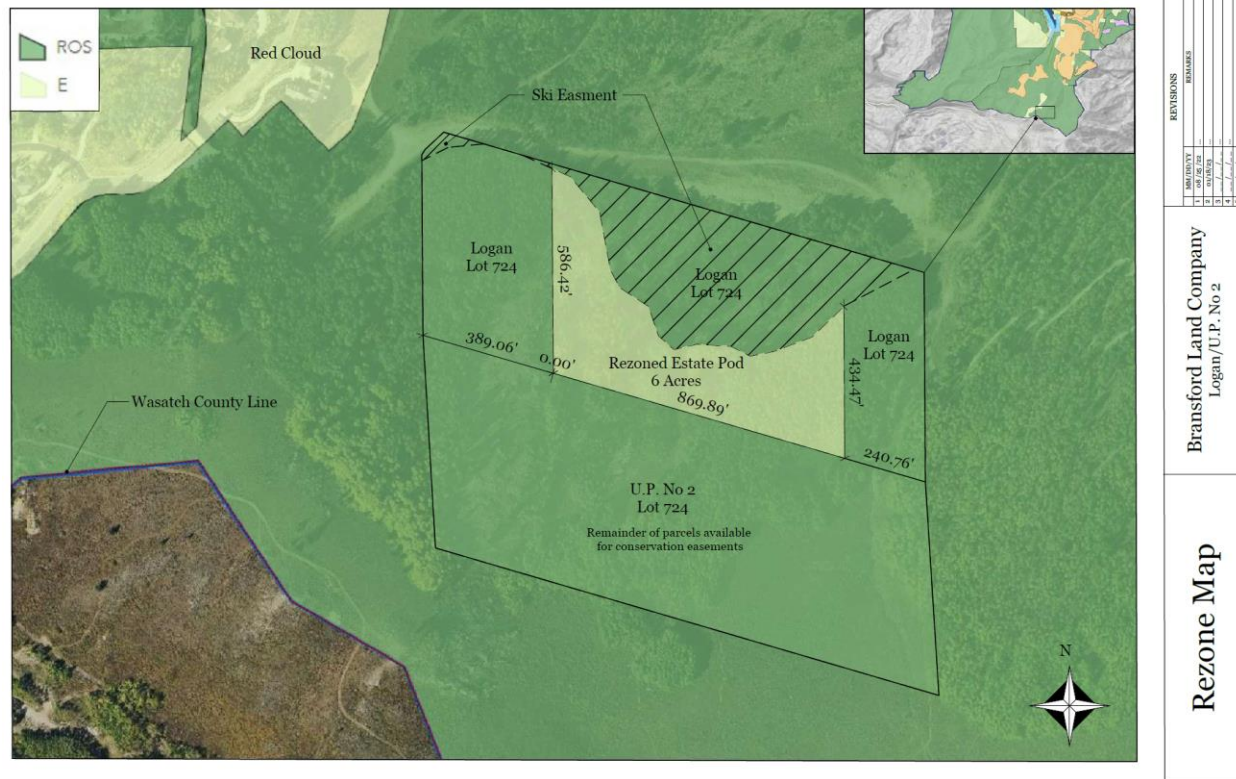
¹ LMC [§ 15-1-7](#)

Summary

This item was continued from the January 24, 2023, Council Meeting ([Staff Report, Minutes](#) beginning on p. 5). Council requested additional examples of instances where re-zoning applications were processed prior to subdivision.

The Applicant is proposing to rezone two three-acre “pods” from Recreation Open Space (ROS), where no residential Density is permitted, to Estate (E), to eventually develop one (1) Single-Family Dwelling (SFD) per pod, for a total of two (2) units on the 39.62-acre site. The parcels include:

- PCA-S-79-C (also known as the Logan Parcel), 19.80 acres
- PCA-S-79-B (also known as the U.P. No. 2 Parcel), 19.82 acres



Proposed Zone change - 6 Acres (Shown in Exhibit B)

The Applicant is requesting an incremental approval process, starting with a Rezone, with a maximum density of two (2) SFDs, prior to seeking approval for a two-Lot Subdivision for two SFDs. The City's Land Management Code (LMC) allows this incremental approval process. The site-specific related challenges anticipated in the subdivision process are supported by Conditions of Approval in the attached Draft Ordinance.

If the City Council approves the Re-zone and establishes the limited Density requested for the parcels and the Applicant can secure an access easement to the pods, the Applicant will initiate the process for a Subdivision Plat, which will require review by the Planning Commission and Action by City Council. The Applicant has proposed Condition of Approval 13 to state "The approval of this Zone Change is subject to a two-year Sunset Clause. If the Applicant has not

received an approval for a Subdivision Plat within the allotted amount of time from date of a City Council action, the Zoning will revert to Recreation and Open Space (ROS).” Alternatively, the Condition of Approval 13 could be written that upon the approval of a Subdivision Plat for two (2) Units, six (6) of the 40 acres shall be re-zoned from ROS to E, essentially creating a springing zone change that would go into effect only if the subdivision is approved in the next two years.

The Planning Commission and Council held the following meetings to review the Applicant’s request:

April 13, 2022	The Planning Commission held a Work Session to provide preliminary input and identify additional analysis that would be required to make an informed recommendation on the rezone. (Staff Report , Minutes)
June 8, 2022	The application was continued to June 15, 2022 due to a lengthy Planning Commission Agenda. (Staff Report , Minutes)
June 15, 2022	The Planning Commission held a Work Session on the application and continued the item to August 10, 2022. (Staff Report , Minutes)
August 10, 2022	The Planning Commission continued the Work Session. (Staff Report , Minutes)
November 9, 2022	The Planning Commission opened a Public Hearing and continued the item to December 14, 2022. (Staff Report , Minutes)
December 14, 2022	The Planning Commission continued the Public Hearing and voted 4-2 to recommend the Rezone to City Council for consideration on January 24, 2023. The Commissioners who voted against the recommendation had concerns with the incremental approval process the Applicant is seeking and that the Rezone may be premature without clear access to the lots. (Staff Report , Minutes). Public input included concern that the application was premature without proper access. Numerous revisions were made to the Conditions of Approval at the Planning Commission meeting as reflected in the Minutes p. 15 and final Draft Ordinance.
January 24, 2023	The City Council opened a Public Hearing and voted to continue the item to a date uncertain (Staff Report , Minutes). Councilors requested information on other instances where a re-zone was approved prior to Subdivision approval.



Image provided by the Applicant to provide overview of the area in which the parcels lie.

Background

The Applicant has owned percentages of the Logan and U.P. No. 2 mining claims for approximately 97 years, which are located on the east slope of Flagstaff Peak, just north of the Wasatch County line in Summit County. Previous percentages of ownership of the mining claims belonged to United Park City Mines Company (UPCM). In 2016, the Applicant (Bransford Land Company), acquired 100% ownership of each parcel.

As of 1998, before the parcels were annexed into Park City, Summit County zoned the parcels Mountain Remote, which allowed a base density of one (1) dwelling unit per 20-40 acres. At the time, this was the maximum allowed density, and an additional proposal of density would require a Special Plan Development, which is a proposal by the developer to the county to outline density in a form that would be beneficial to the community.

Under the Summit County regulations, the Applicant may have had zero units of density allocated to the land or up to seven or eight units, depending on the proposals and their compliance with the Snyderville Basin Development Potential Matrix 2.3.F(1).

In 1999, the Bransford Parcels were included in the 1,750 acres of property in unincorporated Summit County that were annexed into Park City Municipal under the 1999 Flagstaff Development Agreement (1999 DA). However, the Applicant (the Bransfords) did not sign the Flagstaff Development Agreement (later, the [2007 Amended Flagstaff Development Agreement \(2007 DA\)](#)).

At the time of the annexation, the Bransford Parcels were included with a group of properties identified throughout the DAs as the “Northside Neighborhood” and “Northside Neighborhood Property Owners.” This group represented a 63-acre portion of Flagstaff Mountain and includes five separate property owners, as noted on Page 5 of the 2007 DA (See Exhibit C Map of Northside Neighborhood and Property Owners). The DA establishes Maximum Densities for the Mountain Village and Northside Neighborhood, among other things.

The 2007 Development Agreement states:

2.4 “*..upon their [The Northside Neighborhood] written acceptance of the terms of this Agreement, may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/Subdivision review....*”

In Section 2.4.1 it describes the Small Scale MPD:

2.4.1 “*The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.*”

2.4.1 is followed by a set of restrictions regarding limited development in the

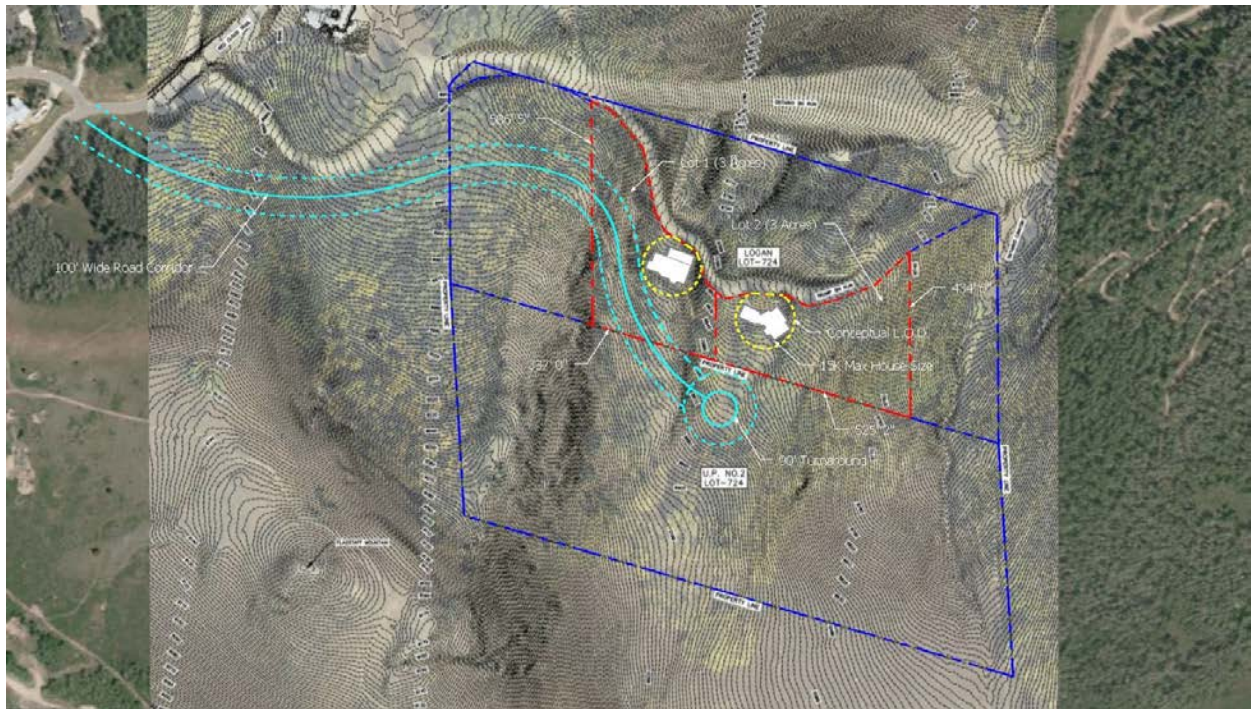
Northside Neighborhood for the Developer and Deer Valley, outlined in the majority of the Development Agreement 2.4.

To summarize, the 2007 DA stated that if all the Northside Neighborhood property owners could come to an agreement on the development of their property, they could develop a maximum of 38 homes (including a chapel), collectively. If the Northside Neighborhood property owners could not all come to an agreement, the 2007 DA still allowed UPCM and Deer Valley 30 SFDs.

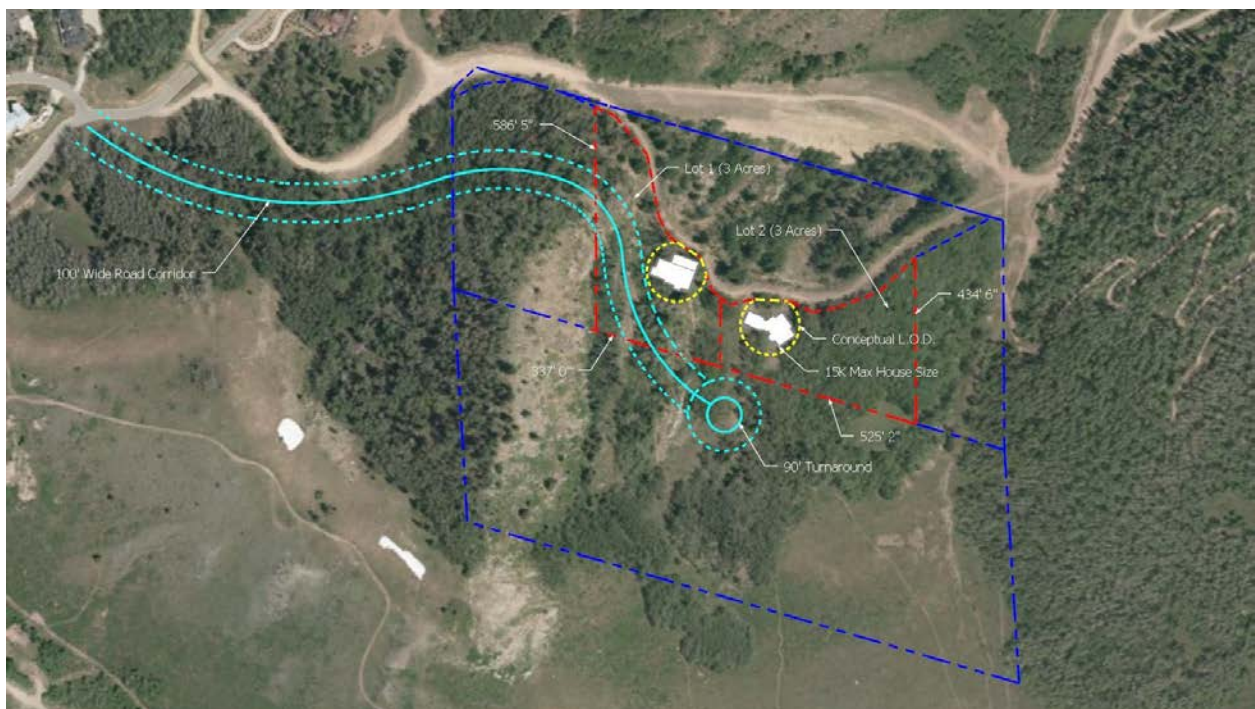
The Northside Neighborhood property owners did not come to an agreement and UPCM and Deer Valley proceeded with the permitting and construction of the 30 SFDs, now known as the Red Cloud Subdivision. As noted earlier, the Bransford Land Company chose not to sign on with the other Northside Neighborhood property owners at the time, and their parcels were not included in the Red Cloud Subdivision.

However, not signing with the other Northside property owners does not preclude the Applicant from seeking Density on their own, which is what the current application seeks.

At the time of annexation into Park City, the majority of the Flagstaff Mountain Resort was zoned Recreation and Open Space Master Planned Development (ROS-MPD) in which a Single-Family Dwelling (SFD) is a prohibited Use. The Annexation created Development Pods which were zoned Residential Development (RD) and Estate (E) and included a maximum allowed Density. The Red Cloud Subdivision was Rezoned from ROS-MPD to Estate-MPD (E-MPD), but the remainder of the Northside Neighborhood remains ROS.



Proposed pods for Zone Change (outlined in red) over topographic lines.



Proposed pods for Zone Change (outlined in red) with option for two Single Family Dwellings and private road with fire turnaround.

Analysis

- (1) At the January 24, 2023, Council Meeting, Council requested information on other applications that petitioned for a re-zone prior to Subdivision approval.**

In Park City it is not uncommon or precedent-setting to have a re-zone application approved prior to the approval of a subdivision plat, and this is the case with almost all annexations. The typical order that almost all annexations follow is outlined below.

Typical Order for Annexation of land into Park City:

1. At the time of annexation, the land to be annexed is given an initial zoning designation, often ROS, as development Density has yet to be determined by an MPD application.
2. It is typical that the owner of the annexed land may apply for a re-zoning of some or all land in conjunction with a Master Planned Development (MPD) application and conceptual site plan.
3. Once a Development Agreement defines all the development parameters, the Applicant must file a final subdivision plat that reflects what is agreed to in the Development Agreement.

This was the process that Flagstaff Mountain followed when it was annexed in 1999, then received a large-scale MPD in 2004 that allocated Density to development Pods, and subsequently received approvals for individual subdivision applications that complied with the parameters of the Development Agreement for their respective pods.

This is the same order of approval that the Bransford Land Company is proposing with this application.

The following outlines the order of significant approvals Flagstaff Mountain received:

1. In 1999 [Ordinance 99-30](#) (beginning on page 135) annexed approximately 1,750 acres from unincorporated Summit County into Park City. At the time of annexation, the area was zoned Recreation and Open Space.
2. In 2004 the Flagstaff Mountain Master Planned Development (Flagstaff MPD) was approved. The MPD restricted development to discrete development pods, each of which was allocated a certain amount of Density and was rezoned from ROS to RD-MPD and E-MPD at the time of MPD approval.
3. Beginning in 2005 Subdivisions within the development pods began to be approved. Notable subdivision include:
 - a. The Plat for the Village at Empire Pass, West Side was approved in 2005 via [Ordinance 05-32](#) (p.349).
 - b. The Silver Strike Subdivision Plat in the Village at Empire Pass was approved in 2006 via [Ordinance 06-45](#) (p. 593).
 - c. The B2 East Subdivision Plat was approved in 2017 via [Ordinance 2017-07](#).
 - d. Also in 2017 The Village at Empire Pass North Subdivision Plat was approved via [Ordinance 2017-30](#).

The following outlines the order of significant approvals for the more recent annexation of Southeast Quinn's Junction into Park City in 2022:

1. In 2021 Park City Municipal filed a Notice of Intent to annex approximately 1,200

acres of property in the Southeast Quinn's Junction Area including Richardson Flat and Clark Ranch. The zoning is ROS, allowing for open space and recreation facilities.

2. This long planned annexation was first negotiated in the Flagstaff Development Agreement in 1999.
3. The City has identified a portion of Clark Ranch as a possible site for affordable housing. The City would need to rezone the land for this to happen.

The Applicant's rezone application can be Conditioned to mitigate adverse effects if a subdivision plat isn't approved in a timely manner. We recommend a Condition of Approval to require a sunset clause in which the rezone approval expires in two years if a subdivision plat isn't approved within that time, or that the proposed zone change goes into effect only if a 2-Lot subdivision is approved within 2 years. The difference is one option is to rezone the land now with a reverter clause, and the other option is the zone change is triggered upon subdivision approval.

Both options presented for your consideration accomplish the same result but treat the timing at which the rezoning becomes effective differently.

Condition of Approval 2: Maximum density in the rezoned area is two (2) Single Family Dwelling Units. No building permits shall be issued to develop Parcel PCA-S-79-C until access has been secured and a subdivision plat consistent with the Conditions of Approval of this Ordinance has been approved and recorded.

Condition of Approval 12: The approval of this Zone Change is subject to a two-year Sunset Clause. If the Applicant has not received an approval for a Subdivision Plat within the allotted amount of time, the Zone will revert to Recreation and Open Space (ROS). Alternatively, this Condition could be re-written that this Zone Change shall only spring into effect if a 2-Lot subdivision plat consistent with this Ordinance is approved within 2 years.

Other Conditions of Approval can be found in the Draft Ordinance (Exhibit A).

The proposed rezone complies with the Estate Zoning District requirements as well as the ROS Zoning District Requirements. See the January 24, 2023 [Staff Report](#) for additional information.

Department Review

The Development Review Committee² met on November 16, 2021, in addition to the application being reviewed by the Planning, Engineering, Transportation Planning,

² The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

Legal, and Utilities Divisions. Concerns such as access easements, water and sewer connections, and fire code compliance and access were raised. These items will be evaluated fully, consistent with the Subdivision Plat review process.

Notice

Public notice was published on the City's website and the Utah Public Notice website on October 26, 2022. Courtesy notices were mailed to property owners within 300 feet on October 27, 2022. The *Park Record* published notice on October 26, 2022.³ Notice was posted along Red Cloud Trail, across from Ruby Hollow and south of the Deer Valley ski bridge. Because the property does not have existing access, we did not post notice to the parcels because it is not accessible to the public.

Notice of the April 27, 2023, public hearing was published on the City's website and the Utah Public Notice website on April 12, 2022. Courtesy notices were mailed to property owners within 300 feet on April 12, 2023.

Public Input

Public input is available in Exhibit D. Any public input not included in Exhibit D will be forwarded to the Council prior to the public hearing on April 27, 2023.

Exhibits

- Exhibit A: Draft Ordinance No. 2023-03
- Exhibit B: Applicant Narrative and Presentation
- Exhibit C: Map of Northside Neighborhood and Property Owners
- Exhibit D: Public Comment
- Exhibit E: Minutes of Council 1/24/23 Public Hearing
- Exhibit F: Flagstaff Mountain Resort Development Pods Zoning Map

³ LMC [§ 15-1-21](#)

Ordinance No. 2023-03

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT TO REZONE A SIX (6) ACRE POD FROM RECREATION AND OPEN SPACE (ROS) TO ESTATE (E) FROM A PORTION OF PCA-S-79-C (THE BRANSFORD PROPERTY, ALSO KNOWN AS THE LOGAN PARCEL), PARK CITY, UTAH, SUBJECT TO SUBDIVISION PLAT APPROVAL BY THE CITY COUNCIL OF PARK CITY PRIOR TO APRIL 27, 2025

WHEREAS, Parcel PCA-S-79-C, a 19.8-acre parcel, is owned by the Bransford Land Company;

WHEREAS, the Bransford Land Company petitioned the City Council to rezone six acres of Parcel PCA-S-79-C from Recreation and Open Space to Estate, to create two three-acre pods for the future construction of two Single-Family Dwellings, with each Single-Family Dwelling located on one three-acre pod;

WHEREAS, on April 13, 2022, June 15, 2022, and August 10, 2022, the Planning Commission conducted work sessions to review the proposed rezone;

WHEREAS, on October 27, 2022, staff posted notice to a location nearest the property, mailed notice according to the requirements of the Land Management Code, and posted notice to the Utah Public Notice website and City website;

WHEREAS, on October 26, 2022, the Park Record published legal notice, according to the requirements of the Land Management Code;

WHEREAS, on November 9, 2022, and December 14, 2022, the Planning Commission held a public hearing;

WHEREAS, on December 14, 2022, the Planning Commission forwarded a positive recommendation to the City Council;

WHEREAS, on January 24, 2023, and April 27, 2023, the City Council held public hearings;

WHEREAS, the proposed zoning map amendment is consistent with the purposes of the Utah Municipal Land Use, Development, and Management Act, Utah Code Section 10-9a-102:

The purposes of this chapter are to:

- a. provide for the health, safety, and welfare;
- b. promote the prosperity;
- c. improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
- d. protect the tax base;
- e. secure economy in government expenditures;
- f. foster the state's agricultural and other industries;
- g. protect both urban and nonurban development;
- h. protect and ensure access to sunlight for solar energy devices;
- i. provide fundamental fairness in land use regulation;
- j. facilitate orderly growth and allow growth in a variety of housing types; and

- k. protect property values.

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

SECTION 1. APPROVAL. The Conceptual Zoning Map Amendment to rezone a six-acre pod from Recreation and Open Space to Estate within Parcel PCA-S-79-C, as shown in Attachment, 1 is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Parcel PCA-S-79-C (the Bransford Parcel, also known as the Logan Parcel) contains 19.8 acres and is currently zoned Recreation Open Space.
2. The Applicant proposes to rezone six acres within Parcel PCA-S-79-C from Recreation Open Space to Estate to create two (2) three-acre pods to accommodate the development of two Single-Family Dwellings, one for each three-acre pod.
3. Parcel PCA-S-79-C is in the Sensitive Land Overlay Zone and development must comply with the regulations of Land Management Code Chapter 15-2.21.
4. Prior to the annexation into Park City in 1998, the Snyderville Basin Development Code located the existing parcels in the West Mountain neighborhood within the Mountain/Remote Area.
5. The Bransford Parcels were included in the 1,750 acres of property in unincorporated Summit County that was annexed into Park City Municipal under the 1999 Flagstaff Development Agreement.
6. After the annexation of the parcels into Park City, the area was zoned Recreation and Open Space (ROS) Master Planned Development (MPD) in which a Single-Family Dwelling (SFD) is a prohibited Use.
7. The Applicant's proposed Zone Change to Estate (E) will allow the development of two Single Family Dwellings.

Conclusions of Law:

1. The Zoning Map Amendment request is consistent with the Park City General Plan and the Land Management Code, including Section 15-1-7(B)(2).
2. The Zoning Map Amendment is consistent with applicable state law.
3. The Zoning Map Amendment furthers the purposes of Utah Code Section 10-9a-102.

Conditions of Approval:

1. The Planning Director, City Attorney, and City Engineer will review and approve the final form and content of the Zoning Map Amendment for compliance with State Law, the Land Management Code, and the Conditions of Approval.
2. Maximum density in the rezoned area is two (2) Single Family Dwelling Units. No building permits shall be issued to develop Parcel PCA-S-79-C until access has been secured and a subdivision plat consistent with the Conditions of Approval of this Ordinance has been recorded.
3. Consistent with the permitted Uses of the ROS zone and this approval the Applicant shall record a Conservation Easement for the remaining Recreation and Open Space zoned acreage for Parcel PCA-S-79-B and PCA-S-79-C, excluding the six Estate zoned acres, at the time of Rezone recordation. Limits of Disturbance are limited to the 6-acres

and shall include the driveway area. Minor adjustments to the Conservation Easement and Zoning Map shall conform to the final Subdivision Approval. Lot lines on the attached map shall be eliminated.

4. The Applicant shall submit a Tree Preservation and Replacement Plan from a licensed Arborist to the Planning Director with the subdivision plat application that identifies Significant Vegetation in the Estate zoned portion of the lot and any Significant Vegetation to be removed for development, including for access and driveway areas.
5. New development must comply with the Estate Zoning District regulations outlined in LMC Chapter 15-2.10, and the Sensitive Land Overlay regulations outlined in LMC Chapter 15-2.21. Development on Steep Slopes and Very Steep Slopes is prohibited. Access shall be prohibited from Steep and Very Steep Slopes.
6. Access to the rezoned Estate areas within Parcel PCA-S-79-C requires a common/shared driveway to minimize site disturbance and shall be located to prevent Significant Vegetation disruption and steep slope disturbance. Driveway width shall be the minimum required by the Park City Fire District.
7. The Applicant shall maintain and grant easements bike and ski trails located on the property at the time of plat recording and ski trails shall not be impacted by development or access. If any bike trails require relocation the Applicant shall move the trails at their own expense, as approved by the Trails and Open Space Manager and must be approved with the Subdivision Plat .
8. The subdivision plat shall require a maximum irrigated or landscaped area and additional restrictions to maintain a reliable Limits of Disturbance (LOD).
9. In keeping with Red Cloud Subdivision, the Maximum House Size shall not exceed 10,000 square feet Gross Floor Area.
10. The City shall require the finalization of plans for utilities and access, prior to submittal of a subdivision plat application. The approval of this Ordinance does not guarantee approval of the subdivision plat, or future development. Future applications shall be evaluated according to the Land Management Code in effect at the time of application, and these additional conditions of approval.
11. Final location of the two proposed Single-Family Dwellings and Limits of Disturbance shall be outlined on any future subdivision plat with a Planning Commission Finding that these locations meet the requirements of the Sensitive Land Overlay, Land Management Code, and General Plan.
12. Both Single-Family Dwellings shall be designed and constructed to incorporate best planning practices for sustainable development for Residential construction in place at the time of building permit application including but not limited to water-efficient low-flow fixtures and Energy Star rated appliances; building envelopes shall be designed to be energy efficient; all landscaping shall be water-wise and native; all exterior lighting shall meet the City's Dark Sky Ordinance LMC § 15-5-5(J). Electrification of all utilities is required, and all outdoor appliances/utilities such as heated paving, roof heat tape, firepits, irrigation systems, etc. shall be connected to timers and moisture sensors, to only pull energy when necessary/required.
13. The approval of this Zone Change is subject to a two-year Sunset Clause. If the Applicant has not received an approval for a Subdivision Plat within the allotted amount of time from date of City Council action, the Zoning will revert back to Recreation and Open Space (ROS).

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

PASSED AND ADOPTED this 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

MAYOR

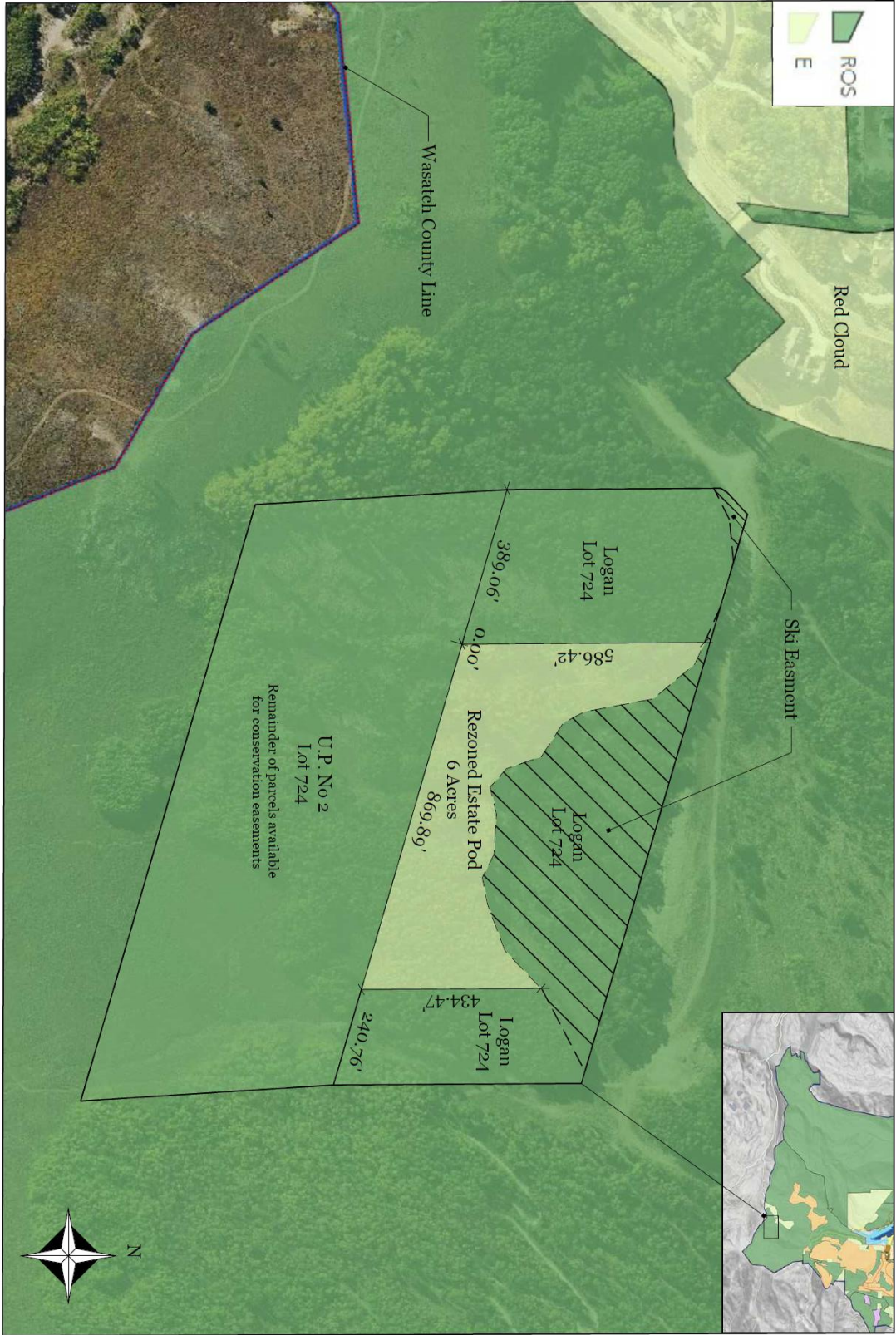
ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

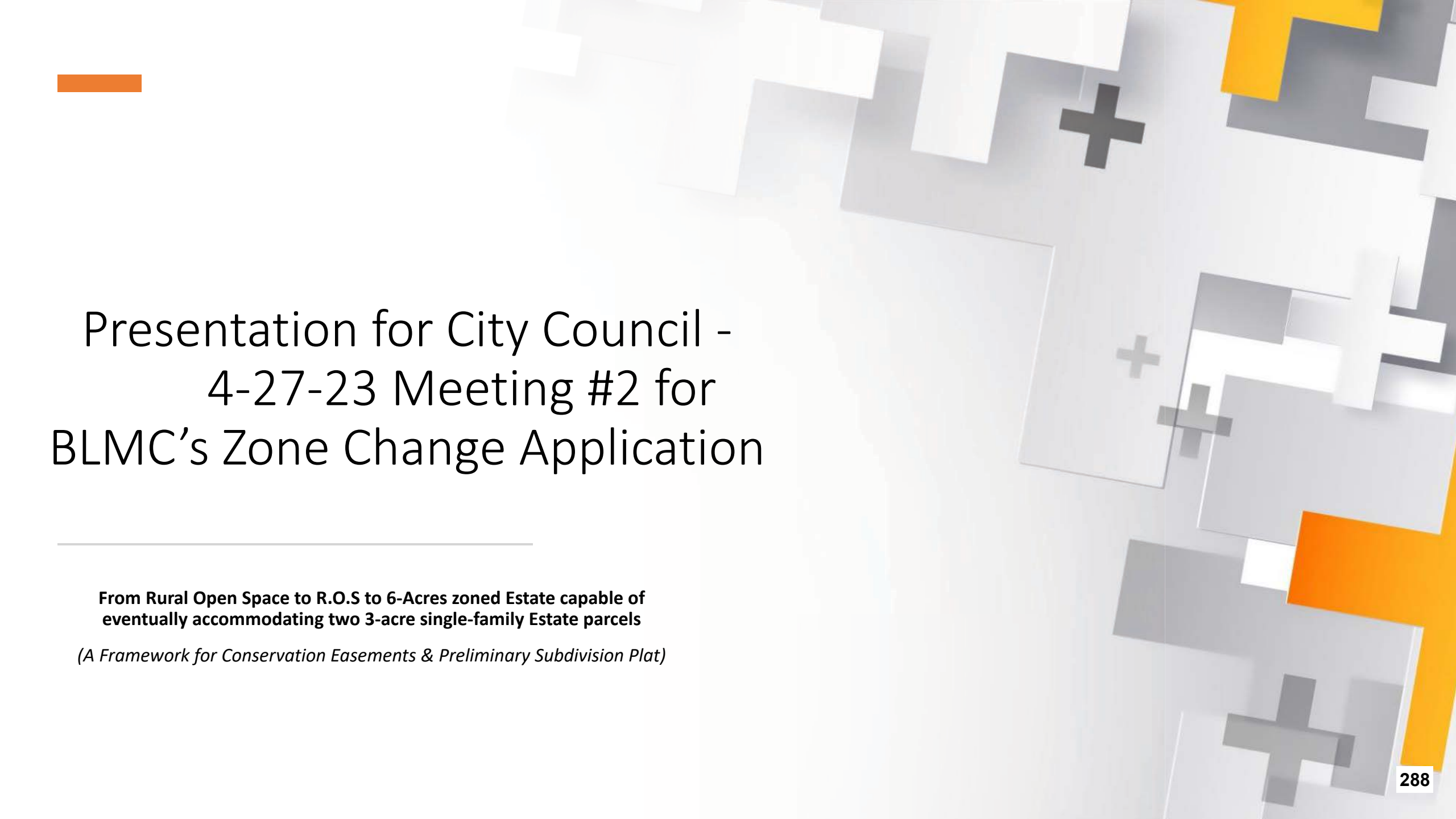
Attachment 1: Conceptual Zoning Map Amendment



REVISIONS	
MM/DD/YY	REMARKS
1 08/25/22	...
2 01/18/23	...
3	...
4	...
5	...

Rezone Map

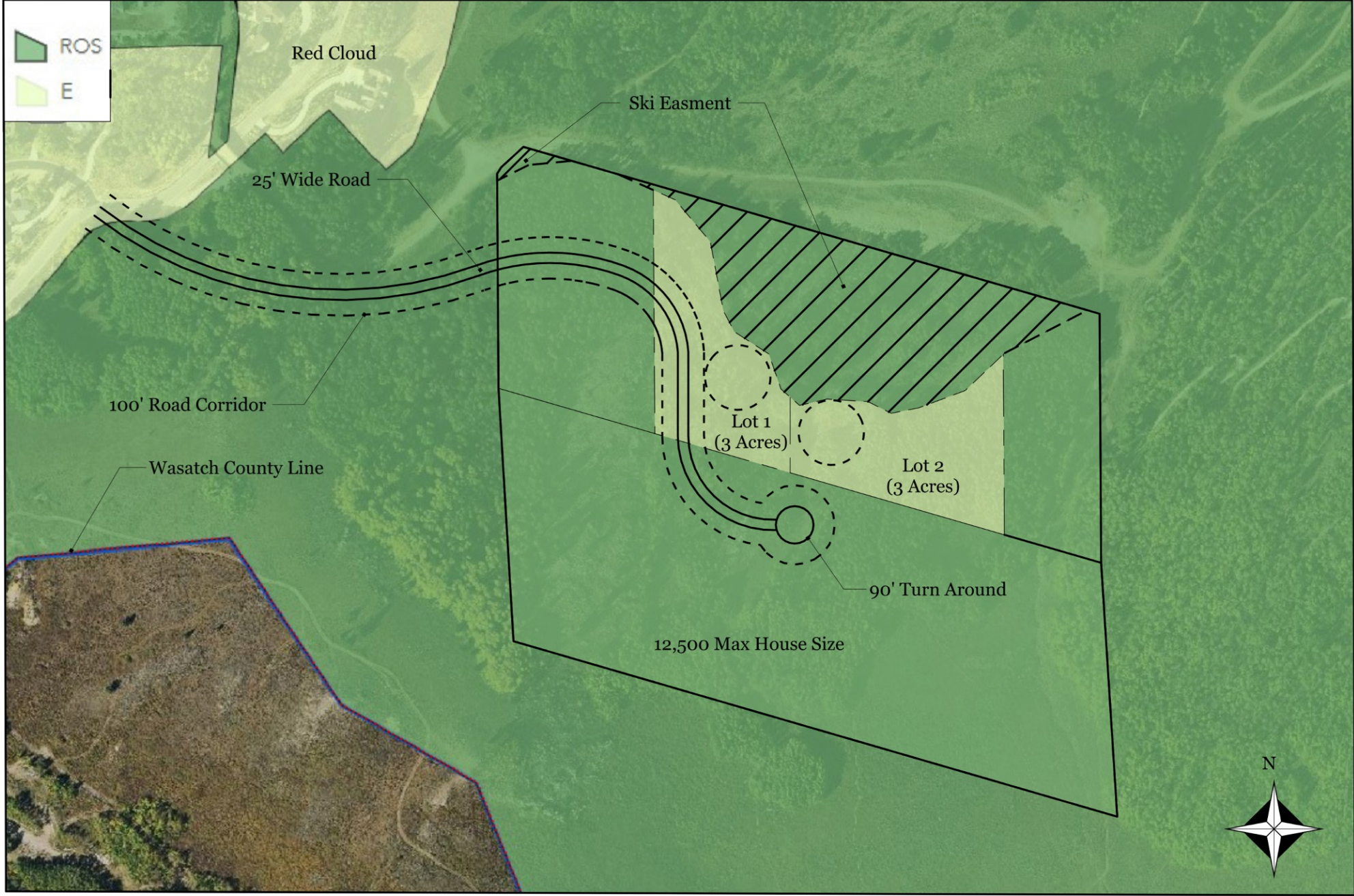
Bransford Land Company
Logan/U.P. No 2



Presentation for City Council - 4-27-23 Meeting #2 for BLMC's Zone Change Application

**From Rural Open Space to R.O.S to 6-Acres zoned Estate capable of
eventually accommodating two 3-acre single-family Estate parcels**

(A Framework for Conservation Easements & Preliminary Subdivision Plat)



REVISIONS		REMARKS
MM/DD/YY		
1	09/20/22	...
2	-/-/-	...
3	-/-/-	...
4	-/-/-	...
5	-/-/-	...

Bransford Land Company
Logan/U.P. No 2

Conceptual Plat

Questions and Comments that were discussed on January 24, 2023 Meeting

Who	Question or point
Max	<u>Why didn't BLC sign the 2007 Flagstaff Development Improvement Agreement?</u> Because UPCM didn't provide BLC with enough information to support that business decision. There were no documents that established: • Any deadline date(s) limiting when they had to sign or quit by; • Any notices for meetings or Zone Changes; • Copies of the relevant documents; • BLC's portion of estimated development costs; when those payments would be due; what their improved lots would be worth; • Or any evidence of market demand for those lots. BLC requested REDUS to accept their signature earlier in 2022. Redus seeks to avoid the attendant procedural complications to amend the document trail.
Nan	<u>How long is the Trump Run ski lease?</u> The Trump run enjoys a perpetual easement.
Ryan	<u>Status of Draft Conservation Easement?</u> Alex has a letter in her file that states: "We <u>are</u> willing to say all the land is available for the easement subject to retained carveout uses such as: - how to treat the existing and perhaps new bike trails, - how to maintain the bike and ski trails, - how to treat additional recreational uses that may be proposed, and - how to treat the Private Driveway and associated utilities."
Ryan	<u>Draft Property lines?</u> Yes, the property lines must be considered "draft" until provided by licensed design professionals (Alliance Engineering) and approved or amended by the Plat process.



Ryan	<u>Why does BLC ask to process the Rezone prior to the Plat process?</u> We used a standard application form which is a standard and approved option on the Planning Department's web site. This process is also allowed under the Land Management code. This process is the only path forward that satisfies BLC's current situation of no off-site Easement yet. (Yet, an off-site easement, if needed, is a prerequisite requirement for filing a Plat Application). Additionally, Mark Harrington advised Council that Zone Change approvals before an easement are not uncommon or abnormal and they are usually unrelated to Easement Recordation. It is not considered an adverse condition. Alex advised Council that NAC was rezoned prior to recordation of their easement.
Becca	<u>Do we seek additional ski easements or bike trail easements?</u> No; but there is currently activity to widen the Trump run.
Tana	<u>Why does PC require a sunset clause?</u> BLC offered the idea to give the city a comfort level that the entitlements would not languish for decades and return before a new PC with no prior knowledge of the situation. In hindsight, that was not an effective strategy. We agree that 2 years has become a short timeframe and under our circumstance's extensions should be easily granted.

Ryan &/or Max	Complicates the process to rezone prior to plat just to postpone cashflow requirements. The decision to apply for a rezone before the Plat process was not a business decision or an arbitrary decision. Under the LMC, applicants are not allowed to commence the plat process until they have all the required vehicular and/or utility easements.
	Conditions should be established @ Plat - not scatter shot by PC. The Council should not give up its leverage yet. We respectfully disagree. Any Plat approval process will need to be presented to the Planning Commission before the City Council. There is no way the CC could be denied the ability to enforce additional conditions if they felt it was needed.
	There is no reason to process a zone change before a plat process has commenced. Again, we respectfully disagree. The Land Management Code allows the two processes to happen in a serial and/or in a simultaneous process. Additionally, an approved zone change protects the open space as the applicant would not be forced to rely upon alternative uses that are allowed in the ROS which may have more adverse impacts than the current application. We could also be forced to sell to someone else who is not subject to our limiting conditions. (BLMC) could be forced to sell to Extell one day after all...

- **15-1-7.2 Amendments To The Land Management Code And Zoning Map**

- All amendments to the LMC or Zoning Map must be made in the following manner:

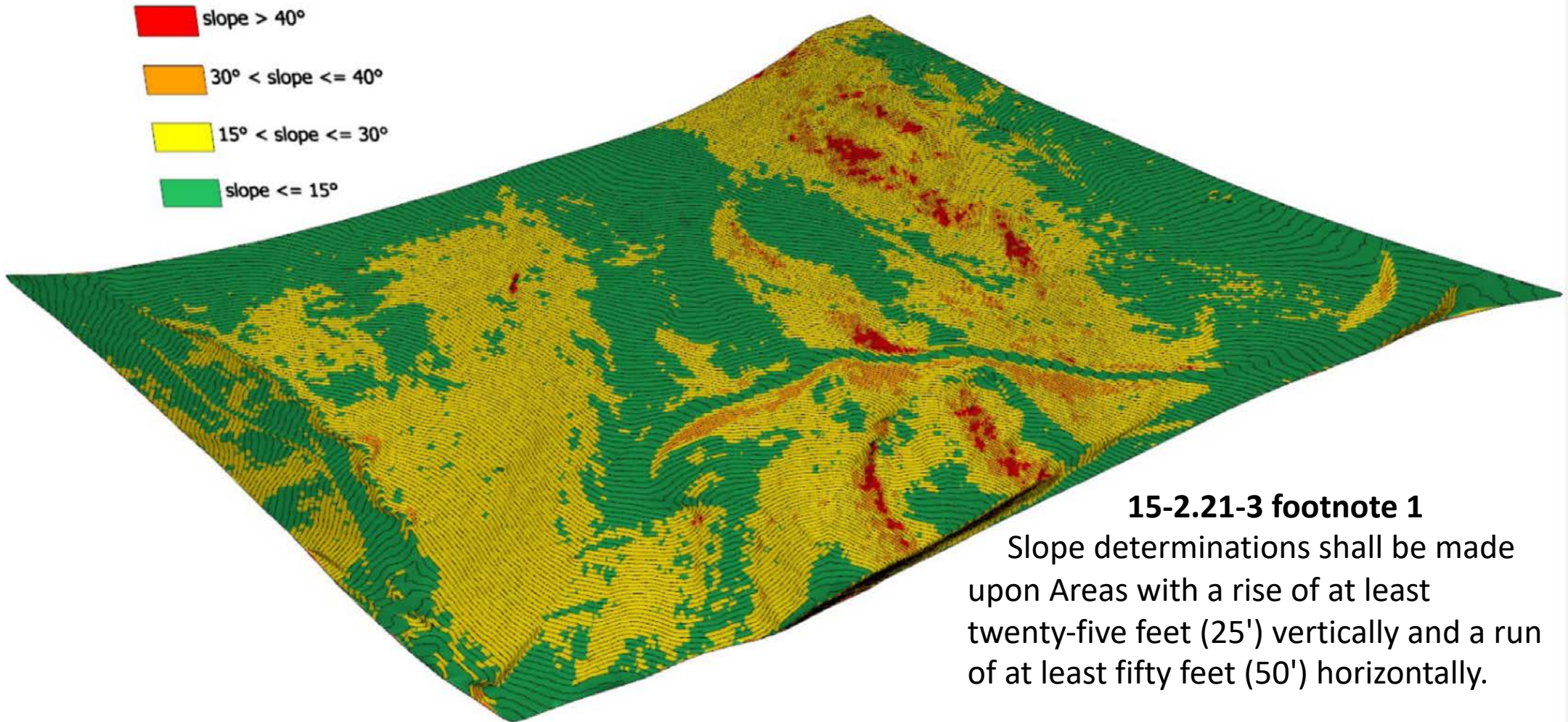
1. **HEARINGS BEFORE PLANNING COMMISSION – N/A.**

1. **Land Management Code Adoption or Amendments - N/A**

1. **Zoning Map Amendments**

1. In addition to the requirements listed above, before the City holds a hearing to adopt the Official Zoning Map or map amendment, the City shall send a courtesy notice to each Owner whose Property is located entirely or partially within the proposed map area, at least fourteen (14) days prior to the scheduled date of the public hearing.
 2. The notice shall:
 1. **identify each Owner of record of real Property that will be affected by the proposed Zoning Map or map amendments; and**
 2. **state the current zone in which the affected Property is located;**
 3. **state the proposed new zone for the affected Property;**
 4. **provide information regarding, or a reference to, the proposed regulations, prohibitions, and permitted Uses that the Property will be subject to if the Zoning Map or map amendment is adopted; and**
 5. **state that the Owner of the Property may no later than ten (10) days after the date of the first public hearing file a written objection to the inclusion of the Owner's Property in the proposed Zoning Map or map amendment; and**
 6. **state the address where the Property Owner should file the objection; and**
 7. **notify the Property Owner that each written objection filed with the City will be provided to the City Council; and**
 8. **state the location, date, and time of the public hearing.**

4-zone heat map



15-2.21-3 footnote 1

Slope determinations shall be made upon Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally.

Reason we changed to a 4-zone heat map:

- [15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions](#)
- **SENSITIVE LANDS ANALYSIS**. Any Applicant for Development must produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions:
 - **SLOPE/TOPOGRAPHIC MAP**. A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight Areas of high geologic hazard, Areas subject to land sliding, and all significant Steep Slopes in the following categories:
 - Greater than fifteen percent (15%), but less than or equal to thirty percent (30%);
 - Greater than thirty percent (30%) but less than or equal to forty percent (40%); and
 - Very Steep Slopes, greater than forty percent (40%).
 - **RIDGE LINE AREAS**. A map depicting all Crests of Hills and Ridge Line Areas.

Questions the Planning Commissioners asked (in Public Hearings)

Who	Question or point
Laura	1. 1998 County Development Code. 2. Concerned about Access issues. 3. Would like to see more renewable Energy. 4. Sustainability would be helpful. 5. Good on Conservation.
Laura / Sarah	6. Concerned with serial applications. 1. Concerned with 1998 County Status Report. 7. Anne <u>mentioned Hank Rothwell</u> and that the two parcels are “Lots of Record”.
Sarah	1. Concerned with Density. 1::40 not 2::40. 8. Concerned with Dwelling size. 2. Concerned we don’t have the access Easement yet. 9. Wants a Sunset Clause. 6. Would prefer to process Zone Change in parallel with a complete Plat Application.
John (JK)	9. Concerned with driveways shown on areas of slope over 30%. (Jeffrey <u>explained that the heat maps only show the general conditions but not the specific conditions</u> . Our land planners feel we can comply with code). 10. JK could find for 2 parcels with heavy handed conditions. 11. <u>Precedents</u> intent is in our favor.
Christin	12. Appreciates BLC only asked for 2 parcels. 1. 1::40? – feels we are a good fit. 13. Concerned we limit disturbance on the access road.
John (JF)	5. Appreciates the 82% preservation. 14. OK with 3-acre parcels – should we reduce the lot size?
Bill	9. Concerned with steep roads. 8. Concerned with 15,000’.
Laura	8. Concerned with 15,000’ homes – 10,000 to 12,000 would be better.

BLC's RESPONSE TO PLANNING COMISSIONERS FEEDBACK AND QUESTIONS

In the interest of brevity, the balance of the discussion points on topic #1 is in the appendix

#1 Re: Density allowed under 1998 County Development Code. Even though that display has been attached in prior Staff Reports it was never discussed until the last meeting. Frankly, it took us by surprise. We thought the displays in the 1998 Flagstaff Annexation and Development Agreements would take center stage. Clearly, the 1998 Development Code did not create any density restrictions on the Bransford Parcels that were more durable than any of the other developed parcels on Flagstaff Mountain Resort.

Exhibit G was reported to have limited the current Density of Bransford Land Company's ("BLC") Parcels per the terms contained in its West Mountain section. According to the chart included in the packet, it limited the BLC Parcels to a "mandatory" limit of 1 per 20 Acres – but also provided that BLC could have applied for, and won, a density of 1 per 5 Acres. BLC also learned there are three different classifications of land - each with unique Density Allocations. ([Please see slides 38 - 41 for additional comments](#)).

BLC spoke with Summit County Planner Kirsten Whetstone to see if any more reliable data is available. Kirsten and Pat Putt reported they have no further information. She and Pat Putt advise it is doubtful that a Grama Request could provide any more reliable information. Kirsten advised us that BLC had two Lots of Record when it was in the County and still has two Lots of Record today – which entitles BLC to a minimum of two dwellings.

The Flagstaff Annexation process took almost 10 years to complete. It spanned the 1998 Agreement, the 1999 Plat, the 2003 Agreement and continued until the final Agreement was recorded in 2007. ([Please refer to Slide # 13](#)) It is often called the most stringently reviewed land management process to date; and, approved of an allocation for BLC to an undivided interest in the right to develop 8 Estates along with Mayflower Stichting in covenants that run with the land in perpetuity.

Once BLC's land was annexed in July of 1999 ([see slide # 15](#)) Park City's Land Management Code took precedence over Summit County Code.

#2 Concerned about Access issues. This is a reasonable concern – we are too. According to PCMC LMC the Applicant is not required to submit any Easements until the Plat phase of the entitlement process.

#3 Would like to see more renewable Energy. BLC supports Park City’s Net Zero Energy policy, however, full compliance with that standard requires the project to make up any energy deficiency by generating the energy on site (which is not a good fit for ROS or SLO zones). We would also consider using a different standard - such as the US Green Building Standard (that PCMC used for the Silver Creek Housing Project) or other high performing building design standards.

Note: BLC will specify “all electric utilities” for heating and AC, which are, technically, a Net Zero solution (*because Park City requires Rocky Mountain Power to supply it exclusively from renewable resources*).

#4 Sustainability would be helpful. BLC agrees.

#5 Good on Conservation. BLC appreciates the feedback and agrees.

#6 Concerned with serial applications. BLC understands and appreciates that the review process would be far more detailed and efficient for the planning commissioners if the Zone Change was processed in parallel with the Plat process. Unfortunately, as has been established via public input, the access issue is the subject of litigation. We understand that the other side is unwilling to discuss any form of settlement with BLC. Accordingly, BLC is forced to rely upon the serial approach allowed under PCMC's LMC.

#7 Anne mentioned that the two parcels are "Lots of Record". Kirsten Whetstone did as well. Each Lot of Record is typically entitled to at least one Dwelling. There seems to be similar development rights associated with Mining Claims.

#8 Concerned with Dwelling size. BLC agrees this is a reasonable concern. BLC hoped to postpone specifying a maximum house size until the Plat approval process; but is willing to compromise now. We propose a maximum house size of 12,500'. While the eventual dwelling may well never be that big, we do want to ensure the allowable house size can fulfill the expectations of an eventual buyer.

#9 Concerned with driveways shown on areas of slope over 30%. BLC agrees that this is a reasonable and relevant concern. BLC wants to provide a safe and comfortable access experience for the residents and their guests. BLC is advised by its land planners and Engineers they can meet code requirements and do a better job of mitigating visual impacts in the location shown in our Staff Report than other potential easier or less expensive routes.

Please note: The fully developed road alignment will come back before you again in the Plat stage - before any grading or construction can be permitted or begin. The current application is not the last time this matter will come before you.

#10 JK could find for 2 parcels with heavy handed conditions. BLC agrees that the conditions are appropriate and appreciates the feedback.

#11 Precedents intent is in our favor. BLC appreciates the feedback.

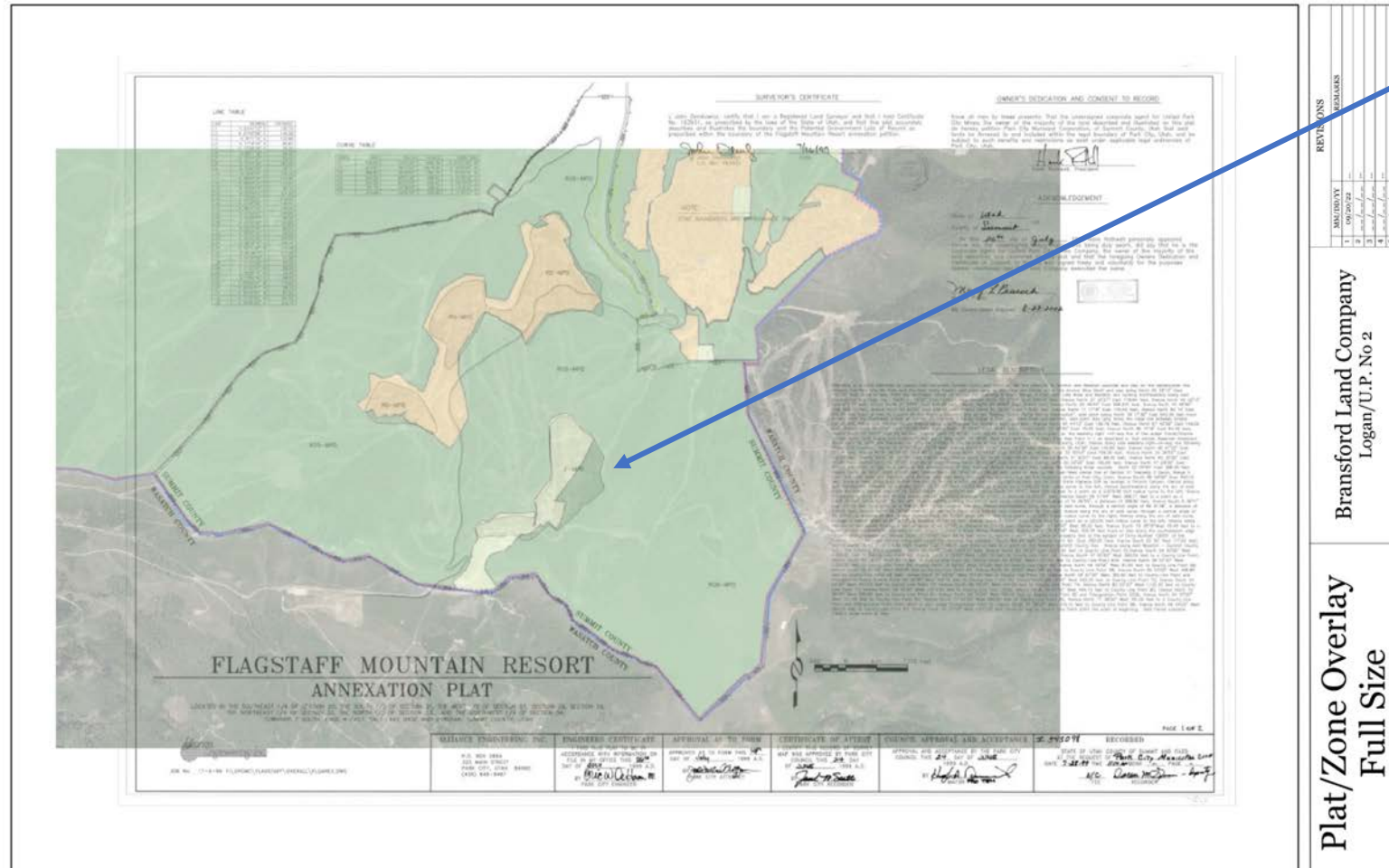
#12 Appreciates BLC only asked for 2 parcels. BLC appreciates the feedback and hopes that our process can help you to set a new precedent that applicants should not ask for more density that they feel the land can support or do so prophylactically.

#13 Concerned we limit disturbance on the access road. As mentioned above in item 9, BLC shares the concern and will be sensitive to the matter. BLC will continue to work diligently to refine the most effective access solutions.

#14 with 3-acre parcels – should we reduce the lot size? Staff advises that under the LMC, a minimum of 3-acres is necessary to allow a zone change to the Estate Zone.

Please note: Reducing the lot size would not increase the undisturbed percentages of the two parcels because the bulk of each parcel will remain undisturbed regardless of whether it is a 2-acre or 3-acre parcel.

Overlay - 1999 Flagstaff Mountain Annexation Plat under the current PCMC Zoning Map



The 1998 Flagstaff Annexation included POD D and both the Bransford Parcels. All developable Flagstaff land was either zoned RD-MPD or E-MPD. The developable areas shown are smaller than the property boundaries ultimately delineated in the Agreement and/or those on PCMC's Zoning Map.

Mayflower and Bransford Parcels were rezoned R.O.S. shortly after the 2007 Flagstaff Agreement was recorded - without notice to Bransford Land Company.

- See Slide 16 and slide 17 for other views of this data. The 1998 EMERGENCY RESPONSE PLAN for another view of this area.

- Dozens of similar images are included in the various studies listed on Slide 27.

Zone 1



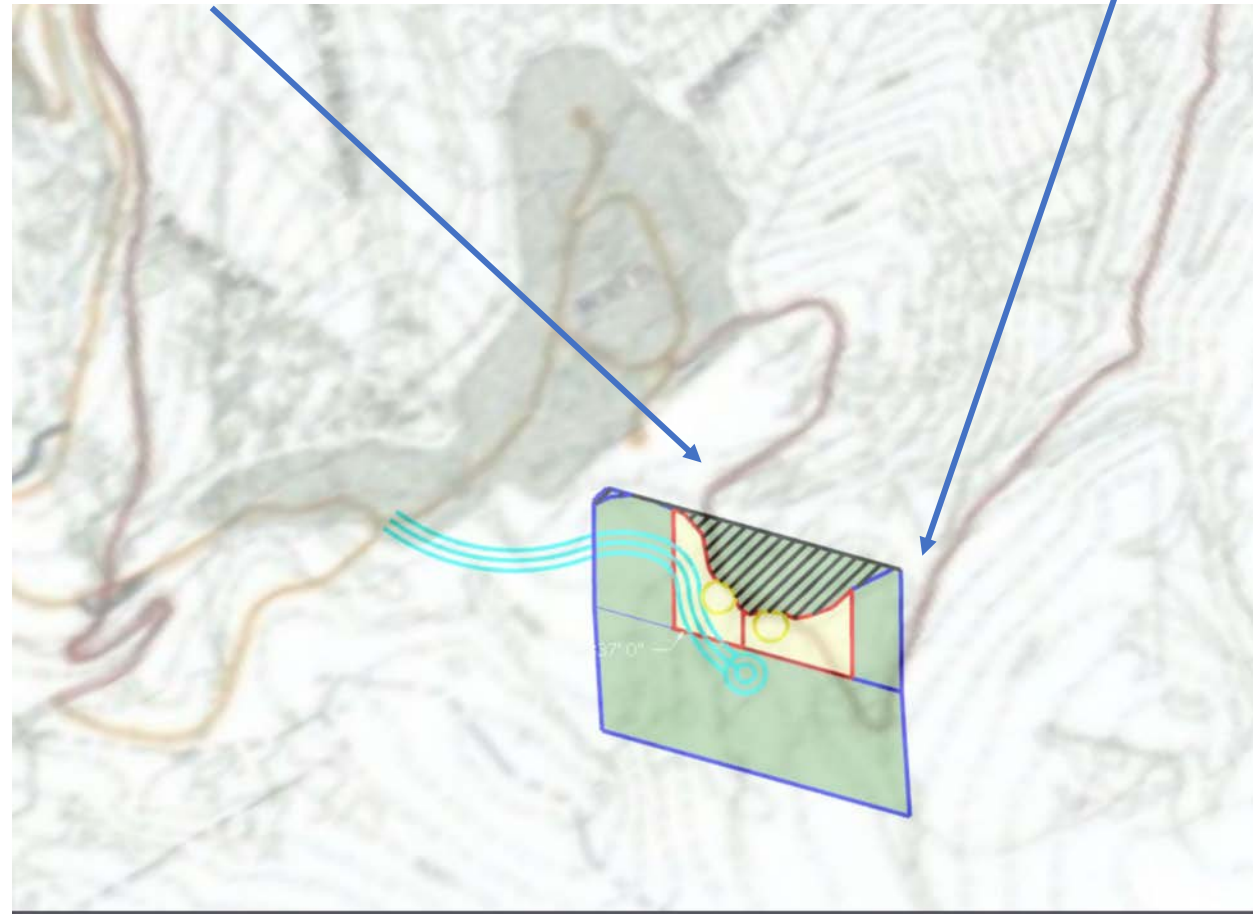
Plat/Zone Overlay Zoomed	Bransford Land Company Logan/U.P. No 2	<table><tr><th colspan="2">REVISIONS</th></tr><tr><td></td><td>DRAWING/REV</td></tr><tr><td>1</td><td>06/20/22</td></tr><tr><td>2</td><td>-</td></tr><tr><td>3</td><td>-</td></tr><tr><td>4</td><td>-</td></tr><tr><td>5</td><td>-</td></tr></table>	REVISIONS			DRAWING/REV	1	06/20/22	2	-	3	-	4	-	5	-
REVISIONS																
	DRAWING/REV															
1	06/20/22															
2	-															
3	-															
4	-															
5	-															

Capacity to provide Emergency Services?

This display is another objective piece of evidence substantiating that the UPCM and Deer Valley planned from the very beginning to provide all services for the Bransfords Estate uses on the subject property...

Exhibit 7 of the Flagstaff Annexation Agreement provides a detailed analysis of Emergency Services. It includes several related displays – showing approved Winter and Summer access and egress routes.

Note – Exhibit 7 extended the emergency exists onto and up above the Trump Ski Run and into both the Bransford Parcels.



Flagstaff Annexation Agreement – the early days:

Date	Description of Event(s)
Dec. 1981	BRANSFORD PROPERTY FEASIBILITY STUDY BY J.J.JOHNSON
Summer 1993	Trees were cut down without permission on Bransford property for Ontario ski trail.
12/16/1993	Annexation Agreement process starts.
01/2/1994	Anne receives “Master Plan” from Hank.
01/19/1994	Hank Rothwell told Anne UPCMC wanted to involve us in the decision-making process, was anxious to have our involvement and even offered to fly back to NY and meet with Anne and Larry.
02/03/1994	PCMC City Council Adopts Resolution No. 3-94 which states they will promote and protect the Flagstaff Mountain project.
12/07/1994	Memorandum of Lease with Bransford and Deer Valley Resort
July 1998	Jay Hamburger starts covering Empire Canyon for the Park Record.
9-10-1998	PC Council voted in favor of Empire Canyon MPD 5-0.
Nov. 1998	2 nd Amendment to Lease Agreement, Bransford and Deer Valley Resort.
07-28-1999	BLC 1999 Annexation Plat is recorded in Park City. Per County Recorder
08/19/1999	Anne meets with Hank in Deer Valley and received copy of Approved Annexation. Hank told Anne: “if BLC doesn’t agree to sign the Development Agreement it can build on its own property and 1 in 40 will not apply”.
May 2001	Easement Agreement between Bransford and Deer Valley Resort.
07/18/2003	Quit Claim Deed recorded between Bransford and UPCMC for Remaining Ski Lease Land.
10/12/2005	Bransford Quiet Titles Cavanaugh and Cupit interests in Logan and UP No 2.
03/02/2007	Recordation for Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, Quinn’s Junction Parcel and Iron Mountain.
08/30/2013	Amended and Reinstated Easement Agreement between Bransford and Deer Valley Resort.
11/03/2015	Bob Wells dies.
03/06/2015	Wells Fargo forecloses on Talisker \$163.8M.
07-13-2021	Anne and Jeffrey first meeting with Gretchen
09/22/2021	Anne and Jeffrey meet with Gretchen and Makena and file
10/22/2021	BLC filed its Zone change application with PCMC.

SLIDES 20 – 37 were reviewed prior to winning the PC Approval

Some of those slides have been edited and some of the images have been updated. We did so to focus our City Council presentation upon the newest information and most recent changes.

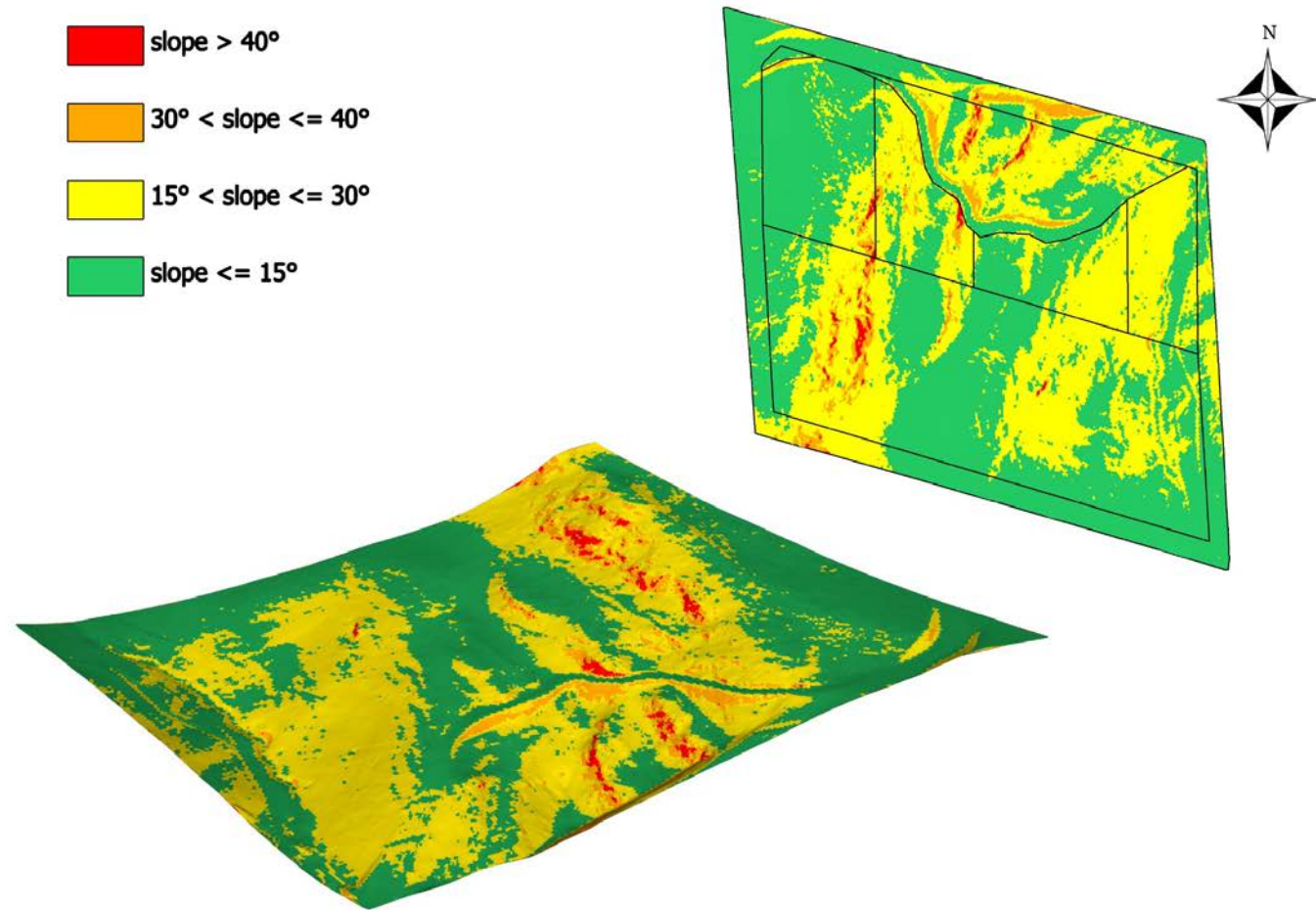
PRIOR INPUT AND QUESTIONS

6-8-22 Work
Session Notes:

What we heard
the commissioners
ask

Laura Suesser	Where would the roads go?
Douglas Thimm	How would it be developed? Is there sufficient Utility capacity and access to them? Does the Fire Department and Police Department have the capacity to provide Emergency Services there?
Bill Johnson	Expressed the need to verify that, if approved, our Estate Zone wouldn't become an Island in the sea of other R.O.S. Properties
Christin Van Dine	Feels the same as Douglas. Clarify what other properties would be affected by an approval to the Zone Change request. Are there any other mine claims that could make the same zone change request based upon an approval of our request?
Sarah Hall	Asked for information on our recent paved roads access easement. <i>(It is included the Staff package.)</i>
John Kenworthy	Asked what other mine claims could make the same request?
?	Where would the homes go? <i>(Was this a comment from Douglas?)</i>
?	How much land could be bulldozed if approved? How much land could be preserved?

Slope Analysis Display



REVISIONS	
NO.	REMARKS
1	ISSUED
2	REVISED
3	REVISED
4	REVISED
5	REVISED

Bransford Land Company
Logan/U.P. No 2

Slope Map

Rough order of
magnitude Calculations
on how much land
would be bulldozed?

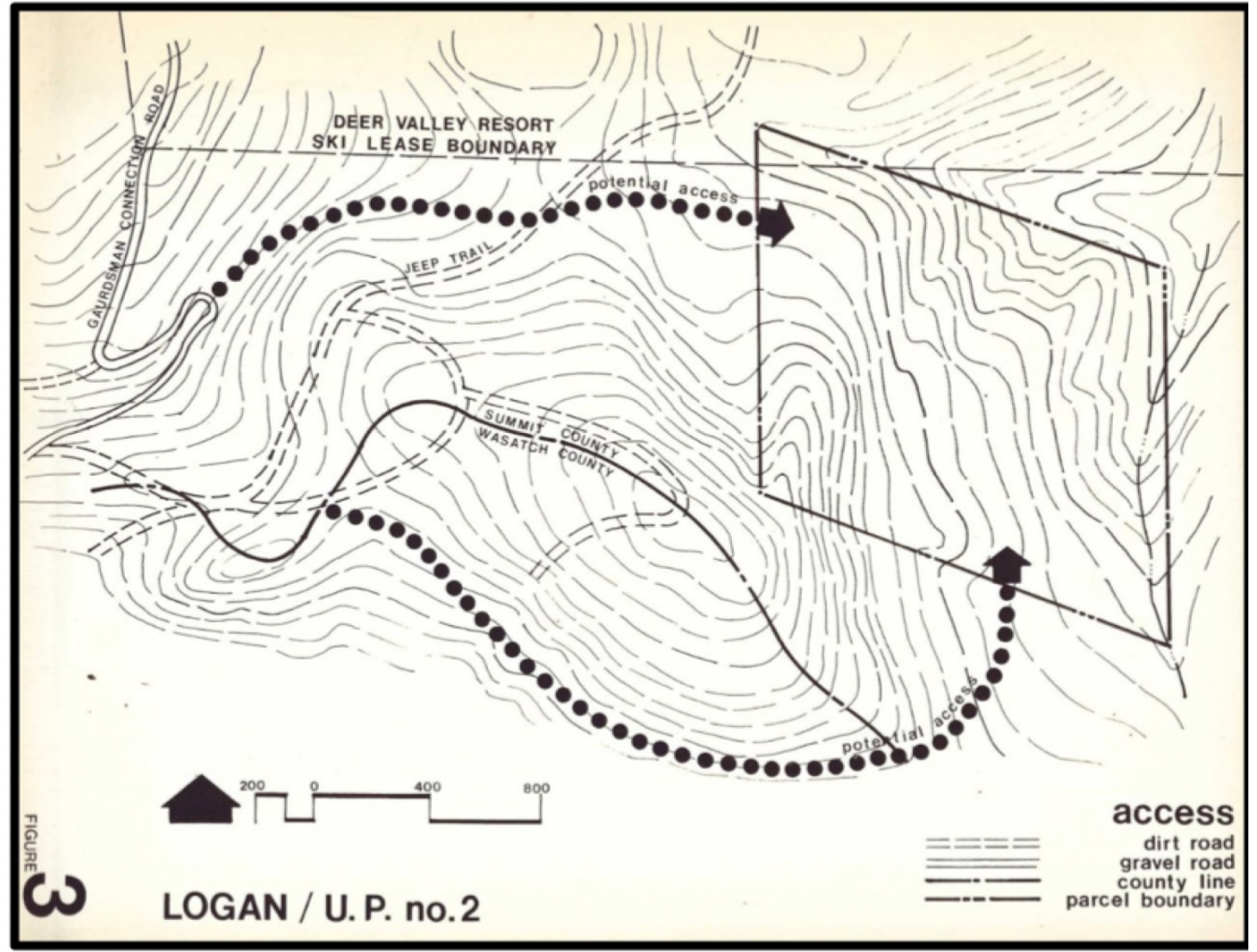
(from prior heat map)

Grade Range			Area	Acerage	Percentage	Preserved or undisturbed acreage	
0%	to	15%	190,553.79	4.37	11.41%		
15%	to	30%	862,267.55	19.79	52%		88.59%
30%	to	100%	616,560.64	14.15	37%	37	
			1,669,381.98	38.32	100.00%		
Impacted Land			2 pads	6	-18%	Portion proposed for Conditional Zone Change	
			Private Drive	1			
			Percentage preserved		82%	NIC the undisturbed majority of each 3 acre Estate Pad	

**82% or more of the land
would be preserved
(or remain Undisturbed)**

Where would the Roads go?

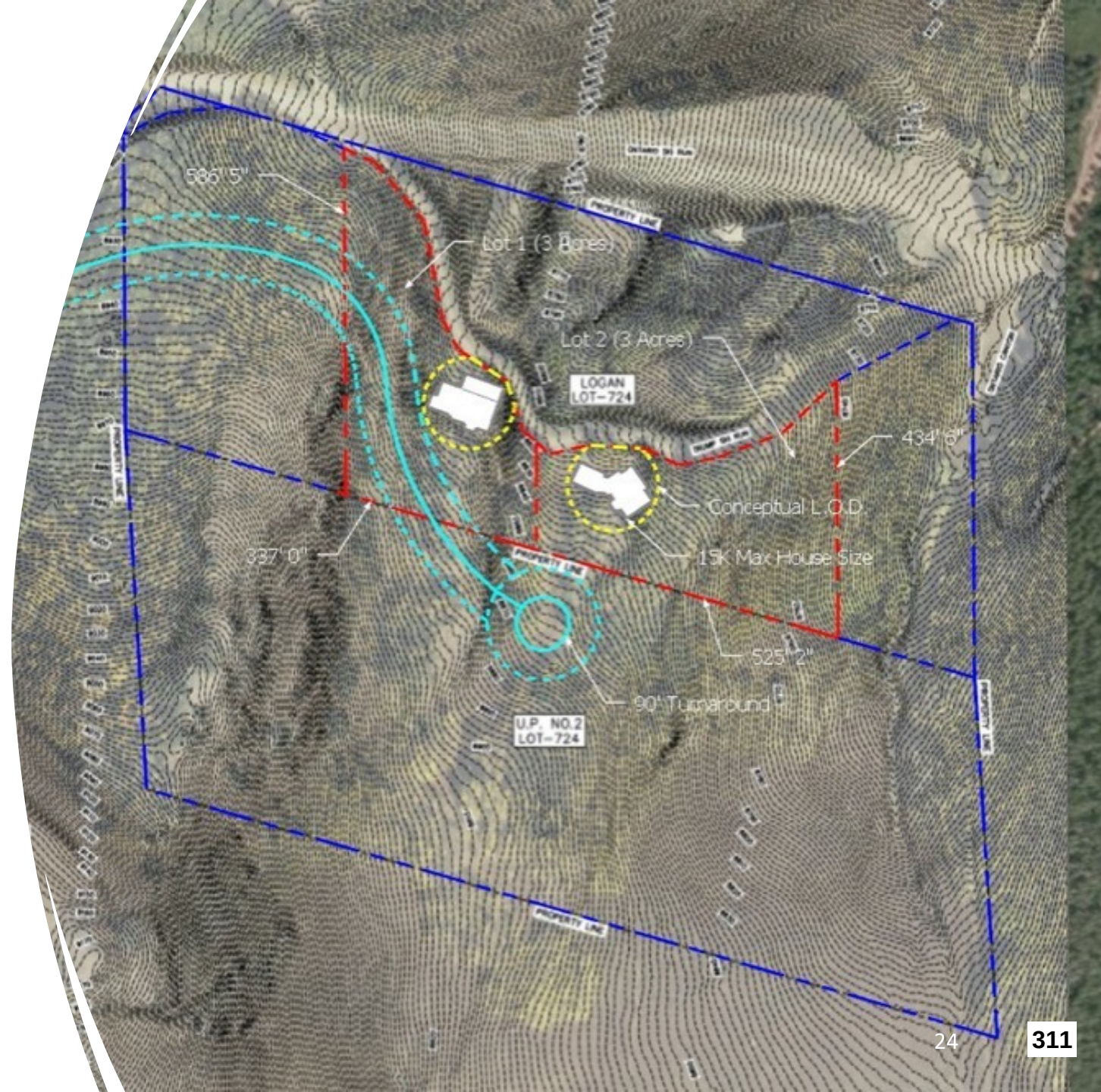
The most likely locations for the private driveway are still the same as those identified in the **1981 JJ Johnson Feasibility Study**.

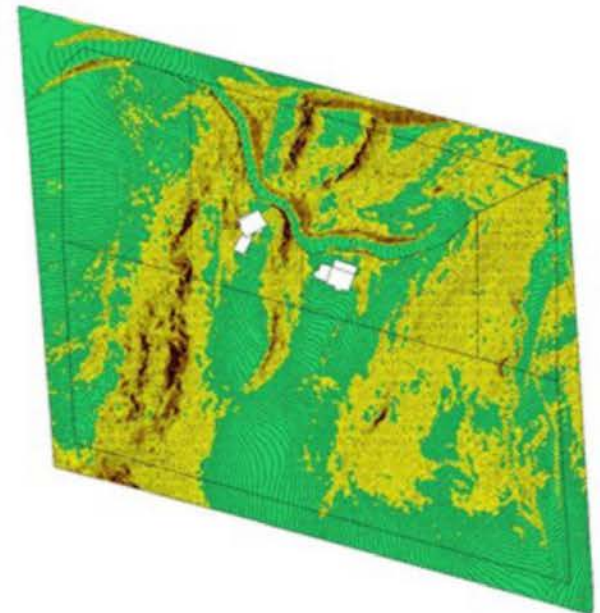
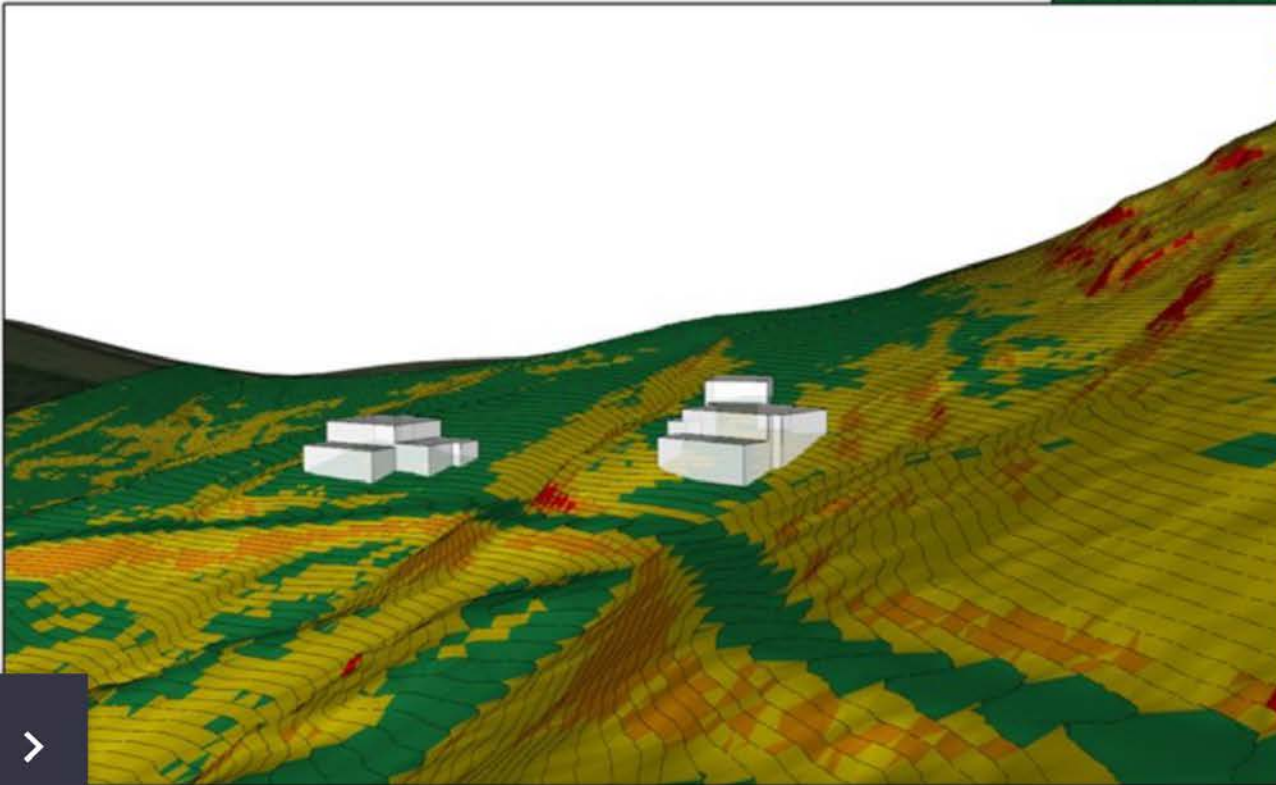
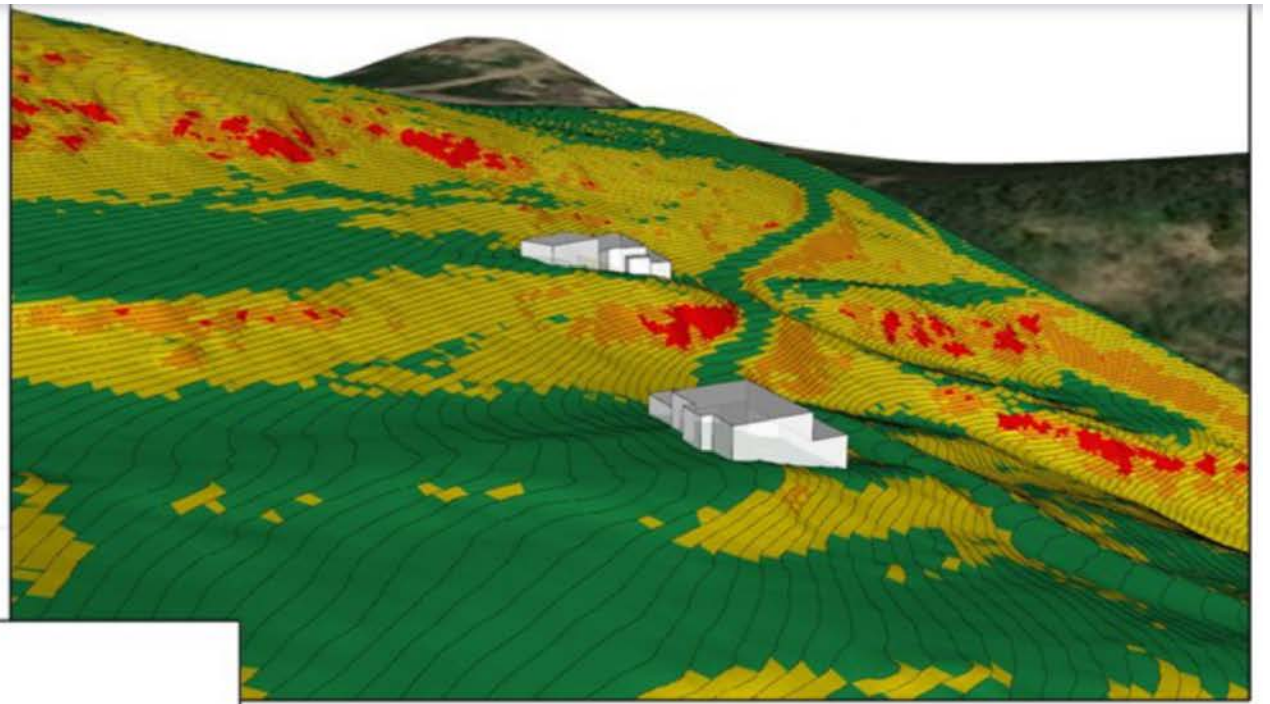
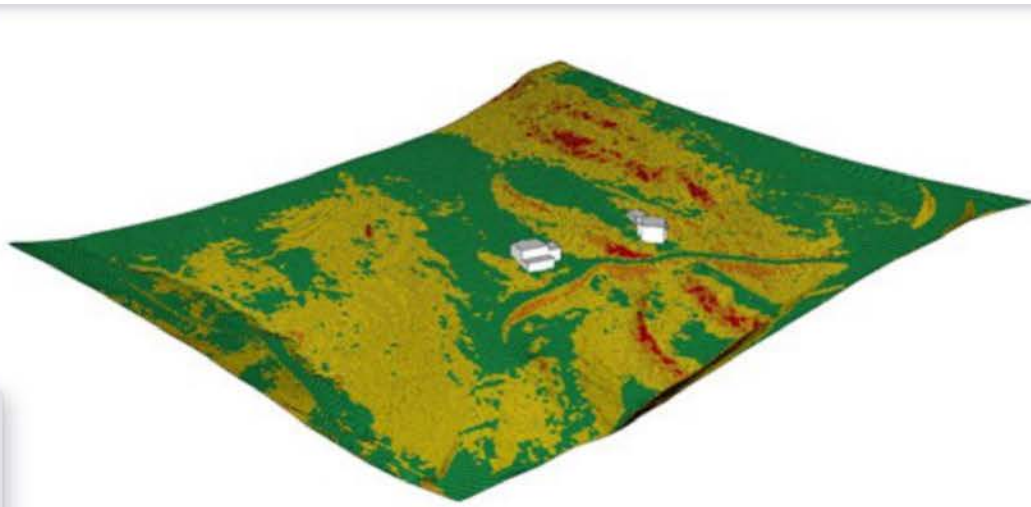


Where would the Homes & Lots Lines be?

We propose siting the two homes uphill from the Trump Ski Run.

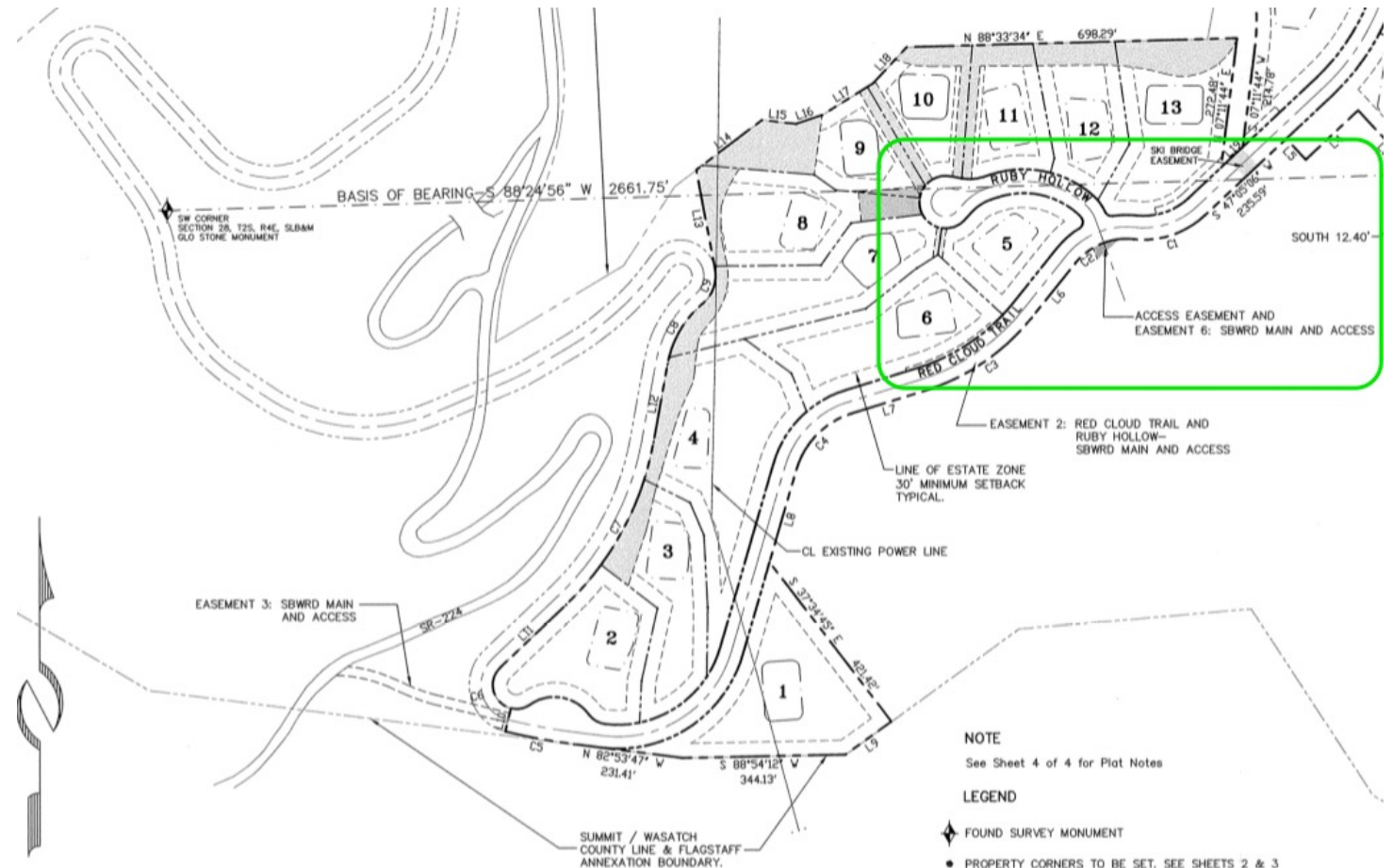
- *The dark blue lines are the overall boundary of each parcel.*
- *The red lines are the lot lines.*
- *The light blue lines represent a “100-foot-wide corridor” that will accommodate the future 25’ (+/-) private driveway.*
- *The white boxes represent the proposed homes.*
- *The yellow lines represent a “to-be-determined” limit of disturbance for each home.*





Does sufficient
Utility Capacity exist
and where is it ?

The Developer (UPCM and DV) stubbed our utilities and our access ROW off Red Cloud Trail (across the street from Ruby Hollow - as noted in the green rectangular area).



Other studies referred to in the 1998 Flagstaff Annexation Agreement

These are studies PCMC relied upon when they approved the 1998 - 2007 Flagstaff Annexation Agreement(s)...

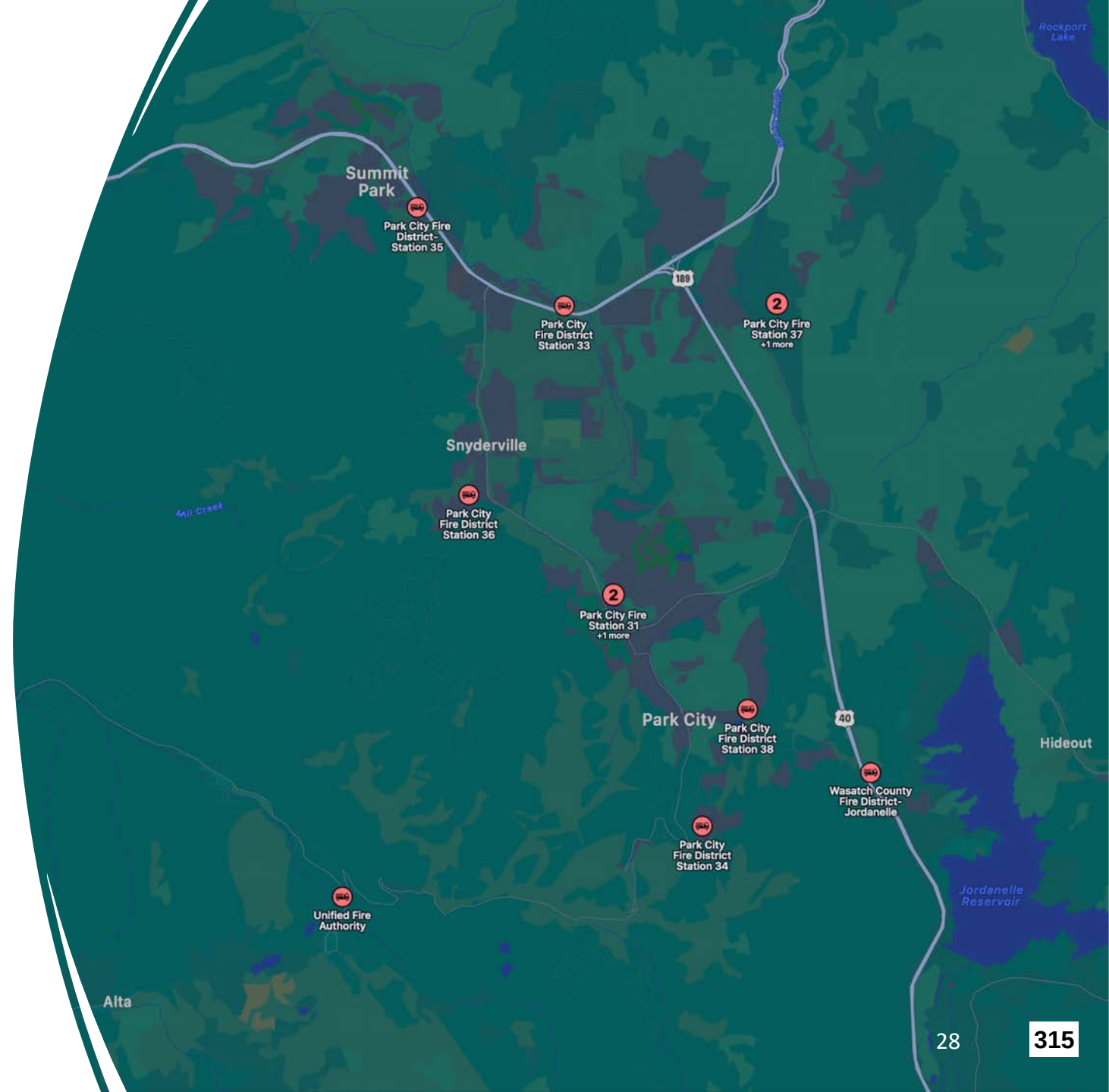
Red Checks indicate those studies we still have original copies of.

Red Text indicates copies we found online in the Planning Dept's Web Site.

☒	May 2001	Large Scale Master Planned Development Application
☒	Exhibit 1	May 2001 - Mine Soil Hazard Mitigation Plan
☒	Exhibit 2	May 2001 - Design Guidelines
☐	Exhibit 3	May 2001 - Specific Transit Plan
☒	Exhibit 4	May 2001 - PARKING MANAGEMENT PLAN
☐	Exhibit 5	May 2001 - Open Space Management Plan
☒	Exhibit 6	May 2001 - HISTORIC PRESERVATION PLAN
☐	Exhibit 7	May 2001 - Emergency Response Plan
☐	Exhibit 8	May 2001 - Trails Master Plan
☐	Exhibit 9	May 2001 - Private Road Access Limitation Procedures
☒	Exhibit 10	May 2001 - CONSTRUCTION AND DEVELOPMENT PHASING PLAN
☒	Exhibit 11	May 2001 - UTILITY MASTER PLAN
☒	Exhibit 12	May 2001 - DRAINAGE STUDY
☒	Exhibit 13	May 2001 - WILDLIFE STUDY
☒	Exhibit 14	May 2001 - EMPLOYEE/AFFORDABLE HOUSING PLAN
☒	Exhibit 15	May 2001 - CONSTREUCTION MITIGATION PLAN
☒	Exhibit 16	May 2001 - GEOTECHNICAL INVESTIGATION
☐	Exhibit 17	Per Page 2 of the 2001 Large Scale Master Planned Development Application
☐	Exhibit 18	"
☐	Exhibit 19	"
☐	Exhibit 20	"
☐	Exhibit 21	"

WHERE IS THE CLOSEST FIRE STATION?

The closest PCMC Fire Station is Silver Lake Village in upper Deer Valley.



Are there any other Mining Claims that can make the same request for the same reasons?

No

These are the only Mining Claims with the following three attributes:

1. The same Mining Claim metes and bounds as their annexed Park City Parcels (*Tax ID #s*)
2. Were specifically included in the 1998 and 2007 Flagstaff Annexation Agreement(s).
3. That own their surface and subsurface mineral rights too.

Would our Estate
Zone become an
“Estate Island” in
a sea of R.O.S.
Parcels?

No.

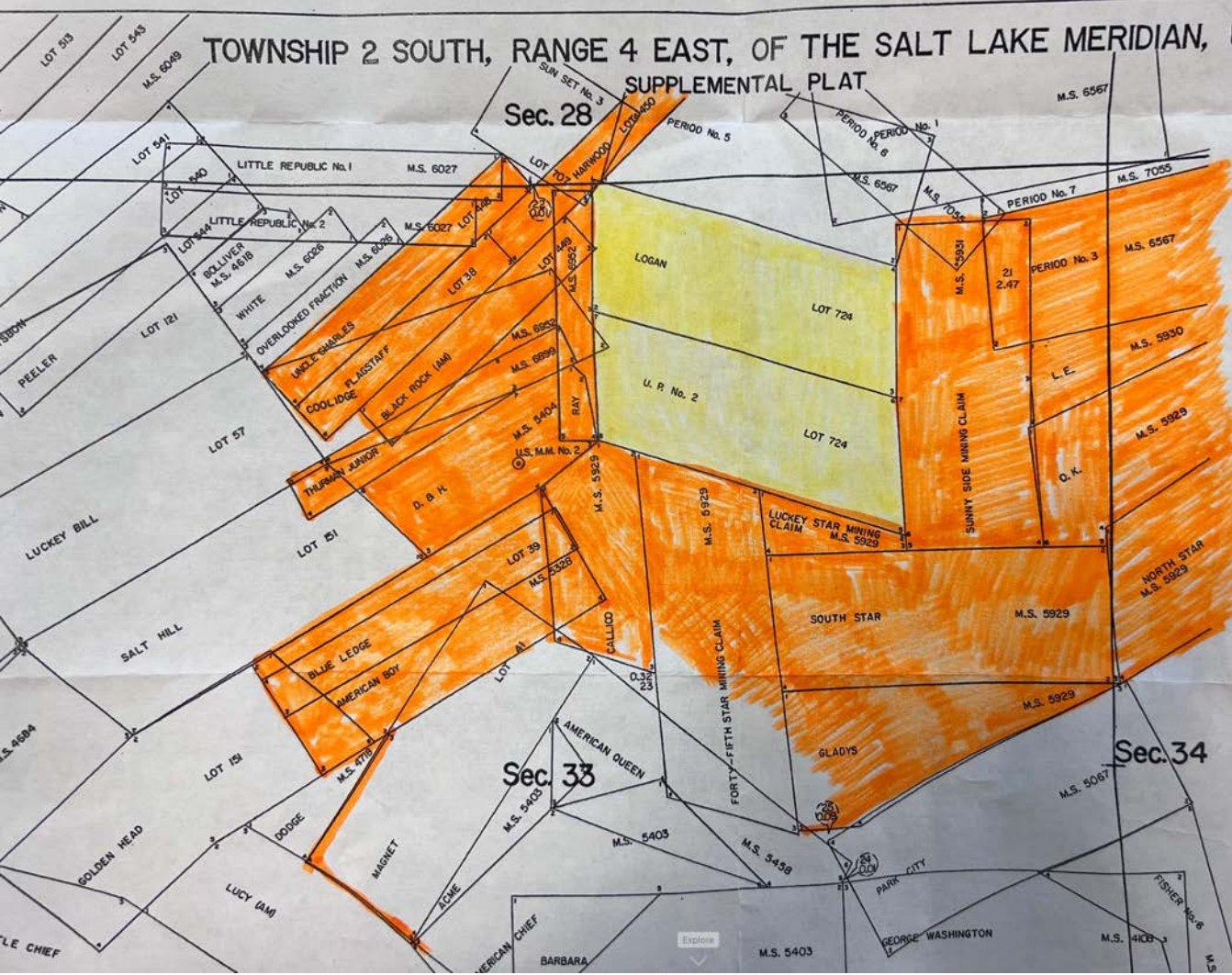
If we assume that our neighbor (to the west) will eventually acquire development rights, either as delineated in the Flagstaff Annexation Agreement - or denser, the BLC Parcels would either share the same density (of 2 units on 40 acres +/-) or be the lowest density of dwellings per acre in a series of shrinking densities radiating away from the existing core uses in the Red Cloud Neighborhood.

What other Mine Claims could make the same request?

None.

None of the other mine claims are also individual parcels - previously annexed into Park City.

None of the other mine claims
are also individual parcels -
previously annexed into Park City.



How big will the houses be?

We propose one 10,000 SF maximum home on each 3-acre parcel (*with approximately 34 acres of remaining preserved land*).

It is not yet clear if the two dwellings would become a new HOA or if they would simply be subject to the EPMOA Master Association.

BLC has not asked to be annexed into the Red Cloud HOA; however, we would be pleased to do so - if desired by them.



All Bike Trails on BLC Land will be protected.

This image shows the portions of the three bike trails that traverse the land and will continue to do so.

They include parts of:

1. Flagstaff Loop Trail,
2. Road to Ruby, and
3. Tidal Wave (*along our Eastern Border*).



Existing Vegetation on BLC Land will be protected.

Last year BLC met with:
Wendy Fisher, of Utah Open
Space, and Elizabeth Kitchens,
of the Nature Conservancy Trust
to initiate discussions on
creating the Conservation
Easements.



Statements on Good Cause

- The project satisfies the primary objectives of the R.O.S Zone and the S.L.O.
- The land has been held in Trust as a Bransford Family legacy statement.
- Limiting Density to 1 Dwelling per 20 Acres +/-.
- 82% + preserved Open Space available for conservation Easements.
- Protection of Bike and Ski Trails.
- Protection of existing vegetation.
- Protection of wildlife habitats.



BLC was and is willing to accept the Conditional Approval

A Conditional Zone Change approval does not convey any development rights until all such conditions have been met. BLC seeks an assurance from the P.C. that it agrees that two Estates is appropriate on the subject property

- BLC did not ask for a blanket zone change on all 40 acres.
- BLC only seeks the zone change for Single Family Estate uses on two 3-acre Parcels.
- BLC agrees that the balance of the land will remain R.O.S.
- BLC agrees that any Zone Change approval will be conditioned upon all the factors addressed in these pages, on our verbal assurances and satisfaction of the subsequent Sub-division Plat requirements.

Other Factors:

- Per Mark Harrington:
 - The Bransford parcels were annexed into Park City in a hostile Annexation process.
 - It was always assumed that Bransford could and would return with a similar Zone Change / Plat request.
- The Bransford's Access Easement across Twisted Branch and Red Cloud Trail was formally approved by both the Empire Pass Master Owners Association (EPMOA) and by the Red Cloud Home Owners Association.
- The proposed on-site road is a Private Driveway – not a Public Road.
- The 1981 Bransford Property Feasibility Study along with Anne's Family History and the decade long efforts involved with the Flagstaff Annexation establishes BLC's long term intent to develop.
- We believe it and the hostile aspects of the annexation negate any opposing theories based upon BLC's election to not sign onto the 2007 Development Agreement at that time.

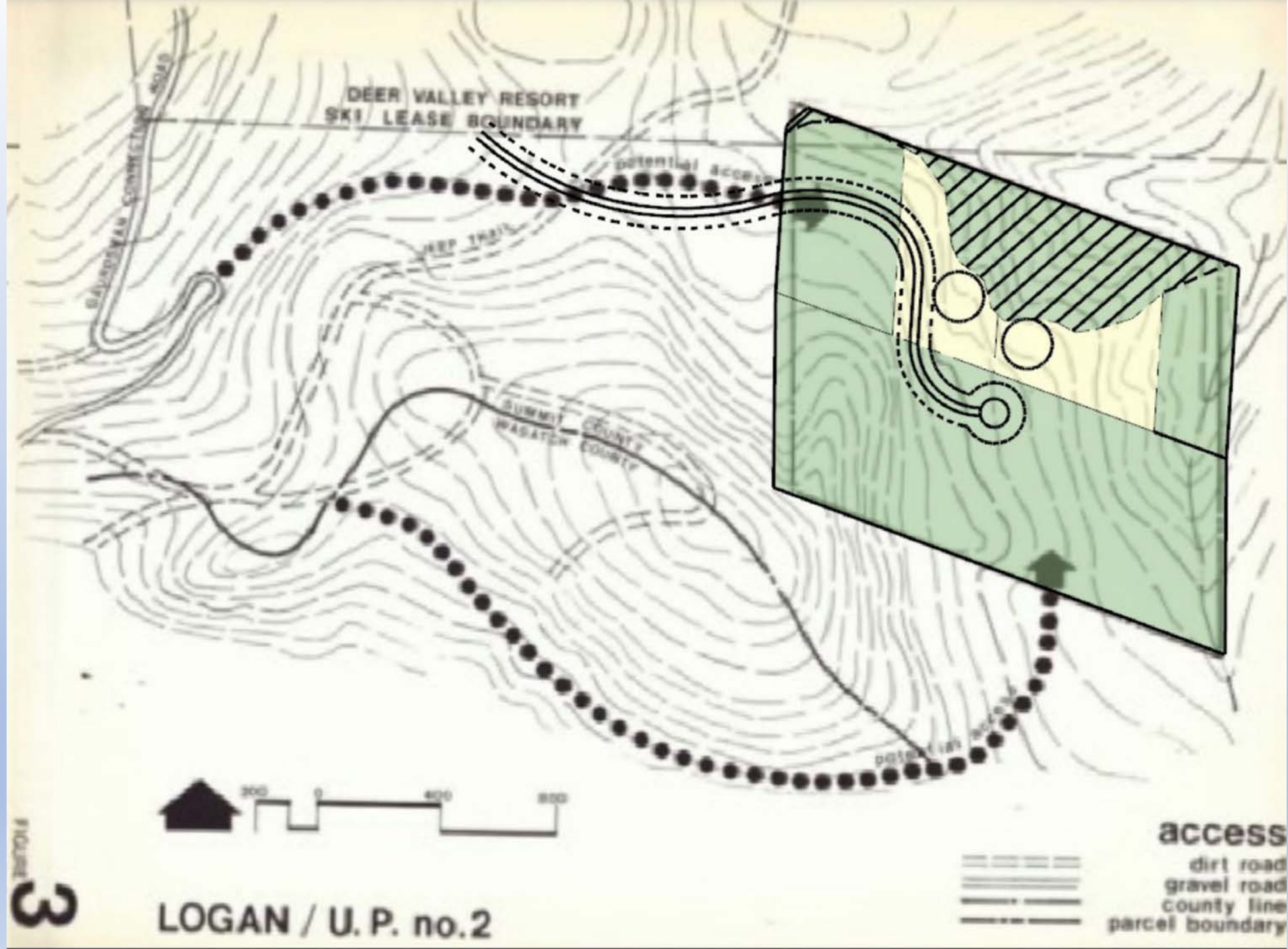
A landing page to a share folder with all the complete digital exhibits referred to in the Deck...

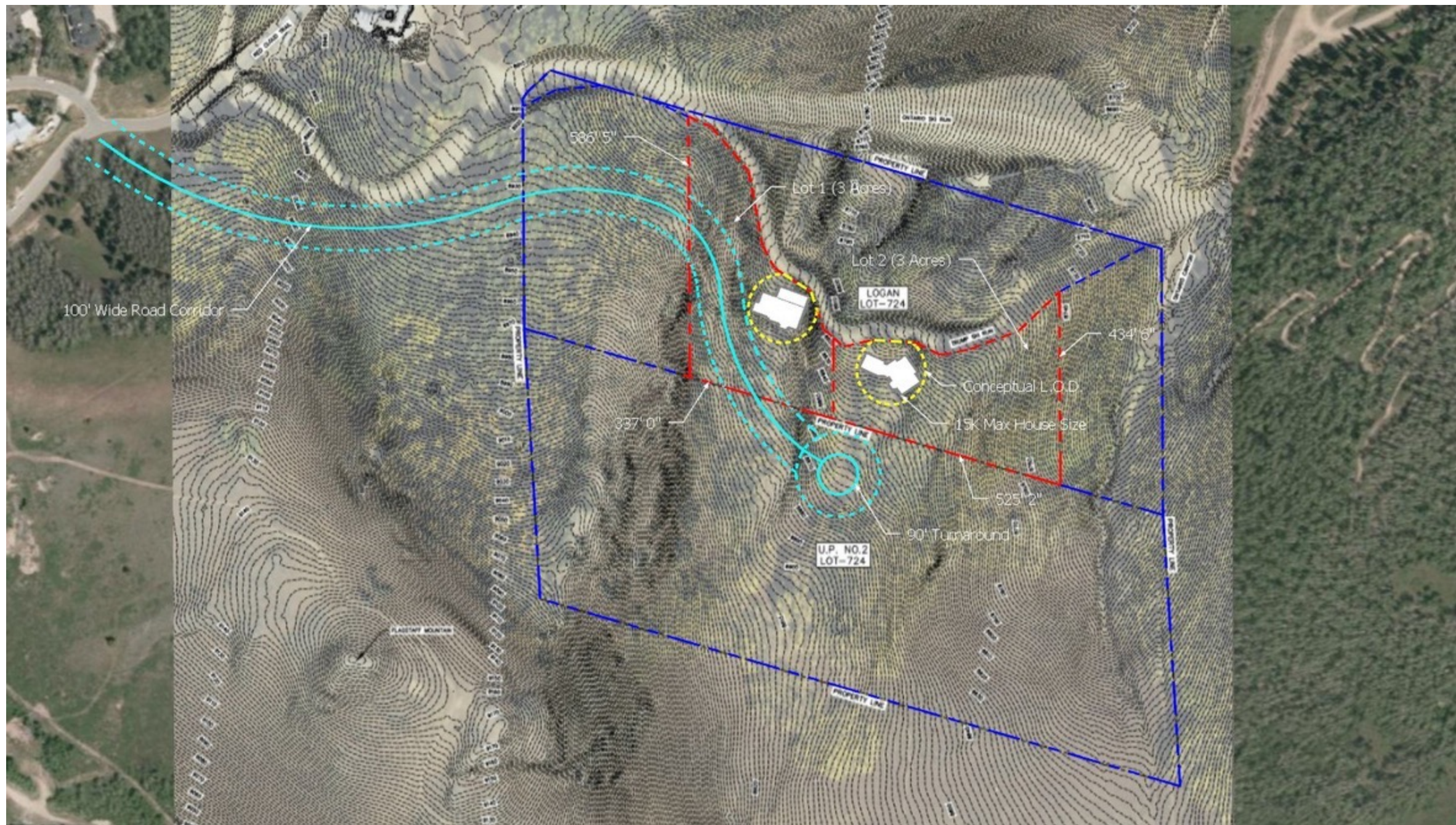


- Anne's intro of BLC to PC
- BLC Slope Analysis Map
- ROM - preserved land calcs
- EMPOA CCRS - building sizes - section 3.2 2 33' height
- Flagstaff Design Guidelines – December 2001
- 3-D Slope Map
- Mining Claims colored maps
- AutoCAD Slope Map over Survey
- And several older documents of record such as the Flagstaff Annexation docs, Red Cloud Plat and HOA docs, Redus Access & Utility Easement over Twisted Branch and Red Cloud Trail, etc.

Appendix

Additional Images and additional discussion points





Further comments on Exhibit G

6

Exhibit G neither identifies where BLC's Parcels are located (nor the location of any of the orienting landmarks such as the roads, nor which neighborhood designation was applied to them. *Looks like it was either in the 1::20-Acre or 1::5-Acre category.*

Kirsten Whetstone (Summit County Planner and prior PC Planner) advised me that post annexation Summit County no longer includes areas annexed into Park City in their County Zoning maps. Additionally, the annexed parcels were no longer treated as land included in their West Mountain area. Moreover, those parcels were no longer subject to Summit County Code. Park City (PCMC) had become the governing entity.

Kirsten observed that the parcels had clearly been Lots of Record before 1998 and remained Lots of Record after Annexation into Park City.

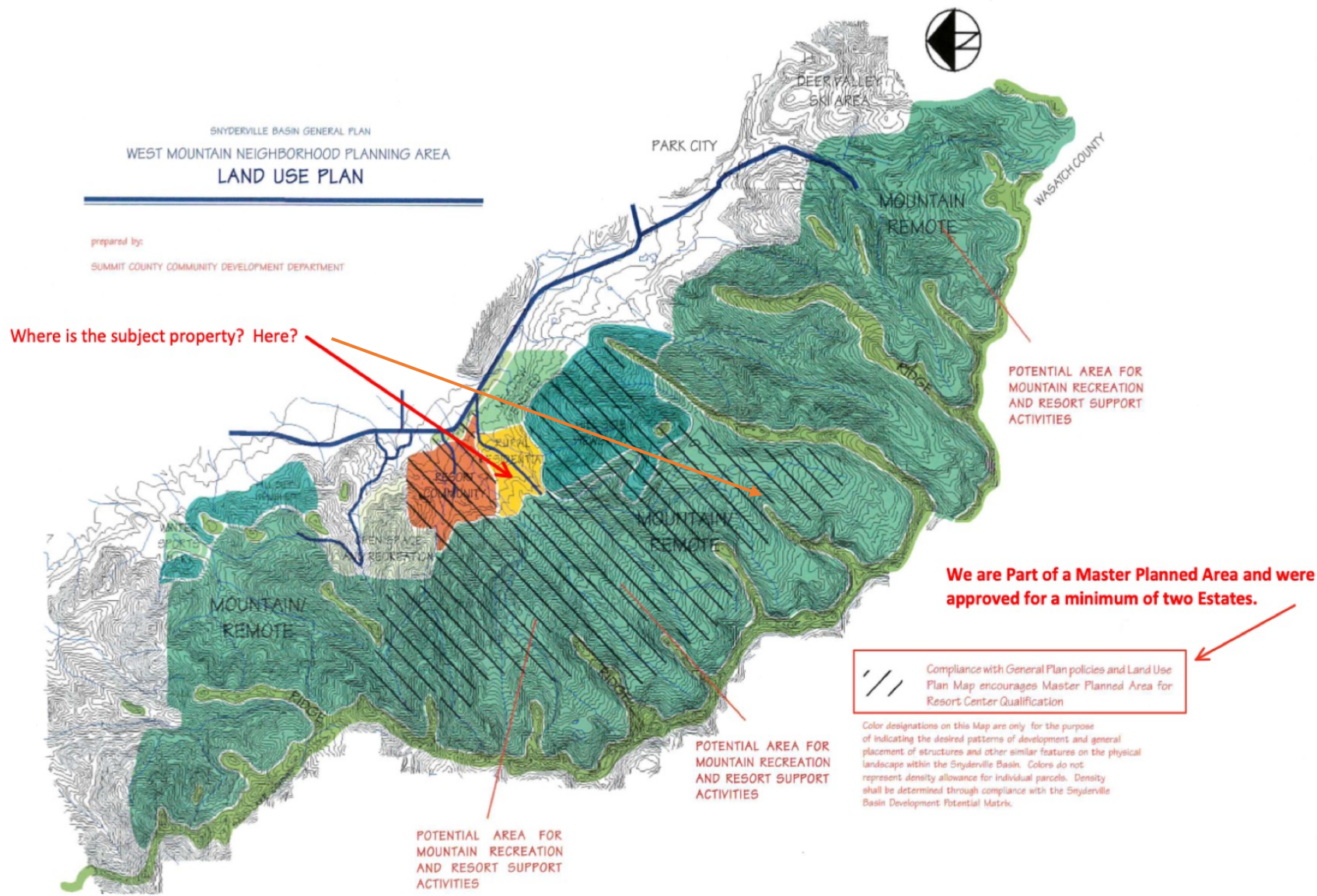
Staff also acknowledged the County Code was a pre-annexation condition.

Exhibit G is so vague that we have no idea how anyone could tell what the density is on our land.

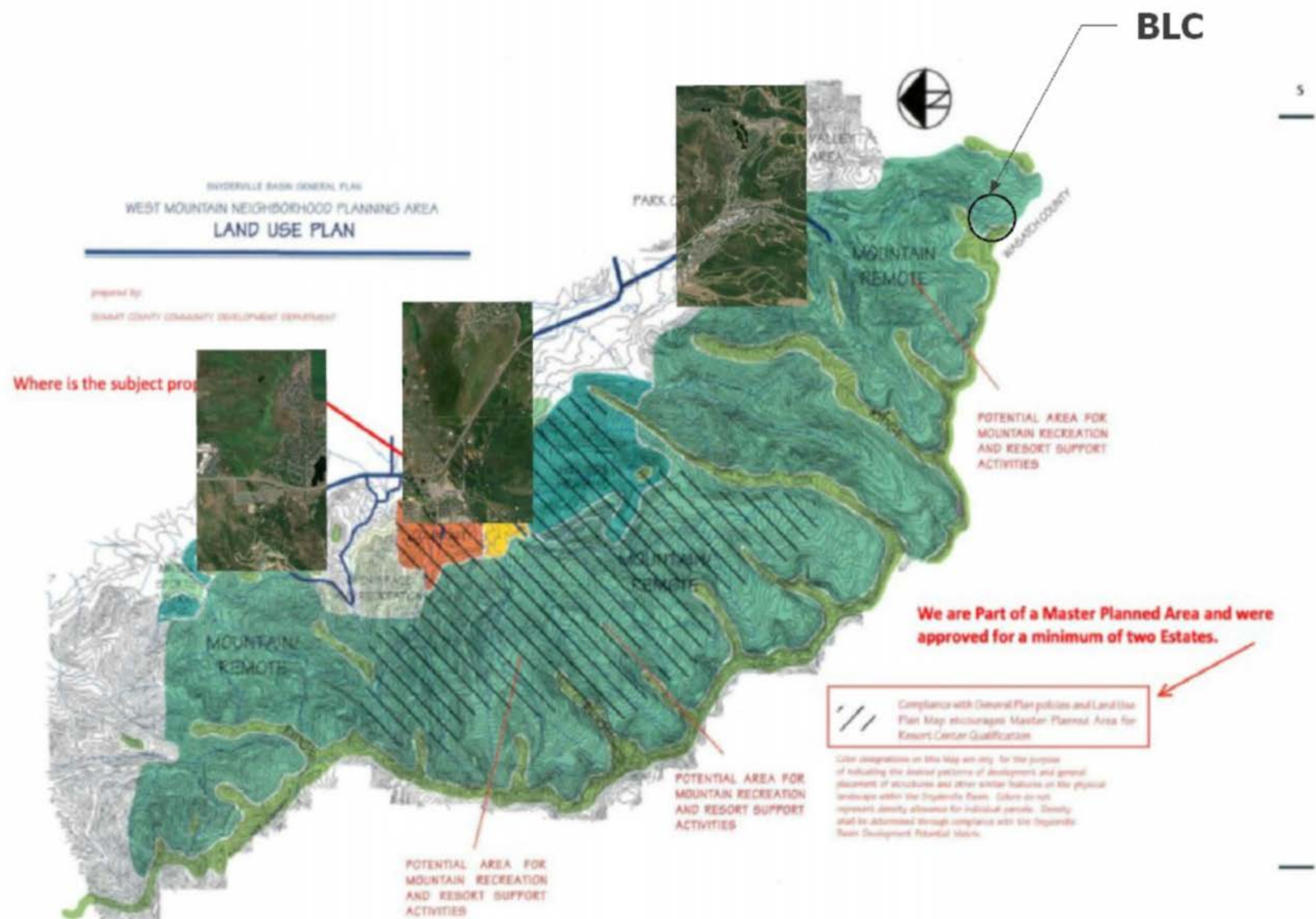
2.3.F(1) SNYDERVILLE BASIN DEVELOPMENT POTENTIAL MATRIX

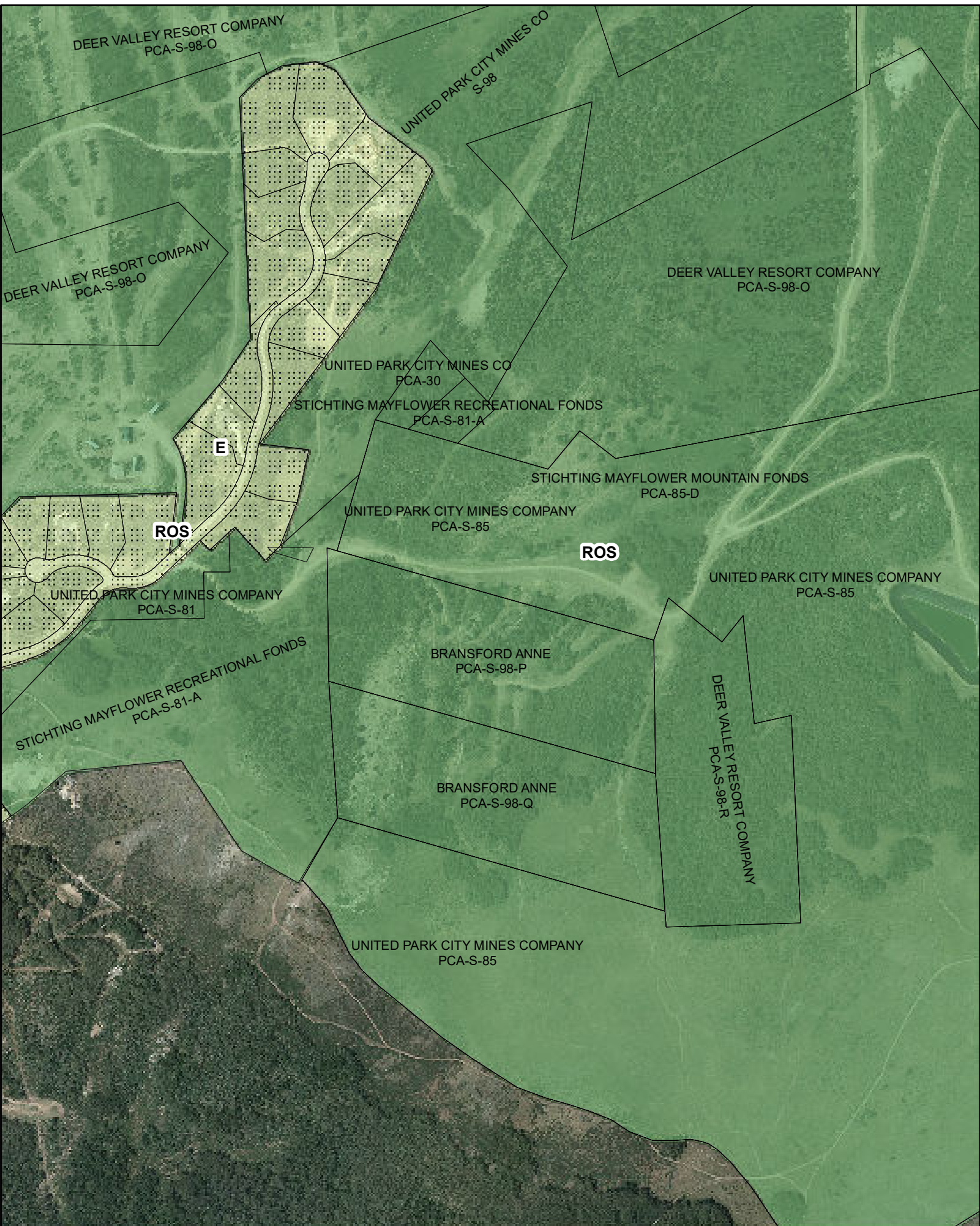
Minor Development

Base Density			Land Use Planning Principles				
Planning Area	Mountain/ Remote Areas ¹	All Other Land Use Designations ¹	Mandatory			Maximum Possible Density ⁵	
			Dedication and Preservation of Viewshed/Environment Features of the Area ²	Consistency with Desired Neighborhood Character ³	Community and Neighborhood Recreation Facilities ⁴		
East Basin		1 Unit/ 40 Acres	■	Desirable	Desirable	N/A	1 Unit/40 Acres
		1 Unit/ 20 Acres	■	Mandatory	Mandatory	Mandatory	up to 1 Unit/ 5 Acres
	1 Unit/ 40 Acres		■	Desirable	Desirable	N/A	1 Unit/40 Acres
	1 Unit/ 20 Acres		■	Mandatory	Mandatory	Mandatory	1 Unit/20 Acres
West Mountain		1 Unit/ 40 Acres	■	Desirable	Desirable	N/A	1 Unit/40 Acres
		1 Unit/ 20 Acres	■	Mandatory	Mandatory	Mandatory	up to 1 Unit/ 5 Acres
	1 Unit/ 40 Acres		■	Desirable	Desirable	N/A	1 Unit/40 Acres
	1 Unit/ 20 Acres		■	Mandatory	Mandatory	Mandatory	1 Unit/20 Acres



This display shows the Vail Resort area (Canyons <=> PC) and Main Street





DEER VALLEY RESORT COMPANY
PCA-S-98-O

UNITED PARK CITY MINES CO
S-98

DEER VALLEY RESORT COMPANY
PCA-S-98-O

DEER VALLEY RESORT COMPANY
PCA-S-98-O

UNITED PARK CITY MINES CO
PCA-30

STICHTING MAYFLOWER RECREATIONAL FONDS
PCA-S-81-A

STICHTING MAYFLOWER MOUNTAIN FONDS
PCA-85-D

UNITED PARK CITY MINES COMPANY
PCA-S-85

ROS

UNITED PARK CITY MINES COMPANY
PCA-S-85

UNITED PARK CITY MINES COMPANY
PCA-S-81

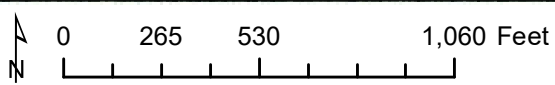
STICHTING MAYFLOWER RECREATIONAL FONDS
PCA-S-81-A

BRANSFORD ANNE
PCA-S-98-P

BRANSFORD ANNE
PCA-S-98-Q

DEER VALLEY RESORT COMPANY
PCA-S-98-R

UNITED PARK CITY MINES COMPANY
PCA-S-85





ROSING DAVIDSON FROST

Gateway Center
136 Heber Ave
Suite 205
Park City, Utah 84060

Main 435.731.5451
Fax 435.200.9067

Robert S. Rosing
Melyssa D. Davidson
Nick W. Frost
Jared C. Bowman
Bastiaan K. Coebergh
Monica D. Gonzalez
Asa E. Kelley
Court J. Klekas II
Rebecca A. Royer
Cade W. Whitney
Vanessa A. Vietz

December 14, 2022

VIA EMAIL

Commissioner Laura Suesser
Commissioner Sarah Hall
Commissioner John Kenworthy
Commissioner Bill Johnson
Commissioner Christin Van Dine
Commissioner Henry Sigg
sarah.hall@parkcity.org
john.kenworthy@parkcity.org
john.phillips@parkcity.org
bill.johnson@parkcity.org
laura.suesser@parkcity.org
christin.vandine@parkcity.org
christin.vandine@parkcity.org

Re: Bransford Parcels Application Objection

Dear Planning Commissioners:

As you may know, my firm is legal counsel to the Red Cloud Subdivision Homeowner's Association, Inc. ("Red Cloud"), which is the residential neighborhood in close proximity to the Bransford Properties. In addition to previous public comments provided by my firm, I am writing this letter to provide a formal objection to the Bransford's application for the reasons set forth below. It is Red Cloud's hope that you will take the time to review these objections, each on their own merit, and reach the conclusion that the Bransford Application cannot be approved.

I. No Legal Basis.

No legal provision exists in the 2007 Flagstaff Development Agreement (“DA”), or any other document, that allows for the creation of the density sought by the Bransford application. Section 2.4 of the DA provides two options for development of that area: (1) all 5 of the Northside Neighborhood Property Owners participate in an MPD and receive density for 38 homes; or alternatively (b) the Developer and Deer Valley, collectively, participate in an MPD and receive density for 30 homes. These were the only two choices. As you know, the Northside Neighborhood Property Owners did not enter into an MPD, and instead, the Developer and Deer Valley formed the Red Cloud Subdivision. Indeed, despite having the choice, the Bransford’s did not even enter into the DA, which is significant since Bransford’s election of the first option would be contingent upon Bransford’s “written acceptance of the terms of [the DA Agreement].” See Section 2.4 of the DA.

The DA provides for a decision to be made between two choices and a decision was made – an MPD for 30 residences. By the very language of the DA, once Red Cloud Subdivision was approved, the density for the remaining 8 properties was eliminated. The density was not somehow kept in reserves as ‘remainder density’ for a future date for the Bransfords, who are not even a party to the DA. This language in the DA does not exist. Simply put, there is no legal basis for the density sought by the Bransfords – it is being created out of thin air, and is therefore, entirely illegal.

II. Open Space Precedent.

Even if the DA provided for the illusory ‘remainder density,’ and it does not, Park City’s Planning Commission has previously set a clear precedent rejecting the conversion of Recreational Open Space (“ROS”) to density zoning. Indeed, on January 9, 2019, an application was brought before this Planning Commission seeking to trade a small portion of ROS land to density zoning to accommodate some improvements to a residential property. The proposal would have resulted in a net zero reduction of ROS land. However, the Planning Commission unanimously rejected the proposal, basing its decision, almost solely on creating a precedent for future applications also seeking to convert or alter ROS land, just like the Bransford application.

In relevant part, and pursuant to the Meeting Minutes, Vice Chair Phillips indicated that he was concerned about the precedent it would set for the rest of the neighbors. He continued, others could not be held to a different standard if they allowed this approval. Commissioner Sletten concurred with Vice-Chair Phillips and stated that while there were compelling arguments on both sides, looking forward 10-15 years, the precedent will be buried in Staff Report notes and he believed that this was an important issue and the Planning Commission should hold the line. Finally, Commissioner Hall stated that “precedent was the forefront of her mind.”

The Staff Report for the Bransford application erroneously indicates that precedent somehow does not apply here because the property is “unique” due to the DA. First, given the unique nature of each parcel of real property globally, every property application, is ‘unique.’ There is nothing that is more ‘unique’ about the Bransford parcels than any other parcel of real

property in the Park City area. However, as stated above, the DA does not preserve any special rights – or any rights at all – to the Bransford properties. This language does not exist. There is nothing unique or special about the Bransford properties and they should be treated just like all other properties in Park City.

As a result, a recommendation or approval of the Bransford application, converting ROS to density zoning, runs directly contrary to the established precedent that this Planning Commission so vigorously established just a few years ago. A decision running against established precedent would, on its own merits, be arbitrary and capricious.

III. General Plan:

As you know, Park City’s General Plan is replete, if not saturated, with references to the creation and preservation of open space. As you also know, the City has made substantial financial commitments to create open space lands. In fact, all of the approved bonds giving rise to the purchase of open space in recent years were overwhelmingly approved by the Park City citizens. So important is the conservation of open space to Park City Municipal and the citizens it serves, that the General Plan has entire goals dedicated to the same, which includes an outline of how the objective of open space acquisition and preservation can take place. *See* Goal 4 of Natural Setting.

As a result, removing almost 40 acres of zoned ROS land to create houses – even two houses – runs directly contrary to the established objectives of the General Plan. This is a non-negotiable point in the General Plan. Directly contrary to the General Plan, the Bransford application seeks to irreversibly eliminate almost 40 acres of ROS in exchange for density housing. The General Plan does not – and cannot – support this application.

IV. Legal Requirements Not Met.

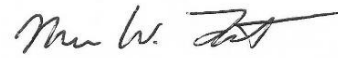
Utah law requires the Planning Commission to ensure that specific requirements are met prior to approving a zoning amendment. *See* Utah Code 10-9a-102. Specifically, Utah law requires the City to, among other things, consider “open space” needs as well as to “provide fundamental fairness in land use regulation.” *See id.* As set forth above, the Bransford application directly violates established precedent that was applied to other property owners seeking similar treatment. Moreover, the DA was established to provide information for all Park City residents to rely upon when purchasing property and recreating. As set forth above, there is no language in the DA, which allows for an increase in density. It would be fundamentally unfair to all Park City residents to approve the Bransford Application.

In conclusion, there is no supporting legal basis in the DA for an increase in density. That language simply does not exist. Additionally, a conversion of ROS to density housing runs directly contrary to established precedent as well as Park City’s General Plan. As a result, the legal requirements provided by the state to amend the zoning map are not and cannot be met, which would render any approval to the contrary, arbitrary, capricious, as well as illegal. It is Red Cloud’s

hope that you will investigate the items set forth above before rendering a decision. Thank you for your consideration of these matters.

Sincerely,

ROSING DAVIDSON FROST

A handwritten signature in black ink, appearing to read "Nick Frost", with a stylized flourish at the end.

Nick Frost

cc: Mark Harrington: mark@parkcity.org

Makena Hawley: makena.hawley@parkcity.org

From: [Mary Leader](#)
To: [Alexandra Ananth](#)
Cc: [Mary Leader](#); [Jeffrey Kuhn](#); [Anne Bransford](#)
Subject: [External] Additional Public Comment for Bransford Land Parcels Rezone January 24, 2023, Application PL-21-05042
Date: Monday, January 23, 2023 3:08:34 PM
Attachments: [Bransford Letter 2022.pdf](#)
Importance: High

[CAUTION] This is an external email.

Dear Alex,

We are very appreciative of your professionalism, time and efforts on behalf of the Bransford family with the Zoning Amendment to rezone a portion of our property holdings in Summit County. I noticed in reviewing the packet in the City Council Staff Report for the January 24th Meeting, an important letter and email have been left out of the packet. Important to us, because they support the Bransford's request, especially the letter from Mountain Trails.

They are attached/included below and I hope they will be added to the other comments in the packet.

From: Matt Mullin <matt@ironwoodresorts.com>
Sent: Wednesday, August 17, 2022 4:32 PM
To: Makena.Hawley@parkcity.org <Makena.Hawley@parkcity.org>
Subject: Bransford Parcels

Hello Makena,

I hope all is well with you! I wanted to send you a letter of support of the rezone application on behalf of teh Bransford Family.

Having been involved with Empire Pass since its conception I am aware of the Bransford Family parcels and have kept in touch with them over the years relative to their intentions with their land. Recently, they made me aware that they were seeking a Zone Change to improve their properties. I am writing you today to express my support for this Zone Change.

The Bransford Family land should be utilized for single-family homes in keeping with the neighboring properties. These parcels, used in this way, would seem to compliment the

existing zoning in the area.

Could I ask that you add my comments to your files and present them to the Planning Commission as well?

Many thanks,

*Matt Mullin
(435) 901-4707*

With appreciation,
Mary
Mary B. Leader
Bransford Land Company, LLC
Mary.Leader@bransfordland.com
(435) 714-0533
PO Box 681318
Park City, UT 84068

BOARD OF DIRECTORS

Steve Perkins

Chair

Cory McNeely

Treasurer

Charlie Butler

Secretary

Adam Strachan

Attorney

Carol Agle

Katie Wilking

Roanne Mayer

Thor Kallerud

Todd Henneman

Tom Peek

Will Hodgman



October 24, 2022

Re: Bransford Land Conditional Zone Change Application

STAFF

Lora Smith, Executive Director

[Lora@MountainTrails.org]

Rick Fournier, Field Manager

[Rick@MountainTrails.org]

Ian Hartley, Executive Asst.

[Ian@MountainTrails.org]

Ginger Wicks, Admin Asst.

[Ginger@MountainTrails.org]

ADVISORY BOARD

Jan Wilking

Mountain Trails Founder

Tana Toly

Park City Council

Chris Erkkila

Deer Valley Resort

John Sale

Park City Resort

Scott House

Wasatch Trails Foundation

John Marnin

Cole Sport

Herb Lepley, FNP, MSN

Medical Coordinator

www.MountainTrails.org

Mailing Address:

PO Box 754

Park City, UT 84060

Street Address:

5792 N. Highland Dr.

Park City, UT 84098

Dear Ladies and Gentlemen:

Mountain Trails Foundation and Park City's trail users have long appreciated the privilege of access to the Bransford's private property in the Flagstaff Mountain area of Deer Valley. For nearly three decades, Mountain Trails Foundation has worked with the Bransford's for the benefit of community trails. We are grateful for their commitment to doing right by our community.

Insofar as the two estate homes they have requested do not detract in any way from the character of the trail system in that area, MTF supports the Bransford's proposed zone change.

The Bransford's have proven to be conscientious stewards of the land and, as they continue to share their precious resource with trail users, we honor their generosity with a recommendation that, in return for their benevolence, their request before you goes forward swiftly and smoothly.

Please feel free to call me with questions.

Respectfully,

Lora Smith

Executive Director

Mountain Trails Foundation

Lora@MountainTrails.org

(435) 513-0347



December 14, 2022

BY EMAIL

Park City Planning Commission
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
planning@parkcity.org

**Re: Bransford Land Company, LLC – Zone Change Application for Parcels
PCA-S-79-B and PCA-S-79-C**

Dear Planning Commission:

Thank you for the opportunity to comment on Bransford Land Company’s application for a zoning change. On behalf of several Extell Development Company affiliates (collectively “**Extell**”), our firm has submitted several letters opposing the application. We also gave public comment on Extell’s behalf at the Commission’s November 9, 2022, hearing. We appreciated the Commission’s dedication that evening and the opportunity to share our concerns. Many of those concerns remain, including setting precedent for a defective process, inconsistencies with the General Plan, and deficiencies in the proposed conditions of approval.

Precedent: Recommending approval of the application would set a problematic precedent that the Commission allows a bifurcated process for undevelopable property. The applicant asks the Commission to recommend conditional approval of a rezone to “Estate” for property that has no current legal access or ability to connect to utilities. The proposed 2,000-foot-long private drive depicted in the application is three times the length of what is allowed for a private drive ending in a cul-de-sac¹—not to mention the steep slopes that must be navigated. Nor has the applicant given the Commission concrete development plans to consider.

This piecemeal process is not fair to the Commission, the Planning Department, other developers, or the public. The application has taken substantial Planning Department attention and has been noticed for five separate Commission hearings. All that work and dedication of resources may ultimately be for naught, and simply because the applicant says it wishes to reduce upfront costs for itself.

¹ See Park City Design Standards, Construction Specifications and Standard Drawings, section 200.3.02(G) (allowing 650-foot road).

The Planning Department has recognized that significant obstacles remain before the property can be developed—assuming it can be developed at all. The initial staff report noted “[s]everal concerns” including “access easements, water and sewer connections, and fire code compliance and access.”² That same report stated the Commission may want to consider those concerns in its decision. It should.

The problems with the applicant’s bifurcated process were on display at the last hearing. As the Red Cloud HOA’s counsel stated, the applicant is requesting an “island zone” with “no legal access and precedent.” Vice Chair Hall did not recall previously approving an application where property did not have access and stated it seemed unusual to consider a rezone without more detailed plans. And Commissioner Frontero inquired whether the Commission is essentially “approving an idea.” The peculiarity of the application triggered discussion of whether the Commission would be recommending “conditional” or “floating” lots within the applicant’s 40 acres. And it was confirmed that no one knows where those lots may be located—if they ever come to fruition.

In the face of this irregular application, the Commission has an opportunity to set commonsense precedent: recommend denial of a conditional rezone to “Estate” because the land is not in a state to be developed. If and when the applicant has concrete plans—or at the very least proof of concept with proven access and an ability to connect to utilities—the applicant can seek a rezone in conjunction with those plans. This approach would preserve public resources. It would ensure that the same Commission considering zoning is the same Commission that considers the applicant’s subdivision plat. It also would ensure the Commission has the same applicant before it at both stages. There is no guaranty Bransford will be the party carrying forward with development or even that a future developer will have a similar vision.

On the other hand, if the Commission were to recommend approval, it would be setting a precedent that developers can take an incremental approach to try to boost the value of their land. Developers could test the waters with the Commission hoping it may recommend a course of action without all information available to determine the potential impacts of its decision. Developers would have free-rein to use the staff’s resources extensively before undertaking the plans the Commission needs to do its job properly. That is not an efficient use of public resources or a process that ensures development consistency in Park City.

The applicant has suggested its application will not set adverse precedent because its property is unique and was considered for density as part of the Flagstaff Mountain development agreement years ago. But the applicant did not sign that agreement. And the critical difference is that the development agreement included a robust negotiation with the City and others, as well as plans for a private road system for accessing land within the development.³ The applicant does not have any similar plans, or established access, to warrant consideration of a rezone to “Estate.”

This application should be treated like all other applications—on the facts and merits of the application itself and with an eye toward precedent. Because acquiescing to the applicant’s

² See April 13, 2022, Planning Commission Staff Report at p. 15.

³ See December 14, 2022, Agenda Packet at 316, 351, 358, and 359.

bifurcated process would set a problematic precedent, the Commission should recommend the application's denial.

Inconsistency with the General Plan: The application is also inconsistent with the General Plan. The General Plan calls for development of the Upper Deer Valley Neighborhood to be consistent with the goal that “Park City will grow **inward**, strengthening **existing neighborhoods** while **protecting undeveloped land** representative of the community’s core values from future development.” (General Plan, p. 252 (emphasis added).) The application is inconsistent with that goal. It envisions developing the outer reaches of Park City, creating a remote, two-estate pod on steep terrain away from existing neighborhoods, and developing what has historically been open space.

The General Plan also refers to protecting the City’s “core values.” One of those core values is recreation. Bransford has publicly alleged in the litigation with Extell—as well as in public recordings—that access to its property overlaps with Deer Valley’s Ontario ski run.⁴ While Extell vociferously disagrees with Bransford’s claims, those claims, as currently framed, envision **vehicular traffic on a ski run**. This is critical. It is a separate, distinct, and independent reason to recommend denying the application as being out of step with core values.

Conditions for Approval: If the Commission is inclined to recommend approving the application, it should amend the conditions for approval. The Planning Department staff initially recommended “a two-year Sunset Clause, with the opportunity for one, one-year extension approved by the City Council.”⁵ At the last hearing, the recommendation changed to a three-year Sunset Clause, with a two-year extension—i.e., five years total. The latest draft ordinance envisions a two-year Sunset Clause with a two-year extension—i.e., four years total.

These recommendations are far too long. To put it in perspective, it was about three years ago when the World Health Organization recognized and announced Covid-19 as a global pandemic. A lot can change in that amount of time. The purpose of a Sunset Clause, as the applicant admitted at the last hearing, is to ensure that **this Commission** is the one making decisions about development on this land. A three-, four-, or five-year Sunset Clause is inconsistent with that goal. Just three years ago, this Commission had three different members than it does today. If the Commission views the application favorably, it should shorten the Sunset Clause, preferably to a two-year window at most.

And if recreational uses are to be properly preserved, the Commission should include conditions of approval protecting the Ontario and Trump ski runs. The proposed ordinance includes conditions for approval that require the applicant to preserve existing bike and ski trails **on the property**. But the proposed ordinance does not impose conditions to preserve existing trails **leading to the property**. Because the applicant has publicly claimed access over the Ontario ski run, the Commission should ensure that conditions for approval adequately protect recreation on that trail.

Clarifications: Finally, we wish to clarify the record on a few points raised at the last hearing.

⁴ Attached to this letter is a diagram depicting the 60-foot-wide access corridor Bransford claims in the litigation.

⁵ November 9, 2022, Agenda Packet at p. 279.

The applicant suggested Extell was improperly commenting on the pending litigation because there is a “gag order” in place. The Court has not issued a gag order, which are rarely issued in civil cases. The filings in the matter are generally public, and the access Bransford claims in the litigation is found in public recordings with the county.

There was a suggestion that Extell simply wants to litigate. On the contrary, Extell was forced to take action after Bransford recorded a “Notice of Interest and Claim in Roadway” against its property. Extell is defending its property rights.

There also was confusion about whether the primary stakeholders on Flagstaff support the application. Extell and the Red Cloud HOA have expressed their opposition. Deer Valley has not weighed in with public comment. The personal communications from Steve Issowits and Doug Ogilvy do not state the comments are made on behalf of Deer Valley or the Red Cloud HOA. Moreover, Mr. Ogilvy holds, or has held, a position with REDUS, which sold the applicant its easement over Twisted Branch and Red Cloud Trail. His personal support would be in line with that financial transaction.

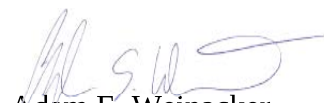
Finally, there was a suggestion that the easement granted to the applicant along Red Cloud Trail by REDUS gives the applicant several access points. But that agreement requires coordination with Extell, the owner of the property between Red Cloud Trail and the Bransford property.⁶ It does not grant access across the Extell property.

* * *

Thank you for considering our concerns. For the reasons expressed in this letter and our prior communications to the Commission, we urge the Commission to recommend denial of the application to the City Council.

Sincerely,

PARSONS BEHLE & LATIMER



Adam E. Weinacker
Attorney at Law

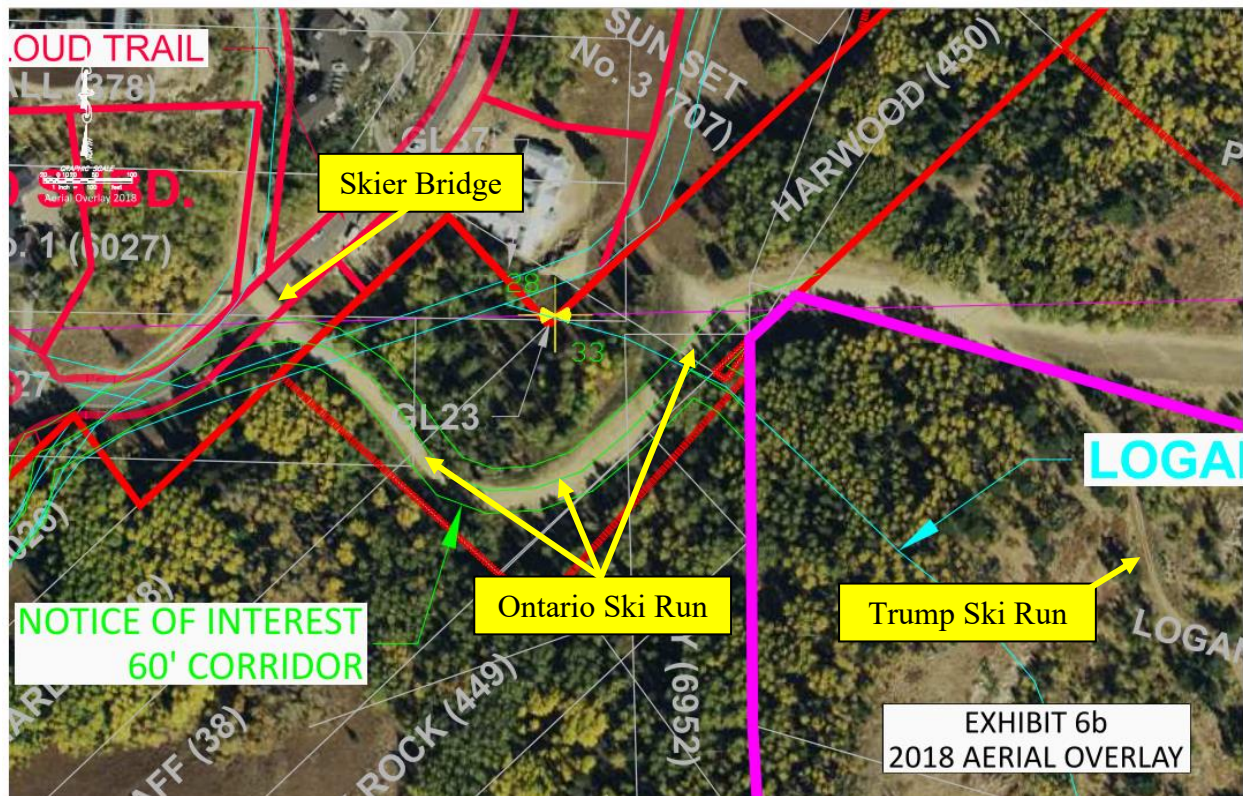
AEW:
Attachment

⁶ See Agenda Packet at 282.

Bransford's Claimed Access Route

Below is a portion of a schematic prepared by Bransford Land Company's retained surveyor. The green lines represent a 60-foot-wide corridor across Extell land to the Bransford property. Bransford alleges in the litigation with Extell that, under several legal theories, it has an easement within this corridor.

As you can see, the alleged access corridor overlaps with the Ontario ski run starting at the skier bridge across Red Cloud Trail. We have added labels in yellow to help identify the skier bridge, the Ontario ski run, and the Trump ski run. This alleged access differs from what the applicant has depicted in its submissions to the Commission.





201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Main 801.532.1234
Fax 801.536.6111

A Professional
Law Corporation

Adam E. Weinacker
Attorney at Law
Direct 801.536.6911
AWeinacker@parsonsbehle.com

November 8, 2022

BY EMAIL

Park City Planning Commission
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
planning@parkcity.org

**Re: November 9, 2022, Public Hearing Re: Bransford Land Company, LLC's
Zone Change Application for Parcels PCA-S-79-B and PCA-S-79-C**

Dear Planning Commission:

Our firm represents several affiliates of Extell Development Company (collectively "**Extell**"). We write to re-assert our objections to the application of Bransford Land Company LLC ("**Applicant**"), which seeks to change the zoning for two properties on Flagstaff Mountain from Recreation Open Space to Estate.

Extell owns or has a controlling interest in properties adjacent to the two parcels under review, PCA-S-79-B and PCA-S-79-C. Our firm has previously provided the Commission with three letters strenuously objecting to the application on numerous grounds.¹ The Applicant's recent submissions to the Commission do not resolve our concerns, and the latest Staff Report and agenda packet materials for the November 9, 2022, public hearing raise several issues we wish to bring to the Commission's attention.

A. Notice

The Staff Report states that, on October 26, notices for the November 9 hearing were mailed to property owners within 300 feet of the Applicant's properties. As of the date of this letter, Extell has yet to receive any mailed notice. Extell first learned about the upcoming hearing only as a result of an email communication from Mark Harrington on Friday, November 4, 2022.

We have requested further substantiation that notices were mailed but have not yet received that substantiation. We also do not know whether neighboring landowners received

¹ These letters are part of the agenda packet provided to the Commission at pages 437-40 (August 10, 2022); 442-44 (June 7, 2022); and 446-48 (April 7, 2022).

notice. Accordingly, we are concerned that the scheduled public hearing does not meet municipal or statutory notice requirements.²

B. Access

The Applicant continues to lack access or any right to install utilities across Extell's property. As we have previously informed the Commission, Extell and the Applicant are in active litigation over that very issue.

Nonetheless, the Applicant's materials continue to misleadingly depict "likely" access and utility service locations across Extell's land. In several instances, the Applicant depicts a "100' Wide Road Corridor" across Extell's land. The Applicant has no such "corridor." And the "corridor" depicted in the materials is not in the location of the alleged easement that Bransford claims in the litigation. Nor is it the same width. The alleged easement Bransford asserts in the litigation would coincide with the Ontario ski run—potentially affecting recreation activities—and is alleged to be 60 feet wide.³

The Commission should carefully review pages 278, 279, 291, 308, 309, 325, and 326 of the agenda packet. Each page depicts a "corridor" to which the Applicant has no right and which conflicts with the access the Applicant has claimed in legal proceedings.⁴

C. Disturbance

The Applicant suggests that its proposed development would leave 82% of the Applicant's land "undisturbed."⁵ It is unclear how the Applicant came to the calculation that the "private drive" will impact only 1 acre. The application envisions a 100-foot-wide corridor that would not only impact the Applicant's land, but would also cross a forested area of the Extell lands. When the impact of this entire proposed corridor is considered, we believe that the Applicant's proposed development would result in a disturbance that far exceeds what the Applicant has represented to the Commission.

D. Precedent

The Applicant states that its application will not set a precedent because owners of other mining claims could not similarly make a request to re-zone from Recreation Open Space to Estate.⁶ The Applicant's reasons for this assertion are not supported. The Applicant fails to

² See LMC § 15-1-12; Utah Code § 10-9a-205(5)(a)-(b).

³ Extell disputes that the Applicant is entitled to any easement across its land.

⁴ In at least one instance (page 308 of the agenda packet), the Applicant refers to a feasibility study that is more than 40 years old and references two separate potential access locations, each of which is different from the easement the Applicant asserts in litigation.

⁵ See page 307 of the agenda packet.

⁶ See page 314 of the agenda packet.

explain why owners of mining claims within city boundaries and zoned as Recreation Open Space could not submit a similar application. And the Applicant suggests that its mining claims are unique in that the Applicant owns surface and subsurface rights. The Applicant provides no support for this assertion and overlooks the principle that “mining claims presumptively include both the surface and mineral estates.” *United Park City Mines Co. v. Estate of Clegg*, 737 P.2d 173, 176 (Utah 1987).

The Commission also should be focused on the precedent that Bransford seeks to establish for serial filings. The Applicant has no access to its parcels and no ability to connect utilities. Yet its application requests a zoning change consistent with a developable parcel. The appropriate procedure would be to submit a zoning change application as part of the process of submitting a subdivision plat if and when the parcels are developable. This approach would promote preservation of public resources. Moreover, granting a re-zone to Estate for land without access promotes a false sense that the property is developable, marketable, and more valuable than it is.

E. Adjacent Development

The Applicant asserts, without support, that Extell “will eventually acquire development rights as delineated in the Flagstaff Annexation Agreement—or denser”—and that the Applicant’s zone change would “create the lowest dwellings per acre in a series of shrinking densities radiating away from the existing core uses in the Red Cloud Neighborhood.”⁷ Extell has not requested a zoning change or submitted plans for “denser” development. The Applicant’s statement is pure speculation, and the Applicant’s proposed density is one without public support from stakeholders on Flagstaff Mountain.

The public comment submitted for the application does not favor the Applicant. The other adjacent stakeholders to Applicant’s properties are the Red Cloud HOA and Deer Valley Resort. The Red Cloud HOA, like Extell, has objected to the application. The HOA has gone so far as to assert that, at the last work session, the “Applicant falsely represented that the Red Cloud HOA supports” the application.⁸ Contrary to the Applicant’s representation to the Commission, the HOA has asserted that the application “is illegal and should result in a negative recommendation and denial for multiple reasons.” With no favorable input from Deer Valley,⁹ the application is devoid of written public support from any of the immediate stakeholders in the area.

⁷ See page 315 of the packet.

⁸ See page 436 of the packet.

⁹ The public comment includes a letter from Steve Issowits, who was formerly associated with Deer Valley. But his letter is careful not to state it is Deer Valley’s position.

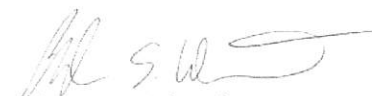
November 8, 2022
Page Four

* * *

We appreciate the Commission's consideration of our concerns. We continue to object to the application and ask that the Commission not recommend its approval to the City Council.

Sincerely,

PARSONS BEHLE & LATIMER



Adam E. Weinacker
Attorney at Law

AEW:
None

cc: Sarah Hall (via email: sarah.hall@parkcity.org)
John Kenworthy (via email: john.kenworthy@parkcity.org)
John Frontero (via email: john.frontero@parkcity.org)
Laura Suesser (via email: laura.suesser@parkcity.org)
Bill Johnson (via email: bill.johnson@parkcity.org)
Christin Van Dine (via email: christin.vandine@parkcity.org)
Gretchen Milliken (via email: gretchen.milliken@parkcity.org)
Mark Harrington (via email: mark@parkcity.org)
Margaret Plane (via email: margaret.plane@parkcity.org)
Jennifer Ingrassia (via email: jingrassia@alterramtnco.com)

August 5, 2022

Planning Commission
Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah 84060

re: Parcels: PCA-S-79-B and PCA-S-79-C (Bransford Parcels) - Zoning Map Amendment

Planning Commissioners:

Over the years, my family has had the opportunity to enjoy the property referred to as the Bransford Parcels on many occasions. The family ownership has been an excellent steward of the land and has been respectful of its surrounding properties. The existing zoning designation of Recreation and Open Space (ROS) is one of the most restrictive in allowed uses, but has a wide and diverse listing of Conditional Uses.

The request to change the zone to Estate (E) is refreshing in Park City. The Estate District provides some of the smallest density of any of the zoning districts in the Land Management Code. Usually, the request for a zone change reflects the desire to significantly increase the density of a parcel.

This request will result in an appropriate development of two single-family homes that will result in a large portion of the property being left as open space. I am in support of this request to change the zone.

Sincerely,


Craig Elliott, AIA

HERE. AND THEN. AND NOW.

ELLIOTT WORKGROUP



June 8,2022

Commissioners,

I am writing in support of the zoning request regarding the "Bransford Parcels" Parcels", PCA-S-79-B and PCA-S-79-C.

I have personally known the family for years and can guarantee that they have always put Park City first in both their personal and professional lives.

I served on the PCSD with Anne Bransford. During that time, I visited this parcel many times. The request is extremely fair and is in line with the goals of PCMC., The family has exhibited that sense of community through the years by allowing numerous entities to have access and use of this land.

The request to add two estate lots and keeping over 80% as open space is fair and consistent with many variances previously provided by the Planning Commission.

Please vote in favor of this change without any hesitation.

Sincerely,
Moe Hickey

June 7, 2022

Planning Commission
c/o Planning Department – Attn: Makena Hawley
Park City Municipal Corporation
[Sent via email: makena.hawley@parkcity.org]

Re: Bransford Land Company – Conditional Zoning Change

Dear Ms. Hawley:

Please accept this letter written in support of the recent application by Bransford Land Company, as it relates to their request for zoning change of their property on Flagstaff Mountain.

As you're aware, I have been intimately involved with the Flagstaff Development Agreement, Land Management Code and the improvements made to Park City for most of my career. The history of our town and all it's great people that helped us from the fruitful, then shuddered, mining days to what we and our great visitors enjoy today has been my life's passion for close the last two decades.

During my career in Park City, I have watched some exciting projects spring up and bring really terrific amenities and people to our fun mountain town. I've worked with the Park City Community Foundation as it was just getting started and introduced many new homeowners to it and the great community non-profits we all know and love. They jumped in and generously supported the needs of the Community. And during that process, I've watched a few particular families roll up their sleeves and be VERY involved in such interests, helping wherever they could. One of those families has been the Bransfords. Anne, Mary and Carolyn have been the most special sisters I've been fortunate to cross paths with. They have contributed their time and passion, their dollars, and even their property, allowing mountain bikers and hikers to enjoy Flagstaff Loop, Road to Ruby and Deer Camp!

Knowing the Bransfords' life-long (and beyond, when considering their ancestry all the way back to the Silver Queen) commitment to Park City and understanding the development rights enjoyed by their neighbors and those existing across town, makes me **strongly** feel that if **anyone** were to be granted an ability to rezone and obtain development rights for their property, it should be the Bransfords. They have always been a great neighbor to Deer Valley Resort and while they have quite simply used their property in the past for family gatherings, picnics and maintaining the health of the forest by harvesting firewood and deadfall, they had always intended to build something special there. Their request for Estate zoning at 1 home per 20 acres is not only modest, it is directly in line with the long term plan for the area. As an example, in case this group was unaware, in 2001 court appointed Referees (later ratified by District Court and Supreme Court of Utah) recommended a certain partitioning of property adjacent to the Bransfords and cited evidence from the LMC and Flagstaff Development Agreement ("FDA") as support. While their ruling was focused on partitioning of jointly owned property and not directly on development rights, they indirectly assessed the 8 units contemplated in the FDA and agreed a portion of the 8 units were to be allocated to the Bransfords. I cite this not as evidence, but intent that had always been considered for the area and the Bransfords' property in particular.

I appreciate your consideration and am hopeful the Bransford family is successful in their endeavors. I would also like to request this letter be shared with the Planning Commission members as well. If there is any way that my history and knowledge related to this can be helpful to Staff or Commission, I would be more than happy to discuss and assist where I can. Thank you.

Sincerely,

Steve Issowits

cc: Gretchen Milliken, Planning Director
Park City Planning Commission Members

**PARSONS
BEHLE &
LATIMER**

201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Main 801.532.1234
Fax 801.536.6111

A Professional
Law Corporation

Adam E. Weinacker
Attorney at Law
Direct 801.536.6911
AWeinacker@parsonsbehle.com

June 7, 2022

BY EMAIL AND U.S. MAIL
Park City Planning Commission
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
planning@parkcity.org

**Re: Objection to Bransford Land Company, LLC's Zone Change Application for
Parcels PCA-S-79-B and PCA-S-79-C**

Dear Planning Commission:

Our firm represents several affiliates of Extell Development Company (collectively "**Extell**") that own property on Flagstaff Mountain. Extell has received notice that the Commission is formally considering—through a public hearing on June 8, 2022, which is to be continued to August 10, 2022—a zoning change application submitted by Bransford Land Company, LLC ("**Bransford**"). The application relates to two Flagstaff Mountain parcels, PCA-S-79-B and PCA-S-79-C, that are adjacent to Extell's property. Pursuant to Park City's Land Management Code ("**LMC**") § 15-1-7(2)(b), Extell objects to Bransford's application and any amendment to the City's zoning map to re-zone the Bransford parcels from "Recreation Opens Space" to "Estate."

When the Bransford application came before the Commission for a work session in April, we provided the Commission with a letter outlining Extell's concerns about the application. Rather than restate those concerns, we attach that letter hereto as Exhibit 1 and expressly incorporates it as part of Extell's formal objection under LMC § 15-1-7(2)(b).

Since that time, we have reviewed the Planning Commission Staff Report ("**Staff Report**") prepared for the hearing on June 8, 2022. The Staff Report correctly notes that the Bransford parcels are not presently developable. (Staff Report at p. 2.) This is due, in part, to the lack of access across Extell's property and the "numerous challenges" that Bransford must overcome, including installation of utilities across Extell's land. (*Id.*) And while the Staff Report suggests that some development details "can be confirmed through the plat amendment process," (*id.* at 8), many of the identified details would be premature to address given Bransford's lack of an access or utility easement to the parcels.

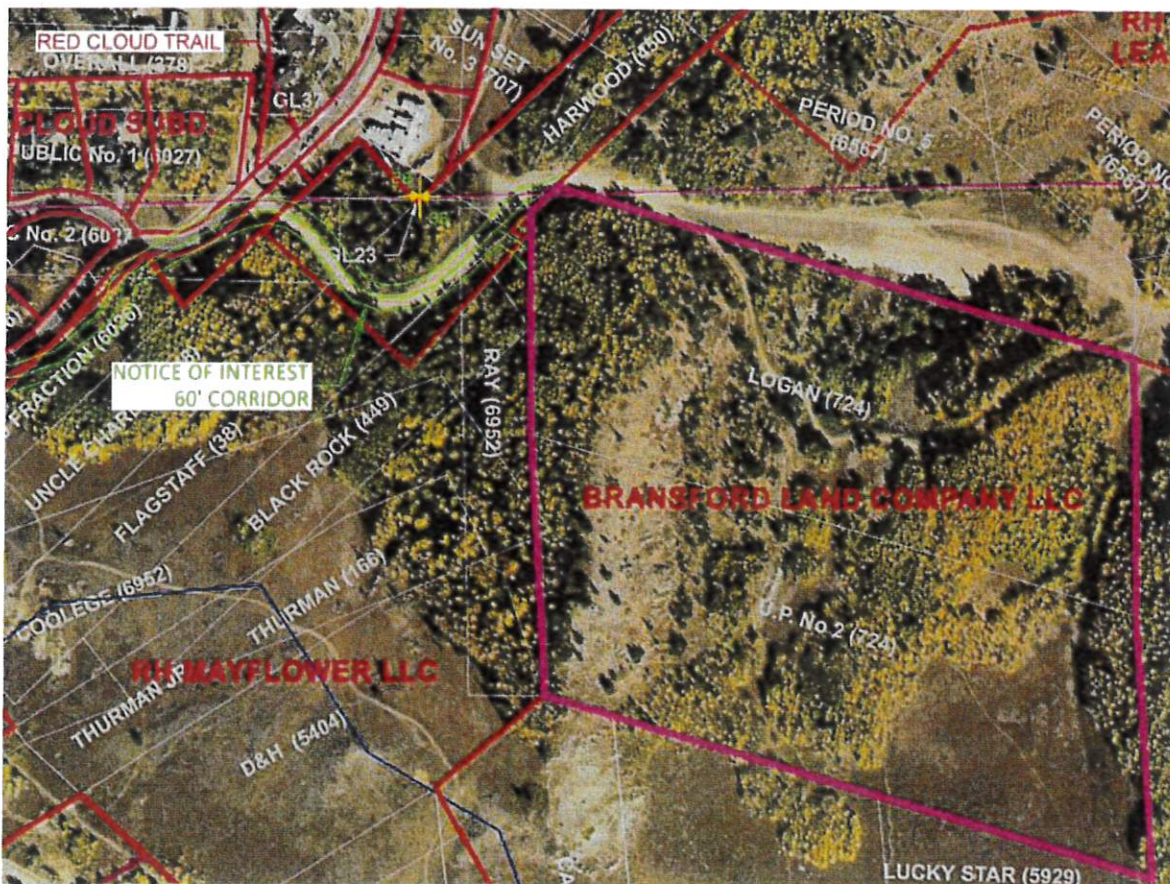
At the work session addressing Bransford's application, Commission members requested additional details about Bransford's plans. Members requested clarity on the location of an access

June 7, 2022

Page Two

road to the Bransford parcels, as well as clarity on how utilities could be connected. Although two months have transpired, there is still no clarity on these issues and, as the Staff Report notes, “more information would be necessary to conceptualize workable plans.” (*Id.* at 7.)

Not only do the materials before the Commission lack information responsive to commissioners’ concerns about access and utilities, they omit the fact that Bransford is in litigation with Extell to establish an alleged easement that would partially coincide with Deer Valley’s Ontario ski run. Below is a depiction prepared by Bransford’s own retained surveyor identifying the location of Bransford’s alleged 60-foot-wide access “corridor” (in green) to its parcels, and which Extell disputes:



As you can see, Bransford alleges it has rights to a substantial corridor that overlaps with the portion of the Ontario ski run southeast of Red Cloud Trail. The Bransford application omits

June 7, 2022

Page Three

this critical detail or any discussion about how Bransford's alleged access easement, if successful,¹ could impact others' rights and potential recreation on Flagstaff Mountain.

* * *

The Staff Report recognizes a host of challenges to developing Bransford's parcels, including the lack of an access and utility easement reaching the parcels. And Bransford's alleged access "corridor," if established through litigation, could disrupt an existing ski run and recreation within that "corridor"—something the application and Staff Report do not address. Although Bransford may wish to further its own private development goals by changing the parcels' zoning to "Estate," its request is not ripe in light of the many obstacles to development raised in the Staff Report and unanswered questions about access and utilities. The application should therefore be denied.

Sincerely,

PARSONS BEHLE & LATIMER



Adam E. Weinacker
Attorney at Law

AEW:

Attachment

cc: Thomas Barton (via email: tbarton@parsonsbehle.com)
Sarah Hall (via email: sarah.hall@parkcity.org)
John Kenworthy (via email: john.kenworthy@parkcity.org)
John Phillips (via email: john.phillips@parkcity.org)
Laura Suesser (via email: laura.suesser@parkcity.org)
Douglas Thimm (via email: douglas.thimm@parkcity.org)
Christin Van Dine (via email: christin.vandine@parkcity.org)
Gretchen Milliken (via email: gretchen.milliken@parkcity.org)
Makena Hawley (via email: makena.hawley@parkcity.org)
Mark Harrington (via email: mark@parkcity.org)
Margaret Plane (via email: margaret.plane@parkcity.org)
Jennifer Ingrassia (via email: jingrassia@alterramtnco.com)

¹ Bransford is currently attempting to adjudicate this alleged corridor in court, and the parties are still in active litigation over the existence and scope of Bransford's claimed easement.

From: [planning](#)
To: [Makena Hawley](#)
Subject: FW: [External] New eComment for Planning Commission - Bransford
Date: Tuesday, April 12, 2022 9:12:01 AM

From: noreply@granicusideas.com <noreply@granicusideas.com>
Sent: Tuesday, April 12, 2022 9:09 AM
To: planning <planning@parkcity.org>
Subject: [External] New eComment for Planning Commission

[CAUTION] This is an external email.

[SpeakUp](#)

New eComment for Planning Commission

Clive Bush submitted a new eComment.

Meeting: Planning Commission

Item: 5.A) Parcels: PCA-S-79-B and PCA-S-79-C (Bransford Parcels) -The Applicant is Proposing a Zone Change of Two Parcels for a Total of 39.62 Acres From Recreation Open Space (ROS) to Estate (E) Zoning With a Condition of Approval Limiting the Density to a Maximum of Two Single Family Homes. PL-21-05042 (60 minutes).

eComment: Recreation Open Space should remain as ROS, and especially in this location that is not infill - Staff doesn't explain its statement that "we" expected private land owners to apply for these zone changes or that should somehow make it acceptable? - there is no reasonable requirement to allow such a change in use.

[View and Analyze eComments](#)

This email was sent from <https://granicusideas.com>.

[Unsubscribe](#) from future mailings





201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Main 801.532.1234
Fax 801.536.6111

A Professional
Law Corporation

Adam E. Weinacker
Attorney at Law
Direct 801.536.6911
AWeinacker@parsonsbehle.com

April 7, 2022

BY EMAIL AND U.S. MAIL

Park City Planning Commission
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
planning@parkcity.org

**Re: Bransford Land Company, LLC – Zone Change Application for
Parcels PCA-S-79-B and PCA-S-79-C**

Dear Planning Commission:

Our firm represents several affiliates of Extell Development Company (collectively “Extell”) that own property on Flagstaff Mountain. It has come to our attention that Bransford Land Company, LLC (“Bransford”) has submitted an application for a zoning change for two Flagstaff parcels—PCA-S-79-B and PCA-S-79-C.¹

We write to make sure the Commission is aware that Extell owns property between Red Cloud Trail and PCA-S-79-B and PCA-S-79-C, and that Bransford does **not** have a written easement agreement permitting vehicular or other access to its parcels from Red Cloud Trail across Extell’s property. Bransford and Extell are in active litigation over whether Bransford has an implied or prescriptive easement to access Bransford’s parcels, as well as the scope of Bransford’s alleged easement. Extell vigorously disputes Bransford’s claimed access rights across its property—including vehicular access for development—and opposes the installation of utilities across its property to serve the Bransford parcels. Extell will robustly resist any attempt to provide for such utilities or access across its property.

Because Bransford lacks ensured access—including vehicular access for development—or utilities to the Bransford parcels, the application to change the zoning of Bransford’s parcels to “estate” is inconsistent with the purpose of that zoning designation and is premature. The zoning application should therefore be denied.

¹ We have made several requests to the Planning Department for any final application submitted after Bransford’s initial application submitted in October 2021. That initial application, in our view, did not satisfy all submittal requirements. We have not received any additional application..

A. The Bransford Application Is Inconsistent with the Purpose of Estate Zoning.

Bransford's application requests a zoning change from "R.O.S." to "E-Estate" for PCA-S-79-B and PCA-S-79-C. "Estate" zoning is intended for "very low density, environmentally sensitive residential [d]evelopment."² Park City's municipal code assumes that lots zoned as "estate" are capable of such development and are accessible.³

Because Bransford's parcels do not have ensured access from Red Cloud Trail, or a right to install utilities across the Extell properties to permit development, Bransford's zoning change application is inconsistent with the City's municipal code. It should be denied for that reason.

B. Bransford Has Conceded that It Lacks Access, and Extell Disputes Bransford's Claimed Access Across Its Lands in Litigation. Accordingly, the Application is Premature.

Because Bransford cannot develop its parcels without access or utilities, the zoning change application is premature.

In communications with the Park City Planning Department, Bransford conceded it does not have ensured access to its parcels. Bransford has correctly noted that it "has been unable to negotiate an Easement from [Red Cloud Trail] to the BLC Property Line" across the Extell property, and that access from Red Cloud Trail is 1,000 feet away.⁴

As you may recall, several years ago the Mayflower Stichting entities attempted to establish access to Flagstaff lands through litigation and failed in that effort.⁵ Extell likewise disputes that Bransford has a historic access rights across the Extell properties, which are formerly Mayflower lands. Extell also disputes the scope of Bransford's claimed easement in the ongoing litigation. Thus, the issue of access is still very much unsettled. Extell believes it is improper for Bransford to attempt to obtain "estate" zoning for parcels that cannot be developed under the current state of affairs.

Even if Bransford were able to establish its alleged easement through trial and appeal—and Extell intends to defend those efforts at all stages—the claimed route would overlay Deer Valley's Ontario ski run. The Commission should be aware that the Bransford zoning application is part of a plan to develop parcels for which ensured access and utility service do not exist, and which may very well interfere with ski operations.

² Park City Mun. Code § 15-2.10-1.

³ See, e.g., *id.* § 15-2.10-3 ("Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.").

⁴ See Bransford Land Company's Zone Change Justification, attached as Exhibit A.

⁵ See *Stichting Mayflower Mountain Fonds v. United Park City Mines Company*, 2017 UT 42.

April 7, 2022
Page Three

Further, even if Bransford were to gain access to its parcels, it does not have a claim in the current litigation that would permit it to ensure that utilities serve the parcels. Extell would oppose any such effort, including any eminent domain proceedings, which would be an improper use of that power to serve a clearly private use.

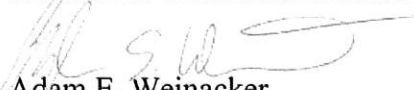
* * *

On March 15, 2022, Anne Bransford, a member of Bransford Land Company, gave public comment on “Deer Valley Development Company’s Petition for the City to Vacate Portions of Right-Of-Way on Deer Valley Drive West and South, and to Dedicate Doe Pass Road to the City, as Part of the Snow Park Village Subdivision Application.” She urged the Commission to get clarity on that petition before delivering the plan to the City Council. And she urged the applicant to “communicate with [its] neighbors” in approaching its development plans.

The Commission should likewise have full clarity about Bransford’s application and understand how this step relates to parcels with no ensured access or utility service. It should also take notice that Bransford’s neighbor Extell objects to Bransford’s efforts to attempt to develop the parcels and negatively impact Extell’s property in doing so. As explained herein, Bransford’s application is inconsistent with the City’s code, is premature, and should be denied.

Sincerely,

PARSONS BEHLE & LATIMER



Adam E. Weinacker
Attorney at Law

AEW:

Attachment

cc: Thomas Barton (via email: tbarton@parsonsbhle.com)
Sarah Hall (via email: sarah.hall@parkcity.org)
John Kenworthy (via email: john.kenworthy@parkcity.org)
John Phillips (via email: john.phillips@parkcity.org)
Laura Suesser (via email: laura.suesser@parkcity.org)
Douglas Thimm (via email: douglas.thimm@parkcity.org)
Christin Van Dine (via email: christin.vandine@parkcity.org)
Gretchen Milliken (via email: gretchen.milliken@parkcity.org)
Makena Hawley (via email: makena.hawley@parkcity.org)
Mark Harrington (via email: mark@parkcity.org)
Margaret Plane (via email: margaret.plane@parkcity.org)
Jennifer Ingrassia (via email: jingrassia@alterramtnco.com)
Rich Wagner (via email: riwagner@alterramtnco.com)

> 20 support it.

05:00:36 PM

K H A P L
 S P H R B G S
 S P H E P B G S
 S P H A P B G S
 T P H A E B L T
 P R A G E F
 P R A D E F L S
 S T P H F P L T
 S K W R O E F R
 S K W R O E F R
 H R
 R B G S
 S K W R A E U
 S K W R A P B G S
 W H A P B T
 T P A E P L
 S P R D E U F G
 T P R A E U R P T
 S P R D E P T
 K A U R B G S
 P A P L T
 B L
 W
 K P H A O U P B G S
 S K W A D E U R L T
 S K W O E F R
 T
 S T P H F P L T

Stroke 207 of 207

170% INS



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

January 24, 2023

The Council of Park City, Summit County, Utah, met in open meeting on January 24, 2023, at 3:30 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property and advice of counsel at 3:34 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED

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

CLOSED SESSION

Council Member Dickey moved to adjourn from Closed Meeting at 4:49 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED

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

Council Member Rubell was excused at 4:50 p.m.

WORK SESSION

Discuss Landscaping Incentive Program for 2023:

Jason Christensen, Water Resources Manager, stated that the snow-tell graph of Thayne's Canyon illustrated 22 inches of available water, which was better than the last three years prior. Park City provided a robust conservation program that had seen annual reductions in water demand on a per-connection basis. He outlined three conservation efforts currently underway. First was a modification of the fee structure to enhance water conservation messaging. The second was a rebate incentive item that was designed to help customers fund Water Wise landscaping improvements. The third was an update to the Land Management Code (LMC) to provide guidelines for Water Wise landscaping. He described a landscaping incentive as the City offering a cash incentive per square foot of existing turf removed and replaced with water-wise landscaping. The goal of this program was to reduce community water demand overall and better match the landscaping with anticipated climate change, as well as community and sustainability values.

Christensen noted the term “low-water plants” would be replaced with “water-wise landscaping,” as defined in the LMC. Staff proposed \$2.00 per square foot of turf removed and replaced with water-wise landscaping. He indicated \$200,000 would be available at launch through June 30th, 2023, and he anticipated that it would be an ongoing program that would be funded through the 2024 budget process. Staff proposed there would be a 50% vegetative cover requirement. He stated the proposal capped the coverage at \$10,000 per single-family residential account and \$50,000 max for commercial, multi-family, and irrigation accounts.

Christensen illustrated the following: Option One - 50% vegetative coverage, with plantings found by staff to fit the Water Wise definition, with no defined plant list. Option Two - 50% vegetative coverage, requiring plant species identified in LMC Section 14-1-5 as low water use. Option Three - 50% vegetative coverage, requiring plant species identified in PCMC 14-1-5 as both Fire Wise and low water use.

Christensen stated that policy questions for input regarding the options above would include Option One: Water Wise does not have a required list of plants, Option Two: Council could limit vegetative coverage of those plants to certain plants, Option Three: identifies plants that are both Water Wise and Fire Wise.

Council Member Rubell left his thoughts with Christensen before the Council meeting and said that Fire Wise/Water Wise would be a good pilot option. He further stated that he supported forward movement on the project and additionally supported being as restrictive as Council needed to be.

Council Member Toly asked if the \$200,000 allocation would be depleted if four commercial businesses applied, to which Christensen affirmed and furthered that the budget rollover could potentially add another \$200,000 to make it \$400,000 next year. Council Member Toly asked what the selection process would look like for applicants. Christensen stated that the first individual or business to complete and finalize all applications would take priority.

Council Member Gerber asked if there could be another solution, Option Two and a Half: The full, low water, Fire Wise option would get \$2 per square foot, and low water-only would receive \$1 per square foot. Christensen stated that could be a possibility. Council Member Dickey asked if the rebate would be against the applicant's water bill or if it would be a payment. Christensen stated that it would be a payment, and explained a check would be cut to the customers who qualified under this program. Council Member Dickey asked what staff was reviewing the applications against. Christensen stated that they were reviewing it for LMC compliance. The Public Utilities Department would also review it for square footage and other program requirements. Council Member Dickey supported Option Three.

Council Member Toly inquired if the Public Utilities Department had enough field resources or if additional staff would be needed for this project. Christensen did not anticipate needing to hire additional staff. Council Member Toly supported Option Three and Option Two and a Half.

Council Member Doilney favored Option Three. Council Member Gerber supported Option Three or a combination of options.

Christensen indicated he and his staff would launch Option Three this spring. They would coordinate community outreach with the Communications team and move forward with the FY24 budget policy allowing staff to authorize payments up to \$50,000.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Marissa Marleau, Deputy City Recorder	Present
Council Member Jeremy Rubell	Excused

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Toly, as Library Liaison, encouraged Council Members to share their favorite books to display at the Park City Library. She continued that a wonderful time was had at Leadership Day at the Capitol.

Council Member Doilney commented that the Legislative session had begun and encouraged the public to pay attention to bills that might impact the community.

Council Member Gerber thanked staff for all their hard work throughout Sundance.

Mayor Worel mentioned that online participants expressed frustrations with certain aspects of the platform used for participation at Council Meetings. City Attorney Margaret Plane clarified that the Zoom platform offered two options: meetings and webinars. In a meeting, all participants had the ability to mute and unmute informally.

Conversely, a webinar could be run more efficiently by promoting people and allowing constituents to give public comments at the appropriate time. Zoom did not offer a hybrid option between meetings; therefore, the current webinar option would remain in effect.

Staff Communications Reports:

1. Council Requested Discussion Topics:

2. Health Benefits and Compensation FY24:

3. Park City Municipal FY22 Nonprofit Support:

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

Mayor Worel introduced the public comment video for viewing. She highlighted the guidelines identified from the video: Please sign in. Stay on topic. Please be brief. The recommendation for comment is three minutes or less. Be respectful. Join virtually via Zoom.

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

Kris Campbell, LGBTQ+ Taskforce Leadership Team, commented on some of the current controversial bills in the State Legislature. Campbell asked Council to consider issuing a joint statement with the taskforce and utilizing social equity lobbyists to oppose the anti-transgender bills.

Joe Urankar, LGBTQ+ Taskforce Leadership Team, implored the Council to issue a joint statement and direct its lobbyists to monitor controversial bills.

Virginia Solomon, LGBTQ+ Taskforce Leadership Team, supported the public comment regarding the anti-transgender bills in the Legislature. Senate Bill (SB)-16, SB-93, SB-100, House Bill (HB)-228, and HB-132 were bills that advocated against the LGBTQ+ community and the leadership team sought help from Council to oppose them.

Diego Zegarra, LGBTQ+ Taskforce member, echoed the leadership team's sentiments in prior public comments. Zegarra stated that anti-transgender and anti-gay legislation could impact large-scale events like the Sundance Film Festival or the Olympic Bid.

Cami Richardson, via Zoom, opposed the anti-transgender legislation morally and ethically and urged the Council to act and support the Park City LGBTQ community and the transgender youth of Utah.

Council Member Gerber asked if the Council could speak to LGBTQ+ Taskforce requests during the legislative update on the agenda later in the evening. Plane stated that it would be appropriate under the Open and Public Meetings Act.

Mayor Worel closed the public input portion of the meeting.

IV. CONSENT AGENDA

1. Request to Authorize the Third Addendum with SKM Engineering, LLC, for an Additional \$370,869.27, for a Total Amount Not to Exceed \$898,869.27 in a Form Approved by the City Attorney:

Council Member Toly moved to approve the Consent Agenda. Council Member Dickey seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

V. NEW BUSINESS

1. Consideration to Approve Ordinance No. 2023-03, an Ordinance Approving a Zoning Map Amendment to Rezone a Six Acre Pod from Recreation and Open Space (ROS) to Estate (E) from a Portion of PCA-S-79-C (Bransford Property, also Known as the Logan Parcel), Park City, Utah, Subject to Subdivision Plat Approval by the City Council of Park City Prior to January 24, 2025:

Planner Alex Ananth introduced the item as an application for a zone change request from Recreation and Open Space to Estate. The Estate Zone would include two, three-acre pods and 40 total acres located in the Flagstaff Mountain Development Agreement at the top of Empire Pass, adjacent to the Red Cloud Subdivision.

Ananth stated that the applicant proposed to re-zone a portion of the site to include two single-family dwellings on each pod, subject to receiving access and subdivision approval from City Council. They proposed the remaining 33 acres be zoned as Recreational Open Space (ROS) and put into a conservation easement. She indicated the proposal complied with the Estate Zone for the two parcels, and the remainder of the land complied with the ROS zone and the general plan for the upper Deer Valley neighborhood. The applicant would be required to get a subdivision plat approval.

Jeffery Koons, Bransford Land Company, and 3-D and Slope Map rendering expert John Phillips, presented on behalf of the applicant. Koons depicted a map illustrating a 100-foot-wide corridor where a 23-25 foot private drive would be cut. The pods' dwellings would be no larger than 10,000 square feet, and 82% of the land would remain preserved. There would be a limit of disturbance around the house that would

not exceed 10,000 feet above grade. The mining claim meets and bounds limits were the same size as the parcel tax ID meets and bounds. The claim was unique because it owned its surface and subsurface mineral rights. The land had been held in trust as a Bransford family legacy statement limiting the density to 120 acres, with 82% or more preserved open space for conservation easements. Three bike trails were on the land or on the border of the land and they would remain preserved. Conservation easements would include these trails as well as amended ski runs. The project satisfied the primary objective of the Rural Open Space Zone and the Sensitive Land Ordinance.

Ananth clarified that when the land was brought into Park City, it was zoned ROS labeled Rural Open Space under Summit County. At the time of the Flagstaff allocation, they allocated density to the pods in the Flagstaff Development Agreement. The Red Cloud Subdivision was allocated 30 units of density as it currently exists. At one time, there was an offer for all north side property owners where 38 units of density would be provided to the group. The Bransford family did not sign on and Red Cloud moved forward with 30 units.

Council Member Dickey clarified that the zoning was Mountain Remote when it was annexed and they were entitled to one per forty. Koons replied if the Bransfords had stayed in the County, that would have been correct. The County should have kept the records for any lands annexed into Park City. The same year the County started that process, they were no longer subject to County jurisdiction.

Council Member Doilney asked why the Bransford Land Trust did not sign on to Red Cloud to obtain the remaining eight units of density. Koons stated that they were not at the table when discussions began and were given the annexation agreement to sign without knowing what their pro-rata cost of development shares would be paid or what the lots were worth. It was unknown if Red Cloud would be accepted and when it would establish enough momentum to sell thirty lots. Therefore, the Bransfords did not have enough information to sign onto the business agreement with Red Cloud. The family understood that if they did not accept, they were free to state their proposal for density in the future. Council Member Doilney inquired about the significance of the term "estate-island" respective to the Bransford property. Koons stated that the parcel was considered that it would get the other six or eight lots. The parcel had the same vehicular and utility easements over Twisted Branch and Red Cloud Road. Ananth added that Red Cloud was zoned Estate, and Bransford was a continuation of Red Cloud even though there was a parcel in between their properties. Koons further clarified that everyone would enter through the Red Cloud gate and he believed everyone was subject to their Declaration of Covenants, Conditions, and Restrictions (CC&R), which were more restrictive than the Master Association.

Council Member Doilney asked if a re-zone of the two lots would improve Bransford's position on gaining access. Koons thought the neighbor was anti-development due to a low property offer, at \$50,000 per acre. Bransford countered at \$450,000 per acre,

which was declined. He thought the potential purchaser would like to leave Bransford with no other options, so the family would be forced to sell to them. Koons did not think the conditional zone change would result in an easement.

Mayor Worel asked Koons to elaborate on the potential relocation of a ski run. Koons stated that the Trump run was entirely on Bransford land and was leased to Deer Valley. The potential conservation easement would allow Deer Valley to improve and modify trails and ski runs as they saw fit. Mayor Worel asked what the duration of the lease to Deer Valley was. Koons stated the lease was periodically reviewed and renewed, but he did not know the duration of the current term.

Council Member Dickey asked if there was a draft conservation easement. Koons said he had been in conversations with Summit Land Conservancy and Utah Open Lands, but nothing had been finalized. Council Member Dickey asked if the boundary of the six acres would still be floating and thought it would be determined when the plat was created, to which John Phillips affirmed. Council Member Dickey asked if Park City processed many re-zones without a plat. Ananth stated it was unusual, but it was not prohibited.

Mark Harrington, Senior City Attorney, stated that re-zones frequently happened without plats, more typically, when a zone-term was changed or boundaries were shifted. It was not uncommon to have a re-zone or zoning ordinance without a plat. Council Member Dickey asked Harrington if the re-zone was a discretionary legislative act, to which Harrington affirmed. Council Member Dickey furthered that the plat amendment to follow would be an administrative act. Harrington stated that it would be primarily administrative at the subdivision stage.

Mayor Worel asked if Koons was active in conversations with Red Cloud to gain road access. Koons replied that they already had an easement to gain access through Red Cloud/Twisted Branch Road and Red Cloud Trail. However, a different section required an additional easement: an offsite piece of road that crossed the neighbor's property between the easement on Red Cloud Trail and the Bransford property line.

Council Member Gerber asked if the process would re-start after two years. Koons stated that legally they were still required to request an extension, and if it didn't look imminent, there would be no expectation of an extension. Council Member Gerber asked about the difference between the easement and the lease regarding the ski runs. Koons stated the lease granted the use of the property as a ski run. Deer Valley was unaware that the Trump run, when cut, was on private land. Bransford and Deer Valley entered into a lease agreement shortly after that. Koons further clarified that there were no easements for bike trails.

Council Member Toly asked why the sunset clause was added by the Planning Commission. Phillips stated that it was their idea to add the sunset clause.

Mayor Worel opened the public hearing.

Adam Weinacker, Attorney at Parsons Behle and Latimer, representing Extell Development Company, opposed Ordinance No. 2023-03 and urged the Council to stick to the conditions of approval, which he believed were sensible if the Council intended to proceed with approval.

Mayor Worel closed the public hearing.

Council Member Dickey was concerned with processing this re-zone without a plat or development agreement. He approved of the two units of density but did not believe that Council should proceed with the re-zone before there was a plat.

Council Member Toly favored approving the ordinance but was not in favor of the sunset clause.

Council Member Doilney agreed with Council Member Dickey's assessment.

Council Member Gerber stated that the re-zone and plat would be preferred to move forward. She would like additional examples of a re-zone that occurred in a similar situation to assess the approval process at each stage.

Council Member Gerber moved to continue Ordinance No. 2023-03, an ordinance approving a zoning map amendment to rezone a six acre pod from Recreation and Open Space (ROS) to Estate (E) from a Portion of PCA-S-79-C (Bransford Property, also known as the Logan Parcel), Park City, Utah, subject to subdivision plat approval by the City Council of Park City prior to January 24, 2025 to a date uncertain and requested Koons to return with additional information on how this process has worked in the past. Mayor Worel added the public hearing portion would remain open when the item returns to Council. Council Member Toly seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN

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

EXCUSED: Council Member Rubell

2. Consideration to Approve Ordinance 2023-04, an Ordinance Approving Lots 30 and 31 Holiday Ranchettes First Amended Plat, Located at 2545 and 2529 Lucky John Drive, Park City, Utah:

Planner Alex Ananth indicated this ordinance was with regard to two lots that were combined at the end of the 1990s. In 2014, the owner separated the lots back to the original subdivision plan. The owner built a barn on one lot and their house was built on the second lot. The HOA suggested that a shared driveway easement be put into the lot at the time; however, the applicant requested to remove the shared driveway easement.

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

Council Member Doilney moved to approve Ordinance 2023-04, an ordinance approving Lots 30 and 31 Holiday Ranchettes First Amended Plat, located at 2545 and 2529 Lucky John Drive, Park City, Utah. Council Member Gerber seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

3. Consideration to Approve Resolution 02-2023, a Resolution Adopting an Amendment to the 2022 Five-Year Moderate-Income Housing Plan as an Addendum to the Housing Element of the 2014 General Plan for Park City, Utah:

Rhoda Stauffer, Affordable Housing Project Manager, stated the State required that moderate-income housing plans be updated in five-year increments. The 2022 plan complied with the State; however, two strategies had technical issues that needed to be changed. The State provided written confirmation that those changes would now be in compliance.

Council Member Dickey inquired about the quantities and priority of the standards. Stauffer stated that to comply, three strategies must be approved by the State, with one additional for priority transportation funding.

Council Member Gerber moved to approve Resolution 02-2023, a resolution adopting an amendment to the 2022 Five-Year Moderate-Income Housing Plan as an addendum to the Housing Element of the 2014 General Plan for Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

4. Consideration to Purchase the Unit Located at 1959 Cooke Drive for \$264,745; Authorize the Mayor and City Manager to Execute all Documents in a Form Approved by the City Attorney's Office; and Complete all Necessary Repairs to Restore the Unit to Occupancy Standards, Estimated Not to Exceed \$3,650:

Rhoda Stauffer, Affordable Housing Project Manager, stated that this had been a one-owner unit since 1995; therefore, the unit needed repairs and the owner was willing to accept a lower price. The Housing team preferred to oversee the repairs to ensure they were completed properly; therefore, they requested the City purchase the unit as-is. She continued that since many initial owners had not sold their units since their purchase, a sewer loan was not accounted for in the initial purchase price. The correct

re-sale price was \$275,876. She stated that a three-person family making 69% of AMI could afford this home.

Stauffer stated that the repair cost estimate was \$3,650, so the City's purchase price would be \$272,226. The re-sale would not happen until the Council discussed the Employee Housing Assistance Policy, which was scheduled for March 9th.

Mayor Worel asked if Stauffer was certain of the repair costs. Stauffer replied that a licensed contractor quoted the price, and the City's in-house project manager was comfortable with the price.

Council Member Dickey moved to approve the purchase of 1959 Cooke Drive for \$272,226; authorize the Mayor and City Manager to execute all documents in a form approved by the City Attorney's Office; and complete all necessary repairs to restore the unit to occupancy standards, estimated not to exceed \$3,650. Council Member Toly seconded the motion.

RESULT: APPROVED

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

EXCUSED: Council Member Rubell

VI. OLD BUSINESS

1. 2023 Legislative Update:

Matt Dias, City Manager, stated the Legislative session was underway and the City would provide its bill list in the Council packet and on the City website. He indicated the opening session focused on social issues, teacher salaries and wages, school vouchers, trigger laws, social media, and transgender and LGBTQ issues.

Dias stated the City would be watching for a short-term rental bill, and projected the bill would have some type of requirement or enabling legislation that would allow an online tracking device to view who was offering and not offering their property. There was no information about whether it could be used to begin a compliance process. He also identified that the Limited Infrastructure District was trying to help developers with the cost of utilities and subsidizing development costs to produce units faster. Regarding building and planning amendment bills, the Legislature was focused on accelerating the review processes and mandating them with penalties.

Council Member Gerber stated she would appreciate advocacy and bill tracking for child education.

Mayor Worel opened the item for public input.

Kris Campbell, LGBTQ+ representative, stated that five bills related to transgender care were currently in the legislature: SB 16, SB 93, SB 100, HB 228, and HB 132.

Mayor Worel closed the public input.

Council Member Doilney stated the LGBTQ+ community had his full support. Council Member Gerber asserted that the community should uphold social equity, diversity, and inclusion and that lobbyists should be used to oppose these bills. Council Member Toly asked for more information on these bills before making an official statement. Council Member Dickey supported crafting a statement of opposition regarding these bills. Mayor Worel summarized the majority of Council opposed these bills.

Council Member Doilney added that he would like an update on the alcohol, finance, and economic development legislation. Dias stated that it was a key issue for the local Chamber of Commerce and they would be lobbying for a comprehensive alcohol update as the bill progressed.

VII. ADJOURNMENT

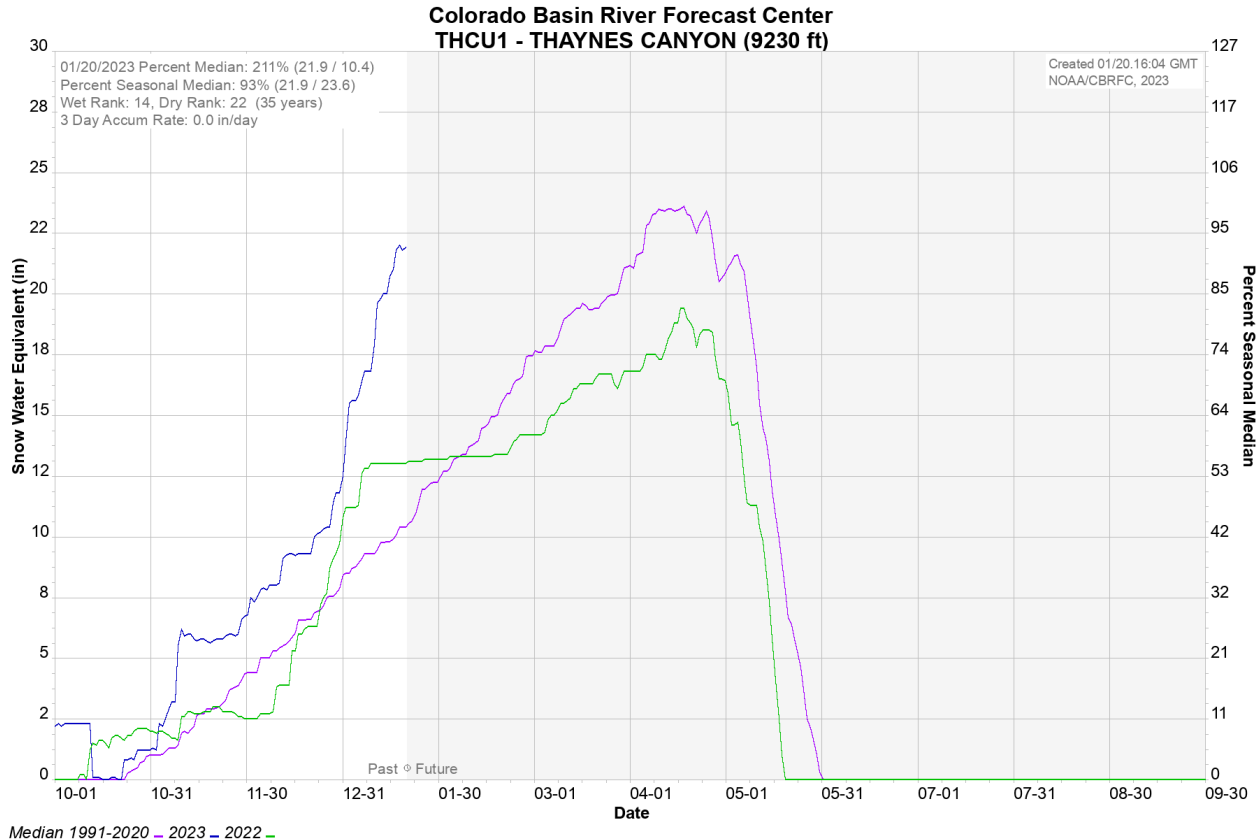
With no further business, the meeting is adjourned.

Marissa Marleau, Deputy City Recorder

LANDSCAPING INCENTIVE

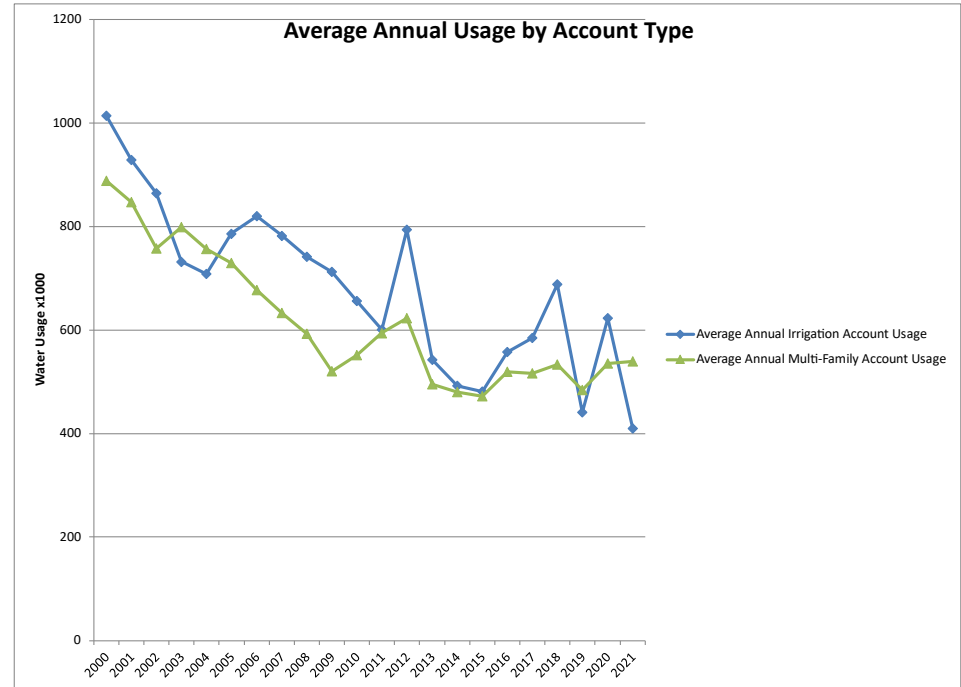
2023 Program

—The ~~Good~~ Great News—



Conservation & Drought Response Remains a Necessity

Park City provides a robust conservation program and has seen annual reductions in water demand on a per-connection basis.



– In-Process Enhancements –

1. Modification of the fee structure to enhance water conservation messaging.
2. A rebate incentive designed to help customers fund landscaping improvements.
3. Updates to the Land Management Code to provide guidelines for water-wise landscaping.
 - a) *Anticipated Council Date Changed to March 9, 2023, due to a continuation at Planning Commission.*

— Landscaping Incentive —



- A Cash incentive of \$2.00 per square foot available to residents and businesses who replace existing turfgrass with Water Wise Landscaping.
- Reduce community water demand and better match landscaping with our changing climate and community and sustainability values

—Landscaping Rebate—

- \$2.00 per square foot of turf grass removed and replaces with Water Wise Landscaping.
 - Public Utilities is updating the proposed program to replace all instances of low-water plants with the Land Management defined term Water Wise Landscaping. The intent remains the same.
- \$200,000 available at launch through June 30, 2023.
 - Will propose continuing funding through the FY2024 budget process.
- 50% Vegetative coverage requirement.
 - In order to prevent heat islands and maintain aesthetics a minimum vegetative coverage is required. Public Utilities will clarify this language.
- *Additional processes or requirements are outlined in Exhibit A.*

50% Plant Coverage

Policy Question

Option 1 (Staff Report)

50% Veg. Coverage, with plantings found by staff to fit the Water Wise definition. (No defined plant list)

Option 2

50% Veg. Coverage, requiring plants species specifically identified in PCMC 14-1-5 as low water use.

Option 3

50% Veg. Coverage, requiring plant species identified in the LMC 14-1-5 as both Firewise and low water use.



Increasing
Requirements
which may
impact
Participation

—Water Wise Definition—

- **LMC 15-15-1**
- **WATER WISE LANDSCAPE/LANDSCAPING**. A landscaping method developed especially for arid and semiarid climates utilizing water-conserving techniques (such as the use of drought-tolerant plants, mulch, and efficient irrigation) that reduces the need for supplemental irrigation. "Xeriscape" is a form of Water Wise Landscaping. Plants, trees, and shrubs that are appropriate to the local climate are used, and care is taken to avoid losing water to evaporation and run-off. A Water Wise Landscape is a mix of plantings, boulders, and other landscaping materials with at least fifty percent (50%) of the landscaped area containing plants, trees, and shrubs. The use of mulch coverings, organic or stone-based, without fifty percent (50%) plantings does not constitute a Water Wise Landscape.

Specific Plant List

- PCMC 14-1-5

<u>Groundcovers</u>	
Ajuga, Bugleweed Autumn Amber Sumac Blue Woolly Speedwell Chenault Coralberry Clematis* Common Juniper Creeping Juniper Creeping Oregon Grape* Creeping Thyme Dead Nettle Gray Creeping Germander Gro-low Sumac Halls Honeysuckle Japanese Honeysuckle* Kinnikinnick Lamb's Ear	Lily-Of-The-Valley* Mount Atlas Daisy Mountain Gold Alyssum Purple-leaf Winter Creeper Pussy Toes; Pink Pussy Toes Rockspray Cotoneaster* Snow In Summer* Stonecrop* Sweet Woodruff* Thyme-leaf Speedwell Trumpet Vine Turkish Speedwell Virginia Creeper, Boston Ivy Wild Strawberry Woolly Thyme

Next Steps

- Incorporate Council direction received.
- Launch Program
 - Work with the Community Outreach team to publicize the program.
- Formally Adopt changes to the City's Budget Policies and Objectives to authorize payments (likely through the 2024 budget process.)

An aerial photograph of a mountain town covered in snow. The town is densely packed with buildings, mostly with dark roofs, and is surrounded by snow-covered hills and mountains in the background. The sky is a pale, hazy blue.

Bransford Parcels

Zone Change Request

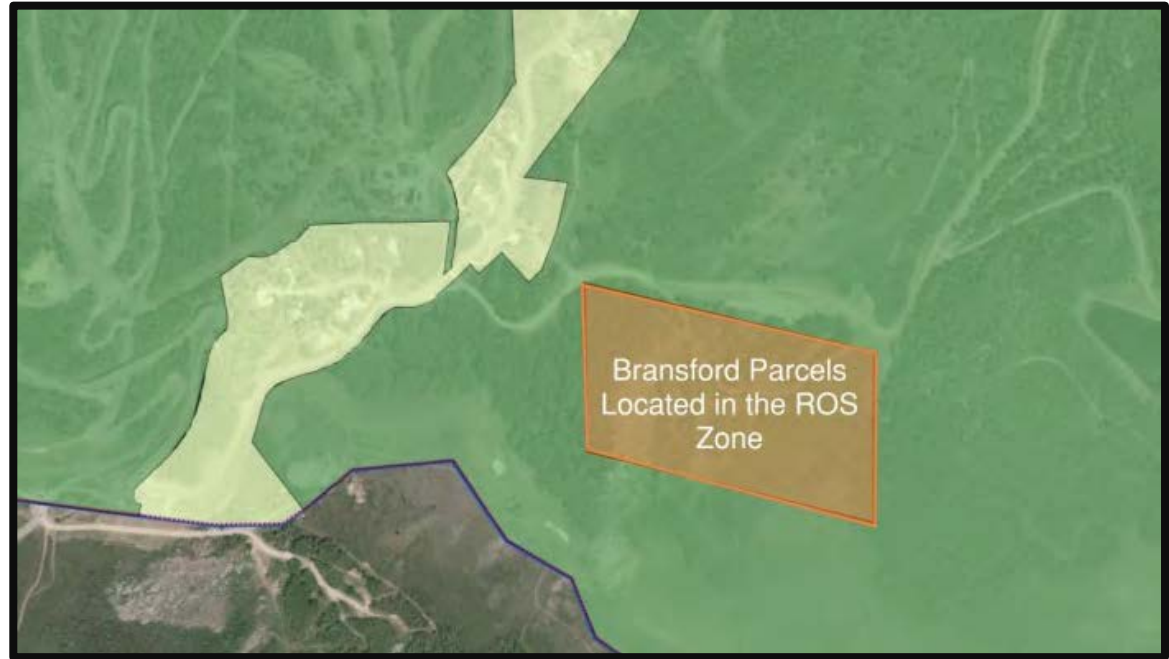
City Council | PL-21-05042
January 24, 2023

— Bransford Zone Change — Proposal

The Applicant is requesting a Zone Change from Recreation Open Space (ROS) to Estate (E) for two (2) three-acre pods from two parcels totaling 39.62 acres.

The remaining 33.62 acres would remain ROS Zoning (>80%).

The proposed Zone Change would allow for two Single-Family Dwellings, one on each Estate zoned pod, subject to the approval of a 2-Lot Subdivision.



— Bransford Zone Change —

Previous Meetings



- April 13, 2022 - Planning Commission Work Session
- June 15, 2022 – Planning Commission Public Hearing
- August 10, 2022 – Planning Commission Work Session
- November 9, 2022 – Planning Commission Public Hearing
- December 14, 2022 – Planning Commission Public Hearing and recommendation to Council.

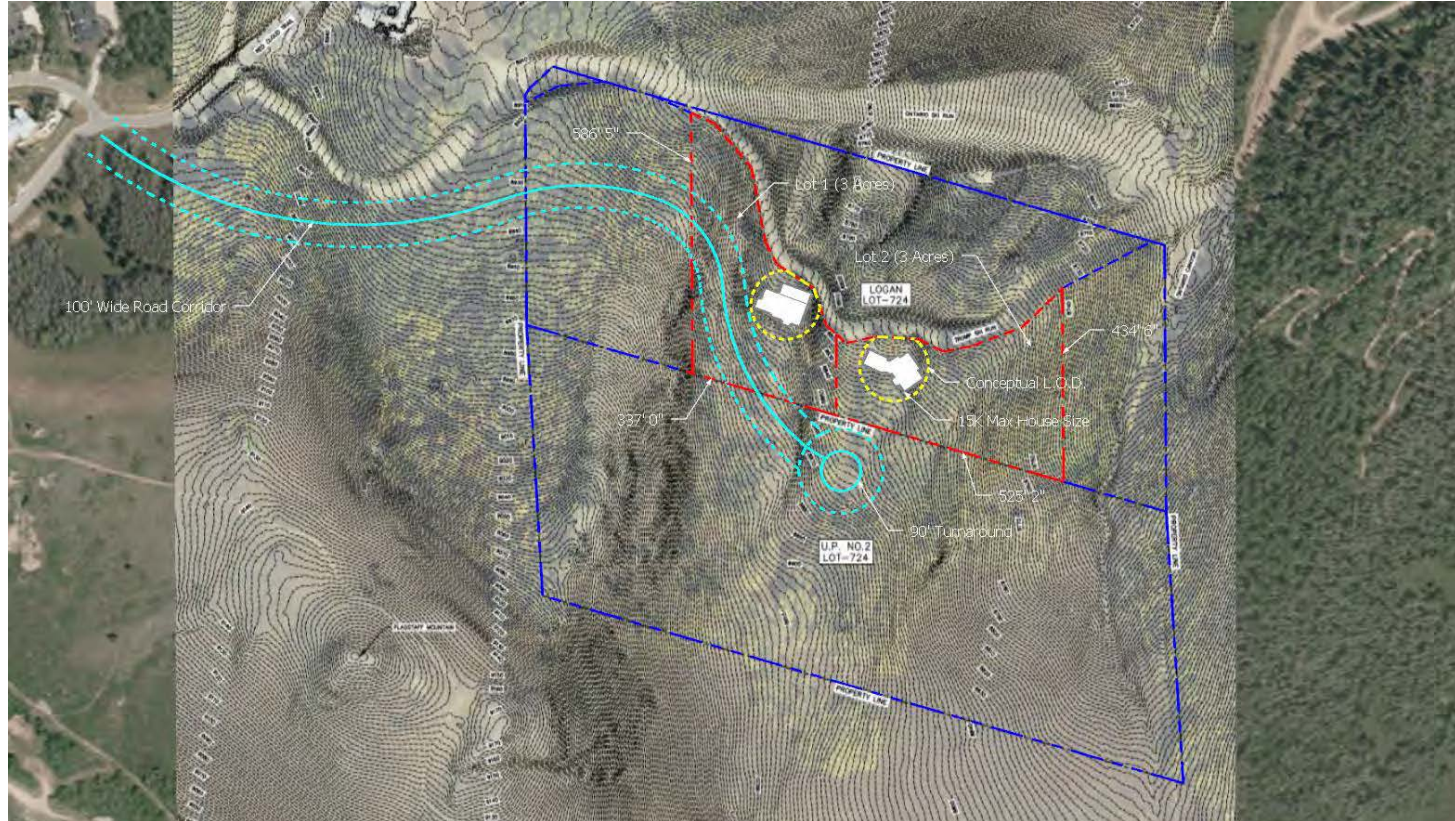
— Bransford Zone Change —

Existing Conditions



- 2 Parcels
- 39.62 Acres Total
- Steep Slopes
- Significant Amounts of Vegetation
- Recreation Trails and Ski Trail Easement
- Sensitive Lands Overlay
- ROS Zone

— Bransford Zone Change —



— Bransford Zone Change —

Compliance with the ROS Zone

Complies:

Applicant proposes a conservation easement on approx. 82% of the 40 acres, maintaining ski and bike trails, and are required to comply with SLO.

Lack of compliance:

“Encourage sustainability, conservation, and renewable energy.

Compliance with Estate Zone

Complies:

SLO requires preservation of ridge tops, steep slopes, Open Space and pedestrian trail links, while encouraging compatible development.

Compliance with General Plan Upper DV Neighborhood

Complies:

Neighborhood is attributed with second homes and a comfortable visitor experience and preservation of the natural setting

Lack of compliance:

“Park City shall grow inward”:
“Future Improvements toward increased energy efficiency in 2nd homes and nightly rentals should be sought”

— Bransford Zone Change —

Application will require approval of a Subdivision Plat that complies with both the Estate and Recreation and Open Space Zoning Districts, as well as a Sensitive Lands Review for the proposed Estate Development Pods.

— Bransford Zone Change —

Staff recommends the Council:

1. Consider the requested zone change from ROS to Estate for two three-acre pods from a parcel totaling 39.62 acres;
2. Conduct a public hearing; and
3. Consider approving Ordinance 2023-03.

— Recommended COAs —

1. The Planning Director, City Attorney, and City Engineer will review and approve the final form and content of the Zoning Map Amendment for compliance with State Law, the Land Management Code, and the Conditions of Approval.
2. Maximum density in the rezoned area is two (2) Single Family Dwelling Units. No building permits shall be issued to develop Parcel PCA-S-79-C until access has been secured and a subdivision plat consistent with the Conditions of Approval of this Ordinance has been recorded.
3. Consistent with the permitted Uses of the ROS zone and this approval the Applicant shall record a Conservation Easement for the remaining Recreation and Open Space zoned acreage for Parcel PCA-S-79-B and PCA-S-79-C, excluding the six Estate zoned acres, at the time of Rezone recordation. Limits of Disturbance are limited to the 6-acres and shall include the driveway area. Minor adjustments to the Conservation Easement and Zoning Map shall conform to the final Subdivision Approval. Lot lines on the attached map shall be eliminated.

— Recommended COAs —

4. The Applicant shall submit a Tree Preservation and Replacement Plan from a licensed Arborist to the Planning Director with the subdivision plat application that identifies Significant Vegetation in the Estate zoned portion of the lot and any Significant Vegetation to be removed for development, including for access and driveway areas.
5. New development must comply with the Estate Zoning District regulations outlined in LMC Chapter 15-2.10, and the Sensitive Land Overlay regulations outlined in LMC Chapter 15-2.21. Development on Steep Slopes and Very Steep Slopes is prohibited. Access shall be prohibited from Steep and Very Steep Slopes.
6. Access to the rezoned Estate areas within Parcel PCA-S-79-C requires a common/shared driveway to minimize site disturbance and shall be located to prevent Significant Vegetation disruption and steep slope disturbance. Driveway width shall be the minimum required by the Park City Fire District.

— Recommended COAs —

7. The Applicant shall maintain, and grant easements bike and ski trails located on the property at the time of plat recording and ski trails shall not be impacted by development or access. If any bike trails require relocation the Applicant shall move the trails at their own expense, as approved by the Trails and Open Space Manager and must be approved with the Subdivision Plat.
8. The subdivision plat shall require a maximum irrigated or landscaped area and additional restrictions to maintain a reliable Limits of Disturbance (LOD).
9. In keeping with Red Cloud Subdivision, the Maximum House Size shall not exceed 10,000 square feet Gross Floor Area.
10. The City shall require the finalization of plans for utilities and access, prior to submittal of a subdivision plat application. The approval of this Ordinance does not guarantee approval of the subdivision plat, or future development. Future applications shall be evaluated according to the Land Management Code in effect at the time of application, and these additional conditions of approval.

— Recommended COAs —

11. Final location of the two proposed Single-Family Dwellings and Limits of Disturbance shall be outlined on any future subdivision plat with a Planning Commission Finding that these locations meet the requirements of the Sensitive Land Overlay, Land Management Code, and General Plan.
12. Both Single-Family Dwellings shall be designed and constructed to incorporate best planning practices for sustainable development for Residential construction in place at the time of building permit application including but not limited to water-efficient low-flow fixtures and Energy Star rated appliances; building envelopes shall be designed to be energy efficient; all landscaping shall be water-wise and native; all exterior lighting shall meet the City's Dark Sky Ordinance LMC § 15-5-5(J). Electrification of all utilities is required, and all outdoor appliances/utilities such as heated paving, roof heat tape, firepits, irrigation systems, etc. shall be connected to timers and moisture sensors, to only pull energy when necessary/required.

— Recommended COAs —

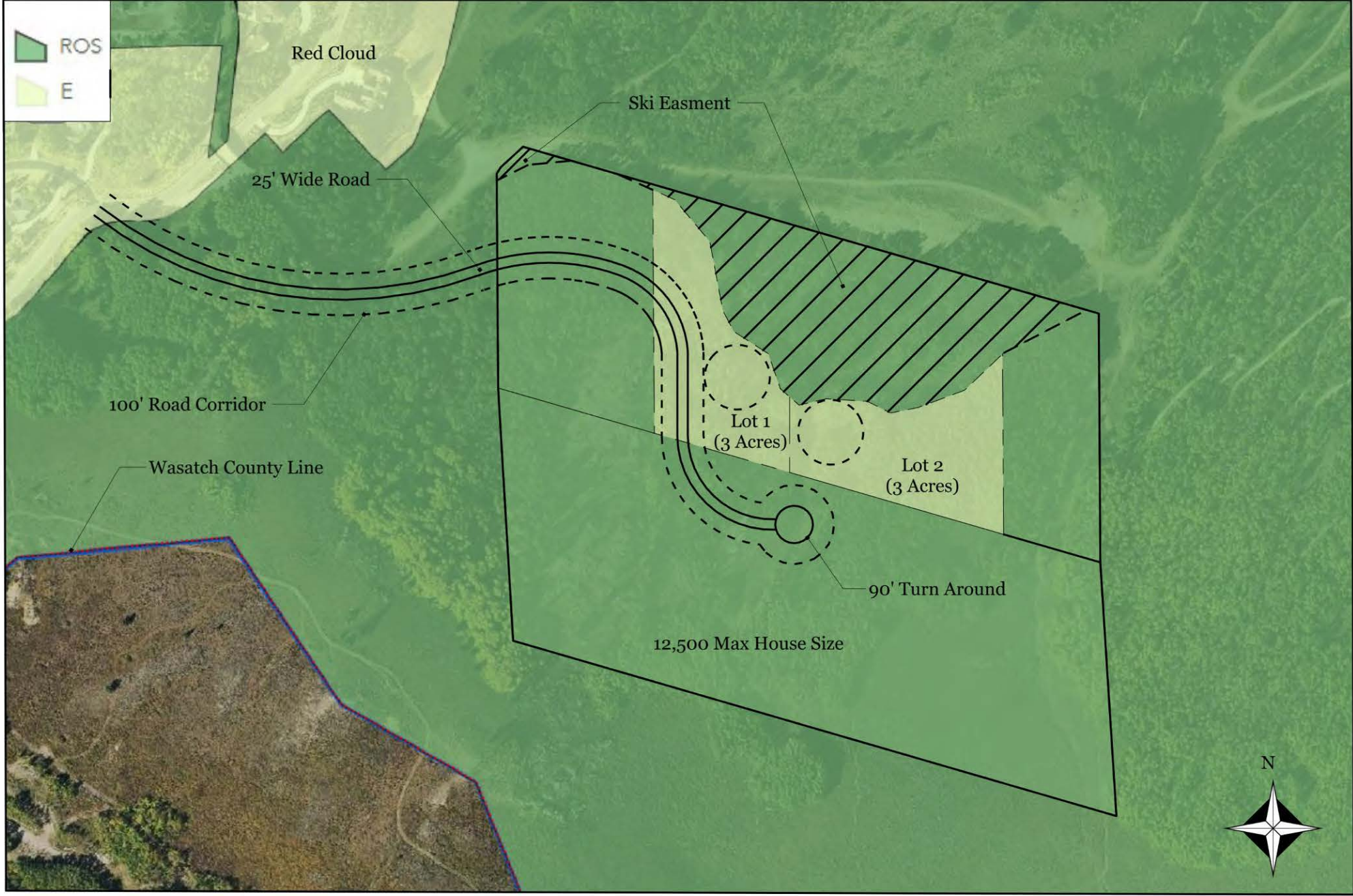
13. The approval of this Zone Change is subject to a two-year Sunset Clause. If the Applicant has not received an approval for a Subdivision Plat within the allotted amount of time from date of City Council action, the Zoning will revert back to Recreation and Open Space (ROS).



Presentation for PCMC 1-24-23 City Council Meeting for BLC's Zone Change Application

**From Rural Open Space to R.O.S to 6-Acres zoned Estate capable of
eventually accommodating two 3-acre single-family Estate parcels**

(A Framework for the Preliminary Subdivision Plat)

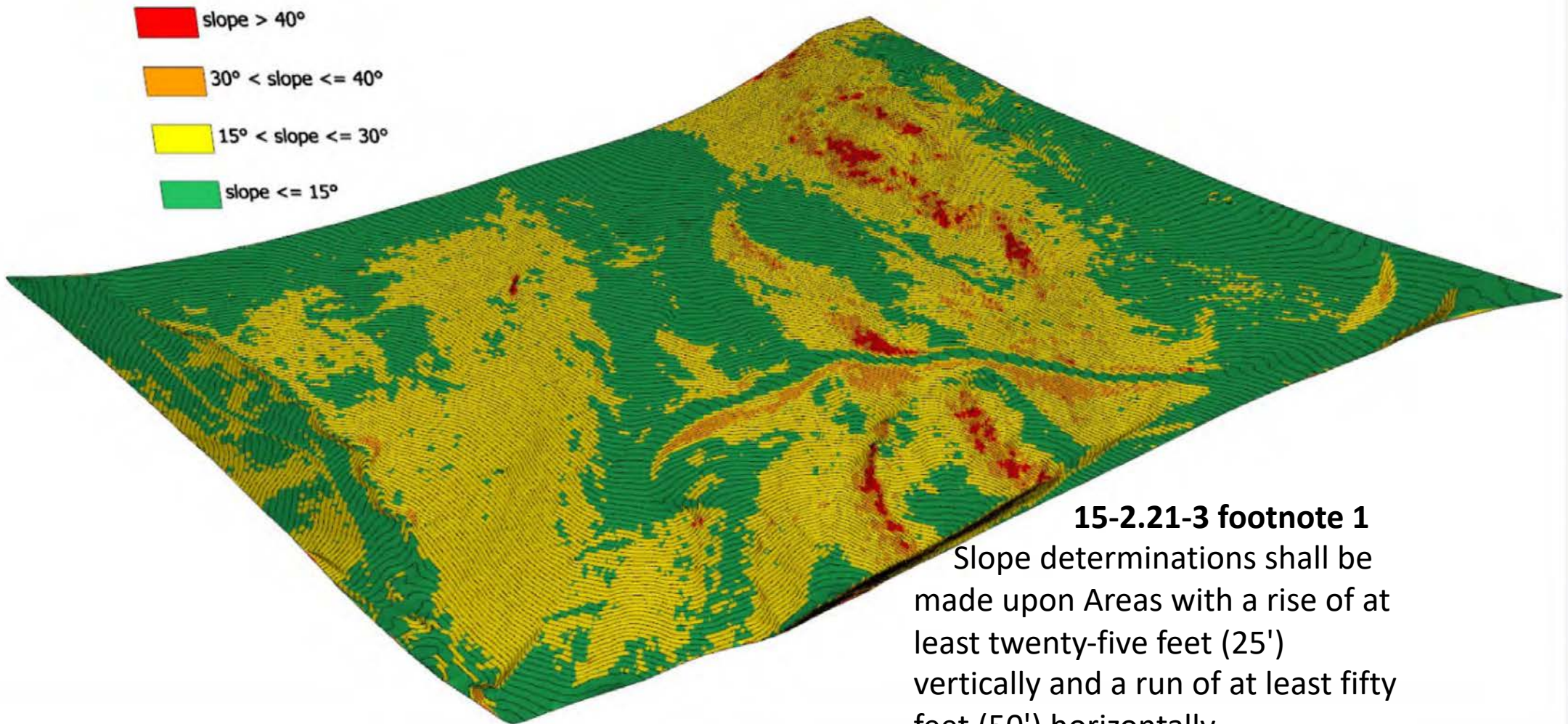


REVISIONS		REMARKS
MM/DD/YY		
1	09/20/22	...
2	-/-/-	...
3	-/-/-	...
4	-/-/-	...
5	-/-/-	...

Bransford Land Company
Logan/U.P. No 2

Conceptual Plat

New 4-zone heat map



15-2.21-3 footnote 1

Slope determinations shall be made upon Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally.

Reason we changed to a 4-zone heat map:

- [15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions](#)
- **SENSITIVE LANDS ANALYSIS**. Any Applicant for Development must produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions:
 - **SLOPE/TOPOGRAPHIC MAP**. A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight Areas of high geologic hazard, Areas subject to land sliding, and all significant Steep Slopes in the following categories:
 - Greater than fifteen percent (15%), but less than or equal to thirty percent (30%);
 - Greater than thirty percent (30%) but less than or equal to forty percent (40%); and
 - Very Steep Slopes, greater than forty percent (40%).
 - **RIDGE LINE AREAS**. A map depicting all Crests of Hills and Ridge Line Areas.

Questions the Planning Commissioners asked (in Public Hearings)

Who	Question or point
Laura	1. 1998 County Development Code. 2. Concerned about Access issues. 3. Would like to see more renewable Energy. 4. Sustainability would be helpful. 5. Good on Conservation.
Laura / Sarah	6. Concerned with serial applications. 1. Concerned with 1998 County Status Report. 7. Anne <u>mentioned Hank Rothwell</u> and that the two parcels are “Lots of Record”.
Sarah	1. Concerned with Density. 1::40 not 2::40. 8. Concerned with Dwelling size. 2. Concerned we don’t have the access Easement yet. 9. Wants a Sunset Clause. 6. Would prefer to process Zone Change in parallel with a complete Plat Application.
John (JK)	9. Concerned with driveways shown on areas of slope over 30%. (Jeffrey <u>explained that the heat maps only show the general conditions but not the specific conditions</u> . Our land planners feel we can comply with code). 10. JK could find for 2 parcels with heavy handed conditions. 11. <u>Precedents</u> intent is in our favor.
Christin	12. Appreciates BLC only asked for 2 parcels. 1. 1::40? – feels we are a good fit. 13. Concerned we limit disturbance on the access road.
John (JF)	5. Appreciates the 82% preservation. 14. OK with 3-acre parcels – should we reduce the lot size?
Bill	9. Concerned with steep roads. 8. Concerned with 15,000’.
Laura	8. Concerned with 15,000’ homes – 10,000 to 12,000 would be better.

BLC's RESPONSE TO PLANNING COMISSIONERS FEEDBACK AND QUESTIONS

In the interest of brevity, the balance of the discussion points on topic #1 is in the appendix

#1 Re: Density allowed under 1998 County Development Code. Even though that display has been attached in prior Staff Reports it was never discussed until the last meeting. Frankly, it took us by surprise. We thought the displays in the 1998 Flagstaff Annexation and Development Agreements would take center stage. Clearly, the 1998 Development Code did not create any density restrictions on the Bransford Parcels that were more durable than any of the other developed parcels on Flagstaff Mountain Resort.

Exhibit G was reported to have limited the current Density of Bransford Land Company's ("BLC") Parcels per the terms contained in its West Mountain section. According to the chart included in the packet, it limited the BLC Parcels to a "mandatory" limit of 1 per 20 Acres – but also provided that BLC could have applied for, and won, a density of 1 per 5 Acres. BLC also learned there are three different classifications of land - each with unique Density Allocations. ([Please see slides 38 - 41 for additional comments](#)).

BLC spoke with Summit County Planner Kirsten Whetstone to see if any more reliable data is available. Kirsten and Pat Putt reported they have no further information. She and Pat Putt advise it is doubtful that a Grama Request could provide any more reliable information. Kirsten advised us that BLC had two Lots of Record when it was in the County and still has two Lots of Record today – which entitles BLC to a minimum of two dwellings.

The Flagstaff Annexation process took almost 10 years to complete. It spanned the 1998 Agreement, the 1999 Plat, the 2003 Agreement and continued until the final Agreement was recorded in 2007. ([Please refer to Slide # 13](#)) It is often called the most stringently reviewed land management process to date; and, approved of an allocation for BLC to an undivided interest in the right to develop 8 Estates along with Mayflower Stichting in covenants that run with the land in perpetuity.

Once BLC's land was annexed in July of 1999 ([see slide # 11](#)) Park City's Land Management Code took precedence over Summit County Code.

#2 Concerned about Access issues. This is a reasonable concern – we are too. According to PCMC LMC the Applicant is not required to submit any Easements until the Plat phase of the entitlement process.

#3 Would like to see more renewable Energy. BLC supports Park City’s Net Zero Energy policy, however, full compliance with that standard requires the project to make up any energy deficiency by generating the energy on site (which is not a good fit for ROS or SLO zones). We would also consider using a different standard - such as the US Green Building Standard (that PCMC used for the Silver Creek Housing Project) or other high performing building design standards.

Note: BLC will specify “all electric utilities” for heating and AC, which are, technically, a Net Zero solution (*because Park City requires Rocky Mountain Power to supply it exclusively from renewable resources*).

#4 Sustainability would be helpful. BLC agrees.

#5 Good on Conservation. BLC appreciates the feedback and agrees.

#6 Concerned with serial applications. BLC understands and appreciates that the review process would be far more detailed and efficient for the planning commissioners if the Zone Change was processed in parallel with the Plat process. Unfortunately, as has been established via public input, the access issue is the subject of litigation. We understand that the other side is unwilling to discuss any form of settlement with BLC. Accordingly, BLC is forced to rely upon the serial approach allowed under PCMC's LMC.

#7 Anne mentioned that the two parcels are "Lots of Record". Kirsten Whetstone did as well. Each Lot of Record is typically entitled to at least one Dwelling. There seems to be similar development rights associated with Mining Claims.

#8 Concerned with Dwelling size. BLC agrees this is a reasonable concern. BLC hoped to postpone specifying a maximum house size until the Plat approval process; but is willing to compromise now. We propose a maximum house size of 12,500'. While the eventual dwelling may well never be that big, we do want to ensure the allowable house size can fulfill the expectations of an eventual buyer.

#9 Concerned with driveways shown on areas of slope over 30%. BLC agrees that this is a reasonable and relevant concern. BLC wants to provide a safe and comfortable access experience for the residents and their guests. BLC is advised by its land planners and Engineers they can meet code requirements and do a better job of mitigating visual impacts in the location shown in our Staff Report than other potential easier or less expensive routes.

Please note: The fully developed road alignment will come back before you again in the Plat stage - before any grading or construction can be permitted or begin. The current application is not the last time this matter will come before you.

#10 JK could find for 2 parcels with heavy handed conditions. BLC agrees that the conditions are appropriate and appreciates the feedback.

#11 Precedents intent is in our favor. BLC appreciates the feedback.

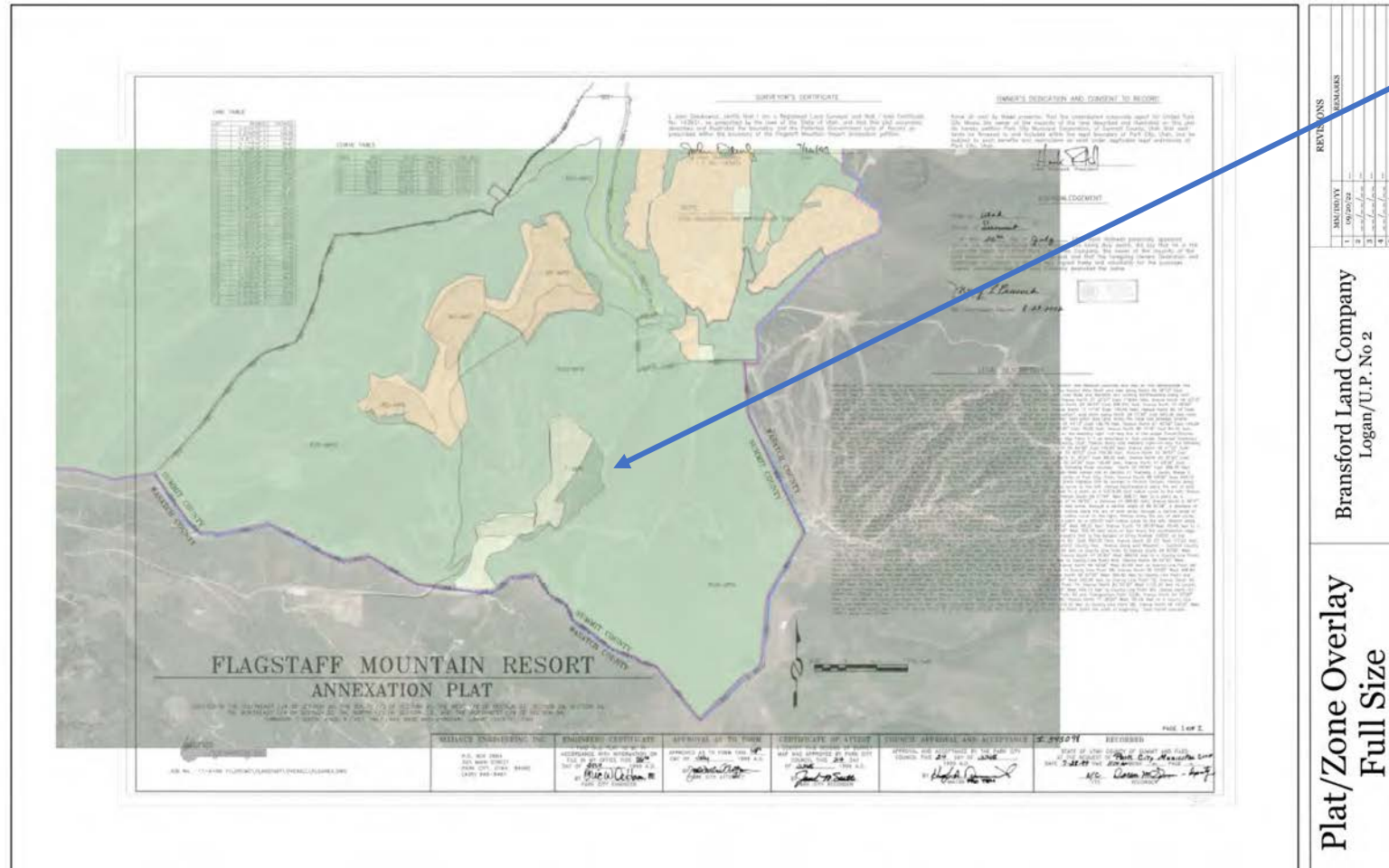
#12 Appreciates BLC only asked for 2 parcels. BLC appreciates the feedback and hopes that our process can help you to set a new precedent that applicants should not ask for more density that they feel the land can support or do so prophylactically.

#13 Concerned we limit disturbance on the access road. As mentioned above in item 9, BLC shares the concern and will be sensitive to the matter. BLC will continue to work diligently to refine the most effective access solutions.

#14 with 3-acre parcels – should we reduce the lot size? Staff advises that under the LMC, a minimum of 3-acres is necessary to allow a zone change to the Estate Zone.

Please note: Reducing the lot size would not increase the undisturbed percentages of the two parcels because the bulk of each parcel will remain undisturbed regardless of whether it is a 2-acre or 3-acre parcel.

July 1999 Flagstaff Mountain Annexation Plat under the current PCMC Zoning Map



The 1998 Flagstaff Annexation included POD D and both the Bransford Parcels. All developable Flagstaff land was either zoned RD-MPD or E-MPD. The developable areas shown are smaller than the property boundaries ultimately delineated in the Agreement and/or those on PCMC's Zoning Map.

Mayflower and Bransford Parcels were rezoned R.O.S. shortly after the 2007 Flagstaff Agreement was recorded - without notice to Bransford Land Company.

- See Slide 12 and slide 13 for other views of this data. The 1998 EMERGENCY RESPONSE PLAN for another view of this area.

- Dozens of similar images are included in the various studies listed on Slide 23.

Flagstaff Plat



REVISIONS

Bransford Land Company
Logan/U.P. No 2

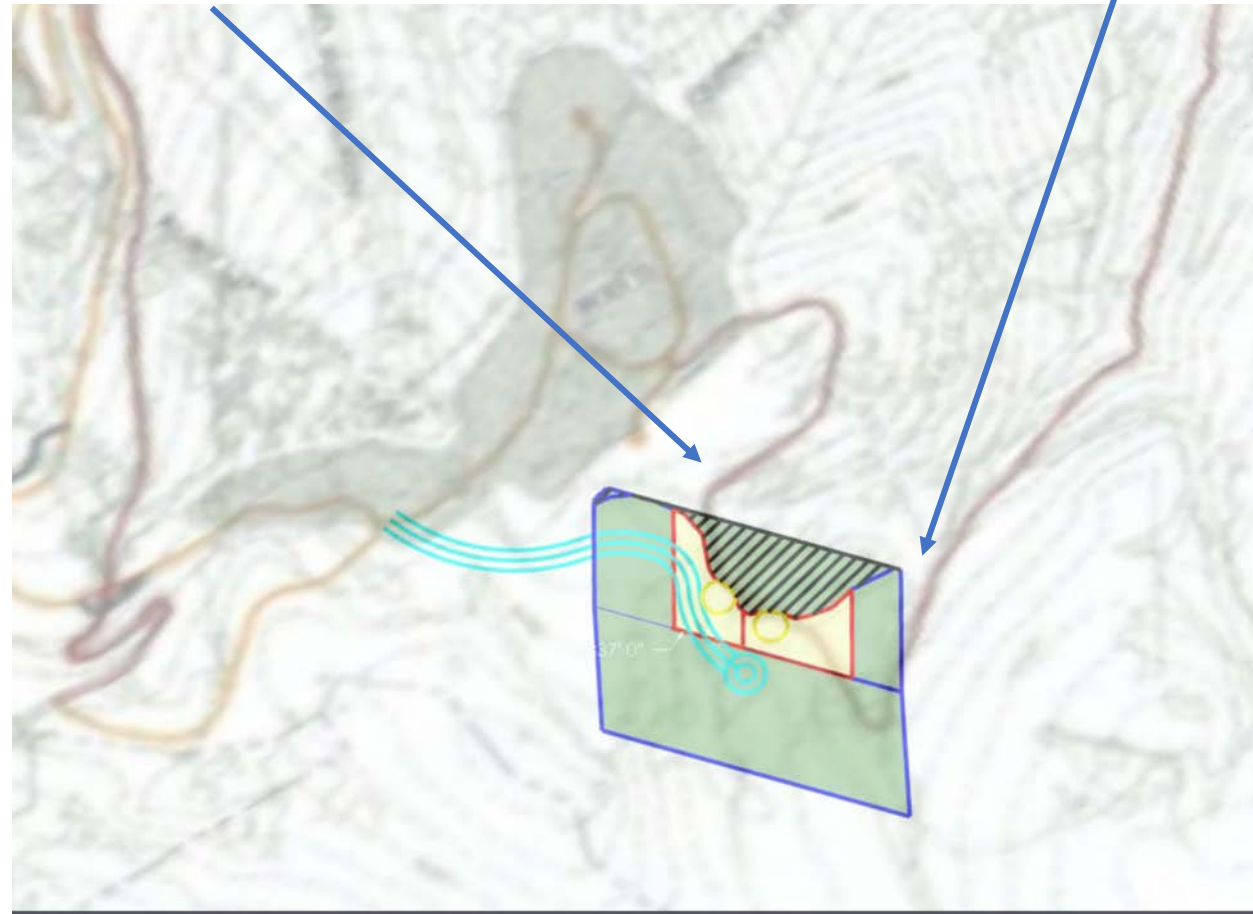
Plat/Zone Overlay
Zoomed

Capacity to provide Emergency Services?

This display is another objective piece of evidence substantiating that the UPCM and Deer Valley planned from the very beginning to provide all services for the Bransfords Estate uses on the subject property...

Exhibit 7 of the Flagstaff Annexation Agreement provides a detailed analysis of Emergency Services. It includes several related displays – showing approved Winter and Summer access and egress routes.

Note – Exhibit 7 extended the emergency exists onto and up above the Trump Ski Run and into both the Bransford Parcels.



Flagstaff Annexation Agreement – the early days:

Date	Description of Event(s)
Dec. 1981	BRANSFORD PROPERTY FEASIBILITY STUDY BY J.J.JOHNSON
Summer 1993	Trees were cut down without permission on Bransford property for Ontario ski trail.
12/16/1993	Annexation Agreement process starts.
01/2/1994	Anne receives "Master Plan" from Hank.
01/19/1994	Hank Rothwell told Anne UPCMC wanted to involve us in the decision-making process, was anxious to have our involvement and even offered to fly back to NY and meet with Anne and Larry.
02/03/1994	PCMC City Council Adopts Resolution No. 3-94 which states they will promote and protect the Flagstaff Mountain project.
12/07/1994	Memorandum of Lease with Bransford and Deer Valley Resort
July 1998	Jay Hamburger starts covering Empire Canyon for the Park Record.
9-10-1998	PC Council voted in favor of Empire Canyon MPD 5-0.
Nov. 1998	2 nd Amendment to Lease Agreement, Bransford and Deer Valley Resort.
07-28-1999	BLC 1999 Annexation Plat is recorded in Park City. Per County Recorder
08/19/1999	Anne meets with Hank in Deer Valley and received copy of Approved Annexation. Hank told Anne: "if BLC doesn't agree to sign the Development Agreement it can build on its own property and 1 in 40 will not apply".
May 2001	Easement Agreement between Bransford and Deer Valley Resort.
07/18/2003	Quit Claim Deed recorded between Bransford and UPCMC for Remaining Ski Lease Land.
10/12/2005	Bransford Quiet Titles Cavanaugh and Cupit interests in Logan and UP No 2.
03/02/2007	Recordation for Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, Quinn's Junction Parcel and Iron Mountain.
08/30/2013	Amended and Reinstated Easement Agreement between Bransford and Deer Valley Resort.
11/03/2015	Bob Wells dies.
03/06/2015	Wells Fargo forecloses on Talisker \$163.8M.
07-13-2021	Anne and Jeffrey first meeting with Gretchen
09/22/2021	Anne and Jeffrey meet with Gretchen and Makena and file
10/22/2021	BLC filed its Zone change application with PCMC.

SLIDES 16 – 33 were reviewed in prior to winning the PC Approval

Some of those slides have been edited and some of the images have been updated. We did so to focus our last presentation upon the newest information and most recent changes.

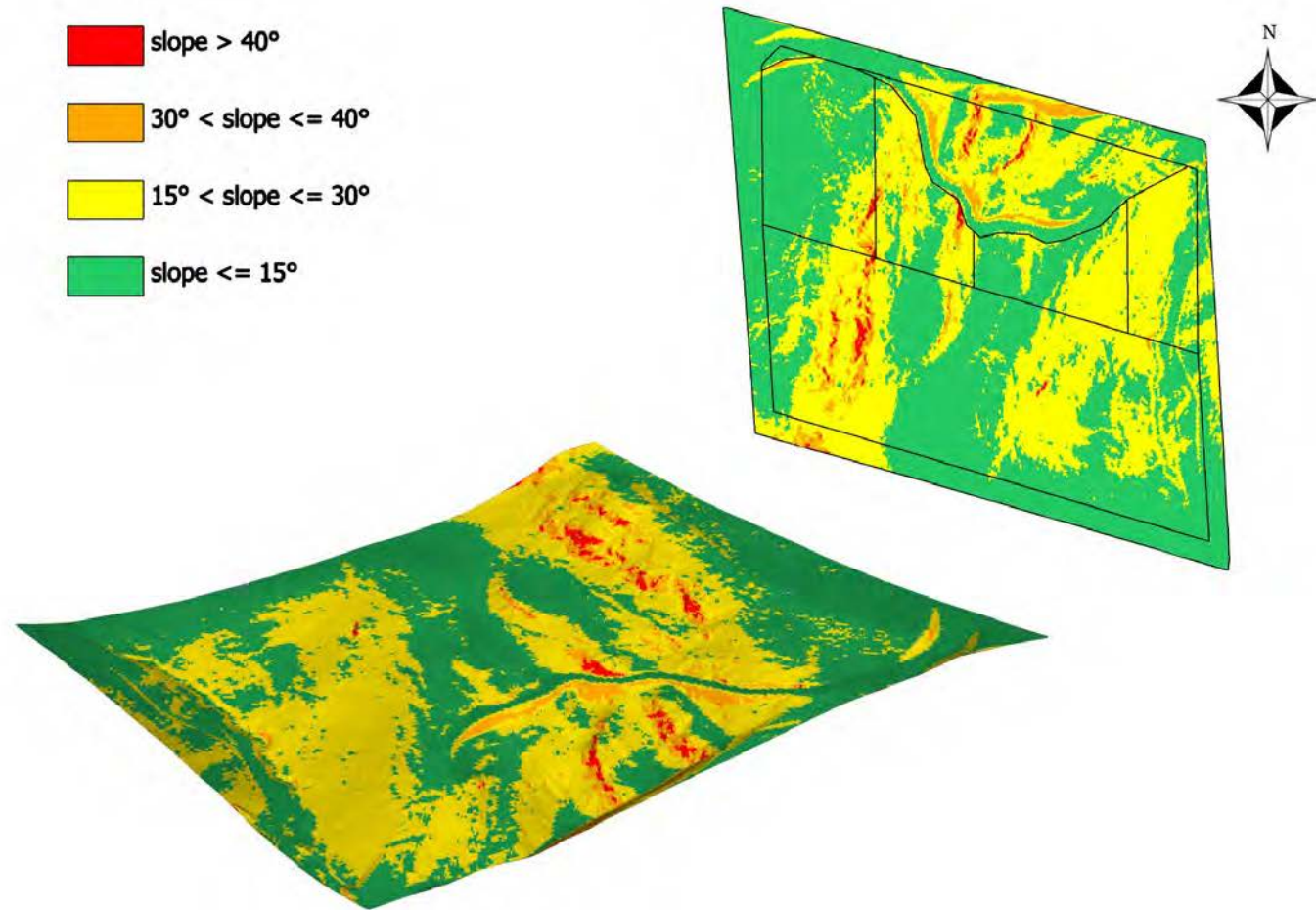
PRIOR INPUT AND QUESTIONS

6-8-22 Work
Session Notes:

What we heard
the commissioners
ask

Laura Suesser	Where would the roads go?
Douglas Thimm	How would it be developed? Is there sufficient Utility capacity and access to them? Does the Fire Department and Police Department have the capacity to provide Emergency Services there?
Bill Johnson	Expressed the need to verify that, if approved, our Estate Zone wouldn't become an Island in the sea of other R.O.S. Properties
Christin Van Dine	Feels the same as Douglas. Clarify what other properties would be affected by an approval to the Zone Change request. Are there any other mine claims that could make the same zone change request based upon an approval of our request?
Sarah Hall	Asked for information on our recent paved roads access easement. <i>(It is included the Staff package.)</i>
John Kenworthy	Asked what other mine claims could make the same request?
?	Where would the homes go? <i>(Was this a comment from Douglas?)</i>
?	How much land could be bulldozed if approved? How much land could be preserved?

Slope Analysis Display



REVISIONS	
NO.	REMARKS
1	INITIAL
2	REVISED
3	REVISED
4	REVISED
5	REVISED
6	REVISED
7	REVISED
8	REVISED
9	REVISED
10	REVISED

Bransford Land Company
Logan/U.P. No 2

Slope Map

Rough order of
magnitude Calculations
on how much land
would be bulldozed?

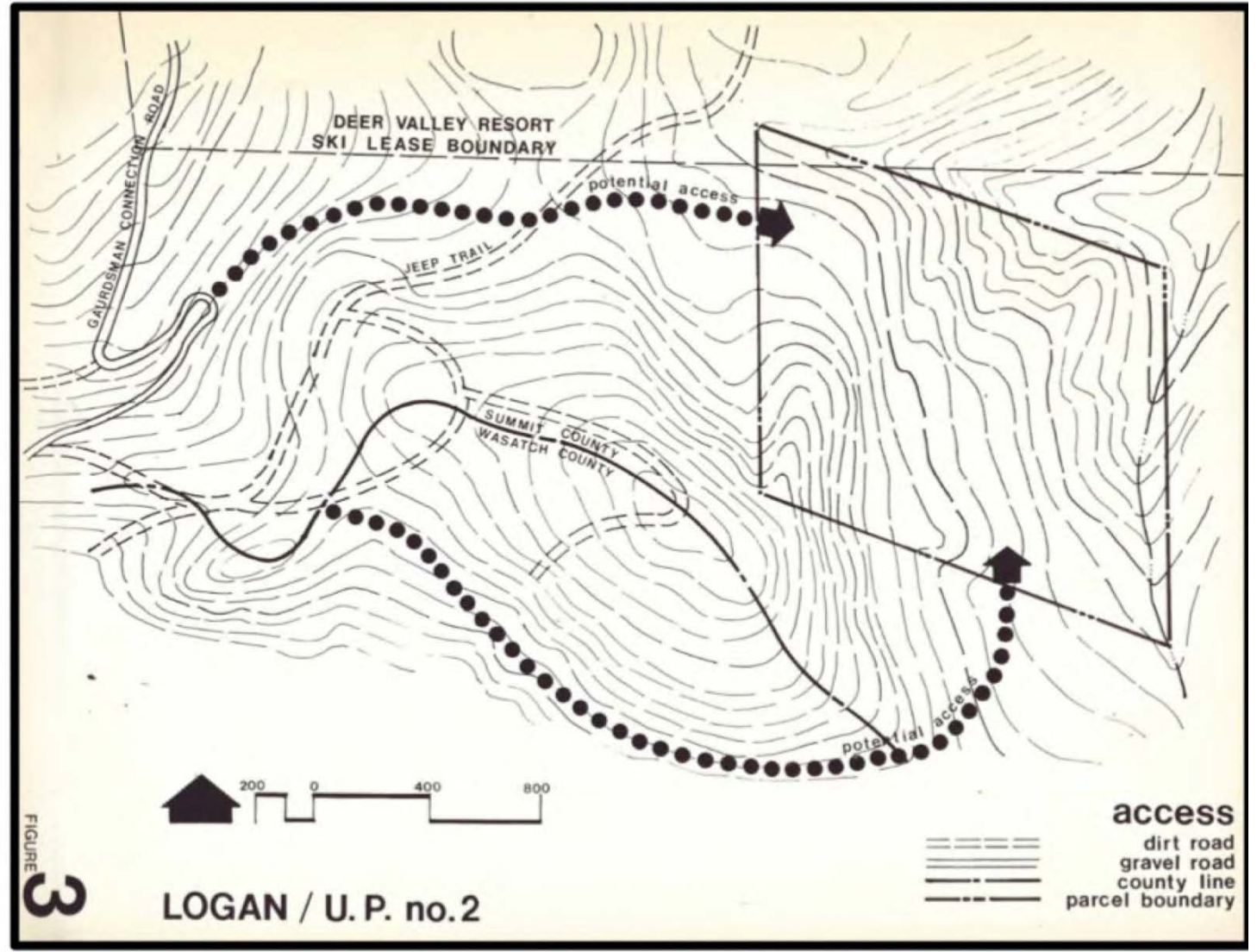
(from prior heat map)

Grade Range			Area	Acerage	Percentage	Preserved or undisturbed acreage	
0%	to	15%	190,553.79	4.37	11.41%		
15%	to	30%	862,267.55	19.79	52%		88.59%
30%	to	100%	616,560.64	14.15	37%	37	
			1,669,381.98	38.32	100.00%		
Impacted Land			2 pads	6	-18%	Portion proposed for Conditional Zone Change	
			Private Drive	1			
			Percentage preserved		82%	NIC the undisturbed majority of each 3 acre Estate Pad	

**82% or more of the land
would be preserved
(or remain Undisturbed)**

Where would the Roads go?

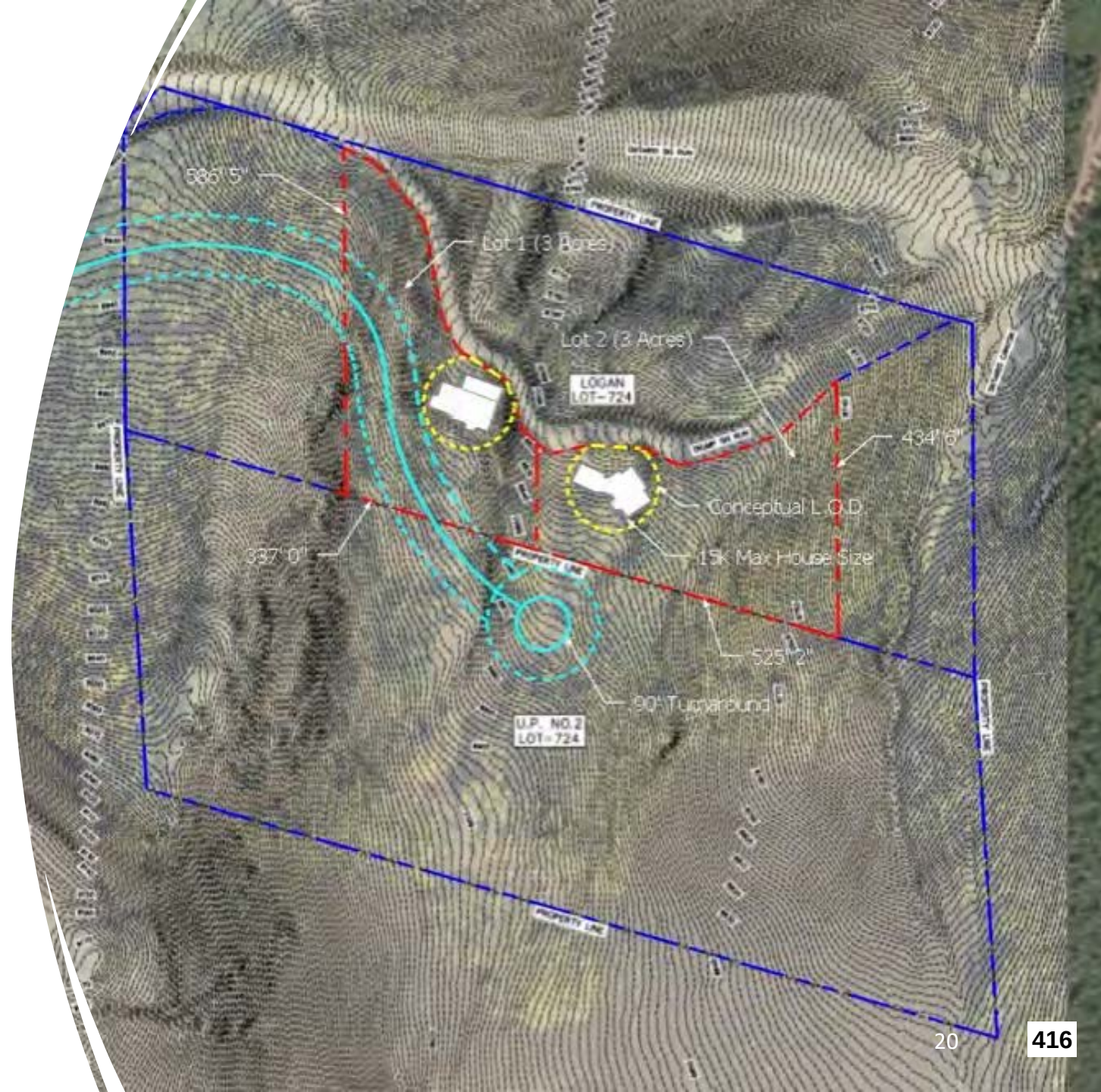
The most likely locations for the private driveway remain the same as those identified in the **1981 JJ Johnson Feasibility Study**.

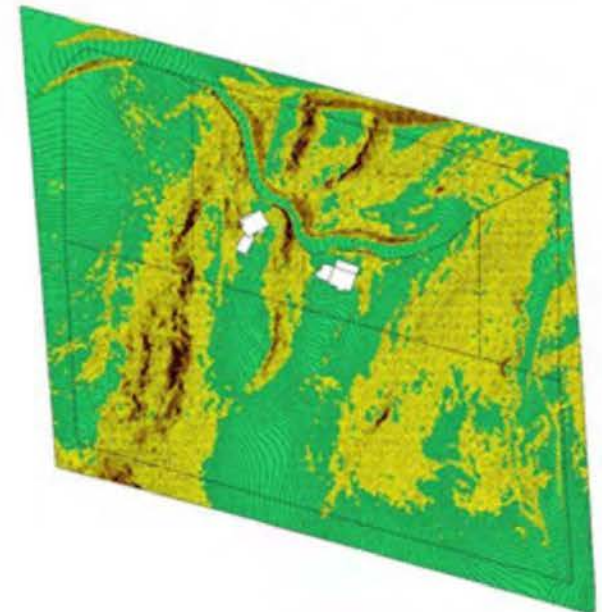
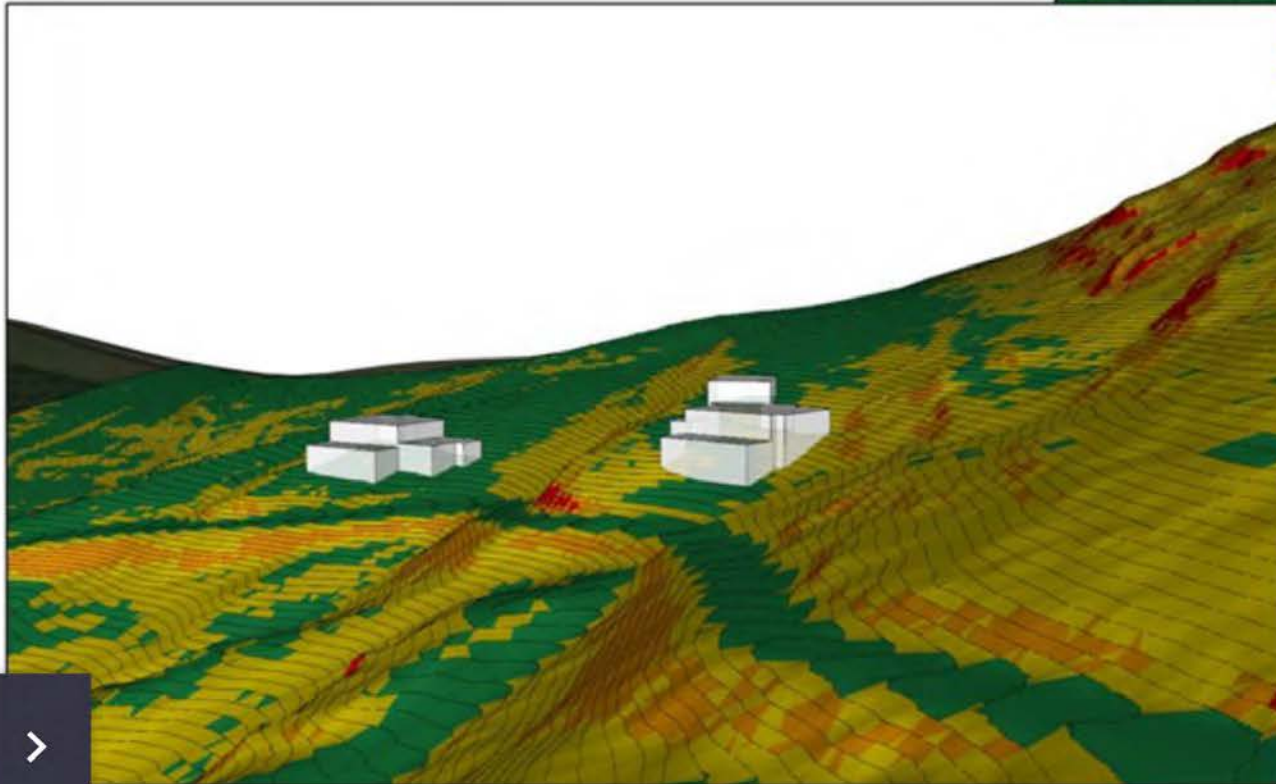
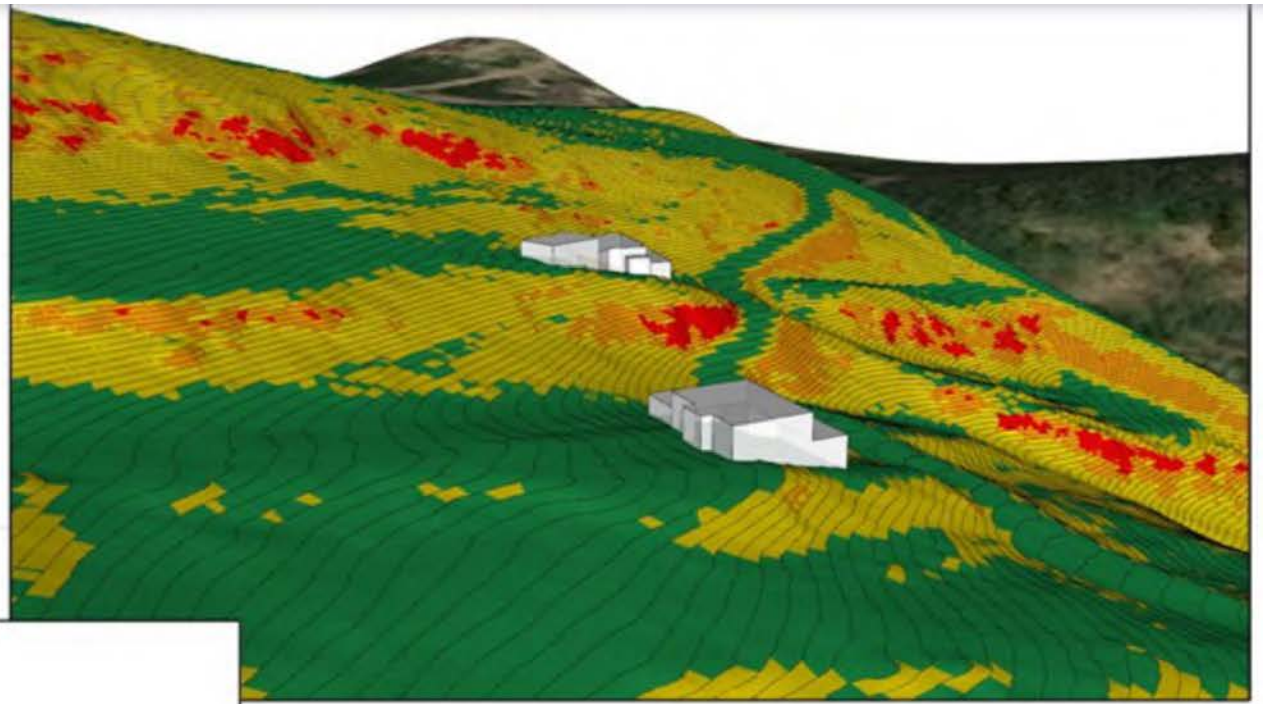
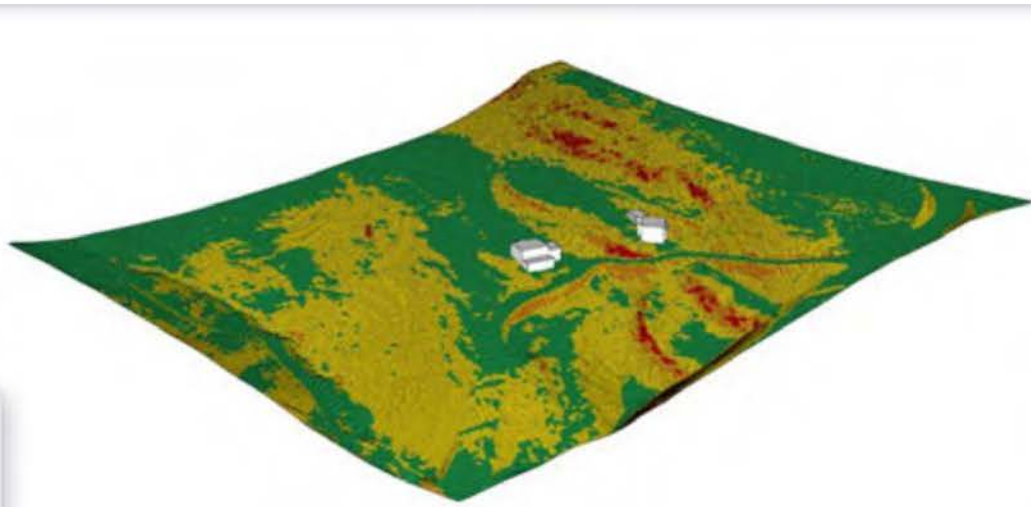


Where would the Homes & Lots Lines be?

We propose siting the two homes uphill from the Trump Ski Run.

- The dark blue lines are the overall boundary of each parcel.
- The red lines are the lot lines.
- The light blue lines represent a “100-foot-wide corridor” that will accommodate the future 25’ (+/-) private driveway.
- The white boxes represent the proposed homes.
- The yellow lines represent a “to-be-determined” limit of disturbance for each home.





Does sufficient
Utility Capacity exist
and where is it ?

The Developer stubbed
our utilities / access ROW
off Red Cloud Trail (across
the street from Ruby
Hollow - as shown in the
green rectangular area).



Other studies referred to in the 1998 Flagstaff Annexation Agreement

These are studies PCMC relied upon when they approved the 1998 - 2007 Flagstaff Annexation Agreement(s)...

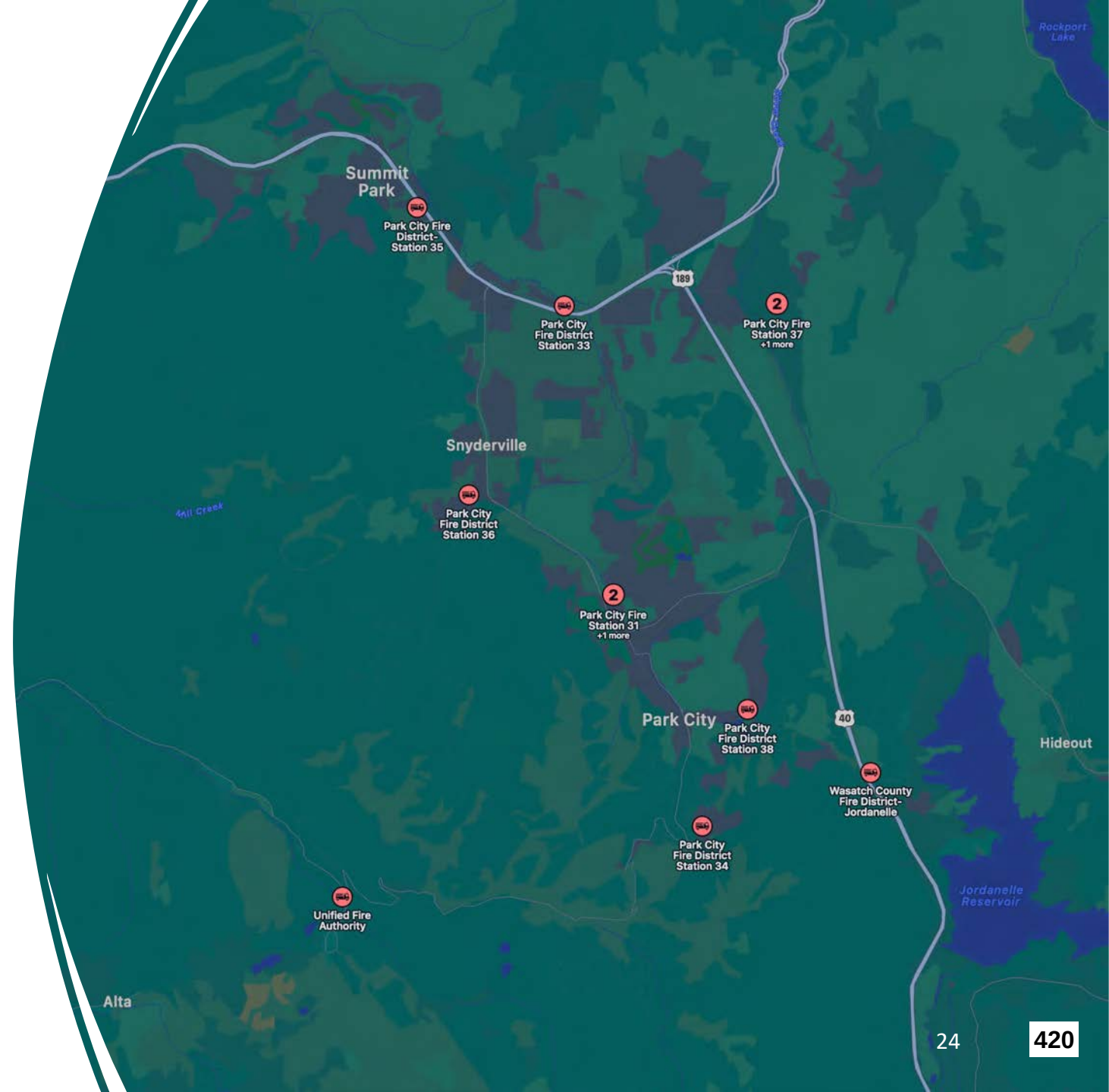
Red Checks indicate those studies we still have original copies of.

Red Text indicates copies we found online in the Planning Dept's Web Site.

☒	May 2001	Large Scale Master Planned Development Application
☒	Exhibit 1	May 2001 - Mine Soil Hazard Mitigation Plan
☒	Exhibit 2	May 2001 - Design Guidelines
☐	Exhibit 3	May 2001 - Specific Transit Plan
☒	Exhibit 4	May 2001 - PARKING MANAGEMENT PLAN
☐	Exhibit 5	May 2001 - Open Space Management Plan
☒	Exhibit 6	May 2001 - HISTORIC PRESERVATION PLAN
☐	Exhibit 7	May 2001 - Emergency Response Plan
☐	Exhibit 8	May 2001 - Trails Master Plan
☐	Exhibit 9	May 2001 - Private Road Access Limitation Procedures
☒	Exhibit 10	May 2001 - CONSTRUCTION AND DEVELOPMENT PHASING PLAN
☒	Exhibit 11	May 2001 - UTILITY MASTER PLAN
☒	Exhibit 12	May 2001 - DRAINAGE STUDY
☒	Exhibit 13	May 2001 - WILDLIFE STUDY
☒	Exhibit 14	May 2001 - EMPLOYEE/AFFORDABLE HOUSING PLAN
☒	Exhibit 15	May 2001 - CONSTREUCTION MITIGATION PLAN
☒	Exhibit 16	May 2001 - GEOTECHNICAL INVESTIGATION
☐	Exhibit 17	Per Page 2 of the 2001 Large Scale Master Planned Development Application
☐	Exhibit 18	"
☐	Exhibit 19	"
☐	Exhibit 20	"
☐	Exhibit 21	"

WHERE IS THE CLOSEST FIRE STATION?

The closest PCMC Fire Station is Silver Lake Village in upper Deer Valley.



Are there any other Mining Claims that can make the same request for the same reasons?

No

These are the only Mining Claims with the following three attributes:

1. The same Mining Claim metes and bounds as their annexed Park City Parcels (*Tax ID #s*)
2. Were specifically and included in the 1998 - 2007 Flagstaff Annexation Agreement(s).
3. That own their surface and subsurface mineral rights too.

Would our Estate
Zone become an
“Estate Island” in
a sea of R.O.S.
Parcels?

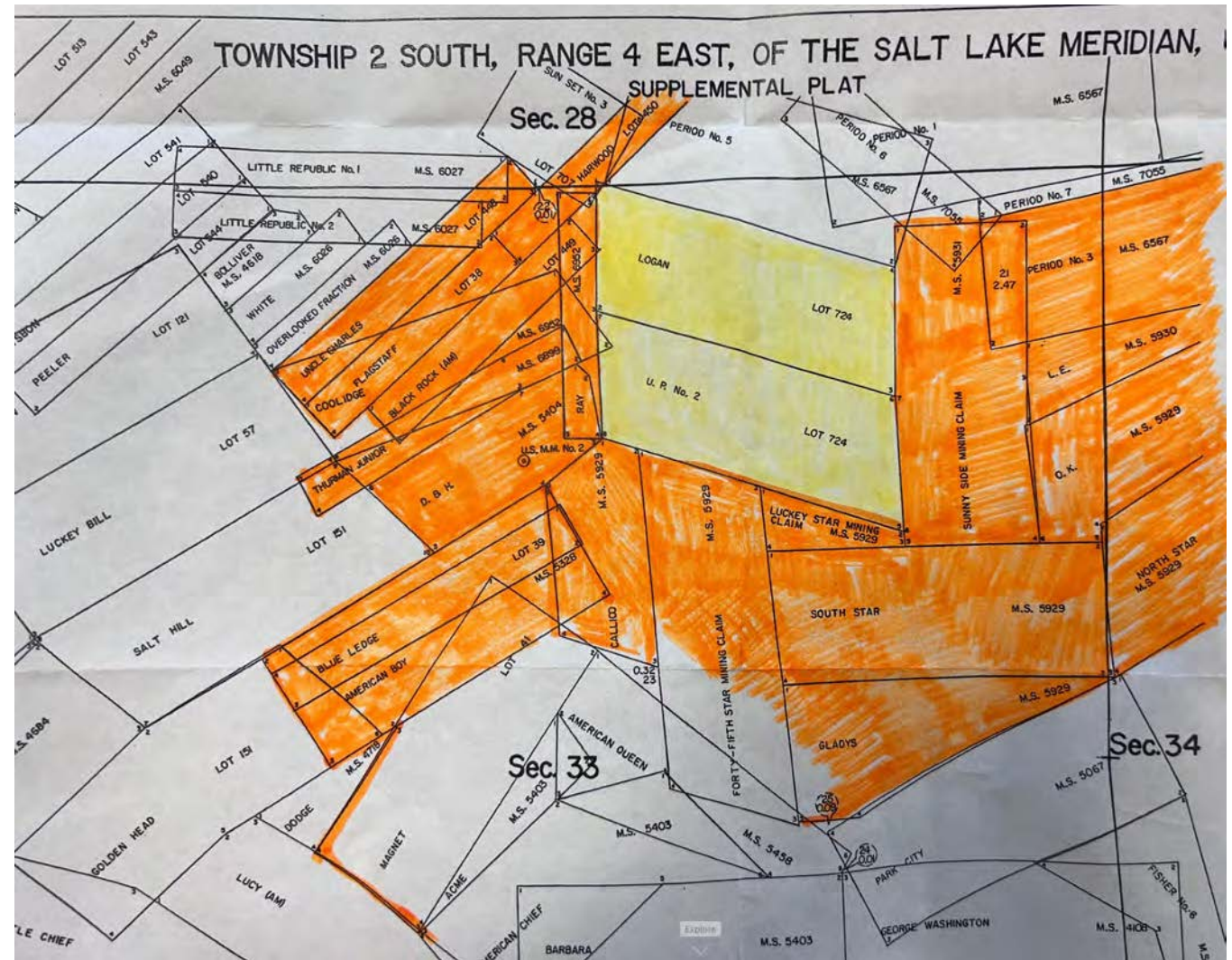
No.

Say we assume that our neighbor (to the west) will eventually acquire development rights as delineated in the Flagstaff Annexation Agreement - or denser.

If so, the BLC Parcels would either share the same density (of 2 units on 40 acres +/-) or be the lowest density of dwellings per acre in a series of shrinking densities radiating away from the existing core uses in the Red Cloud Neighborhood.

What other Mine Claims could make the same request?

- None.
- None of the other mine claims are also individual parcels - previously annexed into Park City.



How big will the houses be?

We proposed one 10,000 SF maximum home size on each 3-acre parcel (*with approximately 34 acres of remaining preserved land*).

It is not yet clear if the two dwellings would become a new HOA or if they would simply be subject to the EPMOA Master Association.

BLC has not asked to be annexed into the Red Cloud HOA; however, we would be pleased to do so - if desired by them.



All Bike Trails on BLC Land will be protected.

This image shows the portions of the three bike trails that traverse the land and will continue to do so.

They include parts of:

1. Flagstaff Loop Trail,
2. Road to Ruby, and
3. Tidal Wave (*along our Eastern Border*).



Existing Vegetation on BLC Land will be protected.

Last year BLC met with:
Wendy Fisher, of Utah Open
Space, and Elizabeth Kitchens,
of the Nature Conservancy Trust
to initiate discussions on
creating the Conservation
Easements.



Statements on Good Cause

- The project satisfies the primary objectives of the R.O.S Zone and the S.L.O.
- The land has been held in Trust as a Bransford Family legacy statement.
- Limiting Density to 1 Dwelling per 20 Acres +/-.
- 82% + preserved Open Space available for conservation Easements.
- Protection of Bike and Ski Trails.
- Protection of existing vegetation.
- Protection of wildlife habitats.



BLC was and is willing to accept the Conditional Approval

A Conditional Zone Change approval does not convey any development rights until all such conditions have been met. BLC seeks an assurance from the P.C. that it agrees that two Estates is appropriate on the subject property

- BLC did not ask for a blanket zone change on all 40 acres.
- BLC only seeks the zone change for Single Family Estate uses on two 3-acre Parcels.
- BLC agrees that the balance of the land will remain R.O.S.
- BLC agrees that any Zone Change approval will be conditioned upon all the factors addressed in these pages, on our verbal assurances and satisfaction of the subsequent Sub-division Plat requirements.

Other Factors:

- Per Mark Harrington:
 - The Bransford parcels were annexed into Park City in a hostile Annexation process.
 - It was always assumed that Bransford could and would return with a similar Zone Change / Plat request.
- The Bransford's Access Easement across Twisted Branch and Red Cloud Trail was formally approved by both the Empire Pass Master Owners Association (EPMOA) and by the Red Cloud Home Owners Association.
- The proposed on-site road is a Private Driveway – not a Public Road.
- The 1981 Bransford Property Feasibility Study along with Anne's Family History and the decade long efforts involved with the Flagstaff Annexation establishes BLC's long term intent to develop.
- We believe it and the hostile aspects of the annexation negate any opposing theories based upon BLC's election to not sign onto the 2007 Development Agreement at that time.

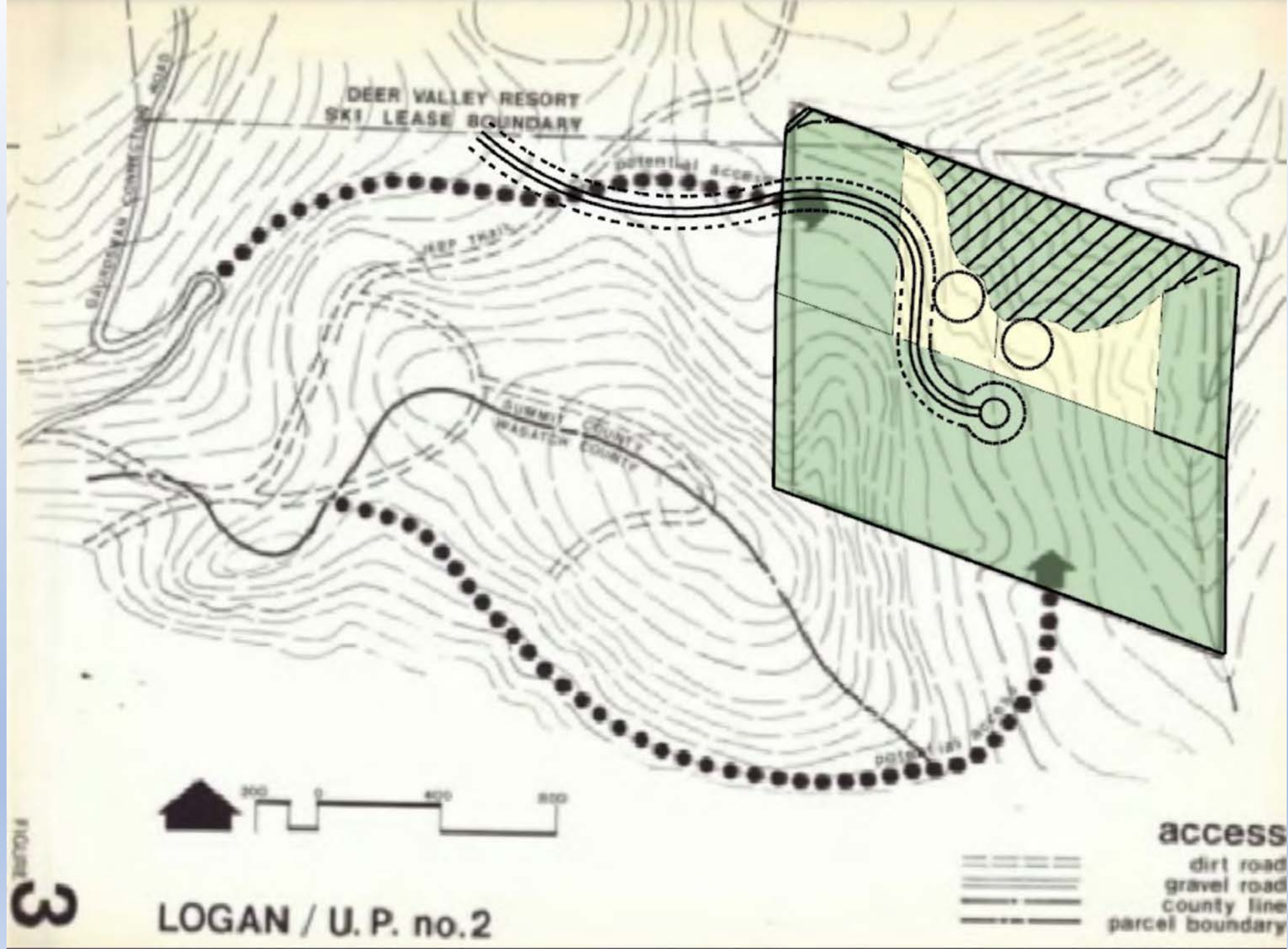
A landing page to a share folder with all the complete digital exhibits referred to in the Deck...

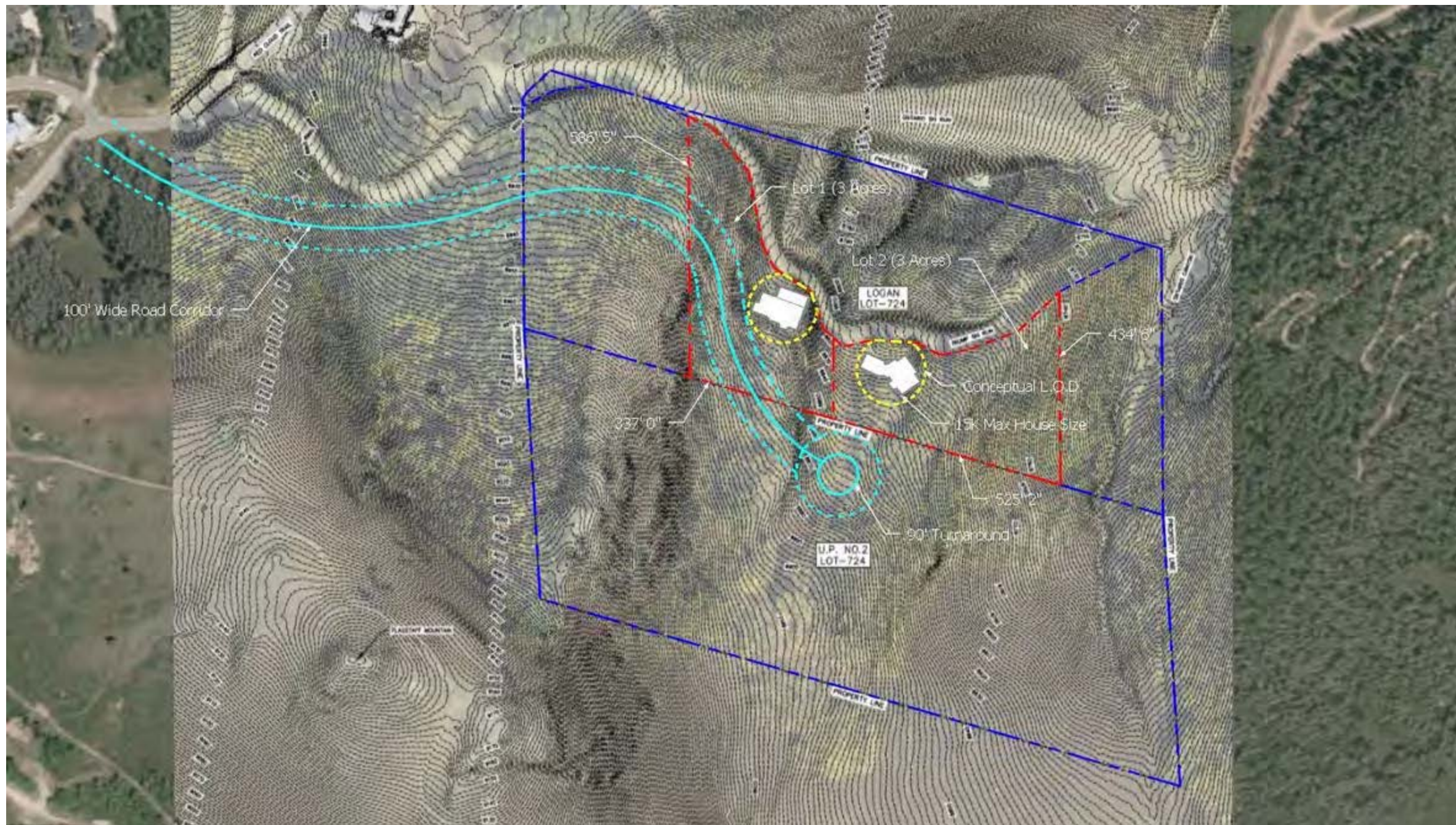


- Anne's intro of BLC to PC
- BLC Slope Analysis Map
- ROM - preserved land calcs
- EMPOA CCRS - building sizes - section 3.2 2 33' height
- Flagstaff Design Guidelines – December 2001
- 3-D Slope Map
- Mining Claims colored maps
- AutoCAD Slope Map over Survey
- And several older documents of record such as the Flagstaff Annexation docs, Red Cloud Plat and HOA docs, Redus Access & Utility Easement over Twisted Branch and Red Cloud Trail, etc.

Appendix

Additional Images and/or additional discussion points





Further comments on Exhibit G

6

Exhibit G neither identifies where BLC's Parcels are located (nor the location of any of the orienting landmarks such as the roads, nor which neighborhood designation was applied to them. *Looks like it was either in the 1::20-Acre or 1::5-Acre category.*

Kirsten Whetstone (Summit County Planner and prior PC Planner) advised me that post annexation Summit County no longer includes areas annexed into Park City in their County Zoning maps. Additionally, the annexed parcels were no longer treated as land included in their West Mountain area. Moreover, those parcels were no longer subject to Summit County Code. Park City (PCMC) had become the governing entity.

Kirsten observed that the parcels had clearly been Lots of Record before 1998 and remained Lots of Record after Annexation into Park City.

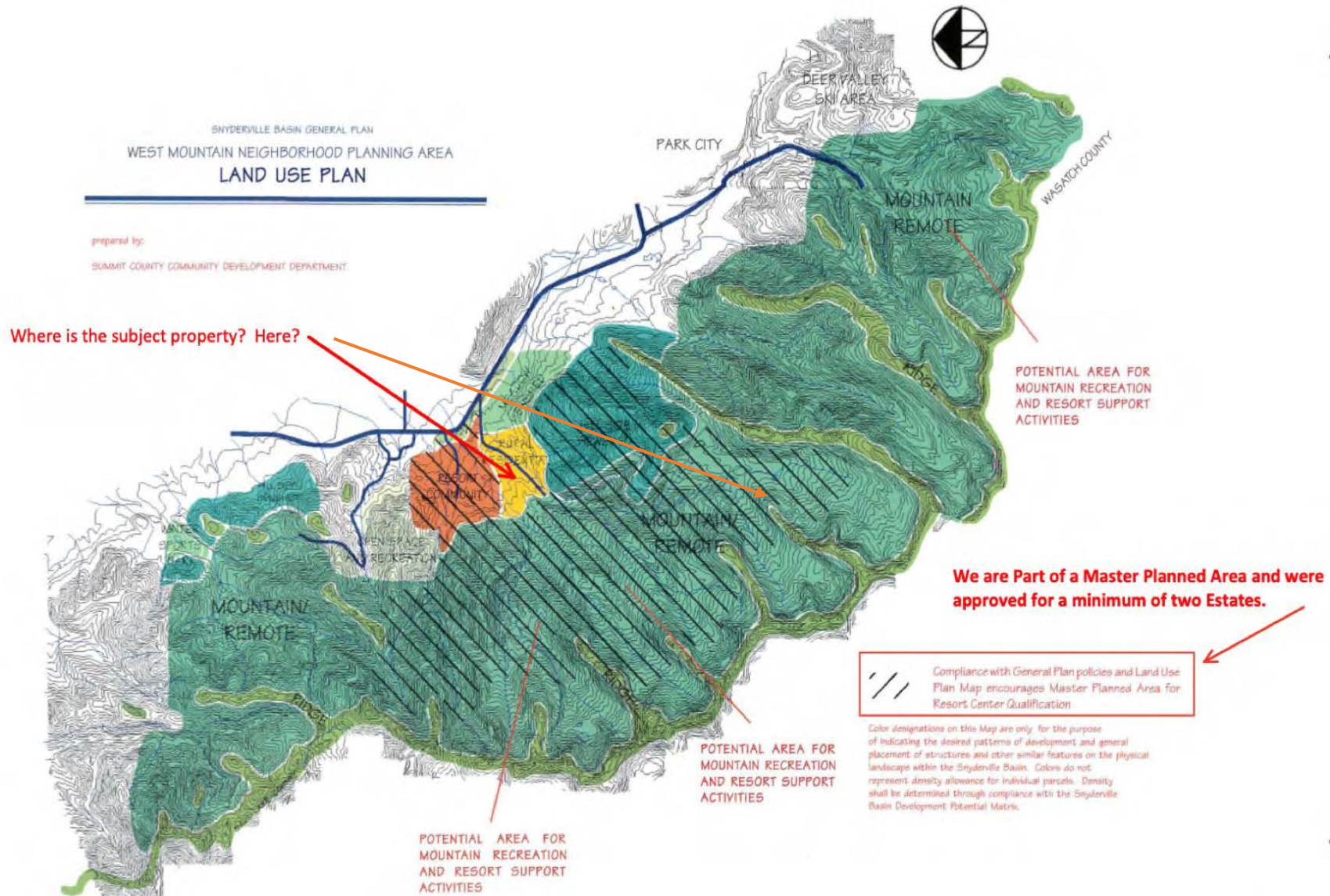
Staff also acknowledged the County Code was a pre-annexation condition.

Exhibit G is so vague that we have no idea how anyone could tell what the density is on our land.

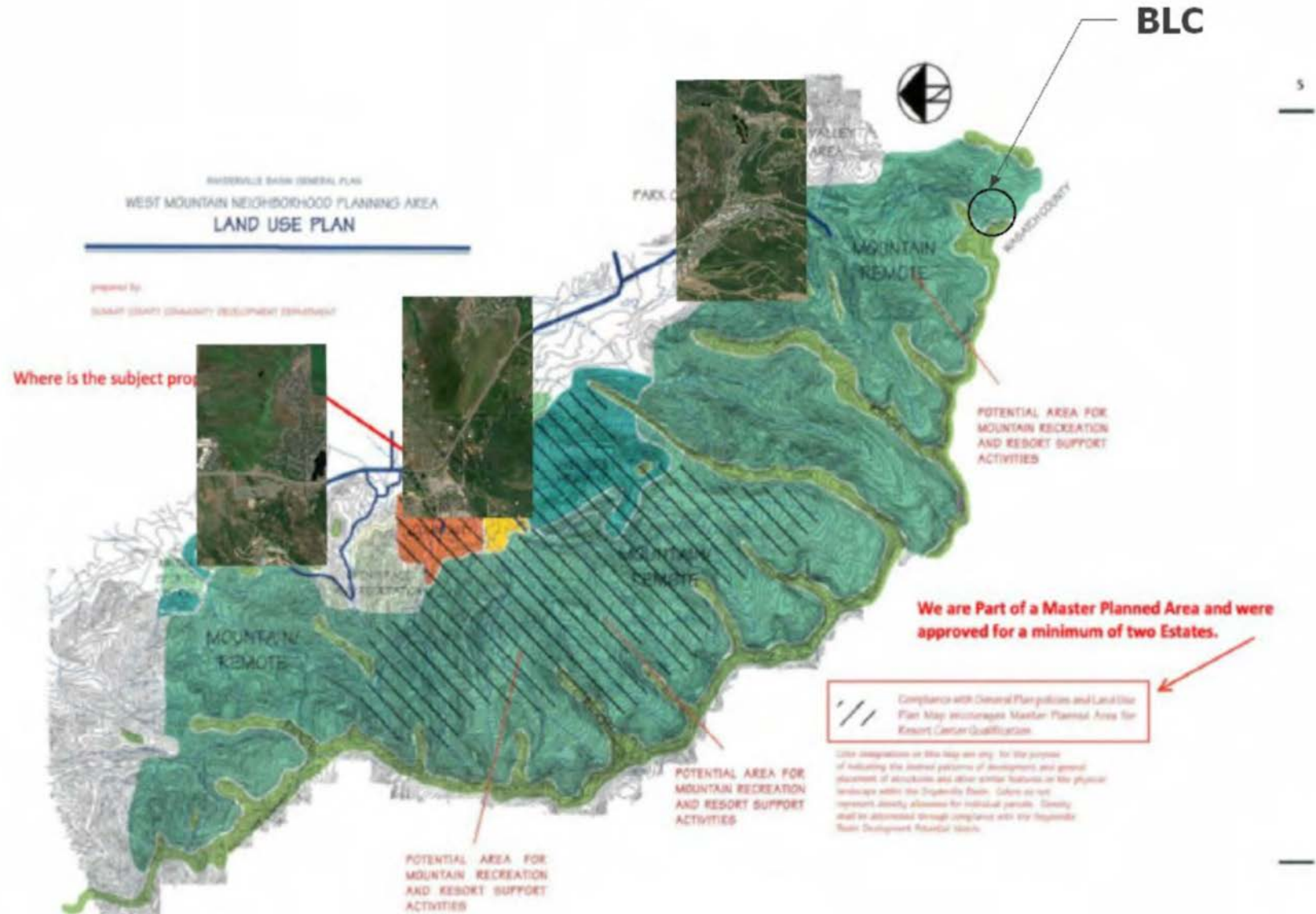
2.3.F(1) SNYDERVILLE BASIN DEVELOPMENT POTENTIAL MATRIX

Minor Development

<i>Base Density</i>		<i>Land Use Planning Principles</i>				
Planning Area	Mountain/ Remote Areas ¹	All Other Land Use Designations ¹	Dedication and Preservation of Viewshed/Environment Features of the Area ²	<i>Mandatory</i>		Maximum Possible Density ³
				Consistency with Desired Neighborhood Character ³	Community and Neighborhood Recreation Facilities ⁴	
East Basin		1 Unit/ 40 Acres	Desirable	Desirable	N/A	1 Unit/40 Acres
		1 Unit/ 20 Acres	Mandatory	Mandatory	Mandatory	up to 1 Unit/ 5 Acres
	1 Unit/ 40 Acres		Desirable	Desirable	N/A	1 Unit/40 Acres
	1 Unit/ 20 Acres		Mandatory	Mandatory	Mandatory	1 Unit/20 Acres
West Mountain		1 Unit/ 40 Acres	Desirable	Desirable	N/A	1 Unit/40 Acres
		1 Unit/ 20 Acres	Mandatory	Mandatory	Mandatory	<u>up to 1 Unit/ 5 Acres</u>
	1 Unit/ 40 Acres		Desirable	Desirable	N/A	1 Unit/40 Acres
	1 Unit/ 20 Acres		Mandatory	Mandatory	Mandatory	1 Unit/20 Acres



This display shows the Vail Resort area (Canyons <—> PC) and Main Street



An aerial photograph of a mountain town covered in snow. The town features numerous buildings with snow-laden roofs, interspersed with snow-covered trees. In the background, steep, snow-covered mountain slopes rise. The overall scene is serene and wintry.

2519 & 2545 Lucky John Drive Plat Amendment

City Council
January 24 , 2023

— Background —

1974 - Holiday Ranchettes Subdivision Plat was approved by City Council with 102 lots.

1999 - The then owners of the 2 lots combined Lots 30 and 31 into one parcel containing approximately 2 acres through an Administrative Lot Line Adjustment approved by the Planning Director.

2014 - The then owners applied to re-establish Lots 30 and 31 as separate 1-acre lots. City Council conducted a public hearing and voted to approve the plat amendment including a Condition that a shared driveway agreement and easement be recorded. The current plat amendment wishes to remove this easement.

— Proposal —

The Applicant and current owner of Lots 30 and 31 of the Holiday Ranchettes Subdivision, proposes to remove the shared driveway easement recorded on the Plat for both Lots. The shared driveway was a Condition of Approval when the lots were re-established as separate lots by Plat Amendment Ordinance No. 14-18, after having been previously combined in 1999.



— Good Cause —

- The removal of the shared driveway easement between Lots 30 and 31 of the Holiday Ranchettes Subdivision will not cause any hardship to other properties in this subdivision.
- Consistent with requirements of Single Family (SF) zones in the Land Management Code.
- No other properties will be affected by this proposal.
- The proposed plat causes no nonconformities with respect to setbacks, lot size, maximum density, or otherwise.
- No other Lots in the Subdivision have a shared driveway requirement.

—Recommendation—

- Review the requested Plat Amendment to remove a shared driveway easement.
- Hold a public hearing.
- Consider approving Ordinance 2023-04.

An aerial photograph of a mountain town covered in snow. The town features numerous colorful houses and buildings, with snow-covered roofs and trees. The background shows a vast, snow-covered mountain range under a clear sky.

Amendment to the 2022 Moderate-Income Housing Plan

January 24, 2023

Background

1. State requires that the Moderate-Income Housing Plan be updated in 5-year increments
2. With Planning Commission and City Council approval, the Park City 2022 5-Year Moderate Income Housing Plan was submitted to the state in September 2022
3. The City received notice from the State that the plan was Compliant with three qualified Strategies – Plans are required to have four qualified Strategies to gain Priority Consideration for transportation funding.
4. Due to a technical error, the State judged two of the Strategies deficient – Strategies N & U.

Technical Changes to Amend 2022 MIHP

1. *Under Goal I, Strategy U is Amended as follows:* Develop a moderate-income housing project for residents who are disabled or 55 years **old** or older.
2. Goal III, Strategy N: Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality or any other public employer that operates within the municipality.

Interim detail is added as follows:

- **Evaluate the existing mortgage assistance policy to understand why employees aren't utilizing it. – Complete by December 31, 2022.**
- **Complete review and analysis of employee housing survey to understand employee affordable housing needs and wants. – Complete by January 2023.**
- **Conduct a work session with Council to discuss updated Employee Housing Policies including an updated Mortgage Assistance program. – Complete by February 2023.**
- **If City Council doesn't approve an amended Mortgage Assistance program, focus on other housing assistance programs such as long-term affordable rentals or amending the monthly housing allowance to meet current housing costs.– Complete by May 2023**
- **PROJECTED COMPLETION: June 2023.**



Purchase of 1959 Cooke Drive

January 24, 2023

Background

1. 1959 built in 1995 and has had one owner.
2. Owner wants to sell, and the unit needs a few repairs.
3. Owner would prefer selling at a lower price than completing the repairs.
4. The Housing Team doesn't want to saddle a new homebuyer with the repairs.

Recommendation

- City purchase the 1959 Cooke Drive and complete the necessary repairs.
- The format of re-sale will depend on Council direction provided during the Employee Housing Assistance Policy discussion scheduled for the Council Work Session on March 9.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 64°44'13" E	136.79
L2	N 67°45'58" E	149.28
L3	N 81°11'10" E	122.88
L4	N 77°18'44" E	85.84
L5	N 77°48'30" E	79.25
L6	R 55°11'16" E	94.42
L7	S 72°54'27" E	85.42
L8	S 71°42'35" E	163.43
L9	N 10°41'54" E	76.70
L10	N 15°21'41" E	116.30
L11	N 56°44'38" E	142.80
L12	N 46°47'25" E	123.00
L13	N 35°09'16" E	88.70
L14	N 32°14'53" E	103.60
L15	N 32°00'03" E	159.20
L16	N 33°28'55" E	136.00
L17	N 38°27'54" E	138.00
L18	N 27°54'51" E	126.00
L19	N 31°30'07" E	96.30
L20	N 40°35'50" E	110.60
L21	N 50°15'25" E	32.50
L22	N 58°00'00" E	94.30
L23	N 50°23'25" E	105.09
L24	N 28°18'45" E	186.59
L25	S 00°15'34" W	115.59
L26	S 08°39'11" E	217.32
L27	S 35°30'59" E	87.30
L28	S 03°30'00" E	83.08
L29	S 31°30'00" W	68.20
L30	S 79°25'18" W	45.49
L31	S 17°08'46" E	88.76
L32	S 29°20'00" W	117.80
L33	S 83°34'00" W	89.10
L34	N 46°45'00" W	87.90
L35	N 77°28'00" W	181.00
L36	S 35°36'00" W	219.10

CURVE TABLE

CURVE	ARC	DELTA	RADIUS	CHORD	BRG
C1	398.24	15°23'33"	1482.39	S 07°57'20" W	
C2	813.57	06°11'23"	5879.58	S 12°33'25" W	
C3	388.82	16°06'55"	1392.39	S 01°24'18" W	
C4	300.26	48°51'38"	386.52	S 31°03'00" E	
C5	364.28	30°23'53"	686.62	S 40°19'03" E	
C6	191.78	21°28'53"	508.37	S 14°18'27" E	
C7	214.46	55°51'14"	220.00	S 31°55'37" E	

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that this plat accurately describes and illustrates the boundary and the Patented Government Lots of Record as prescribed within the boundary of the Flagstaff Mountain Resort annexation petition. In addition, this plat accurately illustrates a parcel of land located in the Southwest Quarter of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

John Demkowicz
L.S. No. 163931

Date

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned corporate agent for United Park City Mines, the owner of the majority of the land described and illustrated on this plat do hereby petition Park City Municipal Corporation, of Summit County, Utah, that said lands be Annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Hank Rothwell, President

ACKNOWLEDGEMENT

State of _____
County of _____

On this _____ day of _____, 1999 Hank Rothwell personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the Corporate Agent for United Park City Mines Company, the owner of the majority of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

Notary Public

My Commission Expires: _____

LEGAL DESCRIPTIONS

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft, and also being North 04°39'13" East 1003.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running Northeastly along said demarcation and ridge line: North 44°09'00" East 1238.63 feet; thence North 35°07'44" East 548.54 feet; thence North 37°33'27" East 779.84 feet; thence North 49°33'13" East 816.72 feet; thence North 71°34'40" East 644.25 feet; thence North 30°09'00" East 354.14 feet; thence North 20°48'44" East 698.015 feet; thence North 10°48'38" East 569.79 feet; thence North 23°55'00" East 604.00 feet; thence North 87°35'00" East 778.00 feet; thence North 77°17'18" East 735.40 feet; thence North 82°14'14" East 672.44 feet; more or less to a point on the westerly boundary line of the "Anchor Tunnel Partial Mining Reservation", said point being North 39°17'38" East 942.39 feet, more or less from the Southwest corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulches; thence along said ridge line the following eight courses: thence North 84°44'13" East 136.79 feet; thence North 67°45'58" East 149.28 feet; thence North 81°11'10" East 122.88 feet; thence North 77°18'44" East 85.84 feet; thence North 77°48'30" East 79.25 feet; thence North 88°11'16" East 94.42 feet; thence South 72°54'27" East 85.42 feet; thence South 71°42'35" East 163.49 feet more or less to a point on the westerly right-of-way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79°18'06" West 5.00 feet more or less, from Map Point A-1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right-of-way line the following fifteen (15) courses: North 10°41'54" East 76.70 feet; thence North 15°21'41" East 116.30 feet; thence North 56°44'38" East 142.80 feet; thence North 46°47'25" East 123.00 feet; thence North 35°09'16" East 88.70 feet; thence North 32°14'53" East 103.60 feet; thence North 32°00'03" East 159.20 feet; thence North 33°28'55" East 136.00 feet; thence North 38°27'54" East 138.00 feet; thence North 27°54'51" East 126.00 feet; thence North 31°30'07" East 96.30 feet; thence North 40°35'50" East 110.60 feet; thence North 50°15'25" East 32.50 feet; thence North 58°00'00" East 94.30 feet; thence North 50°23'25" East 105.09 feet; thence North 28°18'45" East 186.59 feet; thence South 00°15'34" West 115.59 feet; thence South 08°39'11" East 217.32 feet; thence South 35°30'59" East 87.30 feet; thence South 03°30'00" East 83.08 feet; thence South 31°30'00" West 68.20 feet; thence South 79°25'18" West 45.49 feet; thence South 17°08'46" East 88.76 feet; thence South 29°20'00" West 117.80 feet; thence South 83°34'00" West 89.10 feet; thence North 46°45'00" West 87.90 feet; thence North 77°28'00" West 181.00 feet; thence South 35°36'00" West 219.10 feet; thence North 34°37'00" West 1,077.30 feet, more or less to County Line Point 2343 the point of beginning. Said Parcel contains 1,655.4 acres more or less.

600 0 600 1200 feet

FLAGSTAFF MOUNTAIN RESORT

ANNEXATION PLAT

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 20, THE SOUTH 1/2 OF SECTION 21, THE WEST 1/2 OF SECTION 27, SECTION 28, SECTION 29, THE NORTHEAST 1/4 OF SECTION 32, THE NORTH 1/2 OF SECTION 33, THE NORTHWEST 1/4 OF SECTION 34, THE NORTH 1/2 OF SECTION 3, AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 2 SOUTH, RNGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH



JOB No. 17-4-96 FLAGSTAFF OVERALL \FLGANEX

ALLIANCE ENGINEERING INC.

P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(435) 649-9467

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS _____
DAY OF _____, 1999 A.D.

BY _____
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS _____
DAY OF _____, 1999 A.D.

BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____
DAY OF _____, 1999 A.D.

BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS _____ DAY
OF _____, 1999 A.D.

BY _____
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

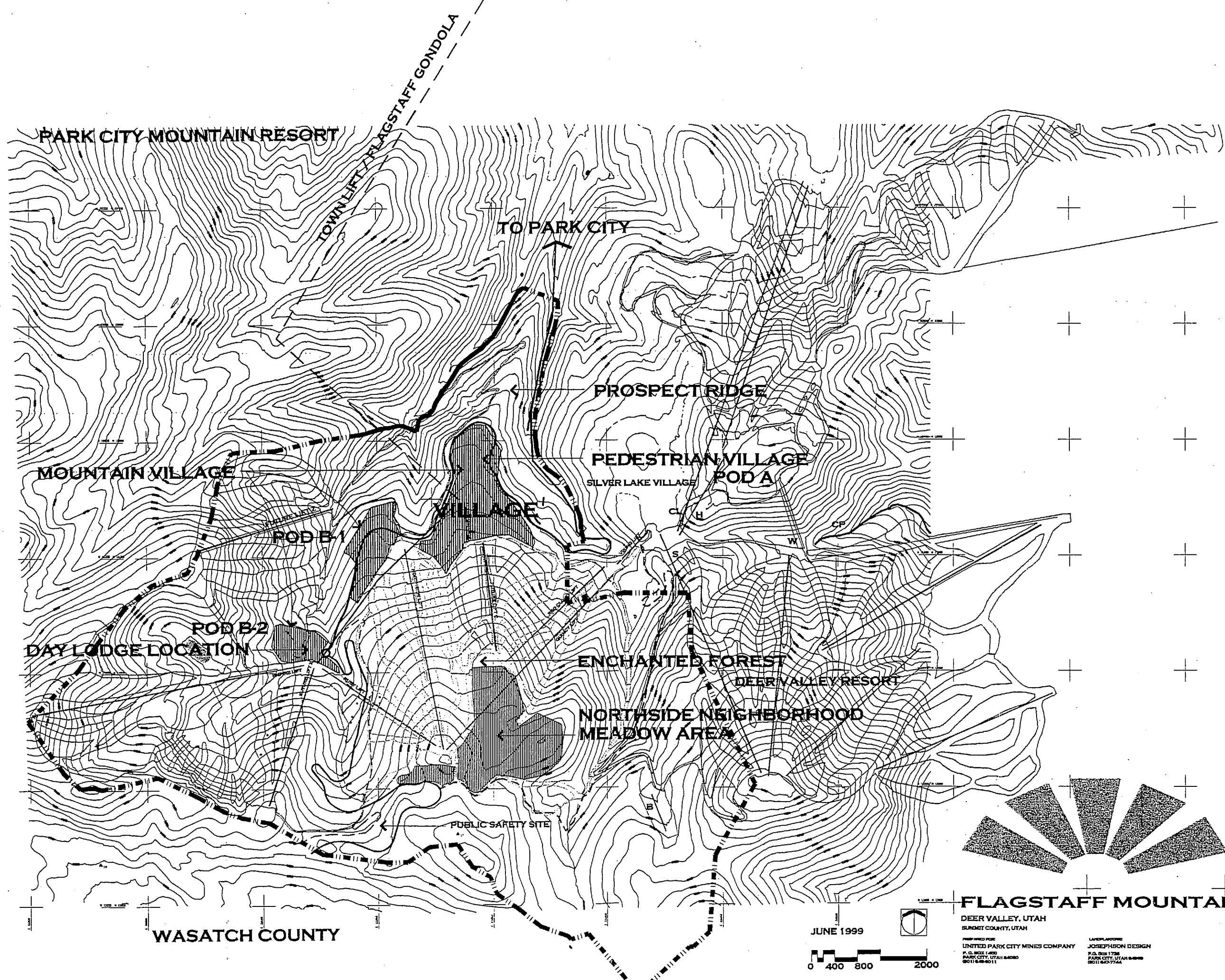
APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS _____ DAY OF _____
1999 A.D.

BY _____
MAYOR

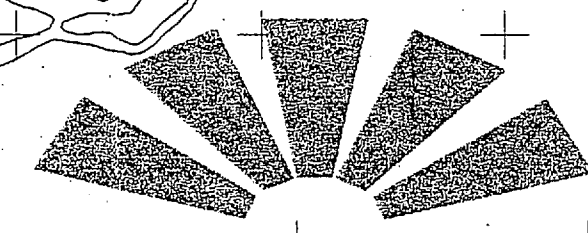
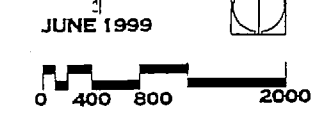
RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____



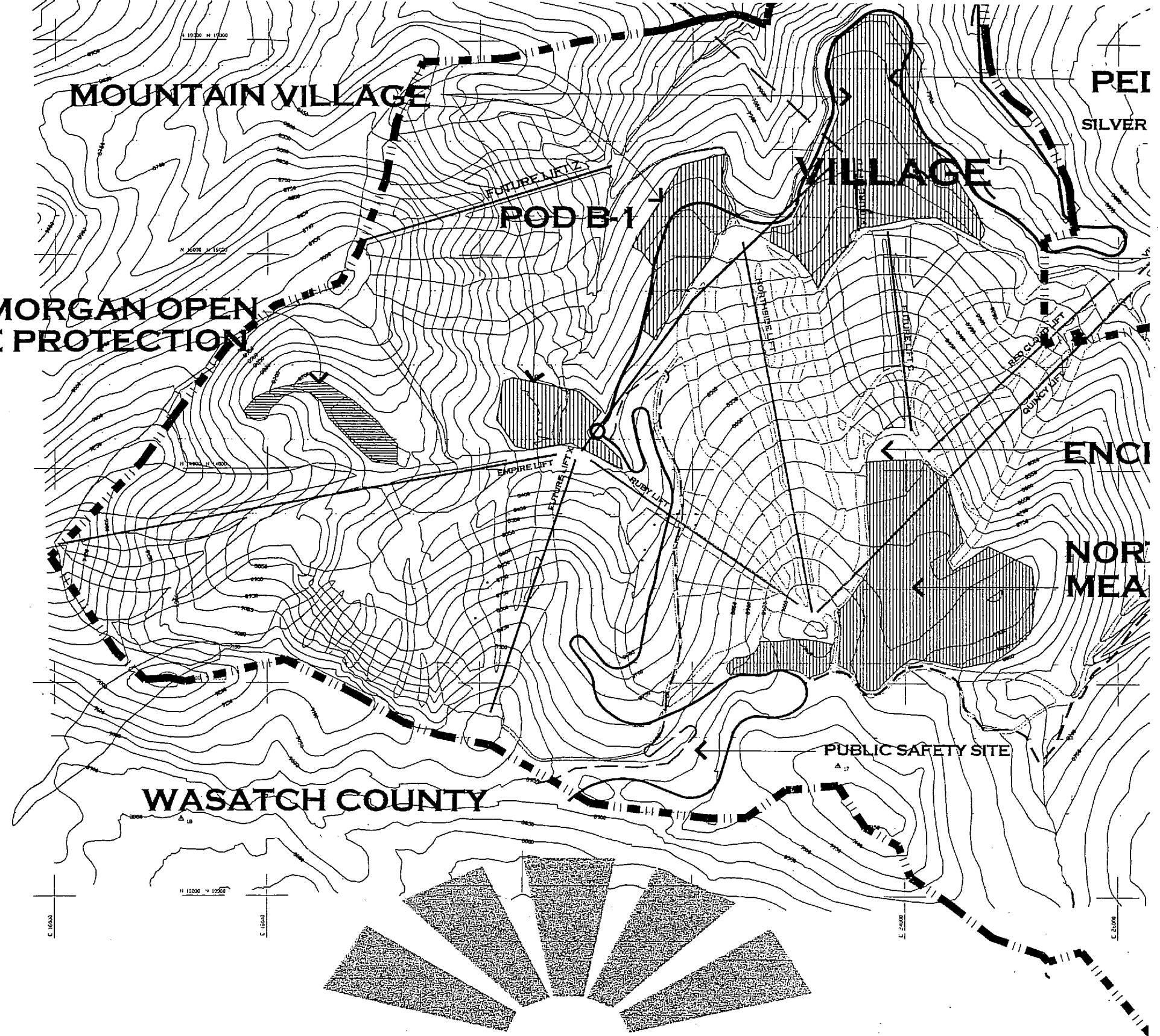
WASATCH COUNTY



FLAGSTAFF MOUNTAIN RESORT

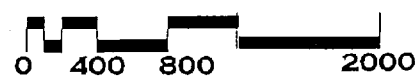
DEER VALLEY, UTAH
SUNSET COUNTY, UTAH
PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P.O. BOX 1400
PARK CITY, UTAH 84060
(801) 640-6011
LANDSCAPE ARCHITECT:
JOSEPHSON DESIGN
P.O. BOX 1738
PARK CITY, UTAH 84060
(801) 640-7744

**LADY MORGAN OPEN
SPACE PROTECTION**



FLAGSTAFF MOUNTAIN RESORT

JUNE 1999

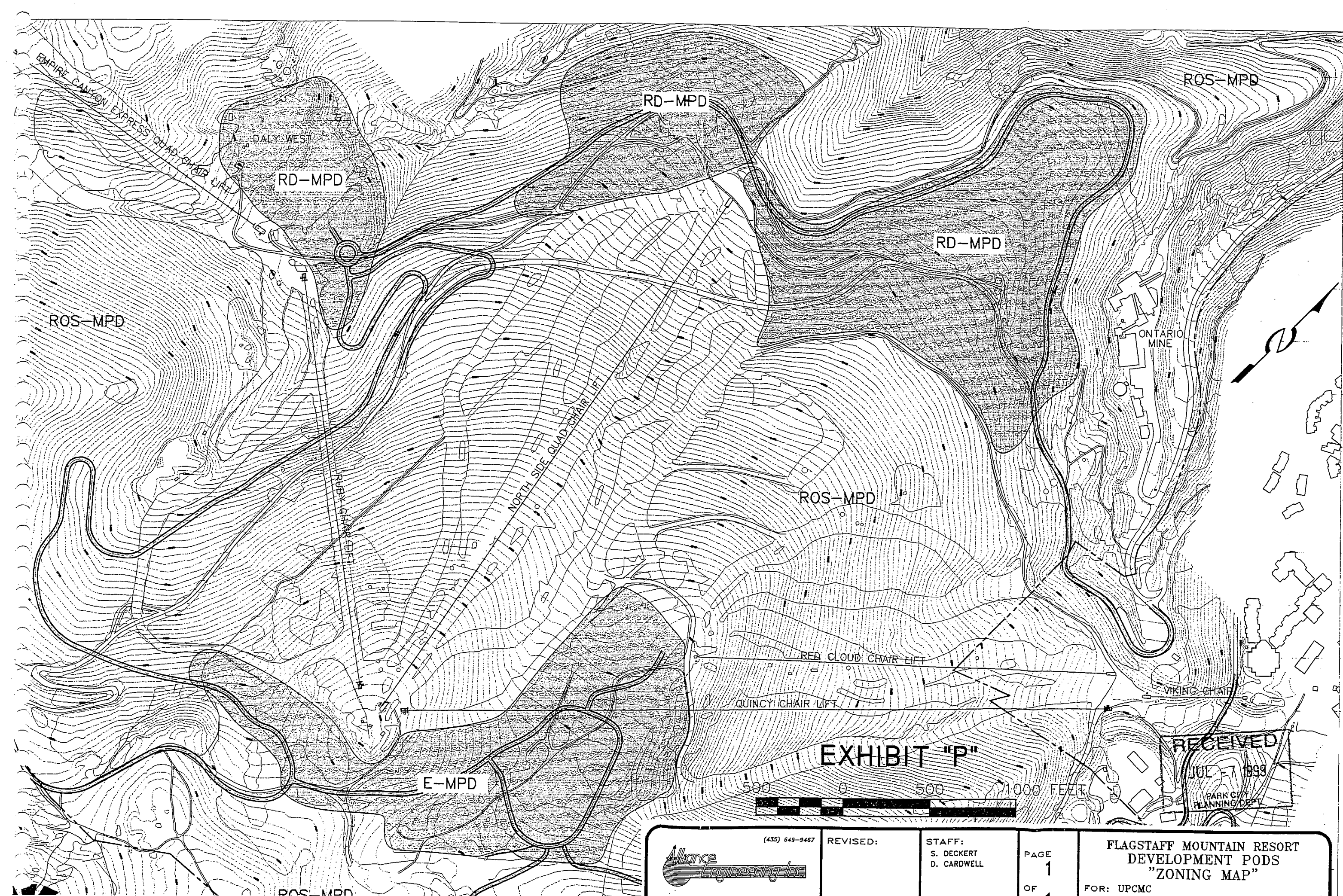


SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
 P.O. BOX 1450
 PARK CITY, UTAH 84060
 (801) 849-8011

LANDPLANNING:
JOSEPHSON DESIGN
 P.O. BOX 1728
 PARK CITY, UTAH 84069
 (801) 647-7744

EXHIBIT J



(435) 649-9467 <i>Alliance Engineering Inc.</i>	REVISED:	STAFF: S. DECKERT D. CARDWELL	PAGE 1 OF 4	FLAGSTAFF MOUNTAIN RESORT DEVELOPMENT PODS "ZONING MAP" FOR: UPCMC
---	-----------------	--	---	--

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Engineering

Item Type: Resolution

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Resolution 05-2023, a Resolution Adopting the Neighborhoods First - Streets Program for Park City, Utah

(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Neighborhoods First Streets Program Policy Staff Report](#)

[Exhibit A: Draft Neighborhoods First Street Program Policy](#)

[Exhibit B: NFSP Resolution](#)

[Exhibit C: Traffic Calming Policy 11-02](#)

[Exhibit D: 2008 NTMP Policy](#)



City Council Staff Report

Subject: Neighborhoods First Street Program Policy
Author: John Robertson, City Engineer
Department: Engineering
Date: April 27, 2023
Type of Item: New Business

Recommendation

Review and consider the following with regard to a new Neighborhood First Streets Program Policy:

1. Review the new NFSP Policy;
2. Review the new NFSP Resolution;
3. Conduct a public hearing and obtain public input;
4. Consider adopting Resolution No. 05-2023, a resolution adopting the Neighborhood's First Street Policy for Park City, Utah; or
5. Continue the item to provide more time to incorporate additional Council and public feedback.

Executive Summary

Protecting residential neighborhoods from higher traffic volumes and speeding has been a priority for City Council for decades. Recent history demonstrates a July 2002 Council Traffic Calming Policy (Attachment F) and March 2008 (Attachment G) Neighborhood Traffic Management Program (NTMP). Both of these policies were adopted to provide additional resources to address ongoing safety concerns.

Since 2008, the level of emphasis, engineering, analysis, and investment to create safe, accessible, and equitable neighborhoods within the city and the nation has significantly increased. Federal and state funding to develop and implement safe street policies has also expanded to meet the desire of local officials to address resident concerns and shift the priority of residential streets away from an automobile-first focus. But change is hard, slow, and fraught with competing interests.

The Neighborhood's First Street Policy (NFSP) is presented as yet another incremental step to modernize and update current policy. The NFSP was drafted in response to new levels of resident engagement, seeking a more predictable and straightforward process to develop and implement solutions. The Communications Department will be critical in supporting the NFSP via ongoing community engagement.

Importantly, the NFSP incorporates elements of two relatively recently approved policies; the People First Streets and Complete Streets policies. Together, these bring Park City into compliance with best transportation practices and more healthy and safe communities.

The Purpose Statement of the NFSP is “Proactively working with residents to identify traffic-calming solutions by applying a combination of education, enforcement, evaluation, and engineering.” The City Council approved a budget item budget of \$150,000 in the FY23 Budget to deliver neighborhood improvements throughout Park City. Over the past year, over \$90k was invested in promoting safer streets.

NFSP

The NFSP provides a straightforward process for a resident to submit a request to evaluate a traffic-related concern. Using the new Neighborhoods First website ([NFSP Website](#)) a portal was created to track, accept, and provide all relevant NFSP information. Data-driven, transparent, and consistent process, the Engineering Department will better process, track, and implement requests, with input and specific input from City departments and stakeholders, such as the Park City Fire District.

Requests will be classified as Small, Pilot, or Complex and brought before the Neighborhoods First Streets Committee (NFSC) for consideration. Other information gathering or public outreach may be required. The new NFSC includes the following:

- Park City Engineering Department..
- Park City Public Works Department.
- Park City Police Department.
- Park City Fire Department.
- Park City Transportation Department.
- Park City Resident Advocate.
- Park City Resident; and
- Summit County Government Representative.

The NFSC was intentionally expanded to include a Park City resident, Summit County representative, and PC Fire Department. For processing purposes, the NFSC will classify requests into one of three categories listed below:

Simple Projects:

Projects expected to have a localized impact on a roadway segment and little effect on traffic diversion. Small projects typically have low costs (less than \$10,000) and can be completed quickly depending on material and labor availability. Small projects may involve:

- Installation or removal of signage.
- Minor parking issues
- Education efforts; and
- Installation or removal of striping.

Pilot Projects:

Pilot projects are temporary and designed to evaluate the effectiveness of a given treatment. The NFSC recommends a Pilot Project if preliminary evaluation determines that some treatment is necessary, but a temporary measure would be advantageous to

evaluate the effectiveness before a more permanent project. Pilot projects may also provide immediate action interim to a more permanent solution. Pilot projects may be recommended to:

- Address complaints expeditiously.
- Collect additional data to determine whether permanent solutions are recommended and provide recommendations on appropriate actions; and
- Test innovative treatments as appropriate.
- Temporary materials (e.g, spray paint, traffic cones, shipping pallets, etc.) are often used in Pilot Projects

These projects may evolve into Complex projects if observations and/or data collected during the pilot period support permanent treatment. Pilot projects may use temporary treatments, such as:

- Bike lanes.
- Curb extensions.
- Hi-visibility crosswalks.
- Mini roundabout/traffic circles; and
- Pop-up plazas.

Complex Projects:

Upon evaluation, if a recommended improvement is more than \$10,000 or there will be more significant impacts to adjacent neighborhoods, the project shall be classified as a Complex project. Complex projects may include impacts to neighboring streets or other travel modes, are located on designated CERR streets, or require higher internal and external coordination. In addition, the project costs may trigger a capital project budget request. Complex projects may involve:

- Installation or removal of traffic control signage.
- Major parking issues.
- Enforcement efforts.
- Installation or removal of striping for an entire roadway; and
- Installation of traffic calming methods (Attachment C - pre-approved ones).

Attachments

- A - Draft Neighborhoods First Streets Policy
- B – Draft Resolution No 05-2023
- C - 2002 Traffic Calming Policy
- D - 2008 Neighborhood Traffic Mitigation Program

PARK CITY MUNICIPAL CORPORATION

NEIGHBORHOODS FIRST - STREETS PROGRAM

Traffic Management Strategies



Adopted xx_xx_xxxx

TABLE OF CONTENTS

PREFACE	2
PURPOSE STATEMENT	2
PROGRAM GOALS AND POLICIES	3
Goals of the Neighborhoods First – Streets Program (NFSP)	3
Guidelines of the NFSP	3
Guidelines of the NFSP	3
Eligibility	4
PROGRAM OVERVIEW	4
Neighborhoods First – Streets Committee (NFSC)	4
Neighborhoods First – Streets Technical Advisory Group	5
Education, Enforcement, Engineering, and Evaluation	5
Examples of Physical Design Elements	6
Critical Emergency Response Route (CERR)	6
Funding	6
NFSP REQUEST CATEGORIZATION	6
Small Projects	6
Pilot Projects	7
Complex Projects	8
NFSP PROCESS	8
NFSP Process Details	8
1 Online Application	8
2 Data Collection	8
3 Project Development	9
3S – Project Development – Simple Projects	9
3P – Project Development – Pilot Projects	10
3C – Project Development - Simple	11
4 Data Evaluation and Progress Reports	11
5 Engineering Device Replacement and Removal	12
DEFINITIONS	12

PREFACE

Various and sometimes competing users seek prioritized access to Park City streets and sidewalks, ranging from residents to visitors, delivery trucks to day skiers, special events to neighborhood gatherings, and pedestrians to cyclists. Just as we use our streets to get to and from work, school, and shopping, our neighbors and visitors also use these streets for exercise, sightseeing, and destination connectivity.

Park City aims to make all residential streets safe and accessible while providing access to local business districts and public transit. Conversely, protecting residential streets from cut-through traffic or bypassing arterial roadways is necessary to maintain a balanced residential quality of life.

Our traffic control strategies are designed to maintain or improve safety for all users, reduce traffic speeds, maintain accessibility for emergency services, and deter arterial traffic volumes from using residential collectors/local roads as bypass routes.

For more information, please visit <http://www.parkcity.org/departments/engineering-division/neighborhoods-first> or email Engineering at engineering_submittals@parkcity.org with additional questions.

PURPOSE STATEMENT

The City's Neighborhoods First - Streets Program (NFSP) aims to implement neighborhood traffic calming by:

- Proactively working with residents and businesses to implement traffic-calming solutions by applying a combination of education, enforcement, evaluation, and engineering improvements; and
- Determining the eligibility of traffic-calming measures by collecting traffic data for vehicular/pedestrian/bicycle volumes, speeds, roadway geometrics (roadway widths/number of lanes/presence or absence of sidewalks), and traffic accident data.

PROGRAM GOALS AND POLICIES

Goals of the Neighborhoods First - Streets Program (NFSP):

- Enhance neighborhood livability and safety by reducing speeding traffic.
- Involve residents and businesses in addressing traffic issues.
- Use clear evidence and documented processes to evaluate and implement traffic calming solutions and measure impacts (i.e., impacts to traffic diversion).
- Incorporate public safety and emergency response interests.
- Improve compliance with posted speed limits, stop signs, and other traffic control devices.
- Educate residents and businesses about available traffic safety measures.
- Balance the transportation needs of the various land uses in and around neighborhoods; and
- Ensure consistency with previously approved Council policy: Complete Streets & People-First Streets.

Guidelines of the NFSP:

The guidelines listed below will be used to conduct traffic calming solutions equitably and transparently. The following provides a framework for neighborhood traffic management:

- A combination of education, enforcement, engineering, and evaluation will be employed. The NFSP will utilize professionally accepted engineering and planning practices. Park City shall direct the installation of traffic control devices (signs, beacons, infrastructure, and pavement markings) to comply with project objectives, municipal code, and applicable state and federal regulations.
- While it is possible for an NFSP project to be initiated by a non-resident, the process will favor feedback and participation from residents and businesses in the area where a project occurs.
- A residential street classified as a Local or Collector (major or minor) roadway may be considered for traffic calming. (Street classification map – Attachment A.)
- Each NFSP project will include logical project boundaries that address displacement and diversion of traffic resulting from an NFSP project.
- Solutions will balance or enhance emergency response with sometimes competing interests, including:
 - If the emergency vehicle response time is greater than the standard, NFSP efforts shall not further degrade existing response time; and
 - If the response time is less than the standard, then NFSP shall not cause the response time to exceed the standard.
- Parking removal is considered on a project-by-project basis. The parking needs of residents and businesses should be balanced with public safety, traffic functionality, emergency access, transit, bicycle, and pedestrians.
- The NFSP mitigations should not cause an increase of more than 50 vehicles per day (VPD) in traffic diversion. If more than 50 VPDs are anticipated, the impacted area will be invited to participate before implementation.

- In general, arterial street traffic will not be directed to neighborhood streets.

Eligibility:

All individuals, neighborhoods, businesses, and business districts within Park City are invited and eligible to participate in the NFSP. Applications that impact roads owned by the UDOT require review and approval from UDOT.

PROGRAM OVERVIEW

The primary purpose of traffic calming is to support the livability and safety of residential areas through improvements in non-motorist safety, mobility, and comfort. These objectives are typically achieved by reducing vehicle speeds and volumes on a single street or street network. Due to the complexity of traffic-related concerns, it is necessary to use an integrated approach that combines education, enforcement, and engineering to mitigate the adverse effects of speeding and higher-than-anticipated traffic on neighborhood streets.

Traffic calming, as defined through the NFSP, is the implementation of physical traffic engineering devices to slow motorized vehicle speeds to a safe level reflective of a street's characteristics. Traffic calming can have other impacts, including improving street aesthetics and conditions for walking and biking. Park City will consider all traffic calming methods as potential solutions but will select the tactic that best suits the specific project site and concerns.

The NFSP will rely upon a data-driven, transparent, and consistent process to consider solutions. The Neighborhoods First - Streets Committee (NFSC) is made up of the following:

Neighborhoods First – Streets Committee (NFSC)

- Park City Engineering Department.
- Park City Police Department.
- Park City Public Works Department.
- Park City Fire Department.
- Park City Transportation Department.
- Park City Resident Advocate.
- Park City Resident*; and
- Summit County Government Representative.

*The Park City resident representative will be selected by the Mayor, as defined below:

1. Open an application period for interested residents to serve a two-year term.
 - a. Post opening on applicable local news and information outlets
 - i. City Website (News Item), Pertinent Webpages (PCMC Board and Commission Website, Board or Commission-specific page, Library, Rec, etc.), Social Media Posts, City Newsletter, City Brief, Park Record, and KPCW (PSA).

2. Conduct interviews and rank by a sub-committee of the City Engineer, Public Works Director, Park City Resident, and Resident Advocate.
3. The Engineer drafts a memorandum and presents it to the Mayor for consideration.

Neighborhoods First - Streets Technical Advisory Group

Below are members of the NFSP technical advisory group who are frequently consulted to review and provide input on items before decisions by the NFSC:

- Park City Engineering Department Representative.
- Park City Fire Department Designee.
- Park City Trails & Open Space Representative.
- Park City Transit Department Representative.
- Park City Transportation Planning Representative; and
- Park City Community Engagement Representative.

Education, Enforcement, Engineering, and Evaluation (4-E's)

The NFSP utilizes multiple methods through the 4-E's (Education/Enforcement/Engineering/Evaluation) to change behavior and improve neighborhood traffic safety. Some NFSP elements are site-specific and address speeding issues at a specific location, most notably true for engineering and enforcement methods. Others, especially education-related strategies, apply to many locations. Because physical treatments within the roadway affect vehicle speed directly, engineering methods are known to be the most effective method of reducing speeds.

The 4-E's are defined below:

- Education:
 - Traffic safety education is vital to bring awareness to safe practices for drivers, pedestrians, and bicyclists. These tools include deploying the speed trailer, radar speed enforcement, yard signs, and guidance for self-facilitated neighborhood meetings.
- Enforcement:
 - These actions consist of traditional police speed enforcement as resources allow. Using data collected by the tools mentioned above, crucial time-related information is provided to the Police Department to direct resources to monitor irresponsible driver behavior.
- Engineering:
 - A variety of physical design elements and other measures on existing roads to reduce vehicle speeds and improve safety for pedestrians and cyclists. See the list below for additional physical design elements.
- Evaluation:
 - All streets receiving engineering treatments are evaluated before and after project construction. This helps measure the effectiveness and informs future program decisions. Engineering will publish annual progress reports on NFSP projects,

traffic diversion, and community satisfaction.

Examples of Physical Design Elements

- Narrowing the Street: may require the loss of parking on one or both sides and/or reduced driving lanes. Pedestrian enhancements could be installed or expanded.
- Medians and Islands: used to constrict travel lane width and provide an area for additional landscaping and signage.
- Bulb-Outs (Chokers/Curb Extensions): physical constrictions constructed adjacent to the curb at both intersections and mid-block locations, making pedestrian crossings easier and space for additional landscaping and signage.
- Chicanes: a set of two or three landscaped curb undulations extending and narrowing the street, encouraging drivers to drive more slowly.
- Traffic Circles and Roundabouts: circular islands located in the middle of street intersections that force traffic to deflect to the right, around a traffic island, to perform any movement through the intersection, tending to slow the traffic speeds. Traffic circles and roundabouts are not generally pedestrian friendly.
- Rumble Strips: changes in the elevation of the pavement surface and/or changes in pavement texturing, which are much less pronounced than speed humps.
- Diverters: physical obstructions in intersections that force motorists to turn from the traveled way onto an adjacent intersecting street, thereby reducing volume.

Critical Emergency Response Route (CERR)

The Park City Fire Department designates routes essential for emergency response access. The NFSP can impact emergency response because effective traffic calming measures slow all vehicles. The NFSP projects on CERRs undergo special consideration. A list of CERRs is included in Attachment B.

Funding:

Annual funding for small and pilot projects is subject to yearly Council authorization. Larger and more complex projects likely require a formal Capital Improvement Budget approval during the Budget Process.

NFSP REQUEST CATEGORIZATION

Through the NFSP process, requests/complaints will be categorized as Small, Pilot, or Complex projects. These categorizations are detailed as follows:

Small Projects:

Projects expected to have a localized impact on a roadway segment and little effect on traffic diversion. Small projects typically have low costs (less than \$10,000) and can be completed quickly depending on material and labor availability. Small projects may involve:

- Installation or removal of signage.

- Minor parking issues
- Education efforts; and
- Installation or removal of striping.

Pilot Projects:

Pilot projects are temporary and designed to evaluate the effectiveness of a given treatment. The NFSC recommends a Pilot Project if preliminary evaluation determines that some treatment is necessary, but a temporary measure would be advantageous to evaluate the effectiveness before a more permanent project. Pilot projects may also provide immediate action interim to a more permanent solution. Pilot projects may be recommended to:

- Address complaints expeditiously.
- Collect additional data to determine whether permanent solutions are recommended and provide recommendations on appropriate actions; and
- Test innovative treatments as appropriate.
- Temporary materials (e.g, spray paint, traffic cones, shipping pallets, etc.) are often used in Pilot Projects

Pilot project treatments may include one or a combination of the treatments in the table below:

Treatment	Traffic Calming	Pedestrian Safety	Bike Safety	Social Life
Activity programming	x	x	x	x
Advisory bike lane	x	x	x	
Curb extension	x	x		
Hi-visibility crosswalk	x	x		
Median refuge island	x	x		
Mid-block crossings	x	x		
Mini roundabouts	x			
Painted bike lane	x		x	
Pop-up plazas	x	x	x	x
Protected bike lane	x		x	
Public seating	x	x		x

These projects may evolve into Complex projects if observations and/or data collected during the pilot period support permanent treatment. Pilot projects may use temporary treatments, such as:

- Bike lanes.
- Curb extensions.
- Hi-visibility crosswalks.
- Mini roundabout/traffic circles; and
- Pop-up plazas.

Complex Projects:

Upon evaluation, if a recommended improvement is more than \$10,000 or there will be more significant impacts to adjacent neighborhoods, the project shall be classified as a Complex project. Complex projects may include impacts to neighboring streets or other travel modes, are located on designated CERR streets, or require higher internal and external coordination. In addition, the project costs may trigger a capital project budget request. Complex projects may involve:

- Installation or removal of traffic control signage.
- Major parking issues.
- Enforcement efforts.
- Installation or removal of striping for an entire roadway; and
- Installation of traffic calming methods (Attachment C - pre-approved ones).

NFSP PROCESS

The section below provides an overview of the NFSP process for progressing a request from initiation through project completion and final evaluation.

NFSP Process Details:

1. Online Application

The NFSC receives a complete application related to traffic, parking, signage, sidewalks, pedestrian, bicycles, lighting, or other issues concerning activity within City streets.

A. Application Review

- All complete submitted applications are entered into the database tracking program and assigned a number.
- Engineering reviews the online application to assign a preliminary categorization (Simple/Complex/Pilot) level.
- If necessary, a meeting (phone call or in-person) is held with the applicant to verify the request or concern.
- The applicant is informed of the accepted application and provided with a tracking number.

2. Data Collection

A. Scoping and Data Collection

The Engineering Division develops a scope for the project, defines a project area, and facilitates the collection of initial project data. Data collection may include the following types of data:

- CERR or non-CERR designation.
- As needed, obtain input and conditions of installation from various members of the

NFS Technical Advisory.

- Five most recent years of historic speed-related crashes in the project area.
- Motor vehicle speeds collected on the block for seven days.
- Volume data (traffic/bikes/pedestrians) collected on the block for seven days.
- A determination of the presence of activity generators (schools, congregate care facilities, transit stops, parks, crosswalks, etc.) within one block of the location
- Lack of or type of sidewalks in the project area.
- Lack of or type of bicycle facility in the project area.

B. Recommendation

Upon completion of data collection, Engineering shall analyze the data and decide.

- i) If the project meets the requirements of a Simple project and will accomplish the goals of the NFSP, Engineering can progress to project implementation per the process outlined in 3S Project Development - Simple.
- ii) If the project is a Pilot or Complex project, or if the project is found not to meet the goals of the NFSP, Engineering will present a recommendation to the NFSC at the monthly committee meeting for review and approval or denial of the project. The meeting also allows the applicant to provide input. Should the committee approve the Pilot or Complex project, project development will proceed per the processes outline 3P Project Development – Pilot or 3C Project Development - Complex, respectively.

All improvements will meet accepted local, state, and federal traffic standards. Any deviation shall only be considered after a design exception analysis is completed.

3. Project Development

3S. Project Development – Simple

- Some Simple projects will not require approval by the NFSC. If a solution is identified upon completion of the data collection/analysis and the cost of the improvement is \$10,000 and below, Engineering may submit a work order to Public Works. The item will be reported at the monthly NFSC meeting. Applicants shall be invited to the meeting to provide additional information not included in the application.
- Evaluation of Simple projects should not exceed three (3) months. Installation of a recommended project may take 3 to 4 months, depending on Public Works' workload, the time of the year, and the availability of materials. The project's status can be followed using the tracking database on the NFSP website.
- Before project implementation, City staff will notify neighborhoods of the final project design and implementation timeline.
- Before the installation of improvements, the applicant and residents adjacent to the improvement will be notified of the installation.

- If further action is required beyond the scope of the Simple project, at the monthly NFSC meeting, issues will be reviewed and discussed regarding current codes, resources, timing, and possible outcomes and whether the request should be considered as a Pilot project or move to a Complex project. The Engineering representative will be accountable for ensuring the following steps are outlined to the applicant(s). The following steps for providing some immediate relief and problem assessment might include assigning traffic officers to conduct enforcement and speed control or deploying the NFSC's traffic trailers to help reduce the traffic issue.

3P – Project Development – Pilot Projects

- Regular Meetings
 - After data collection and analysis, Engineering will present to the NFSC each project proposed for a Pilot project. The applicant will have an opportunity to discuss the issue(s). In conjunction with the applicant's efforts, staff shall reach out to the neighborhood to provide notice of the issue and date/time of the meeting. A neighborhood project representative shall be identified at the meeting to act as a liaison to the NFSC.
 - The NFSC can decide to:
 - Approve the project and move into the implementation stage.
 - Deny the project; or
 - Request further data collection, analysis, or both and have the project return for consideration at a future meeting.
- Project Implementation
 - Project Design- Transportation Planning and Engineering will develop a project design and recommended treatments. These recommendations will be presented to the applicant and other interested public members for input and discussion. The recommendations will then be presented to the NFSC for approval to implement.
 - Staff workload may impact the schedule, delivery, and number of projects.
- Project Installation
 - City staff will facilitate project installation using temporary materials. Neighbors are welcome to participate.
- Project Maintenance
 - NFSC and project representative(s) will determine a maintenance schedule. Applicants and neighbors may be asked to participate in maintenance.
- Pilot Project Evaluation
 - Evaluation will occur throughout the duration of the project. Pilot projects to address traffic concerns throughout the year shall not be installed before April 1 and removed no later than October 3, unless authorized by Engineering. Any pilot projects installed to address concerns during winter conditions, e.g., placing barricades to reduce cut-through traffic, shall remain in place and evaluated during winter. Evaluation will include visual observations by residents and staff. Quantitative data may be collected to evaluate the effectiveness of the temporary measures.

- Results of data collection will be presented during the monthly NFSC meetings.
- Pilot Project Evaluation Meeting
 - After Engineering determines sufficient time has passed, a Pilot evaluation meeting will be held with the NFSC to discuss the evaluation results. Engineering will present the results. The applicant and interested neighbors will be invited to attend and provide input.
 - The NFSC may deny any future action or determine what actions are recommended at the project site. Future actions may include elevation to a Simple or Complex project. Additionally, projects may become Capital Improvement projects outside of NFSP.

3C. Project Development – Complex

After a project is determined to be Complex or is elevated after a successful Pilot project, it may be implemented in three ways:

1. If NFSP funds are available and the project cost is less than \$30,000, the project will be moved forward for installation. The timing of installation will depend on availability and the ability to obtain the required materials or equipment.
 2. Incorporate into a previously approved capital project.
 3. If the proposed scope of work exceeds \$30,000 and does not fit within a previously approved capital project, Engineering will submit the project for consideration as a specific capital project for funding with the following fiscal year budget process.
- Depending on the implementation solutions identified above, a Complex project may take up to 6 months or several years to be funded and constructed.
 - Evaluation of a Complex project will be completed as per No. 4 of this section. Complex projects resulting from a Pilot project do not require additional evaluation.

4. Data Evaluation and Progress Reports

The evaluation may include visual observations by residents and staff. Quantitative data may also be collected to determine the effectiveness of the implemented/piloted project and non-intrusive efforts, such as additional enforcement resources within the neighborhood.

A. Post-Implementation Data Collection

- City collects speed and volume data after implementing NFSP project for simple and complex projects. Speed and volume data are collected before and during Pilot projects.
- Collected data, speed, and volume impacts will be compared to data collected before implementation to gauge the success of NFSP projects.
- Complex and Pilot projects may also include before and after bicycle and pedestrian

counts, emergency response times, and speed and volume data on adjacent roadways, to be determined on a case-by-case basis.

B. Progress Reports

- Engineering will survey NFSP neighborhoods to gather feedback on implemented NFSP projects, the program, and overall community satisfaction.
- Engineering will publish an annual NFSP progress report detailing an overview of implemented projects, including before and after data collection and project impacts, community feedback and satisfaction, and goals for the upcoming year.

5. *Engineering Device Replacement and Removal*

Existing traffic calming engineering treatments, or treatments constructed through the NFSP, will be reconstructed by the City during regular street maintenance or with capital projects occurring in the area. Engineering treatments constructed through the NFSP are only eligible for removal for three years following project construction if the City determines there to be a safety or maintenance issue due to the NFSP project. If a neighborhood desires to have an NFSP treatment removed after the three-year grace period, the applicant must follow the normal NFSP process and attend a public meeting with the NFSC.

DEFINITIONS

Standards:

Traffic control devices shall be defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by Park City Municipal Corporation.

The Manual on Uniform Traffic Control Devices (MUTCD), incorporated by reference in 23 Code of Federal Regulations (CFR), Part 655, Subpart F, is recognized as the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel by 23 U.S.C. 109(d) and 402(a). The policies and procedures of the Federal Highway Administration (FHWA) to obtain essential uniformity of traffic control devices are also described in 23 CFR 655, Subpart F.

Park City Neighborhoods–First-Street Committee (NFSC) will follow the most current editions of the MUTCD, City Standards, AASHTO, and UDOT standards.

Speed Limits:

Residential streets in Park City will generally be posted at 20 miles per hour. The posted speed limit shall be based on an evaluation by the City Engineer. Please refer to the Neighborhoods First website for the current version of the “*Park City Street Typology & Speed Limits*” for current speed limits.

NFSC Comment- The Park City Council has granted the City Engineer the final determination of speed limits within Park City limits. Factors to be considered when determining speed limits shall include the width of the road, horizontal geometry,

sidewalks/trails/bike lanes/sharrows, and travel efficiency. The City Engineer does not have the authority to set speed limits on state or county-owned roadways. In residential areas, travel efficiency is given a lower priority. Passive measures such as adding guidelines (edge striping) and narrowing driving lanes to ten feet may be used to lower traveling speeds. Neighborhoods may request physical changes to the roadway to reduce speeds to within five miles per hour of the posted speed limit after completing a speed analysis of the corridor.

Design Exceptions:

Design exceptions are useful tools that may be employed to meet project needs and community values. All proposed design exceptions should be thoroughly analyzed, and the potential impacts understood before approval. The process to evaluate and justify design exceptions will be based on an evaluation of the context of the facility (e.g., community values), needs of all the various project users, safety, mobility (i.e., traffic performance), human and environmental impacts, project costs, and other impacts.

Driver Feedback Signs (DFS):

Driver Feedback Signs (DFS) are electronic signs that provide the driver with their current speed and the posted speed limit. If corrective measures are viable to bring the 85th percentile speed within ten miles per hour of the posted speed limit, a DFS may be used. A DFS may be installed in other areas if special circumstances exist and a traffic engineering study supports the installation.

Guidelines:

Guidelines are edge marking added to a roadway on both sides of a roadway to give the visual appearance of a narrower driving area. The minimum lane width will be ten feet.

NFSC Comment- *Studies have shown that a reduction of 1 to 2 miles per hour can be anticipated.*

Children at Play:

A non-conforming sign identifying where children are playing.

NFSC Comment- *The NFSC frequently receives requests for "Slow, Children at Play" signs. Federal Standards discourage the use of "Children at Play" signs. There is a widespread false belief that traffic signs provide added protection. Studies have shown there is no long-term reduction in speed. The NFSC does not support the installation of "Children at Play" signs but does recommend that if residents are concerned, they should purchase a "Children at Play" sandwich board or sign for display in their yard.*

Crosswalk:

A part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the roadway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway, and in the lack of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline or any portion of a roadway at an intersection or elsewhere distinctly indicated as a pedestrian crossing by

lines on the surface, which may be supplemented by contrasting pavement texture, style, or color.

NFSC Comment- Pedestrians and motorists have the same legal rights at unmarked crosswalks at intersections as they do at a location with crosswalk markings. Crosswalks work best where pedestrian volumes are relatively high, and the potential for conflict with vehicles is also high.

Unwarranted or random crosswalks that pedestrians seldom use may breed disrespect for the devices and make the ones that are truly necessary even less effective. The NFSC has adopted a less restrictive warrant developed by Fehr and Peers for Park City than recommended in the MUTCD for a crosswalk in residential areas. The warrant matrix is below in Attachment D.

Stop signs:

A stop sign is used at an intersection to assist drivers and pedestrians in determining who has the right-of-way.

NFSC Comment- Residents often ask for stop signs to resolve speeding problems. Stop signs may seem like a good solution to neighborhood speeding, but traffic studies and experience show that using stop signs to control speeding doesn't necessarily work. When stop signs are installed to slow down speeders, drivers may increase their speed between signs to compensate for the time they lost by stopping. Some drivers tend to accelerate rapidly after a stop, possibly creating an even more dangerous situation. Most drivers reach their top speed within 100 feet of a stop sign.

Why not have a stop sign at every intersection? Too many stop signs could cause motorists to ignore the right-of-way rule, or some drivers may ignore the stop sign. More stop signs in a neighborhood can result in higher levels of pollution, more noise, and maintenance costs.

Stop signs should be installed at intersections where drivers cannot safely apply the right-of-way rule, irremovable visibility restrictions exist, and/or where traffic volumes are high enough to establish vehicle right-of-way formally. Stop signs should not be used to divert traffic.

Residential Multi-Way Stop Signs:

Multi-way stop signs should be used at intersections considering the amount of traffic, the length of time traffic must wait to enter an intersection, and the safety of an intersection (number of stop sign preventable accidents).

NFSC Comment- The NFSC has adopted guidelines to review requests for multi-way stop signs. These "guideline criteria" have been established by the U.S. Department of Transportation based on the expertise and experience of transportation engineers nationwide. Attachment E.

Resolution 05-2023

**A RESOLUTION ADOPTING THE NEIGHBORHOODS FIRST – STREETS
PROGRAM FOR PARK CITY, UTAH**

WHEREAS, various and sometimes competing users seek prioritized access to Park City streets and sidewalks; and

WHEREAS, the City aims to make all residential streets safe and accessible while providing access to local business districts and public transit; and

WHEREAS, protecting residential streets from cut-through traffic or bypassing arterial roadways is necessary to maintain a balanced residential quality of life; and

WHEREAS, the City desires to utilize traffic control strategies to maintain or improve safety for all users, reduce traffic speeds, maintain accessibility for emergency services, and deter arterial traffic volumes from using residential collectors/local roads as bypass routes; and

WHEREAS, the City wishes to implement neighborhood traffic calming by proactively working with residents to identify traffic-calming solutions by applying a combination of education, enforcement, evaluation, and engineering improvements; and

WHEREAS, the City will evaluate traffic-calming solutions by collecting traffic data for volumes of various users, speeds, roadway geometrics, and traffic accidents;

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

SECTION 1. ADOPTION. The Neighborhoods First – Streets Program, attached as exhibit A, is hereby adopted.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

This resolution is passed and adopted this 27th day of April, 2023.

PARK CITY MUNICIPAL CORPORATION

Mayor Nann Worel

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Luke Henry, City Attorney's Office

Resolution No. 11-02

**RESOLUTION ADOPTING A NEIGHBORHOOD TRAFFIC
MANAGEMENT PROGRAM AND TRAFFIC CALMING POLICY
FOR PARK CITY, UTAH**

WHEREAS, the health and safety of the Park City citizenry is of the utmost concern and priority of the City Council; and

WHEREAS, in an effort to respond to residents' expressed concerns relating to traffic problems in a timely, informed, and effective manner, while involving neighborhoods in the process of formulating solutions;

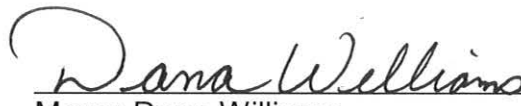
NOW, THEREFORE BE IT RESOLVED:

SECTION 1. ADOPTION OF PROGRAM AND POLICY. The Mayor and City Council hereby adopt Exhibit A, the Neighborhood Traffic Management Program and Traffic Calming Policy outlining associated goals, objectives, and policies.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 11th day of July, 2002.

PARK CITY MUNICIPAL CORPORATION



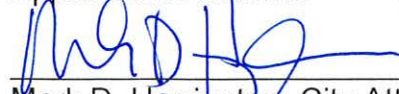
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



EXHIBIT A

Traffic Calming Policy

Over recent years, there has been a growing *concern* in Park City to manage automobile use and reduce the impact on noise, safety, and overall liveability. The Traffic Calming Policy and adopted traffic calming programs will provide residents an opportunity to evaluate the requirements, benefits, and tradeoffs of using various traffic calming measures and techniques within their own neighborhood. The policy outlines the many ways residents, businesses and the City can work together to help keep neighborhood streets safe.

Goals

- ◆ **Improve the quality of life in neighborhoods**
- ◆ **Improve conditions for pedestrians and all non-motorized movements**
- ◆ **Create safe and attractive streets**
- ◆ **Reduce accidents**
- ◆ **Reduce the impact of motorized vehicles within a neighborhood**
- ◆ **Balance the transportation needs of the various land uses in and around a neighborhood**
- ◆ **Promote partnerships with Summit County, UDOT, and all other agencies involved with traffic calming programs**

Objectives

- ◆ **Encourage citizen involvement in traffic calming programs**
- ◆ **Slow the speeds of motor vehicles**
- ◆ **Improve the real and perceived safety for non motorized users of the street**
- ◆ **Incorporate the preference and requirements of the people using the area**
- ◆ **Promote pedestrian, cycle, and transit use**
- ◆ **Prioritize traffic calming requests**

Fundamental Principals

1. Reasonable automobile access should be maintained. Traffic calming projects should encourage and enhance the appropriate behavior of drivers, pedestrian, cyclists, transit, and other users of the public right-of-way without unduly restricting appropriate access to neighborhood destinations.
2. Reasonable emergency vehicle access must be preserved.
3. The City shall employ the appropriate use of traffic calming measures and speed enforcement to achieve the Policy objectives. Traffic calming devices (speed humps, medians, curb extensions, and others) shall be planned and designed in keeping with sound engineering and planning practices. The Public Works departments shall direct the installation and maintenance of traffic control devices (signs, signals, and markings) as needed to accomplish the project, in compliance with the municipal code and pertinent state and federal regulations.

4. To implement traffic calming programs, certain procedures shall be followed by the City in processing requests according to applicable codes and related policies within the limits of available resources. At a minimum, the procedures shall provide for:
 - ◆ a simple process to propose traffic calming measures;
 - ◆ a system for staff to evaluate proposals;
 - ◆ citizen participation in program development and evaluation;
 - ◆ communication of any test results and specific findings to area residents and affected neighborhood organizations; strong neighborhood support before installation of permanent traffic management devices; and
 - ◆ Using passive traffic controls as a first effort to solve most neighborhood speed problems.
5. Time frames - All neighborhood requests will be acknowledged within 72 hours from the initial notification of the area of traffic concern. Following that, the time required by all parties involved will be dependent on the issue brought forward. It is expected that both City Staff and the requesting parties will act in a very responsive and professional manner.

Communication Protocols

Park City Municipal Corporation will identify a Traffic Calming Project Manager to facilitate the communications and program steps deemed appropriate. The Project Manager will be the point person for all communications with the requesting neighborhood and internally with a Traffic Calming Program Review Committee. The Traffic Calming Program Review Committee will evaluate and recommend the action steps to be taken. The Review Committee will be comprised of the following people:

1. Public Works Director
2. City Engineer
3. Police Department Representative - appointed by the Police Chief
4. Traffic Calming Project Manager - appointed by the Public Works Director

All coordination efforts, enforcement measures, and follow through responsibilities will be under the supervision of the Traffic Calming Project Manager.

Eligibility

All city streets are eligible to participate in a Traffic Calming Program. Any traffic management techniques desired to be used on Utah Department of Transportation (UDOT) owned streets must be approved by UDOT.

Funding Alternatives

1. 100% Neighborhood Funding
2. Capital Improvement Program

3. Neighborhood Matching Grants
4. City Traffic Calming Program Funds

Procedures

Phase I

Phase I consists of implementing passive traffic controls.

1. Initiation
Neighborhood complaint must include petition signed by at least 5 residents or businesses in the area to initiate Phase I of a traffic calming program.
2. Phase I First Meeting
Neighborhood meeting is held to determine goals of a traffic calming program, initiate community education, initiate staff investigation of non-intrusive traffic calming measures, discuss options, estimate of cost, timing, and process.
3. Phase I Implementation
 - a. The Traffic Calming Program Review Committee reviews signing, striping, and general traffic control measures. Minimum actions include *Residential Area* signs, speed limit signs, review of striping, review of stop sign placement, review of turn restrictions, and review of appropriate traffic control devices.
 - b. Community watch program initiated. This program includes neighbors calling police to request increased speed limit enforcement, neighbors disseminating flyers printed by the City reminding the community to slow down, community watch for commercial or construction vehicles, etc.
 - c. Targeted police enforcement will begin to include real time speed control.
4. Phase I Evaluation
Evaluation of Phase I actions will occur over a 3 to 9 month period. Evaluation will include visual observations by residents and staff.
5. Phase I Neighborhood Evaluation Meeting
Phase I evaluation meeting will be held to discuss results of Phase I. It will be important that the City staff and the current residents also contact the relevant property owners to obtain their opinions and thoughts prior to taking any next steps.

Phase II

1. Phase II Initiation-Twenty -five percent (25%) of the residents within the proposed neighborhood area can request the initiation of Phase II.
2. Define Neighborhood Boundary- A neighborhood will include all residents or businesses with direct access on streets to be evaluated by Phase II implementation. Residents or businesses with indirect access on streets affected by Phase II implementation will be included in neighborhood boundary only at the discretion of staff.
3. Phase II Data Collection and Ranking- Staff performs data collection to evaluate and rank neighborhood problems and the ability to solve problems. Data collection will include the

following and will result in a quantitative ranking.

Criteria	Points	Basis Point Assignment
speed data (48 hour),	30	Extent by which the 85 th percentile traffic speed exceeds the posted speed limit (2 points per 1 mph)
volume data (48 hour),	25	Average daily traffic volumes (1 point per 100 vehicles, minimum of 500 vpd)
accident data (12 month)	20	Accidents caused by speeding (8 points per accident)
proximity to schools or other active public venues	5	Points assigned if within 300 feet of a school or other active public venue
pedestrian crossing, bicycle routes, & proximity of pedestrian generators	5	Points assigned based on retail, commercial, and other pedestrian generators.
driveway spacing	5	For the study area, if large spaces occur between driveways, 5 points will be awarded. If more than three driveways fall within a 100 foot section of the study area, no points will be provided.
No sidewalks	10	Total points assigned if there is no continuous sidewalk on either side of the road.
Funding Availability	50	50 points assigned if the project is in the CIP or 100% funding by the neighborhood. Partial funding of 50% or more by the neighborhood 25 points, partial funding of 10 to 50% by the neighborhood 10 points.
Years on the list	25	5 points for each year
Total Points Possible	175	maximum points available

4. Phase II implementation Recommendation- The Traffic Calming Project Review Committee proposes Phase II traffic calming implementation actions and defines a project budget.

5. Phase II Consensus Meeting- A neighborhood meeting is held to present a Phase II implementation proposal including project budget, possible time frame, discuss temporary installation, etc. The estimated time frame is one to three years depending on funding availability. .
6. Phase II Petition- Residents and businesses in neighborhood boundary are mailed/or hand delivered a petition by the City identifying Phase II actions, cost, and explanation of implications of vote. Petition provides ability to vote yes, no, or not return petition. Unreturned petitions count as no votes. Resident support for traffic calming is defined as 67 percent positive response. No more than four weeks is allowed for the return of a petition.
7. Phase II Implementation- Permanent installation will be implemented after the approval of funding by the City Council. Implemented actions will be continually monitored based on visual observation and accident data.
8. Post Project Evaluation- City staff will review impacts on traffic to determine if goals were met. Neighborhoods will have an opportunity to review data and provide comment.
9. Removal (if required)- The Traffic Calming Program Review Committee will authorize removal of improvements upon receiving a petition showing 75% support by the neighborhood. Removal costs in all or part may be assessed to the defined neighborhood boundaries.

Traffic Management Devices (Definitions)

Passive Controls - consist of traffic control mechanisms that are not self regulating. To be effective it is necessary for drivers to abide by traffic control devices.

Stop signs - Used to assign right-of-ways at intersections and where unremovable visibility restrictions exist.

Speed limit signs - sometimes installed as traffic calming mechanism. Numerous speed limit signs reinforce the posted speed.

Turn prohibition signs - used to prevent traffic from entering a street, thereby reducing traffic volumes.

Neighborhood Announcement Signs - used to advise the entering vehicles that they are moving through a particular type of neighborhood. Specific supplementary messages can also be placed here.

Positive Physical Controls

Medians Islands - used to constrict travel lane width and provide an area for additional landscaping and signage.

Bulb-Outs (Chokers/Curb Extensions) - physical constrictions constructed adjacent to the curb at both intersections and mid-block locations making pedestrian crossings easier

and space for additional landscaping and signage.

Speed Humps - are vertical changes in the pavement surface that force traffic to slow down in order to comfortably negotiate that portion of the street.

Chicanes - are a set of two or three landscaped curb undulations that extend out into the street. Chicanes narrow the street encouraging drivers to drive more slowly.

Traffic Circles and Roundabouts - circular islands located in the middle of street intersections that force traffic to deflect to the right, around a traffic island, in order to perform any movement through the intersection tending to slowing the traffic speeds.

Rumble Strips - changes in the elevation of the pavement surface and/or changes in pavement texturing which are much less pronounced than speed humps.

Diverters - physical obstructions in intersections which force motorists to turn from the traveled way onto an adjacent intersecting street thereby reducing volume..

Driver Perception/Psychology

Landscaping - the most effective way to change the perception of a given street environment.

Crosswalks - can be used to alter the perception of a street corridor and at the same time enhance the pedestrian environment.

Flashing Warning Beacons - can be used to alter driver psychology.

Real-time Speed Display - used to inform drivers of actual speed they are traveling.

Increased Enforcement - additional enforcement of regulations either by law enforcement personnel or citizen volunteer groups.

Pavement Markings - used to guide motorists, delineate on-street parking areas or create the impression of a narrowed roadway, all in an effort to slow traffic speeds.

Exhibit A

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

There is a growing concern in Park City to manage automobile use and reduce the impact of noise, safety, and improve livability/walkability. The Neighborhood Traffic Management Program (NTMP) provides residents an opportunity to jointly work with City professionals to evaluate the requirements, benefits, costs, and tradeoffs of using various traffic calming measures and techniques within their own neighborhood. The program outlines the many ways residents, businesses and the City can work together to help keep neighborhood streets safe.

Goals

- Improve the quality of life in neighborhoods
- Improve conditions for pedestrians
- Create safe and attractive streets
- Reduce accidents
- Reduce the impact of motorized vehicles within a neighborhood
- Balance the transportation needs of the various land uses in and around a neighborhood

Objectives

- Promote safe and pleasant conditions for residents, motorists, bicyclists, and pedestrians on residential streets.
- Improve neighborhood livability and quality of life by mitigating the impact of vehicular traffic on residential neighborhoods.
- Promote, encourage and support the use of multi-modal transportation alternatives.
- Encourage resident participation in all phases of Neighborhood Traffic Management Program activities.
- Provide for the safe and efficient movement of people and goods while preserving, enhancing, or reclaiming the neighborhood's livability and to guide the use of the Park City street system to control air pollution, traffic, and livability problems.
- Educate property owners as to ways they can help to ease traffic problems.
- Enlist the Police Department to focus on areas where there is a community concern for speeding.
- Establish guidelines and a framework for consistent decision making by utilizing the most current edition of the MUTCD Manual, traffic engineering and safety studies, experiences of other communities, community guidelines and input from local professionals..

Policies

- A combination of education, enforcement, and engineering methods should be employed. Neighborhood Traffic Management devices should be planned and designed in keeping with sound engineering and planning practices. Park City shall direct the installation of traffic control devices (signs, signals, and pavement markings) as needed to accomplish the project, in compliance with the project objectives, municipal code and pertinent state and federal regulations.
- Emergency vehicle response time should be accommodated in keeping with the response standards:
 - If current emergency vehicle response time is greater than the standard, Neighborhood Traffic Management efforts shall not further degrade the existing response time;
 - If the current response time is less than the standard, then Neighborhood Traffic Management shall not cause the response time to exceed the standard.
- Transit service access, safety, and scheduling should not be adversely impacted.
- Reasonable automobile access should be maintained. Pedestrian, bicycle, and transit access should be encouraged and enhanced wherever possible.
- In general, arterial street traffic will not be directed over neighborhood streets.
- Parking removal should be considered on a project-by-project basis. Parking needs of residents should be balanced with the equally important functions of traffic, emergency vehicle access, transit, bicycle, and pedestrian movement.
- The Neighborhood Traffic Management projects should not cause an increase of more than 50 vehicles per day (vpd) off the Project Street through the use of traffic diversion devices. If it is anticipated more than 50 vpd will be added to an inter-neighborhood street, the impacted neighborhood will be invited to participate in the neighborhood discussion prior to implementing any recommended action..
- To implement the Neighborhood Traffic Management Program, certain procedures should be followed in processing Neighborhood Traffic Management requests in accordance with applicable codes and related policies and within the limits of available resources. At a minimum, the procedures shall provide for submittal of project proposals; project evaluation (including risk management analysis) and selection; resident participation; communication of any test results and specific findings to project area residents and affected organizations before installation of permanent Neighborhood Traffic Management devices; and appropriate City Council approval.

To implement the NTMP, certain procedures shall be followed by the City in processing traffic management requests according to applicable codes and related policies within the limits of available resources. At a minimum, the procedures shall provide for:

- a simple process to propose projects;
- a system for staff to evaluate proposals;
- neighborhood representation and participation in plan, development and evaluation;
- communication of any test results and specific findings to area residents and affected neighborhood organizations; strong neighborhood support and acceptance by adjacent impacted neighborhood/commercial areas before installation of permanent traffic management devices; and
- Using passive traffic controls as first effort to solve most neighborhood speed problems.

Eligibility

All individuals, neighborhood, and business districts on city streets are eligible to participate in the NTMP. Any traffic management techniques desired to be used on Utah Department of Transportation (UDOT) owned streets must also be approved by UDOT.

Funding Alternatives (not in priority order)

1. 100% Private Funding
2. Approved as a part of the City's Capital Improvement Program
3. Combination of 1 and 2
4. Special Improvement District
5. City Traffic Calming Funds

Procedures

Phase 1

Phase 1 consists of the TMC or a representative on the TMC receiving an inquiry or complaint relating to traffic, parking, signage, sidewalks, pedestrian, bicycles, lighting or other issues concerning activity within the city's street rights of way or UDOT rights of way within the city limit.

1. The item may be handled directly by the TMC representative or discussed at the monthly meeting of the TMC. Issues will be discussed with respect current codes, resources, timing, and possible outcomes and if the request should move to a Phase 2. The TMC representative will contact the appropriate individual with the results of the TMC meeting. If further action is required, the TMC representative will be accountable for ensuring the next steps are outlined to the individual(s) such as Phase One providing some immediate relief and problem assessment by assigning traffic officers to conduct enforcement, including speed control, along with deploying the TMC's traffic trailers to help reduce the traffic issue.
2. **Evaluation**
Evaluation of Phase 1 actions should not exceed three (3) months.

Phase 2

Phase 2 consists of implementing passive traffic controls.

1. **Initiation/Eligibility**
Neighborhood complaint must include petition signed by at least 5 residents or businesses in the area to initiate Phase 2 of traffic calming process.
2. Review of petition by Traffic Management Committee to determine if the issue(s) can be resolved through existing ordinances or programs and/or if more information needs to be collected. If agreement can be reached with the petitioners on a solution, a neighborhood meeting is not required.
3. **Phase 2 First Meeting**
Neighborhood meeting is hosted by Park City to gain an understanding of issues and determine goals of traffic calming petition, initiate community education, initiate staff investigation of non-intrusive traffic calming measures, discuss options, estimate of cost, timing, and process. A neighborhood shall appoint a representative(s) as a point of contact and liaison to the Traffic Management Committee.
4. **Phase 2 Implementation**
 - a. Staff considers non-intrusive traffic calming techniques such as signing, striping, and general traffic control. Minimum actions may include *Residential Area* signs, speed limit signs, review of striping, review of turn restrictions, review of appropriate traffic control devices, consideration of temporary speed trailers, as well as increased Police enforcement.
 - b. Community watch program may be initiated. This program includes neighbors calling police to request increased speed limit enforcement, neighborhoods checking out the radar speed gun from Police to monitor speeds and record licenses, neighbors disseminating flyers printed by the City reminding the community to slow down, community watch for commercial or construction vehicles, etc.
 - c. Targeted police enforcement will begin to include speed control.
 - d. Vehicle speeds and counts. Results posted on the City's web-site (www.parkcity.org).
 - e. All discussion of data and solutions will take place at the Traffic Management Meeting held on the 2nd Wednesday of each month. The neighborhood representative(s) will be invited to attend and participate in the discussion of data and possible solutions and course of action.
5. **Phase 2 Evaluation**
Evaluation of Phase 2 actions will occur over a 3 to 9 month period. Evaluation will include visual observations by residents and staff and some quantitative data may be collected on the effectiveness of non-intrusive measures implemented.
6. **Phase 2 Neighborhood Evaluation Meeting**
Phase 2 evaluation meeting will be held with the neighborhood liaison and interested

neighbors to discuss results of Phase 2.

7. **Manager's Report to City Council**
Phase 2 actions and recommendations from evaluation meeting presented including differing opinions. A council may request a future work session to discuss actions and next steps.
8. **Appeal Process-** A citizen(s) within the effected neighborhood may appeal a staff recommendation within 30 days of the council's review of the Manager's Report. The council may request a future work session to make a determination and take action.

Phase 3

1. **Phase 3 Initiation-**Twenty -five percent (25%) of the residents within the proposed neighborhood area may request in writing a request to initiate the Phase 3.
2. **Define Neighborhood Boundary-** At a minimum; a neighborhood will include all residents or businesses with direct access on streets to be evaluated by Phase 3 implementation. Residents or businesses with indirect access on streets affected by Phase 3 implementation may be included in neighborhood boundary only at the discretion of staff.
3. **Phase 3 Data Collection and Ranking-** Staff perform data collection to evaluate and rank neighborhood problems and the ability to solve problems. Data collection will include the following and will result in a quantitative ranking.

Criteria	Points	Basis Point Assignment
speed data (48 hour),	30	Extent by which the 85 th percentile traffic speed exceeds the posted speed limit (2 points per 1 mph)
volume data (48 hour),	25	Average daily traffic volumes (1 point per 100 vehicles, minimum of 500 vpd)
accident data (12 month)	24	Accidents caused by speeding (8 points per accident)
proximity to schools	5	Points assigned if within 300 feet of a public or private school
pedestrian crossing, bicycle routes, & proximity of pedestrian generators	5	Points assigned based on retail, commercial, and other pedestrian generators.
driveway spacing	5	If more than three driveways exist in any 100 foot section, no points will be provided.

No sidewalks	10	Total points assigned if there is no continuous sidewalk on either side of the road.
Funding Availability	50	50 points assigned if the project is in the CIP or 100% funding by the neighborhood. Partial funding of 50% or more by the neighborhood 25 points, partial funding of 10 to 50% by the neighborhood 10 points.
Years on the list	25	5 points for each year
Total Points Possible	179	maximum points available

4. Phase 3 implementation Recommendation- Staff proposes Phase 3 traffic calming implementation actions and defines a project budget.
5. Phase 3 Consensus Meeting- A neighborhood meeting is held to present Phase 3 implementation proposal including project budget, possible time frame, discuss temporary installation, etc. The estimated time frame is one to three years depending on funding availability.
6. Phase 3 Petition- Residents and businesses in neighborhood boundary are mailed/or hand delivered a petition by the City identifying Phase 3 actions, cost, and explanation of implications of vote. Petition provides ability to vote yes, no, or not return petition. Unreturned petitions count as no votes. Resident support for traffic calming is defined as 67 percent positive response. No more than four weeks is allowed for the return of a petition.
7. Phase 3 Implementation- Permanent installation will be implemented after the approval of funding by the City Council. Implemented actions will be continually monitored based on visual observation and accident data.
8. Post Project Evaluation- City staff will review impacts on traffic to determine if goals were met. Neighborhoods will have an opportunity to review data and provide comment.
9. Removal (if required) - Staff will authorize removal of improvements upon receiving a petition showing 75% support of the neighborhood. Removal costs in all or part may be assessed to the defined neighborhood boundaries.

DEFINITIONS

Introduction

Standard:

Traffic control devices shall be defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by Park City Municipal Corporation..

The Manual on Uniform Traffic Control Devices (MUTCD) is incorporated by reference in 23 Code of Federal Regulations (CFR), Part 655, Subpart F and shall be recognized as the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). The policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices shall be as described in 23 CFR 655, Subpart F.

Park City Traffic Management Committee (TMC) will follow the current edition of the MUTCD except where engineering studies and/or traffic programs in other cities may be substituted to justify a change in warrants and application.

Speed Limits

Residential streets in Park City will generally be posted at 25 mph. The posted speed limit shall be within ten (10) miles per hour (MPH) of the 85th percentile speeds. Traffic engineering studies are required to justify a higher or lower speed limit.

*TMC Comment- The Park City Council may determine the **reasonable and safe speed limit** for city streets. The Utah State Code requires several procedural steps prior to setting a speed limit such as a traffic engineering and safety study consistent with the requirements and recommendations in the most current version of the “Manual on Uniform Traffic Control Devices”.*

Speed limits are based on travel time and safety and generally set within five (5) mph of the 85th percentile. The TMC has adopted as a guideline to use ten (10) mph. In residential areas, travel efficiency is given a lower priority. Speed limits set arbitrarily low are ignored by neighbors, compliance is poor and the Police do not have the resources to strictly enforce. Passive measures such as adding guide lines (edge striping) and narrowing driving lanes to ten (10) feet may be used to lower traveling speeds. Neighborhoods may request physical changes to the roadway to reduce the 85th percentile speeds to within the ten (10) mph of the posted speed limit after completing Phase 2 of the Neighborhood Traffic Management Program and initiate a Phase3 process.

Driver Feedback Signs (DFS)-

Driver Feedback Signs (DFS) are electronic signs that provide the driver his/her current speed and the posted speed limit. If corrective measures are unable to bring the 85th percentile speed within 10 mph of the posted speed limit, a DFS may be used. A DFS may be installed in other areas if special circumstances exist and a traffic engineering study supports the installation.

Guide Lines

Guide lines are edge marking added to a roadway on both sides of a roadway to give the visual appearance of a narrower driving area. The minimum lane width will be ten (10) feet.

TMC Comment- *Studies have shown a reduction of 1 to 2 mph can be anticipated.*

Slow-Children at Play

A non conforming sign identifying where children are playing.

TMC Comment- *The TMC frequently receives requests for “Slow-Children at Play” signs. Federal Standards discourage the use of “Children at Play” signs. There is a wide spread false belief that traffic signs provide added protection. Studies have shown there is no long term reduction in speed. The TMC does not support the installation of “Children at Play” signs but do recommend if residents are concerned, they should purchase a “Children at Play” sandwich board or sign for display in their yard.*

Crosswalk

A part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline or any portion of a roadway at an intersection or elsewhere distinctly indicated as a pedestrian crossing by lines on the surface, which may be supplemented by contrasting pavement texture, style, or color.

TMC Comment- *Pedestrian and motorists have the same legal rights at unmarked crosswalks at intersections as they do at a location with crosswalk markings. Crosswalks work best where pedestrian volumes are relatively high and the potential for conflict with vehicles is also high. Unwarranted or random crosswalks that are seldom used by pedestrians may breed disrespect for the devices and make the ones that are truly necessary even less effective. The TMC has adopted a less restrictive warrant developed by Fehr and Peers for Park City than recommended in the MUTCD for crosswalk in residential areas. The warrant matrix is below in Attachment 2.*

Stop signs - A stop sign is an effective traffic control device when used at the proper place under appropriate conditions. A stop sign is used at an intersection to assist drivers and pedestrians in determining who has the right-of-way and where irremovable visibility restrictions exist.

TMC Comment- *One problem often reported is speeding so residents ask for a stop sign. Stop signs may often seem like a good solution to neighborhood speeding, but traffic studies and experience show that using stop signs to control speeding doesn’t necessarily work. When stop signs are installed to slow down speeders, drivers may actually increase their speed between signs to compensate for the time they lost by stopping. Some drivers tend to accelerate rapidly after a stop, possibly creating an even more dangerous situation. In fact, most drivers reach their top speed within 100 feet of a stop sign.*

So why not have a stop sign at every intersection? Too many stop signs could cause motorists to ignore the right-of-way rule or some drivers may simply choose to ignore the stop sign. More stop signs in a neighborhood can result in higher levels of pollution, more noise and maintenance cost

Stop signs should be installed at intersections where drivers cannot safely apply the right-of-way rule, resulting in an increase in accidents, where irremovable visibility restrictions exist, and/or where traffic volumes are high enough to formally establish vehicle right-of-way and should not

be used to divert traffic or reduce speeding.

Residential Multi-Way Stop Signs

Multi-way stop signs should be used at intersections considering the amount of traffic, the length of time traffic must wait to enter an intersection, and the safety of an intersection (number of stop sign preventable accidents).

TMC Comment- The TMC has adopted guidelines to review requests for multi-way stop signs. These "guideline criteria" have been established by the U.S. Department of Transportation based on the expertise and experience of transportation engineers nationwide. Attachment 1.

Examples of Positive Physical Controls

Narrowing the Street- may require the loss of parking on one or both sides and/or reduced driving lanes. Pedestrian enhancements could be installed or expanded.

Medians Islands - used to constrict travel lane width and provide an area for additional landscaping and signage.

Bulb-Outs (Chokers/Curb Extensions) - physical constrictions constructed adjacent to the curb at both intersections and mid-block locations making pedestrian crossings easier and space for additional landscaping and signage.

Speed Humps - are vertical changes in the pavement surface that force traffic to slow down in order to comfortably negotiate that portion of the street.

Chicanes - are a set of two or three landscaped curb undulations that extend out into the street. Chicanes narrow the street encouraging drivers to drive more slowly.

Traffic Circles and Roundabouts - circular islands located in the middle of street intersections that force traffic to deflect to the right, around a traffic island, in order to perform any movement through the intersection tending to slow the traffic speeds. Traffic circles and roundabouts are not generally pedestrian friendly.

Rumble Strips - changes in the elevation of the pavement surface and/or changes in pavement texturing which are much less pronounced than speed humps.

Diverters - physical obstructions in intersections which force motorists to turn from the traveled way onto an adjacent intersecting street thereby reducing volume.

Attachment 1 PARK CITY RESIDENTIAL MULTI-WAY STOP SIGN GUIDELINES WARRANT WORKSHEET

This Residential Multi-Way Stop Warrant Worksheet is applicable only to the intersection of residential streets with speed limit of not greater than 30 miles per hour. This procedure is not to be applied to the intersection of a residential street with a collector or arterial street.

DATE: _____

INTERSECTION OF: _____

AND _____

EXISTING TRAFFIC CONTROL: _____

1. CLASSIFICATION OF STREETS

Both intersection streets are classified and function as residential streets, and the posted speed limit of each is 30 mph or lower.

STOP—this procedure is only applicable to residential streets. Commercial and streets with mixed uses must meet warrants established for all-way stop control in the Manual on Uniform Traffic Control Devices.

2. SPEED OF TRAFFIC

Highest average speed of all approaches (average of 85th percentile speed and upper limit of 10 mph pace). See accompanying worksheet. Check only one selection.

0 points for 15.0 to 27.5 mph	_____
25 points for 27.6 to 32.5 mph	_____
60 points for 32.6 to 37.5 mph	_____
120 points for 37.6 to 50.0+ mph	_____

Highest average speed _____ mph = _____ points

Subtotal Item 2. _____

3. SCHOOL PEDESTRIANS

Go to (b) in this section if the intersection is currently protected by an adult crossing guard.

- a) Estimated number of children within the area not bussed using shortest walk to school route (based on school demographics).

Elementary and middle school children (1 point each) _____ x 1 _____

b) Proximity of intersection to school. This may be either one or the other but not both.

Intersection is primary crossing at an elementary or middle school, 200 points _____

Intersection is adjacent to an elementary or middle school, 100 points _____

Subtotal Item 3. _____

4. ACCIDENT EXPERIENCE **(Intersection Accidents Only)**

Right angle collisions within past 12 months—

Correctable by All-Way Stop Signs, 75 points each _____ X 75 = _____

Collisions other than right angle in past 12 months—

20 points each _____ X 20 = _____

Subtotal Item 4. _____

5. CRITICAL APPROACH SPEED

Lowest critical approach speed of all approaches. Check and enter points below.

Critical approach speed <20 mph - _____ mph 20 points _____

Critical approach speed <10 mph - _____ mph 50 points _____

Critical approach speed < 5 mph - _____ mph 75 points _____

Subtotal Item 5. _____

6. UNEXPECTED HAZARDS

Curve or hill within 300 feet which obscures view of intersection _____
50 points _____

Not noted above—25 points _____

Subtotal Item 6. _____

7. NEARBY PUBLIC FACILITIES

25 points for each public facility, other than schools, such as a church, park, swim club, library or shopping center within 300 feet of intersection.

Enter number of applicable facilities here _____

Subtotal Item 7. _____

8. INTERSECTION CONDITIONS (Edge to Edge of Pavement)

Width of any approach <22 feet –25 points _____

On-street parking within 50 feet of any approach—10 points _____

Subtotal Item 8. _____

9. TRAFFIC VOLUMES

Total approach volume—average hour of eight hours counted, on average weekday—1 point per vehicle _____

Minor leg volume _____

Minor leg adjustment, average of all hours counted. _____

Check one.

Greater than 160, subtract 0 _____

120 to 159, subtract 50 _____

100 to 119, subtract 100 _____

75 to 99, subtract 120 _____

74 to 40, subtract 150 _____

Subtract minor leg adjustment from total approach volume _____

Subtotal Item 9. _____

10. ADJACENT TRAFFIC CONTROL

Any adjacent intersection is controlled by all-way stop or traffic signal.

Enter intersection name(s) if applicable _____

Subtract 100 points _____

Any adjacent intersection stops or yields on subject streets.

Enter intersection name(s) if applicable _____
Subtract 50 points _____

Subtotal Item 10. _____

Classification of Streets	Item 1	No Total
Speed of Traffic	Item 2	_____
School Pedestrians	Item 3	_____
Accident Experience	Item 4	_____
Critical Approach Speed	Item 5	_____
Unexpected Hazards	Item 6	_____
Nearby Public Facilities	Item 7	_____
Intersection Conditions	Item 8	_____
Traffic Volumes	Item 9	_____
Adjacent Traffic Control	Item 10	_____

Total of all items _____

If point total of all items is greater than or equal to 400, the intersection qualifies for installation of all-way stop control

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve the City Sponsorship of the 2023 Proposed Special Events at McPolin Farm which will Enable the Final Staff Approval of the Special Events

(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[McPolin Barn Staff Report](#)

City Council Staff Report

Subject: McPolin Farm 2023 Events Update
Author: Paige Galvin
Department: Executive
Date: April 27, 2023
Type of Item: Administrative

Recommendation

Receive an annual update on the 2022 McPolin Farm activities and consider holding a public hearing to approve the City sponsorship of 2023 proposed special events, which enable the final staff approval of the special event.

Executive Summary

The McPolin Farm has a long history, which includes:

- In 1922, the McPolin family built the barn from recycled timber salvaged from an old tailings mill.
- In 1947, the McPolin family sold the farm to D.A. Osguthorpe, a Salt Lake City veterinarian.
- In 1990, the City purchased the Farm and surrounding land, making it Park City's first open space acquisition.
- In 2016, the City completed major structural upgrades of the Barn. At the time, City Council provided direction to incrementally increase the number of local community events at the Farm, but still within the total annual allowance of 12. This included consideration for applicants outside the City, specifically non-profits. The discussion further stipulated that the events should be passive and non-invasive of department resources and the property's historic preservation values.
- In 2019, the [McPolin Farm Conditional Use Permit \(CUP\)](#) was updated to reflect Council's direction.

The City Council is the landlord of the McPolin Farm and property. The Friends of the McPolin Farm (Friends) are a seven-member advisory committee that advises the staff liaison (Paige Galvin) for the McPolin Farm. The Friends are dedicated to facilitating events and community enjoyment of the McPolin Farm while honoring governing documents and use policies to preserve the property's agricultural and farming history.

Analysis

There are several highlights from the past year, including:

- Returning to normal events for the first time since the pandemic began, such as Full Moon Snowshoe, Barn Tours, Your Barn Door Is Open (YBDIO), and Scarecrow Festival;
- Transitioned new staff liaison and new committee members. We said goodbye to three long-time members: George Hull, Terry Hagerty, and Steve Laurent. We

welcomed four enthusiastic and qualified members: Kristin Tabke, Jaelee Watanabe, Heather Wasden, and Kai Czajka;

- Adoption of [Resolution No. 15-2022](#) honoring the McPolin Barn Centennial and declaring August 2022 as “McPolin Barn Centennial Month” ([Staff Report](#); [Minutes](#), p. 3);
- Installed five bike racks through the City’s [Request-a-Rack Program](#) to provide secure bike parking for visitors;
- Increased the fire suppression system testing to twice a year from once a year; and
- Purchased and mounted a Knox box for emergency access, which is an emergency access key holder.

2023 Goals

The Friends deliberated and outlined primary goals for 2023, which include:

- Maximize attendance at each of the barn summer tours. This includes outreach to specific community groups such as City/County Council, staff, and school groups;
- Maintain general upkeep while accomplishing maintenance projects (budgeted):
 - o Replace sliding shed doors;
 - o Rodent control (marmots and other animals from accessing the barn; and
 - o Complete interior barn repairs, including animal damage identified in the fall by the City’s Historic Preservation Consultant.

Special Events at the Farm

Per the CUP requirements, special events at the McPolin Farm shall be processed by staff under a Special Event Permit and reviewed and approved/denied by City Council. This is slightly different the typical special event process City Council delegates administrative approval authority for smaller Level One, Two and Three events to the Special Event Manager.

Below is a list of the proposed events for 2023. Each event has been reviewed for compliance with [Special Events municipal code Title 4A](#) and the [McPolin Farm CUP](#). This year we plan six events similar in size and scope to those held in the past. Parking is limited at the McPolin Farm Trailhead. Per each event permit, we require two shuttle vans from the PC MARC to mitigate public safety impacts.

There is also a bus stop adjacent to the barn, and we encourage people to walk or bike to events. All noise stemming from events will be kept within noise limits unless otherwise noted:

- [Full Moon Snowshoe](#) – Saturday, February 4, a Level One Event sold out at 66 tickets for a chili dinner, music, and guided beginner or an advanced snowshoe tour along the White Pine Touring track under the full moon. Feedback was positive, and it was a beautiful evening with plenty of snow and a hazy full moon. Two staff/volunteers drove two PC MARC shuttles to the barn for guests, and it was noted that several people were dropped off or took Lyft/Uber. Once again, White Pine Touring donated the use of snowshoes. Staff from the Building,

Parks, Streets, and Sustainability departments all contributed to the success of this community event.

- Your Barn Door Is Open (YBDIO) - Saturday, June 17, a Level One Event that hosts around 100 community members for live bluegrass music, dancing on the patio, catered dinner, and self-guided tours inside the barn. It is one of only four times a year that the barn is open to the public. For this event, we apply for a noise variance as we have the band in the shed.
- Barn Tours – On July 15, August 19, and September 16, we will have two one-hour guided tours at 4 p.m. and at 5:30 p.m. Tickets are \$5 per person. This is permitted as a Level Two Event. The barn has the capacity to accommodate 25 people for each scheduled tour.
- Scarecrow Festival – Saturday, September 30, a Level Two Event that typically sells out. There are two types of tickets sold: One ticket grants a group of four people to attend the Festival, which includes scarecrow-making materials, face painting, pumpkin painting, and refreshments. The other ticket is for a support structure and the straw to stuff a scarecrow without access to other activities and refreshments.

There are no new events proposed at McPolin Farm this year. These events listed above were reviewed by the Friends of the Farm on January 14, 2023. While we received several inquiries from other groups, some of the events did not meet the CUP criteria, specifically that events need to be open to the public. If we receive additional event requests at the McPolin Farm, we will bring those individual requests to Council for consideration.

Funding

McPolin Farm event costs are within the approved budgets and estimated at \$5,900. Additionally, ticket sale revenue goes to the capital projects fund to augment the barn capital projects for the McPolin Farm.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Ordinance No. 2023-17, an Ordinance Amending Land Management Code Section 15-6-8 *Unit Equivalents* Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments and Sections 15-2.17-2 *Uses* for the Recreation and Open Space Zoning District, 15-2.18-2 *Uses* for the General Commercial Zoning District, and 15-2.19-2 *Uses* for the Light Industrial Zoning District to Clarify Resort Support Commercial is Allowed when Approved as part of a Master Planned Development
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Accessory Uses in Master Planned Developments Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-17](#)

[Exhibit B: Public Input](#)

City Council Staff Report



Subject: Accessory Uses in
Master Planned Developments
Application: PL-22-05447
Author: Rebecca Ward, Assistant Planning Director
Date: April 27, 2023
Type of Item: Legislative – Land Management Code Amendments

Recommendation

(I) Review proposed amendments to the Land Management Code regarding Accessory Uses in Master Planned Developments (Exhibit A); (II) conduct a public hearing; and (III) consider approving Ordinance No. 2023-17.

Background

Commercial development 10,000+ square feet and residential development 20,000+ square feet requires a Master Planned Development (MPD) and review by the Planning Commission pursuant to Land Management Code (LMC) [Chapter 15-6](#). LMC [§ 15-6-5\(A\)](#) *Master Planned Development Requirements – Density* states:

The Planning Commission shall approve the type of Development, number of units, and Density permitted on a given Master Planned Development Site based on a Site Suitability Analysis. The Master Planned Development shall not exceed the maximum Density in the Zoning District, except as otherwise provided in this Section.

LMC [§ 15-6-8](#) *Unit Equivalents* establishes a formula for MPD Density:

- 1,000 square feet of commercial use is one Unit Equivalent
- One Single-Family Lot or 2,000 square feet of Multi-Unit Dwelling residential use is one Unit Equivalent

LMC [§ 15-6-8](#) *Unit Equivalents* outlines allowances for Support Commercial Uses and exempts certain Residential and Resort Accessory Uses¹ from counting toward the total Unit Equivalents within an MPD. These Accessory Uses are intended to provide services and support uses for patrons, employees, and residents within the development, and not the general public.

The Accessory Use exemptions from Unit Equivalents present challenges for some MPD reviews because they may result in increased mass and bulk of proposed projects and pose a potential risk that the Accessory Uses intended for patrons, employees, and

¹ LMC [§ 15-15-1](#) defines an *Accessory Use* as a land Use that is customarily incidental and subordinate to the primary Use located on the same Lot.

residents already on site may eventually be opened to the general public over time without mitigating impacts like increased traffic and parking, and without contributing to affordable housing obligations pursuant to the City's [Housing Resolution No. 05-2021](#).

Planning Commission liaisons Laura Suesser and Henry Sigg provided input on initial proposed amendments. On December 14, 2022 ([Staff Report](#); [Minutes](#), p. 25), and February 8, 2023 ([Staff Report](#); [Minutes](#), p. 21), the Planning Commission conducted work sessions on Accessory Uses in Master Planned Developments. The Planning Commission was scheduled to conduct a public hearing on March 22, 2023, but continued the item to April 12, 2023, due to a late meeting ([Staff Report](#); [Audio](#)). On April 12, 2023, the Planning Commission made final adjustments to the proposed amendments, conducted a public hearing, and unanimously forwarded a positive recommendation to the City Council ([Staff Report](#); [Audio](#)).

The recommended amendments for (I) Support Commercial Uses, (II) Residential Accessory Uses, and (III) Resort Accessory Uses are outlined below. Additionally, (IV) the *Uses* tables for the Recreation and Open Space, General Commercial, and Light Industrial Zoning Districts are updated to connect Resort Support Commercial Uses to approved Master Planned Developments.

Analysis

The LMC implements the goals and policies of the General Plan in part to protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the historic character, and the unique mountain town community.² The Planning Commission reviews LMC amendments and forwards a recommendation to City Council for Final Action.³

Proposed amendments to clarify Accessory Uses within MPDs are outlined below:

(I) Support Commercial Uses

When the MPD process was first established in the 1980s, the LMC allowed Support Commercial Facilities, which were defined as commercial uses oriented toward the internal circulation of the development "for the purpose of serving the needs of the residents or users of that development, and not the general public or persons drawn from off the site of the Master Planned Development." The definition included examples like barber shops, beauty salons, travel agencies, clothing stores, gift shops, convenience stores, art galleries, auto rentals, camera stores, liquor stores, pharmacies, sporting goods stores, day care nurseries, information centers, tennis or golf pro shops or other hotel lobby uses.

Each Support Commercial Facility was limited to no more than 2,000 gross square feet of floor area and the total Support Commercial Facilities were capped to no more than 10%

² LMC [§ 15-1-2](#)

³ LMC [§ 15-12-15\(A\)\(3\)](#)

of the total gross floor area. Signage for Support Commercial Facilities could only be visible from within the development. The 1980s LMC also allowed up to 5% of the total floor area to be dedicated to meeting spaces.

The definition of *Support Commercial Use* has been slightly modified since the 1980s, but still establishes the requirement that the Use serve the needs of residents or users of the development. LMC [§ 15-15-1 Definitions](#) outlines the following:

Commercial Use, Support. A Commercial Use oriented toward the internal circulation of a Development, for the purpose of serving the needs of the residents or users of that Development, and not Persons drawn from Off-Site.

When the City re-wrote the LMC in the early 2000s, the LMC continued to allow within a Residential MPD for a Hotel or Nightly Rental condominium up to 5% of the total floor area for Support Commercial and 5% of the total floor area for meeting spaces. This has not changed. LMC [§ 15-6-8\(C\) Unit Equivalents](#) currently establishes the following for residential MPDs:

SUPPORT COMMERCIAL WITHIN RESIDENTIAL MASTER PLANNED DEVELOPMENTS. Within a Hotel or Nightly Rental condominium project, the Floor Area of Support Commercial uses may not exceed five percent (5%) of the total Floor Area of the approved residential Unit Equivalents. Any unused support commercial floor area may be utilized for meeting space Uses.

And LMC [§ 15-6-8\(D\) Unit Equivalents](#) further allows the following:

MEETING SPACE. Within a Hotel or Condominium project, Floor Area of meeting space may not exceed five percent (5%) of the total Floor Area of the approved residential unit equivalents. Any unused meeting space floor area may be utilized for support commercial uses within a Hotel or Nightly Rental Condominium project.

The proposed amendments reinstate signage and size restrictions that were removed from the code in the early 2000s, and further restrict Support Commercial Uses to ensure future approvals are limited to serve those already on site. The amendments:

- Limit signage to interior spaces
- Limit marketing to existing primary uses on site
- Remove meeting space allowances
- Limit to a Hotel under one ownership
- Capture affordable housing obligations for employees generated
- Tie the maximum square footage to a 5,000-square-foot cap
- Prohibit Conventional Chain Businesses (See Exhibit A, redlines 29 – 39)

(II) Residential Accessory Uses

The 2002 LMC update further exempted Residential Accessory Uses from Unit Equivalents. There is no square footage or percentage cap for Residential Accessory Uses. LMC [§ 15-15-1](#) *Definitions* does not define Residential Accessory Uses. However, LMC [§ 15-6-8\(F\)](#) *Unit Equivalents* includes the following description:

RESIDENTIAL ACCESSORY USES. Residential Accessory Uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial Residential Use, such as a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual Residential unit. Residential Accessory Uses do not require the use of Unit Equivalents and include, but are not limited to, such Uses as:

Ski/Equipment lockers
Lobbies
Registration
Concierge
Bell stand/luggage storage
Maintenance Areas
Mechanical rooms and shafts
Laundry facilities and storage
Employee facilities
Common pools, saunas and hot tubs, and exercise areas not open to the public
Telephone Areas
Guest business centers
Public restrooms
Administrative offices
Hallways and circulation
Elevators and stairways

The proposed amendments:

- Limit Residential Accessory Uses to functional spaces and clearly define these spaces
- Add Child Care Facilities
- Add Enclosed Bicycle Storage that exceeds the requirements of Section 15-3-9 (See Exhibit A, redlines 50 – 76)

(III) Resort Accessory Uses

The 2002 LMC added exceptions from Unit Equivalents for Resort Accessory Uses, with no square footage or percentage cap.

The General Plan and recommended strategies acknowledge the need for flexibility with resort development, while preserving the City's core values. Goal 11 of the General Plan is to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Objective 11A states the vibrancy of Park City's resorts is essential to the success of resort support businesses and the City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City. Objective 11B is to preserve our community core values of Small Town, Natural Setting, Sense of Community, and Historic Character to maintain the unique Park City experience for visitors and residents.⁴ The Planning Commission recommends amendments to balance Unit Equivalents exceptions for Resort Accessory Uses by refining uses to those that are aimed at providing support for those on site.

LMC [§ 15-15-1](#) *Definitions*, while defining *Resort Support Commercial Use* and *Resort Support Commercial* as shown above, does not define Resort Accessory Uses. LMC [§ 15-6-8\(G\)](#) *Unit Equivalents* includes the following:

RESORT ACCESSORY USES. The following Uses are considered accessory for the operation of a resort for winter and summer operations. These Uses are considered typical back of house uses and are incidental to and customarily found in connection with the principal Use or Building and are operated for the convenience of the Owners, occupants, employees, customers, or visitors to the principal resort Use. Accessory Uses associated with an approved summer or winter resort do not require the Use of a Unit Equivalent. These Uses include, but are not limited to, such Uses as:

- Information
- Lost and found
- First Aid Mountain patrol
- Administration
- Maintenance and storage facilities
- Emergency medical facilities
- Public lockers
- Public restrooms
- Employee restrooms, employee locker rooms, employee break rooms, and employee dining areas
- Ski school/day care facilities
- Instruction facilities
- Ticket sales
- Equipment/ski check
- Circulation and hallways for these Resort Accessory Uses

⁴ General Plan Volume I, [Sense of Community](#), p. 20 – 22

The proposed amendments:

- Require Planning Commission review and approval of Resort Accessory Uses and maximum square footage
- Capture affordable housing obligations and parking and traffic impacts
- Remove uses required for business operations, including information, lost and found, storage facilities, ski school, and ticket sales
- Remove terms like “instruction facilities” that could be broadly interpreted
- Allow for employee and public day care facilities if there is a long-term restriction outlining the parameters of the facility
(See Exhibit A, redlines 77-103)

(IV) Resort Support Commercial

Support Commercial is also defined for the resorts. [§ 15-15-1](#) *Definitions* outlines the following:

Commercial Use, Resort Support. A Commercial Use that is clearly incidental to, and customarily found in connection with, the principal resort Use, and which is operated and maintained for the benefit or convenience of the Owner, occupants, employees, customers of, or visitors to, the principal Use.

RESORT SUPPORT COMMERCIAL. Use that is clearly incidental to, and customarily found in connection with, the principal Building or Use, and that is operated and maintained for the benefit and convenience of the Owners, occupants, employees, customers, or visitors to the principal Use or Building.

However, LMC [Chapter 15-6](#) outlining MPD regulations is silent regarding Resort Support Commercial. Resort Support Commercial is established through the Park City Mountain Resort and Deer Valley Development Agreements specific to each project.

Resort Support Commercial uses are allowed in the Recreation Open Space,⁵ Residential Development,⁶ Residential Development Medium,⁷ Regional Commercial Overlay,⁸ General Commercial,⁹ and Light Industrial¹⁰ Zoning Districts. All Zoning Districts establish Resort Support Commercial as a Conditional Use, requiring Planning Commission review, and include a footnote stating the Resort Support Commercial must be approved as part of an MPD except for the Recreation Open Space, General Commercial, and Light Industrial Zoning Districts.

⁵ LMC [§ 15-2.7-2\(C\)\(19\)](#)

⁶ LMC [§ 15-2.13-\(B\)\(22\)](#)

⁷ LMC [§ 15-2.14-2\(B\)\(22\)](#)

⁸ LMC [§ 15-2.17-2\(B\)\(26\)](#)

⁹ LMC [§ 15-2.18-2\(A\)\(23\)](#)

¹⁰ LMC [§ 15-2.19-2\(A\)\(18\)](#)

The proposed amendments update the *Uses* Section of the Recreation Open Space, General Commercial, and Light Industrial Zoning Districts to add a footnote that Resort Support Commercial may only be allowed when part of an MPD approval, and removes the duplicative definition (see Exhibit A, redlines 110-378).

Department Review

The Planning Department and City Attorney's Office reviewed this report.

Public Input

Please see Exhibit B.

Alternatives

- The City Council may adopt Ordinance No. 2023-17 as recommended by the Planning Commission
- The City Council may modify and adopt Ordinance No. 2023-17
- The City Council may deny Ordinance No. 2023-17
- The City Council may continue the discussion to a date certain

Exhibits

Exhibit A: Ordinance No. 2023-17

Exhibit B: Public Input

Ordinance No. 2023-17

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-6-8 *UNIT EQUIVALENTS* AND SECTION 15-15-1 *DEFINITIONS* REGARDING SUPPORT COMMERCIAL AND RESIDENTIAL AND RESORT ACCESSORY USES FOR MASTER PLANNED DEVELOPMENTS AND SECTIONS 15-2.7-2 *USES FOR THE RECREATION AND OPEN SPACE ZONING DISTRICT*, 15-2.18-2 *USES FOR THE GENERAL COMMERCIAL ZONING DISTRICT*, AND 15-2.19-2 *USES FOR THE LIGHT INDUSTRIAL ZONING DISTRICT* TO CLARIFY RESORT SUPPORT COMMERCIAL IS ALLOWED WHEN APPROVED AS PART OF A MASTER PLANNED DEVELOPMENT

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the historic character, and the unique mountain town community;

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City;

WHEREAS, the Land Management Code outlines allowances for Support Commercial Uses and exempts certain Residential and Resort Accessory Uses from counting toward the total Unit Equivalents within a Master Planned Development; these Accessory Uses are intended to provide services and support uses for patrons, employees, and residents within the development, and not for the general public;

WHEREAS, the Accessory Use exemptions from Unit Equivalents presents challenges for Master Planned Development review because they may result in increased mass and bulk of a project and over time, and uses intended for patrons, employees, and residents on site may be opened to the general public without mitigating impacts like increased traffic and parking, and without contributing to affordable housing obligations;

WHEREAS, on December 14, 2022, and February 8, 2023, the Planning Commission conducted work sessions on the proposed amendments;

WHEREAS, on April 12, 2023, the Planning Commission conducted a duly noticed public hearing and unanimously forwarded a positive recommendation on the proposed Land Management Code amendments to the City Council;

WHEREAS, on April 27, 2023, the City Council conducted a duly noticed public hearing on the proposed Land Management Code amendments.

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND
MANAGEMENT CODE.

The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Section 15-6-8 *Unit Equivalents*, Section 15-15-1 *Definitions*, Section 15-2.7-2 *Uses* for the Recreation and Open Space Zoning District; Section 15-2.18-2 *Uses* for the General Commercial Zoning District; and Section 15-2.19-2 *Uses* for the Light Industrial Zoning District are hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

Attachment 1

15-6-8 Unit Equivalents

Density of Development is a factor of both the Use and size of Structures built within a project. In order to allow for, and to encourage, a variety of unit configurations, Density shall be calculated on the basis of Unit Equivalents. Unless otherwise stipulated, one (1) Unit Equivalent equates to one (1) single family Lot, 2,000 square feet of Multi-Family Dwelling floor area, or 1,000 square feet of commercial or office floor area. A duplex Lot equates to two (2) Unit Equivalents, unless otherwise stipulated by the Master Planned Development (MPD). The MPD may stipulate maximum Building Footprint and/or maximum floor area for single family and duplex Lots. Residential Unit Equivalents for Multi-Family Dwellings shall be calculated on the basis of one (1) Unit Equivalent per 2,000 square feet and portions of Unit Equivalents for additional square feet above or below 2,000. For example: 2,460 square feet of a multi-family unit shall count as 1.23 Unit Equivalents.

Affordable Housing units required as part of the MPD approval, and constructed on Site do not count towards the residential Unit Equivalents of the Master Plan. Required ADA units do not count towards the residential Unit Equivalents.

~~[Support Uses and accessory meeting space use Unit Equivalents as outlined in Section 15-6-8(C) and (D) below.]~~

A. **CALCULATING RESIDENTIAL UNIT SQUARE FOOTAGE.** Unit square footage shall be measured from the interior of the exterior unit walls. All bathrooms, halls, closets, storage and utility rooms within a unit will be included in the calculation for square footage. ~~[Exterior hallways, common circulation and hotel use areas, such as lobbies, elevators, storage, and other similar Areas, will not be included.]~~

Common outdoor facilities, such as pools, spas, recreation facilities, ice-skating rinks, decks, porches, etc. do not require the Use of Unit Equivalents.

B. **LOCKOUTS.** For purposes of calculating Unit Equivalents, Lockouts shall be included in the overall square footage of a unit.

C. **SUPPORT COMMERCIAL WITHIN ~~[RESIDENTIAL MASTER PLANNED DEVELOPMENTS HOTELS]~~.** ~~[Within a Hotel or Nightly Rental condominium project, the]~~ The Floor Area of Support Commercial Uses [uses] may not exceed five percent (5%) of the total Floor Area of the approved residential Unit Equivalents or 5,000 square feet in total, whichever is lesser. Conventional Chain Businesses are prohibited as Support Commercial Use. Signage for Support Commercial Uses is limited to interior spaces. Marketing for Support Commercial Uses is limited to primary Uses on Site. [Any unused Support Commercial floor area may be utilized for meeting space Uses.] Support Commercial shall be included in Affordable Housing obligations and calculations subject to Housing Resolution No. 05-2021, as amended.

D. ~~**[MEETING SPACE.** Within a Hotel or Condominium project, Floor Area of meeting space may not exceed five percent (5%) of the total Floor Area of the approved residential unit equivalents. Any unused meeting space floor area may be utilized for support commercial uses within a Hotel or Nightly Rental Condominium project.]~~

E. **COMMERCIAL UNIT EQUIVALENTS.** Commercial spaces, approved as a part of a Master Planned Development, shall be calculated on the basis of one (1) Unit Equivalent per 1000 square feet of Net Leasable Floor Area, exclusive of

common corridors, for each part of a 1,000 square foot interval. For example:
2,460 square feet of commercial Area shall count as 2.46 Unit Equivalents.

- F. **RESIDENTIAL ACCESSORY USES.** ~~[Residential Accessory Uses include~~
~~typical back of house uses and administration facilities that are for the benefit of~~
~~the residents of a commercial Residential Use, such as a Hotel or Nightly Rental~~
~~Condominium project and that are common to the residential project and are not~~
~~located within any individual Residential unit.]~~ Residential Accessory Uses do not
require the use of Unit Equivalents ~~[and include, but are not limited to, such Uses~~
~~as]:~~

~~[Ski/Equipment lockers~~

~~Lobbies~~

~~Registration~~

~~Concierge~~

~~Bell stand/luggage storage~~

~~Maintenance Areas]~~

Mechanical rooms and shafts limited to electrical, heating, ventilation, plumbing,
and air conditioning equipment and ductwork necessary for the operation of the
Building

Laundry facilities ~~[and storage]~~

Employee facilities related to the operation of the property

~~[Common pools, saunas and hot tubs, and exercise areas not open to the public~~

~~Telephone Areas~~

~~Guest business centers~~

71 ~~Public restrooms~~

72 ~~Administrative offices]~~

73 Hallways and circulation

74 Elevators and stairways

75 A Child Care Center

76 Enclosed Bicycle Storage that exceeds the requirements of Section 15-3-9

77 G. **RESORT ACCESSORY USES.** The following Uses are considered accessory for

78 the operation of a resort for winter and summer operations. These Uses are

79 ~~[considered typical back of house uses and are]~~ incidental to and customarily

80 found in connection with the principal Use or Building and are operated for the

81 convenience of the Owners, occupants, employees, customers, or visitors to the

82 principal resort Use. Accessory Uses associated with an approved summer or

83 winter resort do not require the Use of a Unit Equivalent, but shall be included in

84 the Affordable Housing obligations and calculations subject to Housing

85 Resolution No. 05-2021, as amended, and shall be calculated as part of the

86 parking demand requirements and traffic impact studies. These Uses and square

87 footages require Planning Commission review and approval. Resort Accessory

88 Uses may include~~[, but are not limited to, such Uses as]:~~

89 ~~[Information]~~

90 ~~[Lost and found]~~

91 First Aid Mountain patrol

92 ~~[Administration]~~

93 Maintenance ~~[and storage]~~ facilities

94 Emergency medical facilities
95 ~~{Public lockers}~~
96 Public restrooms
97 Employee restrooms, employee locker rooms, and employee break rooms~~, and~~
98 ~~employee dining areas}~~
99 ~~{Ski school/}~~ Employee and public day care facilities
100 ~~{Instruction facilities}~~
101 ~~{Ticket sales}~~
102 Equipment/ski check
103 Circulation and hallways for these Resort Accessory Uses

104 HISTORY

105 *Adopted by Ord. [02-07](#) on 5/23/2002*
106 *Amended by Ord. [06-22](#) on 4/27/2006*
107 *Amended by Ord. [09-10](#) on 3/5/2009*
108 *Amended by Ord. [10-14](#) on 4/15/2010*
109 *Amended by Ord. [11-05](#) on 1/27/2011*

110 **15-2.7-2 Uses**

111 Uses in the ROS District are limited to the following:

112 A. **ALLOWED USES.**

- 113 1. Conservation Activity
114 2. Food Truck Locations⁴

115 B. **ADMINISTRATIVE CONDITIONAL USES**¹.

- 116 1. Trail and Trailhead Improvement

- 117 2. Outdoor Recreation Equipment
- 118 3. Essential Municipal Public Utility Use, Service, or Structure, less than 600
- 119 sq. ft.
- 120 4. Accessory Building, less than 600 sq. ft.
- 121 5. Ski-related Accessory Building, less than 600 sq. ft.
- 122 6. Parking Area or Structure with four (4) or fewer spaces
- 123 7. Outdoor Event, Outdoor Music
- 124 8. Temporary Construction Improvement
- 125 9. Raising, grazing of horses
- 126 10. Raising, grazing of livestock
- 127 11. Anemometer and Anemometer Towers

128 C. **CONDITIONAL USES.**

- 129 1. Agriculture
- 130 2. Recreational Outdoor and Trail Lighting
- 131 3. Recreation Facility, Private⁵
- 132 4. Recreation Facility, Public
- 133 5. Recreation Facility, Commercial
- 134 6. Golf Course
- 135 7. Passenger Tramway Station and Ski Base Facility
- 136 8. Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge
- 137 9. Recreational Sports Field
- 138 10. Skating Rink
- 139 11. Skateboard Park

- 140 12. Public and Quasi-Public Institution, Church, and School, Park, Plaza,
141 Structure for Public Assembly, greater than 600 sq. ft.
142 13. Essential Municipal Public Utility Use, Facility, Service, and Structure,
143 greater than 600 sq. ft.
144 14. Accessory Building, greater than 600 sq. ft.
145 15. Ski-Related Accessory Building, greater than 600 sq. ft.
146 16. Child Care Center
147 17. Commercial Stable, Riding Academy
148 18. Vehicle Control Gates²
149 19. Resort Support, Commercial⁶
150 20. Cemetery
151 21. Parking Area or Structure with five (5) or more spaces
152 22. Telecommunications Antenna³
153 23. Mines and Mine Exploration
154 24. Plant and Nursery stock products and sales
155 25. Fences greater than six feet (6') in height from Final Grade.
156 26. Small Wind Energy Systems

157 D. **PROHIBITED USES**. Any use not listed above as an Allowed or Conditional Use
158 is a prohibited Use.

159 ¹Subject to an Administrative Conditional Use permit and/or Master Festival license review process.

160 Master Festivals are temporary in nature. All related temporary Structures are restricted to specific time
161 frames and shall be removed at the expiration of the Master Festival permit.

162 ²See Section 15-4-19 for specific review criteria for gates

163 ³Subject to Section 15-4-14, Telecommunications

⁴The Planning Director or designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

⁵See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas

⁶Subject to provisions of Chapter 15-6 and Master Planned Development approval

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [04-08](#) on 3/4/2004

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2022-08](#) on 4/28/2022

Amended by Ord. [2022-16](#) on 5/26/2022

15-2.18-2 Uses

Uses in the GC District are limited to the following:

A. ALLOWED USES.

1. Secondary Living Quarters
2. Lockout Unit¹
3. Accessory Apartment²
4. Nightly Rental
5. Home Occupation
6. Child Care, In-Home Babysitting³
7. Child Care, Family³
8. Child Care, Family Group³
9. Child Care Center³

188	10. Accessory Building and Use
189	11. Conservation Activity
190	12. Agriculture
191	13. Plant and Nursery Stock production and sales
192	14. Bed and Breakfast Inn
193	15. Boarding House, Hostel
194	16. Hotel, Minor
195	17. Hotel, Major
196	18. Office, General
197	19. Office, Moderate Intensive
198	20. Office, Intensive
199	21. Office and Clinic, Medical and Veterinary Clinic
200	22. Financial Institution without a drive-up window
201	23. [Commercial, Resort Support]
202	24. Retail and Service Commercial, Minor
203	25. Retail and Service Commercial, Personal Improvement
204	26. Retail and Service Commercial, Major
205	27. Cafe or Deli
206	28. Restaurant, General
207	29. Hospital, Limited Care Facility
208	30. Parking Area or Structure with four (4) or fewer spaces
209	31. Parking Area or Structure with five (5) or more spaces
210	32. Food Truck Location ¹⁰

211	B. <u>CONDITIONAL USES.</u>
212	1. Single Family Dwelling
213	2. Duplex Dwelling
214	3. Triplex Dwelling
215	4. Multi-Unit Dwelling
216	5. Group Care Facility
217	6. Public and Quasi-Public Institution, Church, and School
218	7. Essential Municipal Public Utility Use, Facility, Service, and Structure
219	8. Telecommunication Antenna ⁴
220	9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁵
221	10. Timeshare Project and Conversion
222	11. Timeshare Sales Office, off-site within an enclosed Building
223	12. Private Residence Club Project and Conversion ⁸
224	13. Financial Institution with a Drive-up Window ⁶
225	14. Retail and Service Commercial with Outdoor Storage
226	15. Retail and Service Commercial, Auto Related
227	16. Transportation Service
228	17. Retail Drive-Up Window ⁶
229	18. Gasoline Service Station
230	19. Restaurant and Cafe, Outdoor Dining ⁷
231	20. Restaurant, Drive-up Window ⁶
232	21. Outdoor Event ⁷
233	22. Bar

- 234 23. Sexually Oriented Businesses⁸
- 235 24. Hospital, General
- 236 25. Light Industrial Manufacturing and Assembly
- 237 26. Temporary Improvement⁷
- 238 27. Passenger Tramway and Ski Base Facility
- 239 28. Ski tow rope, ski lift, ski run, and ski bridge
- 240 29. Commercial Parking Lot or Structure
- 241 30. Recreation Facility, Public
- 242 31. Recreation Facility, Commercial
- 243 32. Recreation Facility, Private⁹
- 244 33. Indoor Entertainment Facility
- 245 34. Heliport
- 246 35. Temporary Sales Trailer in conjunction with an active Building permit for
- 247 the Site.⁸
- 248 36. Fences greater than six feet (6') in height from Final Grade⁷
- 249 37. Household Pet, Boarding⁷
- 250 38. Household Pet, Daycare⁷
- 251 39. Household Pet, Grooming⁷
- 252 40. Dwelling Unit, Fractional Use¹¹
- 253 **41. Commercial, Resort Support¹²**

254 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

255 is a prohibited Use.

256 ¹Nightly rental of Lockout Units requires Conditional Use permit.

257 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

258 ³See Section 15-4-9, Child Care and Child Care Facilities.
259 ⁴See Section 15-4-14, Telecommunication Facilities.
260 ⁵See Section 15-4-13, Placement of Satellite Receiving Antennas.
261 ⁶See Section 15-2.18-6 for Drive-Up Window review.
262 ⁷Requires an Administrative Conditional Use permit.
263 ⁸See Section 15-4-16 for additional criteria.
264 ⁹See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.
265 ¹⁰The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
266 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
267 letter.
268 ¹¹Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.
269 ¹² Subject to provisions of Chapter 15-6 and Master Planned Development approval

270 HISTORY

271 *Adopted by Ord. [00-51](#) on 9/21/2000*
272 *Amended by Ord. [04-39](#) on 9/23/2004*
273 *Amended by Ord. [06-76](#) on 11/9/2006*
274 *Amended by Ord. [14-57](#) on 11/20/2014*
275 *Amended by Ord. [2018-55](#) on 10/23/2018*
276 *Amended by Ord. [2020-45](#) on 10/1/2020*
277 *Amended by Ord. [2021-51](#) on 12/16/2021*
278 *Amended by Ord. [2022-08](#) on 4/28/2022*
279 *Amended by Ord. [2022-21](#) on 10/27/2022*

280 **15-2.19-2 Uses**

281 Uses in the LI District are limited to the following:

282 A. **ALLOWED USES.**

- 283 1. Secondary Living Quarters
- 284 2. Accessory Apartment¹
- 285 3. Nightly Rental
- 286 4. Home Occupation
- 287 5. Child Care, In-Home Babysitting²
- 288 6. Child Care, Family²
- 289 7. Child Care, Family Group²
- 290 8. Child Care Center²
- 291 9. Agriculture
- 292 10. Plant and Nursery Stock
- 293 11. Office, General
- 294 12. Office, Moderate Intensive
- 295 13. Office, Intensive
- 296 14. Financial Institution without drive-up window
- 297 15. Retail and Service Commercial, Minor
- 298 16. Retail and Service Commercial, Personal Improvement
- 299 17. Retail and Service Commercial, Major
- 300 18. ~~Commercial, Resort Support~~
- 301 19. Hospital, Limited Care
- 302 20. Parking Area or Structure with four (4) or fewer spaces
- 303 21. Food Truck Location⁸

304 B. **CONDITIONAL USES.**

- 305 1. Multi-Unit Dwelling

306	2. Group Care Facility
307	3. Child Care Center ²
308	4. Public and Quasi-Public Institution, Church, and School
309	5. Essential Municipal Public Utility Use, Facility, Service, and Structure
310	6. Telecommunication Antenna ³
311	7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁴
312	8. Accessory Building and Use
313	9. Raising, grazing of horses
314	10. Bed and Breakfast Inn
315	11. Boarding House, Hostel
316	12. Hotel, Minor
317	13. Private Residence Club Project and Conversion ⁶
318	14. Office and Clinic, Medical and Veterinary Clinic
319	15. Financial Institutions with Drive-Up Window ⁵
320	16. Retail and Service Commercial with Outdoor Storage
321	17. Retail and Service Commercial, Auto-Related
322	18. Transportation Services
323	19. Retail Drive-Up Window ⁵
324	20. Gasoline Service Station
325	21. Café or Deli
326	22. Restaurant, General
327	23. Restaurant, Outdoor Dining
328	24. Restaurant, Drive-Up Window ⁵

- 329 25. Outdoor Event⁶
- 330 26. Bar
- 331 27. Hospital, General
- 332 28. Light Industrial Manufacturing and Assembly Facility
- 333 29. Parking Area or Structure with five (5) or more spaces
- 334 30. Temporary Improvement⁶
- 335 31. Passenger Tramway Station and Ski Base Facility
- 336 32. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
- 337 33. Recreation Facility, Public
- 338 34. Recreation Facility, Commercial
- 339 35. Recreation Facility, Private⁷
- 340 36. Entertainment Facility, Indoor
- 341 37. Commercial Stables, Riding Academy
- 342 38. Heliports
- 343 39. Commercial Parking Lot or Structure
- 344 40. Temporary Sales Office, in conjunction with an active Building permit.
- 345 41. Fences and Walls greater than six feet (6') in height from Final Grade⁶
- 346 42. Household Pet, Boarding⁶
- 347 43. Household Pet, Daycare⁶
- 348 44. Household Pet, Grooming⁶
- 349 45. Commercial, Resort Support⁹

350 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
351 is a prohibited Use.

352 ¹Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

353 ²See Section 15-4-9, Child Care and Child Care Facilities.

354 ³See Section 15-4-14, Telecommunication Facilities.

355 ⁴See Section 15-4-13, Placement of Satellite Receiving Antennas.

356 ⁵See Section 15-2.19-8, Criteria for Drive-Up Windows.

357 ⁶Subject to an Administrative Conditional Use permit.

358 ⁷See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

359 ⁸The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with

360 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval

361 letter.

362 ⁹Subject to provisions of Chapter 15-6 and Master Planned Development approval

363 HISTORY

364 *Adopted by Ord. [00-51](#) on 9/21/2000*

365 *Amended by Ord. [04-39](#) on 9/23/2004*

366 *Amended by Ord. [06-76](#) on 11/9/2006*

367 *Amended by Ord. [14-57](#) on 11/20/2014*

368 *Amended by Ord. [2018-55](#) on 10/23/2018*

369 *Amended by Ord. [2020-45](#) on 10/1/2020*

370 *Amended by Ord. [2021-51](#) on 12/16/2021*

371 *Amended by Ord. [2022-08](#) on 4/28/2022*

372 15-15-1 Definitions

373

374 ~~[Commercial Use, Resort Support. A Commercial Use that is clearly incidental to, and~~

375 ~~customarily found in connection with, the principal resort Use, and which is operated~~

376 ~~and maintained for the benefit or convenience of the Owner, occupants, employees,~~
377 ~~customers of, or visitors to, the principal Use.]~~
378

Thursday, December 15, 2022, 10:48 AM

All,

Thank you for such a robust discussion on the potential amendments to the LMC regarding Support Commercial, Residential Accessory and Resort Accessory code. I applaud the level of scrutiny given to each category. The takeaway appears to be a strong desire by this Commission to tighten up the density/square footage allowances and have certain uses counted in the totals and therefore figured into the affordable housing requirement calculation. It will come as no surprise that I couldn't agree more.

Functional use vs Amenity - similar to a needs vs wants review. Hallways, stairs, elevators and related are all needs. Swimming pools, concierges, fitness centers and so on are all wants - certainly not required in order for the project to meet building code.

Revenue generation is another lens for review. If it's part of a line item or its own line item on an Income Statement, it's probably not a need. As pointed out by at least one commissioner, if its revenue generating it may down the road be available to the general public to attain additional revenues. Also, agree 100% with Commissioner Sigg on his assessment of Meeting Space - should always be counted in total density and square footage. As a former youth sports team travel manager for many years, I can assure you almost all hotels (both high and low end) often require money for a team to congregate in a "meeting space" to review game footage, eat dinner together or whatever. This would sometimes be waived if we booked enough rooms which is just another means for revenue generation. In addition, meeting space may also come with requirements such as on-site catering be used which is another revenue generating tool. Ski School is a desirable component of a resort, but is it not a cost of doing business in the ski industry which results in revenue generation? Ski School also increases the number of staff needed which in turn generates parking and traffic mitigation needs. As Assistant Director Ward pointed out, additional staffing requirements is another lens for review of a use. With regards to daycare, while it generates revenue, if it's for employee/staff use, it's help meeting a need and perhaps some allowance should be granted on a case-by-case review basis.

There are clearly some differences between a residential project versus a hotel and it makes identifying what should be considered a Residential Accessory Use murky at best when looking at the lists in the staff report. Perhaps part of the consideration should be "can the space be built into the individual unit"? For instance, laundry facilities can be placed in each individual condominium or apartment of a residential project and that square footage would count as part of each unit. If the developer doesn't put it in each unit and opts to make it a shared laundry facility under Residential Accessory

Exhibit B: Public Input

Uses, why shouldn't that space still count towards total square footage? I understand it prevents them from having to drive to a laundromat, but again, the developer could have put laundry in each individual unit. Currently, the developer could instead make the individual units larger, then build shared laundry facilities and not have to count that square footage. This potentially increases the mass and bulk of a project as Assistant Director Ward pointed out in her staff report. A guest business center, public restrooms, concierge and more are all 'amenities' of a residential project (non-hotel). Commissioner Hall pointed out people will duck into a hotel to use the public restrooms but generally do not duck into a condo or apartment project.

Administrative offices or C-Suites are often quite magnificent. To Chair Suesser's point, perhaps this and similar uses should be counted or at a minimum a cap placed on the total square footage for this category of use.

Reverting back to prior code signage limiting to on-site visibility makes sense, but to a commissioner's point, if it's a Starbucks or something, word will get out without a sign and the public will use it.

Commissioner Frontero requested additional research on Support Commercial Use versus Resort Support Commercial which may serve to simplify the code and review process; it's a good idea.

In the end, none of the adjustments to the code discussed will actually remove the option to build a certain space into a project. It's a change in what gets counted in the total density/square footage and affordable housing requirement calculations.

Thank you all again for your hard work on these amendments; I look forward to the February discussion.

Sincerely,

Deb Rentfrow

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Ordinance No. 2023-18, an Ordinance Amending Land Management Code Section 15-3-9 *Bicycle Parking Requirements*

(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Bicycle Parking Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-18](#)

City Council Staff Report



Subject: Bicycle Parking Requirements
Application: PL-23-05563
Authors: Anna Maki, Transportation Planning
Hannah Pack, Transportation Planning
Rebecca Ward, Planning
Date: April 27, 2023
Type of Item: Legislative – Land Management Code Amendments

Recommendation

(I) Review the proposed amendments to Land Management Code Section 15-3-9 *Bicycle Parking Requirements* outlined in Ordinance No. 2023-18 (Exhibit A) to update outdoor bicycle parking requirements and to enact enclosed bicycle storage requirements for Multi-Unit Dwellings with over ten Units and for those Uses that generate employees; (II) conduct a public hearing; and (III) consider approving Ordinance No. 2023-18.

Description

Applicant: Planning Department

Zoning District: All Zoning Districts

Reason for Review: The Planning Commission reviews and forwards a recommendation to the City Council for Land Management Code amendments; the City Council takes Final Action¹

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

Land Management Code (LMC) [Section 15-3-9](#) requires temporary outdoor bicycle parking (bike racks) for at least three bicycles or 10% of the required parking for vehicles, whichever is greater. As the Planning Commission reviewed projects last year, the Commission identified opportunities to update this Section to reflect community needs for both short-term outdoor bicycle parking for visitors to a site and to create new requirements for long-term indoor enclosed bicycle storage for residents and employees of a site.

The City's vision outlined in [Park City Forward](#)—a supplement to the General Plan—is to embrace innovation to provide safe, year-round transportation options that promote a

¹ LMC [Section 15-1-7](#)

connected, inclusive, and multimodal mountain community and culture. Park City Forward establishes a mode share target for over 30% biking, walking, and transit by 2050. Additionally, Goal 3 of Park City's General Plan is to "encourage alternative modes of transportation on a regional and local scale to maintain our small town character."² Community Planning Strategy 3.2 is to amend the LMC to "[r]equire secure bicycle parking options."³

The recommended amendments below take into consideration Planning Commission liaison Sarah Hall and Christin Van Dine and Transportation Planning Department input, as well as best practices and model ordinances:

- [*Downtown and Main Street Parking Management Plan Final Report \(2016\)*](#), prepared for Park City by Nelson Nygaard in collaboration with Fehr & Peers and Carl Walker, Inc.
- [*Essentials of Bike Parking: Selecting and Installing Bike Parking that Works \(2015\)*](#) from the Association of Pedestrian & Bicycle Professionals (APBP), a community of practitioners working to create more walkable, bikeable places
- *Guide for the Development of Bicycle Facilities* from the American Association of State Highway and Transportation Officials (AASHTO)
- *Urban Street Design Guides* from the National Association of City Transportation Officials (NACTO)
- Code reviews – Lake Tahoe, California; Aspen, Boulder, and Fort Collins, Colorado; Boise, Idaho; Boston, Massachusetts; Billings and Butte, Montana; New York City, New York; Bend, Eugene, and Portland, Oregon; Austin, Texas; Provo and Salt Lake City, Utah; Washington DC; Seattle, Washington; and Jackson, Wyoming

On February 22, 2023, the Planning Commission conducted a work session on the proposed amendments and recommended the following:

- Ensure all types of bikes are accommodated
- Prioritize efficiency and capacity over design, but allow flexibility
- Consider exceptions for enclosed outdoor bicycle parking, including a density bonus if an Applicant exceeds parking requirements

The Planning Commission also requested information on bike parking policies for the City, including bike parking within City parking facilities and park & rides, transit stops, and special events ([Staff Report](#); [Minutes](#), p. 28).

On March 22, 2023, staff provided information on City programs for bicycle parking:

² General Plan, [Small Town](#), p. 22

³ General Plan, [Small Town](#), p. 24

Public Bicycle Parking

Transportation Planning oversees [the Request-A-Rack Program](#), where local businesses can request bike racks and the City installs them at no cost to the requestor, bike parking on Main Street with bike corral installations during the summer months, and [the Bicycle and Pedestrian Plan](#) in progress, which establishes long-term planning for improved bicycle facilities citywide.

Transit Stops

The Engineering Department is upgrading bus stops citywide over the next several years with the support of a Program Management Services Consultant. As part of the upgrade, the Department is developing bus stop typologies based on ridership and site characteristics such as right-of-way, ridership, grading, and utilities. When fully developed, these typologies will include recommended amenities for inclusion at each stop, including bike parking, ski racks, seating, shelters, and digital signage.

Special Events

Based on the City Council's Critical Priority of Transportation, the Special Events Department has been requiring bike parking and alternative modes of transportation through the Event Permit for more than a decade. The Special Events team reviews Transportation Plans as part of event applications based on the Special Events code outlined in the Municipal Code [Section 4A-2-7](#).

Beyond required Transportation Plans and bike parking, some events exceed requirements by hosting bike valets. Park Silly Sunday Market was the first event to start this program. The bike valet is free to the public but funded through event sponsorship. Events such as Park City Kimball Arts Festival, Fourth of July Celebration, and Miners Day now offer bike valets in addition to regular bike parking options.

The Planning Commission recommends the City Council consider the following when evaluating City projects, programs, and plans:

- Bike parking facilities at transit hubs
- Enclosed secure bike parking for park & rides
- Secure bike parking areas within public parking structures like China Bridge
- Bike parking and valet bike parking requirements for certain Special Events
- Incentive programs to retrofit existing buildings with outdoor and enclosed bicycle parking

On March 22, 2023, the Planning Commission conducted a public hearing and unanimously forwarded a positive recommendation to City Council for the proposed bicycle parking amendments ([Staff Report](#); [Minutes](#), p. 37).

Analysis

The LMC implements the policies of the Park City General Plan.⁴ Proposed updates to

⁴ LMC [Section 15-1-2](#) *Statement of Purpose*

LMC Section 15-3-9 include:

Outdoor bicycle parking (bicycle racks that provide short-term parking for those visiting a site)

- Require a percentage of outdoor bicycle parking accommodate cargo, recumbent, tandem, electric, and bicycles with trailers
- Require covered outdoor bicycle parking with snow clearing and maintenance standards
- Update required materials and installation standards

Enclosed bicycle storage (long-term bicycle parking provided within a parking garage or building)

- Establish long-term enclosed bicycle storage facilities for Multi-Unit Dwellings with 10 or more Dwelling Units and for a percentage of the employees generated by Use
- Require a bicycle repair station for those projects that must provide 10 or more Enclosed Bicycle Parking spaces

General Updates

- Allow for a fee in lieu for certain properties (for example, those in the Commercial Historic Districts with limited setbacks)
- Establish flexibility for best outcomes

The proposed amendments replace LMC [Section 15-3-9](#) with the following:

15-3-9 Bicycle Parking Requirements

A. OUTDOOR BICYCLE PARKING. Outdoor bicycle parking is an area where one bicycle may be securely stored with both wheels resting on a stable surface and conveniently accessed and removed without requiring the movement of other bicycles, vehicles, or other objects.

1. Outdoor bicycle parking must:
 - a. Be inverted-U, post and ring, corral, or other as approved by the City Engineer and Transportation Planning Department;
 - b. Be mounted in concrete;
 - c. Be galvanized or stainless steel, coated with PVC or thermoplastic, and resistant to rust, corrosion, hammers, and saws;
 - d. Provide secure racks in which both the bicycle frame and wheel may be locked by the user using a U-lock;
 - e. Be designed to prevent damage to the bicycle and to facilitate easy and secure bicycle parking without interference from or to adjacent bicycles;
 - f. Be installed no more than fifty feet (50') from the primary entrance;
 - g. Be located in convenient, highly visible, active, well-lighted areas that are easily accessible from the Right-of-Way, bicycle lanes, and/or trails and pathways;

- h. Meet the dimension, setback, and installation requirements outlined in the NACTO or AASHTO design guidelines, as approved by the City Engineer or Transportation Planning;
 - i. Be Compatible in design and function with the surrounding Buildings and Street furniture;
 - j. Be protected from vehicles;
 - k. Be maintained in good condition, appearance, and repair;
 - l. Be protected from weather by existing structures such as overhangs or awnings or by natural elements such as a tree canopy;
 - m. Be clear of ice, snow, and any other obstructions;
 - n. Not obstruct pedestrian or ADA accessibility.
2. Outdoor bicycle parking shall be provided for ten percent (10%) of the required Off-Street parking for the temporary storage of bicycles. Applicants granted a reduction in Off-Street parking by the Planning Commission must satisfy outdoor bicycle parking for the full Off-Street parking requirement. One percent (1%) or minimum of one (1) bicycle parking space of the outdoor bicycle parking shall provide parking at least three feet (3') by ten feet (10') per space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers.

B. ENCLOSED BICYCLE STORAGE. Enclosed bicycle storage provides secure long-term storing and locking of bicycles.

- 1. Enclosed bicycle storage must:
 - a. Be located within the Parking Structure or Building for which it is required;
 - b. Be enclosed with solid walls or floor-to-ceiling fencing;
 - c. Be securely locked and access-controlled;
 - d. Contain racks for support and locking of individual bicycles;
 - e. If not located on the ground floor, be accessible by an elevator with interior dimensions of at least eighty inches (80") by fifty-four inches (54"); and
 - f. Provide electrical outlets for e-bike charging.
- 2. Enclosed bicycle storage shall be provided as follows:
 - a. For one (1) bicycle per three (3) Dwelling Units for Multi-Unit Dwellings with ten (10) or more Dwelling Units, and
 - b. For one (1) bicycle per ten (10) employees generated for Uses as outlined in Resolution No. 05-2021, as amended.
- 3. Five percent of the Enclosed Bicycle Storage shall be at least three feet (3') by ten feet (10') per parking space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers.
- 4. Applicants required to provide ten (10) or more Enclosed Bicycle Storage spaces shall include a bicycle repair station.

D. EXCEPTIONS. This Section does not apply to Summit Bike Share.

E. ALTERNATIVE COMPLIANCE. The Planning Commission may reduce or modify the required outdoor bicycle parking and enclosed bicycle storage when the Applicant demonstrates a plan that achieves secure bicycle parking facilities that best suits the Uses and physical constraints of a Site.

F. PAYMENT-IN-LIEU. Structures with zero Setback requirements or Properties where Outdoor Bicycle Parking or Enclosed Bicycle Parking would negatively impact access, circulation, or snow removal, may pay a fee in-lieu for required bicycle parking.

Department Review

The Planning, Engineering, and Transportation Planning Departments and the City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on March 3, 2023. Staff mailed courtesy notice to property owners citywide on March 7, 2023. The *Park Record* published notice on March 8, 2023.⁵

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The City Council may adopt Ordinance No. 2023-18 as recommended by the Planning Commission
- The City Council may modify and adopt Ordinance No. 2023-18
- The City Council may deny Ordinance No. 2023-18
- The City Council may continue the discussion to a date certain

Exhibit

Exhibit A: Draft Ordinance No. 2023-18

⁵ LMC [§ 15-1-21](#)

Ordinance No. 2023-18

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-3-9
BICYCLE PARKING REQUIREMENTS**

WHEREAS, the City's vision outlined in Park City Forward—a supplement to the Park City General Plan—is to embrace innovation to provide safe, year-round transportation options that promote a connected, inclusive, and multimodal mountain community and culture. Park City Forward establishes a mode share target for over 30% biking, walking, and transit by 2050;

WHEREAS, Goal 3 of Park City's General Plan is to encourage alternative modes of transportation on a regional and local scale to maintain our small town character and Community Planning Strategy 3.2 is to amend the Land Management Code to require secure bicycle parking options;

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the historic character, and the unique mountain town community;

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City;

WHEREAS, on February 22, 2023, the Planning Commission conducted a work session on the proposed amendments;

WHEREAS, on March 22, 2023, the Planning Commission conducted a duly noticed public hearing and unanimously forwarded a positive recommendation on the proposed Land Management Code amendments to the City Council;

WHEREAS, on April 27, 2023, the City Council conducted a duly noticed public hearing on the proposed Land Management Code amendments.

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND MANAGEMENT CODE. The recitals are incorporated herein as Findings of Fact. Municipal Code of Park City Title 15 Land Management Code Section 15-3-9 *Bicycle Parking Requirements* is hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

Attachment 1

Section 15-3-9 is replaced with the following:

15-3-9 Bicycle Parking Requirements

A. OUTDOOR BICYCLE PARKING. Outdoor bicycle parking is an area where one bicycle may be securely stored with both wheels resting on a stable surface and conveniently accessed and removed without requiring the movement of other bicycles, vehicles, or other objects.

1. Outdoor bicycle parking must:

- a. Be inverted-U, post and ring, corral, or other as approved by the City Engineer and Transportation Planning Department;
- b. Be mounted in concrete;
- c. Be galvanized or stainless steel, coated with PVC or thermoplastic, and resistant to rust, corrosion, hammers, and saws;
- d. Provide secure racks in which both the bicycle frame and wheel may be locked by the user using a U-lock;
- e. Be designed to prevent damage to the bicycle and to facilitate easy and secure bicycle parking without interference from or to adjacent bicycles;
- f. Be installed no more than fifty feet (50') from the primary entrance;
- g. Be located in convenient, highly visible, active, well-lighted areas that are easily accessible from the Right-of-Way, bicycle lanes, and/or trails and pathways;
- h. Meet the dimension, setback, and installation requirements outlined in the NACTO or AASHTO design guidelines, as approved by the City Engineer

or Transportation Planning;

i. Be Compatible in design and function with the surrounding Buildings and Street furniture;

j. Be protected from vehicles;

k. Be maintained in good condition, appearance, and repair;

l. Be protected from weather by existing structures such as overhangs or awnings or by natural elements such as a tree canopy;

m. Be clear of ice, snow, and any other obstructions;

n. Not obstruct pedestrian or ADA accessibility.

2. Outdoor bicycle parking shall be provided for ten percent (10%) of the required Off-Street parking for the temporary storage of bicycles. Applicants granted a reduction in Off-Street parking by the Planning Commission must satisfy outdoor bicycle parking for the full Off-Street parking requirement. One percent (1%) or minimum of one (1) bicycle parking space of the outdoor bicycle parking shall provide parking at least three feet (3') by ten feet (10') per space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers.

B. ENCLOSED BICYCLE STORAGE. Enclosed bicycle storage provides secure long-term storing and locking of bicycles.

1. Enclosed bicycle storage must:

a. Be located within the Parking Structure or Building for which it is required;

b. Be enclosed with solid walls or floor-to-ceiling fencing;

c. Be securely locked and access-controlled;

- d. Contain racks for support and locking of individual bicycles;
 - e. If not located on the ground floor, be accessible by an elevator with interior dimensions of at least eighty inches (80") by fifty-four inches (54"); and
 - f. Provide electrical outlets for e-bike charging.
2. Enclosed bicycle storage shall be provided as follows:
- a. For one (1) bicycle per three (3) Dwelling Units for Multi-Unit Dwellings with ten (10) or more Dwelling Units, and
 - b. For one (1) bicycle per ten (10) employees generated for Uses as outlined in Resolution No. 05-2021, as amended.
3. Five percent of the Enclosed Bicycle Storage shall be at least three feet (3') by ten feet (10') per parking space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers.
4. Applicants required to provide ten (10) or more Enclosed Bicycle Storage spaces shall include a bicycle repair station.

D. EXCEPTIONS. This Section does not apply to Summit Bike Share.

E. ALTERNATIVE COMPLIANCE. The Planning Commission may reduce or modify the required outdoor bicycle parking and enclosed bicycle storage when the Applicant demonstrates a plan that achieves secure bicycle parking facilities that best suits the Uses and physical constraints of a Site.

F. PAYMENT-IN-LIEU. Structures with zero Setback requirements or Properties where Outdoor Bicycle Parking or Enclosed Bicycle Parking would negatively impact access, circulation, or snow removal, may pay a fee in-lieu for required bicycle parking.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Ordinance No. 2023-19, an Ordinance Amending Land Management Code Chapter 15-2.21 *Sensitive Land Overlay Zone Regulations* and Section 15-15-1 *Definitions*

(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Sensitive Land Overlay Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-19](#)

[Exhibit B: Ridge Line Areas and Sensitive Land Overlay Map](#)

City Council Staff Report



Subject: Sensitive Land Overlay
Application: PL-23-05512
Author: Rebecca Ward, Assistant Planning Director
Date: April 27, 2023
Type of Item: Legislative – Land Management Code Amendment

Recommendation

(I) Review proposed amendments to Land Management Code Chapter 15-2.21 *Sensitive Land Overlay Zone* and Section 15-15-1 *Definitions*; (II) conduct a public hearing; and (III) consider adopting Ordinance No. 2023-19 (Exhibit A).

Description

Applicant: Planning Department

Zoning District: Sensitive Land Overlay

Land Management Code Amended: Chapter 15.2-21 *Sensitive Land Overlay Zone*
Section 15-15-1 *Definitions*

Reason for Review: The Planning Commission conducts a public hearing on Land Management Code amendments and forwards a recommendation to the City Council. The City Council conducts a public hearing and takes Final Action.¹

LMC Land Management Code
SLO Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

The proposed amendment:

- Expands Ridge Line Areas and Vantage Points to include annexed acreage
- Update defined terms
- Establishes Sensitive Land Overlay (SLO) review for a Trails Master Plan and requires evaluation of the Trails Master Plan at least every three years
- Requires additional Application materials for projects with Steep Slopes and Very Steep Slopes
- Expands SLO review to include Very Steep Slopes within 50 feet of the property

¹ LMC [§ 15-1-7](#) *Amendments to the Land Management Code and Zoning Map*

In addition to proposed amendments, staff recommends Applications be updated to outline the detailed information required for adequate SLO review.

On January 25, 2023, the Planning Commission conducted a work session on the proposed amendments ([Staff Report](#); [Minutes](#), p. 25). On March 22, 2023, the Planning Commission conducted a public hearing on the proposed amendments and unanimously forwarded a positive recommendation for City Council's consideration ([Staff Report](#); [Minutes](#), p. 41).

Background

In 1991, the City Council recognized the City's economic well-being was dependent on the appeal of the year-round resort destination and that protection of the City's natural resources, view corridors, and mountain environment was directly related to the City's appeal for both tourists and the quality of life for residents. On October 10, 1991, the City Council passed [Resolution No. 30-91](#) *Establishing Principles for the Protection of Sensitive Lands in the Park City Planning Area*, authorizing a sensitive lands study.

The following principles guided the study:

- A balance must be maintained between development and the City's natural habitat
- The development process must recognize and respect our natural landforms and vegetative patterns
- A balance must be achieved between the public's desire to preserve the natural alpine environment and the rights of private property owners to develop their land
- As development occurs, significant, contiguous areas of natural habitat should be left undisturbed
- The natural ridgelines must be retained as a backdrop to the City
- Stream corridors, flood plains, and wetlands should be preserved as natural areas
- Developed areas should relate in scale, texture, color, and density to the particular landscape in which they are located
- A thorough analysis of the environmental impacts of developing a site, including aesthetic impacts should be performed prior to approval of development of land
- Road development and other disturbance to natural habitat on the sides of mountains and hills should be limited or designed in such a way as to minimize their visual impact
- The removal or modification of natural earth forms such as rock outcroppings and minor ridges should be kept to a minimum as development occurs

In 1992, the City Council passed [Ordinance No. 92-17](#) *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands*. The Sensitive Land Overlay (SLO) restricts development in aesthetically and environmentally sensitive areas by requiring open space on hillsides, prohibiting development on ridgeline areas

and wetlands, and strictly regulating development in entry corridors through clustered development.

Minor modifications to the SLO were adopted over the years:

- On February 3, 2000, the City Council adopted [Ordinance No. 00-4](#) to adjust the SLO boundary along Deer Valley Drive East
- On December 6, 2007, the City Council adopted [Ordinance No. 07-81](#) to reduce repetitive SLO reviews by the Building and Planning Departments

The current [SLO](#) requires the following:

- Applicants with property in the SLO must identify sensitive environmental and aesthetic areas on their property, including steep slopes, ridgeline areas, wetlands, and stream corridors
- Staff reviews the proposal and applies SLO regulations – for example, development cannot occur within 150 feet of a designated Ridge Line Area and development is prohibited on or within 50 feet of a Very Steep Slope, defined as a slope greater than 40%
- Staff completes a Sensitive Area Determination with recommended locations for development, which is provided to the Planning Commission for consideration as part of a subdivision or Master Planned Development application
- Property owners may request relief if the SLO regulations deny all reasonable use of the property

To review the current SLO regulations, please see Land Management Code [Chapter 15-2.21](#).

Analysis

The Park City General Plan recommends protections for sensitive lands. Goal 4 is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting.² Goal 6 states Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change and Objective 6C is to support ecosystem health, biodiversity, and natural buffers between development and sensitive lands.³

The LMC implements the goals and policies of the General Plan, in part to allow development in a manner that encourages preservation of environmentally sensitive lands and to prevent development that adds to existing geologic hazards, erosion, flooding, degradation of air quality, wildfire danger or other conditions that create potential dangers to life and safety in the community or that detracts from the quality of life in the community.⁴

² General Plan, [Natural Setting](#), p. 4

³ General Plan, [Natural Setting](#), p. 6

⁴ LMC [Section 15-1-2](#) *Statement of Purpose*

The purposes of the SLO are to:

- Require dedicated Open Space in aesthetically and environmentally sensitive areas
- Encourage preservation of large expanses of Open Space and wildlife habitat
- Cluster development while allowing reasonable use of property
- Prohibit development on Ridge Line Areas, Steep Slopes, and wetlands
- Protect and preserve environmentally sensitive land⁵

The proposed amendments are outlined below:

Expand Ridge Line Areas

LMC [Section 15-15-1](#) defines *Ridge Line Area* as “[t]he top, ridge, or Crest of Hill, or Slope plus the land located within one hundred fifty feet (150’) on both sides of the top, crest, or ridge.” LMC [Section 15-15-1](#) defines *Crest of Hill* as “[t]he highest point on a hill or Slope as measured continuously throughout the Property. Any given Property may have more than one (1) Crest of Hill.”

When the SLO was first adopted in 1992, the map below illustrated designated Ridge Line Areas, limited to the areas within the City boundary at that time:

⁵ LMC [Section 15-2.21-1](#) *Sensitive Land Overlay Purpose*



Since the adoption of the first SLO, the City has annexed significant acreage. The proposed amendments include an SLO map to illustrate the properties within the SLO, and to update the Ridge Line Areas (Exhibit C). These Ridge Line Areas are estimates to be verified by a licensed surveyor pursuant to LMC [Section 15-2.21-3\(A\)\(2\)](#) at the time of Application.

Expand and Update Vantage Points

LMC [Section 15-2.21-3\(A\)\(4\)](#) designates Vantage Points from which visual assessments of projects in the SLO are completed. Vantage Points are considered by the Planning Commission when reviewing Steep Slopes⁶ and Ridge Line Areas. Development “should be sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points” (LMC [Section 15-2.21-5\(A\)](#)).

The recommended amendments update Vantage Points to reflect changes to current points listed and to expand Vantage Points to provide opportunities to evaluate projects that include acreage annexed into the City since the City Council adopted the SLO in 1992. The amendments also require Vantage Points for each project to be reviewed and approved by Planning staff and to be established by the Applicant with latitude and longitude coordinates.

The proposed amendments update both LMC [Section 15-2.21-3\(A\)\(4\)](#) *Designated Vantage Points* within the SLO and LMC [Section 15-15-1](#) *Definitions* to establish the following baseline Vantage Points with new Vantage Points underlined:

- McPolin Barn (3000 S.R. 224)
- Park City School District Campus
- Intersection of Main Street and Heber Avenue
- Park City Ski Area Base
- Snow Park Lodge
- Park Meadows Golf Course Clubhouse
- S.R. 248 at the turn-out one quarter mile west from HWY 40
- S.R. 224 one-half mile south of the intersection with Ute Boulevard
- Intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue
- The intersection of S.R. 224 and Holiday Ranch Loop Road
- The intersection of Queen Ester Drive and Deer Valley Drive
- City Hall (445 Marsac Avenue)
- The roundabout at the Park City Hospital (900 Round Valley Drive)
- The intersection of S.R. 248 and Richardson Flat Road
- Additional Vantage Points determined by Planning staff and/or the Planning Commission on a case-by-case basis for evaluation of project impacts on designated Ridge Line Areas (See Exhibit A Draft Ordinance Redlines 80 – 107 and 410 – 433)

Establish Sensitive Land Overlay evaluation for a Trails Master Plan and allow for Administrative Permit review for individual trails that comply with the Trails Master Plan

⁶ The LMC references Vantage Points in both the SLO regulations and Steep Slope Conditional Use Permit review criteria.

Each trail constructed in the Recreation and Open Space Zoning District and SLO requires an Administrative Permit and Sensitive Lands Analysis. The City's Trails and Open Space Manager requested the Planning Commission consider exceptions for trails constructed within the SLO if those trails are part of a Trails Master Plan that has been reviewed pursuant to the SLO requirements, recommended by the Planning Commission, and adopted by the City Council.

The proposed amendments allow for trails identified within the Trails Master Plan to be evaluated for consistency with the Trails Master Plan, rather than to require full SLO submittal and analysis for each individual trail. For those features within the SLO that may change or require updates like wetlands and Significant Vegetation, additional materials are recommended to be required as part of the Administrative Permit application and review at the time each trail is proposed to be constructed. The Trails Master Plan is proposed to be reviewed for SLO compliance at least once every three years (See Exhibit A Draft Ordinance Redlines 17 – 22).

Additionally, the SLO carves out an exception for ski slopes regarding limitations on grading. The proposed amendments carve out an exception for trails construction if the trail is part of the adopted Trails Master Plan (See Exhibit A Draft Ordinance Redlines 223 – 224).

Update Required Steep Slope Materials and Evaluation

LMC [Section 15-2.21-4](#) outlines Slope protections. LMC [Section 15-15-1](#) defines the following Slopes:

Slope, Steep. Slope greater than fifteen percent (15%).

Slope, Very Steep. Slope greater than forty percent (40%).

LMC [Section 15-2.21-4\(A\)](#) prohibits development within 50 feet of Very Steep Slopes. LMC [Section 15-2.21-3\(A\)\(1\)](#) requires Applicants to submit a Slope and topographic map for the property proposed for development. The recommended amendments require identification of Very Steep Slopes that may be within 50 feet of the property (See Exhibit A Draft Ordinance Redlines 42 – 43).

Additionally, the current code allows staff discretion regarding whether a Soils Investigation Report and Geotechnical Report are required. The proposed amendments require Applicants to submit a Soils Investigation Report and Geotechnical Reports for properties that have Steep Slopes or are within 50 feet of a Very Steep Slope to help expedite review and identify potential issues or additional information required prior to Planning Commission review (See Exhibit A Draft Ordinance Redlines 52 – 68).

Update Planning Applications to Outline Materials Required for Sensitive Lands Analysis

LMC [Section 15-2.21-2\(A\)](#) requires that Applicants proposing Development within the SLO submit a Sensitive Lands Analysis, which identifies Steep Slopes, Ridge Line Areas, Crest of Hills, wetlands, Stream Corridors, wildland interface, and wildlife habitat areas.

Staff reviews the Sensitive Lands Analysis and prepares a report for the Applicant and Planning Commission recommending areas suitable for development.⁷ The Planning Commission may impose Conditions of Approval through a subdivision, plat amendment, Conditional Use Permit, or Master Planned Development, including Affordable Master Planned Developments, to comply with the requirements of the SLO.

Staff recommends updating Planning Applications to outline what is required for those applications located in the SLO to put Applicants on notice prior to submitting their land use application and to ensure sufficient materials are submitted for full review. Staff also recommends updating [Section 15-2.21-3](#) to require a visual assessment for all SLO Applications.

The proposed updates to Applications require the following:

VISUAL ASSESSMENT FOR PROPOSED STRUCTURES

- Four panoramic views of existing property showing the site from the perimeter of the property from 90-degree compass intervals (camera facing toward site). Four panoramic views showing the neighborhood taken from the perimeter of the property at 90-degree compass intervals (camera facing away from site). One aerial photograph placing the subject in a neighborhood context.
- Streetscape elevation – including 100 feet on either side of the property along the project side of the street to indicate accurate height, width, and building or all proposed work in relation to existing surrounding and adjacent buildings, drawn at minimum 1/8 inch scale. If access to properties is limited, a photographic streetscape is allowed.
- A 3D massing model illustrating the proposed project from designated Vantage Points (see Planning Staff to review and establish Vantage Points for the Application).
- A rendering that superimposes the proposed project on a photo of the site and streetscape.

SLOPE/TOPOGRAPHIC MAP

- Certified boundary survey depicting contours at an interval of five feet (5') or less that identifies Very Steep Slopes (40% or greater) within fifty feet (50') of the Property boundary and highlights areas of high geologic hazard, areas subject to land sliding, and all Steep Slopes for areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally in the following categories:
 - o Greater than fifteen percent (15%), but less than or equal to thirty percent (30%) (shown in yellow)

⁷ LMC [Section 15-2.21-2\(C\)](#) *Site Development Suitability Determination*

- o Greater than thirty percent (30%) but less than or equal to forty percent (40%) (shown in orange)
- o Very Steep Slopes, greater than forty percent (40%) (shown in red)
- For properties with Steep Slopes or Very Steep Slopes within fifty feet (50') of the property, the following are also required:
 - o Soil Investigation Report as outlined in LMC Section 15-2.21-3(A)(3)(a)
 - o Geotechnical Report as outlined in LMC Section 15-2.1-3(A)(3)(b)
 - o Slope contours depicted at an interval of two feet (2')

RIDGE LINE AREAS

- Depict the top, ridge, or Crest of Hill or Slope plus the land located within one hundred fifty feet (150') on both sides of the top, crest, or ridge.

VEGETATIVE COVER AND SIGNIFICANT VEGETATION

- Detailed map of vegetative cover, depicting deciduous trees, coniferous trees, gable oak or high scrub, and sage, grassland, and agricultural crops.

VANTAGE POINTS

- See LMC Section 15-2.21-3(A)(6) for established Vantage Points and meet with Planning Staff to determine whether additional Vantage Points for the project are required.

WETLANDS

- As determined by the Army Corps of Engineers Wetlands Delineation Manual, as amended.

STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES

- Defined by the Ordinary High Water Mark, the line on the bank to which the high water ordinarily rises annually in season as indicated by changes in the characteristics of soil, vegetation, or other appropriate means which consider the characteristics of the surrounding Areas. Where the Ordinary High Water Mark cannot be found, the top of the channel bank shall be substituted. In braided channels, the Ordinary High Water Mark or substitute shall be measured so as to include the entire stream feature.

WILDLIFE HABITAT AREAS

- See LMC Section 15-2.21-3(A)(7)

Additional submittals may be required:

FIRE PROTECTION REPORT

- See LMC Section 15-2.21-3(B)(1)

HYDROLOGICAL REPORT

- See LMC Section 15-2.21-3(B)(2)

Department Review

The Planning Department, Engineering Department, and City Attorney's Office reviewed this report.

Notice

Staff posted notice to the Utah Public Notice and City websites on March 3, 2023. On March 6, 2023, staff mailed courtesy postcard notices to property owners within the Sensitive Land Overlay. The Park Record published notice on March 8, 2023.⁸

Public Input

No public input was provided prior to the publication of this staff report.

Several community members reached out to staff regarding clarification on whether the SLO applies to their property, which is not fully within the SLO, but partially within the SLO. LMC [Section 15-1-6\(B\)](#) states that "[w]here the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map." As a result, if development is proposed for the portion of the property within the SLO, an SLO analysis may be required for that area of the property and no changes to the SLO boundary are proposed at this time.

Alternatives

- The City Council may adopt Ordinance No. 2023-19 as recommended by the Planning Commission
- The City Council may modify and adopt Ordinance No. 2023-19
- The City Council may deny Ordinance No. 2023-19
- The City Council may continue the discussion to a date certain

Exhibits

Exhibit A: Ordinance No. 2023-19

Exhibit B: Ridge Line Area and Sensitive Overlay Map

⁸ LMC [§ 15-1-21](#)

Ordinance No. 2023-19

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE CHAPTER 15-2.21
SENSITIVE LAND OVERLAY ZONE REGULATIONS
AND SECTION 15-15-1 DEFINITIONS**

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City and implements the goals and policies of the General Plan;

WHEREAS, the Park City General Plan recommends protections for sensitive lands and Goal 4 is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting, and Goal 6 states Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change and Objective 6C is to support ecosystem health, biodiversity, and natural buffers between development and sensitive lands;

WHEREAS, in 1991, the City Council recognized the City's economic well-being was dependent on the appeal of the year-round resort destination and that protection of the City's natural resources, view corridors, and mountain environment was directly related to the City's appeal for both tourists and the quality of life for residents. On October 10, 1991, the City Council passed Resolution No. 30-91 *Establishing Principles for the Protection of Sensitive Lands in the Park City Planning Area*, authorizing a study of sensitive lands within the community;

WHEREAS, in 1992, the City Council passed Ordinance No. 92-17 *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land*

Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands;

WHEREAS, the Sensitive Land Overlay established in Land Management Code Chapter 15-2.21 requires dedicated Open Space in aesthetically and environmentally sensitive areas, encourages preservation of large expanded of Open Space and wildlife habitat, clusters development while allowing reasonable use of property, prohibits development on Ridge Line Areas, Steep Slopes, and wetlands, and protects and preserves environmentally sensitive land;

WHEREAS, while minor modifications to the Sensitive Land Overlay were enacted over the years, the City has annexed significant acreage and requires updates to Ridge Line Areas and Vantage Points;

WHEREAS, the Sensitive Land Overlay establishes exceptions for ski slopes and exceptions are expanded to the construction of trails if those trails are part of an approved Trails Master Plan the Planning Commission reviews for Sensitive Land Overlay compliance prior to adoption by the City Council;

WHEREAS, the Sensitive Land Overlay prohibits development within fifty feet of a Very Steep Slope and the proposed amendments require applicants to identify Very Steep Slopes within fifty feet of property boundaries;

WHEREAS, on March 3, 2023, staff posted notice to the Utah Public Notice and City websites, on March 6, 2023, staff mailed courtesy notices to property owners within the Sensitive Land Overlay, and on March 8, 2023 the Park Record published public notice;

WHEREAS, on January 25, 2023, the Planning Commission conducted a work session on the proposed amendments;

WHEREAS, on March 22, 2023, the Planning Commission conducted a public hearing and unanimously forwarded a positive recommendation for City Council's consideration;

WHEREAS, on April 27, 2023, the City Council conducted a public hearing;

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND

MANAGEMENT CODE. The recitals are incorporated herein as findings of fact.

Municipal Code of Park City Title 15 Land Management Code Chapter 15-2.21

Sensitive Land Overlay Zone Regulations and Section 15-15-1 *Definitions* are hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

Attachment 1

15-2.21-2 Overlay Review Process

The overlay review process has four primary steps:

- A. **SENSITIVE LANDS ANALYSIS**. Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, Crest of Hills, wetlands, Stream Corridors, Wildland interface, and wildlife habitat Areas and provide at time of Application, a Sensitive Lands Analysis. Every annexation must provide a Sensitive Lands Analysis.
- B. **APPLICATION OF OVERLAY ZONE REGULATIONS**. Regulatory standards apply to the type of Sensitive Lands delineated.
- C. **SITE DEVELOPMENT SUITABILITY DETERMINATION**. Staff shall review the Sensitive Lands Analysis, apply the applicable Sensitive Lands Overlay Regulations (15-2.21-4 through ~~[15-2.21-9]~~ 15-2.1-8), and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land.
- D. **TRAILS MASTER PLAN**. Trails proposed to be constructed in compliance with a Trails Master Plan that has been fully reviewed for compliance with this Chapter by the Planning Commission and adopted by the City Council require an Administrative Permit at the time of trail construction with wetland and Significant Vegetation evaluation only. The Trails Master Plan shall be reviewed for Significant Land Overlay compliance at least once every three years.

E. **HARDSHIP RELIEF**. If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property, the Planning Commission may modify application of these regulations to provide the Applicant reasonable Use of the Property.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [07-81](#) on 12/6/2007

15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions

A. **SENSITIVE LANDS ANALYSIS**. Any Applicant for Development must produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions:

1. **VISUAL ASSESSMENT**. A visual assessment of the Property from Vantage Points designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

2. **SLOPE/TOPOGRAPHIC MAP**. A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must identify Very Steep Slopes within fifty feet (50') of the Property boundary [The map] and must highlight Areas of high geologic hazard, Areas subject to land sliding, and all **[significant]** Steep

Slopes^[4] for Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally in the following categories:

- a. Greater than fifteen percent (15%), but less than or equal to thirty percent (30%);
- b. Greater than thirty percent (30%) but less than or equal to forty percent (40%); and
- c. Very Steep Slopes, greater than forty percent (40%).

3. **FOR PROPERTIES WITH STEEP SLOPES OR WITH VERY STEEP SLOPES WITHIN FIFTY FEET (50') OF THE PROPERTY, THE FOLLOWING ARE ALSO REQUIRED:**

- a. **SOIL INVESTIGATION REPORT.** A soil investigation report, including but not limited to shrink-swell potential water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.
- b. **GEOTECHNICAL REPORT.** A geotechnical report which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high-hazard Areas such as mine shafts and avalanche paths.

c. **ADDITIONAL SLOPE INFORMATION.** A Slope/topographic map depicting contours at an interval of two feet (2').

4. **RIDGE LINE AREAS.** A map depicting all ~~[Crests]~~ Crest of Hills and Ridge Line Areas.

5. **VEGETATIVE COVER.** A detailed map of vegetative cover, depicting the following:

- a. Deciduous trees;
- b. Coniferous trees;
- c. Gamble oak or high shrub; and
- d. Sage, grassland, and agricultural crops.

The Planning Department may require a more detailed tree/ vegetation survey if the Site has unusual or Significant Vegetation, stands of trees, or woodlands.

6. **DESIGNATED ~~[ENTRY CORRIDORS AND]~~ VANTAGE POINTS.**

Designated ~~[entry corridors and]~~ Vantage Points from which the proposed project is visible ~~[present within or adjacent to the Site, including Utah Highway 248 east of Wyatt Earp Way and Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive]~~ as identified by Staff and confirmed by the Applicant with latitude and longitude coordinates.

Typical Vantage Points may include but are not limited to locations within or near ~~[are]~~:

- a. ~~[Osguthorpe/]~~McPolin Barn (3000 S.R. 224)

- b. ~~[Treasure Mountain Middle School]~~ Park City School District Campus
- c. Intersection of Main Street and Heber Avenue
- d. Park City Ski Area Base
- e. Snow Park Lodge
- f. ~~[Park City Golf Course Clubhouse]~~ Intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue
- g. Park Meadows Golf Course Clubhouse
- h. ~~[Utah Highway]~~ S.R. 248 at the turn-out one quarter mile west from ~~[U.S. Highway]~~ HWY 40
- i. ~~[Highway]~~ S.R. 224, ~~[2]~~ one-half mile south of the intersection with ~~[Kilby Road]~~ Ute Boulevard
- j. The intersection of S.R. 224 and Holiday Ranch Loop Road
- k. The intersection of Queen Esther Drive and Deer Valley Drive
- l. City Hall (445 Marsac Avenue)
- m. The roundabout at the Park City Hospital (900 Round Valley Drive)
- n. The intersection of the Rail Trail and Richardson Flat Road
- o. Additional Vantage Points established on a case-by-case basis for evaluation of project impacts on designated Ridge Line Areas

7. **WETLANDS.** A map delineating all Wetlands established by using the 1987 *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended. (See Section 15-2.21-6).

111 8. **STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES.** A map
112 delineating all stream corridors, canals, and irrigation ditches, defined by
113 the Ordinary High-Water Mark.

114 9. **WILDLIFE HABITAT AREAS.** A map depicting all wildlife habitat Areas,
115 as defined by a Wildlife Habitat Report shall be provided by the applicant.
116 The Wildlife Habitat Report shall be prepared by a professional, qualified
117 in the Areas of ecology, wildlife biology, or other relevant disciplines and
118 describe the following:

- 119 a. The ecological and wildlife Use characterization of the Property
120 explaining the species of wildlife using the Areas, the times or
121 seasons the Area is used by those species, and the value, e.g.
122 meaning feeding, watering, cover, nesting, roosting, or perching,
123 that the Area provides for such wildlife species;
- 124 b. The existence of critical wildlife movement corridors;
- 125 c. The existence of special habitat features, including Key nesting
126 Sites, feeding Areas, calving or production Areas, Use Areas for
127 migrant song birds and grassland birds, fox and coyote dens, deer
128 and elk winter concentration Areas as identified by the Utah
129 Division of Wildlife, and Areas of high terrestrial or aquatic insect
130 diversity.
- 131 d. Areas inhabited by or frequently utilized by any species identified
132 by state or Federal agencies as Threatened or Endangered.

e. The general ecological functions provided by the Site and its features[;].

f. Potential impacts on these existing wildlife species that would result from the proposed [movement] Development.

B. **ADDITIONAL INFORMATION AND STUDY REQUIREMENTS**. The Planning Department may require the Applicant to submit the following information, as applicable:

~~1. **[VISUAL ASSESSMENT]**. A visual assessment of the Property from Vantage Points designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.~~

~~2. **SOIL INVESTIGATION REPORT**. A soil investigation report, including but not limited to shrink-swell potential water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.~~

~~3. **GEOTECHNICAL REPORT**. A geotechnical report which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high-hazard Areas such as mine shafts and avalanche paths.~~

156 4. ~~**ADDITIONAL SLOPE INFORMATION.** If the size of the proposed~~
157 ~~Development and visual sensitivity of the Site dictate, the Planning~~
158 ~~Department may require the Applicant to submit a Slope/topographic map~~
159 ~~depicting contours at an interval of two feet (2').]~~

160 5. **FIRE PROTECTION REPORT.** A fire protection report that identifies
161 potential Wildland Urban Interface areas. Analysis must include fire
162 hazards, mitigation measures, access for fire protection equipment,
163 existing and proposed fire flow capability and compliance with the
164 International Wildland Urban Interface Code, the Summit County Wildfire
165 Plan, and the Municipal Code Chapter 11-21, Utah Wildland-Urban
166 Interface Code.

167 6. **HYDROLOGICAL REPORT.** A hydrological report, including information
168 on groundwater levels, drainage channels and systems, and base
169 elevations in flood plains.

170 C. **SENSITIVE LANDS DETERMINATION.** The Planning Department shall review
171 the information presented in the Sensitive Lands Analysis, as described in
172 Section 15-2.21-3(A) and Section 15-2.21-3(B), and provide a recommendation
173 to the Planning Commission determining and delineating all Sensitive Lands on
174 the parcel, including Steep Slope Areas, Ridge Lines Areas, Entry Corridors,
175 Wetlands, Stream Corridors, Irrigation Ditches, Wildland and Wildfire Interface
176 Areas, and Critical Wildlife Movement Corridors and Habitat Areas.

1. **DENSITY TRANSFER.** Whenever land within the Sensitive Area Overlay Zone is subject to more than one (1) Density Transfer provision, the more restrictive provision shall apply.

~~⁴Slope determinations shall be made upon Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally.~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [07-81](#) on 12/6/2007

Amended by Ord. [2020-35](#) on 7/9/2020

15-2.21-4 Sensitive Lands Regulations - Slope Protection

The following Slope protection provisions apply in the Sensitive Land Overlay Zone:

A. **PROHIBITIONS.** No Development is allowed on or within fifty feet (50'), map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically, upslope or downslope, and fifty feet (50') horizontally in any direction to be subject to this prohibition.

The Planning commission may vary the Setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the suitability review:

1. Varying the Setback does not create an intrusion by Buildings into the Ridge Line Area when viewed from ~~[Land Management Code]~~ designated

- Vantage Points, Section 15-2.21-3(A)(4), or other Vantage Points designated by the Planning staff or Commission, Section 15-2.21-3(B)(1);
2. Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to Sections 15-2.21-4(B), (C), and (E);
 3. Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios in the area of the Very Steep Slope setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal excavation/backfill Areas, whichever is greater;
 4. No additional erosion, land subsidence, or avalanche hazard is created;
 5. The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance;
 6. The reduction in Setback results in a reduction in overall project Density or Development massing as established by the Planning Staff's Site Suitability Determination[7]; and
 7. In no case shall additional disturbance be allowed beyond the maximum area determined in the Site Development Suitability Determination (See Section 15-2.21-2(C)).
- B. **GRADED OR FILLED SLOPES**. The Applicant must avoid or, to the greatest extent possible, minimize proposed cuts and fills. Cutting and filling to create

additional or larger Building Sites shall be kept to a minimum and shall be avoided to the maximum extent feasible. Except for ski Slopes and trails approved as part of the adopted Trails Master Plan, Graded or filled Slopes shall be limited to a 3 to 1 Slope or less. All Graded Slopes shall be recontoured to the natural, varied contour of surrounding terrain.

C. **BENCHING OR TERRACING**. Benching or terracing to provide additional or larger Building Sites is prohibited.

D. **STREETS AND ROADS**. Streets and roads, proposed for Steep Slopes may not:

1. Cross Slopes of thirty percent (30%) or greater. A short run of not more than one hundred feet (100') may be allowed to cross Slopes greater than thirty percent (30%) if the Planning Director and the City Engineer conclude that such Streets or roads will not have significant adverse visual, environmental, or safety impacts.

2. Streets and roads proposed to cross Slopes greater than ten percent (10%) are allowed, subject to the following:

- a. Proof that such Street and/or road will be built with minimum environmental damage and within acceptable public safety parameters; and

- b. Such Street and road design generally follows contour lines to preserve the natural character of the land, and are Screened with trees or vegetation.

3. Cutting and filling is minimized and appropriately re-vegetated.

E. **RETAINING WALLS**. The Use, design, and construction of all retaining walls is subject to an Administrative Permit based upon assessment of visual impact, Compatibility with surrounding terrain and vegetation, and safety.

F. **LANDSCAPING AND REVEGETATION**. An Applicant must commit to landscaping or re-vegetating exposed Slopes. Topsoil from any disturbed portion of a Steep Slope must be preserved and utilized in re-vegetation. Fill soil must be of a quality to support plant growth.

G. **PRIVATE DEVELOPMENT DESIGN STANDARDS**. All Development on Steeps Slopes shall comply with the design standards set forth in [LMG] Chapter 15-5.

H. **OPEN SPACE AND DENSITY ON DELINEATED PORTIONS OF SITES WITH STEEP SLOPES GREATER THAN FIFTEEN PERCENT (15%) BUT LESS THAN OR EQUAL TO FORTY PERCENT (40%)**. In addition to the specific Development regulations set forth above, the following regulations apply:

1. **OPEN SPACE**. Seventy-five percent (75%) of the Steep Slope Area must remain as Open Space.

2. **DEVELOPABLE LAND**. Twenty-five percent (25%) of the Steep Slope Area may be Developed in accordance with the underlying zoning subject to the following conditions:

- a. **MAXIMUM DENSITY**. The maximum Density on Developable Land within a Steep Slope Area is governed by the underlying zoning and proof that the proposed Density will not have a significant adverse visual or environmental affect on the community.

- b. LOCATION OF DEVELOPABLE LAND. The Developable Land in a Steep Slope Area is that Area with the least visual and environmental impacts, as determined by the Sensitive Lands Determination (See Section 15-2.21-2(C)), including the Visual Assessment, and considering the visual impact from key Vantage Points, potential for Screening location of natural drainage channels, erosion potential, vegetation protection, Access, and similar Site design criteria. Based upon such analysis, the Planning Department may require the Applicant to Site the Developable Land pursuant to one or more of the following techniques:
1. Clustered Development, or
 2. dispersed Development, or
 3. Transfer of Density to the least sensitive portions of the Site.¹
- c. DENSITY TRANSFER. Upon proof of a sensitive Site plan, the Applicant may Transfer up to twenty-five percent (25%) of the Densities from the Open Space portion of the Site to the Developable Land.
- d. SUITABILITY DETERMINATION. The Applicant must prove that the Development will have no significant adverse impact on adjacent Properties. The Planning Commission shall determine that the Proposal complies with this ~~[chapter]~~ Chapter if the Applicant proves:

1. The Density is Compatible with that of adjacent Properties.
2. The Architectural Detail, height, building materials, and other design features of the Development are Compatible with adjacent Properties.
3. The Applicant has adopted appropriate mitigation measures such as landscaping, Screening, illumination standards, and other design features to buffer the adjacent Properties from the Developable Land.

I. **OPEN SPACE AND DENSITY ON VERY STEEP SLOPES.**

1. **REQUIRED OPEN SPACE.** One hundred percent (100%) of the Very Steep Slope Area shall remain in open space. No vegetation within fifty vertical feet (50') in elevation of the Very Steep Slope Area shall be disturbed, except as permitted by the Planning Commission per Section 15-2.21-4.
2. **TRANSFER OF DENSITY.** Up to ten percent (10%) of the Densities otherwise allowed in the zone may be transferred to Developable Land subject to a Suitability Determination (See Section 15-2.21-4(H)(2)(d)).

J. **MASTER PLANNED DEVELOPMENT (MPD) TDR OPEN SPACE**

REQUIREMENTS. The Planning Commission at the time of Master Planned Development or Subdivision review, may reduce the TDR Open Space requirements upon a determination that:

1. the Sensitive Land ~~[open-space]~~ Open Space set aside is sufficient for the Development,

- 312 2. sufficient neighborhood and TDR Open Space is set aside within the
313 Developable Land to serve residents of the Development, and
314 3. not less than twenty percent (20%) of the Developable Land is set aside
315 for TDR Open Space.

316 K. **DENSITY BONUSES**. In addition to the Density Transfers permitted pursuant to
317 this Section, the Planning Department may recommend that the Planning
318 Commission grant up to a twenty percent (20%) increase in Transferable
319 Densities if the Applicant:

- 320 1. offers to preserve ~~[open-space]~~ Open Space to ensure the long-term
321 protection of a significant environmentally or visually sensitive Area in a
322 manner approved by the City; or
323 2. provides public Access as shown on the Trails Master Plan; or
324 3. restores degraded wetlands or environmental Areas on the Site or makes
325 other significant environmental improvements.

326 ¹Development shall be Sited to preserve the open meadow vistas.

327 HISTORY

328 *Adopted by Ord. [00-51](#) on 9/21/2000*

329 *Amended by Ord. [05-40](#) on 7/7/2005*

330 *Amended by Ord. [07-81](#) on 12/6/2007*

331 **15-2.21-5 Sensitive Lands Regulations - Ridge Line Area Protection**

332 A. **INTENT**. The intent of these provisions is to ensure that Development near Ridge
333 Line Areas blends with the natural contour of these land forms. Significant Ridge
334 Line Areas should be retained in a natural state, and Development should be

sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points.

B. **MINIMUM SETBACK**. No Structure or other appurtenant device, including mechanical equipment may visually intrude on the Ridge Line Area from any of the designated Vantage Points as depicted herein, or as identified by the Planning Commission during review of an annexation or Master Planned Development.

C. **OPEN SPACE AND DENSITY**. The following regulations apply to all Ridge Line Areas in the Sensitive Overlay:

1. **OPEN SPACE**. One hundred percent (100%) of the Ridge Line Area shall remain in open space.

2. **DENSITY TRANSFER**. The Planning Commission may Transfer up to twenty-five percent (25%) of the Densities otherwise allowed in the Ridge Line Area to Developable Land subject to a Suitability Determination. (See Section 15-2.21-4(H)(2)(d)).

D. **DENSITY BONUSES**. In addition to the Density Transfers permitted pursuant to this Section, at MPD or subdivision review~~[.The]~~, the Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in Transferrable Densities if the Applicant:

1. offers to preserve open space to ensure the long-term protection of a significant environmentally or visually sensitive Areas in a manner approved by the City; or

2. provides public Access for trails, as shown on the Trails Master Plan; or

3. restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [07-81](#) on 12/6/2007

15-2.21-6 Sensitive Lands Regulations - Wetlands And Stream Protection

- A. **INTENT**. The following requirements and standards have been developed to promote, preserve, and enhance wetlands and Stream Corridors and to protect them from adverse effects and potentially irreversible impacts.
- B. **JURISDICTION**. All Wetlands and Stream Corridors are regulated as provided below.
- C. **PROHIBITED ACTIVITIES**. No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.
- D. **BOUNDARY DELINEATIONS**. The Applicant must provide a wetlands delineation by a qualified professional utilizing the methods of the *1987 Army Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended. The boundary of stream corridors and wetlands shall be delineated at the Ordinary High Water Mark as defined in ~~[LMC Chapter 15-15]~~ Section 15-15-1.
- E. **DETERMINATION OF WETLANDS, STREAMS AND IRRIGATION DITCHES**.

1. **WETLAND CRITERIA.** A wetland that meets the criteria of the *1987 Army Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands* is a Wetland.
2. **STREAM CORRIDOR.** All Stream Corridors which exist within the property. Irrigation ditches are not Stream Corridors.
3. **IRRIGATION DITCHES.** An irrigation ditch that meets the Army Corps of Engineers definition for waters of the United States must comply with the regulations of stream corridors within this ~~[section]~~ Section.

F. **SETBACKS**. The following Setbacks are required:

1. Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland Ordinary High Water Mark.
2. Setbacks from Stream Corridors shall extend a minimum of fifty feet (50') outward from the Ordinary High Water Mark.
3. Setbacks from irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States shall extend a minimum of twenty feet (20') from the Ordinary High Water Mark.

G. **RUNOFF CONTROL**. All projects adjacent to wetlands, Stream Corridors, or irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States, must apply best management practices for both temporary and permanent runoff control to minimize sediment and other contaminants.

H. **HABITAT RESTORATION PROJECTS**. The Planning Department may approve wetland and Stream Corridor restoration and enhancement projects if the project plan has been reviewed by a Qualified Professional, approved by the appropriate

state and federal agencies, and performed under the direct supervision of a
Qualified Professional.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [07-81](#) on 12/6/2007

15-15-1 Definitions

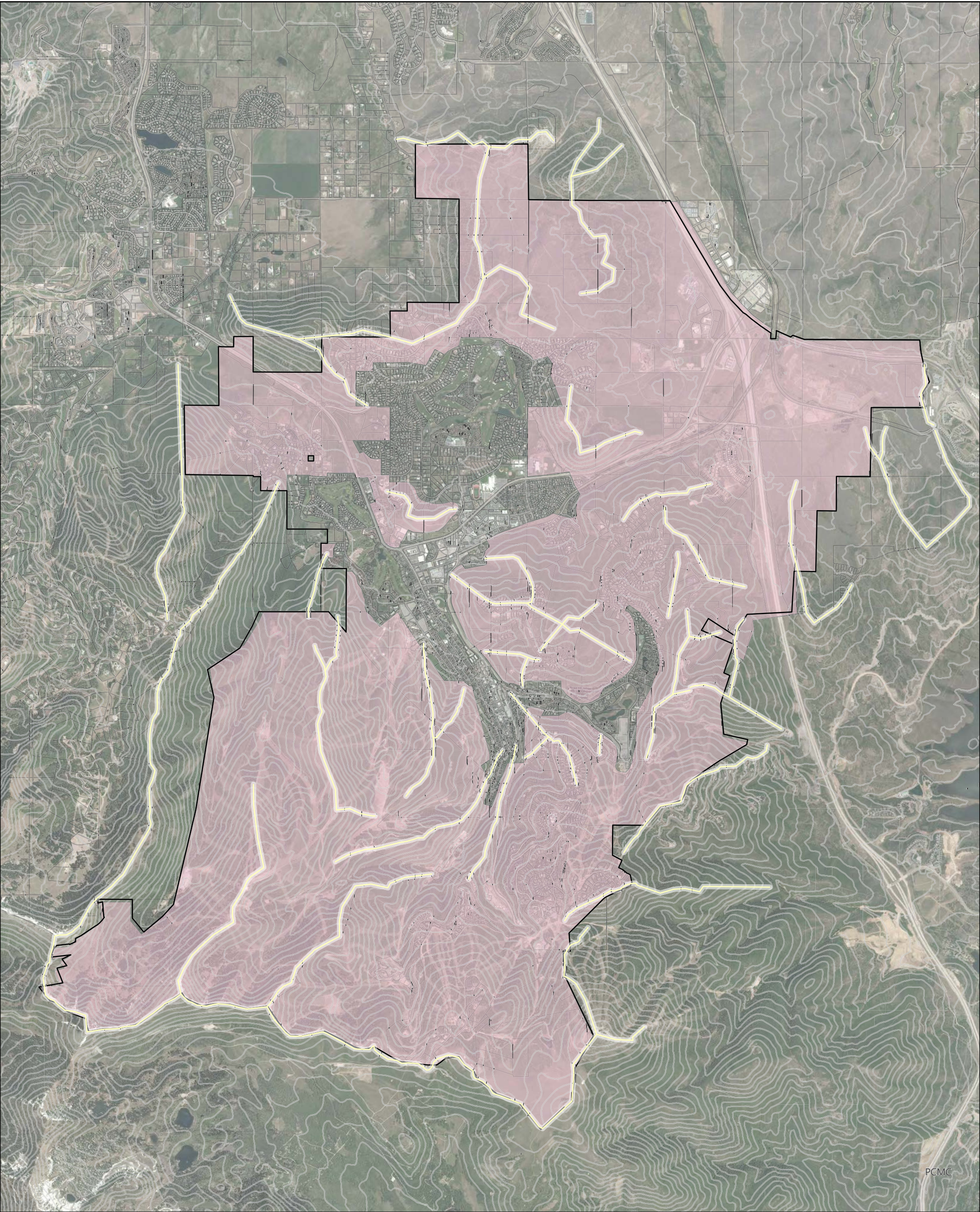
. . . .

VANTAGE POINTS. A height of five feet (5') above a set reference marker in the
following designated Vantage Points within Park City that function to assist in analyzing
the visual impact of Development on ~~[hillsides and]~~ Steep Slopes:

1. ~~[Osguthorpe Barn]~~ McPolin Barn (3000 S.R. 224);
2. ~~[Treasure Mountain Middle School]~~ Park City School District Campus;
3. Intersection of Main Street and Heber Avenue;
4. Park City Ski Area Base;
5. Snow Park Lodge;
6. ~~[Park City Golf Course Clubhouse]~~ Intersection of Thaynes Canyon Drive and
S.R. 224/Park Avenue;
7. Park Meadows Golf Course Clubhouse;
8. ~~[State Road]~~ S.R. 248 at the turn-out one quarter mile west from ~~[U.S. Highway]~~
HWY 40;
9. ~~[State Road]~~ S.R. 224, one-half mile south of the intersection with ~~[Kilby Road]~~
Ute Boulevard;
10. ~~[Intersection of Thaynes Canyon Drive and State Road 224; and]~~

- 426 11. ~~[Across valley view.]~~
- 427 12. The intersection of S.R. 224 and Holiday Ranch Loop Road
- 428 13. The intersection of Queen Esther Drive and Deer Valley Drive
- 429 14. City Hall (445 Marsac Avenue)
- 430 15. The roundabout at the Park City Hospital (900 Round Valley Drive)
- 431 16. The intersection of the Rail Trail and Richardson Flat Road
- 432 17. Additional Vantage Points established on a case-by-case basis for evaluation of
- 433 project impacts on designated Ridge Line Areas

Park City Ridgelines



PCMC

-  Ridgelines (2023)
-  150 ft No Build Zone
-  City limits
-  100 ft contours
-  Sensitive Lands

0 0.25 0.5 1 Miles



Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Engineering

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Authorize the City Manager to Execute a Construction Agreement in a Form Approved by the City Attorney's Office with Staker & Parson Companies DBA Parsons Materials & Construction for the Upper Main Street Improvements Project Not to Exceed \$1,168,796.00
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Upper Main Street Improvements Construction Award Staff Report](#)
[Exhibit A: Bid Schedule](#)

City Council Staff Report



Subject: CP0556 Upper Main Street Improvements Project Construction Award
Author: Gabriel Shields
Department: Engineering
Date: April 27, 2022
Type of Item: Administrative – Award of Contract

Recommendation

Review and consider authorizing the City Manager to execute a Construction Agreement in a form approved by the City Attorney's Office with Staker & Parson Companies DBA Parsons Materials & Construction for the Upper Main Street Improvements Project (Project) Construction not to exceed \$1,168,796.

Background

Following concept design and significant community outreach efforts presented to the Council on [December 8, 2022](#) (Page 296), the Engineering Department advanced the project design through final design and advertising via a Design Professional Services Agreement with Stanley Consultants. The Project evolved from concept design to a 60% milestone, 90% milestone, and 100% milestone submittal. Each milestone submittal included interdepartmental reviews by engineering and public works and coordination with Snyderville Basin Water Reclamation District.

Analysis

The Invitation to Bid was published on March 7, 2023, and advertised for three weeks on the Utah Public Procurement Place (U3P) and the Park City Corporation website. A pre-bid meeting was held on March 14, 2023, and five interested parties attended. Electronic bids were required by 2:00 p.m. on March 28, 2023, followed by a public bid opening conducted on Zoom. Staker & Parson Companies DBA Parsons Materials & Construction was the only bid received.

See below for a graphical depiction of the neighborhood community improvement concept design.



Figure 1 - Project Overview

Despite the bid being approximately 13% above the engineer's estimate provided by Stanley Consultants, we believe it remains appropriate and consistent with additional and escalating costs of the construction industry and trades. Finally, the timing of this project is important, and a rebidding may result in a an entire construction season delay.

	Firm	Total Bid
1.	Staker & Parson Companies DBA Parsons Materials & Construction	\$1,168,796.00

Department Review

Engineering, Community Engagement, Public Works, and Legal have reviewed the construction documents, received bid, and this staff report.

Funding

The Upper Main Street Improvement project is fully funded using Additional Resort Sales Tax funds.

Exhibits

Exhibit A: Staker & Parson Companies DBA Parsons Materials & Construction Bid Form

DOCUMENT 00 43 00 - BID SCHEDULE

PART 1 GENERAL

1.1 DOCUMENT INCLUDES

A. PRICE SCHEDULES.

No.	Item	Quantity	Units	Unit Price	Total Price
1	Mobilization/Demobilization	1	LS	168,000	168,000
2	Survey	1	LS	33,000	33,000
3	Public Information Services	1	LS	30,000	30,000
4	Temporary Traffic Control	1	LS	171,500	171,500
5	Milling	2638	SY	15.00	39,570
6	Remove Existing Curb and Gutter	1154	LF	24.00	27,696.00
7	Remove Existing Concrete Sidewalk	393	SY	60.00	23,580
8	Remove Existing Roadway Pavement	1021	SY	23.00	23,483
45	Remove Bollard	3	EA	420.00	1,260.00
9	Roadway Excavation	180	CY	140.00	25,200
10	Base Course	89	CY	231.00	20,559
11	Asphalt Concrete (PG 58-28)	552	TON	200.00	110,400
12	Tack Coat	1	TON	5,520.00	5,520.00
13	Portland Cement Concrete Pavement	199	SY	270.00	53,730.00
14	Retractable Bollard	5	EA	3,500.00	17,500.00
15	Bollard	2	EA	1,680.00	3,360.00
16	Modified Type A Curb and Gutter	1283	LF	84.00	107,772.00
17	Modified Type G Curb and Gutter	153	LF	74.00	11,322.00
18	Granite Curb	100	LF	140.00	14,000.00
19	Concrete Sidewalk 5.5 Inch Thick	376	SY	124.00	46,624.00
20	Brick Paving	426	SF	70.00	29,820.00
21	Granite Stone Paver Sidewalk	189	SF	70.00	13,230.00
22	Pedestrian Ramp	3	EA	5,740.00	17,220.00
23	Mid-block Pedestrian Access Ramp	1	EA	5,320	5,320.00
24	Concrete Driveway	1544	SF	24.00	37,056.00
25	Pavement Marking Message Paint, 12 inch white	239	LF	3.00	717.00
26	Pavement Marking Paint, 4 inch yellow	160	LF	2.50	400.00
27	Pavement Marking Message, Yield Triangle	2	EA	205.00	410.00
28	Remove Sign	1	EA	140.00	140.00

29	36" X 36" X 36" Sign Panel R1-2 (YIELD), (includes post and foundation)	2	EA	420.00	840.00
30	30" X 30" Sign Panel R1-1 (STOP), (includes post and foundation)	1	EA	420.00	420.00
31	36" X 48" Custom Sign Panel (NO THROUGH TRAFFIC)	1	EA	420.00	420.00
32	12" X 18" Sign Panel R7-1 (NO PARKING) (includes post and foundation)	0	EA	300.00	0.00
33	Straw Bale Barrier	6	EA	350.00	2,100.00
34	Silt Fence	19	LF	35.00	665.00
35	Landscaping	152	SY	115.00	17,480.00
36	Topsoil	8	CY	119.00	952.00
37	Adjust Irrigation System	1	LS	6,800.00	6,800.00
38	Adjust Meter to Grade	14	EA	1,400.00	19,600.00
39	Adjust Valve Box to Grade	25	EA	1,260.00	31,500.00
40	Adjust Manhole to Grade	15	EA	1,680.00	25,200.00
41	Junction Box	3	EA	1,400.00	4,200.00
42	Spare 2" Conduit	362	LF	35.00	12,670.00
43	Reconstruct Existing Inlet Box to Curb Face Inlet Box	1	EA	3,920.00	3,920.00
44	Adjust Catch Basin to Grade	1	EA	3,640.00	3,640.00

BID TOTAL

One million, one hundred and sixty-eight thousand seven hundred and Ninety-Six dollars and zero Cents.

Dollars (\$ 1,168,796.00)

B. MEASUREMENT AND PAYMENT PROVISIONS.

BID ITEM MEASUREMENT AND PAYMENT

GENERAL

This section provides a description of the items in the Bid Schedule of these Contract Documents. The quantities of work or material stated in unit price items of the Bid are supplied only to give an indication of the general scope of the Work; the Owner does not expressly or by implication agree that the actual amount of Work or material will correspond therewith, and reserves the right after award to increase or decrease the quantity of any unit price item of the Work without a change in the unit price, and shall include the right to delete any Bid item in its entirety. Payment for materials and labor will be based on actual quantities furnished, installed, or constructed in accordance with the prices bid for unit price items. Lump sum items will not change to reflect actual quantities or services rendered unless those items are completely deleted from the project.

The Owner may terminate Work on the project at any point if, in the Owner's judgment, the Owner's best interests are not served by continuation. Conditions which may lead to project termination include, but are not limited to, inability to acquire necessary access permits, or indications of low groundwater development potential, as determined during drilling and well testing. In such an event, the Contractor shall be paid for the value of Work completed at that time, in accordance with the unit price and lump sum items listed on the Bid Schedule form.

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Engineering

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Authorize the City Manager to Execute the following: a Construction Agreement with Beck Construction & Excavation, Inc. in a Form Approved by the City Attorney, Not to Exceed \$1,980,562 to Construct the Site Improvements; a Construction Agreement with Dimensional Innovations in a Form Approved by the City Attorney, Not to Exceed \$274,228 to Fabricate and Install Bus Shelters; and a Design Professional Services Agreement with WCG in a Form Approved by the City Attorney, Not to Exceed \$112,244 to Provide Construction Management
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Combined Award Staff Report](#)

[Exhibit A: Site Improvement Drawings](#)

[Exhibit B: Bus Shelter Drawings](#)

City Council Staff Report



Subject: Contract Awards for the Park Avenue Bus Stop Site Improvements
Author: Gabriel Shields, PE, Transportation Engineer
Department: Engineering
Date: April 27, 2023
Type of Item: New Business

Recommendation

Consider a request to authorize the City Manager to execute the following:

- Construction agreement with Beck Construction & Excavation, Inc (Contractor) in a form approved by the City Attorney, not to exceed \$1,980,562 to construct site improvements;
- Construction agreement with Dimensional Innovations (Fabricator) in a form approved by the City Attorney, not to exceed \$274,228 to fabricate and install new bus shelters; and
- Design Professional Services Agreement with WCG (Consultant) in a form approved by the City Attorney, not to exceed \$112,243.96 to provide project oversight and construction management services.

Executive Summary

The Engineering Department completed the design of the Enhanced Bus Shelters Site Improvements at Fresh Market and Park Avenue Condos (Project) to completely renovate and overhaul two of Park City's most utilized, prominent, and congested transit stops.

To complete the construction project on HWY224, simultaneous procurements were developed for the construction of the site improvements, the fabrication and installation of shelters, and construction project management and oversight. Construction will begin in the summer of 2023 and hopefully completed Fall 2023. Engineering developed multiple procurements satisfying Local, State, and Federal requirements. The construction, construction management, and shelters are primarily funded through a Coronavirus Aid, Relief, and Economic Security (CARES) Grant, Federal Transit Administration (FTA) grants, and county sources.

The Engineering Department is seeking Council consideration and approval for three separate contracts.

Background - Construction of Site Improvements

Park City is utilizing a phased approach to coordinate and centralize bus stops and bus shelter improvements throughout Park City. The phased approach focuses first on shelters located on gateway corridors with high boarding numbers and safety concerns. Improving shelters and adding amenities promote safety and garner additional ridership and positive experiences on Park City Transit.

This project removes and replaces both shelters on Park Avenue at approximately 1755 Park Avenue and 1760 Park Avenue (Park Ave Condos and Fresh Market, respectively). The existing shelters must be updated to provide adequate shelter for the volume of users, updated safety and rider amenities, and to meet modern ADA requirements. The benefits include additional pedestrian staging space, wider sidewalks, new lighting, seating, bike racks, and updated “Next Bus” information.



Figure 1 – Site Plan of Site Improvements

The City received a bid exceeding programmed funding during an initial advertising period. Engineering coordinated closely with UDOT and the bidder to reconcile the bid within procurement rules but ultimately decided to readvertise the project in a different format.

The second advertisement separated the project into two bid schedules. Bid Schedule A includes all elements required to construct the site improvements at the transit stops and adjacent driveways. Bid Schedule B includes additive bid items such as sidewalks and retaining walls extending north along HWY224 around the Double-Tree Hotel and east along HWY248.

Construction was advertised on March 31, 2023, for two weeks. A mandatory pre-bid meeting was held on April 7, 2023, followed by a bid opening on April 14, 2023. Bids were reviewed, and we determined that the Contractor with the lowest price was the responsible bidder. Having reviewed the bid schedules, Engineering seeks to award Bid Schedule A only; Bid Schedule B was priced beyond the programmed funding amount for the Project. It is anticipated that Bid Schedule B items can be achieved in concert with any future redevelopment of the Double Tree Hotel.

During the site improvement construction, artwork on top of the existing shelters will be removed in coordination with the Public Art Advisory Board (PAAB). Previous discussions with PAAB indicate that the art will be relocated to a new location in Park City. PAAB will also consider installing new artwork with the new bus shelters.

Background – Shelter Fabrication and Installation

On May 21, 2019, the City executed a Design Professional Services Agreement (DPSA) with AECOM Technical Services to develop plans and specifications for a scalable bus shelter to be used throughout the City. The shelters were intended to pay tribute to the mining history of Park City and incorporate materials that complement the natural and built environment, such as corrugated metal roofing and timber.

Engineering released an Invitation to Bid on November 11, 2021. Bids were evaluated, and Dimensional Innovations was selected as the lowest responsible bidder. The construction agreement for \$162,303 was presented as New Business at the [January 13, 2022](#) (page 323), City Council meeting with a term expiring September 30, 2022. This item included the shelter design renderings, as shown in Figure 2. During the meeting, Engineering was directed to revise the shelter design to incorporate more timber materials and provide a means for sharing community information.



Figure 2 - Architectural Rendering of Initial Shelter Design; Signage and Amenities Not Shown

Engineering collaborated with community members, including Friends of Ski Mountain Mining History, various departments, AECOM, and Dimensional Innovations, to revise the shelter design. Multiple iterations were considered, ultimately resulting in the concept shown below in Figure 2. This concept was presented during the City Council meeting on [May 12, 2022](#) (page 100).



Figure 3 - Architectural Rendering of Revised Shelter Design, Signage, and Amenities Not Shown

After the conceptual shelter designs were presented, Engineering finalized the design to modify architectural elements and incorporate digital signage and messaging. The screens will show bus arrival and route information and can be used to communicate important messages to the community.

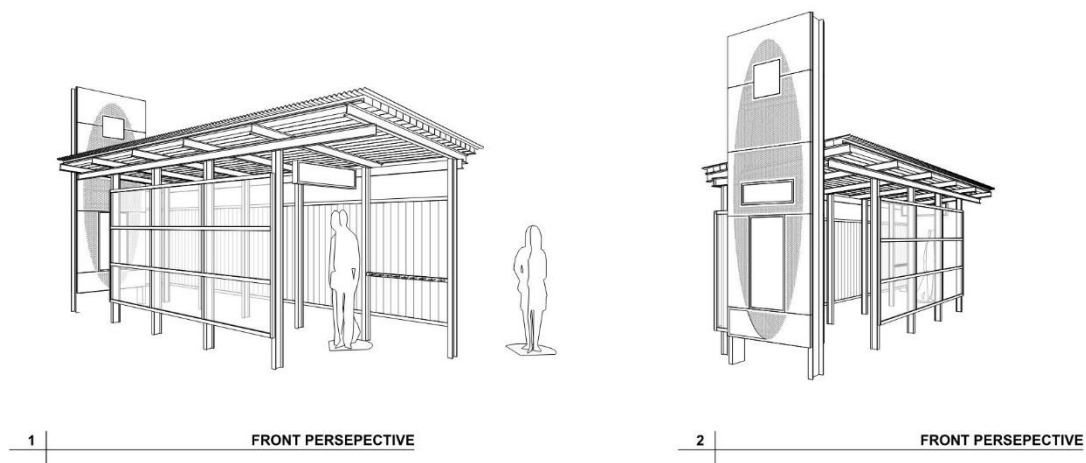


Figure 4 - Final Shelter Design with Digital Signage, Seen from SR-224

The shelter design was completed in December 2022, two months past the contract termination date established with Dimensional Innovations. Additionally, the revised shelter designs substantially altered the scope and cost. It was determined that the existing contract with Dimensional Innovations could not be extended or modified to procure the ultimate shelter design.

As a result, Engineering prepared a Bid with support from UDOT and posted on U3P and the Park City website on April 4, 2023. A mandatory pre-bid meeting was held on April 7, 2023, followed by bid opening on April 14, 2023. The City reviewed bids and determined that Dimensional Innovations was again the lowest responsive and responsible bidder.

Background – Construction Management

To ensure construction complies with the engineering designs and specifications, a Construction Manager (CM) is desired to oversee the construction phase. Additionally, the CM will enforce Federal clauses associated with FTA grants, such as:

- Preconstruction Activities
 - o Review of plans and specifications
 - o Conduct preconstruction meeting and prepare minutes
 - o Project setup
- Construction Management
 - o Weekly project meetings
 - o Responses to Request for Information
 - o Review of Submittals
 - o Administration of Change Orders
 - o Project walk-through and closeout
- Project Administration
 - o Project documentation and compliance management
 - o Development and implementation of a Quality Management Plan
 - o Verification of project quantities submitted for invoicing
 - o Payment request review
 - o Workday and schedule tracking
- Field Inspection
 - o Daily inspection of work, full-time personnel on site
 - o Daily inspection of traffic control
 - o Soil sampling and density testing in-place
 - o Safety inspections
- Materials Testing
 - o Soil and aggregate testing in a lab environment
 - o Concrete strength testing
 - o Lab Documentation

Engineering developed a Request for Statements of Qualification (RSOQ) in partnership with UDOT to procure a qualified professional services firm. The RSOQ was posted on

U3P and the Park City website on February 22, 2023, and closed on March 1, 2023. Proposals were received from Wall Consultant Group and CMT Technical Services. Reviewing the qualifications, the Engineering Department negotiated a contract with the Consultant.

Analysis

Engineering completed the design phase for site improvements and shelter installations at Fresh Market. The three procurements conform with Local, State, and Federal procurement rules and provide the highest value to Park City within the approved project budget.

Funding Source

The site improvement construction, shelter fabrication, and construction management funding are programmed under Capital Project number CP0420 and fully funded. A summary of outstanding project expenses and revenues is included below:

Expenses	
Construction	\$1,980,562
Construction Management	\$112,244
Shelters Fabrication & Installation	\$274,228
Contingency (5%)	\$118,352
Total	\$2,485,386

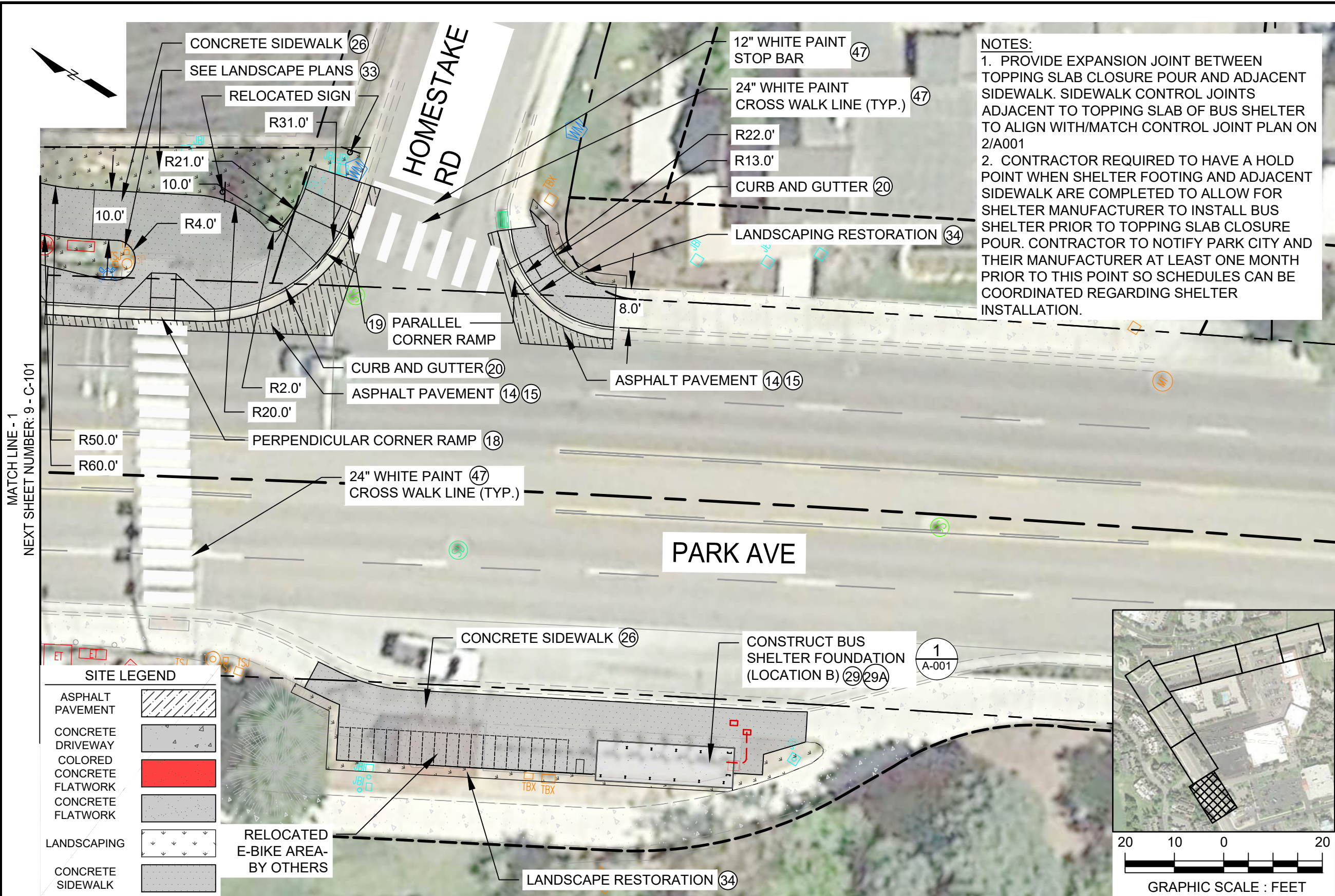
Revenues	
057458 Transit Fund * FEDERAL GRANTS	\$1,715,000
057483 Transit Fund * THIRD QUARTER COUNTY TAX	\$900,000
Total	\$2,615,000

Exhibits

Exhibit A: Site Improvement Drawings

Exhibit B: Bus Shelter Drawings

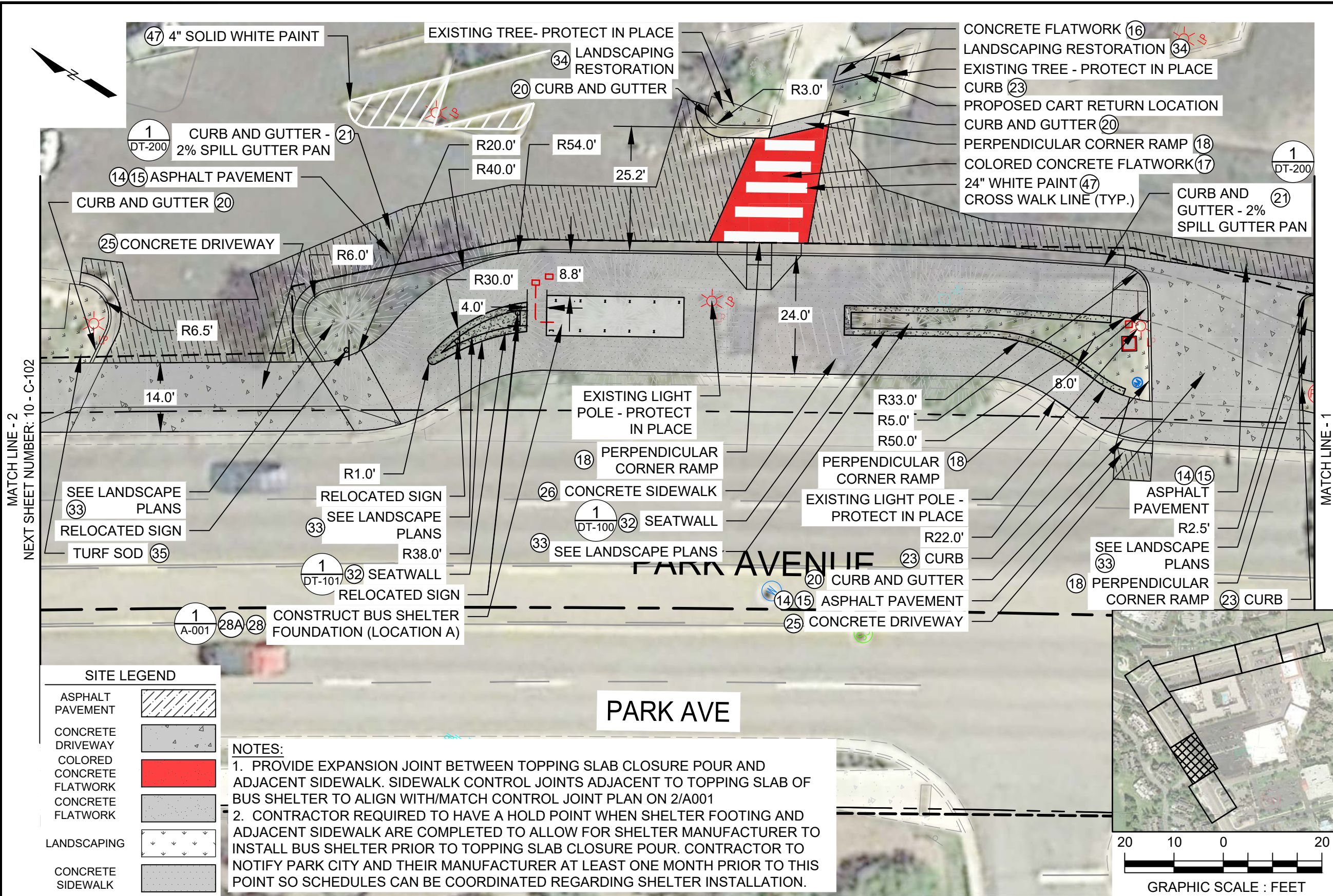
15:23 Acosta, Mikayla DWG File: C:\pwworking\acoma_de21_no_2020\00133146\SITE_SHEETS.dwg NEXT SHEET NUMBER: 9 - C-101



CONSTRUCTION NOTES			
#	ITEM	UNIT	QTY
1	REMOVE TREE	EA	10
2	REMOVE CONCRETE SIDEWALK	SQ YD	844
3	REMOVE CONCRETE DRIVEWAY	SQ YD	107
4	REMOVE CONCRETE CURB	FT	157
5	REMOVE CONCRETE CURB & GUTTER	FT	777
6	REMOVE GUTTER	FT	104
7	REMOVE ASPHALT PAVEMENT	SQ YD	922
8	REMOVE BRICK PAVERS	SQ FT	76
9	REMOVE WALL	SQ FT	726
10	REMOVE BUS SHELTER (LOCATION A)	EA	1
11	REMOVE BUS SHELTER (LOCATION B)	EA	1
12	CLEARING AND GRUBBING	LS	JOB
13	ROADWAY EXCAVATION	CU YD	212
14	UTBC - 12 INCH THICK	CU YD	212
15	HMA - 1/2 INCH - 5 INCH THICK	TON	176
16	CONCRETE FLATWORK 8 INCH THICK	SQ FT	194
16A	CONCRETE FLATWORK 4 INCH THICK	SQ FT	184
17	COLORED CONCRETE FLATWORK 8 INCH THICK	SQ FT	384
18	PERPENDICULAR CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	5
19	PARALLEL CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	3
20	CONCRETE CURB & GUTTER TYPE B1 SEE UDOT STD DWG GW 2A	FT	510
21	CONCRETE CURB & GUTTER TYPE B1, SPILL GUTTER	FT	180
22	CONCRETE CURB & GUTTER TYPE E SEE APWA STD PLAN 205	FT	41
23	CONCRETE CURB TYPE P SEE APWA STD PLAN 209	FT	160
24	CONCRETE GUTTER	FT	6
25	CONCRETE DRIVEWAY FLARED 8" THICK - SEE UDOT STD DWG GW 3A	SQ FT	3667
26	CONCRETE SIDEWALK	SQ FT	12676
27	STAMPED CONCRETE SIDEWALK	SQ FT	26
28	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION A)	EA	1
28A	TOPPING SLAB CLOSURE POUR (LOCATION A)	EA	1
29	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION B)	EA	1
29A	TOPPING SLAB CLOSURE POUR (LOCATION B)	EA	1
30	DROP-INLET BARRIER - FIBER ROLL SEE UDOT STD DWG EN 4	EA	4
31	RETAINING WALL - MODULAR BLOCK	LF	516
32	SEATWALL - WEATHERED STEEL	LF	170
33	LANDSCAPING - BUS STOP LOCATIONS A & B	LS	JOB
34	LANDSCAPING RESTORATION	LS	JOB
35	TURF SOD	SQ FT	3528
36	RELOCATE LANDSCAPE LIGHTS	EA	1
37	RECONSTRUCT JUNCTION BOX	EA	10
38	RELOCATE FIRE HYDRANT AND VALVE BOX	EA	1
39	2 INCH SCHEDULE 80 CONDUIT	FT	25
40	INSTALL SINGLE METER UNDERGROUND SERVICE PEDESTAL	EA	2
41	INSTALL CONCRETE PAD FOR SINGLE PHASE TRANSFORMER	EA	1
42	PULL BOX	EA	4
43	3 INCH SCHEDULE 80 CONDUIT	FT	326
44	#4 AWG WIRE	FT	978
45	WATER METER, CONTRACTOR FURNISHED	EA	1
46	CURB OUTLET	EA	1
47	PAVEMENT MARKING PAINT	GAL	9
48	RELOCATE SIGN	EA	14
LESS THAN 20 SQUARE FEET			

100% SUBMITTAL			Submitted By: _____		SEAL:		Consultant: AECOM 756 East Winchester Street Suite 400 Salt Lake City, UT 84107 Phone: (801) 904-4000 Fax: (801) 904-4100		Client:		Designed By: J. UPRIGHT		Drawn By: S. CARROLL		Checked By: J. PEARSON		Approved By: J. JACOBSON		PARK CITY BUS SHELTER IMPROVEMENTS		1"=20' @ 11X17	
REV			DATE		DESCRIPTION		CADD Filename: SITE_SHEETS.dwg		Submitted Date: 1/11/2023		Contract No.: 60605663		Alignment:		Sheet No.: 8		C-100		65		SHEET PLAN PARK AVE	

15:23 Acosta, Mikayla DWG File: C:\pwworking\acoma_de21_no_2020\00133146\SITE_SHEETS.dwg



CONSTRUCTION NOTES

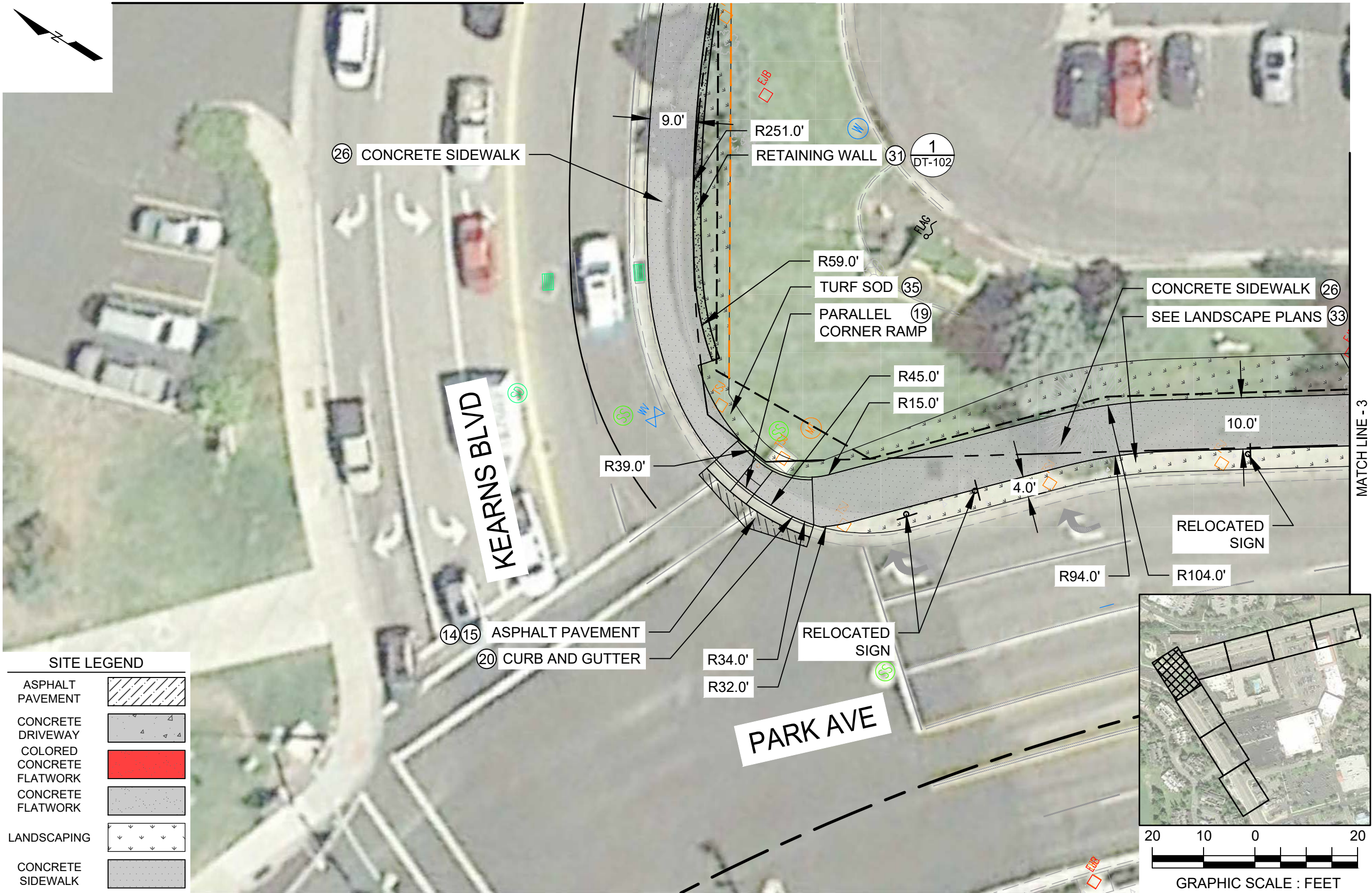
#	ITEM	UNIT	QTY
1	REMOVE TREE	EA	10
2	REMOVE CONCRETE SIDEWALK	SQ YD	844
3	REMOVE CONCRETE DRIVEWAY	SQ YD	107
4	REMOVE CONCRETE CURB	FT	157
5	REMOVE CONCRETE CURB & GUTTER	FT	777
6	REMOVE GUTTER	FT	104
7	REMOVE ASPHALT PAVEMENT	SQ YD	922
8	REMOVE BRICK PAVERS	SQ FT	76
9	REMOVE WALL	SQ FT	726
10	REMOVE BUS SHELTER (LOCATION A)	EA	1
11	REMOVE BUS SHELTER (LOCATION B)	EA	1
12	CLEARING AND GRUBBING	LS	JOB
13	ROADWAY EXCAVATION	CU YD	212
14	UTBC - 12 INCH THICK	CU YD	212
15	HMA - 1/2 INCH - 5 INCH THICK	TON	176
16	CONCRETE FLATWORK 8 INCH THICK	SQ FT	194
16A	CONCRETE FLATWORK 4 INCH THICK	SQ FT	184
17	COLOR CONCRETE FLATWORK 8 INCH THICK	SQ FT	384
18	PERPENDICULAR CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	5
19	PARALLEL CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	3
20	CONCRETE CURB & GUTTER TYPE B1 SEE UDOT STD DWG GW 2A	FT	510
21	CONCRETE CURB & GUTTER TYPE B1, SPILL GUTTER	FT	180
22	CONCRETE CURB & GUTTER TYPE E SEE APWA STD PLAN 205	FT	41
23	CONCRETE CURB TYPE P SEE APWA STD PLAN 209	FT	160
24	CONCRETE GUTTER	FT	6
25	CONCRETE DRIVEWAY FLARED 8" THICK - SEE UDOT STD DWG GW 3A	SQ FT	3667
26	CONCRETE SIDEWALK	SQ FT	12676
27	STAMPED CONCRETE SIDEWALK	SQ FT	26
28	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION A)	EA	1
28A	TOPPING SLAB CLOSURE POUR (LOCATION A)	EA	1
29	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION B)	EA	1
29A	TOPPING SLAB CLOSURE POUR (LOCATION B)	EA	1
30	DROP-INLET BARRIER - FIBER ROLL SEE UDOT STD DWG EN 4	EA	4
31	RETAINING WALL - MODULAR BLOCK	LF	516
32	SEATWALL - WEATHERED STEEL	LF	170
33	LANDSCAPING - BUS STOP LOCATIONS A & B	LS	JOB
34	LANDSCAPING RESTORATION	LS	JOB
35	TURF SOD	SQ FT	3528
36	RELOCATE LANDSCAPE LIGHTS	EA	1
37	RECONSTRUCT JUNCTION BOX	EA	10
38	RELOCATE FIRE HYDRANT AND VALVE BOX	EA	1
39	2 INCH SCHEDULE 80 CONDUIT	FT	25
40	INSTALL SINGLE METER UNDERGROUND SERVICE PEDESTAL	EA	2
41	INSTALL CONCRETE PAD FOR SINGLE PHASE TRANSFORMER	EA	1
42	PULL BOX	EA	4
43	3 INCH SCHEDULE 80 CONDUIT	FT	326
44	#4 AWG WIRE	FT	978
45	WATER METER, CONTRACTOR FURNISHED	EA	1
46	CURB OUTLET	EA	1
47	PAVEMENT MARKING PAINT	GAL	9
48	RELOCATE SIGN	EA	14
LESS THAN 20 SQUARE FEET			

15:23	100% SUBMITTAL		 756 East Winchester Street Suite 400 Salt Lake City, UT 84107 Phone: (801) 904-4000 Fax: (801) 904-4100		Designed By: J. UPRIGHT Drawn By: S. CARROLL Checked By: J. PEARSON Approved By: J. JACOBSON	PARK CITY BUS SHELTER IMPROVEMENTS SITE PLAN PARK AVE	1"=20' @ 11X17 CADD Filename: SITE_SHEETS.dwg Submit Date: 1/11/2023 Contract No.: 60605663 Alignment: Sheet No.: C-101 65
REV	DATE	DESCRIPTION	Submitted By:	Approved By:			

DWG File: C:\pwworking\laecom ds21 na 2020\00133146\SITE SHEETS.dwg
Acosta, Mikayla

17:32

MATCH LINE - 4
NEXT SHEET NUMBER: 12 - C-104



SITE LEGEND	
ASPHALT PAVEMENT	
CONCRETE DRIVEWAY	
COLOR CONCRETE FLATWORK	
CONCRETE FLATWORK	
LANDSCAPING	
CONCRETE SIDEWALK	

PREVIOUS SHEET NUMBER: 10 - C-102

MATCH LINE - 3

CONSTRUCTION NOTES			
#	ITEM	UNIT	QTY
1	REMOVE TREE	EA	10
2	REMOVE CONCRETE SIDEWALK	SQ YD	844
3	REMOVE CONCRETE DRIVEWAY	SQ YD	107
4	REMOVE CONCRETE CURB	FT	157
5	REMOVE CONCRETE CURB & GUTTER	FT	777
6	REMOVE GUTTER	FT	104
7	REMOVE ASPHALT PAVEMENT	SQ YD	922
8	REMOVE BRICK PAVERS	SQ FT	76
9	REMOVE WALL	SQ FT	726
10	REMOVE BUS SHELTER (LOCATION A)	EA	1
11	REMOVE BUS SHELTER (LOCATION B)	EA	1
12	CLEARING AND GRUBBING	LS	JOB
13	ROADWAY EXCAVATION	CU YD	212
14	UTBC - 12 INCH THICK	CU YD	212
15	HMA - 1/2 INCH - 5 INCH THICK	TON	176
16	CONCRETE FLATWORK 8 INCH THICK	SQ FT	194
16A	CONCRETE FLATWORK 4 INCH THICK	SQ FT	184
17	COLOR CONCRETE FLATWORK 8 INCH THICK	SQ FT	384
18	PERPENDICULAR CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	5
19	PARALLEL CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	3
20	CONCRETE CURB & GUTTER TYPE B1 SEE UDOT STD DWG GW 2A	FT	510
21	CONCRETE CURB & GUTTER TYPE B1, SPILL GUTTER	FT	180
22	CONCRETE CURB & GUTTER TYPE E SEE APWA STD PLAN 205	FT	41
23	CONCRETE CURB TYPE P SEE APWA STD PLAN 209	FT	160
24	CONCRETE GUTTER	FT	6
25	CONCRETE DRIVEWAY FLARED 8" THICK - SEE UDOT STD DWG GW 3A	SQ FT	3667
26	CONCRETE SIDEWALK	SQ FT	12676
27	STAMPED CONCRETE SIDEWALK	SQ FT	26
28	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION A)	EA	1
29	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION B)	EA	1
30	DROP-INLET BARRIER - FIBER ROLL SEE UDOT STD DWG EN 4	EA	4
31	RETAINING WALL - MODULAR BLOCK	LF	516
32	SEATWALL - WEATHERED STEEL	LF	170
33	LANDSCAPING - BUS STOP LOCATIONS A & B	LS	JOB
34	LANDSCAPING RESTORATION	LS	JOB
35	TURF SOD	SQ FT	3528
36	RELOCATE LANDSCAPE LIGHTS	EA	1
37	RECONSTRUCT JUNCTION BOX	EA	10
38	RELOCATE FIRE HYDRANT AND VALVE BOX	EA	1
39	2 INCH SCHEDULE 80 CONDUIT	FT	25
40	INSTALL SINGLE METER UNDERGROUND SERVICE PEDESTAL	EA	1
41	INSTALL CONCRETE PAD FOR SINGLE PHASE TRANSFORMER	EA	1
42	PULL BOX	EA	4
43	3 INCH SCHEDULE 80 CONDUIT	FT	326
44	#4 AWG WIRE	FT	978
45	WATER METER, CONTRACTOR FURNISHED	EA	1
46	CURB OUTLET	EA	1
47	PAVEMENT MARKING PAINT	GAL	9
48	RELOCATE SIGN LESS THAN 20 SQUARE FEET	EA	14

592

REV	DATE	DESCRIPTION

100%
SUBMITTAL



Consultant:
AECOM
756 E 4th Winchester Street
Suite 400
Salt Lake City, UT 84107
Phone: (801) 904-4000
Fax: (801) 904-4100
Submitted By: _____

Client:
PARK CITY
1884
Approved By: _____

Designed By:
J. UPRIGHT
Drawn By:
S. CARROLL
Checked By:
J. PEARSON
Approved By:
J. JACOBSON

PARK CITY BUS SHELTER IMPROVEMENTS

SITE PLAN
PARK AVE

1"=20' @ 11X17
CADD Filename:
SITE_SHEETS.dwg
Submit Date:
2/16/2022
Contract No.:
60605663
Alignment: Sheet No.:
C-103 65

DWG File: C:\pwworking\aeacom ds21 na 2020\00133146\SITE SHEETS.dwg
Acosta, Mikayla

17:32



PREVIOUS SHEET NUMBER: 11 - C-103
MATCH LINE - 4

KEARNS BLVD

CONCRETE SIDEWALK (26)
RETAINING WALL (31) 1 DT-102
ASPHALT PAVEMENT (14)(15)
CONCRETE DRIVEWAY (25)

CURB AND GUTTER (20)
CONCRETE SIDEWALK (26)
RETAINING WALL (31) 1 DT-102

9.0'

9.25'

R263.0'

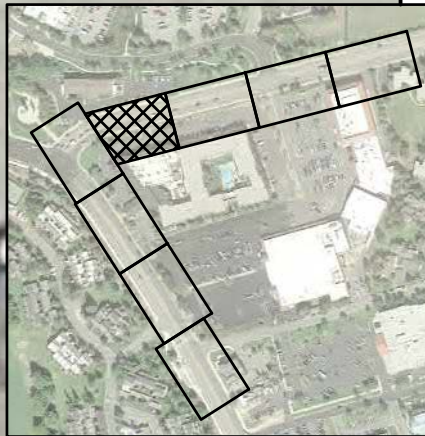
(16A) CONCRETE FLATWORK

R1.7'

(16) CONCRETE FLATWORK
(20) CURB AND GUTTER

TURF SOD (35)

CONCRETE FLATWORK (16)



GRAPHIC SCALE : FEET

SITE LEGEND

ASPHALT PAVEMENT	
CONCRETE DRIVEWAY	
COLOR CONCRETE FLATWORK	
CONCRETE FLATWORK	
LANDSCAPING	
CONCRETE SIDEWALK	

MATCH LINE - 5
NEXT SHEET NUMBER: 13 - C-105

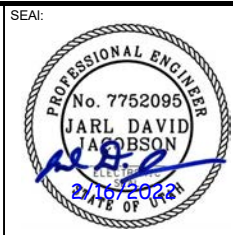
CONSTRUCTION NOTES

#	ITEM	UNIT	QTY
1	REMOVE TREE	EA	10
2	REMOVE CONCRETE SIDEWALK	SQ YD	844
3	REMOVE CONCRETE DRIVEWAY	SQ YD	107
4	REMOVE CONCRETE CURB	FT	157
5	REMOVE CONCRETE CURB & GUTTER	FT	777
6	REMOVE GUTTER	FT	104
7	REMOVE ASPHALT PAVEMENT	SQ YD	922
8	REMOVE BRICK PAVERS	SQ FT	76
9	REMOVE WALL	SQ FT	726
10	REMOVE BUS SHELTER (LOCATION A)	EA	1
11	REMOVE BUS SHELTER (LOCATION B)	EA	1
12	CLEARING AND GRUBBING	LS	JOB
13	ROADWAY EXCAVATION	CU YD	212
14	UTBC - 12 INCH THICK	CU YD	212
15	HMA - 1/2 INCH - 5 INCH THICK	TON	176
16	CONCRETE FLATWORK 8 INCH THICK	SQ FT	194
16A	CONCRETE FLATWORK 4 INCH THICK	SQ FT	184
17	COLOR CONCRETE FLATWORK 8 INCH THICK	SQ FT	384
18	PERPENDICULAR CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	5
19	PARALLEL CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	3
20	CONCRETE CURB & GUTTER TYPE B1 SEE UDOT STD DWG GW 2A	FT	510
21	CONCRETE CURB & GUTTER TYPE B1, SPILL GUTTER	FT	180
22	CONCRETE CURB & GUTTER TYPE E SEE APWA STD PLAN 205	FT	41
23	CONCRETE CURB TYPE P SEE APWA STD PLAN 209	FT	160
24	CONCRETE GUTTER	FT	6
25	CONCRETE DRIVEWAY FLARED 8" THICK - SEE UDOT STD DWG GW 3A	SQ FT	3667
26	CONCRETE SIDEWALK	SQ FT	12676
27	STAMPED CONCRETE SIDEWALK	SQ FT	26
28	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION A)	EA	1
29	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION B)	EA	1
30	DROP-INLET BARRIER - FIBER ROLL SEE UDOT STD DWG EN 4	EA	4
31	RETAINING WALL - MODULAR BLOCK	LF	516
32	SEATWALL - WEATHERED STEEL	LF	170
33	LANDSCAPING - BUS STOP LOCATIONS A & B	LS	JOB
34	LANDSCAPING RESTORATION	LS	JOB
35	TURF SOD	SQ FT	3528
36	RELOCATE LANDSCAPE LIGHTS	EA	1
37	RECONSTRUCT JUNCTION BOX	EA	10
38	RELOCATE FIRE HYDRANT AND VALVE BOX	EA	1
39	2 INCH SCHEDULE 80 CONDUIT	FT	25
40	INSTALL SINGLE METER UNDERGROUND SERVICE PEDESTAL	EA	2
41	INSTALL CONCRETE PAD FOR SINGLE PHASE TRANSFORMER	EA	1
42	PULL BOX	EA	4
43	3 INCH SCHEDULE 80 CONDUIT	FT	326
44	#4 AWG WIRE	FT	978
45	WATER METER, CONTRACTOR FURNISHED	EA	1
46	CURB OUTLET	EA	1
47	PAVEMENT MARKING PAINT	GAL	9
48	RELOCATE SIGN LESS THAN 20 SQUARE FEET	EA	14

593

REV	DATE	DESCRIPTION

100% SUBMITTAL



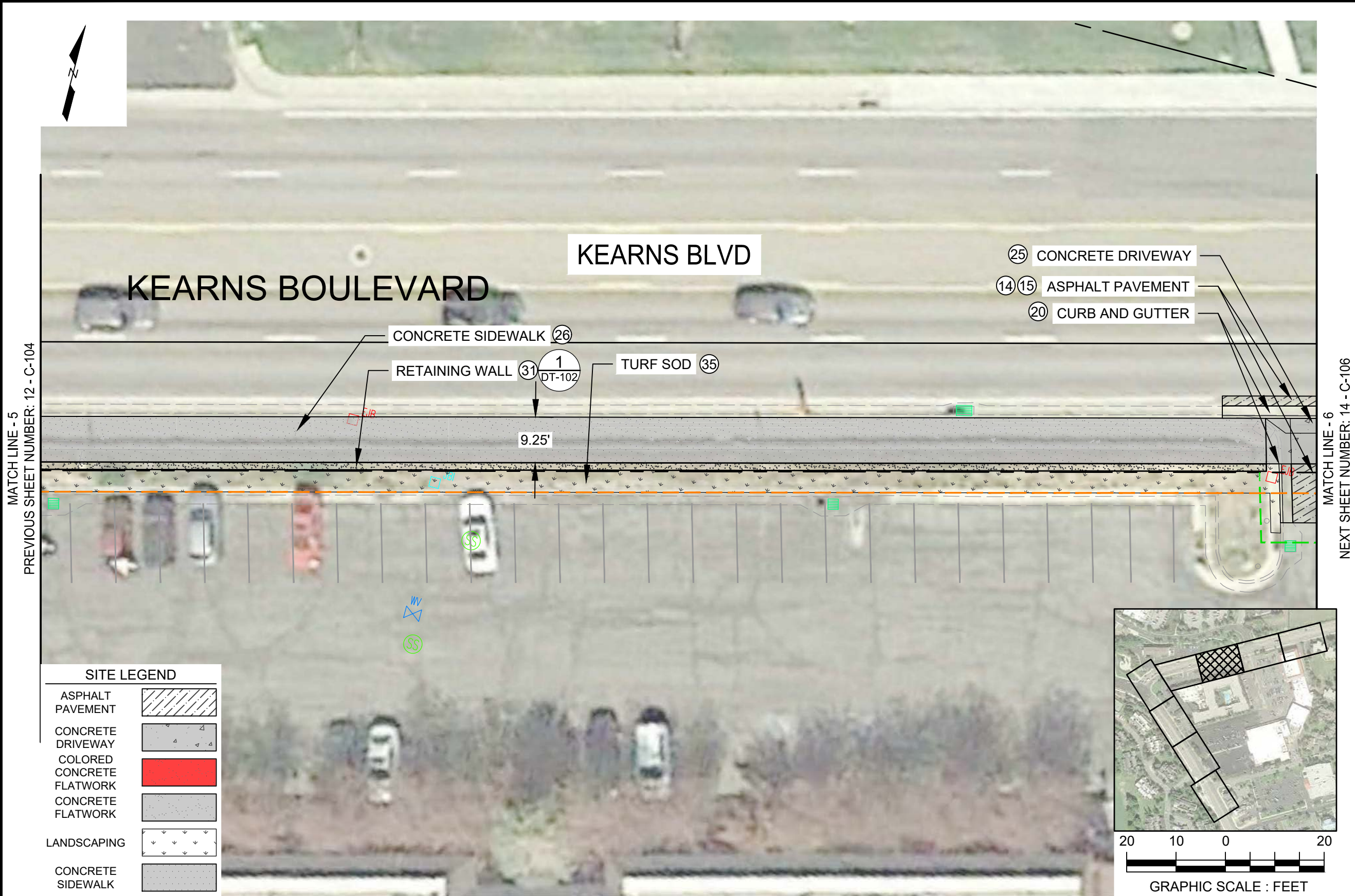
AECOM 756 East Winchester Street Suite 400 Salt Lake City, UT 84107 Phone: (801) 904-4000 Fax: (801) 904-4100

PARK CITY 1884

Designed By: J. UPRIGHT
Drawn By: S. CARROLL
Checked By: J. PEARSON
Approved By: J. JACOBSON

PARK CITY BUS SHELTER IMPROVEMENTS	1"=20' @ 11X17
SITE PLAN KEARNS BLVD	CADD Filename: SITE_SHEETS.dwg
	Submittal Date: 2/16/2022
	Contract No.: 60605663
	Alignment: Sheet No.: C-104 65

17:32 Accsta, MikeMa DWG File: C:\pwworking\laecom ds21 na 2020\00133146\SITE SHEETS.dwg



CONSTRUCTION NOTES			
#	ITEM	UNIT	QTY
1	REMOVE TREE	EA	10
2	REMOVE CONCRETE SIDEWALK	SQ YD	844
3	REMOVE CONCRETE DRIVEWAY	SQ YD	107
4	REMOVE CONCRETE CURB	FT	157
5	REMOVE CONCRETE CURB & GUTTER	FT	777
6	REMOVE GUTTER	FT	104
7	REMOVE ASPHALT PAVEMENT	SQ YD	922
8	REMOVE BRICK PAVERS	SQ FT	76
9	REMOVE WALL	SQ FT	726
10	REMOVE BUS SHELTER (LOCATION A)	EA	1
11	REMOVE BUS SHELTER (LOCATION B)	EA	1
12	CLEARING AND GRUBBING	LS	JOB
13	ROADWAY EXCAVATION	CU YD	212
14	UTBC - 12 INCH THICK	CU YD	212
15	HMA - 1/2 INCH - 5 INCH THICK	TON	176
16	CONCRETE FLATWORK 8 INCH THICK	SQ FT	194
16A	CONCRETE FLATWORK 4 INCH THICK	SQ FT	184
17	COLOR CONCRETE FLATWORK 8 INCH THICK	SQ FT	384
18	PERPENDICULAR CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	5
19	PARALLEL CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	3
20	CONCRETE CURB & GUTTER TYPE B1 SEE UDOT STD DWG GW 2A	FT	510
21	CONCRETE CURB & GUTTER TYPE B1, SPILL GUTTER	FT	180
22	CONCRETE CURB & GUTTER TYPE E SEE APWA STD PLAN 205	FT	41
23	CONCRETE CURB TYPE P SEE APWA STD PLAN 209	FT	160
24	CONCRETE GUTTER	FT	6
25	CONCRETE DRIVEWAY FLARED 8" THICK - SEE UDOT STD DWG GW 3A	SQ FT	3667
26	CONCRETE SIDEWALK	SQ FT	12676
27	STAMPED CONCRETE SIDEWALK	SQ FT	26
28	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION A)	EA	1
29	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION B)	EA	1
30	DROP-INLET BARRIER - FIBER ROLL SEE UDOT STD DWG EN 4	EA	4
31	RETAINING WALL - MODULAR BLOCK	LF	516
32	SEATWALL - WEATHERED STEEL	LF	170
33	LANDSCAPING - BUS STOP LOCATIONS A & B	LS	JOB
34	LANDSCAPING RESTORATION	LS	JOB
35	TURF SOD	SQ FT	3528
36	RELOCATE LANDSCAPE LIGHTS	EA	1
37	RECONSTRUCT JUNCTION BOX	EA	10
38	RELOCATE FIRE HYDRANT AND VALVE BOX	EA	1
39	2 INCH SCHEDULE 80 CONDUIT	FT	25
40	INSTALL SINGLE METER UNDERGROUND SERVICE PEDESTAL	EA	2
41	INSTALL CONCRETE PAD FOR SINGLE PHASE TRANSFORMER	EA	1
42	PULL BOX	EA	4
43	3 INCH SCHEDULE 80 CONDUIT	FT	326
44	#4 AWG WIRE	FT	978
45	WATER METER, CONTRACTOR FURNISHED	EA	1
46	CURB OUTLET	EA	1
47	PAVEMENT MARKING PAINT	GAL	9
48	RELOCATE SIGN LESS THAN 20 SQUARE FEET	EA	14

REV	DATE	DESCRIPTION

100%
SUBMITTAL



Consultant:
AECOM
756 EAsT Winchester Street
Suite 400
Salt Lake City, UT 84107
Phone: (801) 904-4000
Fax: (801) 904-4100
Submitted By: _____

Client:
PARK CITY
1884
Approved By: _____

Designed By:
J. UPRIGHT
Drawn By:
S. CARROLL
Checked By:
J. PEARSON
Approved By:
J. JACOBSON

PARK CITY BUS SHELTER IMPROVEMENTS		1"=20' @ 11X17
SITE PLAN KEARNS BLVD		CADD Filename: SITE_SHEETS.dwg
		Submittal Date: 2/16/2022
		Contract No.: 60605663
		Alignment: Sheet No.: C-105 65

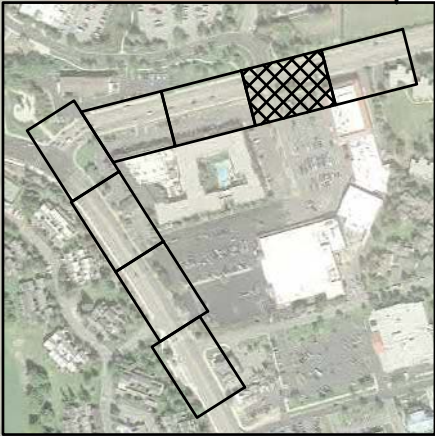


CONSTRUCTION NOTES

#	ITEM	UNIT	QTY
1	REMOVE TREE	EA	10
2	REMOVE CONCRETE SIDEWALK	SQ YD	844
3	REMOVE CONCRETE DRIVEWAY	SQ YD	107
4	REMOVE CONCRETE CURB	FT	157
5	REMOVE CONCRETE CURB & GUTTER	FT	777
6	REMOVE GUTTER	FT	104
7	REMOVE ASPHALT PAVEMENT	SQ YD	922
8	REMOVE BRICK PAVERS	SQ FT	76
9	REMOVE WALL	SQ FT	726
10	REMOVE BUS SHELTER (LOCATION A)	EA	1
11	REMOVE BUS SHELTER (LOCATION B)	EA	1
12	CLEARING AND GRUBBING	LS	JOB
13	ROADWAY EXCAVATION	CU YD	212
14	UTBC - 12 INCH THICK	CU YD	212
15	HMA - 1/2 INCH - 5 INCH THICK	TON	176
16	CONCRETE FLATWORK 8 INCH THICK	SQ FT	194
16A	CONCRETE FLATWORK 4 INCH THICK	SQ FT	184
17	COLOR CONCRETE FLATWORK 8 INCH THICK	SQ FT	384
18	PERPENDICULAR CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	5
19	PARALLEL CORNER RAMP SEE UDOT STD DWG PA SERIES	EA	3
20	CONCRETE CURB & GUTTER TYPE B1 SEE UDOT STD DWG GW 2A	FT	510
21	CONCRETE CURB & GUTTER TYPE B1, SPILL GUTTER	FT	180
22	CONCRETE CURB & GUTTER TYPE E SEE APWA STD PLAN 205	FT	41
23	CONCRETE CURB TYPE P SEE APWA STD PLAN 209	FT	160
24	CONCRETE GUTTER	FT	6
25	CONCRETE DRIVEWAY FLARED 8" THICK - SEE UDOT STD DWG GW 3A	SQ FT	3667
26	CONCRETE SIDEWALK	SQ FT	12676
27	STAMPED CONCRETE SIDEWALK	SQ FT	26
28	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION A)	EA	1
29	CONSTRUCT BUS SHELTER FOUNDATION (LOCATION B)	EA	1
30	DROP-INLET BARRIER - FIBER ROLL SEE UDOT STD DWG EN 4	EA	4
31	RETAINING WALL - MODULAR BLOCK	LF	516
32	SEATWALL - WEATHERED STEEL	LF	170
33	LANDSCAPING - BUS STOP LOCATIONS A & B	LS	JOB
34	LANDSCAPING RESTORATION	LS	JOB
35	TURF SOD	SQ FT	3528
36	RELOCATE LANDSCAPE LIGHTS	EA	1
37	RECONSTRUCT JUNCTION BOX	EA	10
38	RELOCATE FIRE HYDRANT AND VALVE BOX	EA	1
39	2 INCH SCHEDULE 80 CONDUIT	FT	25
40	INSTALL SINGLE METER UNDERGROUND SERVICE PEDESTAL	EA	2
41	INSTALL CONCRETE PAD FOR SINGLE PHASE TRANSFORMER	EA	1
42	PULL BOX	EA	4
43	3 INCH SCHEDULE 80 CONDUIT	FT	326
44	#4 AWG WIRE	FT	978
45	WATER METER, CONTRACTOR FURNISHED	EA	1
46	CURB OUTLET	EA	1
47	PAVEMENT MARKING PAINT	GAL	9
48	RELOCATE SIGN LESS THAN 20 SQUARE FEET	EA	14

MATCH LINE - 6
PREVIOUS SHEET NUMBER: 13 - C-105

MATCH LINE - 7
NEXT SHEET NUMBER: 15 - C-107

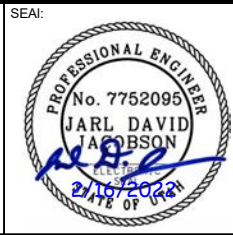


17:32

DWG File: C:\pwworking\laecom ds21 na 2020\00133146\SITE SHEETS.dwg
Acosta, Mikayla

REV	DATE	DESCRIPTION

100%
SUBMITTAL



Consultant:
AECOM
756 EAs Winchester Street
Suite 400
Salt Lake City, UT 84107
Phone: (801) 904-4000
Fax: (801) 904-4100
Submitted By: _____

Client:
PARK CITY
1884
Approved By: _____

Designed By:
J. UPRIGHT
Drawn By:
S. CARROLL
Checked By:
J. PEARSON
Approved By:
J. JACOBSON

PARK CITY BUS SHELTER IMPROVEMENTS		1"=20' @ 11X17	
SITE PLAN KEARNS BLVD		CADD Filename: SITE_SHEETS.dwg	
		Submittal Date: 2/16/2022	
		Contract No.: 60605663	
		Alignment:	Sheet No.: 14 C-106 65

City Council Staff Communications Report

Subject: Park Avenue Bus Shelter Design Update
Authors: John Robertson, City Engineer
Department: Engineering
Date: May 12, 2022
Type of Item: Informational

Summary

Park City Municipal Corporation (PCMC), in partnership with Summit County Transportation Planning, is phasing bus stop and bus shelter improvements throughout Park City and Summit County to improve customer service. The phased approach will address ADA flatwork improvements needed system wide and include bus shelter modifications and other amenities on a site-by-site basis.

The City Council approved a procurement contract with Dimensional Innovations, Inc. (DI) at the [January 13, 2022](#), meeting. The contract is for the construction of bus shelters to replace the two most used bus shelters in our entire system outside of the two Transit Centers (Old Town and Kimball) in front of Fresh Choice (market) on both sides of Park Avenue. As presented, the proposed design is a scalable shelter that will allow the City to use sized replacements for various shelters throughout town. The shelter designs were created to balance the mountain/mining town feel of Park City and the surrounding region, with the need to have structures that are also durable and can withstand extreme weather conditions and snow/salt.

Concerns were raised that the shelter design did not meet the criteria mentioned above. Accordingly, Engineering worked with the architect and contractor and representatives from Friends of Historic Mining History (History) over the last few months to create a more simplified design and incorporate materials of the mountain/mining town. The History has reviewed the updated design and agreed with the changes and recommended to move design forward.

The updated design is presented in Exhibit A. Though not shown on Exhibit A, a bench will also be installed for convenience and informational panels will be incorporated into the end column. It is proposed to make the end column a decorative feature. Examples of the proposed aesthetic are shown in Exhibit B. It is proposed to place perforated metal panels along the length of the column that are backlit to highlight the proposed design during evenings. The backlighting will conform with the City's dark sky ordinance. The perforations can be designed to reflect any desired design such as a forest, mountain landscape, or images consistent the City's mining history.

Exhibits

Exhibit A: Bus Shelter Design Update
Exhibit B: Column Perforation Options



④ NORTHEAST VIEW



③ NORTHWEST VIEW



② SOUTHEAST VIEW



① SOUTHWEST VIEW

REV	DATE	DESCRIPTION	SUBMITTAL	SEAL	CONSULTANT AECOM 756 East Winchester Street Suite 400 Salt Lake City, UT 84107 Phone: (801) 904-4000 Fax: (801) 904-4100	CLIENT 	Designed By: S. HEIMSTEAD Drawn By: S. HEIMSTEAD / B. OLSON Checked By: J. DOYLE Approved By: J. JACOBSON	PARK CITY BUS SHELTER IMPROVEMENTS	Submittal Date: 12/14/2020
									Contract No: 60605663
									PERSPECTIVES
									Alignment: Sheet No: A-50598

Exhibit B Column Perforation Examples



Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Engineering

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney with HNTB Corporation Not to Exceed \$1,066,200.94 for the Program Management Services of Transit Site Improvements
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Transit Site Improvements Program Management Contract Staff Report](#)

[Exhibit A: HNTB Statement of Qualifications](#)

[Exhibit B: Scope of Work](#)

City Council Staff Report

Subject: Transit Site Improvements Program Manager (PM)
Author: Gabriel Shields, PE, Transportation Engineering
Department: Engineering
Date: April 27, 2023
Type of Item: New Business

Recommendation

Consider a request to authorize the City Manager to execute a Design Professional Services Agreement (DPSA) with HNTB Corporation (Consultant), in a form approved by the City Attorney, not to exceed \$1,066,200.94 for a Transit Site Improvement Program Manager (PM) over three years.

The PM provides a robust team of surveyors, engineers, environmental scientists, communications professionals, construction managers, and federal compliance specialists to deliver a comprehensive oversight and quality management program.

Executive Summary

To implement a robust and enduring bus stop improvement program as presented to Council on [September 15, 2022](#) (page 109), Engineering is recommending an outside team to manage the multi-year engineering and construction program. Instead of having a large team of FTEs, the Engineering Department is structured to manage consultant contracts tailored to delivering specialty and as-needed services rather than providing these services in-house.

To initiate multi-year and complex program and construction management, Engineering issued a Request for Statements of Qualification (RSOQ) for the Transit Site Improvement program PM to deliver a transit stop improvement program holistically. The PM will provide comprehensive project delivery services for over 30 bus stops over the next three years.

Utilizing a third-party provides the following benefits:

- Public outreach materials and support to augment the Community Engagement Department
- Survey data collection and processing of topographic features, right-of-way, and utilities
- Concept, environmental, and final design of transit stop site improvements
- Environmental documentation and clearances
- Preparation of construction documents
- Construction Management
- Compliance with Federal Transit Agency (FTA) grant requirements

- Allows the Engineering Department to focus on additional projects such as the Lower Park Avenue, Snow Creek Tunnel, Upper Main Street, and a myriad of smaller ROW projects.

Engineering will manage the PM with support from Transit and Transportation Planning. The PM provides a systematic mechanism for a durable capital improvement program focused on transit site improvements and seeks to realize efficiencies in design and innovative contracting. The contractual terms are only for services rendered.

Background

Following a Staff Communications delivered to the Council on [September 15, 2022](#) (page 109), the Engineering, Transit, and Transportation Planning Departments consulted with UDOT and the Utah Transit Authority (UTA) to discuss strategies to deliver a multi-year capital improvement program. Concurrently, UDOT worked with a consultant in recent months to refine further and clarify the processes surrounding FTA grants for rural communities (covers PC). Complying with federal regulations has been historically cumbersome, time-consuming, and challenging. A third party familiar with these nuances will ensure program success.

Historically, bus stop site improvements were designed and constructed individually, resulting in elevated costs and increased overhead in terms of contract management. As an example of legacy delivery methods, the bus stops at Fresh Market required procuring and managing five separate contracts for design, project management, construction, shelter fabrication, and construction management. Under this delivery concept, staff time is mainly focused on consultant management.

The program management approach realizes efficiencies in surveying, designing, environmental clearance, and construction of multiple stops in bulk. This method facilitates a reduction in required contracts, reduces fixed construction costs, and allows for an annual systematic approach to deliver transit site improvements efficiently.

The HNTB program management team is led by Jeremy Harbaugh, Program Manager, who has planned and designed bus stop programs throughout Utah for nearly three decades. Harbaugh is assisted by Kristi Shinall, who has spent the last six years planning, designing, and constructing UTA bus stops as part of first/last mile projects administered through TIGER grants. Additionally, Kristi is an authority on accessibility. The team also includes additional expertise from Parametrix, Jacques & Associates, REDCON, Facility Development Group (FDG), and Padgett Properties to round out the team of experts.

The PM scope was developed to augment PCMC's internal capabilities and provide technical expertise where needed. The PM will provide public outreach materials to boost community outreach efforts led by PCMC. Historically, consultants have been used on significant projects such as Upper Main Street and Lower Park Avenue to support outreach. These efforts will help to shape the level of improvements desired by

the community at each location and will be augmented by transit site surveys currently being conducted.

Following community outreach, the PM will package bus stop construction to facilitate efficient and expedient design beginning in 2024 and continuing through 2025. The PM will prepare the federally required environmental and construction documents before project advertising. During construction, the PM will manage construction, including materials testing and compliance with federal procurement standards where applicable.

Engineering developed the RSOQ in close collaboration with UDOT to ensure all federal procurement requirements were met and advertised on the Utah Public Procurement Place from January 10 to February 17. Four responses were received.

Funding

The bus stop program will draw from various funding sources, including the federal transit grant funding (5311 and 5309 grants), the Utah transportation improvement fund (TIF), the Summit County 3rd Quarter Sales Tax, and the city's Transportation Sales Tax fund. This contract's funding source is the Summit County 3rd Quarter Sales Tax.

The total program contemplates exceeding \$8M over several years to overhaul Park City's bus stops. This project is only for \$1,066,200.94 of Program Management services and an estimated \$4,300,000 in construction.

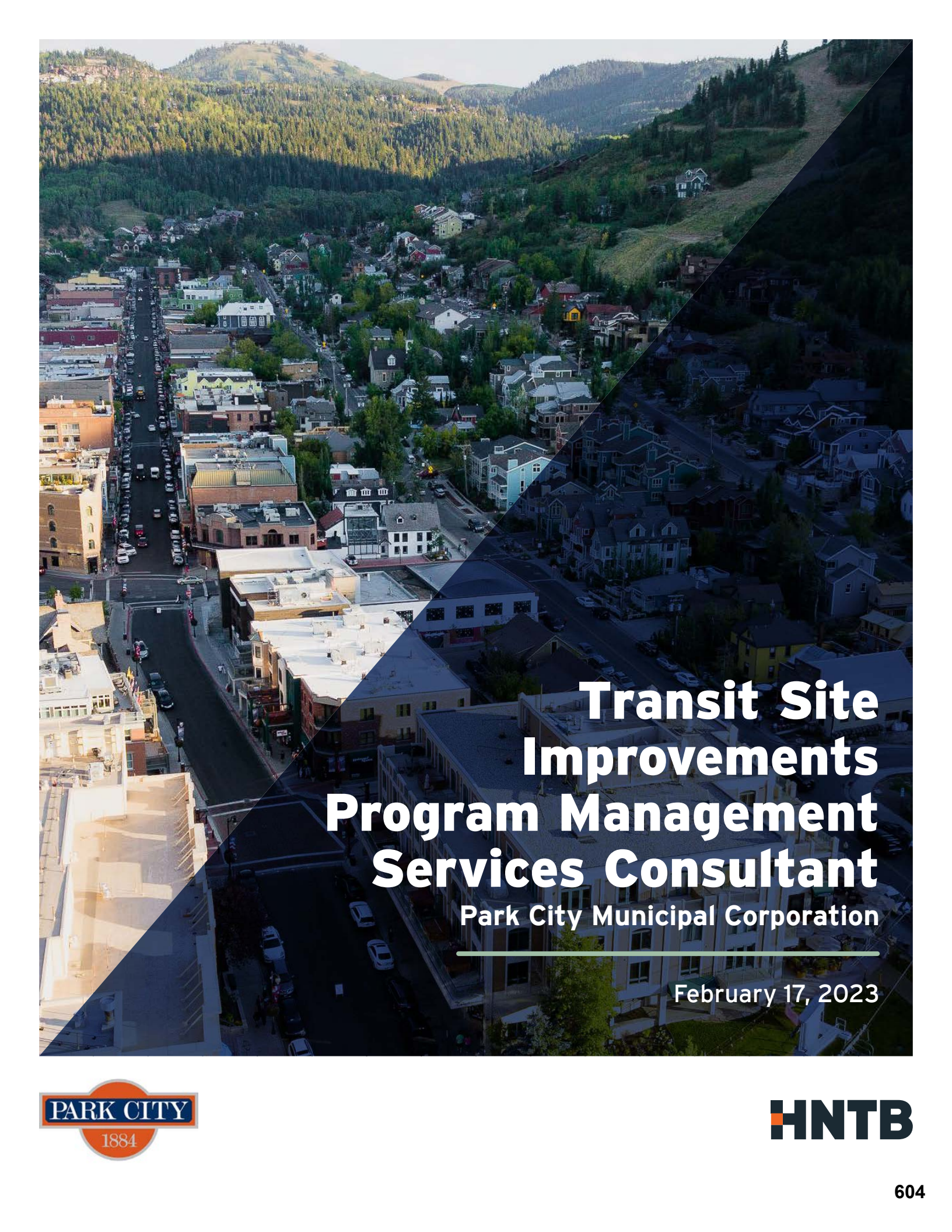
This DPSA includes the scope tasks in this report but does not fund the construction of the site improvements. Site improvements are funded through various federal, state, county, and local sources.

Construction agreements will be presented to the City Council for approval beginning in 2024. Future construction agreements will be given to the City Council for approval in early 2024 for construction in Summer 2025.

Exhibits

Exhibit A: HNTB Statement of Qualifications

Exhibit B: Scope of Work



Transit Site Improvements Program Management Services Consultant

Park City Municipal Corporation

February 17, 2023





1A. Cover Letter

HNTB's Statement of Qualifications for Transit Site Improvements Program Management Services Consultant



Gabriel Shields, PE
Transportation Engineer

Park City Municipal
Corporation
P.O. Box 1480
Park City, UT 84060

DEAR MEMBERS OF THE SELECTION COMMITTEE,

Park City has an incredible opportunity to take advantage of federal funding to improve bus stops throughout the City. To do so, you'll need an experienced consultant team that knows how to manage transit route planning and bus stop programs that lead to accessible transit teams.

The HNTB team will be led by **Jeremy Harbaugh, our proposed Program Manager**, who has planned and designed bus stop programs throughout Utah for nearly three decades. He will be assisted by our **Deputy Program Manager, Kristi Shinall**, who has spent the last six of her 18-year career involved in the planning, design and construction of UTA bus stops as part of a series of first/last mile projects administered through TIGER grants. Additionally, as the author of UTA's bus stop program delivery guide, Kristi is an authority on accessibility. Together, Jeremy and Kristi have delivered nearly 120 bus stops in Utah. They will lead our team of knowledgeable individuals who each bring experience delivering for Utah's local municipalities and operating partners, such as High Valley and UDOT.

To provide additional expertise and capacity, we've teamed with Parametrix and Sheri Ostrom, a public involvement transit specialist from Jacques and Associates. Parametrix has worked with Park City since 2016 on more than seven projects, including the City's Transit and Transportation Master Plan, as well as transit alternatives analysis for the Arts and Culture District and circulation analysis for the Main Street Plaza. Sheri is the public involvement lead for a program of UTA TIGER Grant projects. In addition to these two subconsultants, we are also partnering with REDCON, Facility Development Group (FDG), and Padgett Properties to create a well-rounded team of experts. Our teaming partners understand transit grant programs, your community's transit needs and your vision for mobility.

HNTB also has extensive experience in securing and managing federal grants for transit programs. Jeremy and Kristi will manage your existing federal grants and seek out additional federal funding opportunities. They will collaborate with HNTB's **Sean Libberton, our FTA & Grant Advisor**, who has helped secure more than 20 TIGER, BUILD and RAISE grants between 2013 and 2021. Sean also has experience with other discretionary grants including FTA Bus/No-Lo, FRA SGR Partnership, FHWA INFRA and USDOT Smart City Challenge.

Efficient and effective bus service is one means to provide suitable mobility for Park City, especially given its popularity and recent growth. With the possibility of the Winter Olympics returning in 2030 or 2034, bus service will become an even more important mobility alternative. Jeremy, Kristi and our entire team bring their specialized bus program expertise to help you realize the full potential of bus transit for the region with your operating partners.

We look forward to the opportunity to serve Park City and its residents as your community – and your city's popularity – continue to grow. Please contact Program Manager Jeremy Harbaugh at (801) 815-5912 or via email at jharbaugh@HNTB.com with any questions.

Best Regards,

Dominic Spaethling
HNTB Salt Lake City Office Leader

Tom Schnetzer
HNTB Northwest Division Delivery Officer



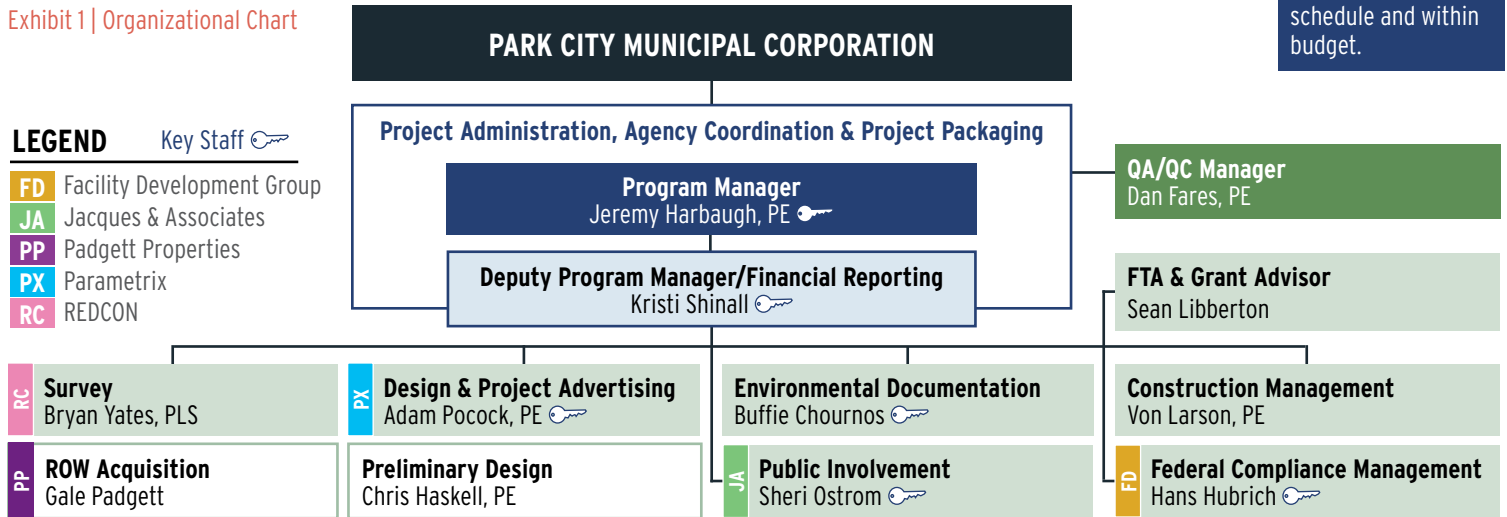


SECTION 2

2A. Qualifications & Experience

For the duration of this five-year program, the City's goal is to improve an average of 30 bus stops per year to enhance access and experience of all users. The HNTB team is ready to help you start this program by designing and beginning constructing on bus stop improvements this spring upon receipt of NTP. As **Exhibit 1** shows, our team combines people familiar to you and to local Utah transit agencies as well as national experts adept at navigating FTA and other federal compliance requirements, offering a team fully in alignment to the Scope of Work. Program Manager Jeremy Harbaugh, Deputy PM Kristi Shinall and the rest of our team will use accurate, real-time information to develop sound project solutions that meet the City's goals.

Exhibit 1 | Organizational Chart



Combined, Jeremy and Kristi will dedicate **60%** of their time to oversee the Transit Site Improvements Program and make sure it's delivered on schedule and within budget.

A1 & A2. Resumes, Biographies, and Availability

Exhibit 2 | Key Staff Availability

Key Staff Availability

Jeremy has future projects scheduled this year with UTA, but he is committed to the success of the Park City Bus Stop Program. To facilitate this success, Kristi will be on hand to meet project demands and contribute her expertise. **Adjacent is our key staff's current commitments.** Resumes located in Appendix.

Jeremy Harbaugh, PE | Project Director: Midvalley BRT (50%); UTA TIGER (20%)

Kristi Shinall | Project Director: TIGER (40%); Bus Stops, EOLs, and Operator Restrooms (30%)

Adam Pocock, PE | Roadway Lead: UDOT U.S.-189 Viaduct Replacement (25%); NDOT I-11 Feasibility Study (40%); UDOT Projects - Miscellaneous (10%)

Buffy Chournos | Environmental: UTA Midvalley BRT (10%); WSDOT HAZMAT Reports (50%); SLCIA EA (15%)

Sheri Ostrom | Public Involvement: Highland City 6800 W Road Reconstruction (20%); Park City Rossie Hill Drive Project (25%); Miscellaneous Project Close Outs (10%)

Hans Hubrich | Project Controls: UTA Capital Development PMSC (50%); Other owner representation services (30%)



JEREMY HARBAUGH, PE | Program Manager

Value to Park City: Jeremy brings unparalleled expertise through his experience helping owners deliver over 100 bus stops and transit projects, and will apply this knowledge to effectively manage, design and construct your bus stops.

Jeremy brings 27 years of experience in achieving program management for transit agencies, leading teams through the environmental, design and construction to final project delivery. He has overseen the design and construction of over 100 bus stops for UTA, which included 12 bus stops on the 3900 South project. Due to his history of transit delivery for UTA and UDOT, Jeremy has an in-depth understanding on how to procure contractors, complete bus stop designs, establish budgets, and manage federal funding for a bus stop program.

Role: As PM, Jeremy will partner with the City's PM Gabe Shields, whom he has worked with previously on bus stop designs, to determine the allocation of federal and local funding sources. He will assist Park City to determine appropriate bus stop amenities, costs and budget impact. Jeremy will oversee survey and design teams to confirm agreed-upon schedules for the project are achieved. He will also advise on contractor procurement, as well as ways to maximize budget and achieve quality construction.

Relevant Experience

Project Director: Midvalley Bus Rapid Transit Project; UTA, TIGER First/Last Mile Grant Project, UTA, Mid-Jordan Light Rail Line; UTA, Draper Light Rail Line; **Program Manager:** UTA, Program Management Services

Current Assignments, Project Commitments: See Exhibit 2



Transit Site Improvements Program Management Services Consultant

HNTB

Park City Time Commitment

30%

Education

BS, Civil Engineering

Licenses

PE, UT, #276204



KRISTI SHINALL | Deputy Program Manager/Financial Reporting

Value to Park City: Kristi will apply her previous and ongoing bus stop project experience to aid Park City in developing a comprehensive five-year program plan through construction.

Kristi has spent the last six years working as a program manager for UTA securing funding and implementing the TIGER grant program for many first/last mile of projects. She worked with UTA on grant support, developing a program of projects to match and secure funding, and later supported program implementation. She is currently managing the program through design and construction. While at UTA, Kristi worked on the bus stop program with Jeremy and Gabe to help manage the design and construction of 117 bus stops. Kristi recently wrote the bus stop program delivery guide for UTA's capital development group. Kristi will apply her experience to direct our team of experts through FTA's processes, avoiding delays and setbacks as the project progresses from initial design through construction.

Role: As DPM, Kristi will work with Jeremy and Gabe to provide a five-year program plan of bus stops tied to funding sources. She will prepare the required monthly and/or quarterly reports and review grant applications and notice of grant awards to understand the funding for the program. This includes match percentages, funding deadlines, commitments made to receive funding, reporting requirements, and funding tied to specific improvements and/or areas.

Relevant Experience

Program Manager: UTA, Bus Stop Program; UTA, TIGER First/Last Mile Grant Project; UTA, Operator Restroom Facilities

Current Assignments, Project Commitments: See Exhibit 2

HNTB

Park City Time
Commitment

30%

Education

BS, Civil Engineering;
BS, Biology

Licenses

N/A



ADAM POCKOCK, PE | Design Manager & Project Advertising

Value to Park City: Adam brings an extensive breadth of knowledge managing final design and bid packages for projects of all sizes, from pedestrian and bicycle connectivity and context sensitive designs, to bus stop design for various clients, including UTA and Park City.

Adam is a design lead and project manager with over 13 years of experience on transportation and transit-focused projects. He has helped deliver numerous projects focused on all users, including the Meadows and McPolin Barn Bus Stops project with Park City, Mountain View Segment O in Lehi with UDOT, and the OGX BRT project in Ogden and the Midvalley BRT project in Taylorsville with UTA. Adam's background includes insight into the construction and bid mindset contractors use to reduce project costs and risk. Adam is focused on providing bid-ready and constructable designs that maximize value for all users while providing high-quality, low-risk bid packages for Park City.

Role: Adam is responsible for managing all final design and bid documentation for the project.

Relevant Experience

Roadway Design Lead: Park City, Meadows and McPolin Barn Bus Stops; UTA, Ogden-WSU (OGX) BRT; UTA, Midvalley BRT; UDOT, Mountain View Corridor, Segment O

Current Assignments, Project Commitments: See Exhibit 2

Parametrix
ENGINEERING · PLANNING · ENVIRONMENTAL SCIENCES

Park City Time
Commitment

25%

Education

BS, Civil Engineering

Licenses

PE, UT, #8692196



BUFFIE CHOURNOS | Environmental Documentation

Value to Park City: Buffie previously worked as the Environmental Compliance Administrator for UTA. During the TIGER Grant process, Buffie worked with Kristi and Jeremy to complete the CatEx for the Summit County and Park City bike share locations and is familiar with the Park City Soil Ordinance regulations.

Buffie has 20 years of experience and will use it to complete NEPA and TSA documents for UTA bus stop projects, and bring valuable familiarity and knowledge with FTA's processes and contamination hazards associated with Park City and the mining history to avoid delays and setbacks. Her background includes NEPA evaluations, and environmental permitting efforts for sites ranging from rail line corridors, bus and light rail transportation projects, Phase I ESA investigations, Transaction Screen Assessments (TSAs), Limited Subsurface Investigations (LSI), compliance audits, maintenance facilities, and Superfund sites. While at UTA, she worked on the TIGER Grant, authoring many of the NEPA Categorical Exclusion (CatEx) Checklists for the FTA Region 8. This also included clearances for the Park City Bike Share Stations, where Buffie outlined steps within the Park City's Soil Ordinance.

Role: As the Environmental Lead, Buffie will review bus stop locations complete a CatEx checklist for groups of bus stops to be approved by UDOT and/or FTA, and evaluate any ROW purchases and/or TCE boundaries associated with construction prior to purchase or use and complete a TSA for potential environmental hazards.

Relevant Experience

Environmental: UTA, Utah Valley Express (UVX), Provo and Orem, Utah; UTA, Ogden Express (OGX); UTA, TIGER First/Last Mile Grant Project

Current Assignments, Project Commitments: See Exhibit 2

HNTB

Park City Time
Commitment

25%

Education

BS, Environmental Geology

Licenses

N/A





SHERI OSTROM | Public Involvement

Value to Park City: Sheri and the rest of the J&A Team have previous experience providing public involvement services to the City. Sheri is currently working on the Park City, Rossie Hill Drive Road Reconstruction and will be able to apply this knowledge to work closely with the public for this project.

Sheri is an experienced project manager, who has worked on state and local government projects throughout Utah. She has 21 years of work experience and is skilled at public involvement project management, public meeting facilitation, public notices, content creation, photography, stakeholder meetings, database management, coordinating public involvement needs at project meetings, maintaining project logs and serving as liaison between the project team and the public.

Role: Under the role of Public Involvement for this project, Sheri and the J&A team will coordinate project meetings, maintain project logs, and work with the project team to collaborate with the public.

Relevant Experience

Public Involvement Manager: Park City, Rossie Hill Drive Road Reconstruction; UTA, West Valley Bike Lane

Current Assignments, Project Commitments: See Exhibit 2



Park City Time Commitment

45%

Education

BS, Animal Sciences

Licenses

N/A



HANS HUBRICH | Federal Compliance Management

Value to Park City: Hans possesses a deep volume of experience with transit projects in Utah, both locally and federally funded. He has a proven track record of working with and satisfying the documentation and reporting expectations of the FTA and other governing agencies, and is a strong, relational team player in complex project environments.

Hans Hubrich has more than 22 years of industry experience across both the private and public construction sectors providing project delivery, contract administration, compliance management and owner representation services. He has a history of successful project delivery throughout entire project life-cycles and has filled roles both leading and supporting teams in delivering projects within the constraints of schedule, budget and scope. Hans offers valuable experience interfacing and working with federal and state agencies and oversight committees, including UDOT, UTA, FTA, the Federal Highway Administration (FHWA), and numerous city and local entity building departments and planning commissions.

Role: Hans will manage Federal Compliance for the Park City Transit Site Improvements PMSC. Under the direction of the project management team, and utilizing additional resources from the HNTB and FDG teams, Hans will be responsible for the successful oversight and execution of local and federal compliance management requirements for the program.

Relevant Experience

Compliance Management: UTA, TIGER First/Last Mile Grant Project; **Project Controls:** UTA Capital Development PMSC

Current Assignments, Project Commitments: See Exhibit 2



Park City Time Commitment

25%

Education

BS, Construction Management

Licenses

N/A



GALE PADGETT | ROW Acquisition

Value to Park City: Gale will apply her personal experience as a public transit user and former resident of Park City to assist the City with their ROW acquisition.

Gale is knowledgeable about the relocation process and is familiar with the federal and state guidelines concerning relocation activities. She understands the importance of coordinating ROW efforts with subcontractors and coordinates closely with property owners, clients and government officials to facilitate a successful conclusion to each project. Gale's ROW expertise is reinforced by her knowledge of real estate, including short sales, sales and listings; ROW project management and subconsultant coordination; property negotiation; document and title report reviews; closings, including their coordination as well as reconciled claimed closing costs versus actual; and with preparing relocation claim packages.

Role: As the ROW Acquisitionist, Gale will lead the project ROW and complete tasks such as ordering appraisals, appraisal reviews, preliminary title reports when needed, and closing processes or document storage.

Relevant Experience

ROW Acquisition: UTA, Midvalley Bus Rapid Transit Project; UTA, Ogden-WSU Bus Rapid Transit Project; UTA, Provo-Orem Bus Rapid Transit Project

Current Assignments, Project Commitments: **ROW Consultant:** Midvalley Bus Rapid Transit Project, ROW (75%)



Park City Time Commitment

25%

Education

Salt Lake Community College; University of Texas at Arlington; Spencer & Stringham Real Estate School; The Real Estate School

Licenses

Real Estate Broker
#5486746-PB00;
Notary #704919





SEAN LIBBERTON | FTA & Grant Advisor

Value to Park City: During the administration of an FTA funded program, informal questions arise about FTA requirements. These informal questions can be taken to FTA through UDOT, but usually take an inordinate amount of time. Sean is well-versed in FTA requirements and can provide answers to questions within a day or two helping the project move forward in a timely manner.

Sean is part of HNTB's National Transit and Rail practice, offering more than 27 years of experience in public transportation, including technical, policy, and management services. With more than 20 years of service with FTA, Sean is an expert in FTA funding and project development requirements, as well as a dozen other USDOT grants across several modal agencies. His area of expertise is transit project development, which includes corridor planning, environmental review, project evaluation and financial analysis. Sean is an expert on federal transportation funding programs and the transit provisions of the Infrastructure Investment and Jobs Acts (IIJA).

Role: In his role as FTA & Grant Advisor, Sean will support the City in exploring and pursuing federal funding opportunities, and verify that any grant applications are competitive and compliant.

Relevant Experience

Project Manager and Strategic Advisor: USDOT, Various Clients and Locations

Current Assignments, Project Commitments: **FTA Task Lead:** BART Silicon Valley Extension (10%); **Federal Funding Advisor:** MARTA Federal Program Support (5%); UTA, Federal Program Support (5%); Corporate Development/Grant Writing (55%)

HNTB

Park City Time Commitment

25%

Education

MS, Urban and Regional Planning; BA, Urban Planning/Political Studies

Licenses

N/A



DAN FARES, PE | QA/QC Manager

Value to Park City: Dan has worked with and led many teams for UDOT and UTA in the design, review, and management roles. With over 22 years' experience delivering quality projects and reviews, Dan is ideally suited in his role as QA/QC Manager.

Dan has worked on projects in various management roles: Bridge Design Manager for Mountain View Corridor from 5400 South to 4100 South, Lead Engineer for Spanish Fork Center Street over UPRR bridge widening, Bridge Design Manager on four Interchanges on Bangerter Highway, and Lead Engineer on the 10600 South Over Monroe Street Ramp project. While working on these projects, Dan also implemented QA/QC procedures to verify compliance. Dan served at UTA on the FrontRunner project, both as a design engineer for several bridges and as the Post-Design Lead.

Role: As the QA/QC manager, Dan will support the City in verifying that quality requirements and procedures for this project are adhered to the expectations of the City.

Relevant Experience

Structures: UTA, FrontRunner South CMGC Project, Preliminary Engineering and Final Design Services, Salt Lake City to Provo, UT; **Bridge Design Manager:** UDOT, Mountain View Corridor; 5400 South to 4100 South, Salt Lake City, UT;

Lead Engineer: UDOT, 10600 S. Interchange Improvements, Sandy, UT

Current Assignments, Project Commitments: **Program Management:** Mountain View Corridor (30%); UTA (10%);

Design Review/Support: I-405/124th interchange (WSDOT) (30%), SLCIA (5%)

HNTB

Park City Time Commitment

25%

Education

MBA, BS, Civil & Environmental Engineering

Licenses

PE, UT, #374977



BRYAN YATES, PLS | Survey

Value to Park City: The experience that Bryan brings in performing 200+ bus stop amenity projects over the past few years has enabled the creation of a streamlined workflow from field to finish with a keen understanding of scheduling and budgets.

Bryan has supported UTA with professional land surveying services for 10 years on a myriad of transit projects. He has provided consultation and resolution of boundary and ROW matters along with associated deed preparation to facilitate land acquisitions and dispositions. He has worked closely with UTA's property management team in standardizing recordable documents that meet UTA, local, and state requirements. Bryan has extensive knowledge and experience in property rights as it relates to railroad/corridor parcels of land and the unique challenges that presents.

Role: Bryan will be responsible for all professional land surveying services required for this project.

Relevant Experience

Sr. Project Manager for Survey: Hill Air Force Base (HAFB), Layton, UT; UTA, Davis Prop 1 and Weber Prop 1, Multiple Cities in Davis and Weber Counties, UT

Current Assignments, Project Commitments: **Surveyor:** HAFB East Campus Infrastructure Project (25%); UTA/HNTB Program Management Review (20%); oversight/certify multiple projects (15%)



Park City Time Commitment

40%

Education

AAS, CAD Technology

Licenses

PLS, UT, #8589857





VON LARSON, PE | Construction Management

Value to Park City: Von has been involved as a consultant to UTA and involved in their capital construction program for the past 15 years. He will provide the City with an in-depth understanding of construction management and quality in order to complete the project as desired.

Von is a civil engineer with more than 15 years' construction management experience on transit projects. Since joining HNTB in 2021, he supports UTA's Program Management contract, serves as a resident engineer for the 5.5-mile BRT project in Ogden and has also supported the completion of the Orem-Provo BRT project. He has been involved with UTA's quality assurance team in the capitol development group ranging from projects related to bus stops, BRT, streetcar, light rail and commuter rail projects for the past 15 years. He is coordinating QA testing and inspection work with the UTA testing contractor.

Role: Von will oversee and manage the construction from the owners side to provide the City with a quality project that will benefit the City's transit system.

Relevant Experience:

QA Manager: Timpanogos Bus Maintenance Facility, Orem, UT; Salt Lake Central Depot District Bus Maintenance Facility

Current Assignments, Project Commitments: **UTA Quality Assurance Manager:** Ogden City Bus Rapid Transit Project (40%); Midvalley Bus Rapid Transit Project (40%)

HNTB

Park City Time
Commitment

20%

Education

BS, Civil Engineering

Licenses

PE, UT, #178589



CHRIS HASKELL, PE | Preliminary Design

Value to Park City: Chris will contribute his design experience addressing the complexities of bus stops for UTA to design each Park City bus stop within scope, schedule and budget. Chris' background experience would allow the City to keep their commitments to the community of providing public transportation and using public funds efficiently.

Chris is a civil engineer specializing in transportation engineering, including roadway, signing, striping, traffic signal, MOT, ITS, ADA compliance, and bus stop design. He has served as a designer on major DOT design build, design-bid-build, and procurement projects. Chris works with agencies, contractors, and other engineers providing technical expertise for projects from design through development of plans and cost estimates to contractor coordination before, during, and after construction. Chris has participated in the design and program management of projects for UTA, and UDOT.

Role: Chris' role on the project would be the design engineer who would provide concept or preliminary design documents used for environmental documentation and environmental compliance.

Relevant Experience

Traffic Designer: UDOT MVC; Porter Rockwell Blvd; **Design Engineer:** UTA Program Management, Statewide, Design Engineer (Project performed while at another firm)

Current Assignments, Project Commitments: **Traffic Designer:** I-405, 520/124th PM (25%); SR-114 Geneva Road (25%); SR-113 & 400 East Roadway (25%); MVC, Porter Rockwell (5%)

HNTB

Park City Time
Commitment

20%

Education

BS, Civil Engineering;
MS, Civil Engineering

Licenses

PE, UT, #12090516

A3. Staff Capabilities

HNTB has the capacity and capability to meet each of the below-listed items in the RFP's Scope of Work.

In addition to the individuals listed above, Adam Pocock from Parametrix and Sherri Ostrom from Jacques and Associates (J&A) will be providing assistance with the capabilities (*). Adam will be involved with the project packaging, and PS&E, verifying that the project complies with UDOT standards. Sheri will provide public involvement coordination during the project, meeting with the municipalities involved throughout the project.

Exhibit 3 | Staff Capabilities

	Jeremy	Kristi	Buffie	Hans
Bus stop program management experience	✓	✓	✓	
Project packaging, construction costs and funding*	✓	✓	✓	
Generated bus stop form with costs, tiered design levels and ridership	✓	✓		
Prepare PS&E design package to UDOT standards*	✓			
Environmental documentation/NEPA experience		✓	✓	
Improvements tied to funding sources	✓	✓	✓	✓
Public involvement coordination*	✓	✓		
Compliance management	✓	✓		✓
Financial reporting		✓		✓
Developed bus stop program delivery guide	✓	✓		
Contractor procurement	✓	✓		
Grant implementation	✓	✓	✓	✓
FTA experience	✓	✓	✓	✓



A4. Relevant Projects & Results

UTA, TIGER FIRST/LAST MILE GRANT, VARIOUS CITIES, UT, 2018-2023

UTA was awarded the TIGER First/Last Mile grant, the first grant of its kind given to an agency that had multiple types of projects and locations. UTA requested a larger sum than what was awarded and as a result, they needed to scale the program to obtain final grant signature and secure the funds for the program prior to grant award expiration. The TIGER program consisted of 32 local government projects, and HNTB worked with 26 cities and six counties spanning from Ogden to Provo and Summit County to Tooele. We assisted UTA to re-prioritize the projects and develop cost estimates with escalation for the next five years. Our team organized stakeholder review meetings for the program for each project's scope of work, then assembled project requests and cost estimate forms. The projects covered a variety of elements including ADA ramps, bike parking, trails, overhead pedestrian bridges, bus stops, bike lanes, bike share and wayfinding. Once FTA and USDOT signed off on the paper grant, a framework was established to report projects and budgets for the grant. Monthly and quarterly grant reporting were measured from the budget and project commitments UTA made in the paper grant. Once the project list was approved, the focus changed to program implementation. UTA decided to run the program under a CM/GC contract. HNTB helped write the designer RFQ and the contractor RFP. One designer and contractor were hired for the entire program. Design is complete and construction on two projects are remaining. The program will finish in November 2023.



Results Achieved

- Paper grant signed and federal money secured
- List of projects scaled to match federal funding award
- Projects prioritized in years to coincide with funding availability
- All environmental clearances were complete
- Project list, project cost, stakeholder agreements, and project timelines coordinated with all 26 cities and six counties
- FTA oversight of grant funds

PROJECT RELEVANCY



FTA Involvement/Coordination



Experience in Summit County



Bus Stop Design

UTA, 3900 SOUTH BUS STOP ADDITIONS, MILLCREEK, UT, 2018-2019

Twelve bus stops were improved along the 3900 South corridor, providing ADA compliance and accessibility to city and county services, jobs and schools. Jeremy and Kristi managed the project and worked with UTA's service planners to determine the best locations based on topographic constraints, ROW and operations. These designs were coordinated and optimized with Millcreek City input. Jeremy managed the design of the stops and worked with the survey team and property acquisition. Quantities were pulled from the design plan to develop cost estimates and send packages for construction using UTA's on-call contractor.



Results Achieved: UTA had a Community Development Block Grant (CDBG) approved for the 12 bus stops in the area, and with this grant the project was able to meet their grant commitments.

PROJECT RELEVANCY



Bus Stop Design



ROW Coordination



PS&E Package Design

UTA, DAVIS PROPOSITION 1 BUS STOPS & WEBER PROPOSITION 1 BUS STOPS, VARIOUS LOCATIONS, WEBER AND DAVIS COUNTY, UT, 2017-2018

The objective of funding Proposition 1 was to construct many new bus stops and improve existing bus stops to make them ADA compliant while enhancing amenities as ridership warranted. To start, Jeremy and Kristi developed a bus stop request form to aid in matching a multitude of requests to funding, helping the service planners and capital development. The form sets forth the following: allowing clear communication at the bus stop location, providing CIS links to confirm whether the stop requires property acquisition, calculating the approximate construction costs and graphically depicting the planned stop, including its side elevation. This allowed Jeremy and Kristi to prioritize and package bus stops efficiently for design and construction. Because stops needing ROW take longer, UTA developed an eight-week contact process to determine if a property owner was willing to negotiate. After eight weeks, if contact was not established, the team moved on to a secondary location. When a design package was ready for construction, UTA's on-call contractor was used to construct the bus stops.



Results Achieved

- Management, design and construction management provided for 117 bus stops throughout Weber and Davis County
- Construction of bus stop and development of an efficient ROW process for future bus stops
- Introduction of a tiered bus stop approach, which included data comparisons based on ridership and other area-specific constraint

PROJECT RELEVANCY



ADA Compliance



Bus Stop Shelter Upgrades



ROW Acquisitions



Bus Stop Design



UTA Program Management



Transit Site Improvements Program Management Services Consultant

HNTB

611

A5. Consultation Services

HNTB has helped 26 cities fund and construct first/last mile projects through the TIGER program. UTA secured the grant for the cities but functioned as a pass-through funding agency, acting as a bridge between the client and consultant. The entire program was built to help cities improve connections while increasing transit ridership. There are 32 municipality projects in the program, with 30 that are completed and open to the public for usage. These completed municipal projects include trails, ADA ramps, overhead pedestrian bridges, bike lanes, sidewalk connections, railroad crossing improvements and bike share projects. These projects helped enhance community access and increase quality of life by providing the necessary safe connections for public transit. HNTB worked with 26 different municipalities to understand their project scope, review cost estimates, and prioritize their projects for the TIGER program. In addition to these projects, two overhead pedestrian bridges are under construction. The remaining projects will be complete in November 2023.

Success: Mountain Base Area Transit Conceptual Engineering, Park City, UT

Parametrix worked with Park City staff to evaluate transit configurations to serve the redevelopment of the Park City Mountain Resort base area. The team developed high-level transportation options to accommodate transit and other modes. Parametrix staff provided planning, engineering and concept visualization renderings in support of this effort. Preferred station concepts were provided for inclusion in the proposed development concept.

A6. References

1. RYAN KUMP

Sandy
(801) 598-6196
rkump@sandy.ut.gov
TIGER

2. ROBERT BROTHERRSON

UTA
(801) 230-9355
rbrotherson@rideuta.com
UTA Bus Stop Program

3. TREVAN BLAISDELL

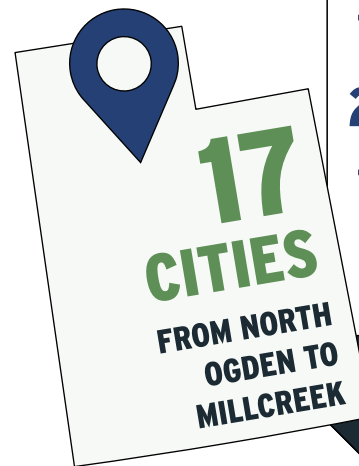
UTA
(801) 626-1246
tblaisdell@rideuta.com
UTA Bus Stop Program

4. COBY WILSON

WVC
(801) 963-3204
coby.wilson@wvc-ut.gov
TIGER

5. BILL BARANOWSKI

West Jordan/Now SLC
(385) 414-1490
bill.baranowski@slcgov.com
TIGER



BUS STOPS UTAH

400+

Total Bus Stops in Utah
Between HNTB and Our
Subconsultants

100+ Jeremy Harabaugh
& Kristi Shinall

200+ Parametrix

100+ REDCON

*FDG, Jacques, and Padgett also
have backgrounds in providing
similar services.*

2B. Approach to Scope of Work

HNTB brings a team with the experience and expertise to help achieve Park City's program goals to construct approximately 150 bus stops in five years. Applying lessons learned from the successful delivery of bus stop programs for other owners, we will deliver a program customized to Park City's budget, priorities and schedule. Our team knows how to achieve the aggressive schedule to perform survey, environmental, design, contractor procurement and construction work upon receipt of NTP in the spring of 2023. We will work collaboratively with the City to determine bus stop amenities, use of public funds for design and construction packages, contractor procurement, public outreach and compliance with federal funding requirements. Key considerations for this project include determining bus stop amenities, when and where to use local funds for design and construction packages, procuring a contractor, providing information to the public, and ensuring the project meets compliance requirements when federal funds are used. During the project we will schedule meetings with the client and stakeholders to coordinate each task discussed in the scope.

Using information the City has previously gathered and based on our database of costs for bus stops, we recommend a tier-based amenities approach. This approach will maximize available and future funding, avoid inflation erosion and show important progress to those who have provided funding. A locally funded package with no property acquisition requirements has the highest probability of achieving construction in 2023. Our schedule on [Exhibit 5](#) on the following page shows it is possible to achieve construction this year, and demonstrates our proposed plan for the five-year contract. The 2023 and 2024 schedules can be applied in years 2025 through 2027 depending on how the City decides to use their local and federal funding and package the bus stops in those years.

TASKS 1 AND 2: Project Administration & Agency Coordination and Project Packaging

Managing and designing more than 100 bus stops in Tooele, Weber, Davis and Salt Lake Counties has given our team valuable and unrivaled experience in the state of Utah. We are intimately familiar with the most efficient order of work, environmental requirements, design considerations and federal compliance regulations. We will generate concept plans used to verify environmental work, public involvement, coordinate with staff, and receive initial comments from stakeholders.

HNTB will develop a dynamic Program Tracker dashboard to display and report program progress to stakeholders, including City Council members. HNTB will create this map-based, interactive dashboard in ArcGIS Online's

cloud-hosted environment, allowing us to populate the dashboard with the most recent program and project data while providing secured access via web browser. The dashboard will have a map-based interface, allowing City Council members and other project/program stakeholders to click, search or filter a bus stop on the map to display:

High-Level Program Data, such as total projects, percentage breakdown by stage, total funding, total spent, total DBE percentage, etc.

Detailed Project Data, such as funding source, DBE percentage, budget, contractor, projected/actual start, projected/actual end, status, narrative, etc.

The Program Tracker will integrate existing GIS data displaying the locations of bus stop projects with the current status of the program and projects. This data integration will be refreshed at least daily so that internal



stakeholders can use this data to track progress. The Program Tracker will be made available as soon as there is program data to support. This “real-time” dashboard will allow City Council members to conveniently and securely access the data at their discretion over the entire life of the program, increasing transparency and streamlining FTA reporting requirements.

INNOVATIONS OR EXTENSIONS

Park City may want to consider completing field work or inspections with the Field Maps mobile application, bringing the power of the Program Tracker to field staff and allowing the Program Tracker to be updated in real-time, enabling data availability to staff and maximizing efficient data entry. The tracker will provide the City weekly Excel reports of the program and project status that are accessible and shareable for everyone involved in the project. The reports can be automated to pull data directly from the GIS database, format into a multi-tab Excel summary report, and email to the project stakeholders. This combination of data and a tangible, saveable spreadsheet caters to the various ways that stakeholders will desire to interact with the data.

Task 1 & 2 Deliverables

- Program Tracker dashboard with ArcGIS
- Program progress reports for stakeholders
- Produce weekly Excel reports of the program and project status

Exhibit 4 | MDOT Connection Dashboard

The Michigan DOT received a BUILD grant to integrate approximately 1,300 traffic signals to a central signal control system (i.e., Econolite Centrac) and upgrade equipment at those signals. Staff inspector contractor progress through the Field Maps application and the program dashboard is updated in real-time. A weekly Excel spreadsheet is created via an automated process to report progress to the client project manager and to meet federal BUILD grant requirements. This application would be scalable to Park City.

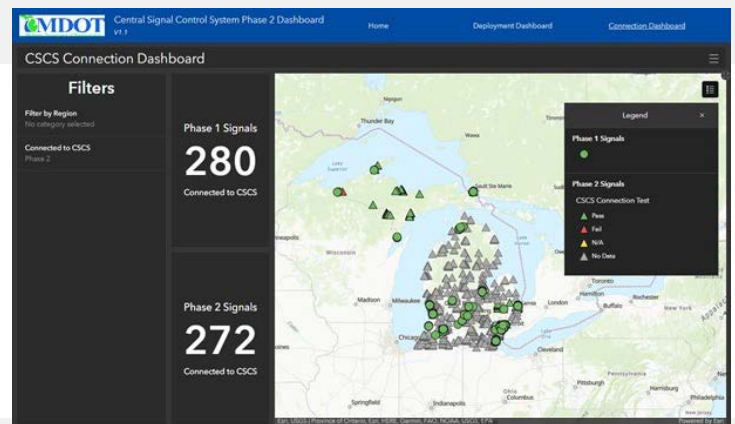
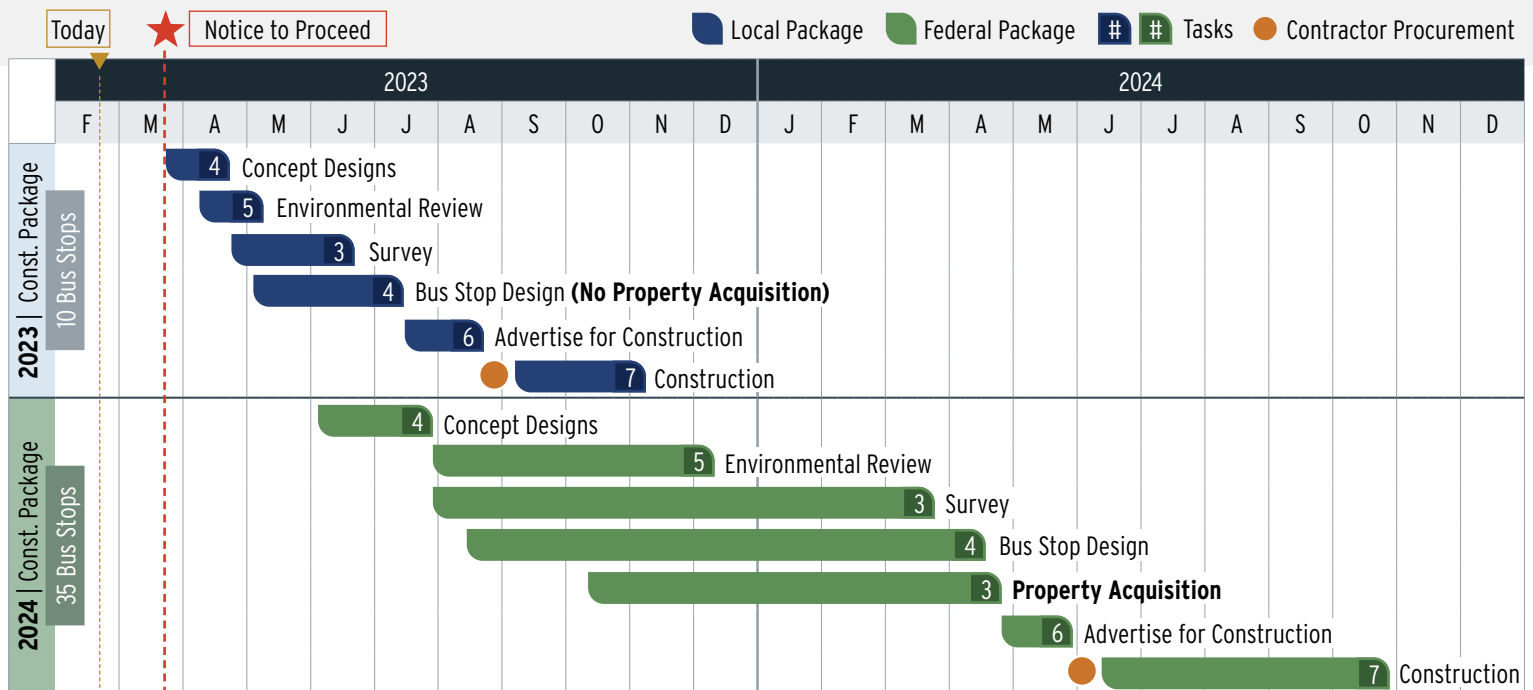


Exhibit 5 | Schedule for Park City Transit Site Improvements

For this project we understand that the City is expecting to start production within the year. We have provided an anticipated schedule for the City that showcases our process for 2023 and 2024. This schedule will act as a baseline for 2025-2027, the remaining three years of the five-year contract.



TASK 3: Survey

Bryan Yates and his team at REDCON will perform survey control, existing ROW identification and documentation, conveyance documents, and topographic survey. It will be critical to complete existing ROW identification early in the project to determine optimal bus stop locations. Our experience has shown that some locations may have ROW and terrain conditions that make it feasible to forgo a topographic survey. Planimetrics and a Terrain Model (TM) will be provided by REDCON to the design team. REDCON will use conventional survey means to establish their survey, which will provide the precision needed for ADA design. Upon receipt of the survey information, our design team will review the survey information and verify the accuracy of the TM in CADD.

Once preliminary design, bus stop location, existing ROW identification and topographical surveying have been completed, final design can begin. ROW acquisition is often on the project's critical path. To mitigate this challenge, we propose starting final design right after identifying the required property acquisitions, property owners, and initiating property owner discussions. We can better gauge the level of property owner cooperation better by making contact at the start of final design. For this work, the HNTB team will engage Gale Padgett (Padgett Properties), who will bring her lessons learned from the Ogden-WSU BRT Project to work with property owners and obtain the necessary property and easements. We propose obtaining verbal commitments of intent to sell from property owners within 30 days of first contact. If it is not possible to get this verbal commitment from the property owner within this time frame, then the team will need to decide



with Park City whether to keep the current bus stop location or to adjust the location to a property owner who is more accommodating. This decision will be made based on the interaction with the owner and a 12-week period for good faith negotiations.

We recommend that property needed for the bus stops be acquired as a perpetual easement instead of obtaining fee title. Our experience on other bus stop corridors indicates that the perpetual easement is less expensive than fee title and that property owners are more inclined to negotiate for a perpetual easement than fee title. This will conserve project budget and improve the schedule. Upon the completion of final design and implementation of comments, our team will develop ROW plans and prepare conveyance documents. We have also obtained ROW for bus stops previously, and understand the process and requirements for obtaining property.

Task 3 Deliverables

- Survey control, topo survey, and terrain model
- Bus stop locations and existing ROW identification
- ROW conveyance documents

TASK 4: Design

Success in the design process requires beginning with a clear understanding of concept plans, bus stop location information and our understanding of the City's plans for advancing the bus stop program. We then obtain a topographical survey and initiate ROW research where necessary to develop existing ROW lines with a low probability of requiring property or construction easements. Prioritizing these locations in a local funding package reduces environmental requirements, reviews and approval times to enable the design process to proceed and be complete in a timely fashion in 2023.

During initial design, we propose holding bi-weekly progress meetings with Park City's PM (Gabe Shields) and other City staff. We will review the bus stop design schedule, environmental coordination, ROW progress and other project concerns that arise during design. Our personnel will strive to use the identified bus stop locations to preserve the work done by City staff, but it is our experience that once existing ROW is known, some locations will need to be adjusted. If the City does not want to use eminent domain for bus stops, it is critical at this stage to identify bus stop locations that are not only well suited for operators and users, but must also be realistic from the perspective of obtaining property.

At locations where moving the bus stop is not a viable option, we propose creating exhibits and meeting with the property owners prior to completing the ROW design documents. This saves both time and effort when locations may initially be opposed by the property owners and allows for potential buy-in with a different concept. Due to the large amount of bus stops, we see this coordination occurring in a series of meetings with Park City staff using virtual (via Microsoft Teams and/or Zoom) and in-person meetings.

Critical to creating quality design plans is having an established Quality Assurance/Quality Control (QA/QC) process. As the design team, we commit to providing a thorough QA/QC process that results in a high-quality product. We will use a modified form of the standard Originator, Checker, Backchecker, Corrector, and Verifier QA/QC process. As the lead designers, Parametrix will conduct their own internal QC to provide quality submittals. As the program managers, HNTB will provide a second QC check (ran concurrently with Parametrix's internal QC) and perform the final verification to ensure all comments have been addressed and that the design conforms to all necessary standards and the design intent is agreed upon with Park City. This approach will partition program management duties from design duties.

Task 4 Deliverables

- 60% and 100% design plans
- Specifications and cost estimates
- Exhibits for property owners showing ROW
- QC/QA documentation

TASK 5: Environmental Documentation (NEPA/Federal Compliance)

Upon receipt of NTP, we will work with Park City to evaluate bus stop priorities for each year of the five-year program. Buffie, our Environmental Lead will complete a NEPA CatEx checklist for groups of bus stops to be approved by UDOT and FTA. **Our team anticipates grouping 10 to 20 bus stops by locality and potential anticipated conflicts such as hazardous materials or historical properties.** One CatEx checklist is anticipated to be completed and approved in the year 2023. Two checklists will be completed and approved each year between 2024 and 2027.

We will evaluate impacts to land use and zoning in accordance with CatEx and the Park City Soil Ordinance regulations regarding hazardous materials impacts and impact analysis will be entered in UDOT's ePM system. When a CatEx is complete and UDOT has approved, a report will be printed from ePM and sent to FTA for final approval. UDOT and FTA approval is anticipated to take three to five months per CatEx. If the City chooses to use local funding, our team will work with the City to develop packages of bus stops to move forward quickly into design and construction, allowing for a more streamlined environmental process.

ENVIRONMENTAL CLEARANCE FOR RIGHT OF WAY

We will evaluate any ROW purchases and/or Temporary Construction Easement (TCE) boundaries associated with the proposed bus stop construction prior to purchase or use. To identify any potential environmental hazards associated with the construction, HNTB will complete a Transaction Screen Assessment for ROW to be purchased and a desktop review for TCE utilization. Our team will also identify any issues or environmental commitments identified in the CatEx checklist that may require further action before construction.

Task 5 Deliverables

- CatEx checklist for bus stops approvals for UDOT and FTA
- ePM report
- Environmental commitments identified in the CatEx checklist

TASK 6: Project Advertising

Through HNTB's time-tested process for contractor procurement and evaluation, we suggest using the following technical- and price-based criteria to offer Park City the best value contractors:

Technical: Meet or exceed specification, previous experience and qualifications, project schedule, approach to work, management team

Price: Unit prices for standard bus stop bid items for multiple years and price realism

We realize there are factors influencing how the City uses their federal versus local funds. Federal funds will mandate that ADA compliance be prioritized over shelter amenities. Assessing needed amenities and costs of the shelters will help drive which shelters and the resulting packages should be funded with local funds and which should be funded with federal funds. Our team will follow a rigorous QA/QC design process as previously outlined, resulting in plans, specification, and an estimate that are reliable and result in creating reliable budgets and few change orders.

Task 6 Deliverables

- List of needed amenities and costs of the shelters to allocate the bus packages

TASK 7: Construction Management

We have extensive experience with field oversight of bus stop construction and working with construction documents. Our Construction Management Lead, Von Larson, has experience constructing dozens of bus stops. We suggest bi-weekly construction meetings to monitor construction progress with the option of additional meetings, and when necessary, coordinate next construction activities, receive redline drawings for as-builts from the



contractor in a timely manner, and discuss critical construction issues with the contractor. Our team has extensive experience with different software platforms for documenting construction management activities. We can use the City's preferred software, or if the City does not have a preference, we will use our Enterprise License for Headlight to document material testing reports, submittals and RFIs, change orders and progress reports.

QUALITY CONSTRUCTION PLAN

We can work with the City to adopt a quality construction plan that provides high-quality deliverables and work that conforms to UDOT standards and processes that we will tailor specifically to Park City's needs. Our quality goal is to minimize the number of Field Design Changes (FDCs) needed after the plans are issued for construction, resulting in fewer change orders and less cost risk for the project.

Task 7 Deliverables

- Material testing reports
- Construction reports
- Submittal and RFI documentation

TASK 8: Public Involvement

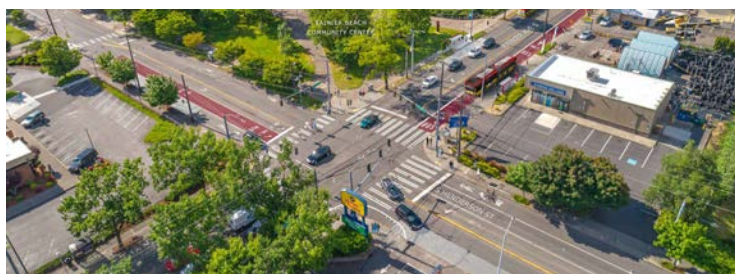
The HNTB team, with the support of our subconsultant partner J&A, will initiate the public involvement phase by organizing the bus stops into geographic areas for stakeholder outreach. We will map the outreach area for each grouping of bus stop locations, providing coordination and consensus with users (hereafter these will be referred to as an area) and identify key stakeholders in each mapped area, such as adjacent land-owners. We will coordinate with the city to combine the areas into manageable groupings for attendance at neighborhood meetings; facilitating and attending small group outreach meetings as directed by the City. At these neighborhood meetings we will conduct public outreach, collecting comments and data relative to both the adjacent neighborhoods, and transit rider concerns.

As directed by the City, our team will utilize the data from the neighborhood meetings to develop surveys regarding amenities, designs and other preferences. These surveys will gather information from a larger group of stakeholders than just those who came to the neighborhood meetings. Incorporating this information with other communications material onto a City maintained website while utilizing the City's social media will be an effective method of providing insight to stakeholders. Our team will then compile the surveys into documentation in support of design decision making. At the discretion of the City, the team will produce renderings as needed to help facilitate discussions with neighborhoods and landowners, similar to what Parametrix has produced on other projects in the vicinity. The team will coordinate with the City to properly define the value and level of effort for any renderings to maintain efficiency while maximizing the public's understanding and collaboration. We will also document all stakeholder interactions, and a final public involvement outreach report will be provided at the conclusion of the project.

Task 8 Deliverables

- List of bus stops divided into geographic areas for outreach
- Public survey results

Exhibit 6 | Rendering of Bus Stop at Intersection



TASK 9: Compliance Management (Federal)

To ensure Park City's successful administration of the Transit Site Improvement Program, our team will take a proactive, on-demand approach with all applicable federal, state, and local compliance requirements necessary for grant funding. HNTB key personnel, supported by FDG, possess decades of combined experience managing projects and contractors within these federally mandated requirements.

Upon notification of the receipt of federal, state or local grant funding, we will review compliance requirements for each specific funding agency. Our team will then create and administer the mechanisms and repeatable processes to meet the compliance requirements for Park City Transit.

Activities may include: guidance regarding compliance clauses in solicited procurement oversight; guidance on DBE and EEO; required activities during the procurement of future contracts; DBE and EEO compliance monitoring; civil rights and non-discrimination assessment and monitoring; certified payroll or other fair wage payroll monitoring and compliance activities.

We possess the skill and expertise to ensure successful compliance with all diversity and payroll compliance requirements listed above.

Task 9 Deliverables

- Compliance requirements for each specific funding agency
- Mechanisms and repeatable processes to meet compliance requirements

TASK 10: Financial Reporting

We understand FTA's preferences for reviewing program funding reports having worked on many FTA-related projects, and are well-aware of the importance of having an overall program summary as well as a compliance matrix to track every federal and local funding source. This allows for a quick check on matching percentages. FTA will want real-time budget adjustments month to month as program funding is updated. Monthly reporting will be structured based on the requirements and commitments made in the grant application and in the executed grant with FTA. Monthly reporting includes financial budget update, brief description of work for the month, schedule, and recovery measures.

Task 10 Deliverables

- Providing a compliance matrix of each individual federal and local funding sources
- Monthly reporting including financial budget updates, overviews of monthly work, schedule and recovery measures

2C. Staff Availability

Per our one-on-one meeting with the City, staff availability information is located in **Section A, Exhibit 1**.

2D. Requested DSPA

We do not have any requested edits to the contract that the City has provided.

Agencies will have questions while delivering programs this is one of the reasons, they hire program managers. Jeremy and Kristi are available to work with Park City through program questions on demand. This is a part of what they do every day and realize the importance of providing timely information. This is their commitment to Park City and a key component to delivering a successful program.

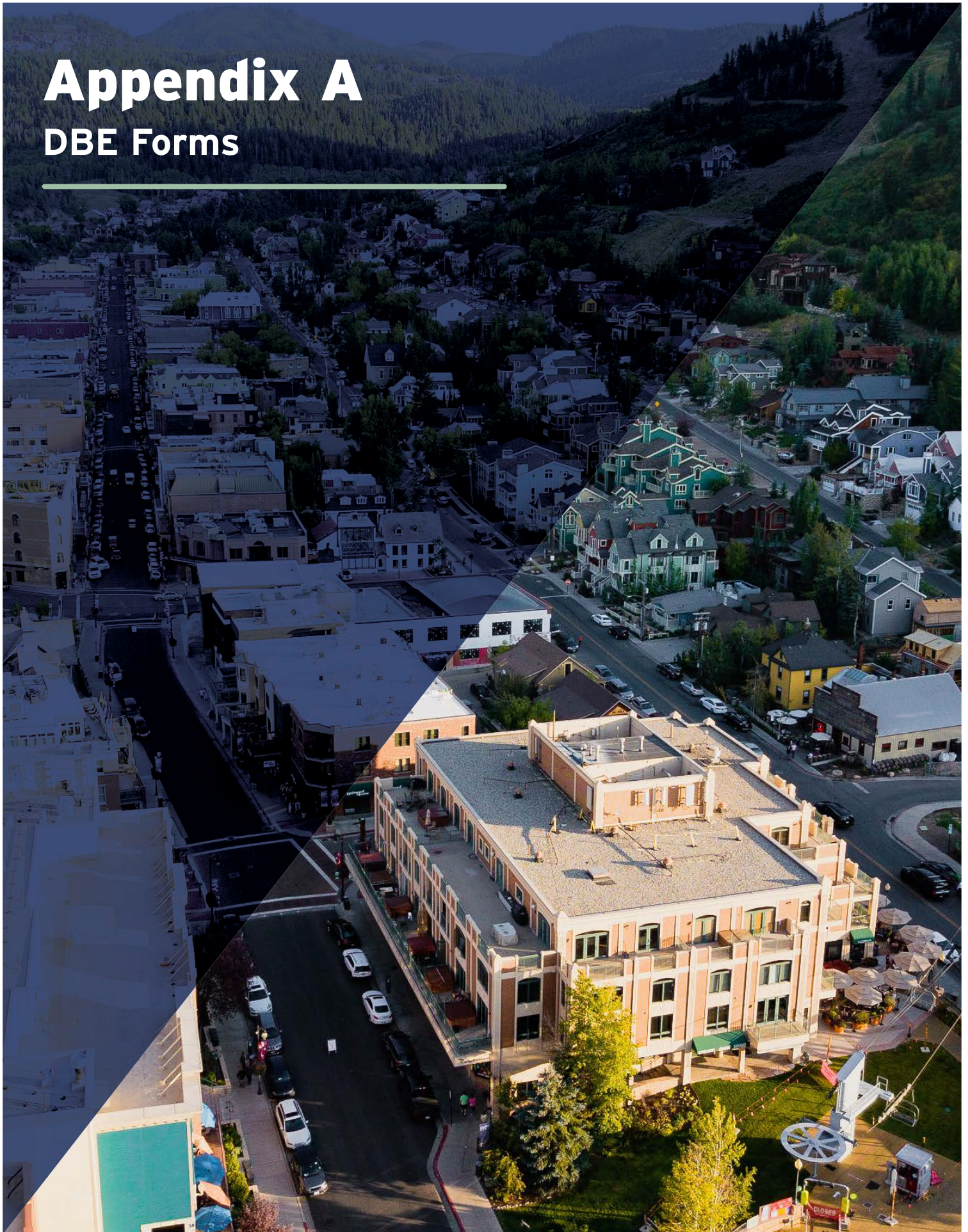
We look forward to working together.

Our DBE forms and resumes are located in the Appendix.



Appendix A

DBE Forms



DBE UTILIZATION FORM

The undersigned Bidder/Offeror has satisfied the requirements of the solicitation in the following manner (please check the appropriate space):

8%

The Bidder/Offer is committed to a minimum of
% DBE utilization on this contract.

3%

The Bidder/Offeror (if unable to meet the DBE goal of
% is committed to a minimum of % DBE utilization on
this contract and submits documentation demonstrating
good faith efforts.

DBE PARTICIPATION SCHEDULE

The Bidder/Offeror shall complete the following information for all DBE's participating in the contract that comprises the DBE Utilization percent stated in the DBE Utilization Form. The Bidder/Offeror shall also furnish the name and telephone number of the appropriate contact person should the Authority have any questions in relation to the information furnished herein.

DBE IDENTIFICATION AND INFORMATION FORM

Name and Address	Contact Name and Telephone Number	Participation Percent (Of Total Contract Value)	Description Of Work To Be Performed	Race and Gender of Firm
REDCON 25 South Main St., Suite 200 Centerville, UT 84014	Lance Hori 801.971.6036	6% of \$900K	Survey and Topographic	Asian, Male
Jacques and Associates 151 North 840 West Orem, UT 84057	Carin Henriksen 801.636.2440	2% of \$900K	Public Involvement	Caucasian, Female

Redcon, Inc.

Has successfully satisfied
49 CFR part 26 criteria for
certification as a
minority or women owned
business in the

Disadvantaged Business Enterprise Program

Expires on 7/30/2023

This DBE is certified to perform the following:

541330: Civil Engineering

541370: Surveying and Mapping (except Geophysical) Services



A handwritten signature in black ink, appearing to read "A. Gray", written over a horizontal line.

Andrew Gray, DBE Liaison & UUCP Certifying Official

Utah Transit Authority

669 West 200 South Salt Lake City, UT 84101



Utah Unified Certification Program

Certifies that:

Jacques & Associates

*Has successfully satisfied 49 CFR Part 26 criteria for
continued certification as a disadvantaged owned business in the:*

***Disadvantaged Business Enterprise
Program***

Certificate Expires: 10-25-2022

Judy Romrell - UUCP CERTIFYING OFFICIAL



Section 1: CERTIFICATION INFORMATION

A. Basic Contact Information

I am applying for certification as ☒ DBE ☐ ACDBE

(1) Contact person and Title:

Carin Henriksen

CEO/President

(2) Legal name of firm: Jacques & Associates, Inc.

(3) Phone #: (801) 636 - 2440 (4) Other Phone #: () - () (5) Fax #: () - ()

(6) E-mail: Carin@JA-Today.com

(7) Firm Websites: www.ja-to-day.com

(8) Street address of firm (No P.O. Box):

151 N 840 W

City:

Orem

County/Parish:

Utah

State:

UT

Zip:

84057

(9) Mailing address of firm (if different):

City:

County/Parish:

State:

Zip:

B. Prior/Other Certifications and Applications

(10) Is your firm currently certified for any of the following U.S. DOT programs?

☒ DBE ☐ ACDBE Names of certifying agencies: Utah Unified Certification Program

⊗ If you are certified in your home state as a DBE/ACDBE, you do not have to complete this application for other states. Ask your state UCP about the interstate certification process.

List the dates of any site visits conducted by your home state and any other states or UCP members:

Date ___/___/___ State/UCP Member: Judy Romrell - Do Date ___/___/___ State/UCP Member: ___

Don't have record of when visits were.

(11) Indicate whether the firm or any persons listed in this application have ever been:

(a) Denied certification or decertified as a DBE, ACDBE, 8(a), SDB, MBE/WBE firm? ☐ Yes ☒ No

(b) Withdrawn an application for these programs, or debarred or suspended or otherwise had bidding privileges denied or restricted by any state or local agency, or Federal entity? ☐ Yes ☒ No

If yes, explain the nature of the action. (If you appealed the decision to DOT or another agency, attach a copy of the decision,

Section 2: GENERAL INFORMATION

A. Business Profile: (1) Give a concise description of the firm's primary activities and the product(s) or service(s) it provides. If your company offers more than one product/service, list the primary product or service first. Please use additional paper if necessary. This description may be used in our database and the UCP online directory if you are certified as a DBE or ACDBE.

Jacques & Associates provides public information/public involvement and partnering services for construction, design and environmental projects.

(2) Applicable NAICS Codes for this line of work include: 541614 541820

(3) This firm was established on 10 / 19 / 2004

(4) I/We have owned this firm since: 01 / 25 / 2022



(5) Method of acquisition (Check all that apply):

- ☐ Started new business ☒ Bought existing business ☐ Inherited business ☐ Gifted
☐ Merger or consolidation ☐ Other (explain) _____

(6) Is your firm "for profit"? ☒ Yes

Federal Tax ID#

68-0592710

No → **STOP!** If your firm is NOT for-profit, then you do NOT qualify for this program and should not fill out this application.

(7) Type of Legal Business Structure: (check all that apply):

- ☐ Sole Proprietorship
☐ Limited Liability Partnership
☐ Partnership ☒ Corporation
☐ Limited Liability Company ☐ Other, Describe _____

(8) Number of employees: Full-time 3 Part-time 5 Seasonal _____ Total 8

(Provide a list of employees, their job titles, and dates of employment, to your application).

(9) Specify the firm's gross receipts for the last 3 years. (Submit complete copies of the firm's Federal tax returns for each year. If there are affiliates or subsidiaries of the applicant firm or owners, you must submit complete copies of these firms' Federal tax returns).

Year <u>2021</u>	Gross Receipts of Applicant Firm \$ <u> </u>	Gross Receipts of Affiliate Firms \$ <u>0</u>
Year <u>2020</u>	Gross Receipts of Applicant Firm \$ <u> </u>	Gross Receipts of Affiliate Firms \$ <u>0</u>
Year <u>2019</u>	Gross Receipts of Applicant Firm \$ <u> </u>	Gross Receipts of Affiliate Firms \$ <u>0</u>

B. Relationships and Dealings with Other Businesses

(1) Is your firm co-located at any of its business locations, or does it share a telephone number, P.O. Box, office or storage space, yard, warehouse, facilities, equipment, inventory, financing, office staff, and/or employees with any other business, organization, or entity? ☐ Yes ☒ No

If Yes, explain the nature of your relationship with these other businesses by identifying the business or person with whom you have any formal, informal, written, or oral agreement. Also detail the items shared

(2) Has any other firm had an ownership interest in your firm at present or at any time in the past?

☐ Yes ☒ No If Yes, explain _____

(3) At present, or at any time in the past, has your firm:

- (a) Ever existed under different ownership, a different type of ownership, or a different name? ☒ Yes ☐ No
(b) Existed as a subsidiary of any other firm? ☐ Yes ☒ No
(c) Existed as a partnership in which one or more of the partners are/were other firms? ☐ Yes ☒ No
(d) Owned any percentage of any other firm? ☐ Yes ☒ No
(e) Had any subsidiaries? ☐ Yes ☒ No

(f) Served as a subcontractor with another firm constituting more than 25% of your firm's receipts? ☐ Yes ☒ No

(If you answered "Yes" to any of the questions in (2) and/or (3)(a)-(f), you may be asked to provide further details and explain whether the arrangement continues).

Section 3: MAJORITY OWNER INFORMATION



A. Identify the majority owner of the firm holding 51% or more ownership interest.

(1) Full Name:

Carin Pauline Henriksen

(2) Title:

CEO/Owner

(3) Home Phone #:

(801) 636 - 2440

(4) Home Address (Street and Number):

151 N 840 W

City:

Orem

State:

UT

Zip:

84057

(5) Gender: ☐ Male ☒ Female

(6) Ethnic group membership (Check all that apply):

☐ Black

☐ Hispanic

☐ Asian Pacific

☐ Native American

☐ Subcontinent Asian

☒ Other (specify) Caucasian

(7) U.S. Citizenship: ☒ U.S. Citizen

☐ Lawfully Admitted Permanent Resident

(8) Number of years as owner: 1

(9) Percentage owned: ☐ %

Class of stock owned: Common sha Date acquired

01/22/2022

(10) Initial investment to acquire ownership interest in firm:

Type

Cash

Real Estate

Equipment

Other

Dollar Value

\$ ☐

\$ ☐

\$ ☐

\$ ☐

Describe how you acquired your business:

☐ Started business myself.

☐ It was a gift from: _____

☒ I bought it from: Sydne Jacques

☐ I inherited it from: _____

☐ Other _____

(Attach documentation substantiating your investment)

B. Additional Owner Information

(1) Describe familial relationship to other owners and employees:

Sydne Jacques - Sister-in-law

Scott Henriksen - Spouse

(2) Does this owner perform a management or supervisory function for any other business? ☒ Yes ☐ No

If Yes, identify: Name of Business: Which owner? Carin Henriksen - NO, Scott Function/Title: Sydne Jacques Owner Next Level Leadership
Henriksen - NO Sydne Jacques - YES - Next Level Leadership

(3)(a) Does this owner own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) ☐ Yes ☒ No

Identify the name of the business, and the nature of the relationship, and the owner's function at the firm:

(b) Does this owner work for any other firm, non-profit organization, or engage in any other activity more than 10 hours per week? If yes, identify this activity: Carin and Scott Henriksen - No, Sydne Jacques - Yes - Next Level Leadership

(4)(a) What is the personal net worth of this disadvantaged owner applying for certification? \$ ☐

(b) Has any trust been created for the benefit of this disadvantaged owner(s)? ☐ Yes ☒ No

(If Yes, you may be asked to provide a copy of the trust instrument).

(5) Do any of your immediate family members, managers, or employees own, manage, or are associated with another company? ☐ Yes ☒ No If Yes, provide their name, relationship, company, type of business, and indicate whether they own or manage the company: (Please attach extra sheets, if needed): _____

Section 3: OWNER INFORMATION, Cont'd.



A. Identify all individuals, firms, or holding companies that hold LESS THAN 51% ownership interest in the firm (Attach separate sheets for each additional owner)

(1) Full Name: Sydne Jacques	(2) Title: Founder/Facilitator	(3) Home Phone #: (358) 358 - 8923
(4) Home Address (Street and Number): 331 N 280 W	City: Orem	State: UT
Zip: 84057 -		

(5) Gender: ☐ Male ☒ Female

(6) Ethnic group membership (Check all that apply)

☐ Black
☐ Hispanic
☐ Asian Pacific
☐ Native American
☐ Subcontinent Asian
☒ Other (specify) Caucasian

(7) U.S. Citizenship:
☒ U.S. Citizen
☐ Lawfully Admitted Permanent Resident

(8) Number of years as owner: 18

(9) Percentage owned: %
 Class of stock owned: Common st Date acquired 10/19/2004

(10) Initial investment to acquire ownership interest in firm:

Type	Dollar Value
Cash	\$ <u> </u>
Real Estate	\$ <u> </u>
Equipment	\$ <u> </u>
Other	\$ <u> </u>

Describe how you acquired your business:
☒ Started business myself.
☐ It was a gift from: _____
☐ I bought it from: _____
☐ I inherited it from: _____
☐ Other _____
 (Attach documentation substantiating your investment)

B. Additional Owner Information

(1) Describe familial relationship to other owners and employees:

Sydne Jacques - Sister-in-law

Alma Scott Henriksen - Spouse

(2) Does this owner perform a management or supervisory function for any other business? ☐ Yes ☒ No

If Yes, identify: Name of Business: Carin - No, Sydne - Yes, Scott - No Function/Title: Sydne Jacques owner/CEO Next Level Leadership

(3)(a) Does this owner own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) ☐ Yes ☒ No

Identify the name of the business, and the nature of the relationship, and the owner's function at the firm:

(b) Does this owner work for any other firm, non-profit organization, or is engaged in any other activity more than 10 hours per week? If yes, identify this activity: Carin - No, Sydne - Yes, Scott - NO

(4)(a) What is the personal net worth of this disadvantaged owner applying for certification? \$

(b) Has any trust been created for the benefit of this disadvantaged owner(s)? ☐ Yes ☒ No

(If Yes, you may be asked to provide a copy of the trust instrument).

(5) Do any of your immediate family members, managers, or employees own, manage, or are associated with another company? ☐ Yes ☒ No If Yes, provide their name, relationship, company, type of business, and indicate whether they own or manage: (Please attach extra sheets, if needed): _____

Section 4: CONTROL



A. Identify your firm's Officers and Board of Directors (If additional space is required, attach a separate sheet):

	Name	Title	Date Appointed	Ethnicity	Gender
(1) Officers of the Company	(a) Carin Henriksen	CEO/President	01/25/2022	Caucasion	Female
	(b) Scott Henriksen	Senior Vice President	01/25/2022	Caucasion	Male
	(c)				
	(d)				
(2) Board of Directors None	(a)				
	(b)				
	(c)				
	(d)				

(3) Do any of the persons listed above perform a management or supervisory function for any other business?
☐ Yes ☒ No If Yes, identify for each:

Person: _____ Title: _____
 Business: _____ Function: _____

Person: _____ Title: _____
 Business: _____ Function: _____

(4) Do any of the persons listed in section A above own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.)
☐ Yes ☒ No

If Yes, identify for each:

Firm Name: _____ Person: _____
 Nature of Business Relationship: _____

B. Duties of Owners, Officers, Directors, Managers, and Key Personnel

1. Complete for all Owners who are responsible for the following functions of the firm (Attach separate sheets as needed).

A = Always F = Frequently	S = Seldom N = Never	Majority Owner (51% or more)				Minority Owner (49% or less)			
		Name: Carin Henriksen	Title: CEO/President	Percent Owned: 100%		Name: Scott Henriksen	Title: Vice President	Percent Owned: 100%	
Sets policy for company direction/scope of operations		A ☐	F ☒	S ☐	N ☐	A ☐	F ☐	S ☒	N ☐
Bidding and estimating		A ☐	F ☐	S ☒	N ☐	A ☐	F ☒	S ☐	N ☐
Major purchasing decisions		A ☒	F ☐	S ☐	N ☐	A ☐	F ☐	S ☐	N ☒
Marketing and sales		A ☐	F ☐	S ☒	N ☐	A ☐	F ☒	S ☐	N ☐
Supervises field operations		A ☐	F ☒	S ☐	N ☐	A ☐	F ☒	S ☐	N ☐
Attend bid opening and lettings		A ☐	F ☒	S ☐	N ☐	A ☐	F ☐	S ☒	N ☐
Perform office management (billing, accounts receivable/payable, etc.)		A ☐	F ☐	S ☒	N ☐	A ☐	F ☐	S ☐	N ☒
Hires and fires management staff		A ☒	F ☐	S ☐	N ☐	A ☐	F ☐	S ☐	N ☒
Hire and fire field staff or crew		A ☐	F ☒	S ☐	N ☐	A ☐	F ☐	S ☒	N ☐
Designates profits spending or investment		A ☒	F ☐	S ☐	N ☐	A ☐	F ☐	S ☐	N ☒
Obligates business by contract/credit		A ☐	F ☐	S ☒	N ☐	A ☐	F ☒	S ☐	N ☐
Purchase equipment		A ☐	F ☐	S ☒	N ☐	A ☐	F ☒	S ☐	N ☐
Signs business checks		A ☐	F ☒	S ☐	N ☐	A ☐	F ☐	S ☐	N ☒



2. Complete for all Officers, Directors, Managers, and Key Personnel who are responsible for the following functions of the firm. (Attach separate sheets as needed).

A = Always S = Seldom F = Frequently N = Never	Officer/Director/Manager/Key Personnel				Officer/Director/Manager/Key Personnel			
	Name: Sheri Ostrom Title: Financial Manager Race and Gender: Caucasian/Female Percent Owned: 0				Name: Sydne Jacques Title: Founder/Facilitator Race and Gender: Caucasian/Female Percent Owned:			
Sets policy for company direction/scope of operations	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☐
Bidding and estimating	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Major purchasing decisions	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Marketing and sales	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Supervises field operations	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Attend bid opening and lettings	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Perform office management (billing, accounts receivable/payable, etc.)	A ☐	F ☒	S ☐	N ☐	A ☐	F ☐	S ☐	N ☒
Hires and fires management staff	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Hire and fire field staff or crew	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Designates profits spending or investment	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☒	N ☐
Obligates business by contract/credit	A ☐	F ☐	S ☐	N ☒	A ☐	F ☐	S ☐	N ☒
Purchase equipment	A ☐	F ☐	S ☒	N ☐	A ☐	F ☐	S ☐	N ☒
Signs business checks	A ☐	F ☐	S ☒	N ☐	A ☐	F ☐	S ☒	N ☐

Do any of the persons listed in B1 or B2 perform a management or supervisory function for any other business? If Yes, identify the person, the business, and their title/function:

Do any of the persons listed above own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) If Yes, describe the nature of the business relationship:

C. Inventory: Indicate your firm's inventory in the following categories (Please attach additional sheets if needed):=

1. Equipment and Vehicles

Make and Model	Current Value	Owned or Leased by Firm or Owner?	Used as collateral?	Where is item stored?
1. Honda Accord	\$13,250.00	Owned by owner Carin Henn	No	Carin's home residence
2. Toyota Rav4	\$16,200.00	Owned by owner Carin Henn	No	Carin's home residence
3. Attached sheet with equipment				
4.				
5.				
6.				
7.				
8.				
9.				

2. Office Space

Street Address Owned or Leased by Firm or Owner? Current Value of Property or Lease

Business address is Carin's permanent home address Home is owned by Carin Henriksen 151 N 840 W, Orem UT

Current Value of home:

3. Storage Space (Provide signed lease agreements for the properties listed)



Street Address

Owned or Leased by
Firm or Owner?

Current Value of Property or Lease

None

D. Does your firm rely on any other firm for management functions or employee payroll? ☒ Yes ☐ No

E. Financial/Banking Information (Provide bank authorization and signature cards)

Name of bank: Central Bank City and State: Orem, UT

The following individuals are able to sign checks on this account: Carin Henriksen, Sheri Ostrom, Sydne Jacques

Name of bank: _____ City and State: _____

The following individuals are able to sign checks on this account: _____

Bonding Information: If you have bonding capacity, identify the firm's bonding aggregate and project limits:

Aggregate limit \$ _____ Project limit \$ _____

F. Identify all sources, amounts, and purposes of money loaned to your firm including from financial institutions. Identify whether you the owner and any other person or firm loaned money to the applicant DBE/ACDBE. Include the names of any persons or firms guaranteeing the loan, if other than the listed owner.
(Provide copies of signed loan agreements and security agreements).

Name of Source	Address of Source	Name of Person Guaranteeing the Loan	Original Amount	Current Balance	Purpose of Loan
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____

G. List all contributions or transfers of assets to/from your firm and to/from any of its owners or another individual over the past two years (Attach additional sheets if needed):

Contribution/Asset	Dollar Value	From Whom Transferred	To Whom Transferred	Relationship	Date of Transfer
1. See attachment	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____

H. List current licenses/permits held by any owner and/or employee of your firm
(e.g. contractor, engineer, architect, etc.) (Attach additional sheets if needed):

Name of License/Permit Holder	Type of License/Permit	Expiration Date	State
1. Sydne Jacques	Professional Engineer License	03/31/2023	UT
2.	_____	_____	_____
3.	_____	_____	_____



I. List the three largest contracts completed by your firm in the past three years, if any:

Name of Owner/Contractor	Name/Location of Project	Type of Work Performed	Dollar Value of Contract
1. Central Utah Water Conservar	Spanish Fork Santaquin Pipeline- ☐	Public Information for water pipeline con	\$170,400.00
2. UDOT Region 1	Ogden I-15; 24th Street Exchan	Public Information for design highway ☐	\$191,532.21
3. UDOT Region 1	Logan US-91; 3200 S & 2000 W	Public Informion for environmental/desi	\$108,617.23

J. List the three largest active jobs on which your firm is currently working:

Name of Prime Contractor and Project Number	Location of Project	Type of Work	Project Start Date	Anticipated Completion Date	Dollar Value of Contract
1. Ames Construction #224503	Spanish Fork/Santaquin	Public Information	04/11/2022	08/30/2024	\$170,400.00
2. Wilson Engineering S-I15-8(158)343	Ogden, Utah	Public Information	04/03/2020	03/01/2023	\$191,532.21
3. UDOT Region 1 F-0091(57)22	Logan, Utah	Public Information	09/23/2020	09/30/2024	\$108.617.23

Additional Information:

The Logan and Ogden contracts have not hired a construction contractor yet, so owner is still listed. Good possibility J&A will get the construction contract as well for Ogden 24th Street.



SECTION 5 - AIRPORT CONCESSION
(ACDBE APPLICANTS ONLY)

A. I am applying for ACDBE certification to: *(check all that apply)*

☐ Operate a concession at an airport ☐ Supply a good or service to an airport concessionaire

B. Does the applicant firm own/operate any off-airport locations? ☐ Yes ☐ No *If Yes, identify the following*

Type of Business (e.g., F&B, News & Gift, Retail, Duty Free, Advertising, etc.)	Lease Term (years)	Lease Start Date	Address / Location	Annual Gross Receipts Generated

C. Does the applicant firm currently own/operate any airport concession locations? ☐ Yes ☐ No *If Yes, supply the following information:*

Airport Name	Concession Type (e.g., F&B, News & Gift, Retail, Duty Free, Advertising, etc.)	Number of Leases	Number of Locations	Annual Gross Receipts Generated	Lease Type (e.g. Direct Lease, Subcontract Management Agreement, etc. enter all that apply to the leases listed)

D. Does the applicant firm have any affiliates? ☐ Yes ☐ No *If Yes, provide the following information concerning any locations owned/operated by affiliate firms.*

Airport Name	Concession Type (e.g., F&B, News & Gift, Retail, Duty Free, Advertising, etc.)	Number of Leases	Number of Locations	Annual Gross Receipts Generated	Lease Type (e.g. Direct Lease, Subcontract Management Agreement, etc. enter all that apply to the leases listed)

E. Is the ACDBE applicant firm a participant in any joint ventures? ☐ Yes ☐ No *If Yes, attach all original and any amended Joint Venture Agreements and any amendments to the agreements.*



AFFIDAVIT OF CERTIFICATION

This form must be signed and notarized for each owner upon which disadvantaged status is relied.

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

I Carin Pauline Henriksen (full name printed), swear or affirm under penalty of law that I am majority owner (title) of the applicant firm Jacques & Associates, Inc. and that I have read and understood all of the questions in this application and that all of the foregoing information and statements submitted in this application and its attachments and supporting documents are true and correct to the best of my knowledge, and that all responses to the questions are full and complete, omitting no material information. The responses include all material information necessary to fully and accurately identify and explain the operations, capabilities and pertinent history of the named firm as well as the ownership, control, and affiliations thereof.

I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application, and I authorize such agency to contact any entity named in the application, and the named firm's bonding companies, banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the named firm and its affiliates, inspection of its places(s) of business and equipment, and to permit interviews of its principals, agents, and employees. I understand that refusal to permit such inquiries shall be grounds for denial of certification.

If awarded a contract, subcontract, concession lease or sublease, I agree to promptly and directly provide the prime contractor, if any, and the Department, recipient agency, or federal funding agency on an ongoing basis, current, complete and accurate information regarding (1) work performed on the project; (2) payments; and (3) proposed changes, if any, to the foregoing arrangements.

I agree to provide written notice to the recipient agency or Unified Certification Program of any material change in the information contained in the original application within 30 calendar days of such change (e.g., ownership changes, address/telephone number, personal net worth exceeding \$1.32 million, etc.).

I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

I certify that I am a socially and economically disadvantaged individual who is an owner of the above-referenced firm seeking certification as a Disadvantaged Business Enterprise or Airport Concession Disadvantaged Business Enterprise. In support of my application, I certify that I am a member of one or more of the following groups, and that I have held myself out as a member of the group(s): (Check all that apply):

- ☒ Female ☐ Black American ☐ Hispanic American
☐ Native American ☐ Asian-Pacific American
☐ Subcontinent Asian American ☐ Other (specify)

I certify that I am socially disadvantaged because I have been subjected to racial or ethnic prejudice or cultural bias, or have suffered the effects of discrimination, because of my identity as a member of one or more of the groups identified above, without regard to my individual qualities.

I further certify that my personal net worth does not exceed \$1.32 million, and that I am economically disadvantaged because my ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially and economically disadvantaged.

I declare under penalty of perjury that the information provided in this application and supporting documents is true and correct.

Signature Carin Henriksen 10/07/22
 (DBE/ACDBE Applicant) (Date)

NOTARY CERTIFICATE

State of Utah
 County of Utah
 Subscribed and sworn to (affirmed)
 before me this 7 day of October, 2022 by
Carin Henriksen
Shari McDaniel
 Notary Public



UNIFORM CERTIFICATION APPLICATION SUPPORTING DOCUMENTS CHECKLIST



In order to complete your application for DBE or ACDBE certification, you must attach copies of all of the following **REQUIRED** documents. A failure to supply any information requested by the UCP may result in your firm denied DBE/ACDBE certification.

Required Documents for All Applicants

- ☒ Résumés (that include places of employment with corresponding dates), for all owners, officers, and key personnel of the applicant firm
- ☒ Personal Net Worth Statement for each socially and economically disadvantaged owners who the applicant firm relies upon to satisfy the Regulation's 51% ownership requirement.
- ☒ Personal Federal tax returns for the past 3 years, if applicable, for each disadvantaged owner
- ☒ Federal tax returns (and requests for extensions) filed by the firm and its affiliates with related schedules, for the past 3 years.
- ☒ Documented proof of contributions used to acquire ownership for each owner (e.g., both sides of cancelled checks)
- ☒ Signed loan and security agreements, and bonding forms *N/A*
- ☒ List of equipment and/or vehicles owned and leased including VIN numbers, copy of titles, proof of ownership, insurance cards for each vehicle.
- ☒ Title(s), registration certificate(s), and U.S. DOT numbers for each truck owned or operated by your firm *N/A*
- ☒ Licenses, license renewal forms, permits, and haul authority forms
- ☒ Descriptions of all real estate (including office/storage space, etc.) owned/leased by your firm and documented proof of ownership/signed leases
- ☒ Documented proof of any transfers of assets to/from your firm and/or to/from any of its owners over the past 2 years *N/A*
- ☒ DBE/ACDBE and SBA 8(a), SDB, MBE/WBE certifications, denials, and/or decertification's, if applicable; and any U.S. DOT appeal decisions on these actions.
- ☒ Bank authorization and signatory cards
- ☒ Schedule of salaries (or other remuneration) paid to all officers, managers, owners, and/or directors of the firm
- ☒ List of all employees, job titles, and dates of employment.
- ☒ Proof of warehouse/storage facility ownership or lease arrangements *NA*

Partnership or Joint Venture

- ☒ Original and any amended Partnership or Joint Venture Agreements *N/A*

Corporation or LLC

- ☒ Official Articles of Incorporation (signed by the state official)
- ☒ Both sides of all corporate stock certificates and your firm's stock transfer ledger *Don't have ledger*
- ☒ Shareholders' Agreement(s) *In minutes*
- ☒ Minutes of all stockholders and board of director's meetings

- ☒ Corporate by-laws and any amendments
- ☒ Corporate bank resolution and bank signature cards
- ☒ Official Certificate of Formation and Operating Agreement with any amendments (for LLCs) *N/A*

Optional Documents to Be Provided on Request

The certifying agency to which you are applying may require the submission of the following documents. If requested to provide these document, you must supply them with your application or at the on-site visit.

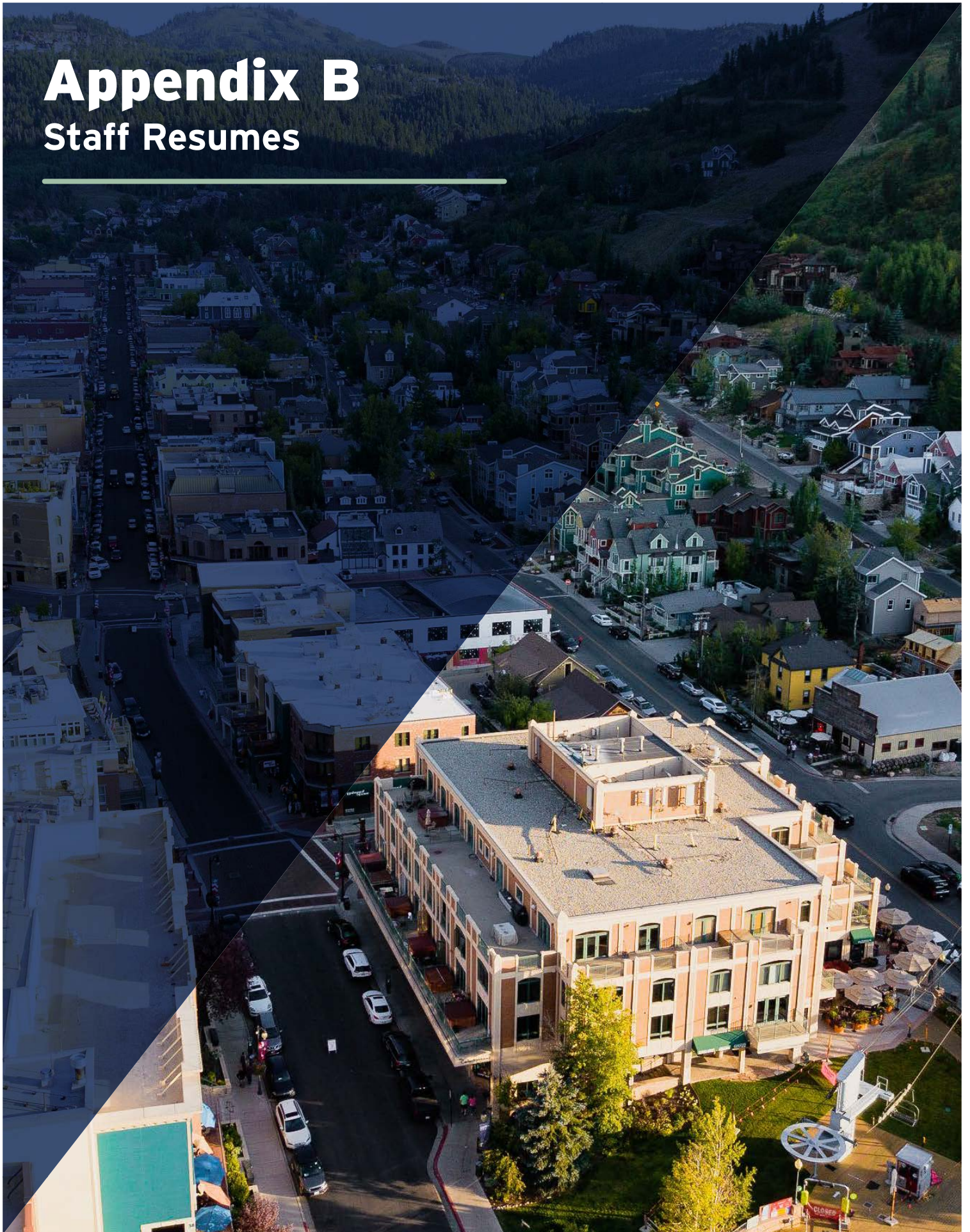
- ☐ Proof of citizenship
- ☐ Insurance agreements for each truck owned or operated by your firm *N/A*
- ☐ Audited financial statements (if available)
- ☐ Trust agreements held by any owner claiming disadvantaged status *N/A*
- ☐ Year-end balance sheets and income statements for the past 3 years (or life of firm, if less than three years)

Suppliers

- ☐ List of product lines carried and list of distribution equipment owned and/or leased *N/A*

Appendix B

Staff Resumes





Jeremy Harbaugh, PE

Program Manager

With more than 27 years of experience, Jeremy specializes in leading program management projects for transit agencies. He has successfully led teams and assisted owners in the successful completion of their projects from environmental and design through construction. Jeremy has overseen the design and construction of over 100 bus stops for UTA in a two-year period. During that same period, he oversaw the design and construction of 12 other bus stops for UTA on the 3900 South project. With Jeremy's history of working on bus stop, transit, and UDOT projects, he truly knows what is needed to procure contractors, complete bus stop designs, work within budgets, and manage federal funding to complete a bus stop program.

RELEVANT PROJECTS

UTA, Midvalley Bus Rapid Transit (BRT), Salt Lake County, UT

Jeremy provided design management oversight for UTA. He worked closely with UTA and the design team to review design plans and specifications and coordinated with all disciplines of the design team to ensure UTA's interests are fulfilled. Jeremy was responsible for helping the team put together a package for a federal grant application and helping UTA work through coordination and collaboration with the FTA. Jeremy assisted UTA in meeting its construction budget and coordinated with UDOT, local cities, and other stakeholders to satisfy the interests of all involved parties.

UTA, TIGER First/Last Mile Grant, Various Cities, UT

UTA was awarded the TIGER First/Last Mile grant, the first grant of its kind given to an agency that had multiple types of projects and locations. UTA requested a larger sum than what was awarded and as a result, they needed to scale the program to obtain final grant signature and the ability to utilize the funds within the one year grant deadline. The TIGER program consisted of 32 local government projects, and HNTB worked with 26 cities and six counties spanning from Ogden to Provo and Summit County to Tooele.

Representative Project Experience Prior to HNTB

UDOT, SR 150 Road Widening, Summit County, UT

Jeremy served as the Project Manager responsible for the design of the widening of this road. He managed the coordination between the design team and UDOT pertaining scope, schedule, and budgeting of the project as well as produced an advertising package for this Design-Bid-Build (DBB) project.

UTA, Program Management Services, Statewide, UT

Jeremy provided program management services for the accelerated implementation of this plan. His services include concept planning, program management and administration, development of a project control system, vehicle procurement and inspection, construction and safety oversight, and communications initiatives. Jeremy served as program manager for a few dozen projects including roadway improvements, multi-use paths, pedestrian bridges, sidewalks, bike lanes and bus shelters. He managed the contractor and designer in conjunction with the Utah Transit Authority to meet project schedule and budget.

UTA, Frontlines 2015 Program, Statewide, UT

Jeremy provided design services to Utah Transit Authority for pedestrian grade crossings along the FrontRunner route, Draper Line and Mid-Jordan Line in Salt Lake City. He was the designer for each of these pedestrian grade crossings.

UTA, 3900 South Bus Stop Additions, Millcreek, UT

Twelve bus stops were improved along the 3900 South corridor providing ADA compliance and accessibility to city and county services, jobs and schools. Jeremy managed the design of the stops and worked with the survey team and property acquisition. Quantities were pulled from the design plan to develop cost estimates and send packages for construction, and using UTA's on-call contractor Jeremy provided a quality check and additional comments. Kristi is currently in process of accepting comments to make the document final.



Value

Jeremy brings unparalleled expertise through his experience helping owners deliver over 100 bus stops and transit projects, and will apply this knowledge in assisting Park City to effectively manage, design, and construct your bus stops.

Education

BS, Civil Engineering

Licenses

PE, UT, #276204





Kristi Shinall

Deputy Program Manager

Kristi has spent the last six years working as a program manager for UTA securing funding and implementing the TIGER grant program for many First/Last Mile of projects. She came in to help at grant award, developed a program of projects to match funding secured funding, and proceeded to program implementation. She is currently managing the program through design and construction. While at UTA, she worked on the bus stop program with Jeremy and Gabe to help manage the design and construction of 117 bus stops. Kristi recently wrote the bus stop program delivery guide for UTA's capital development group; she is currently managing bus stop delivery. Using her UTA Program Management experience and having completed many bus stop projects, Kristi will direct our team of experts through FTA's processes, avoiding delays and setbacks as the project progresses from initial design through construction.

RELEVANT PROJECTS

UTA, Program Manager, Salt Lake City/Salt Lake County, UT

Kristi worked with the UTA project manager to obtain First Mile/Last Mile TIGER grant signature from United States Department of Transportation (USDOT) and Federal Transit Authority (FTA). The project was scalable in nature and USDOT awarded less funding than requested. Kristi worked with 26 cities and six counties reviewing their projects, budgets and priorities. Criteria was then developed to place projects in and out of the program. Kristi wrote the white paper and paper grant submitted to FTA and USDOT. She assisted with the CM/GC request for proposals. The entire program was solicited as one large project instead of several individual projects. The program has now advanced to design and construction. Kristi is managing the design scopes, contractor and stakeholder coordination, funding agreements, change orders, phase two contracts, and all reporting to FTA and USDOT.

UTA, TIGER First/Last Mile Grant, Various Cities, UT

The UTA was awarded the TIGER First/Last Mile grant, the first grant of its kind given to an agency that had multiple types of projects and locations. UTA requested a larger sum than what was awarded and as a result, they needed to scale the program to obtain final grant signature and the ability to utilize the funds within the one year grant deadline. The TIGER program consisted of 32 local government projects, and HNTB worked with 26 cities and six counties spanning from Ogden to Provo and Summit County to Tooele.

Representative Project Experience prior to HNTB

UTA, 3900 South Bus Stop Additions, Millcreek, UT

Utilizing a tape measure and level for the park strip and sidewalk, we discussed any design challenges from the width of the sidewalk and park strip along with the longitudinal and cross slopes at the proposed location. If property is needed, the owner of the property becomes a discussion topic and if they are not willing sellers a second location is identified. This process helped identify which stops needed survey and helped alleviate future budget constraints when design took place.

UTA, 3300 Bus Stop, Millcreek, UT

Utilizing the bus stop form developed in 2017/2018 Kristi wrote a draft project management plan on how UTA's capital development group will design and construct the bus stops each year. She drafted the bus stop program project delivery plan and asked the service planners to read and provide comments. Once their comments were incorporated, Jeremy provided a quality check and additional comments. Kristi is currently in process of accepting comments to make the document final.

HNTB



Value

Kristi has previous and ongoing bus stop project experience to aid Park City in developing a comprehensive five-year program plan through construction.

Education

BS, Civil Engineering

BS, Biology

Licenses

N/A





Adam Pocock, PE

Design Manager & Project Advertising

Adam is a design lead and project manager with over 13 years of experience on transportation and transit-focused projects. He has helped deliver numerous projects focused on all users, including the Meadows and McPolin Barn Bus Stops project with Park City, Mountain View Segment 0 in Lehi with UDOT, and the OGX BRT project in Ogden and the Midvalley BRT project in Taylorsville with UTA. Adam's background includes a heavy emphasis on design-build delivery, which gives him insight into the construction and bid mindset contractors use to reduce project costs and risk. Adam is focused on providing bid-ready and constructable designs that maximize value for all users while providing high-quality, low-risk bid packages for Park City.

RELEVANT PROJECTS

SR-224 at Meadows Drive, McPolin Barn Sidewalk and Bus Stop, Park City, UT

Adam provided Design Oversight and Quality reviews for the design of bus stops for Gabe Shields and Park City. Adam coordinated closely with Gabe throughout the project to ensure Parametrix produced high quality, biddable designs that met the design intent and Park City's vision for the SR-224 corridor.

UTA, Front Runner Forward Environ. Studies Advanced Conceptual Design, Salt Lake, UT

Adam provided Design Oversight and performed design Quality Reviews for developing 30% design layouts for double tracking Frontrunner in Woods Cross and Clearfield. Adam's input and guidance helped younger staff develop successful designs and produce complete plansets.

SR-224, Wasatch County Line to Marsac Roundabout, Park City, UT

Adam utilized his experience and relationships with UDOT processes and personnel to provide internal oversight and design reviews to produce a quality bid package meeting UDOT standards and smoothly navigate the advertising process.

UTA, Ogden-WSU Bus Rapid Transit, Ogden, UT

Adam was the Weber State University (WSU)/Hospital segment roadway design lead for the final design and construction support services for a bus rapid transit system through the Weber State and McKay-Dee Hospital. This CM/GC project included redesign of the Central Campus of WSU, reconstruction of the Lindquist Plaza area, and a new entrance to the Browning Performing Arts Center. This segment included four station locations, including a new transit hub at the Dee Events Center. The project included coordination with UTA, WSU, Ogden City, UDOT, and McKay-Dee Hospital to determine conceptual and final design elements and overall system functionality.

Mountain View Segment 0, Lehi, UT

Adam led the Active Transportation and Roadway Design for Mountain View Corridor between 2100N and Pioneer Crossing. Adam's efforts led UDOT to expand the initial scope and budget of the project to dramatically increase the user experience and maximize future compatibility. Adam also led the design effort for the Shared Use Path and Pedestrian Undercrossing at Redwood Road to improve connectivity for all users of the facility.

Parametrix

ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES



Value

Adam brings an extensive breadth of knowledge managing final design and bid packages for projects of all sizes, from pedestrian and bicycle connectivity and context sensitive designs, to bus stop design for various clients, including UTA and Park City.

Education

BS, Civil Engineering

Licenses

PE, UT, #8692196





Buffie Chournos

Environmental Documentation

Buffie has 20 years of experience providing environmental services including NEPA evaluations, and environmental permitting efforts for sites ranging from rail line corridors, bus and light rail transportation projects, Phase I ESA investigations, Transaction Screen Assessments (TSAs), Limited Subsurface Investigations (LSI), compliance audits, maintenance facilities, and Superfund sites. Buffie will be able to utilize her experience completing NEPA and TSA documents for UTA bus stop projects, familiarity with FTA processes, and her knowledge of unique contamination hazards associated with Park City and the mining history to avoid delays and setbacks. While at the UTA, she worked on the TIGER Grant authoring many of the NEPA CatEx Checklists for the various projects in compliance with the FTA Region 8. Included in the TIGER Grant CatEx Checklists were clearances for the Park City Bike Share Stations, where Buffie outlined appropriate steps to working within the Park City's Soil Ordinance regarding historic mill tailings causing high levels of metals.

RELEVANT PROJECTS

UTA/UDOT, Utah Valley Express (UVX), Provo and Orem, UT

On the UVX project, Buffie oversaw consultants and the acquisition of property, provided environmental oversight for the bridge construction and repair over the Provo River, coordinated with regulatory agencies throughout the project, and reported, detailed, and documented the unanticipated discovery of a coal cavern during construction with FTA and SHPO.

UTA, Ogden Express (OGX), Ogden, UT

As the Environmental Compliance Administrator on the OGX project, Buffie completed environmental property TSAs for acquisitions, authored a work plan and HASP for work in the Ogden Rail Yard (EPA #UTD000716407), coordinated disposal of contaminated soils, and coordinated notification and documentation for SHPO and FTA regarding unanticipated discoveries.

UTA, TIGER First/Last Mile Grant, Various Cities, UT

The UTA was awarded the TIGER First/Last Mile grant, the first grant of its kind given to an agency that had multiple types of projects and locations. UTA requested a larger sum than what was awarded and as a result, they needed to scale the program to obtain final grant signature and the ability to utilize the funds within the one year grant deadline. The TIGER program consisted of 32 local government projects, and HNTB worked with 26 cities and six counties spanning from Ogden to Provo and Summit County to Tooele. As the Environmental Compliance Administrator, Buffie completed NEPA CatEx checklists for the FTA in each project category for the grant prior to construction. She authored Soil Management and Soil Sampling Plans for the Utah DEQ for approval on projects with known impacts. Buffie also provided 40-hour HAZWOPER oversight of contractors, lead and arsenic training to contractors, soil sampling, DEQ coordination, and disposal oversight during construction of the Folsom Trail through the American Barrel Superfund site.



Value

Buffie previously worked as the Environmental Compliance Administrator for UTA. During the TIGER Grant work, Buffie worked with Kristi and Jeremy to complete the CatEx for the Summit County and Park City bike share locations and is familiar with the Park City Soil Ordinance regulations.

Education

BS, Environmental Geology

Licenses

N/A





Sheri Ostrom

Public Involvement

Sheri has been with Jacques & Associates for the past fifteen years helping develop it into the highly respected firm that it is today. Sheri has been the public involvement manager for transportation, trail, and utility infrastructure projects for state and local government projects.

RELEVANT PROJECTS

Park City, Rossie Hill Drive Road Reconstuction

Managed the public information needs for both the design and construction phases. Facilitated several public meetings and gathered public comments, developed and administered a community survey. Canvassed the area to build a database of stakeholders, communicating frequently with them thorough direct mailings, face-to-face contact, and email and project website updates. Worked closely with the project team to always create the right message to be distributed at the right time to mitigate any potential negative relationships with the public.

UTA, West Valley Bike Lane

Managed all aspects of the public involvement services. Created and distributed outreach materials, coordinated with project team to answer stakeholder questions and resolve issues.

Highland City, 6800 West Road Reconstruction

Supplied public involvement services throughout the project. Provided social media messaging for three cities bordering the project. Created content for the project website, public notices and all outreach materials. Facilitated one-on-one meetings with various stakeholders and project team. Informed businesses and residents of impacts, including utility interruptions and access closures.

Lehi City, Saratoga Springs Crossroads Boulevard/Lehi Main Street Widening Project

Provided all aspects of the public involvement services. Ensured that the public, businesses, property owners and other stakeholders were advised of impacts to roads, property, and utility impacts. Maintained a website, project email account and hotlines to regularly communicate with stakeholders. Resolved all concerns and met with affected property owners as needed.

UDOT, American Fork Main and State Street Intersection

Managed the public information needs during design and construction of a project involving the realignment and other improvements to a vital and extremely busy intersection in American Fork. Oversaw and participated in contacting nearly 150 businesses. Facilitated a public meeting and numerous one-on-one meetings. Worked with the community and the stakeholders to keep them informed of impacts to property, lane closures, and traffic signal outages through social media posts, flyers and email updates.



Value

Sheri and the rest of the J&A Team have previous experience providing public involvement services to the City, and will be able to utilize this knowledge to work closely with the public for this project.

Education

BS, Animal Science

Licenses

N/A





Hans Hubrich

Federal Compliance

Hans Hubrich possesses more than twenty two years of industry experience spread across both the private and public construction sectors providing project delivery, contract administration, compliance management, and owner representation services. He has a proven track record of successful project delivery throughout entire project life-cycles and has filled roles both leading and supporting teams in delivering projects within the constraints of schedule, budget and scope. Hans possesses valuable experience interfacing and working with federal and state agencies and oversight committees, including the Utah Department of Transportation (UDOT), Utah Transit Agency (UTA) Federal Transit Administration (FTA), Federal Highway Administration (FHWA), California's Office of Statewide Health Planning and Development (OSHPD), and numerous city and local entity building departments and planning commissions.

Hans' technical skills include expert level knowledge and experience in constructing and maintaining complex project management plans, budgets and schedules. He possesses extensive experience with today's most common software applications including Primavera and Microsoft Project. He has created, managed, and optimized all facets of project documentation and his background also entails project planning, plan and specification reviews, quality assurance and safety inspections, vendor sourcing, contract negotiation, cost estimating, quantity takeoffs, plan and contract document interpretation, and budget and cash-flow operations.

Hans' leadership style and experience brings stability and promotes efficiency and accountability to the projects which he leads. With a philosophy that encourages team ownership of problems, issues are solved through accountability and participation of all stakeholders. Attention to detail, creative thinking and excellent writing skills are further strengths through which Hans augments management teams.

RELEVANT PROJECTS

UTA, TIGER First/Last Mile Grant, Various Cities, UT

FTA administered program for design and construction of passenger amenities and accessibility improvements for transit amenities along Wasatch Front. Provide project controls, project documentation, and contract administration services for construction of civil and structural elements across 19 different jurisdictions and approximately 160 individual project locations. Overall program budget utilizing varied funding sources from FTA, FHWA, CMAQ, and local governments. Participation in issue tracking and resolution process for multi-modal, multi-jurisdictional improvement project.

UTA and UDOT, Provo-Orem Transportation Improvement Project

FTA administered bus rapid transit and road improvement project. Project control, project documentation, and contract administration services for construction of civil, structural and systems improvements for the 11-mile integrated transportation improvement project in Provo and Orem. Responsibilities include all schedule, budget, and contract administration and reporting activities. Coordination and execution of UDOT required project controls documentation in ProjectWise. Participation in issue tracking and resolution process for multi-modal, multi-jurisdictional improvement project.

UTA, Frontlines 2015 Program, Statewide, UT

In 2006, the UTA began work on the 75 mile expansion of their light and commuter rail system. This program includes the addition of four light rail and one commuter rail line. As a Senior Project Controls Specialist, Hans assisted the UTA with senior level project controls for multiple simultaneous projects and contracts. This included extensive scheduling, contract administration, budget controls and project documentation responsibilities. The projects supported include light rail construction contracts, light- and commuter-rail vehicle contracts, and auxiliary system contracts. The Senior Project Controls Specialist role required ongoing, simultaneous interfacing with multiple project managers and organization executives. Hans thrived in this role for over four years, and was recognized multiple times as one of the standout consultants retained under the program.



FACILITY DEVELOPMENT GROUP, INC.
HANS HUBRICH, PRESIDENT 801.923.3345



Value

Hans possesses a deep volume of experience with transit projects in Utah, both locally and federally funded. He has a proven track record of working with and satisfying the documentation and reporting expectations of the FTA and other governing agencies, and is a strong, relational team player in complex project environments.

Education

BS, Environmental Geology

Licenses

N/A





Gale Padgett

ROW Acquisition

Gale is knowledgeable about the relocation process and comprehends the federal and state guidelines concerning relocation activities. She understands the importance of coordinating ROW efforts with subcontractors and coordinates closely with property owners, clients, and government officials to facilitate a successful conclusion to each and every project. Her expertise lies in the following areas: Real Estate Sales and Listings, Short sales, Managing Right of Way Projects, Conducting Property Negotiations, Coordinating ROW Sub-consultants, Reviewing Ownership Documents, Reviewing Title Reports, Coordination of contracts to closings, Attending Closings, Reconciliation of Claimed closing costs vs. Actual and Preparing Relocation Claim Packages.

RELEVANT PROJECTS

Midvalley Connector BRT; Atherton Dr. to 2700 West

Lead Consulting Right of Way and Acquisition Agent for the Midvalley Connector BRT project will connect the Murray Central Station, Salt Lake Community College's Redwood Road Campus and the West Valley Central Station. The project is 7 miles long with 1.4 miles of dedicated bus lanes, 15 stations, 1 new hub and 2 upgraded hubs. The project requires acquisition purchases on approximately 60 parcels. Ms. Padgett worked with the design engineers, Project Managers, UTA Property Administration, surveyors, legal counsel, the Federal Transit Administration and others to lead the Right of Way acquisition process. Gale ordered appraisals, appraisal reviews, met with property owners and directed a second acquisition agent. The project is ongoing at this time.

Cottonwood Heights Sidewalk Project Acquisition Agent

This project added a sidewalk to the west side of 1700 East in Cottonwood Heights. There were 17 impacted property owners on the project. Gale met with all owners to explain the project, obtain their permissions via a contract to acquire right of way or a Permit to Enter and Construct when no Right of Way was needed.

Ogden-WSU BRT Project (OGX)

Consulting Right of Way Manager, acquisition agent, and relocation agent for the Ogden-WSU BRT Project, now known as OGX, combines the speed of light rail and the low cost of the bus. The project provides riders with a clean-air electric bus from the Ogden Frontrunner Station, through downtown Ogden, along Harrison Blvd, through Weber State University Campus and to McKay Dee Hospital. The project added 13 high end stations, 1.5 miles of dedicated bus lanes, a new shared use path with widened road construction, pedestrian crossing and bike lanes. The Project was 65% funded by the Federal Transit Administration and 35% by UDOT, Ogden and local government authorities. There was one residential relocation on the project and 1 commercial relocation on the project. There were 65 properties that required Right of Way acquisitions, perpetual easements, or temporary construction easements along the corridor. Gale purchased the majority of the acquisitions, and coordinated Right of Way activities such as tracking progress, weekly meeting updates, coordination with legal counsel, public involvement and construction management, on site visits with design engineers, ordering checks or wires for closings, directing recording of deeds and easements.

Sandy City 9270 South & State Street; 150 East to State St. (F-0089(392)0)

Consulting Right of Way Manager for the Sandy City Project consisted of realigning the intersections of 9270 South, Stadium Way, and State Street in Salt Lake County, Utah. The project realigned the existing intersection at 9270 South and State Street to the north approximately 415 feet to the existing intersection of Stadium Way and State Street. The project required the acquisition of 13 properties, including total acquisitions of 2 residential properties and 2 commercial properties. These 4 property owners received full relocation benefits. Gale acted as the Lead Agent, the Acquisition Agent and the Relocation Agent. Gale purchased the all of the acquisitions, handled all relocation claims and coordinated Right of Way activities such as tracking progress, weekly meeting updates, coordination with legal counsel, construction management, on site visits with design engineers, ordering checks or wires for closings, directing recording of deeds and easements.



Value

As a former resident of Park City, Gale is familiar with the area and will use her previous bus experience along with her residential background to assist the City with their ROW acquisition.

Education

Salt Lake Community College
University of Texas at Arlington
Spencer & Stringham Real Estate School
The Real Estate School

Licenses

Real Estate Broker #5486746-PB00
Notary #704919





Sean Libberton

FTA & Grant Advisor

Sean is part of HNTB's National Transit and Rail practice, with more than 27 years of experience in public transportation, including technical, policy, and management services. His area of expertise is transit project development, including corridor planning, environmental review, project evaluation and financial analysis. Sean is an expert on federal transportation funding programs and the transit provisions of the Infrastructure Investment and Jobs Acts (IIJA). With more than 20 years of service with FTA, Sean is an expert in FTA funding and project development requirements, as well as a dozen other USDOT grants across several modal agencies.

RELEVANT PROJECTS

Santa Clara Valley Transportation Authority (VTA), BART Silicon Valley Phase II (BSV II) Extension to San Jose, Program Management Team, San Jose, CA

Task manager for securing federal funding for VTA's efforts to advance its extension of BART to downtown San Jose. Authored VTA's Expression of Interest to participate in FTA's Expedited Project Delivery (EPD) Pilot Program, and led the preparation of its EPD grant request.

Chicago Transit Authority (CTA), Red Line Extension Program Management Consultant Program Management Consultant, Chicago, IL

Strategic advisor for guiding CTA's extension of its Red Line south to 130th Street through the New Starts Project Development process. Provided guidance on the development of CTA's Project Development request, project schedule, and project management documents.

San Francisco Bay Area Rapid Transit District (BART), New Transbay Rail Crossing Oakland, CA

Strategic advisor for developing a planning and NEPA strategy to advance a second rail crossing of the San Francisco Bay.

Representative Project Experience prior to HNTB

United States Department of Transportation (USDOT), Various Clients and Locations

Project manager and strategic advisor for competitive federal discretionary grant opportunities. Supported 18 winning Transportation Investment Generating Economic Return (TIGER) and Better Utilizing Infrastructure to Leverage Development (BUILD) grants between 2013 and 2019.

Illustrative winning federal discretionary grants included:

Project	Agency	Program
Go Uptown	Bay Area Rapid Transit	TIGER 2016
North Avenue Rising	Maryland DOT	TIGER 2016
River to River Rail Resiliency (R4) Project	Long Island Rail Road	FTA Emergency Relief 2014
Fleet Modernization Project	Detroit DOT	FTA Bus Discretionary 2014

HNTB



Value

During the administration of an FTA funded program, informal questions arise about FTA requirements. These informal questions can be taken to FTA through UDOT, but usually take an inordinate amount of time. Sean is well-versed in FTA requirements and can provide answers to questions within a day or two helping the project move forward in a timely manner.

Education

MS, Urban and Regional Planning

BA, Urban Planning/Political Studies

Licenses

N/A





Daniel (Dan) Fares, PE

QA/QC Manager

Dan has worked with and led many teams for the UDOT. Among the projects he has worked on in various roles are: Bridge Design Manager for Mountain View Corridor from 5400 South to 4100 South, Lead Engineer for Spanish Fork Center Street over UPRR bridge widening, Bridge Design Manager on 4 Interchanges on Bangerter Highway, and Lead Engineer on the 10600 South Over Monroe Street Ramp project. Dan also worked on the Utah Transit Authority (UTA) as a Design Engineer on several bridges for the FrontRunner as well as the Post Design Lead for the project.

RELEVANT PROJECTS

UTA, FrontRunner South CMGC Project, Preliminary Engineering and Final Design Services, Salt Lake City to Provo, UT

Structural Design Engineer and Post Design Lead for this 44 mile commuter rail transit project starting in Salt Lake City, Utah and ending in Provo, Utah. This corridor runs adjacent to the UPRR main freight line. The project includes 26 bridges, 14 box culverts, three soil nail walls, two CIP concrete walls, one soldier pile wall and 20 MSE walls. The project also included seven stations and 52 grade crossings. Dan worked to prepare final plans, specifications and estimates on multiple bridges. He also worked through the construction phase to resolve field issues and documentation.

UDOT, Mountain View Corridor; 5400 South to 4100 South, Salt Lake City, UT

This design-build project consisted of 2.5 miles of new roadway and shared-use path. The project included 14 highway bridges and seven pedestrian bridges. Responsibilities included preparation of design plans, calculations, and specifications to successfully meet the project deadlines, checking calculations and plans prepared by staff, and working with UDOT to resolve project issues.

UDOT, 10600 S. Interchange Improvements, Sandy, UT

This CMGC project was designed by Michael Baker International and was constructed by Granite Construction Company. The purpose of this project was to improve one of Utah's busiest interchanges on I-15 by constructing an underpass for traffic exiting northbound I-15 to tie to Sandy City's Monroe Street. Project challenges included minimizing impacts to traffic during construction, deck rehabilitation of existing SPUI bridge at the interchange, high groundwater, avoiding impacts to an existing aging sewer pipe, and maintaining the existing profile of 10600 South. To overcome these challenges a new three-sided structure supported on spread footings was selected. The north 59' of the structure was constructed in-place during Phase I. Phase I also included building 123' of the structure in a temporary location south its final location. Upon completion of the Phase I, 10600 South and adjacent interchange ramps were closed for 15 days to rehabilitate the deck of the existing bridge over I-15, excavation for Phase II of the three-sided structure, setting precast footings, sliding the structure into place, backfilling and compacting fill, setting of precast sleeper slabs and approach slabs, and constructing PCCP panels and cast-in-place approach slabs. Dan acted as the lead engineer on the structure to provide calculations and design drawings for the structure.



Value

Dan has worked with and led many teams for UDOT and UTA in design, review, and management roles. His more than 22 years of experience delivering quality projects and reviews assures his capacity to manage quality assurance.

Education

MBA, BS, Civil & Environmental Engineering

Licenses

PE, UT, #374977





Bryan Yates, PLS

Survey

Bryan has supported UTA, UDOT, Civil Engineers and Land Developers with professional land surveying services on a myriad of projects. He has provided consultation and resolution of boundary and right-of-way (ROW) matters along with associated deed preparation to facilitate land acquisitions and dispositions. He has worked closely with the UTA property management team in standardizing recordable documents that meet UTA, local, and state requirements. Bryan has extensive knowledge and experience in property rights as it relates to railroad/corridor parcels of land and the unique challenges that presents.

RELEVANT PROJECTS

Hill Air Force Base (HAFB), Layton, UT

As Sr. Project Manager, Bryan provided topography for design purposes on numerous projects located within HAFB, including:

- **Runway Improvements for CH2M Hill** which included a full topography survey of the existing runway, deliverables included a cad file with a surface for design purposes.
- **(PPMRBS) for Temporary Aircraft Maintenance** for MBI which included topography of a 9-acre site, deliverables included a cad file with a surface for design purposes.
- **F-35 Canopy Repair Facility** for MBI which included topography of a 11-acre site, deliverables included a cad file with a surface for design purposes.
- **Addition to Building 238** for MBI which included interior and exterior topography of existing building, deliverables included a cad file with a surface for design purposes.
- **Navy Operational Support Center** for MBI which included topography of a 10-acre site, deliverables included a cad file with a surface for design purposes.
- **F-35 Canopy Repair Facility Utility Corridor Survey** for MBI which included topography of an 80' wide corridor, deliverables included a cad file with a surface for design purposes and a formatted .PDF with US Army Corps of Engineers title block.

UTA, Davis Proposition 1 Bus Stops and Weber Proposition 1 Bus Stops, Various Locations, Weber and Davis County, UT

As Sr. Project Manager, Bryan researched and analyzed public record information including plans, maps, deeds, notes, and other relevant documents. He then compared them to the physical evidence for boundary resolution and ROW delineation for bus passenger amenities. Bryan performed design topography using conventional surveying techniques, prepare CAD files with planimetrics and contours, and delivered Microstation formatted files for civil design of bus stop amenities. He wrote legal descriptions and prepared conveyance document for easement acquisitions, and prepared aerial exhibits and ownership records for the UTA Real Estate Department.



Value

The experience that Bryan Yates brings in performing 200+ bus stop amenity projects over the past few years has enabled the creation of a streamlined workflow from field to finish with a keen understanding of scheduling and budgets.

Education

AAS, CAD Technology

Licenses

PLS, UT, #8589857





Von A. Larson, PE

Construction Management

Von is involved with the UTA's program management contract since joining HNTB in October of 2021. He has been involved with construction management for transit projects for over 15 years. Presently, he is a resident engineer for the 5.5-mile BRT project in Ogden, and previously he supported completion of the Orem-Provo BRT project.. He has been involved with UTA's quality assurance team in the capitol development group ranging from projects related to bus stops, BRT, streetcar, light rail, and commuter rail projects for the past 15 years. He is coordinating QA testing and inspection work with the UTA testing contractor. He has been involved with construction management for transit projects for over 15 years.

RELEVANT PROJECTS

UTA, Bus Maintenance Facilities: Timpanogos Bus Maintenance facility Commuter Rail GEC & Program Management Services, Orem, UT

Von was the quality assurance manager for the design-build project associated with the Provo-Orem BRT. He performed regular site visits to ensure compliance to approved plans and specifications and reviewed QA testing reports.

UTA, Salt Lake Central Depot District Bus Maintenance Facility Commuter Rail GEC & Program Management Services , Salt Lake City, UT

Von was the quality assurance manager for the construction of the bus maintenance facility from 2016 to 2021. He performed regular site visits to ensure compliance to approved plans and specifications and reviewed QA testing reports.

UTA, Commuter Rail South Commuter Rail GEC & Program Management Services , Salt Lake and Utah Counties, UT

Von was responsible for construction oversight and was a QA team member. He oversaw daily construction activities and documented the progress in daily surveillance reports.

UTA, Commuter Rail Commuter Rail North GEC & Program Management Services Weber, Davis and Salt Lake Counties, UT

Von was part of the program management team and worked on this 44-mile commuter rail project. He assisted with QA by reviewing construction activities in the field and oversaw RFIs and field design changes. He also served as civil support lead and QA team member responsible for managing all submittals, RFIs and revised designs from the designer to the contractor and vice versa. Additionally, he coordinated with all cities, counties, utility companies and the Union Pacific Railroad (UPRR) across the corridor



Value

Von has been involved as a consultant to UTA and involved in their capital construction program for the past 15 years. He will provide the City with an in-depth understanding of construction management and quality in order to complete the project as desired.

Education

BS, Civil Engineering

Licenses

PE, UT, #178589





Chris Haskell, PE

Preliminary Design

Chris is a civil engineer who works in the areas of transportation engineering including roadway, signing, striping, traffic signal, MOT, ITS, ADA compliance, and bus stop design. He has served as a designer on major DOT design build, design-bid-build, and procurement projects. Chris works with agencies, contractors, and other engineers providing technical expertise for projects from design through development of plans and cost estimates to contractor coordination before, during, and after construction. Chris has participated in the design and program management of projects for UTA, and UDOT.

RELEVANT PROJECTS

UDOT MVC; Porter Rockwell Blvd

Extension of Mountain View Corridor from Porter Rockwell to Pioneer Crossing including system interchange at 2100 North and Mountain View Corridor. Traffic Designer, responsible for design of guide signs

Representative Project Experience prior to HNTB

3018 Sidewalk Improvements, Millcreek, UT

3300 South in Millcreek, UT had a missing section of sidewalk located near 3018 which resulted in pedestrians commuting in the existing travel lane. Scope of project was to construct sidewalk along this missing section, to tie into existing sidewalk to the east and west, and connect to the 3018 cross street sidewalk. In addition, project included a small retaining wall due to elevation difference of existing residential home and existing roadway curb. Project was a Design-Bid-Build. Chris was responsible for the roadway engineering and design of the sidewalk and retaining wall which included coordination with the city, design, preparation of construction documents and post design support.

UTA, Program Management, Statewide, UT

Project Description and Responsibilities: Through grant programs, UTA upgraded hundreds of bus stops to be ADA compliant which included sidewalk slope modifications, lengthening of bus pads, bus pullout sections, benches, pedestrian access, and shelters. Project method was Program Management. Chris was responsible for the design, estimates, and construction documents for approximately 50 bus stops.

UTA, 3900 South Bus Stop Additions, Millcreek, UT

Twelve bus stops were improved along the 3900 South corridor providing ADA compliance and accessibility to city and county services, jobs and schools.



Value

Chris will contribute his design experience addressing the complexities of bus stops for UTA to design each Park City bus stop within scope, schedule and budget. Chris' background experience would allow the City to keep their commitments to the community of providing public transportation and using public funds efficiently.

Education

BS, Civil Engineering

MS, Civil Engineering

Licenses

PE, UT, #12090516



Scope Of Work

Program Management Bus Stops

Park City Program Management Services

Prepared by HNTB

April 2023

For Park City

Brief Description

Park City provides more than one hundred fifty (150) bus-stop locations across the city. Bus stops provide access to residential, commercial, and recreational destinations to all users. The City continues to improve the access and experience of all users by investing in capital and operational enhancements. These enhancements support the City's goal of reducing traffic and congestion attributed to single- occupancy-vehicle ("SOV"). The program seeks to systematically improve bus stops throughout the City by addressing ADA functionality and amenities at the stops, as well as First and Last Mile connections to bus stops.

Project Team

- HNTB Staff
 - Project Manager – Jeremy Harbaugh, PE
 - Project Deputy Manager – Kristi Shinall
 - Environmental Engineer – Buffie Chournos
 - Environmental Engineer – Staci Hill
 - Design Engineer – Chris Haskell
 - Construction Management – Von Larson
 - Construction – Ben Roos
 - Quality Manager – Dan Fares
 - Quality Assurance – Ryan Rankin
 - Project Accounting - Carrie Bryant
 - FTA Expertise – Sean Libberton
- Subconsultants
 - Parametrix- Design
 - Redcon- Topographical survey
 - Facilities Development- Federal Compliance
 - Jacques and Associates- Public Involvement
 - Padgett Properties- ROW acquisition

Assumptions

- For calendar year 2023 there will be bi-weekly agency coordination meetings. These meetings will be conducted primarily via web-based conferencing. For subsequent calendar years there will be monthly agency coordination meetings conducted primarily via web-based conferencing.
- HNTB subconsultants will provide survey/mapping/existing ROW.
- Plans will be produced to fit on 11x17 sheets.
- This contract does not include potholing of utilities. SUE potholing may be added to the contract by modification.

- HNTB will conduct progress and milestone meetings to coordinate design activities with Park City. Milestone meetings will be conducted via web-based conferencing.
- The Kickoff meeting, Preconstruction and contractor coordination meetings will be conducted in person.
- There will be one procurement of a contractor for construction of bus stops under this contract. The bus stops will be constructed by one prime contractor.
- ROW easement documentation is for 4 properties.
- ROW acquisition is for 4 properties.
- Legal review for ROW acquisition and property negotiations performed by Park City.
- Transaction environmental screening for 4 properties.
- No historical or cultural clearances required for the environmental document.
- 4 site visits to Park City for Environmental assessments.
- Design Fee estimate provided assumes two design packages; a local package with 20 locally funded bus stops and a federal package with 10 federally funded stops, both to be constructed in 2024.
- Project Management activity provided in the Design Fee Estimate assumes a contract length of 15 months.
- There will be no recurring project meetings, only a Kickoff Meeting for each package and Milestone Review meetings. Review meetings will be held Virtually using Microsoft Teams.
- The project will not require site visits.
- Bus stop final locations will be set prior to 60% and will not change.
- Design will not require impacts to existing Curb and Gutter, Drainage, or encroachment into existing roadways. No retaining walls will be required in the Design.
- Design assumes 4 ROW acquisitions total, two in each design package. One ROW exhibit will be provided for each acquisition. Exhibits to be used for coordination with property owners only.
- Design will provide special provisions, measurement and payment, and bid item schedule for inclusion into contract documents. the overall contract documents will be provided and assembled by others.
- No utility relocations will be required. Utility Coordination will be handled by others.
- Design will be done using Bentley's OpenRoads Designer Software.

- Provide six (6) Baseline Visualizations. These Visualizations will be similar in Artistic Style and Level of Effort to the Sample provided below.



- These 6 visualizations will be one urban and one rural background setting for the following bus stop layouts:
 - Small bus stop; bus stop sign and bench.
 - Medium bus stop; bus stop sign, bench, and small bus stop shelter.
 - Large bus stop; bus stop sign, bench, large shelter, other amenities like a bike rack or trash can.
- Provide Additional Visualizations for specific locations, as necessary. Funds within this task will not be utilized without written approval (email) from Park City to finalize required Level of Effort, location, bus stop amenities, and dollar amount to use to produce each additional Visualization.
- For budgeting purposes, it is assumed that three (3) Additional Visualizations of similar quality and Level of Effort to the Baseline Visualization will be required.
- FTA CatEx Preparation - 10 total bus stops
- Local Funded CatEx Preparation - 20 bus stops
- Construction Management site visits 3 times a week
- Bi-weekly construction meetings
- HNTB understands Park City currently has federal funding secured from 5311 and 5339 FTA grants. This estimate includes compliance support for these two FTA grants. Compliance monitoring and support of any other additional grants or agreements may result in a fee increase.
- Per discussion, fee proposal assumes a construction schedule of 7 months for the federally funded work. Activities related to monitoring, coordination and review of contractor documentation that are requested beyond 7 months following construction NTP will be provided on an hourly rate basis per original contract rates.
- Activities related to any FTA required or other requested reporting beyond 18 months from execution of the Facilities Design Group (FDG) subcontract agreement will be provided on an hourly rate basis per the original contract rates.

- Federal compliance includes efforts related to compliance monitoring of the general contractor (GC) construction contract only, and only one GC contract is contemplated as part of these services. Compliance activities requested for any additional contractors or vendors beyond one GC will be provided on an hourly rate basis per the original contract rates.
- Park City Transit is monitoring their own labor and staff re: federal compliance requirements and HNTB is not required to monitor/administer compliance for PC internal activities.
- Co-location or in office work will not be a requirement for this project work.

Fee Type

Cost plus fixed fee.

Work Plan

Task 1 Project Administration and Agency Coordination

Agency Coordination

Overview: HNTB will attend the Kickoff meeting and bi-weekly coordination meetings.

Deliverables:

- Meeting Agendas
- Meeting Notes
- Bi-weekly project progress reports

Project Setup and Management

Overview: The HNTB project manager will manage contracts, survey and design coordination, subconsultant coordination, client coordination, MS Project updates, and project controls throughout the duration of the project. HNTB will prepare monthly progress reports and invoices and submit to the Park City Project Manager on or around the 15th day of each month.

Deliverables:

- Project Set-Up
- Bi-weekly schedule updates
- Processed Invoices
- Contract Modifications

- Program Delivery Map.
 - Determination of bus stop packages per year, per funding.
 - Desktop review of stops to be improved flag ROW, No parking, and PI, or if stop is good to move forward with concept.
 - Determine which number of bus stops to put in each package and bus stop locations to be included in package.
 - Establish available budgets for packages based on local and federal funding available.
 - Determine desired amenities at each bus stop.
 - Meet with Park City in a series of meetings to conclude amenities to be used.
 - Generate high level cost estimate based on determined amenities to verify which funds to use and if available budgets are adequate.
- Develop bus stop design levels.
 - Work with Park City to develop levels of bus stop improvement by ridership numbers and other criteria established by City.
 - Develop renderings of bus stop improvements by level
 - Develop criteria for future bus stop improvements
 - Provide renderings to the public for feedback
- Determine method for contractor selection
 - Meetings and memos and presentation of materials to make decision
 - Work with City to produce contractor procurement documents
- Bid documents for Advertising
- Change order documentation with contractors
 - Review/discuss and help negotiate change orders with contractor. Provide Independent cost estimates on change orders over \$10K.
 - Develop change order tracking sheet and dates of approval to check against contractor invoicing
- Generate reports and updates for grant.
 - Quarterly updates in TRAMS

Task 2 Project Packaging

Develop Construction Packages

Overview: HNTB will consult with the City to determine bus stop packages. Packages will be assembled considering funding, costs, ROW, and priority.

Determine package of 30 bus stops for 2024 work.

Deliverables:

- List of bus stops to be included in each package

- List of bus stop improvements including approximate construction costs and funding sources

Task 3 Survey

Perform Survey Activities

Overview: Conduct a field survey of physical evidence pertinent to the right-of-way of the subject property. Analyze public record information including plans, maps, deeds, notes and other relevant documents versus physical evidence.

Deliverables:

- Conduct a field survey of physical evidence pertinent to the right-of-way of the subject property of twenty-three bus stop locations. Analyze public record information including plans, maps, deeds, notes and other relevant documents versus physical evidence.
- Perform topographic survey using GPS and/or conventional field surveying techniques to locate physical features lying within an area as defined by client for twenty bus stop locations.
- REDCON will prepare and deliver a scaled drawing (.dtm format for surface and Civil 3D 2021 for right-of-way results) of the surveyed area containing right-of-way results and existing topographic features as outlined above, and contouring at 1-foot contour intervals along with spot elevations for design purposes for twenty-three bus stop locations.
- REDCON will deliver an abstract and the vesting document for thirty bus stop locations (if available online from the Summit County website).
- REDCON will prepare and deliver up to four exhibits (11x17) and up to four recordable easement acquisition documents.

Task 4 Design

60% Design (2 packages, one local and one federal) – Bus stop

Overview: Design, detail, and check sidewalk, bus stop landing pads, and grading tie-ins.

- Kickoff meeting
- Design sidewalks and bus stop landing pads
- Develop plan sheets
- Develop Cost Estimate
- Perform QC/QA
- Conduct Comment Resolution meeting

Deliverables:

- 60% Plan Set Review Package
- QC/QA Documentation
- 60% comment Resolution Form

100% Design (2 packages, one local and one federal)– Bus stop

Overview: Update and check design for sidewalk, bus stop landing pads and grading tie-ins based on comments made at the 60% comment resolution meeting.

- Complete sidewalks and bus stop landing pads design
- Complete plan sheets.
- ROW Exhibit (if necessary)
- Finalize Cost Estimate
- Compile Spec Package
- Perform QC/QA
- Conduct comment resolution meeting

Deliverables:

- 100% Plan Set Review Package
- QC/QA Documentation
- Specifications
- 100% comment Resolution Form

RFC Design (2 packages, one local and one federal) – Bus Stop

Overview: Update and check design for sidewalk, bus stop landing pads and grading tie-ins based on comments made at the 100% comment resolution meeting.

- Address and incorporate 100% Review comments
- Revise Plans and Project Documents
- Revise Cost Estimate
- Compile Advertising Plans and Documents
- Perform QC/QA

Deliverables:

- 100% Plan Set Review Package
- QC/QA Documentation
- 100% Review Meeting: agenda, meeting notes, review comments

Visualization- Baseline Visualization

Overview: Provide Six Baseline Visualizations for use in PI efforts.

- Create one (1) of the Baseline Visualizations for each bus stop size for comments from the Project Team.

- Update Baseline Visualizations per comments.
- Perform QC/QA
- Provide final versions of the three bus stop sizes with Urban and Rural background settings, six total.

Deliverables:

- Three (3) Baseline Visualizations for comments.
- Six (6) Final Baseline Visualizations
- QC/QA Documentation

Additional Visualizations for specific locations

Overview: Provide Additional Visualizations for Specific Locations as needed.

- Coordinate with Park City to define:
 - o Location
 - o Necessary Bus Stop Amenities
 - o Artistic Style
 - o View Orientation
 - o Level of Effort
 - o Budget to be spent on Additional Visualization
- Create Additional Visualization for comments from the Project Team
- Update Additional Visualization per comments.
- Perform QC/QA
- Provide final version of Additional Visualization

Deliverables:

- Email confirmation from Park City for Additional Visualization details.
- One (1) Additional Visualization per location, as needed for comments.
- One (1) Final Additional Visualization per location, as needed.
- QC/QA Documentation

Task 5 Environmental Documentation (NEPA/Federal compliance)

Categorical Exclusion Documentation (CatEx)

Overview: Two local funding package will be developed and one federally funded environmental packages will be developed and receive UDOT and FTA environmental approval. Each of the packages will have 10 bus stop locations. HNTB will evaluate impacts to land use and zoning in accordance with CatEx and Park City Soil Ordinance regulations and entered in UDOT's ePM system.

Deliverables:

- Approved Environmental Documentation for each package of bus stops

Task 6 Project Advertising

Prepare bid documents

Overview: HNTB will prepare and provide plans, specifications, estimates, and quality documentation for project advertisement. HNTB will help the City determine the best method for contract delivery. HNTB will assist Park City by completing the advertising package for advertising. HNTB and its subconsultants will answer questions from the contractors during advertising.

Deliverables:

- Complete Advertising Package
- RFI responses

Prepare two bidding packages

Overview: HNTB will assist the City in creating two separate bid packages based on local funding and federal funding and other factors such as ROW and construction completion priorities.

Deliverables:

- List of needed amenities and costs of shelters to allocate bus packages.
- One federal and one local package for bid by contractors under the same contract.

Task 7 Construction Management

Construction Management

Overview: HNTB will assist the City by attending bi-weekly construction meetings to monitor construction progress, attending special site visits to address issues, conducting punch list walks, review RFIs and submittals, reviewing potential change orders, change orders, and discussing critical construction issues.

Deliverables:

- Material testing reports
- Construction reports
- Submittal and RFI documentation

Task 8 Public Involvement

Public Engagement and Outreach

Overview: Public Involvement will include the following items:

- Organize Bus Stops into geographic areas for stakeholder outreach.
- Identify the outreach area for each grouping of bus stops (hereafter known as an AREA)
- Identify key stakeholders in each AREA. Produce content and perform outreach which includes postal mailers, flyers, personal visits to businesses, emergency service providers, with invitations to neighborhood meetings.
- Combine AREAs into groupings for neighborhood meetings.
- Facilitate small group outreach meetings as directed by the city and conduct public outreach, collect comments and data relative to adjacent neighborhoods, and transit rider concerns. (Assume minimum of 3 bus station neighborhoods per meeting)
- Utilize the data from the neighborhood meetings to develop AREA specific surveys regarding amenities, designs, and other preferences. Produce mailers with QR Codes for each survey, and links to the AREA specific survey for the city to publish on social media and website.
- Create informational content from data collected for use on city's website and social media.
- Compile the surveys into documentation in support of design decision making. Gather and provide survey analytics and meta data with documentation.
- Document stakeholder interactions. Attend project meetings.
- Produce a final public involvement outreach report

Deliverables:

- List of bus stops in geographic areas for outreach
- Public survey results

Task 9 Compliance Management (Federal)

Federal compliance for federal funds

Overview: To meet federal compliance our team will do the following:

- Research on compliance requirements
- Review PC grant agreements

- Assist in preparation of construction contract
- Setup ecomply or similar process; train contractor, subs, vendors
- Monthly compliance monitoring
- Monthly FTA reporting
- Grant & project closeout

We will provide the FTA with real-time budget adjustments month to month as program funding is updated. Monthly reporting will be structured based on the requirements and commitments made in the grant application.

Deliverables:

- Compliance requirements for each specific funding agency
- Mechanisms and repeatable processes to meet compliance requirements

Task 10 Financial Reporting

FTA financial reporting

Overview: HNTB will provide the FTA with real-time budget adjustments month to month as program funding is updated. Monthly reporting will be structured based on the requirements and commitments made in the grant application.

Deliverables:

- Compliance Matrix of each individual federal and local funding sources
- Monthly reporting including financial budget, updates, overviews of monthly work, schedule, and recovery measures.

City Council Staff Report



Subject: 2460 Iron Mountain Drive
Application: PL-23-05514
Author: Lillian Zollinger, Planner I
Date: April 27, 2023
Type of Item: Plat Amendment

Recommendation

(I) Review the proposed 2460 Iron Mountain Plat Amendment; (II) conduct a public hearing; and (III) consider approving the 2460 Iron Mountain Drive Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in Ordinance No. 2023-20 (Exhibit A).

Description

Applicant: Marion and Benjamin Zaniello
Location: 2460 Iron Mountain Drive
Zoning District: Single Family (SF); Sensitive Land Overlay (SLO)
Adjacent Land Uses: Single Family Dwellings
Reason for Review: City Council reviews and takes final action on Plat Amendments¹

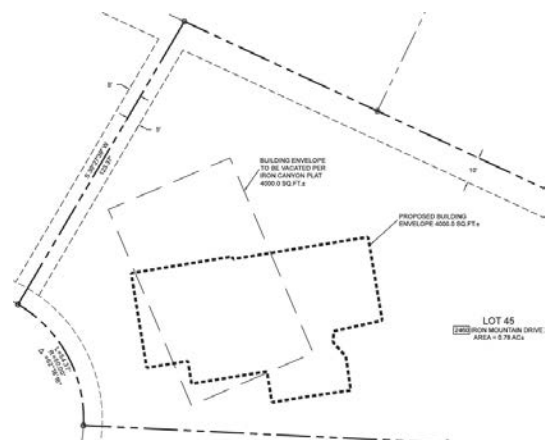
LMC Land Management Code
SF Single Family
SLO Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

The Applicant proposes to modify the existing 4,000-square-foot Building Pad for 2460 Iron Mountain Drive. The current Building Pad is recorded on the Iron Canyon Subdivision Plat, Lot 45 (see Exhibit B). The existing Single-Family Dwelling, constructed in 1989, was not built within the boundaries of the platted Building Pad. The 1989 building permit approval does not show record of a Building Pad on the plans, nor has record of approval from the Planning Department.

The Applicant proposes to modify the 4,000-square-foot Building Pad location to encompass



Proposed survey submitted by applicant.

¹ LMC § [15-1-8](#)

the existing Single-Family Dwelling and to allow for a future deck expansion.

There are several Lots within the Iron Canyon Subdivision that have completed similar Building Pad adjustments, all maintaining the 4,000-square-foot Building Pad. The City Council approved the following Building Pad adjustments within the Iron Canyon Subdivision:

- Lot 29 – Approved on November 10, 2005 ([Ordinance No. 05-70](#))
- Lot 11 – Approved on June 1, 2006 ([Ordinance No. 06-34](#))
- Lot 4 – Approved on September 14, 2006 ([Ordinance No. 06-66](#))
- Lot 5 – Approved on September 28, 2006 ([Ordinance No. 06-68](#))
- Lot 43 – Approved on April 27, 2017 ([Ordinance No. 2017-18](#))
- Lot 42 – Approved on October 12, 2017 ([Ordinance No. 2017-55](#))
- Lot 33 – Approved on September 1, 2022 ([Ordinance No. 2022-34](#))

On March 22, 2023, the Planning Commission unanimously forwarded a positive recommendation to the City Council for the approval of the 2460 Iron Mountain Drive Plat Amendment ([Staff Report](#); [Meeting Minutes](#), p.22-24).

Analysis

(I) The proposed Plat Amendment complies with the Single Family (SF) Zoning District requirements outlined in LMC Chapter 15-2.11.

2460 Iron Mountain Drive is in the SF Zoning District. LMC § [15-2.11-2\(A\)\(1\)](#) lists Single Family Dwellings as an Allowed Use in the SF Zoning District. The Lot is 0.77 acres with the front Lot line measured 54.37', rear Lot line measured 407.56', and side Lot lines measured 123.37' and 408.14'.

The table below outlines the LMC [§ 15-2.11-3](#) *Lot and Site Requirements* for a Single Family Dwelling in the SF Zoning District:

Requirement	Analysis of Proposal
Front Setback – 25' for a front facing garage	Complies – 26'
Rear Setback – 15'	Complies – 71' (from the structure to the closest portion of the rear property line)
Side Setbacks – 12'	Complies – 18' and 25'

LMC § [15-2.11-4](#) states, "No Structure shall be erected to a height greater than twenty-eight feet (28') from Existing Grade." LMC § [15-2.211-4\(A\)\(1\)](#) states, "A gable, hip, Barrel, or similar pitched roof may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater." The existing structure is 33' high and has a gable roof pitch of 6:12 and is therefore compliant with Building Height requirements.

(II) The proposed Plat Amendment complies with the Sensitive Land Overlay (SLO) requirements outlined in LMC Chapter 15-2.21.

LMC § [15-2.21-3](#) states, “Any Applicant for Development must produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions” (see Exhibit C for more details):

Requirement	Analysis
Slope/Topographic Map	Complies: The slope on the lot varies greatly, but the size of Building Footprint is not proposed to be expanded. See Condition of Approval 6.
Ridge Line Areas	Complies: The existing structure does not impact a Ridge Line Area, as it is approximately 1,600 feet away from the nearest Ridge Line.
Vegetative Cover	Complies: The 0.77-acre Lot is significantly comprised of a dense mix of Aspen, Oak, Choke Cherry, and Maple trees. The proposal does not impact the vegetation (see Condition of Approval 6).
Designated Entry Corridors And Vantage Points	Complies: The site is slightly visible, but mostly screened from the topography, from Park Meadows Golf Course Clubhouse and Treasure Mountain Junior High.



Wetlands	Complies: The Building Pad is not near Wetlands.
Stream Corridors, Canals, And Irrigation Ditches	Complies: The Building Pad is not near Stream Corridors, Canals, or Irrigation Ditches.
Wildlife Habitat Areas	Complies: The proposal is not expanding the Building Footprint and will not impact the Dusky Grouse, Black Bear, Moose, Mule Deer, Ruffed Grouse, and White-tailed Jackrabbit wildlife habitats.

(III) There is Good Cause for the Plat Amendment, and no public street, Right-of-Way, or easement is vacated or amended.

The proposed Plat Amendment relocates a Building Pad to reflect current conditions of the site. The Planning Commission and City Council review Plat Amendments according to LMC [§ 15-7.1-3\(B\)](#) and approval shall require (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.²

The Land Management Code defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community.”

There is Good Cause for this Plat Amendment because it brings a non-complying structure into compliance by moving the location of the Building Pad to encompass the existing SF Dwelling. The proposal is also consistent with the pattern of development in the neighborhood, wherein several other Lots have recorded changes in Building Pad location. Staff finds Good Cause as the proposed modification to the Building Pad does not increase its area, will not disturb more area than previously allowed, and the change is consistent with the Iron Canyon Subdivision.

2460 Iron Mountain Drive is accessed by Iron Mountain Drive, a public Right-of-Way, and the proposed Plat Amendment will not impact the Right-of-Way.

(IV) The Development Review Committee reviewed the proposed Plat Amendment on March 7, 2023.³

² LMC [15-7.1-6\(C\)](#)

³ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney’s Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

Summit County's Survey Manager, Gregory Wolbach, requests Condition of Approval 5, which requires the Applicant to show the bearings and distances of the final proposed Building Pad on the final recorded Plat.

Department Review

The Planning Department, Engineering Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 8, 2023. Staff mailed courtesy notice to property owners within 300 feet on March 8, 2023. The *Park Record* published notice on March 8, 2023.⁴

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: Draft Ordinance 2023-20

Attachment 1 - Proposed Plat

Exhibit B: Iron Canyon Subdivision Plat

Exhibit C: Sensitive Land Overlay Materials

Exhibit D: 2460 Iron Mountain Drive 1989 Plans

⁴ LMC [§ 15-1-21](#)

Ordinance No. 2023-20

AN ORDINANCE APPROVING IRON CANYON SUBDIVISION LOT 45 – BUILDING PAD ADJUSTMENT PLAT AMENDMENT, LOCATED AT 2460 IRON MOUNTAIN DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 2460 Iron Mountain Drive petitioned the City Council for approval of the Iron Canyon Subdivision Lot 45 – Building Pad Adjustment Plat Amendment; and

WHEREAS, on March 8, 2023, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on March 8, 2023, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on March 8, 2023, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on March 22, 2023, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a positive recommendation for City Council's consideration on April 27, 2023; and

WHEREAS, on April 27, 2023, the City Council reviewed the 2460 Iron Mountain Drive Plat Amendment and held a public hearing; and

WHEREAS, the 2460 Iron Mountain Plat Amendment is consistent with the Park City Land Management Code Chapter 15-2.11, Chapter 15-2.21 and Section 15-7.1-6.

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

SECTION 1. APPROVAL. The Iron Canyon Subdivision Lot 45 – Building Pad Adjustment Plat Amendment at 2460 Iron Mountain Drive, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 2460 Iron Mountain Drive
2. The Lot is within the Single-Family Zoning District.
3. The subject property consists of Lot 45 of the Iron Canyon Subdivision, approved in 1983.
4. The Plat Amendment proposes to adjust the Building Pad area shown on the Iron Canyon Subdivision Plat.

5. The proposed Building Pad is proposed to be the same square footage as the platted building pad of 4,000 square feet.
6. The Lot contains 0.77 acres.
7. The following Lots of the Iron Canyon Subdivision have adjusted their Building Pad as approved by the City Council: Lot 4, 5, 11, 29, 42, 43, 33.
8. The proposed Plat Amendment is consistent with the pattern of development in the neighborhood.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it brings a non-complying structure into compliance by moving the location of the Building Pad to encompass the existing Single-Family Dwelling.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.11 and § 15-7.1-6 Final Subdivision Plat.
3. The Plat Amendment is consistent with the Land Management Code.
4. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
5. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Any new construction shall comply with Land Management Code Chapter 15-2.11 regarding Setbacks, Building Height, Building Envelope, Building Pad, etc.
4. All other conditions of approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.
5. The Applicant shall show the bearings and distances of the final proposed Building Pad on the recorded Plat.
6. Any expansion of the Building Footprint shall be fully encompassed within the amended Building Pad and require a review by the Planning Department of Significant Vegetation impacted.

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

PASSED AND ADOPTED this 27th Day of April 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, MAYOR

ATTEST:

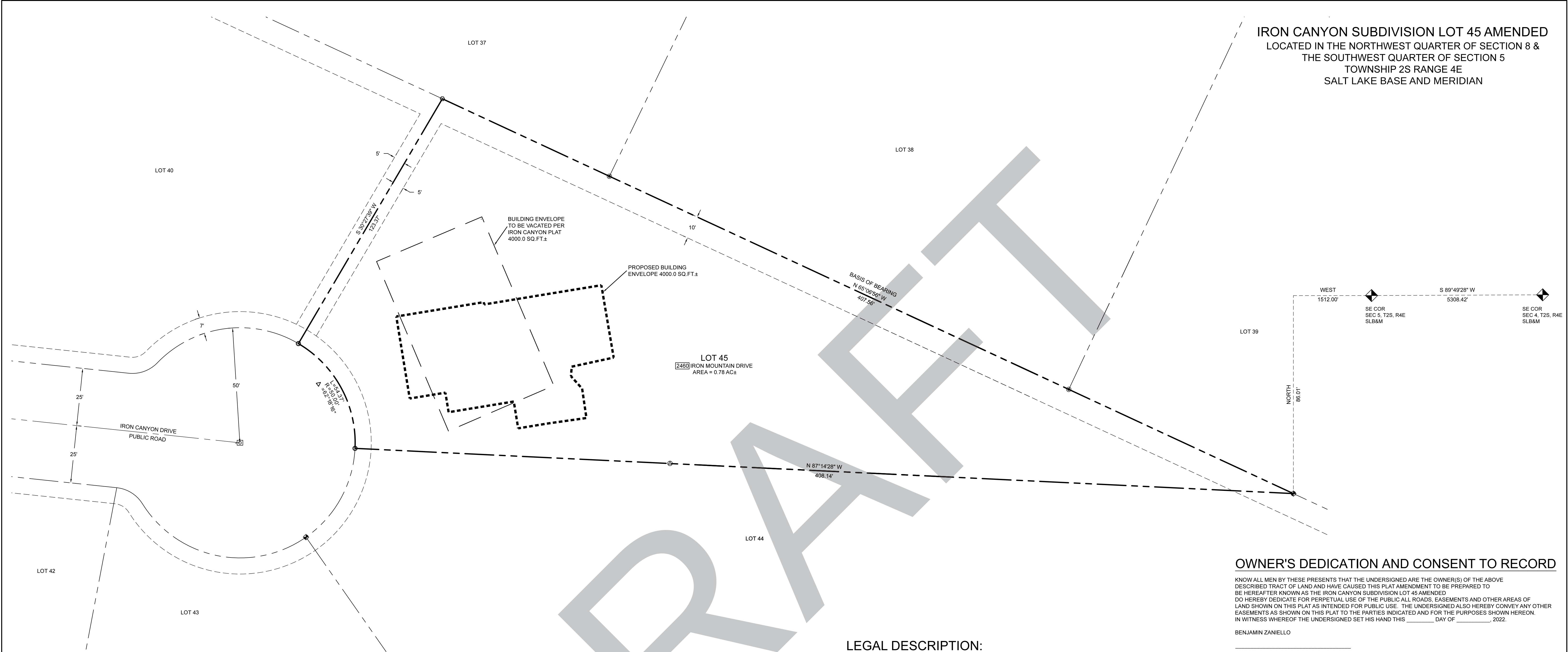
City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Plat

DRAFT



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND AND HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED TO BE HEREAFTER KNOWN AS THE IRON CANYON SUBDIVISION LOT 45 AMENDED DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS, EASEMENTS AND OTHER AREAS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON. IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS ____ DAY OF ____ 2022.

BENJAMIN ZANIELLO

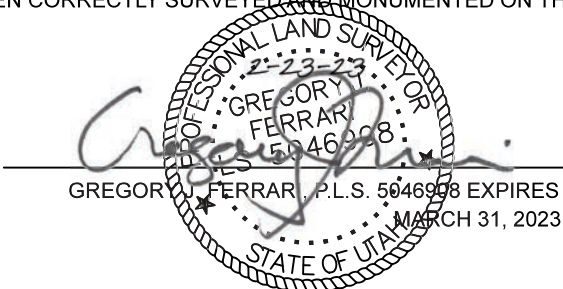
MARION ZANIELLO

LEGAL DESCRIPTION:

LOT 45, IRON CANYON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 28, 1983 AS ENTRY NO.212520 OF THE OFFICIAL RECORDS IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 5046908, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND HAVE AMENDED SUBDIVISION PLAT TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS IRON CANYON SUBDIVISION LOT 45 AMENDED AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



LEGEND:

- | | | | |
|-----|----------------------------|---|----------------------------|
| --- | PROPERTY LINE | ○ | 5/8" REBAR & CAP LS5046908 |
| --- | ADJOINING PROPERTY LINE | ⊕ | 5/8" REBAR & CAP LS4776 |
| --- | CENTER LINE | ⊕ | 5/8" REBAR & CAP LS359005 |
| --- | PUBLIC UTILITY EASEMENT | ⊕ | 5/8" REBAR & CAP LS6164 |
| --- | ORIGINAL BUILDING ENVELOPE | ○ | 5/8" REBAR NO CAP |
| --- | PROPOSED BUILDING ENVELOPE | ⊕ | STREET MONUMENT |

XXX

STREET ADDRESS ON IRON MOUNTAIN DRIVE

ACKNOWLEDGMENT

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2022, BENJAMIN ZANIELLO

PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BE ME DULY SWORN/AFFIRMED, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE IRON CANYON SUBDIVISION LOT 45 AMENDED.

MY COMMISSION EXPIRES

NOTARY PUBLIC
RESIDING IN

ACKNOWLEDGMENT

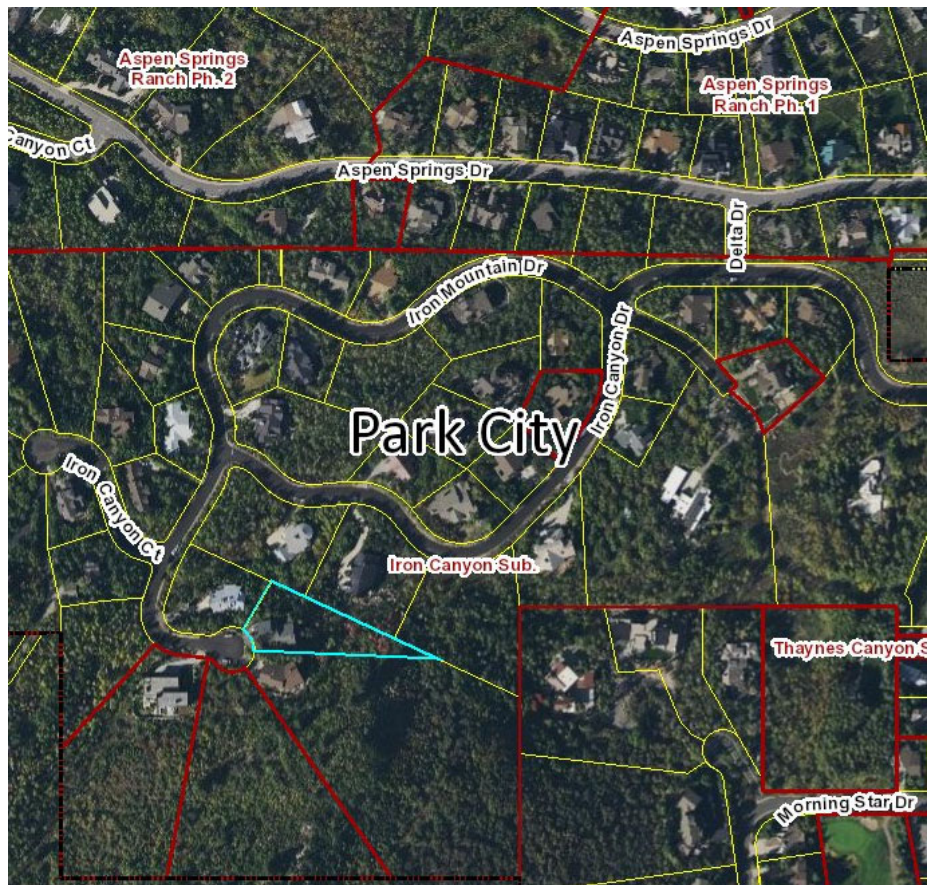
STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2022, MARION ZANIELLO

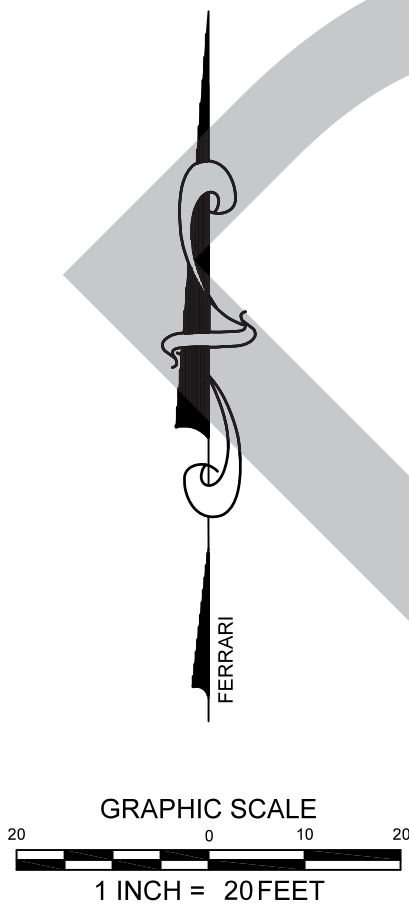
PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BE ME DULY SWORN/AFFIRMED, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE IRON CANYON SUBDIVISION LOT 45 AMENDED.

MY COMMISSION EXPIRES

NOTARY PUBLIC
RESIDING IN



VICINITY AND ZONING MAP
NOT TO SCALE



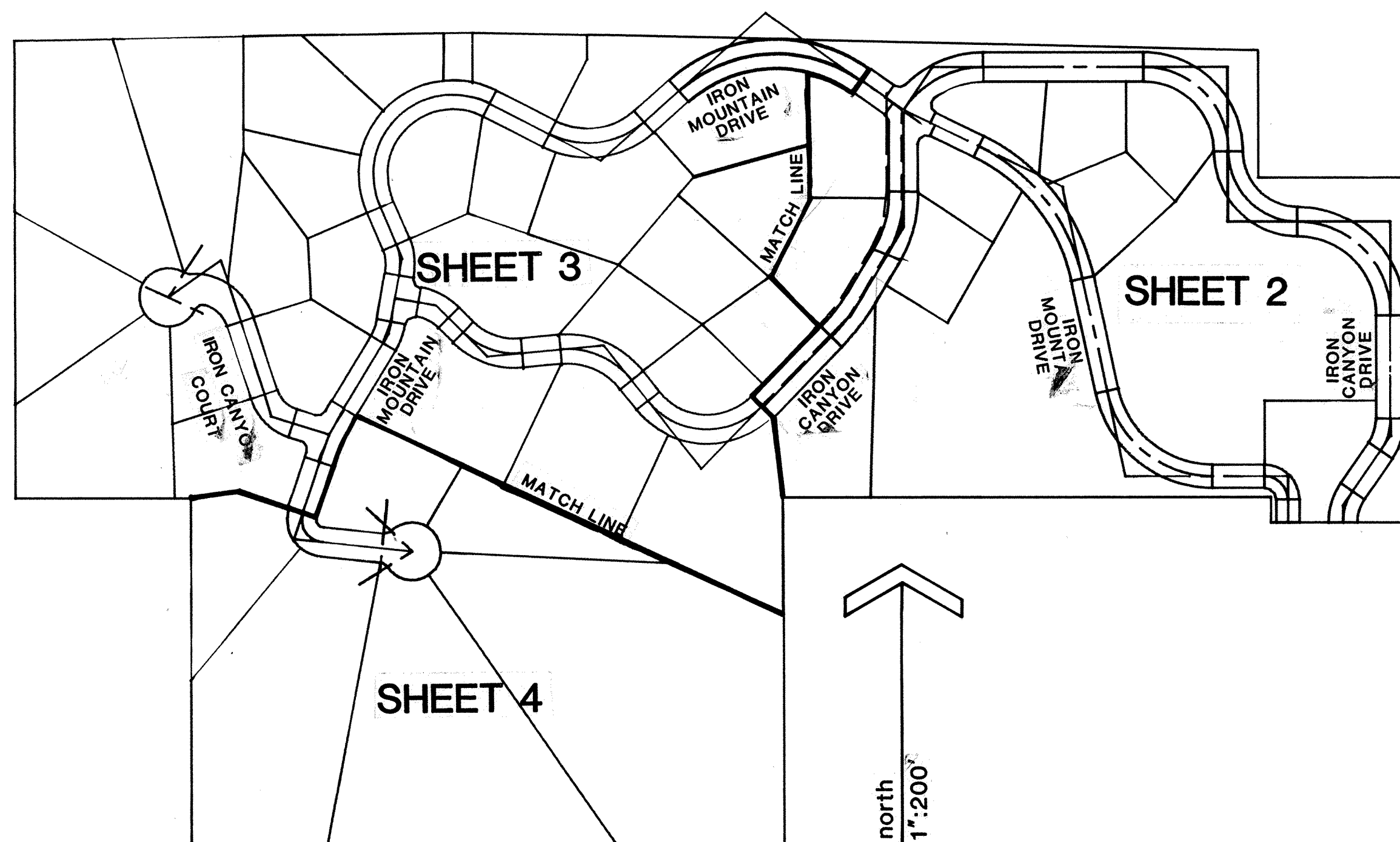
NOTES:

- THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL IN ORDINANCE 2022-XX.
- NEW CONSTRUCTION SHALL MEET LOT AND SITE REQUIREMENTS OF THE SF DISTRICT PER THE LAND MANAGEMENT CODE IN EFFECT AT THE TIME OF BUILDING PERMIT SUBMITTAL.

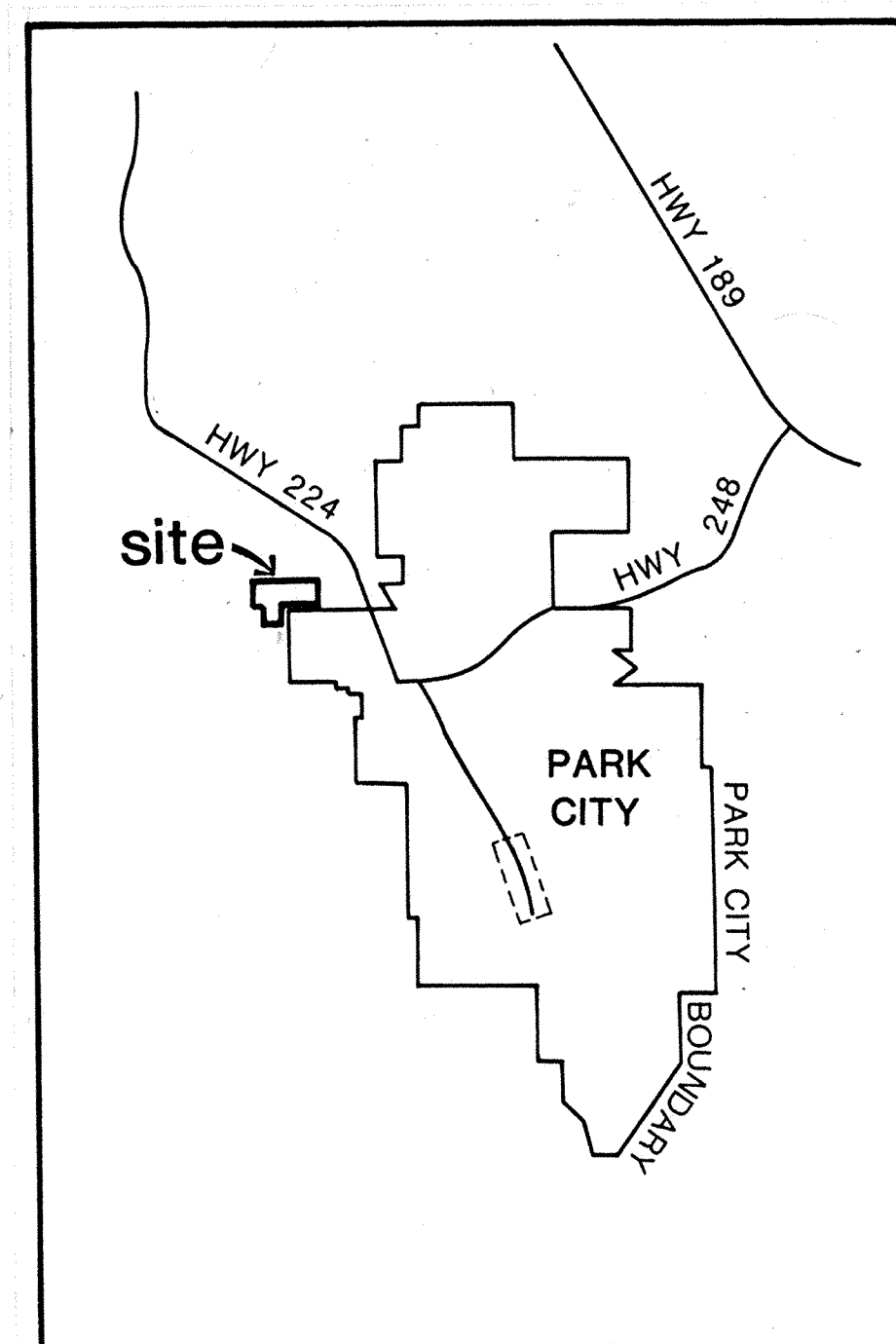


P.O.BOX 683001
PARK CITY, UT 84068

PARK CITY MUNICIPAL CORPORATION	PUBLIC SAFETY ANSWERING POINT APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	CITY ENGINEER	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	RECORDED
APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ____ 2022 BY: _____ MAYOR	APPROVED THIS ____ DAY OF ____ 2022 A.D. BY: _____ SUMMIT COUNTY GIS COORDINATOR	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF ____ 2022 A.D. BY: _____ SNYDERVILLE BASIN RECLAMATION DISTRICT	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ____ 2020 A.D. BY: _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ____ 2022 A.D. BY: _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ____ 2022 A.D. BY: _____ CITY ATTORNEY	I CERTIFY THIS PLAT MAP WAS APPROVED BY THE LAND USE AUTHORITY THIS ____ DAY OF ____ 2022 A.D. BY: _____ CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE ____ TIME ____ BOOK ____ PAGE ____ ENTRY NO. _____ FEE _____ COUNTY RECORDER _____



INDEX MAP



VICINITY MAP

IRON CANYON

PREPARED FOR
THE BOYER COMPANY
675 EAST 500 SOUTH
SALT LAKE CITY, UTAH

PREPARED BY
ECKHOFF, WATSON & PREATOR
1798 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH

SURVEYOR'S CERTIFICATE

I, KENNETH W. WATSON, A REGISTERED PROFESSIONAL ENGINEER AND/OR LAND SURVEYOR, HOLD CERTIFICATE NO. 5190, AS PRESCRIBED BY THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith, AND HAVE SUB-DIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TO BE HERE-AFTER KNOWN AS IRON CANYON, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS 29 DAY OF Sept., 1983



NOTE

- LOTS 12, 14, 15, 27, 33, 34, 40, 42 AND 43 MAY TAKE ADVANTAGE OF SETBACK VARIANCE ALLOWED AS PER SECTION 4-5.5.3 OF THE LAND MANAGEMENT CODE.
- PARK CITY WILL NOT ACCEPT STREETS FOR DEDICATION UNTIL 24 OF THE 45 LOTS HAVE BEEN OCCUPIED.
- ALL EXTERIOR BUILDING MATERIALS SHALL BE CLASS 1-RATED FLAME-SPREAD MATERIALS IN ACCORDANCE WITH UBC 4202. ALL RESIDENCES SHALL BE FIRE SPRINKLED IN ACCORDANCE WITH UBC 38-1-82.

LEGAL DESCRIPTION

IRON CANYON LEGAL DESCRIPTION

A parcel of land located in the S.W. 1/4 of Section 5 and the N.W. 1/4 of Section 8, T2S, R4E, Salt Lake Base and Meridian being further described as follows:

Beginning at a point on the south line of the S.W. 1/4 of said Section 5, said point being South 89°21'00" West 246.55 feet from the South 1/4 corner of said Section 5 to the prolongation of an existing wood rail fence running northerly; thence along the prolongation of said fence South 0°04'12" West 11.37 feet to the northerly line of the Quitclaim deed exhibit "B" as stated in book M 58 page 60 of recorded document in the Summit County recorder's office; thence West 244.02 feet; thence North 44.00 feet to the Northeast corner parcel of land described in Book F page 389 as recorded in the Summit County recorder's office; thence West 840.00 feet to the N.W. corner of Thayne Canyon subdivision No. 3 as shown on said subdivision plat; thence South 600.00 feet; thence West 1020.00 feet; thence North 543.50 feet to the South line of said Section 5; thence South 89°21'00" West 278.64 feet to the S.W. corner of said Section 5; thence North 0°12'32" West along said section line 842.84 feet, to a point on the boundary line agreement as stated in book M 230 page 626 and recorded in the Summit County recorder's office; thence North 88°50'23" East 376.77 feet; thence North 89°19'58" East 395.03 feet; thence South 88°50'22" East 1350.28 feet to a point that is defined in the boundary line agreement recorded in book M 230 page 626 in the Summit County recorder's office, the South 1/4 corner of said Section 5 as referenced in said boundary line agreement is located West 2639.77 feet from the S.E. corner of said Section 5; thence South 222.96 feet to the prolongation of an existing fence running easterly; thence along said fence and the prolongation of said fence North 89°34'50" East 264.75 feet to the prolongation of an existing rail fence running southerly; thence along said prolongation and said fence line South 0°04'12" West 579.66 feet to the point of beginning. Containing 56.21 acres more or less.

Basis of bearings being the south line of Section 4, T2S, R4E, Salt Lake Base and Meridian which has a bearing of South 89°49'21" West.

OWNER'S DEDICATION

KNOW ALL BY THESE PRESENT THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND BELOW, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS IRON CANYON, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER INCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 13th DAY OF October, 1983.

SIGNED Alfred Boyer, Gerald Boyer, The Boyer Company SIGNED _____

SIGNED _____ SIGNED _____

SIGNED _____ SIGNED _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF Salt Lake } : s.s.

ON THE 13th DAY OF October A.D. 1983, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF Salt Lake, IN THE STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, one IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT they SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

DeAnn D. Balli
NOTARY PUBLIC
RESIDING AT Salt Lake City
MY COMMISSION EXPIRES: 4-28-85

CITY COUNCIL APPROVAL

PRESENTED TO PARK CITY
CITY COUNCIL THIS 27th DAY OF OCTOBER
A.D. 1983, John C. Price Sr., Mayor
ATTEST William R. Gathorn, Recorder

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK
CITY CITY ENGINEERING DEPARTMENT ON
THIS 20th DAY OF OCTOBER A.D. 1983.
Eric W. DeHaan, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE 22nd
CITY PLANNING COMMISSION ON THIS 27th DAY
OF October A.D. 1983.

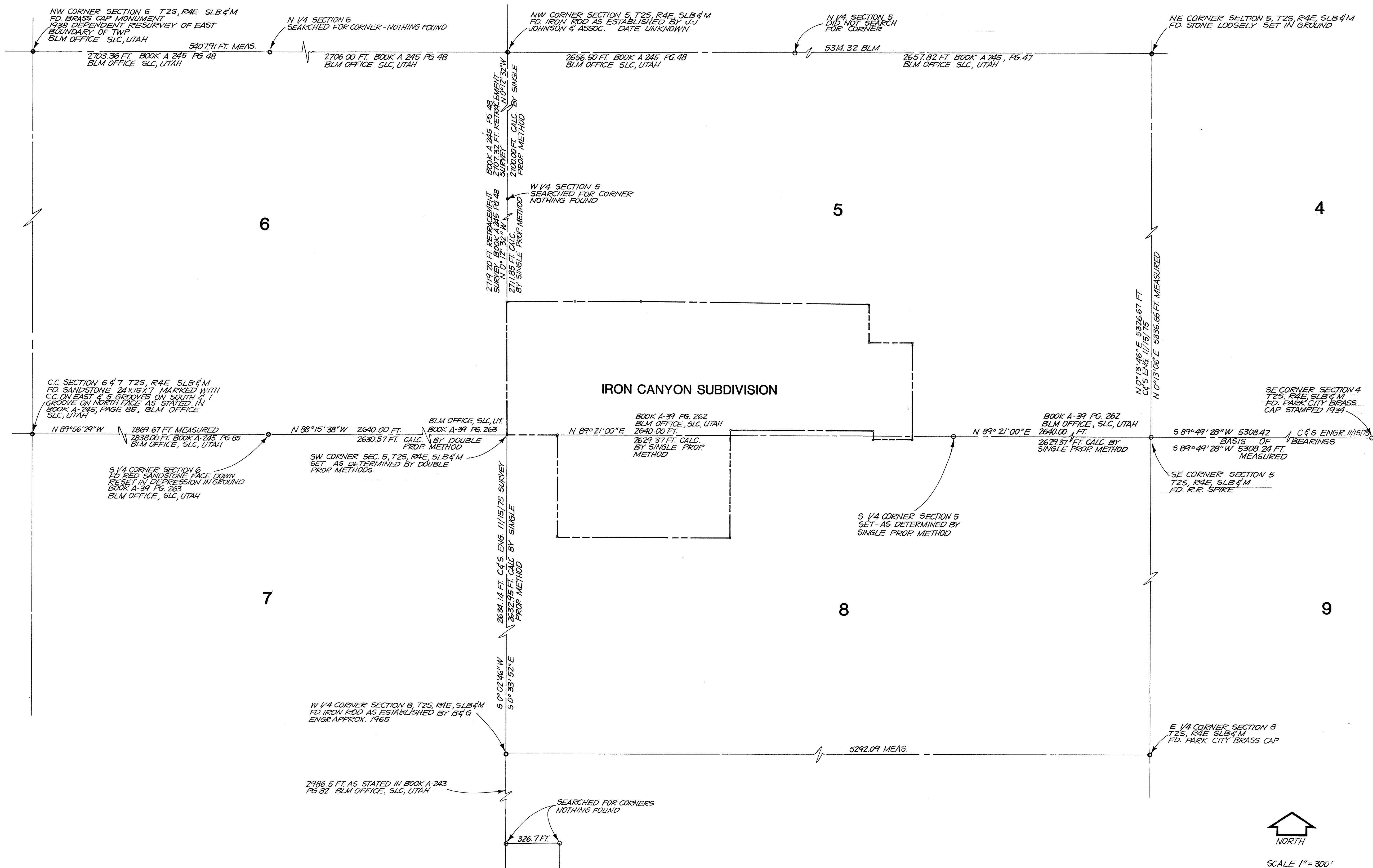
APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 27
DAY OF October A.D. 1983.
Thomas E. Clyde
CITY ATTORNEY

RECORDED

No. 212520 Date: 10-28-83
STATE OF Utah At: 4:09
COUNTY OF Summit Fee: \$97.00
RECORDED AND FILED AT THE REQUEST OF
Western States Title Co. Alan Springs
COUNTY RECORDER

EWP ECKHOFF, WATSON and
PREATOR ENGINEERING
ENGINEERS
PLANNERS
SURVEYORS



Project Number		Sheet Number		SHEET 2 OF 5	
The Boyer Company		675 East 500 South Salt Lake City, Utah 84102		IRON CANYON SECTION CONTROL	
Eckhoff, Watson and Pretor Engineering		ENGINEERS • PLANNERS • SURVEYORS		DATE 9/5/83	
Drawn		Checked		By	
JWW		JWW		JWW	
Date		Date		Date	
9/5/83		9/5/83		9/5/83	
Scale		Scale		Scale	

9/21/03 - UPDATE

Project Number

9/21/03

Client

THE BOYER COMPANY

Surveyor

ECKHOFF, WATSON and PREATOR ENGINEERING

Scale

1" = 50'

Drawn

DATE

Checked

DATE

Approved

DATE

Section

IRON CANYON

Page

SHEET 3 OF 5

675 East 500 South Salt Lake City, Utah 84102

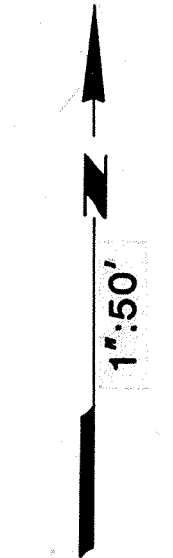
IRON CANYON

THE BOYER COMPANY

IRON CANYON

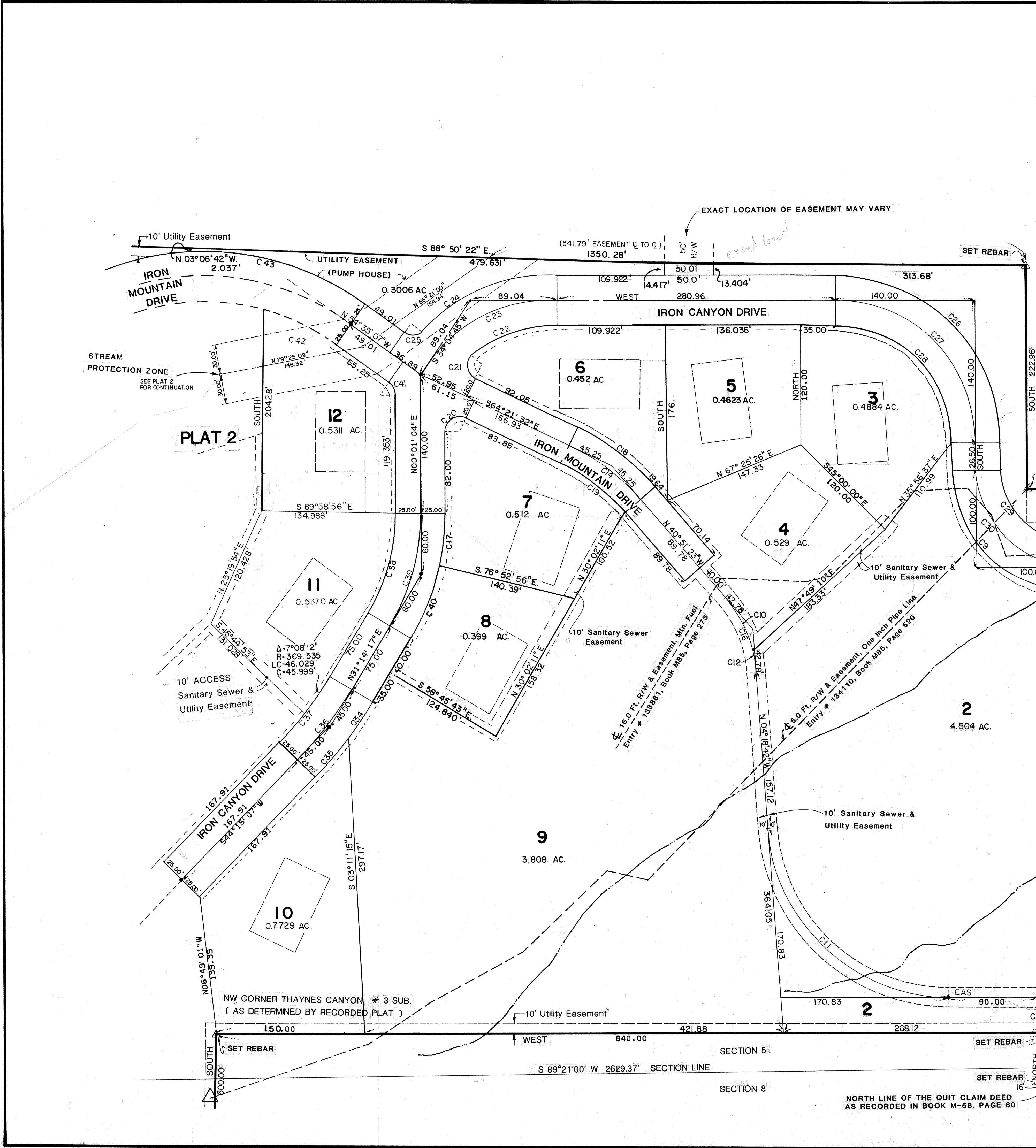
CURVE DATA					CHORD BEARING
	Δ	R	L	C	
C2	34° 44' 37"	120.896	73.31	72.192	N 17° 22' 18" E
C3	34° 44' 37"	70.896	42.990	42.335	N 17° 22' 18" E
C4	34° 44' 37"	95.896	58.15	57.263	N 17° 22' 18" E
C5	34° 44' 37"	120.896	73.31	72.192	N 17° 22' 18" E
C6	34° 44' 37"	70.896	42.99	42.335	N 17° 22' 18" E
C7	34° 44' 37"	95.896	58.15	57.263	N 17° 22' 18" E
C8	90° 00' 00"	75.00	117.81	108.066	N 45° 00' 00" W
C9	90° 00' 00"	125.00	196.350	176.777	N 45° 00' 00" W
C10	27° 34' 43"	129.575	62.369	61.769	S 27° 04' 01" E
C11	86° 41' 18"	184.195	275.472	250.508	N 47° 09' 21" E
C12	08° 57' 58"	129.575	20.277	20.275	S 08° 47' 41" E
C13	38° 10' 09"	40.00	26.647	26.157	S 70° 54' 56" E
C14	23° 30' 09"	217.529	89.230	88.606	N 52° 36' 28" W
C15	51° 49' 51"	40.00	36.185	34.964	S 25° 54' 56" E
C16	36° 32' 41"	129.575	62.369	61.769	S 27° 04' 01" E
C17	13° 05' 09"	239.749	54.757	54.638	S 06° 33' 38" E
C18	23° 30' 03"	237.529	97.433	96.172	N 52° 36' 28" E
C19	23° 30' 03"	137.523	81.285	80.459	N 52° 36' 28" E
C20	11° 37' 22"	15.00	30.269	25.389	N 57° 49' 06" E
C21	117° 49' 08"	15.00	30.845	25.691	N 05° 26' 58" W
C22	36° 32' 41"	142.741	91.033	89.498	N 71° 43' 48" E
C23	55° 55' 16"	167.742	163.717	157.296	N 62° 02' 23" E
C24	44° 34' 51"	192.741	149.968	146.214	N 67° 42' 34" E
C25	79° 59' 44"	15.00	20.943	19.283	N 85° 25' 01" E
C26	90° 00' 00"	165.00	259.18	233.742	S 45° 00' 00" E
C27	90° 00' 00"	140.00	219.92	197.990	S 45° 00' 00" E
C28	90° 00' 00"	115.00	180.645	162.635	S 45° 00' 00" E
C29	90° 00' 00"	75.00	117.810	108.066	S 45° 00' 00" E
C30	90° 00' 00"	100.00	157.080	141.421	S 45° 00' 00" E
C31	90° 00' 00"	125.00	196.350	176.777	S 45° 00' 00" E
C32	90° 00' 00"	100.00	157.080	141.421	S 45° 00' 00" E
C33	90° 00' 00"	40.00	62.832	56.569	S 45° 00' 00" E
C34	06° 08' 44"	419.535	45.00	44.978	S 34° 18' 39" W
C35	06° 52' 06"	419.535	50.291	50.261	N 40° 49' 04" E
C36	13° 00' 50"	394.535	89.613	89.420	N 37° 44' 42" E
C37	13° 00' 50"	369.535	83.937	83.754	N 37° 44' 42" E
C38	31° 13' 13"	189.749	103.594	102.119	N 15° 37' 40" E
C39	31° 13' 13"	214.749	117.016	115.574	N 15° 37' 40" E
C40	18° 08' 04"	239.749	75.882	75.566	S 22° 01' 15" W
C41	54° 36' 12"	15.00	14.295	13.760	N 27° 17' 01" W
C42	21° 12' 03"	226.197	83.698	83.221	N 65° 11' 08" W
C43	38° 31' 35"	276.197	185.718	182.239	S 73° 50' 54" E
C110	36° 32' 41"	121.575	77.544	76.236	N 22° 35' 02" W

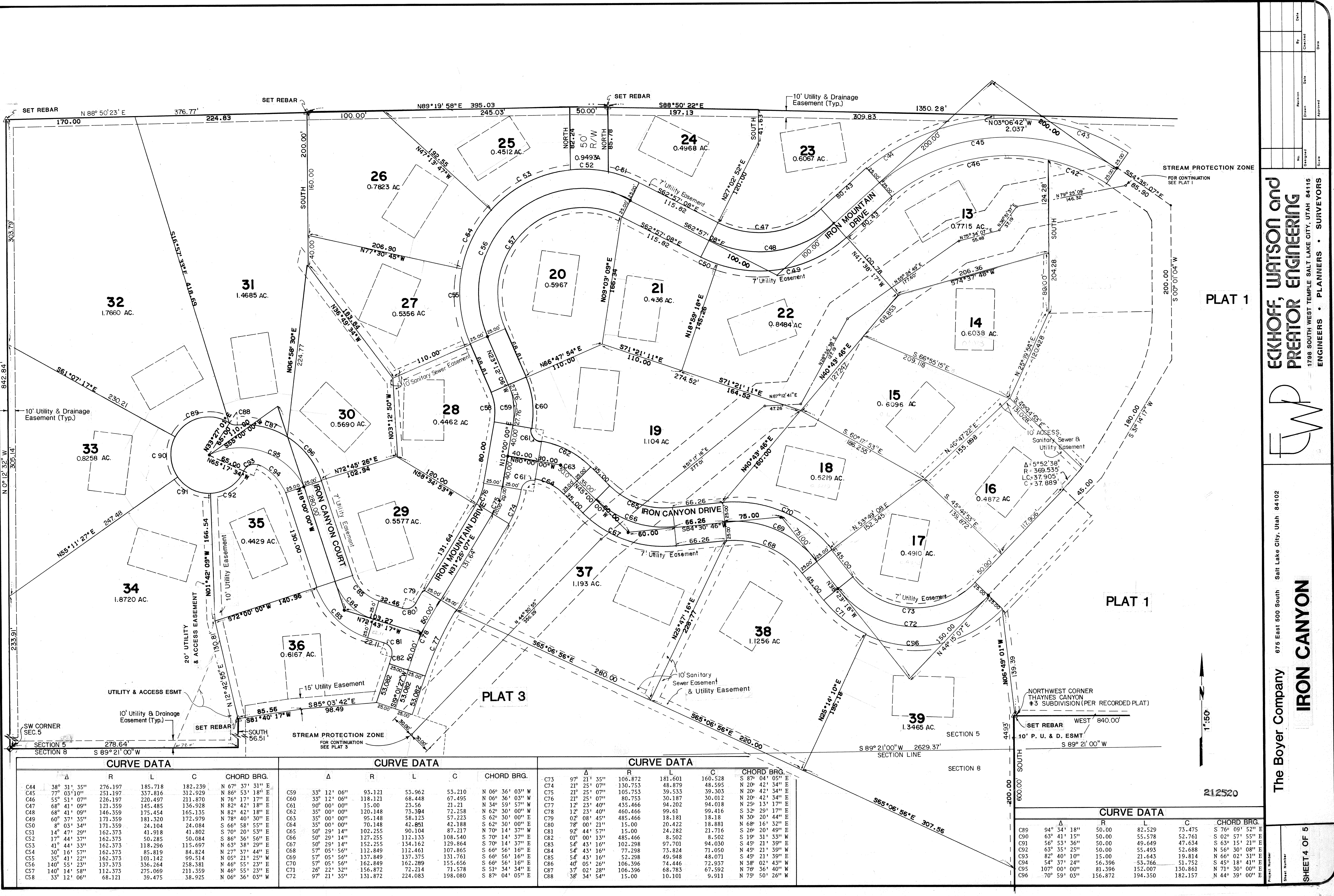
LEGEND
• Monuments To Be Set
□ BUILDING PAD



212520
SE CORNER SECTION 4
PARK CITY MON.
S1/4 CORNER
SEC. 5
P.O.B.
S 89°21'00" W
246.55
2629.37
S 89°49'28" W 5308.42
BASIS OF BEARING
C & S ENGINEERING SURVEY-1975

85.00'	40.00'	40.00'	155.00'	40.00'	40.00'	80.00'	25.00'
PAYDAY DRIVE							
THAYNES CANYON SUBDIVISION							





CURVE DATA					CURVE DATA					CURVE DATA					SECTION 8				
Δ	R	L	C	CHORD BRG.	Δ	R	L	C	CHORD BRG.	Δ	R	L	C	CHORD BRG.	Δ	R	L	C	CHORD BRG.
C44	38° 31' 35"	276.197	185.718	182.239	N 67° 37' 31" E	C59	33° 12' 06"	93.121	53.962	53.210	N 06° 36' 03" W	C73	97° 21' 35"	106.872	181.601	160.528	S 87° 04' 05" E		
C45	77° 03' 10"	251.197	337.816	312.929	N 86° 53' 18" E	C60	33° 12' 06"	118.121	68.448	67.495	N 06° 36' 03" W	C74	21° 25' 07"	130.753	48.879	48.595	N 20° 42' 34" E		
C46	55° 51' 07"	226.197	220.497	211.870	N 76° 17' 17" E	C61	90° 00' 00"	15.00	23.56	21.21	N 34° 59' 57" W	C75	21° 25' 07"	105.753	39.533	39.303	N 20° 42' 34" E		
C47	68° 41' 09"	121.359	145.485	136.928	N 82° 42' 18" E	C62	35° 00' 00"	120.148	73.394	72.258	N 62° 30' 00" W	C76	21° 25' 07"	80.753	30.187	30.012	N 20° 42' 34" E		
C48	68° 41' 09"	146.359	175.454	165.135	N 82° 42' 18" E	C63	35° 00' 00"	95.148	58.123	57.223	S 62° 30' 00" E	C77	12° 23' 40"	435.466	94.202	94.018	N 25° 13' 17" E		
C49	60° 37' 35"	171.359	181.320	172.979	N 78° 40' 30" E	C64	35° 00' 00"	70.148	42.851	42.188	S 62° 30' 00" E	C78	12° 23' 40"	460.466	99.61	99.416	S 32° 29' 17" E		
C50	8° 03' 34"	171.359	24.104	24.084	S 66° 58' 55" E	C65	50° 29' 14"	102.255	90.104	87.217	N 70° 14' 37" W	C79	02° 08' 45"	485.466	18.181	18.18	N 30° 20' 44" E		
C51	14° 47' 29"	162.373	41.918	41.802	S 70° 20' 53" E	C66	50° 29' 14"	127.255	112.133	108.540	S 70° 14' 37" E	C80	78° 00' 21"	15.00	20.422	18.881	N 68° 16' 32" E		
C52	17° 44' 37"	162.373	50.285	50.084	S 86° 36' 56" E	C67	50° 29' 14"	152.255	134.162	129.864	S 70° 14' 37" E	C81	92° 44' 57"	15.00	24.282	21.716	S 26° 20' 49" E		
C53	41° 44' 33"	162.373	118.296	115.697	N 63° 38' 29" E	C68	57° 05' 56"	112.849	112.461	107.865	S 66° 56' 16" E	C82	01° 00' 13"	485.466	8.502	8.502	S 19° 31' 33" W		
C54	30° 16' 57"	162.373	85.819	84.824	N 27° 37' 44" E	C69	57° 05' 56"	137.849	137.375	131.761	S 66° 56' 16" E	C83	54° 43' 16"	102.298	97.701	94.030	S 45° 21' 39" E		
C55	35° 41' 22"	162.373	101.142	99.514	N 05° 21' 25" W	C70	57° 05' 56"	162.849	162.289	155.656	S 66° 56' 16" E	C84	54° 43' 16"	77.298	73.824	71.050	N 45° 21' 39" W		
C56	140° 55' 23"	137.373	336.264	258.381	N 46° 55' 23" E	C71	26° 22' 32"	156.872	72.214	71.578	S 51° 34' 34" E	C85	40° 05' 26"	74.446	49.948	48.071	S 45° 21' 39" E		
C57	140° 14' 58"	112.373	275.069	211.359	N 46° 55' 23" E	C72	97° 21' 35"	131.872	224.083	198.080	S 87° 04' 05" E	C86	40° 05' 26"	106.396	74.446	72.937	N 38° 02' 43" W		
C58	33° 12' 06"	68.121	39.475	38.925	N 06° 36' 03" W							C87	37° 02' 28"	106.396	68.783	67.592	N 76° 36' 40" W		
												C88	38° 34' 54"	15.00	10.101	9.911	N 75° 50' 26" W		

212520

565°06'56"E 307.56

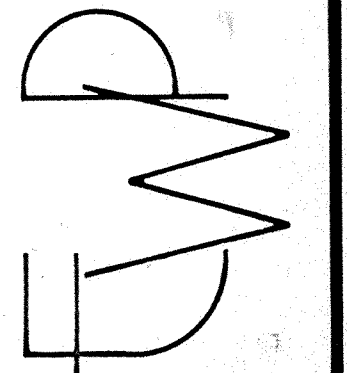
CURVE DATA					
Δ	R	L	C	CHORD BRG.	
C89	94° 34' 18"	50.00	82.529	73.475	S 76° 09' 52" E
C90	63° 41' 15"	50.00	55.578	52.761	S 02° 57' 55" E
C91	56° 53' 36"	50.00	49.649	47.634	S 63° 15' 21" E
C92	63° 35' 25"	50.00	55.493	52.688	N 56° 30' 08" E
C93	82° 40' 10"	15.00	21.643	19.814	N 66° 02' 31" E
C94	54° 37' 24"	56.396	53.766	51.752	S 45° 18' 41" E
C95	107° 00' 00"	81.396	152.007	130.861	N 71° 30' 00" E
C96	70° 59' 03"	156.872	194.350	182.157	N 44° 39' 00" E

Project Number

Sheet Number

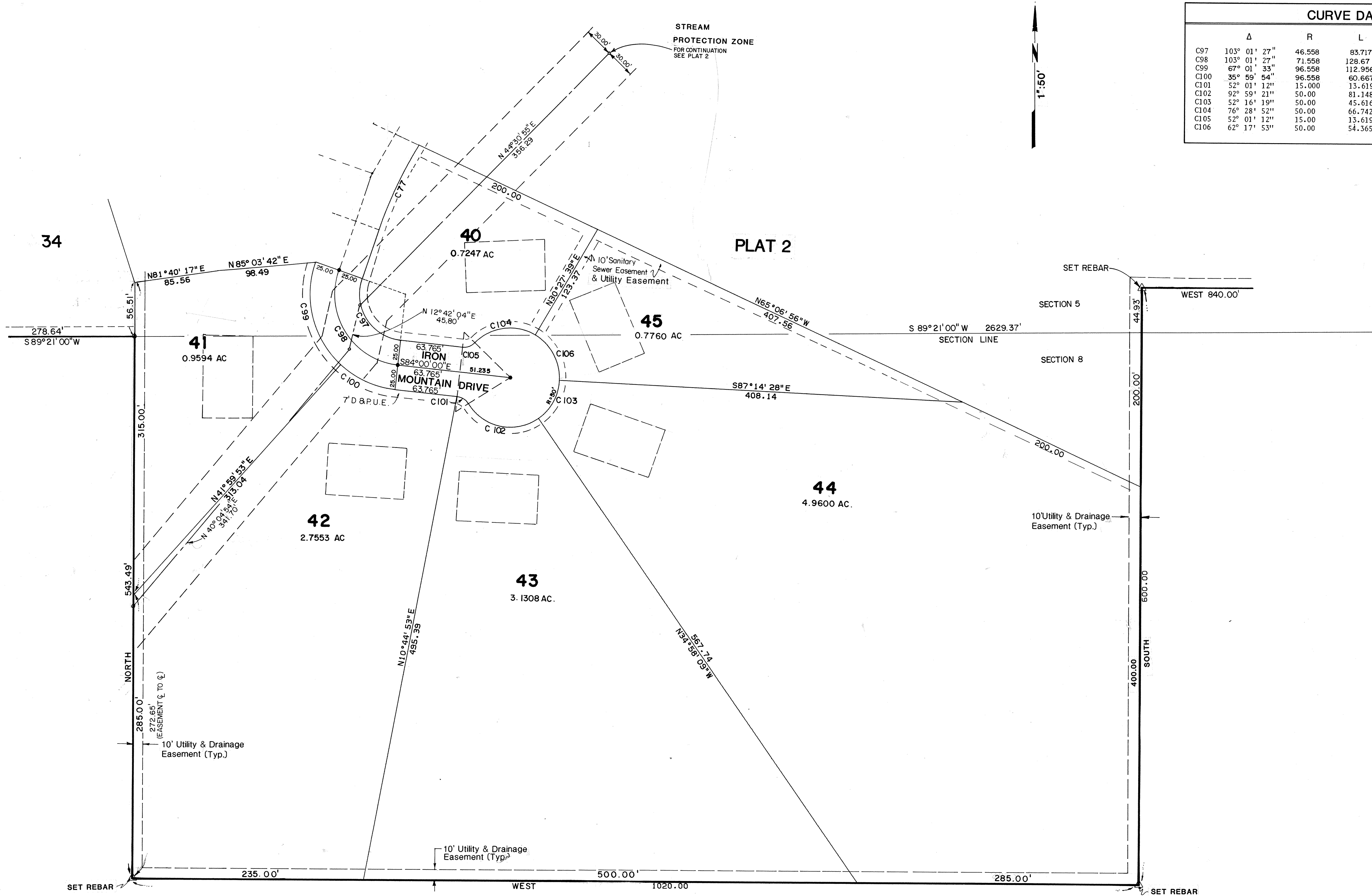
SHEET 4 OF 5

ECKHOFF, WATSON and
PREATOR ENGINEERING
1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS



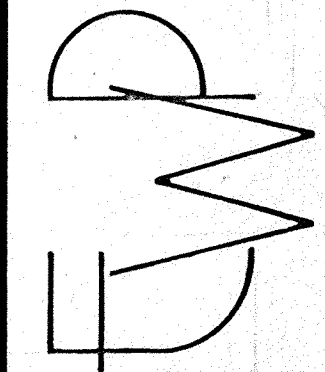
The Boyer Company 675 East 500 South Salt Lake City, Utah 84102

IRON CANYON



CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C97	103° 01' 27"	46.558	83.717	72.886	S 32° 29' 17" E
C98	103° 01' 27"	71.558	128.67	112.023	S 32° 29' 17" E
C99	67° 01' 33"	96.558	112.956	106.625	S 14° 29' 20" E
C100	35° 59' 54"	96.558	60.667	59.674	S 56° 00' 03" E
C101	52° 01' 12"	15.000	13.619	13.156	S 57° 59' 24" E
C102	92° 59' 21"	50.00	81.148	72.531	S 78° 28' 28" E
C103	52° 16' 19"	50.00	45.616	44.050	N 28° 53' 42" E
C104	76° 28' 52"	50.00	66.742	61.896	S 82° 13' 13" W
C105	52° 01' 12"	15.00	13.619	13.156	S 57° 59' 24" E
C106	62° 17' 53"	50.00	54.365	51.727	N 28° 23' 24" W

ECKHOFF, WATSON and
PREATOR ENGINEERING
1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS



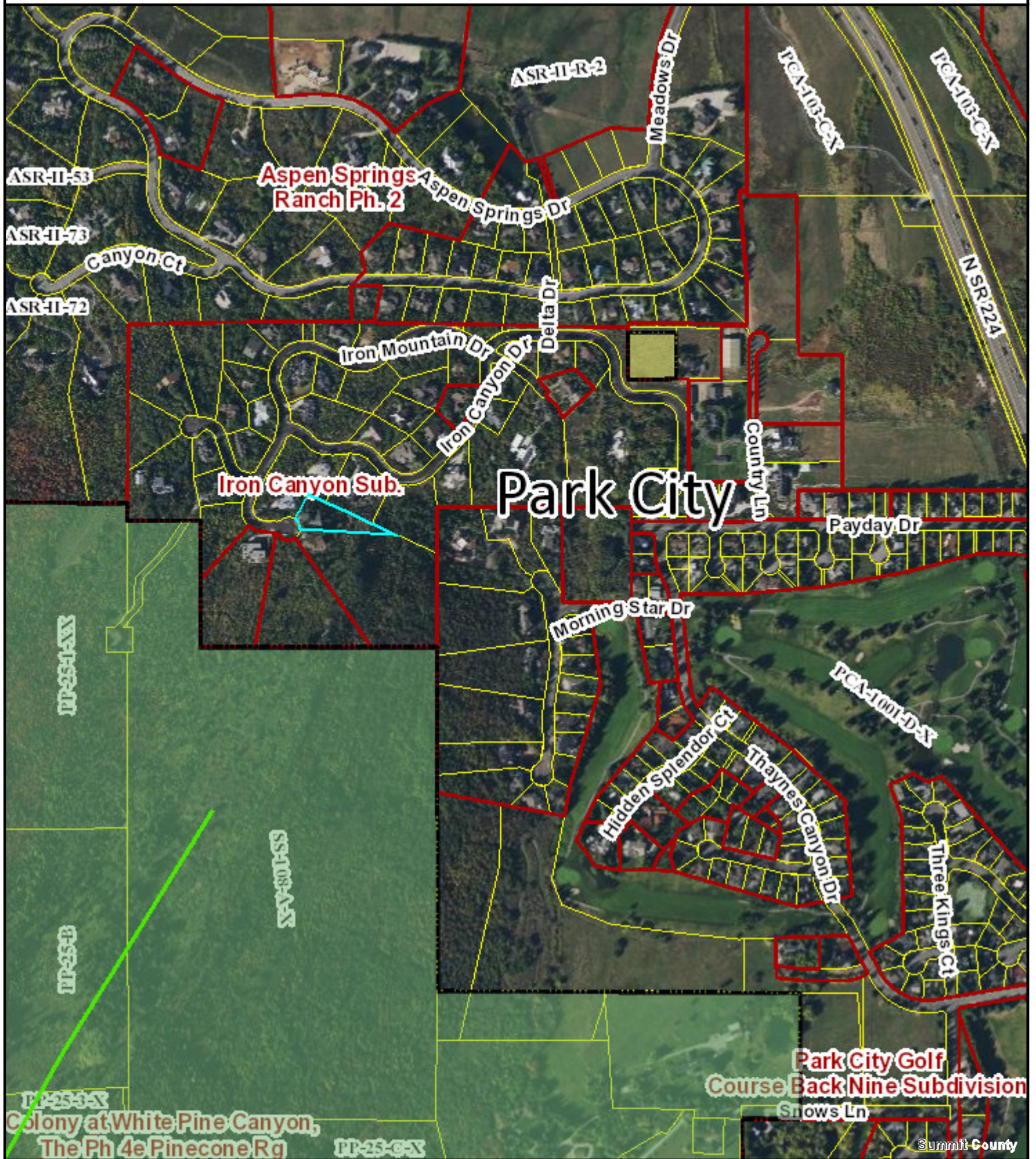
The Boyer Company 675 East 500 South Salt Lake City, Utah 84102

IRON CANYON

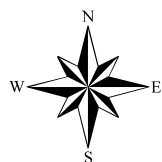
Summit County Zoning Map

Summit County Parcel Viewer Application

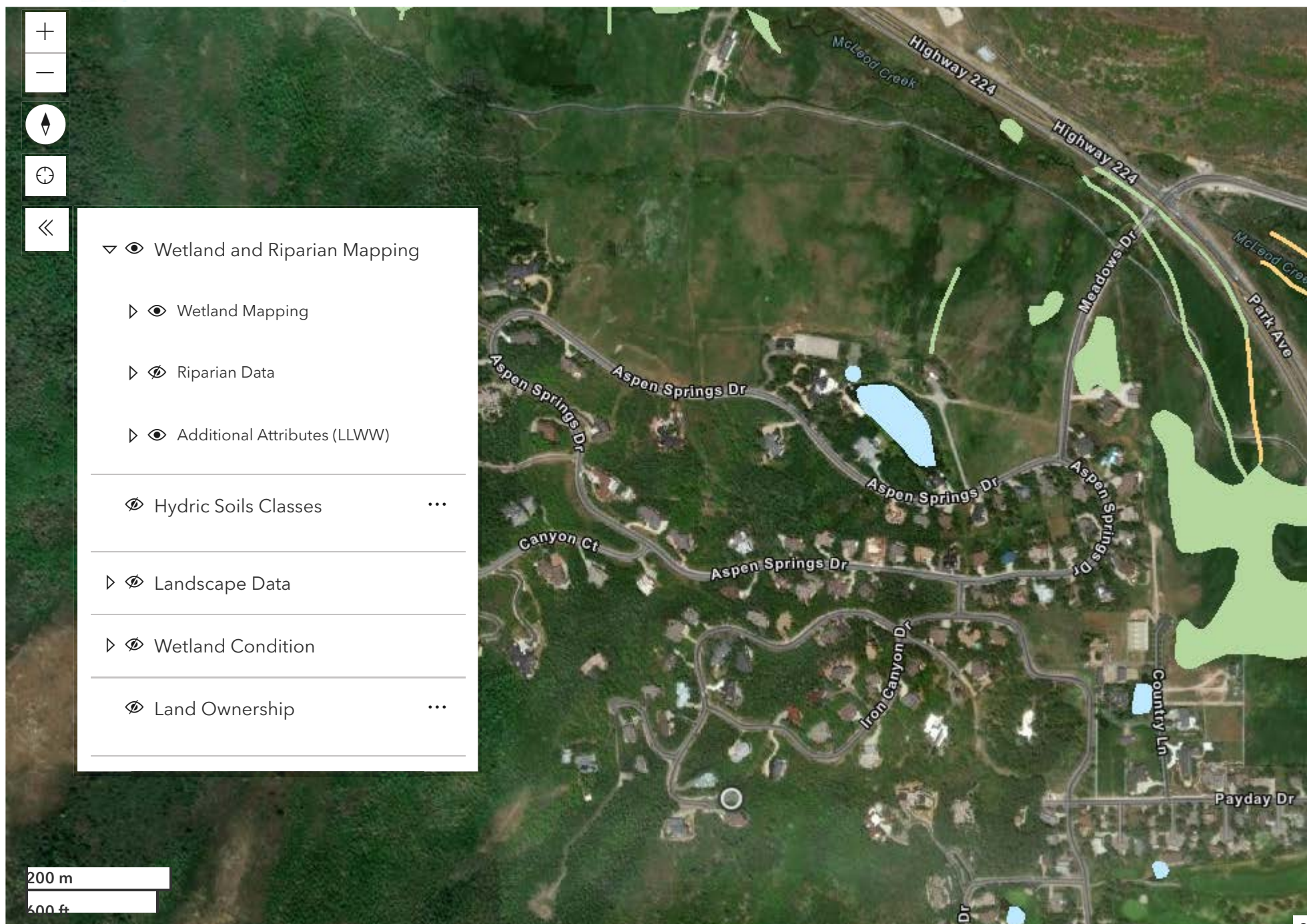
Printed on: 2/6/2023



1 in = 752 feet
Imagery courtesy of Google



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.



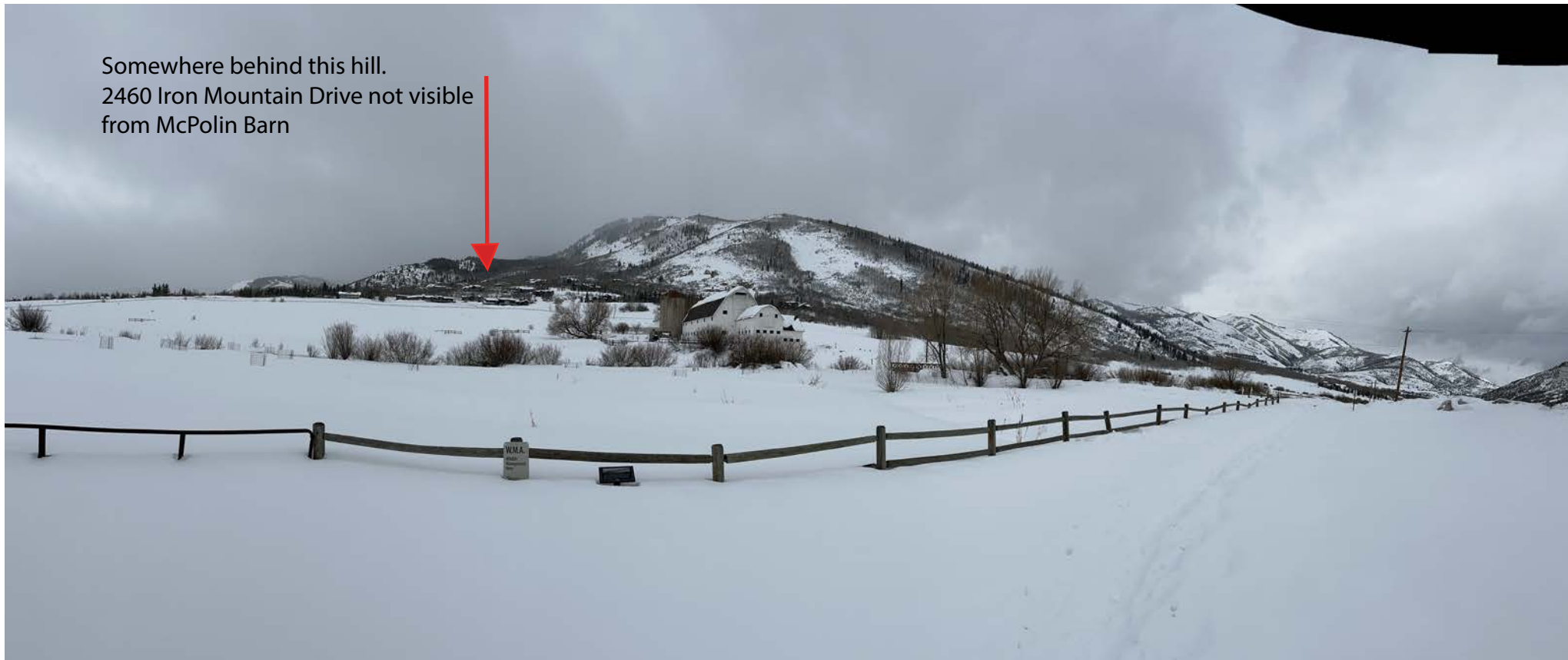


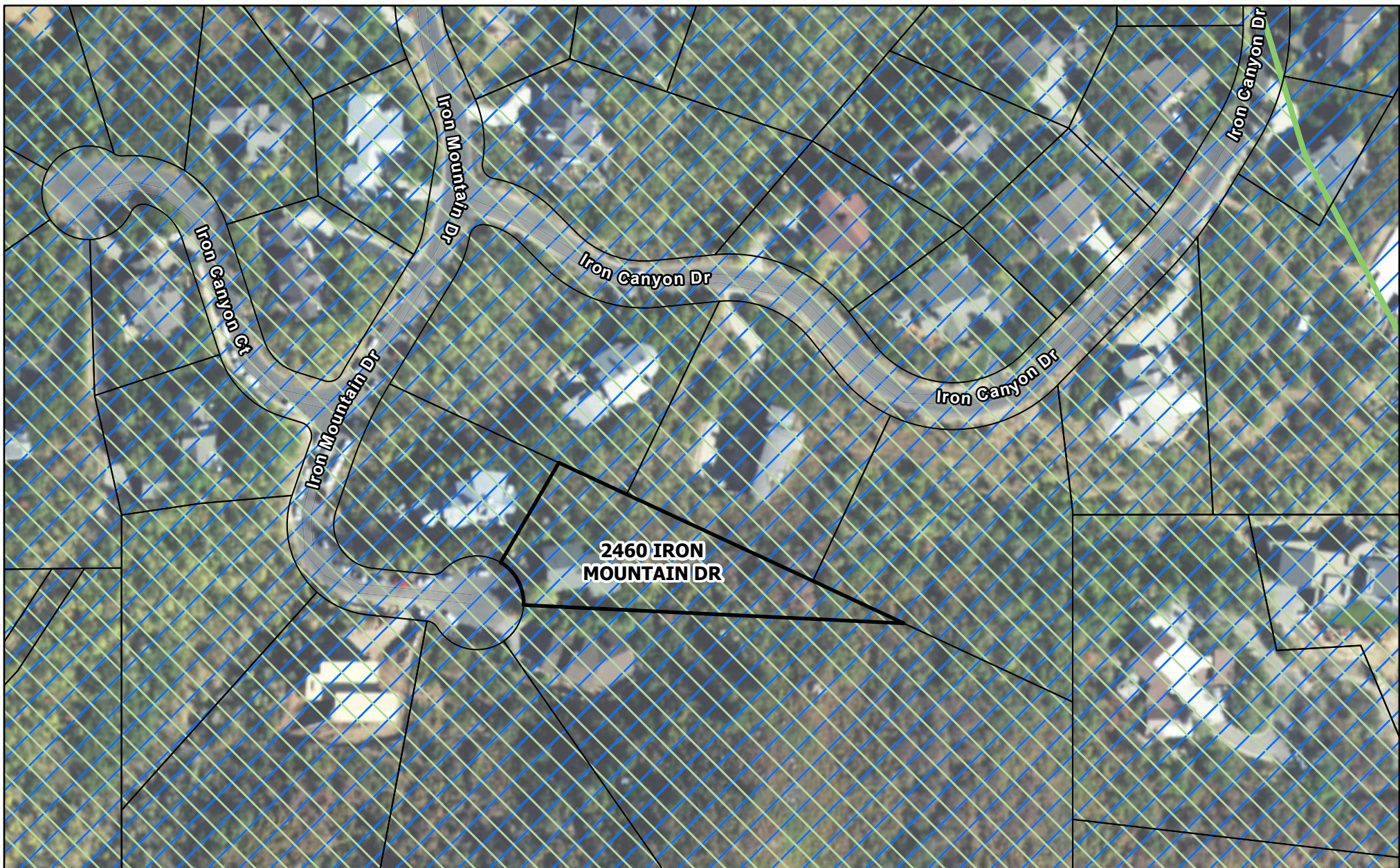
From Park Meadows Golf course Clubhouse

From Treasure Mountain Junior High



Somewhere behind this hill.
2460 Iron Mountain Drive not visible
from McPolin Barn





2460 Iron Mountain Drive, Park City

Wildlife Habitat Map

Data obtained from the Utah Division of Wildlife Resources.



0 50 100 200 Feet

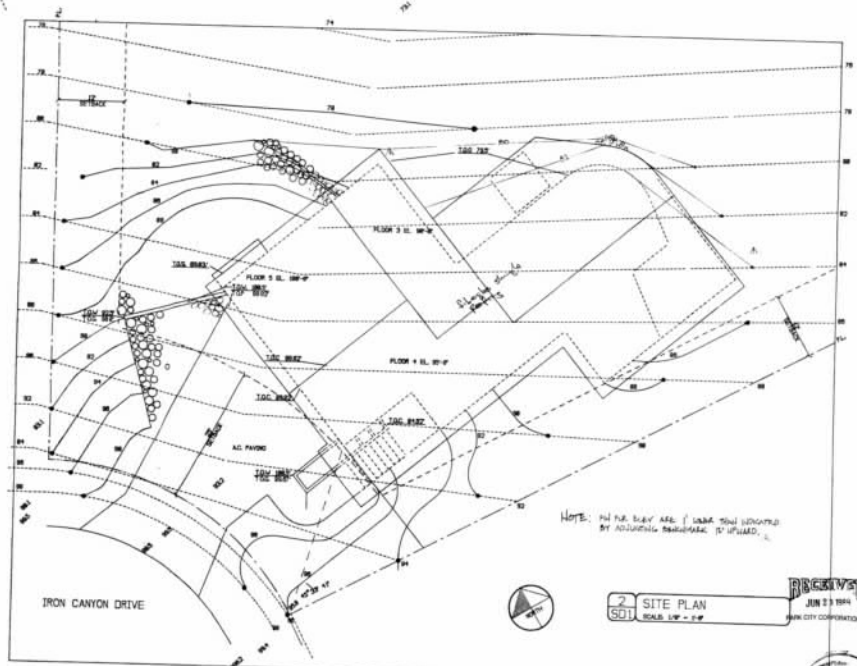
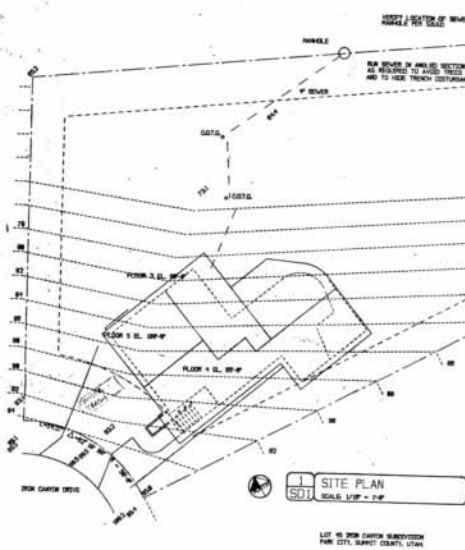


Dusky Grouse Habitat

Black Bear, Moose, Mule Deer, Ruffed Grouse, and Whitetailed Jackrabbit Habitat

a private residence for
KEVIN & DEB MCCARTHY
at
Iron Mountain Drive
Park City, Utah 84060



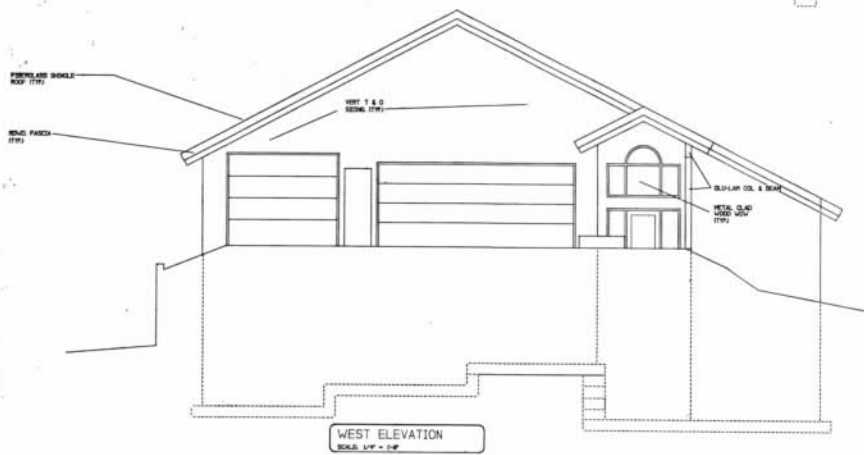
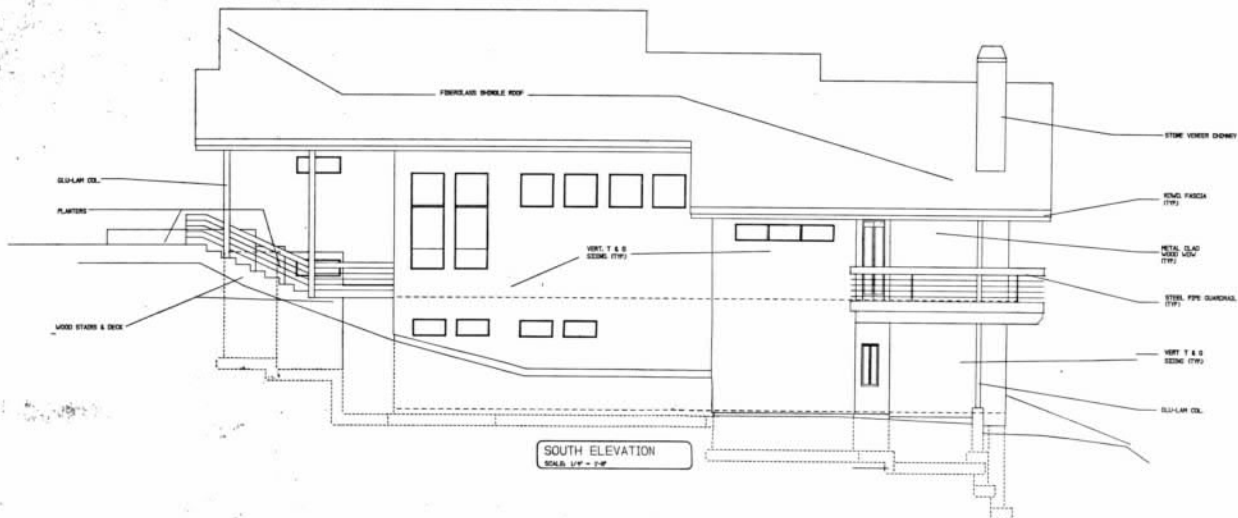


APPROVED
JUN 23 1994
PARK CITY BUILDING DEPARTMENT

RECEIVED
JUN 23 1994
PARK CITY CORPORATION

McCarthy/Residence
SD1/Design/Plan
PARK CITY
JUN 23 1994

SD1

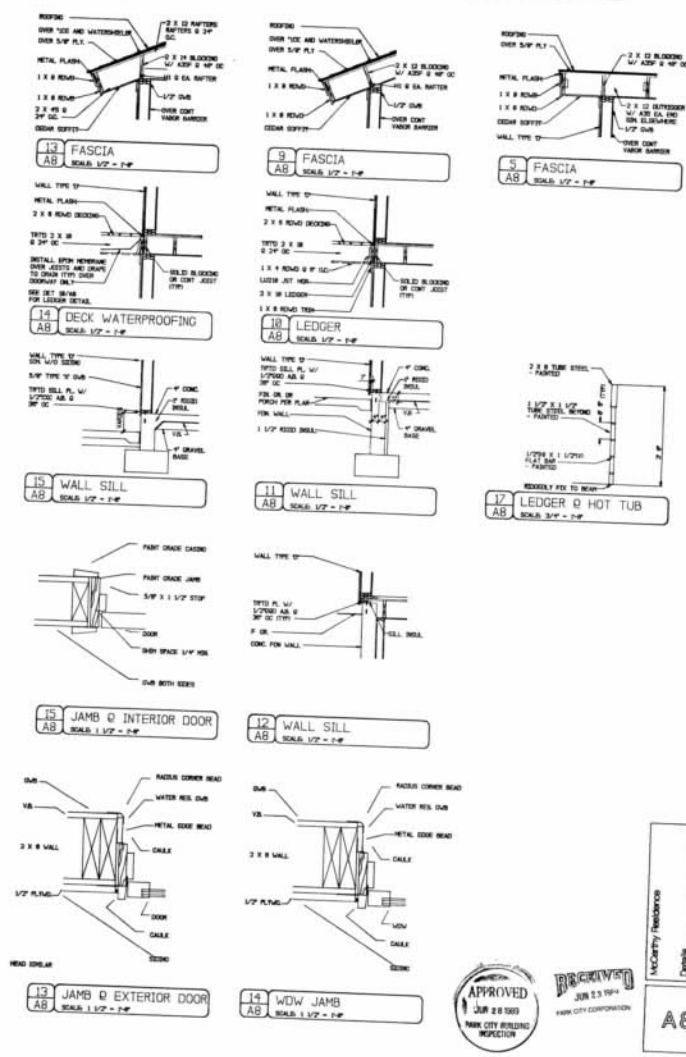


RECEIVED
JUN 23 2011
PARK CITY CORPORATION

McClinty Construction	Project Name
South & West Elevations	Project No.
Scale	Date
1/4\"/>	

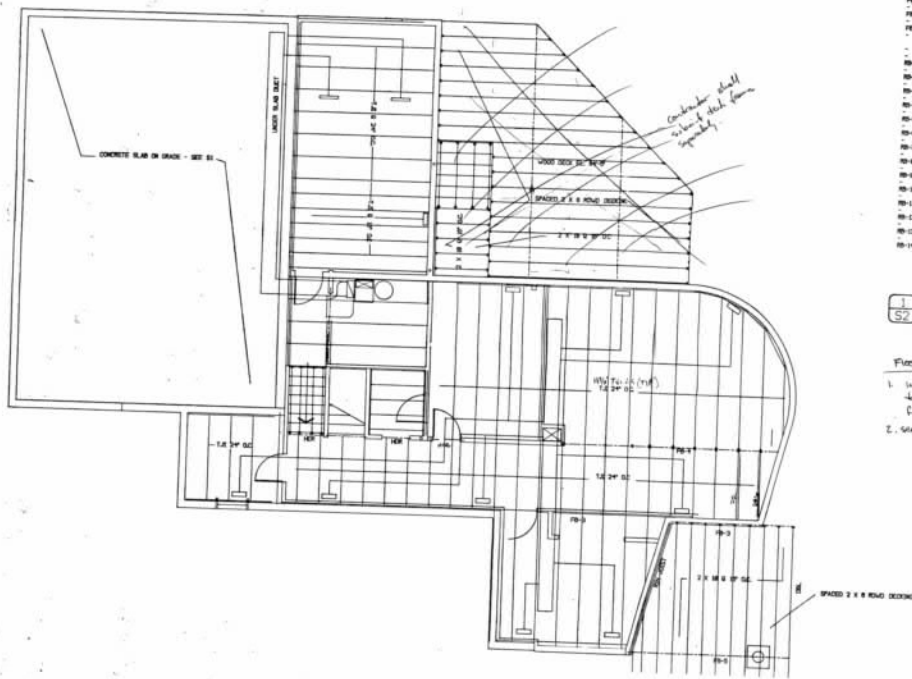






RECEIVED JUN 23 1988 PARK CITY CORPORATION

PROPERTY/Residence	Address
City	State
County	Zip
AB	



FLOOR FRAMING/FLOORS 3 & 4
 4-1-12

NO.	DESCRIPTION	MATERIAL	NOTES
FR-1	3 LVP X 12"	GLU-LAM	As per Structural Steel Detail, 2nd Ed., Part 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

1
 52 FLOOR AND ROOF BEAM SCHEDULE

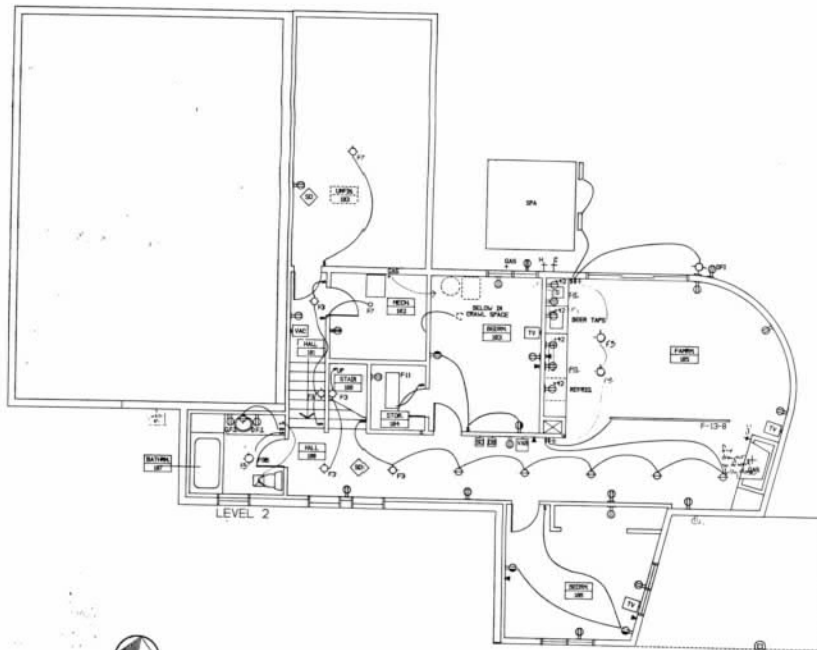
Notes:
 1. Install 3/4" x 6" plywood floor sheathing, perpendicular to joists, w/ 1/2" nails @ 6" oc at edges, 12" oc in field. Glue and nail all floor sheathing.
 2. See S-4 for typical header view.



RECEIVED
 JUN 25 1994
 BANK CITY CORPORATION

McCarthy/Residence
 3rd & 4th Level Framing Plan
 Floor & Roof Beam Schedule
 4-1-12
 52

NAME	DESCRIPTION	REF	MODEL	LAMP	REMARKS	QUANTITY
F-1	RECESSED SWANLIGHT				TO BE RECESSED IN DUNN	
F-2	HALL VIB. SENSITIVE				TO BE RECESSED IN DUNN	
F-3	RECESSED SWANLIGHT	RECESSED	RE-10-1000	100 W 8.00	USE PHOTO AT REEF AND FOR	
F-3-B	RECESSED SWANLIGHT	RECESSED	RE-10-1000	100 W 8.00	SWITCH CONTACT TO WALL	1
F-3-L	RECESSED SWANLIGHT	RECESSED	RE-10-1000	100 W 8.00	SWITCH CONTACT TO WALL	1
F-4	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00		1
F-5	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00		1
F-6	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-7	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-8	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-9	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-10	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-11	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-12	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-13	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-14	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-15	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-16	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-17	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-18	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-19	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	
F-20	RECESSED WALL VIB.	RECESSED	RE-10-1000	100 W 8.00	TO BE RECESSED IN DUNN	

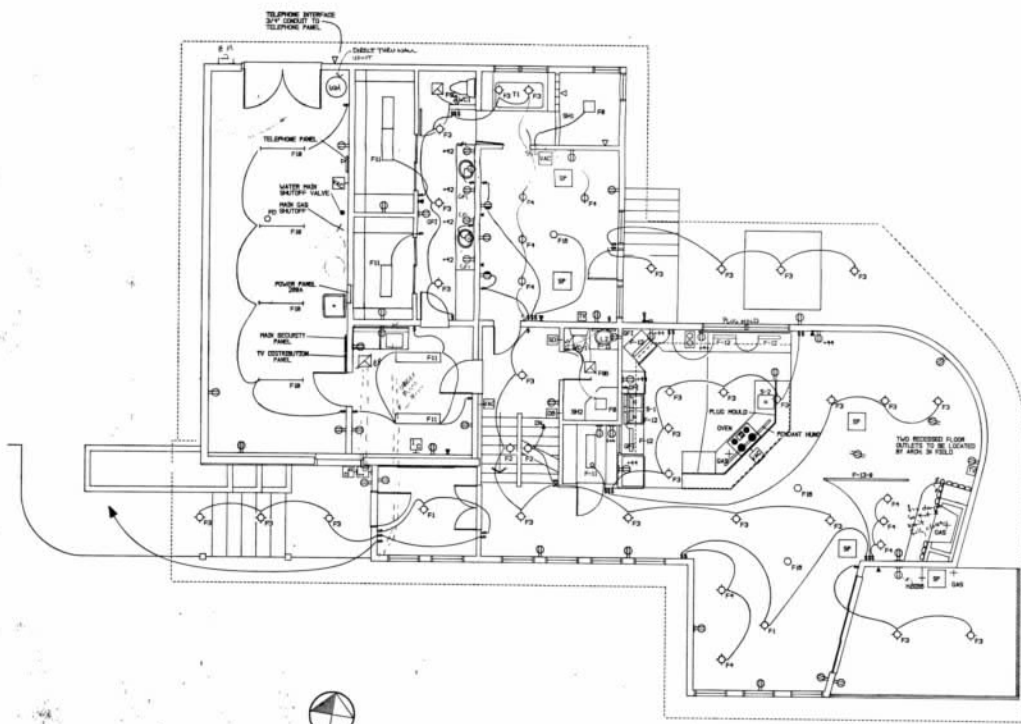


LEVELS 1 & 2 MECH/ELEC.
SCALE: 1/4" = 1'-0"

APPROVED
JUN 28 2004
PARK CITY BUILDING
INSPECTION

RECEIVED
JUN 23 2004
PARK CITY CORPORATION

McCarthy Residence
Mech/Elec Plan
100 W 8.00
100 W 8.00
100 W 8.00
100 W 8.00

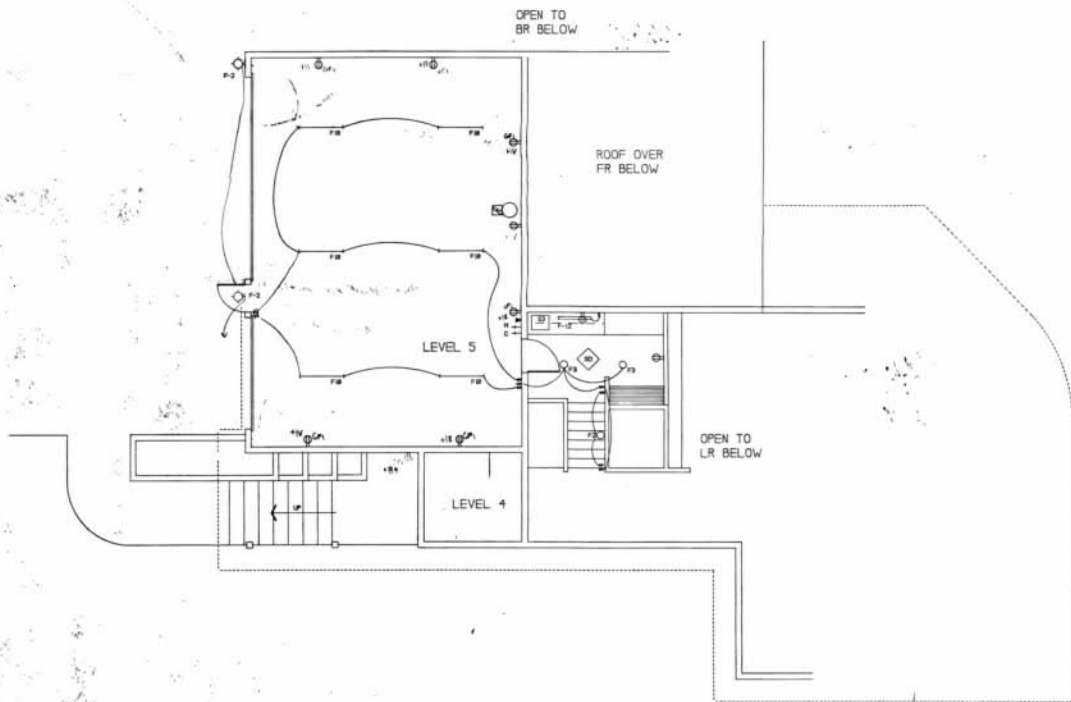


LEVELS 3 & 4 MECH/ELEC

APPROVED
JUN 28 2006
PARK CITY BUILDING
INSPECTION

APPROVED
JUN 23 2006
PARK CITY CORPORATION

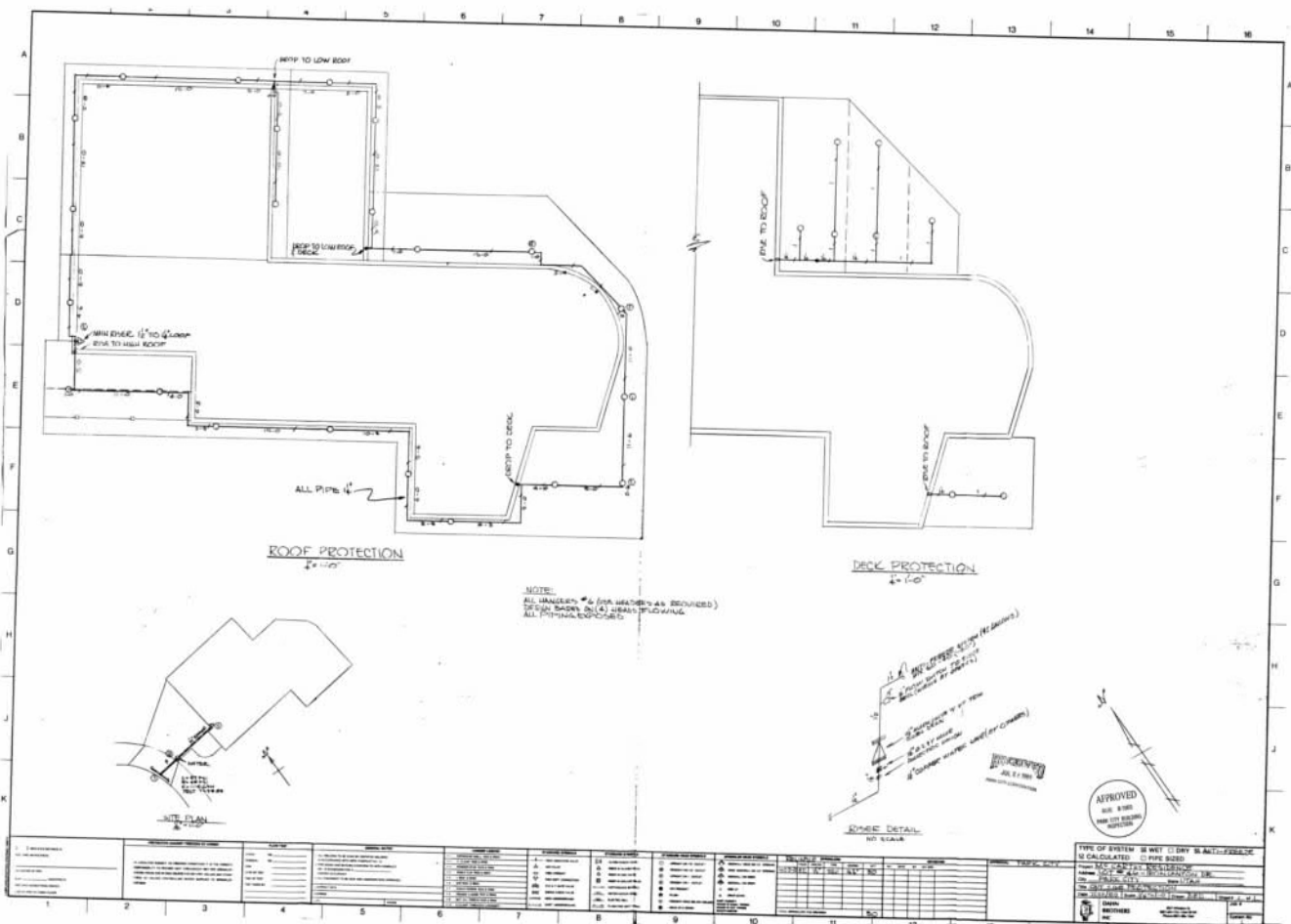
McClary Residence
New Addition
3723 S. 400 E.
Salt Lake City, UT 84115
ME2



LEVEL 5 (GARAGE) MECH/ELEC



McCarthy Residences Mech/Elec Plan ME3 JUN 22 2007 PARK CITY CORPORATION	PROJECT NO. P.C. 06-001 SHEET NO. ME3
--	--



Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Ordinance No. 2023-21, an Ordinance Approving the 2426 Iron Canyon Drive Plat Amendment, Located at 2426 Iron Canyon Drive, Summit County, Park City, Utah

(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[2426 Iron Canyon Drive Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-21](#)

[Exhibit B: Iron Canyon Subdivision Plat](#)

[Exhibit C: Sensitive Land Overlay Materials](#)

[Exhibit D: 2426 Iron Canyon Drive 1989 Approved Building Plans](#)

City Council Staff Report



Subject: 2426 Iron Canyon Drive
Application: PL-23-05566
Author: Jack Niedermeyer
Date: April 27, 2023
Type of Item: Plat Amendment

Recommendation

(I) Review the proposed 2426 Iron Canyon Drive Plat Amendment; (II) conduct a public hearing; and (III) consider approving the 2426 Iron Canyon Drive Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in Ordinance No. 2023-21 (Exhibit A).

Description

Applicant: Kristen and Patrick Flaharty
Location: 2426 Iron Canyon Drive
Zoning District: Single Family and Sensitive Land Overlay
Adjacent Land Uses: Single Family Residences
Reason for Review: City Council reviews and takes Final Action on Plat Amendments¹

LMC Land Management Code
SF Single Family
SLO Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

2426 Iron Canyon Drive is Lot 8 of the Iron Canyon Subdivision. The Applicant proposes to redraw the existing 4,000-square-foot Building Pad for 2426 Iron Canyon Drive, which is recorded on the Iron Canyon Subdivision Plat (see Exhibit B). The City issued a building permit in 1989, and according to the Summit County Assessor Website, the Single-Family Dwelling (SFD) was constructed in 1990. The SFD does not fall within the boundaries of the platted Building Pad and the building permit approval does not show record of a Building Pad on the plans (Exhibit D).

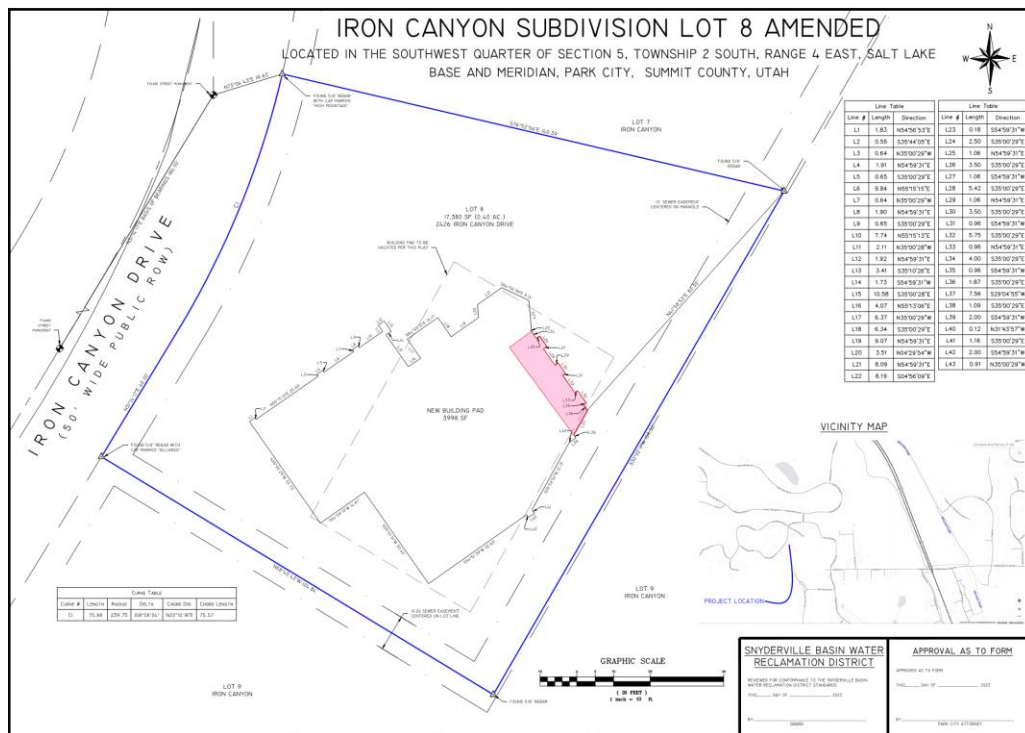
The proposed Building Pad represents the Building Footprint of the existing SFD and will leave room for an area on the northeast of the SFD that is the proposed location for a future deck addition. Per the Applicant, the deck addition and all proposed and existing footings are included in the total area of the proposed 3,998-square-foot Building Pad.

¹ LMC § [15-1-8](#)

Condition of Approval 9:

“The final Building Pad shown on the Plat shall not exceed 4,000 square feet, including footings for decks and roof forms.”

The image below shows the existing and proposed Building Pads and the area highlighted in pink indicates the proposed deck expansion:



2426 Iron Canyon Drive Proposed Building Pad

There are a number of Lots within the Iron Canyon Subdivision that have completed similar Building Pad adjustments, all maintaining 4,000-square-foot Building Pads:

- Lot 29 – City Council approved on November 10, 2005 ([Ordinance No. 05-70](#))
- Lot 11 – City Council approved on June 1, 2006 ([Ordinance No. 06-34](#))
- Lot 4 – City Council approved on September 14, 2006 ([Ordinance No. 06-66](#))
- Lot 5 – City Council approved on September 28, 2006 ([Ordinance No. 06-68](#))
- Lot 43 – City Council approved on April 27, 2017 ([Ordinance No. 2017-18](#))
- Lot 42 – City Council approved on October 12, 2017 ([Ordinance No. 2017-55](#))
- Lot 33 – City Council approved on September 1, 2022 ([Ordinance No. 2022-34](#))
- Lot 45 – On March 22, 2023, the Planning Commission unanimously forwarded a positive recommendation to the City Council for the approval of the 2460 Iron Mountain Drive Plat Amendment ([Staff Report](#); [Minutes](#)). The City Council is scheduled to consider the Plat Amendment on April 27, 2023.

On April 12, 2023, the Planning Commission reviewed the proposed Plat Amendment and unanimously forwarded a positive recommendation for City Council's review ([Staff Report](#); [Audio](#)).

Analysis

(I) The proposed Plat Amendment complies with the Single Family (SF) Zoning District requirements outlined in LMC Chapter 15-2.11.

2426 Iron Canyon Drive is in the SF Zoning District. LMC § [15-2.11-2\(A\)\(1\)](#) lists SFDs as an Allowed Use in the SF Zoning District. The Lot is 0.39 acres with the front Lot line measuring 40', rear Lot line measuring 158.32', and side Lot lines measuring 124.84' and 140.39'.

The table below outlines the LMC § [15-2.11-3](#) *Lot and Site Requirements* for a Single-Family Dwelling in the SF Zoning District:

Requirement	Analysis of Proposal
Front Setback – 25'	Complies – 30' at nearest point (from the structure to the closest portion of the front property line)
Rear Setback – 15'	Complies – 16' (from closest portion)
Side Setbacks – 12'	Complies – 16' and 44' (from closest portion)

The table below outlines the LMC § [15-2.11-4](#) *Building Height Requirements* for a Single-Family Dwelling in the SF Zoning District:

Requirement	Analysis of Proposal
LMC § 15-2.11-4 states, "No Structure shall be erected to a height greater than twenty-eight feet (28') from Existing Grade." LMC § 15-2.211-4(A)(1) states "A gable, hip, Barrel, or similar pitched roof may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater."	The existing structure is 34'-10" high with a roof pitch of 5:12 and therefore considered existing non-compliant as it exceeds Building Height requirements by 1'-10". Conditions of Approval 7 and 8: 7. No expansion of the Existing Non-Conforming roof form, measured at 34'-10" from existing grade, is permitted. 8. Any new construction shall comply with Land Management

	Code Section 15-9-5 Moving, Enlarging, or Altering Non-Conforming Uses. ²
--	--

(II) The proposed Plat Amendment complies with the Sensitive Land Overlay (SLO) requirements outlined in LMC Chapter 15-2.21.

LMC § [15-2.21-3](#) requires, “[a]ny Applicant for Development [to] produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions” (see Exhibit C for more details):

Requirement	Analysis of Proposal
Slope/Topographic Map	Complies: The slope on the Lot varies greatly, however, the proposed Building Pad will not allow for Development on Very Steep or Steep Slopes. See Condition of Approval 6.
Ridge Line Areas	Complies: The existing structure does not impact a Ridge Line Area.
Vegetative Cover	Complies: The 0.78-acre Lot is significantly comprised of a dense mix of Aspen, Oak, Choke Cherry, and Maple trees. The proposal does not impact the existing vegetation.  <i>2426 Iron Canyon Drive – location of future deck expansion</i>
Designated Entry Corridors and Vantage Points	Complies: The site is slightly visible from the McPolin Barn, a designated Vantage Point, but mostly screened by the natural landscape and neighboring structures.

² LMC § [15-9-5](#)

	 <i>View of 2426 Iron Canyon Drive from McPolin Barn</i>
Wetlands	Complies: The site is not near Wetlands.
Stream Corridors, Canals, And Irrigation Ditches	Complies: There are no Stream Corridors, Canals, or Irrigation Ditches within or near the property.
Wildlife Habitat Areas	Complies: The proposal is not allowing for Building Footprint expansion that would impact existing wildlife habitats, but rather allows for a deck expansion along the existing SFD.

(III) There is Good Cause for the Plat Amendment, and no public street, Right-of-Way, or easement is vacated or amended.

The proposed Plat Amendment relocates a Building Pad to reflect existing and limited future conditions of the Site. The Planning Commission and City Council review the Plat Amendment according to LMC [§ 15-7.1-3\(B\)](#) and approval requires a finding of Good Cause, and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.³

The Land Management Code defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and Park City and furthering the health, safety, and welfare of the Park City Community.”

There is Good Cause for this Plat Amendment because it reduces the non-conformity of

³ LMC [15-7.1-6\(C\)](#)

the existing non-complying Structure by moving the location of the Building Pad to encompass the existing SFD, while leaving room for limited future deck expansion, consistent with the other 4,000-square-foot Building Pads in the Subdivision. The proposal is also consistent with the pattern of development in the neighborhood, wherein several other Lots have recorded changes in Building Pad location. Staff finds Good Cause as the proposed modification to the Building Pad allows for an increase to the Building Footprint that will not disturb more area than previously allowed, and the change is consistent with the Iron Canyon Subdivision.

2426 Iron Canyon Drive is accessed by Iron Canyon Drive, a public Right-of-Way, and the proposed Plat Amendment will not impact the Right-of-Way.

(IV) The Development Review Committee reviewed the proposed Plat Amendment on March 21, 2023.⁴

The Development Review Committee reviewed the proposal and confirmed the Plat Amendment conforms with their development standards.

Department Review

The Planning Department, Engineering Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 29, 2023. Staff mailed courtesy notice to property owners within 300 feet on March 29, 2023. The *Park Record* published notice on March 29, 2023.⁵

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: Ordinance No. 2023-21

Attachment 1 - Proposed Plat

Exhibit B: Iron Canyon Subdivision Plat

Exhibit C: Sensitive Land Overlay Materials

Exhibit D: 2426 Iron Canyon Drive Approved 1989 Plans

⁴ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

⁵ LMC [§ 15-1-21](#)

Ordinance No. 2023-21

AN ORDINANCE APPROVING IRON CANYON SUBDIVISION LOT 8 – BUILDING PAD ADJUSTMENT PLAT AMENDMENT, LOCATED AT 2426 IRON CANYON DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 2426 Iron Canyon Drive petitioned the City Council for approval of the Iron Canyon Subdivision Lot 8 – Building Pad Adjustment Plat Amendment; and

WHEREAS, on March 29, 2023, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on March 29, 2023, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on March 29, 2023, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on April 12, 2023, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a positive recommendation for City Council's consideration on April 27, 2023; and

WHEREAS, on April 27, 2023, the City Council reviewed the 2426 Iron Canyon Drive Plat Amendment and held a public hearing; and

WHEREAS the 2426 Iron Canyon Plat Amendment is consistent with the Park City Land Management Code Chapter 15-2.11, Chapter 15-2.21, and Section 15-7.1-6.

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

SECTION 1. APPROVAL. The Iron Canyon Subdivision Lot 8 – Building Pad Adjustment Plat Amendment at 2426 Iron Canyon Drive, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 2426 Iron Canyon Drive
2. The Lot is within the Single-Family Zoning District.
3. The subject property is Lot 8 of the Iron Canyon Subdivision, approved by the City Council in 1989.
4. The Lot contains 0.39 acres.
5. The Plat Amendment proposes to adjust the Building Pad area shown on the Iron

Canyon Subdivision Plat.

6. The proposed Building Pad is proposed to be 3,998 square feet, including footings.
7. The City Council has approved the following adjusted Building Pads for Lots of the Iron Canyon Subdivision: Lots 4, 5, 11, 29, 33, 42, and 43.
8. The proposed Plat Amendment is consistent with the pattern of development in the neighborhood.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it brings a non-complying structure into compliance by moving the location of the Building Pad to encompass the existing Single-Family Dwelling.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.11 and § 15-7.1-6 Final Subdivision Plat.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Any new construction shall comply with Land Management Code Section 15-2.11 regarding Setbacks, Building Height, Building Envelope, Building Pad, etc.
4. All other Conditions of Approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.
5. The Applicant shall show the bearings and distances of the final Building Pad on the recorded Plat.
6. Any expansion of the Building Footprint shall be fully encompassed within the amended Building Pad.
7. No further expansion of the Existing Non-Conforming roof form, measured at 34'-10" from existing grade, is permitted.
8. Any new construction shall comply with Land Management Code Section 15-9-5 Moving, Enlarging, or Altering Non-Conforming Uses.
9. The final Building Pad shown on the Plat shall not exceed 4,000 square feet, including footings for decks and roof forms.

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

PASSED AND ADOPTED this 27th Day of April 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, MAYOR

ATTEST:

City Recorder

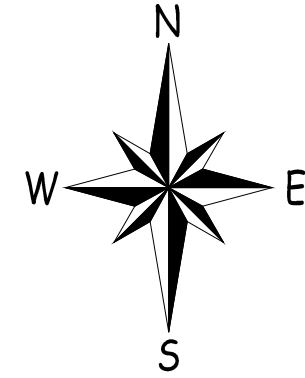
APPROVED AS TO FORM:

City Attorney's Office

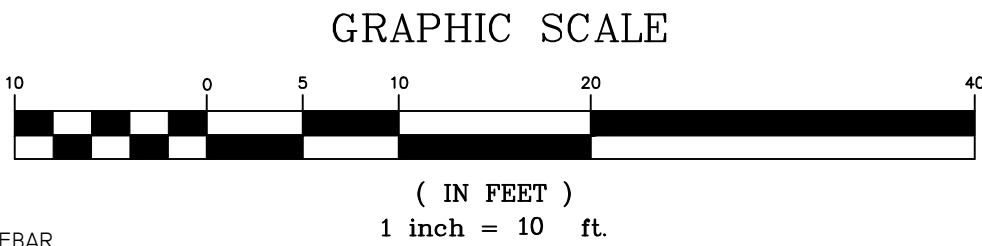
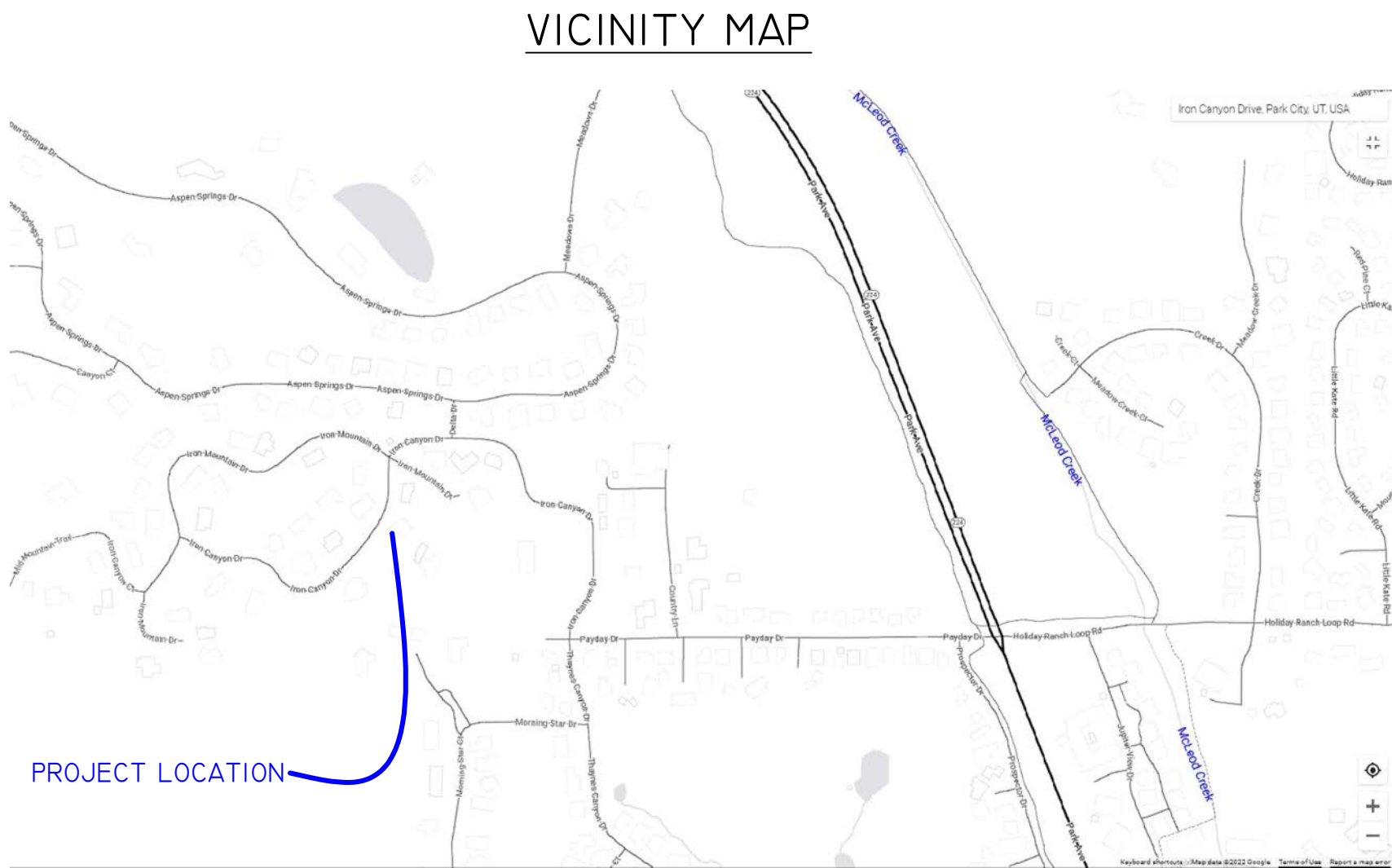
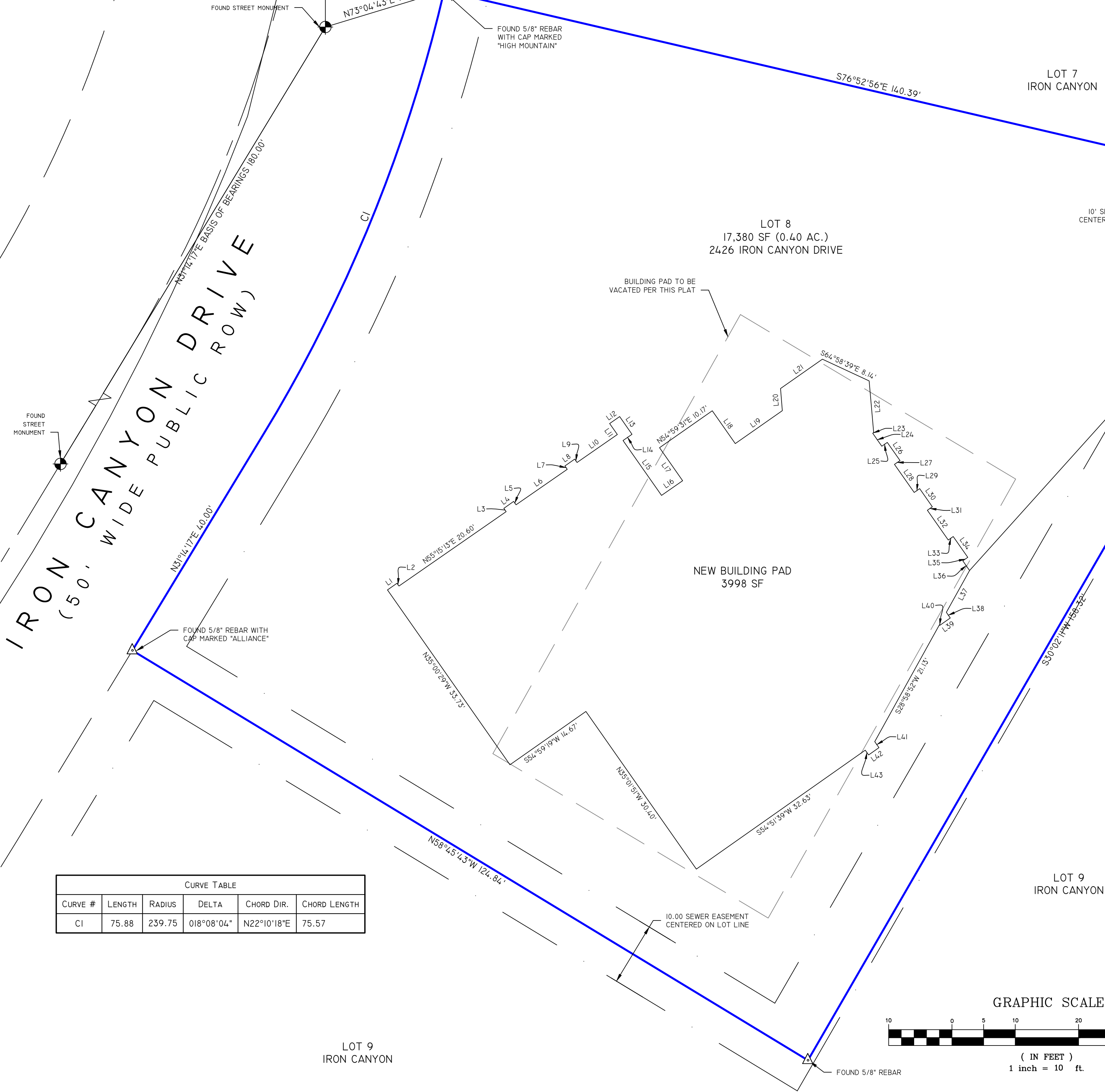
Attachment 1 – Plat

IRON CANYON SUBDIVISION LOT 8 AMENDED

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE
BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	1.83	N54°56'53"E	L23	0.18	S54°59'31"W
L2	0.55	S35°44'05"E	L24	2.50	S35°00'29"E
L3	0.64	N35°00'29"W	L25	1.06	N54°59'31"E
L4	1.91	N54°59'31"E	L26	3.50	S35°00'29"E
L5	0.65	S35°00'29"E	L27	1.06	S54°59'31"W
L6	9.84	N55°15'15"E	L28	5.42	S35°00'29"E
L7	0.64	N35°00'29"W	L29	1.06	N54°59'31"E
L8	1.90	N54°59'31"E	L30	3.50	S35°00'29"E
L9	0.65	S35°00'29"E	L31	0.96	S54°59'31"W
L10	7.74	N55°15'13"E	L32	5.75	S35°00'29"E
L11	2.11	N35°00'28"W	L33	0.96	N54°59'31"E
L12	1.92	N54°59'31"E	L34	4.00	S35°00'29"E
L13	3.41	S35°10'26"E	L35	0.96	S54°59'31"W
L14	1.73	S54°59'31"W	L36	1.87	S35°00'29"E
L15	10.58	S35°00'28"E	L37	7.56	S29°04'55"W
L16	4.07	N55°13'06"E	L38	1.09	S35°00'29"E
L17	6.37	N35°00'29"W	L39	2.00	S54°59'31"W
L18	6.34	S35°00'29"E	L40	0.12	N31°43'57"W
L19	9.07	N54°59'31"E	L41	1.16	S35°00'29"E
L20	3.51	N04°29'54"W	L42	2.00	S54°59'31"W
L21	8.09	N54°59'31"E	L43	0.91	N35°00'29"W
L22	8.19	S04°56'09"E			



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS
THIS _____ DAY OF _____, 2023

BY: _____ SBWRD

APPROVAL AS TO FORM

APPROVED AS TO FORM

THIS _____ DAY OF _____, 2023

BY: _____ PARK CITY ATTORNEY

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY OF _____, 2023

BY: _____ SUMMIT COUNTY GIS COORDINATOR

CERTIFICATE OF ATTEST

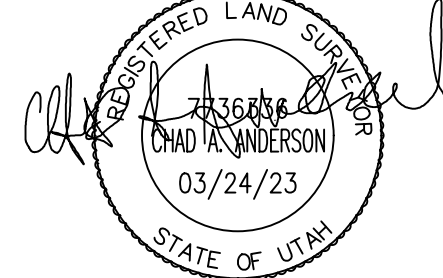
I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL
THIS _____ DAY OF _____, 2023

BY: _____ PARK CITY RECORDER

SURVEYOR'S CERTIFICATE

I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NUMBER 7736356 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-25-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I DO FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS AMENDED PLAT TO ADJUST THE BUILDING PAD LOCATION, HEREFTER TO BE KNOWN AS IRON CANYON SUBDIVISION LOT 8 AMENDED.

CHAD A. ANDERSON - PLS DATE



DESCRIPTION

LOT 8 IRON CANYON SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER

AREA = 0.40 ACRES

SURVEYORS NARRATIVE

- THIS AMENDED PLAT IS BASED ON THE RECORD OF SURVEY DRAWING, _____, RECORDED _____, 20____, IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
- THE PURPOSE OF THIS PLAT AMENDMENT IS TO REVISE THE EXISTING BUILDING PAD TO ENCOMPASS THE EXISTING HOME AND TO ALLOW FOR ADDITIONS AND REMODEL OF THE EXISTING HOME.
- THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OF APPROVAL SPECIFIED IN PARK CITY ORDINANCE _____.

OWNER DEDICATION & CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT LEE CIRQUE, LLC, ARE THE OWNERS OF THE ABOVE DESCRIBED AND HEREON SHOWN TRACT OF LAND, HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED, TO BE HEREFTER KNOWN AS IRON CANYON SUBDIVISION LOT 8 AMENDED, AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL AREAS AS INTENDED AS PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER HEREBY CERTIFY THAT THEY HAVE CAUSED THIS PLAT AMENDMENT TO BE MADE AND HEREBY CONSENT TO THE RECORDATION OF THIS PLAT AMENDMENT.

IN WITNESS WHEREOF, THE UNDERSIGNED SET HIS HAND THIS _____ DAY OF _____, 2023

BY: _____

NAME, TITLE
LEE CIRQUE, LLC - A FLORIDA LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2023, _____ PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BY ME DULY SWORN/AFFIRMED, ACKNOWLEDGED TO ME THAT THEY ARE AUTHORIZED TO SIGN ON BEHALF OF LEE CIRQUE, LLC, AND HAVE HEREBY EXECUTED IRON CANYON SUBDIVISION LOT 8 AMENDED.

NOTARY SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN _____ COUNTY

PRINTED NAME _____

RESIDING IN: _____ COUNTY

MY COMMISSION EXPIRES: _____

COMMISSION NUMBER: _____

NOTES

- THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE _____.
- MODIFIED 13-D SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF BUILDING PERMIT SUBMITTAL.
- THE PURPOSE OF THIS PLAT IS TO VACATE THE EXISTING (ORIGINAL) BUILDING PAD AND PROVIDE THE LOCATION AND DIMENSIONS OF THE NEW BUILDING PAD.
- THIS PLAT AMENDMENT IS SUBJECT TO CONDITIONS OF APPROVAL AND ALL GENERAL SPECIAL NOTES CONTAINED WITHIN THE IRON CANTON SUBDIVISION PLAN (ENTRY NO. 212520) AND ALL OTHER ZONING REQUIREMENTS, COVENANTS, RESTRICTION, EASEMENTS AND RIGHTS OF WAY, PER RECORD DOCUMENTS AND CITY OR COUNTY ORDINANCES.

RECORDED

STATE OF UTAH COUNTY SUMMIT
AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____
ENTRY# _____ FEE: _____

_____ PARK CITY RECORDER

CITY COUNCIL APPROVAL

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL

THIS _____ DAY OF _____, 2023

BY: _____ MAYOR

CITY PLANNING COMMISSION

RECOMMENDED BY THE PARK CIT PLANNING COMMISSION

THIS _____ DAY OF _____, 2023

BY: _____ CHAIR

CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE

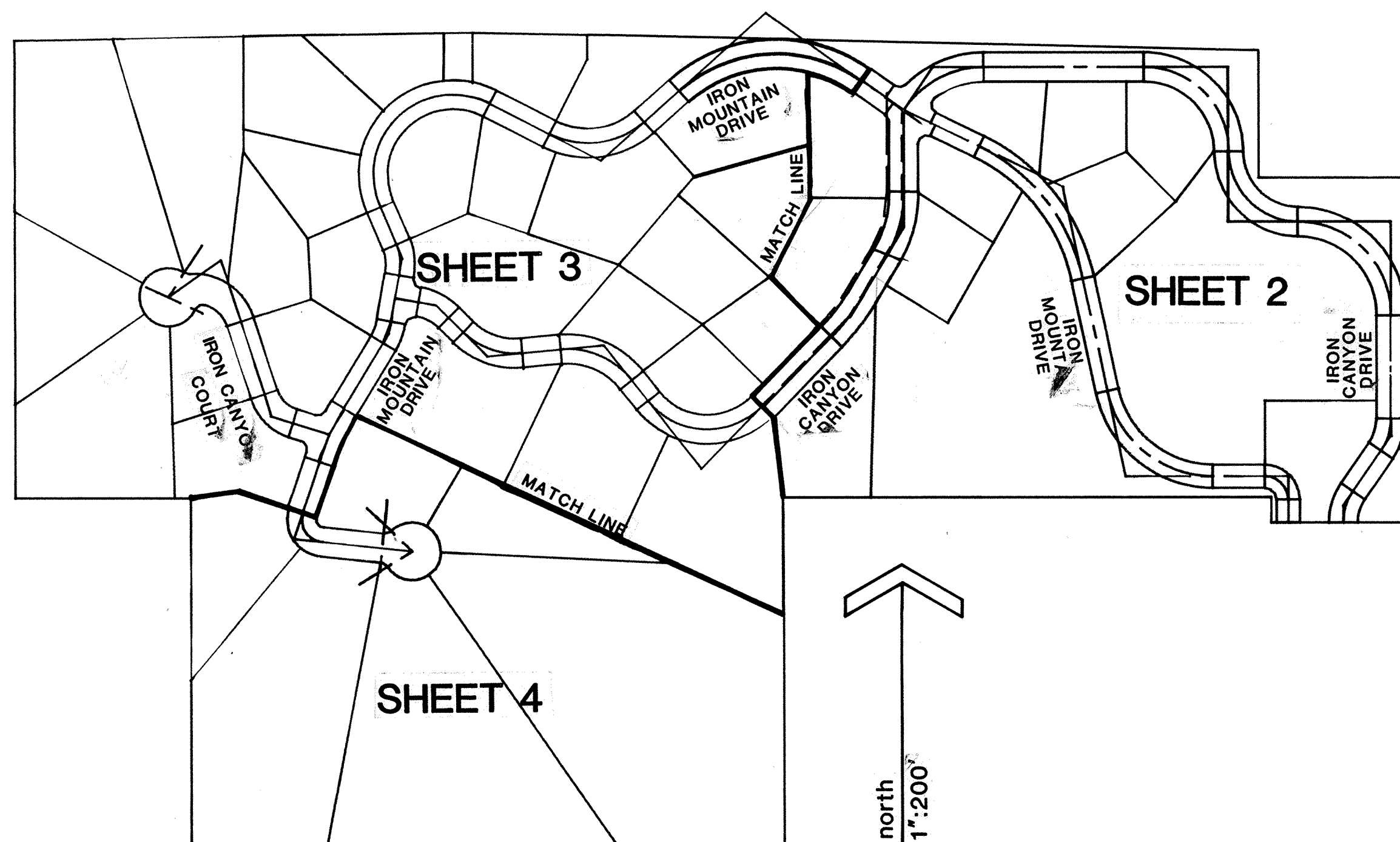
THIS _____ DAY OF _____, 2023

BY: _____ PARK CITY ENGINEER

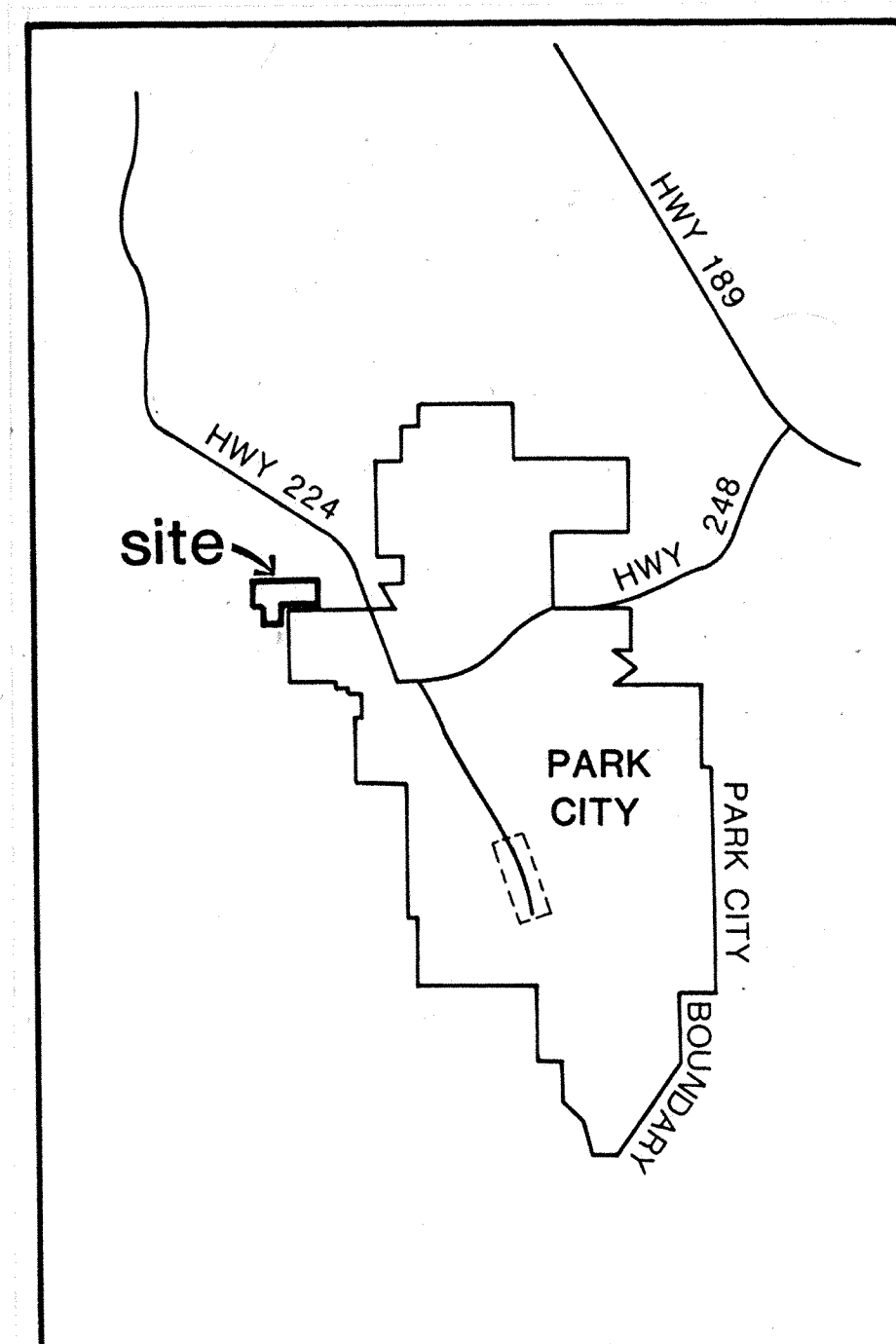
PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY OF _____, 2023

BY: _____ SUMMIT COUNTY GIS COORDINATOR



INDEX MAP



VICINITY MAP

IRON CANYON

PREPARED FOR
THE BOYER COMPANY
675 EAST 500 SOUTH
SALT LAKE CITY, UTAH

PREPARED BY
ECKHOFF, WATSON & PREATOR
1798 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH

SURVEYOR'S CERTIFICATE

I, KENNETH W. WATSON, A REGISTERED PROFESSIONAL ENGINEER AND/OR LAND SURVEYOR, HOLD CERTIFICATE NO. 5190, AS PRESCRIBED BY THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith, AND HAVE SUB-DIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TO BE HERE-AFTER KNOWN AS IRON CANYON, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS 29 DAY OF Sept., 1983



NOTE

1. LOTS 12, 14, 15, 27, 33, 34, 40, 42 AND 43 MAY TAKE ADVANTAGE OF SETBACK VARIANCE ALLOWED AS PER SECTION 4-5.5.3 OF THE LAND MANAGEMENT CODE.
2. PARK CITY WILL NOT ACCEPT STREETS FOR DEDICATION UNTIL 24 OF THE 45 LOTS HAVE BEEN OCCUPIED.
3. ALL EXTERIOR BUILDING MATERIALS SHALL BE CLASS 1-RATED FLAME-SPREAD MATERIALS IN ACCORDANCE WITH UBC 4202. ALL RESIDENCES SHALL BE FIRE SPRINKLED IN ACCORDANCE WITH UBC 38-1-82.

LEGAL DESCRIPTION

IRON CANYON LEGAL DESCRIPTION

A parcel of land located in the S.W. 1/4 of Section 5 and the N.W. 1/4 of Section 8, T2S, R4E, Salt Lake Base and Meridian being further described as follows:

Beginning at a point on the south line of the S.W. 1/4 of said Section 5, said point being South 89°21'00" West 246.55 feet from the South 1/4 corner of said Section 5 to the prolongation of an existing wood rail fence running northerly; thence along the prolongation of said fence South 0°04'12" West 11.37 feet to the northerly line of the Quitclaim deed exhibit "B" as stated in book M 58 page 60 of recorded document in the Summit County recorder's office; thence West 244.02 feet; thence North 44.00 feet to the Northeast corner parcel of land described in Book F page 389 as recorded in the Summit County recorder's office; thence West 840.00 feet to the N.W. corner of Thayne Canyon subdivision No. 3 as shown on said subdivision plat; thence South 600.00 feet; thence West 1020.00 feet; thence North 543.50 feet to the South line of said Section 5; thence South 89°21'00" West 278.64 feet to the S.W. corner of said Section 5; thence North 0°12'32" West along said section line 842.84 feet, to a point on the boundary line agreement as stated in book M 230 page 626 and recorded in the Summit County recorder's office; thence North 88°50'23" East 376.77 feet; thence North 89°19'58" East 395.03 feet; thence South 88°50'22" East 1350.28 feet to a point that is defined in the boundary line agreement recorded in book M 230 page 626 in the Summit County recorder's office, the South 1/4 corner of said Section 5 as referenced in said boundary line agreement is located West 2639.77 feet from the S.E. corner of said Section 5; thence South 222.96 feet to the prolongation of an existing fence running easterly; thence along said fence and the prolongation of said fence North 89°34'50" East 264.75 feet to the prolongation of an existing rail fence running southerly; thence along said prolongation and said fence line South 0°04'12" West 579.66 feet to the point of beginning. Containing 56.21 acres more or less.

Basis of bearings being the south line of Section 4, T2S, R4E, Salt Lake Base and Meridian which has a bearing of South 89°49'21" West.

OWNER'S DEDICATION

KNOW ALL BY THESE PRESENT THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND BELOW, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS IRON CANYON, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER INCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 13th DAY OF October, 1983

SIGNED H. Boyer, David Boyer, The Boyer Company SIGNED _____

SIGNED _____ SIGNED _____

SIGNED _____ SIGNED _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF Salt Lake } : s.s.

ON THE 13th DAY OF October A.D. 1983, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF Salt Lake, IN THE STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, one IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT they SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

DeAnna D. Balli
NOTARY PUBLIC
RESIDING AT Salt Lake City
MY COMMISSION EXPIRES: 4-28-85

CITY COUNCIL APPROVAL

PRESENTED TO PARK CITY
CITY COUNCIL THIS 27th DAY OF OCTOBER
A.D. 1983, John C. Price Sr., Mayor
ATTEST William R. Gathen, Recorder

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK
CITY CITY ENGINEERING DEPARTMENT ON
THIS 20th DAY OF OCTOBER A.D. 1983.
Eric W. DeHaan, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE 22nd
CITY PLANNING COMMISSION ON THIS 27th DAY
OF October A.D. 1983.

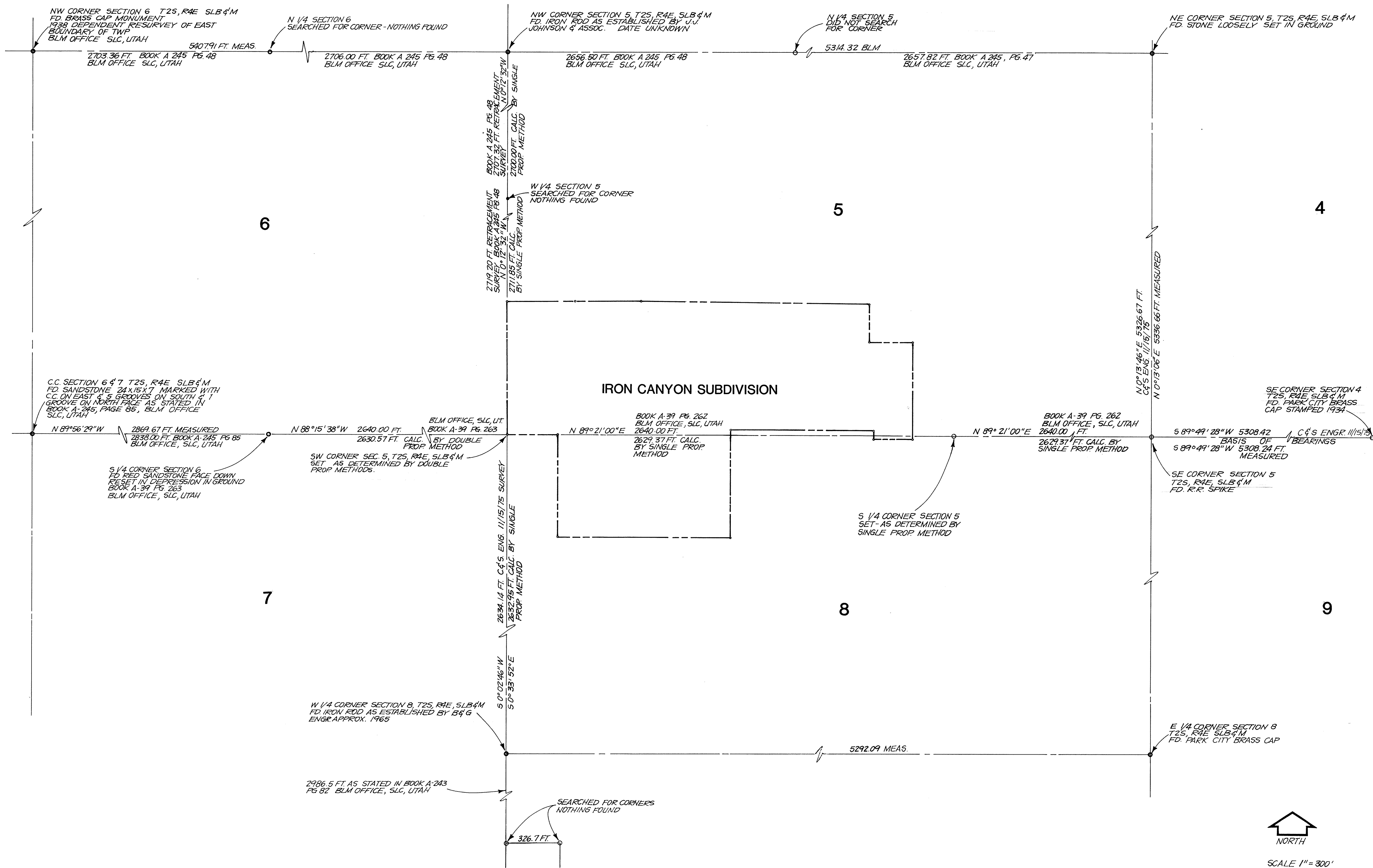
APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 27
DAY OF October A.D. 1983.
Thomas E. Chyle
CITY ATTORNEY

RECORDED

No. 212520 Date: 10-28-83
STATE OF Utah AT: 4:09
COUNTY OF Summit Fee: \$91.00
RECORDED AND FILED AT THE REQUEST OF
Western States Title Co. Alan Springs
COUNTY RECORDER

EWP ECKHOFF, WATSON and
PREATOR ENGINEERING
ENGINEERS
PLANNERS
SURVEYORS



Project Number		Sheet Number		SHEET 2 OF 5	
The Boyer Company		675 East 500 South Salt Lake City, Utah 84102		IRON CANYON SECTION CONTROL	
Eckhoff, Watson and Preator Engineering		ENGINEERS • PLANNERS • SURVEYORS		DATE 9/15/83	
By		Checked		Date	
JWM		JWM		9/15/83	
No.		Scale		Date	
11/25/82		11/25/82		11/25/82	

9/21/83 - UPDATE

ECKHOFF, WATSON and
PREATOR ENGINEERING
SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS

The Boyer Company
675 East 500 South Salt Lake City, Utah 84102

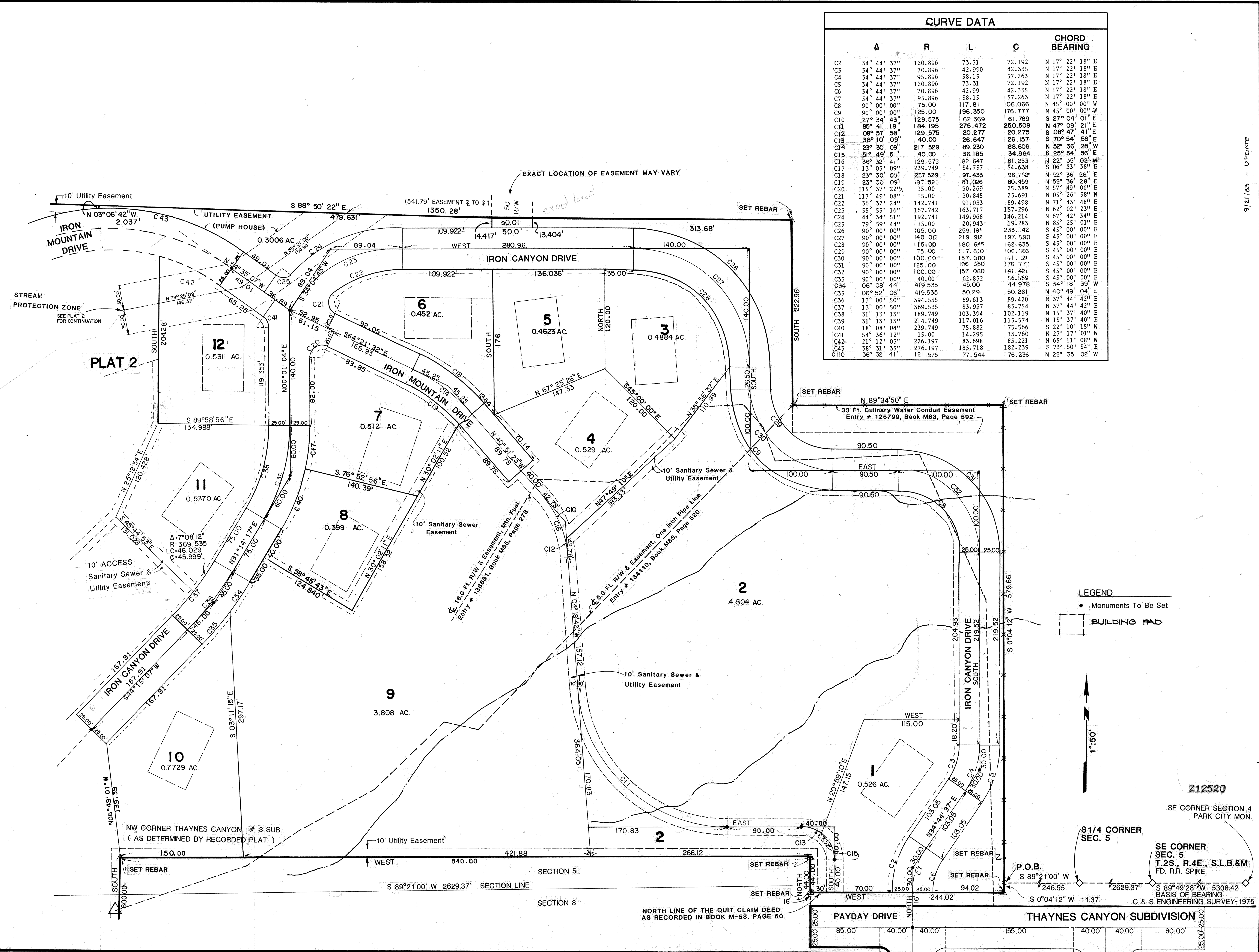
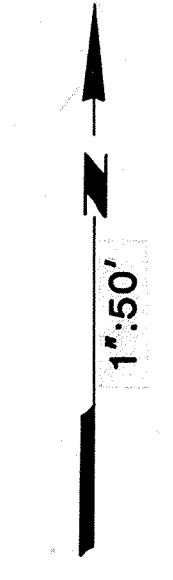
IRON CANYON

SHEET 3 OF 5

CURVE DATA

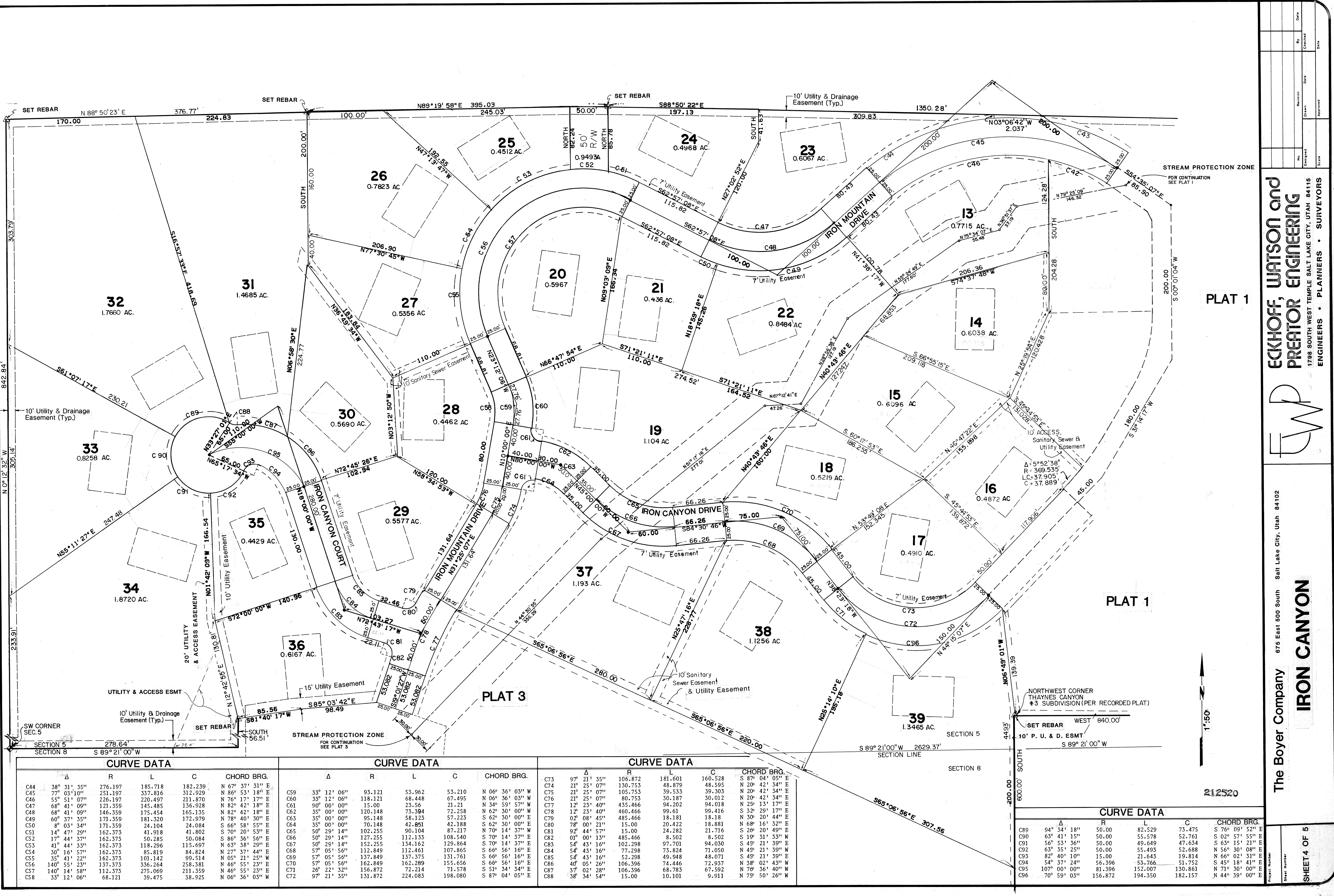
	Δ	R	L	C	CHORD BEARING
C2	34° 44' 37"	120.896	73.31	72.192	N 17° 22' 18" E
C3	34° 44' 37"	70.896	42.990	42.335	N 17° 22' 18" E
C4	34° 44' 37"	95.896	58.15	57.263	N 17° 22' 18" E
C5	34° 44' 37"	120.896	73.31	72.192	N 17° 22' 18" E
C6	34° 44' 37"	70.896	42.99	42.335	N 17° 22' 18" E
C7	34° 44' 37"	95.896	58.15	57.263	N 17° 22' 18" E
C8	90° 00' 00"	75.00	117.81	106.066	N 45° 00' 00" W
C9	90° 00' 00"	125.00	196.350	176.777	N 45° 00' 00" W
C10	27° 34' 43"	129.575	62.369	61.769	S 27° 04' 01" E
C11	85° 41' 18"	184.195	275.472	250.508	N 47° 09' 21" E
C12	08° 57' 58"	129.575	20.277	20.275	S 08° 47' 41" E
C13	38° 10' 09"	40.00	26.647	26.157	S 70° 54' 56" E
C14	23° 30' 09"	217.529	89.230	88.606	N 52° 36' 28" W
C15	51° 49' 51"	40.00	36.185	34.964	S 25° 54' 56" E
C16	36° 32' 41"	129.575	82.647	81.253	N 22° 35' 02" W
C17	13° 05' 09"	239.749	54.757	54.638	S 06° 35' 38" E
C18	23° 30' 09"	237.529	97.433	96.128	N 52° 36' 28" E
C19	23° 30' 09"	137.529	81.266	80.459	N 52° 36' 28" E
C20	115° 37' 22"	15.00	30.269	25.389	N 57° 49' 06" E
C21	117° 49' 08"	15.00	30.845	25.691	N 05° 26' 58" W
C22	36° 32' 41"	142.741	91.033	89.498	N 71° 43' 48" E
C23	55° 55' 16"	167.742	163.717	157.296	N 62° 02' 23" E
C24	44° 34' 51"	192.741	149.968	146.214	N 67° 42' 34" E
C25	79° 59' 44"	15.00	20.943	19.283	N 85° 25' 01" E
C26	90° 00' 00"	165.00	259.18	233.742	S 45° 00' 00" E
C27	90° 00' 00"	140.00	219.912	197.990	S 45° 00' 00" E
C28	90° 00' 00"	180.645	162.635	162.635	S 45° 00' 00" E
C29	90° 00' 00"	75.00	117.810	106.066	S 45° 00' 00" E
C30	90° 00' 00"	100.00	157.080	141.421	S 45° 00' 00" E
C31	90° 00' 00"	125.00	196.350	176.777	S 45° 00' 00" E
C32	90° 00' 00"	100.00	157.080	141.421	S 45° 00' 00" E
C33	90° 00' 00"	40.00	62.832	56.569	S 45° 00' 00" E
C34	06° 08' 44"	419.535	45.00	44.978	S 34° 18' 39" W
C35	06° 52' 06"	419.535	50.291	50.261	N 40° 49' 04" E
C36	13° 00' 50"	394.535	89.613	89.420	N 37° 44' 42" E
C37	13° 00' 50"	369.535	83.937	83.754	N 37° 44' 42" E
C38	31° 13' 13"	189.749	103.594	102.119	N 15° 37' 40" E
C39	31° 13' 13"	214.749	117.016	115.574	N 15° 37' 40" E
C40	18° 08' 04"	239.749	75.882	75.566	S 22° 10' 15" W
C41	54° 36' 12"	15.00	14.295	13.760	N 27° 17' 01" W
C42	21° 12' 03"	226.197	83.698	83.221	N 65° 11' 08" W
C43	38° 31' 35"	276.197	185.718	182.239	S 73° 50' 54" E
C110	36° 32' 41"	121.575	77.544	76.236	N 22° 35' 02" W

LEGEND
• Monuments To Be Set
□ BUILDING PAD



212520
SE CORNER SECTION 4
PARK CITY MON.
S1/4 CORNER
SEC. 5
SE CORNER
SEC. 5
T.2S., R.4E., S.L.B.&M
FD. R.R. SPIKE
BASIS OF BEARING
C & S ENGINEERING SURVEY-1975

PAYDAY DRIVE		THAYNES CANYON SUBDIVISION	
85.00'	40.00'	40.00'	155.00'
40.00'	40.00'	40.00'	80.00'
25.00'	25.00'	25.00'	25.00'



CURVE DATA					CURVE DATA					CURVE DATA					SECTION 8				
	Δ	R	L	C	CHORD BRG.		Δ	R	L	C	CHORD BRG.		Δ	R	L	C	CHORD BRG.		
C44	38° 31' 35"	276.197	185.718	182.239	N 67° 37' 31" E	C59	33° 12' 06"	93.121	53.962	53.210	N 06° 36' 03" W	C73	97° 21' 35"	106.872	181.601	160.528	S 87° 04' 05" E		
C45	77° 03' 10"	251.197	337.816	312.929	N 86° 53' 18" E	C60	33° 12' 06"	118.121	68.448	67.495	N 06° 36' 03" W	C74	21° 25' 07"	130.753	48.879	48.595	N 20° 42' 34" E		
C46	55° 51' 07"	226.197	220.497	211.870	N 76° 17' 17" E	C61	90° 00' 00"	15.00	23.56	21.21	N 34° 59' 57" W	C75	21° 25' 07"	105.753	39.533	39.303	N 20° 42' 34" E		
C47	68° 41' 09"	121.359	145.485	136.928	N 82° 42' 18" E	C62	35° 00' 00"	120.148	73.394	72.258	N 62° 30' 00" W	C76	21° 25' 07"	80.753	30.187	30.012	N 20° 42' 34" E		
C48	68° 41' 09"	146.359	175.454	165.135	N 82° 42' 18" E	C63	35° 00' 00"	95.148	58.123	57.223	S 62° 30' 00" E	C77	12° 23' 40"	435.466	94.202	94.018	N 25° 13' 17" E		
C49	60° 37' 35"	171.359	181.320	172.979	N 78° 40' 30" E	C64	35° 00' 00"	70.148	42.851	42.188	S 62° 30' 00" E	C78	12° 23' 40"	460.466	99.61	99.416	S 32° 29' 17" E		
C50	8° 03' 34"	171.359	24.104	24.084	S 66° 58' 55" E	C65	50° 29' 14"	102.255	90.104	87.217	N 70° 14' 37" W	C79	02° 08' 45"	485.466	18.181	18.18	N 30° 20' 44" E		
C51	14° 47' 29"	162.373	41.918	41.802	S 70° 20' 53" E	C66	50° 29' 14"	127.255	112.133	108.540	S 70° 14' 37" E	C80	78° 00' 21"	15.00	20.422	18.881	N 68° 16' 32" E		
C52	17° 44' 37"	162.373	50.285	50.084	S 86° 36' 56" E	C67	50° 29' 14"	152.255	134.162	129.864	S 70° 14' 37" E	C81	92° 44' 57"	15.00	24.282	21.716	S 26° 20' 49" E		
C53	41° 44' 33"	162.373	118.296	115.697	N 63° 38' 29" E	C68	57° 05' 56"	112.849	112.461	107.865	S 66° 56' 16" E	C82	01° 00' 13"	485.466	8.502	8.502	S 19° 31' 33" W		
C54	30° 16' 57"	162.373	85.819	84.824	N 27° 37' 44" E	C69	57° 05' 56"	137.849	137.375	131.761	S 66° 56' 16" E	C83	54° 43' 16"	102.298	97.701	94.030	S 45° 21' 39" E		
C55	35° 41' 22"	162.373	101.142	99.514	N 05° 21' 25" W	C70	57° 05' 56"	162.849	162.289	155.656	S 66° 56' 16" E	C84	54° 43' 16"	77.298	73.824	71.050	N 45° 21' 39" W		
C56	140° 55' 23"	137.373	336.264	258.381	N 46° 55' 23" E	C71	26° 22' 32"	156.872	72.214	71.578	S 51° 34' 34" E	C85	54° 43' 16"	52.298	49.948	48.071	S 45° 21' 39" E		
C57	140° 14' 58"	112.373	275.069	211.359	N 46° 55' 23" E	C72	97° 21' 35"	131.872	224.083	198.080	S 87° 04' 05" E	C86	40° 05' 26"	106.396	74.446	72.937	N 38° 02' 43" W		
C58	33° 12' 06"	68.121	39.475	38.925	N 06° 36' 03" W							C87	37° 02' 28"	106.396	68.783	67.592	N 76° 36' 40" W		
												C88	38° 34' 54"	15.00	10.101	9.911	N 75° 50' 26" W		

SECTION 8

212520

565°06'56"E 307.56

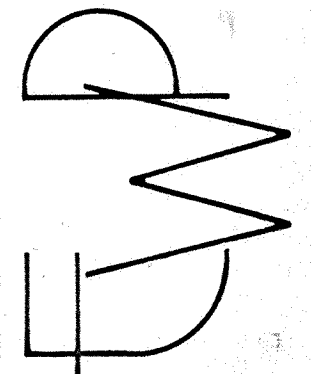
CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C89	94° 34' 18"	50.00	82.529	73.475	S 76° 09' 52" E
C90	63° 41' 15"	50.00	55.578	52.761	S 02° 57' 55" E
C91	56° 53' 36"	50.00	49.649	47.634	S 63° 15' 21" E
C92	63° 35' 25"	50.00	55.493	52.688	N 56° 30' 08" E
C93	82° 40' 10"	15.00	21.643	19.814	N 66° 02' 31" E
C94	54° 37' 24"	56.396	53.766	51.752	S 45° 18' 41" E
C95	107° 00' 00"	81.396	152.007	130.861	N 71° 30' 00" E
C96	70° 59' 03"	156.872	194.350	182.157	N 44° 39' 00" E

Project Number

Sheet Number

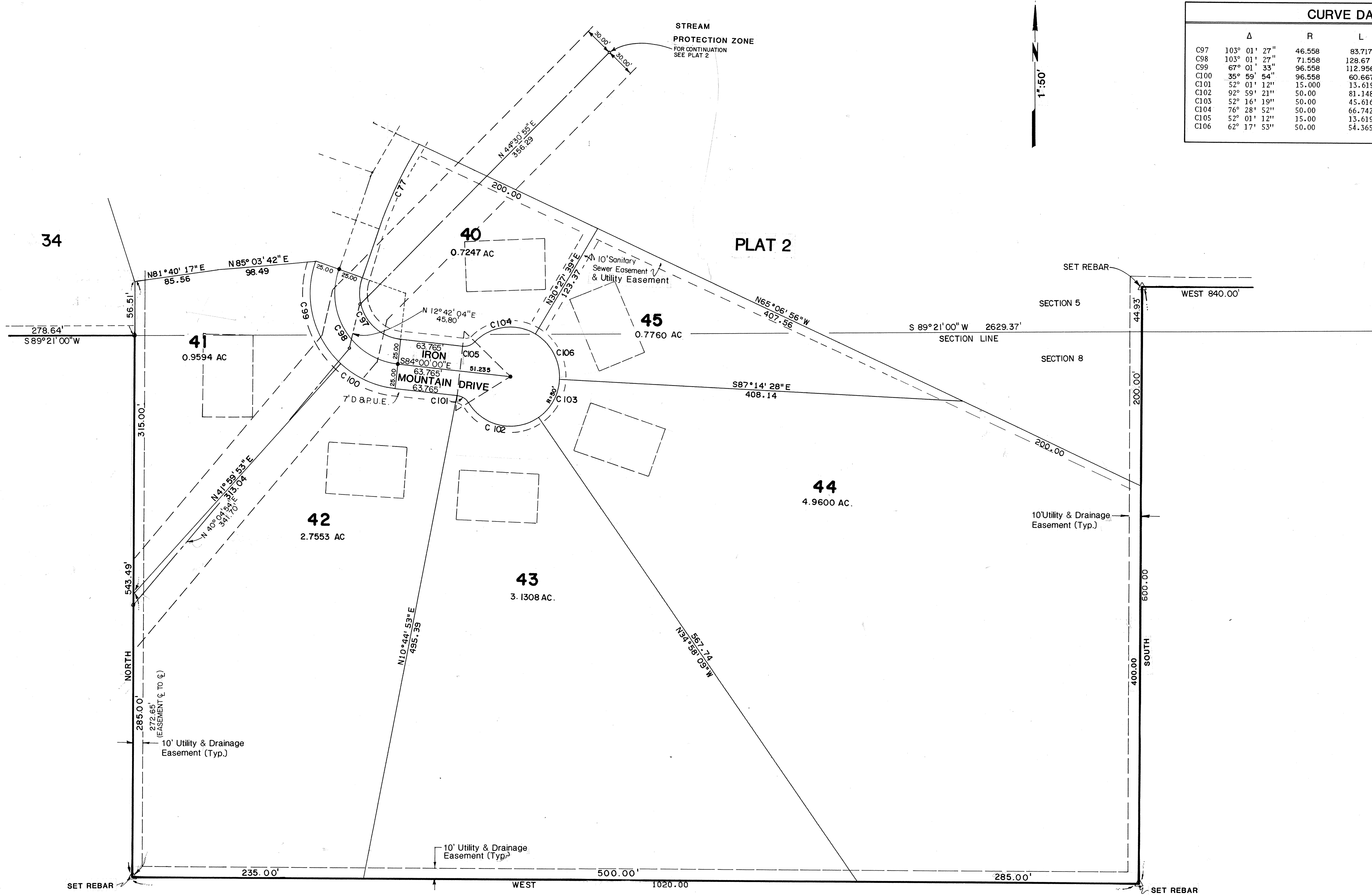
SHEET 4 OF 5

ECKHOFF, WATSON and
PREATOR ENGINEERING
1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS



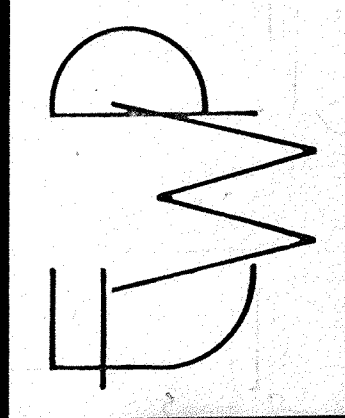
The Boyer Company 675 East 500 South Salt Lake City, Utah 84102

IRON CANYON



CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C97	103° 01' 27"	46.558	83.717	72.886	S 32° 29' 17" E
C98	103° 01' 27"	71.558	128.67	112.023	S 32° 29' 17" E
C99	67° 01' 33"	96.558	112.956	106.625	S 14° 29' 20" E
C100	35° 59' 54"	96.558	60.667	59.674	S 66° 00' 03" E
C101	52° 01' 12"	15.000	13.619	13.156	S 57° 59' 24" E
C102	92° 59' 21"	50.00	81.148	72.531	S 78° 28' 28" E
C103	52° 16' 19"	50.00	45.616	44.050	N 28° 53' 42" E
C104	76° 28' 52"	50.00	66.742	61.896	S 82° 13' 13" W
C105	52° 01' 12"	15.00	13.619	13.156	S 57° 59' 24" E
C106	62° 17' 53"	50.00	54.365	51.727	N 28° 23' 24" W

**ECKHOFF, WATSON and
PREATOR ENGINEERING**
1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS



The Boyer Company 675 East 500 South Salt Lake City, Utah 84102
IRON CANYON

Iron Canyon

Utah Hunt Planner
UTAH DIVISION OF WILDLIFE RESOURCES

Find a hunt (START HERE)

Add map data layers

- Antlerless elk-control areas
- CWMU areas
- Wildlife management areas
- Walk-in access areas
- Elk
- Land ownership
- Medical facilities
- Restricted Areas
- Prescribed Burns
- CWMU Tradelands

Hunts as table view

Change basemap

About

Be Advised - National Forests may contain areas of private land. Please obtain written permission from land owner to hunt private property.

The image is a screenshot of the 'Utah Hunt Planner' web application. The interface features a topographic map of the Park City, Utah area, with various hunting zones and geographical features labeled. On the left side, there is a vertical menu with several interactive buttons and a search bar. The buttons include 'Find a hunt (START HERE)', 'Add map data layers', 'Antlerless elk-control areas', 'CWMU areas', 'Wildlife management areas', 'Walk-in access areas', 'Moose' (with a dropdown arrow), 'Land ownership', 'Medical facilities', 'Restricted Areas', 'Prescribed Burns', 'CWMU Tradelands', 'Hunts as table view', 'Change basemap', and 'About'. The map itself shows a blue-outlined hunting area, pink-shaded restricted areas, and green-shaded CWMU areas. Key locations labeled on the map include Quarry Mountain, Iron Mountain, Park City Golf Course, Park City Cemetery, and various canyons like Red Pine Canyon and Iron Canyon. A scale bar at the bottom left indicates distances up to 0.4 miles. A disclaimer at the bottom center states: 'Be Advised - National Forests may contain areas of private land. Please obtain written permission from land owner to hunt private property.' The Esri logo is visible in the bottom right corner.

Approximate location of Lot 8





Re: [External] 2426 Iron Canyon Drive landscaping



Scott Jaffa <scott@jaffagroup.com>
To  Jack Niedermeyer

 You replied to this message on 3/1/2023 11:01 AM.
If there are problems with how this message is displayed, click here to view it in a web browser.



Jack,

After reviewing the photos that Enrique sent you of the property, my count of the trees are 5 Aspen and 4 Fir trees. The rest of the trees shown are scrub oak.

Thank you,

Scott

Scott Jaffa, A.I.A, C.G.P

Jaffa Group Design/Build

Jaffa Group Architects

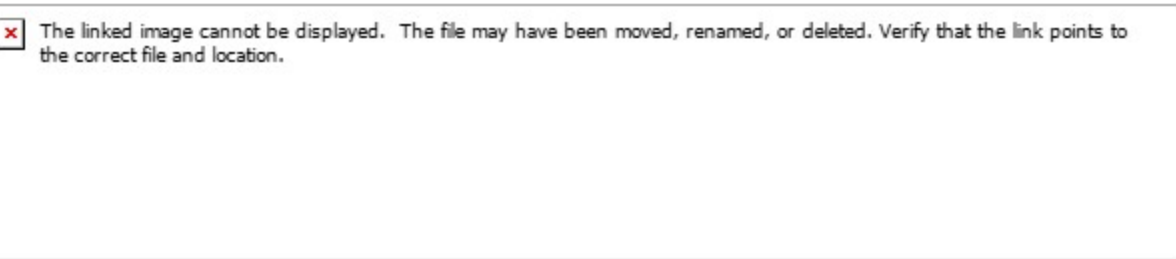
Cell: 435-962-0141

Office: 435-615-6873

Fax: 435-615-6917

www.jaffagroup.com

scott@jaffagroup.com



 Reply

 Reply All

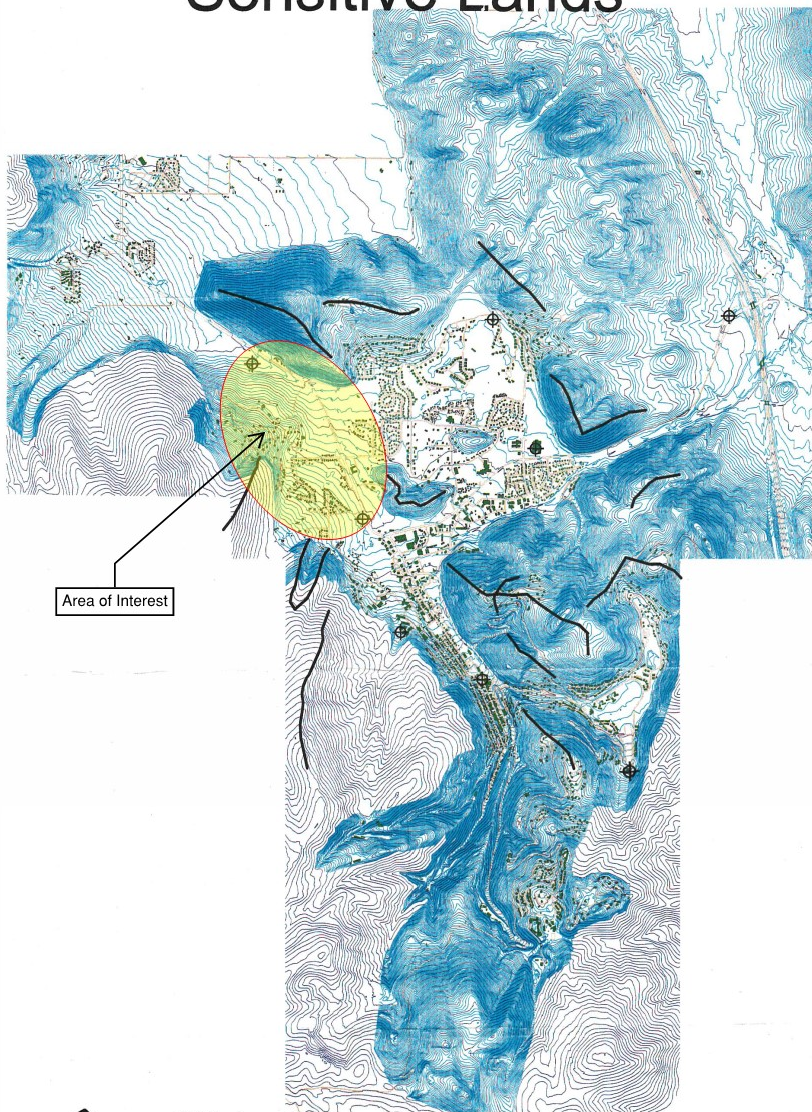
 Forward





Wed 3/1/2023 10:59 AM

Sensitive Lands



Ridgelines
Vantage Points



GENERAL NOTES

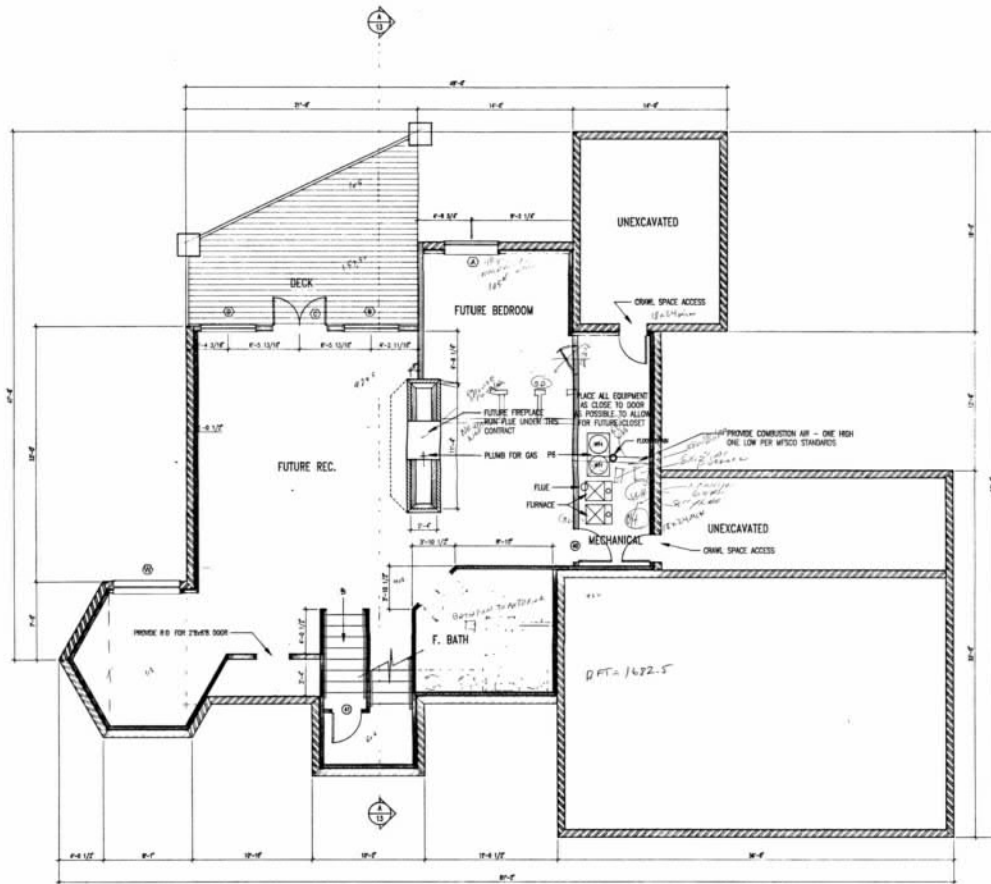
1. ALL SHOWER DOORS TO COMPLY W/IBC 54-2-1771
2. ALL SHOWERS TO HAVE TILE 75" OFF FINISHED FLOOR
3. 30" CLEAR FROM RANGE TO COMBUSTIBLES
4. STAIR NOTES 1" THREADS 8" RISERS PARK CITY APPROVED HANDRAILS 34" ABOVE NOSE OF TREAD, (3) 2x12 STRINGERS
5. MECHANICAL CONTRACTOR TO FURNISH HEAT LOSS CALC TO PARK CITY BLDG DEPT

THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 649-0071

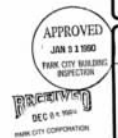
MAIN FLOOR PLAN

RECEIVED
DEC 8 1988
PARK CITY CORPORATE

APPROVED



A
3 LOWER LEVEL FLOOR PLAN
SCALE 1/4" = 1'-0"



THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 848-0071

LOWER FLOOR PLAN

LOIS & TRACY CHEATHAM

SHEET NO
3



APPROVED
JAN 31 1990
PARK CITY BUILDING
INSPECTION

SHEET NO 4	UPPER FLOOR PLAN	LOIS & TRACY CHEATHAM
THE BRIDGE GROUP ARCHITECTS P.O. BOX 400, PARK CITY, UT (801) 649-0071		

DOOR SCHEDULE					REMARKS
MARK	WIDTH	HEIGHT	THICKNESS	HOWS	
(1)	3'-0"	8'-0"	1-3/4"	1	ENTRY DOOR-2 SIDELIGHTS-TRANSOM
(2)	3'-0"	8'-0"	-	-	OH INSULATED PANEL DOOR W/OPENER & REMOTE
(3)	3'-0"	8'-0"	-	-	OH INSULATED PANEL DOOR W/OPENER & REMOTE
(4)	3'-0"	8'-0"	-	-	OH INSULATED PANEL DOOR W/OPENER & REMOTE
(5)	3'-0"	6'-8"	1-3/4"	9	FLUSH MASONITE DOOR (PAIR)
(6)	2'-10 5/8"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(7)	2'-8 5/8"	6'-8"	1-3/4"	2	4 PANEL 20 MIN F.C. AIRTIGHT DOOR, SELF-CLOSING HINGES
(8)	2'-4 5/8"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD
(9)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(10)	2'-4 5/8"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD
(11)	4'-0"	6'-8"	1-3/8"	6	4 PANEL HARDBOARD (PAIR)
(12)	4'-8 5/8"	6'-8"	1-3/8"	6	4 PANEL HARDBOARD (PAIR)
(13)	5'-0"	6'-8"	1-3/8"	8	4 PANEL HARDBOARD (PAIR)
(14)	4'-0"	6'-8"	1-3/8"	8	4 PANEL HARDBOARD (PAIR)
(15)	2'-4 5/8"	6'-8"	1-3/8"	7	4 PANEL HARDBOARD (POCKET)
(16)	3'-0"	6'-8"	1-3/8"	7	4 PANEL HARDBOARD (POCKET)
(17)	2'-6 5/8"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD
(18)	4'-0"	6'-8"	-	-	CASED OPENING
(19)	2'-10 5/8"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(20)	2'-6 5/8"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(21)	2'-8 5/8"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD
(22)	2'-6 5/8"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD
(23)	2'-6 5/8"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD
(24)	3'-0"	6'-8"	1-3/8"	3	4 PANEL HARDBOARD (PAIR)
(25)	2'-6 5/8"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(26)	4'-0"	6'-8"	1-3/8"	6	4 PANEL HARDBOARD (PAIR)
(27)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(28)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(29)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(30)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(31)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(32)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(33)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(34)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(35)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(36)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(37)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(38)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(39)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(40)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(41)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(42)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(43)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(44)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(45)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(46)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(47)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(48)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(49)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(50)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(51)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(52)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(53)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(54)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(55)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(56)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(57)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(58)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(59)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(60)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(61)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(62)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(63)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(64)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(65)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(66)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(67)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(68)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(69)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(70)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(71)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(72)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(73)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(74)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(75)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(76)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(77)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(78)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(79)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(80)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(81)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(82)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(83)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(84)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(85)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(86)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(87)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(88)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(89)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(90)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(91)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(92)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(93)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(94)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(95)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(96)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(97)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(98)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(99)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD
(100)	3'-0"	6'-8"	1-3/8"	4	4 PANEL HARDBOARD

HARDWARE SCHEDULE	
GROUP	DESCRIPTION
1	SCHLAGE HARDENED BRASS W/ FLUSH BOLTS ON INACTIVE LEAF
2	SCHLAGE 4530 ORBIT #13 FINISH
3	SCHLAGE 4-453 ORBIT #13 FINISH (FRONT)
4	SCHLAGE 4-105 ORBIT #13 FINISH (REAR)
5	BRASS 18-FOLD KNOBS TO MATCH ORBIT
6	HOLLER CATCHES, #13 FINISH & DUMPS TRIM
7	BRASS POCKET DOOR HARDWARE W/LOCKING MECHANISM
8	HOLLER CATCHES #13 FINISH, DUMPS TRIM WITH FLUSH BOLTS

WINDOW SCHEDULE					REMARKS
MARK	DESCRIPTION	WIDTH	HEIGHT	THICKNESS	
(A)	2854-2				2 panels
(B)	3060-2				2 panels
(C)	570 678 F.D.				2 panels
(D)	3060-2				2 panels
(E)	2448-2				2 panels
(F)	3048				2 panels
(G)	NOT USED				
(H)	370 870 F.D.				
(I)	370 870 F.D.				3060-2 12" FROM DOOR WITH 72" HALF ROUND
(J)	2450-4				
(K)	NOT USED				
(L)	2448-2				
(M)	2860-4				
(N)	NOT USED				
(O)	370 870 F.D.				OUTSWING
(P)	3072-2				WITH 60" HALF ROUND
(Q)	TRAP				
(R)	570 870 F.D.				WITH 60" HALF ROUND
(S)	TRAP				
(T)	3072-2				WITH 60" HALF ROUND
(U)	TRAP				
(V)	3060-2				
(W)	3060-2				WITH 60" HALF ROUND
(X)	3060-2				
(Y)	3654-2				
(Z)	3654-2				
(AA)	NOT USED				
(AB)	3654-2				
(AC)	3660-4				
(AD)	3048-2				
(AE)	3048-2				
(AF)	2460-2				
(AG)	3060				TEMPERED
(AH)	3060				TEMPERED
(AI)	3060				TEMPERED
(AJ)	3030 OCT				
(AK)	2448-2				2 panels
(AL)	2848-4				WITH 60" HALF ROUND
(AM)	2842				
(AN)	2448-2				
(AO)	2460-2				WITH 48" HALF ROUND
(AP)	3030 OCT				
(AQ)	NOT USED				
(AR)	3048-2				2 panels
(AS)	3048-2				11
(AT)	3642-2				

WINDOWS SCHEDULED ARE POZZI ACCEPTABLE SUBSTITUTES:
PELLA OR WEATHERSHIELD
CONTRACTOR TO STATE WHICH WINDOW MFR. USED ON PROPOSAL

TYPICAL INTERIOR FINISH
1. DOOR JAMBS FINGER JOINT PINE
2. CASINGS 3-1/4" OAK
3. BASE 5-1/4" OAK
4. ALL CLOSET SHELVING PINE PAINTED
5. ALL STAIR TREADS PARTICLE BOARD

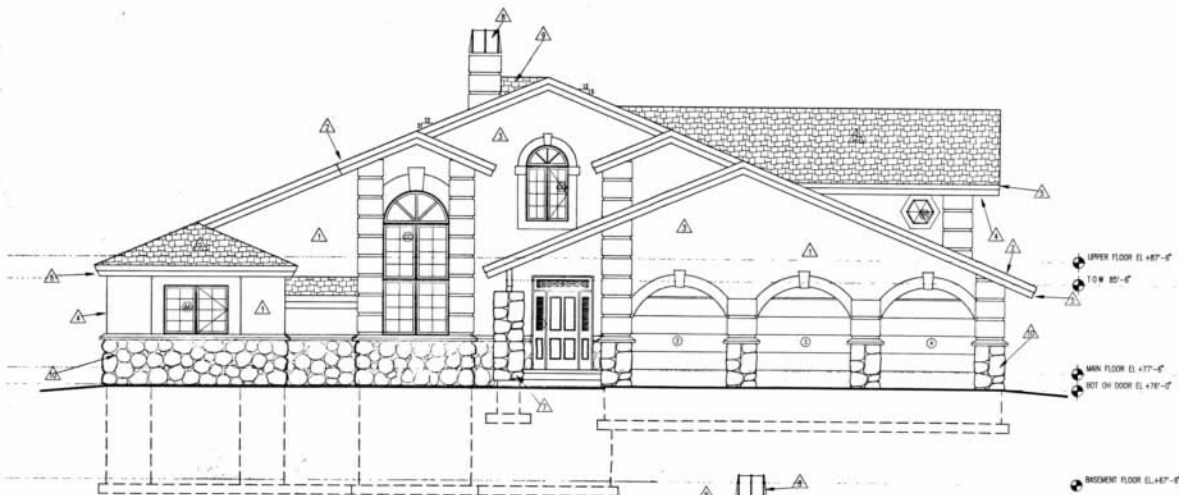
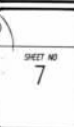
APPLIANCE SCHEDULE	
MARK	DESCRIPTION
A-1	REFRIGERATOR
A-2	WALL OVEN WITH MICRO-WAVE OVEN
A-3	SURFACE UNIT
A-4	DISHWASHER
A-5	DISPOSAL
A-6	WASHER
A-7	DRYER
A-8	TRASH COMPACTOR
* APPLIANCE ALLOWANCE \$1800.00	
PLUMBING SCHEDULE	
MARK	DESCRIPTION
P-1	TOILET WHITE OVAL (MIDDLE GRADE)
P-2	WASH SINK WHITE PORCELAIN SET IN
P-3	WHITE CAST IRON TUB W/ SHOWER
P-4	SHOWER
P-5	LETTER TUB ACCESS
P-6	PAN 50 GAL QUICK RECOVERY WATER HEATERS IN SERIES / PIPES FOR FUTURE SOFT WATER
P-7	NON FREEZE HEAT BARS
P-8	KITCHEN SINK 2 BOWL WHITE PORCELAIN SINK W/OPENS
P-9	UTILITY SINK
P-10	COPPER AIR LINE FROM COMPRESSOR IN BASEMENT TO SHOP & GARAGE 1/2" BORN PIPE THREADS ON ENDS
INCLUDE INSTALLATION OF OWNER SUPPLIED WATER SOFTENER PROVIDE MOEN FIXTURES THROUGHOUT (MIDDLE GRADE)	
ELECTRICAL SCHEDULE	
MARK	DESCRIPTION
T-1	THOMAS OUTDOOR WALL BRACKET 100W CLEAR
T-2	PORCELAIN SOCKET 100 WATT
T-3	LUMINOUS LB 440L 4 TUBE W/SP 4-1/2" W/IN TUBES
T-4	HALO HT-1 HALO 418 RECESSED CYE BALL (75WATT)
T-5	HALO HT-1 HALO 418 OPEN TRIM (150 WATT)
T-6	LAST BATH BATH LENGTH AS REQUIRED 5-40 BULBS
T-7	OWNER FURNISHED CONTRACTOR INSTALLED
T-8	PROGRESS P-3529 - 2 80W IF
T-9	WALL SWITCHE BY OWNER
T-10	4" 4" SLANLINE FLUORESCENT INCORPORATE IN VALANCE
T-11	DOUBLE 150 WATT SPOT MOUNTED ON CEILING
T-12	DOWNROD FAN HATONE BRZ, DUCT TO EXTERIOR
T-13	TELEPHONE OUTLET RUN TO CENTRAL SPLITTER AREA
T-14	PHOTO ELECTRIC CELL
T-15	JUNCTION BOX
T-16	SMOKE DETECTOR
T-17	TELEPHONE OUTLET

THE BRIDGE GROUP ARCHITECTS
 P.O. BOX 400, PARK CITY, UT
 (801)948-0071

DBGA

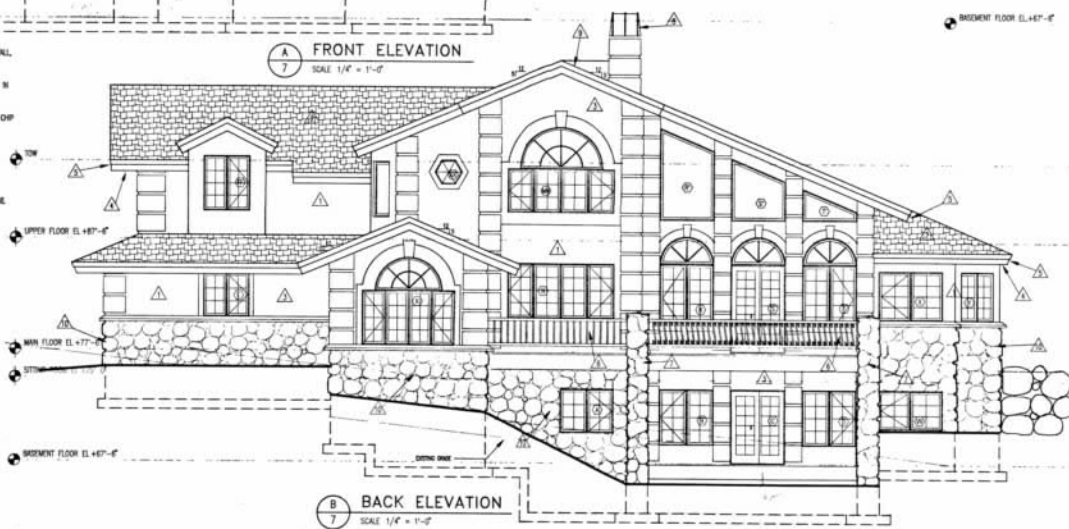
SCHEDULES
 LOIS & TRACY CHEATHAM

SHEET NO
5



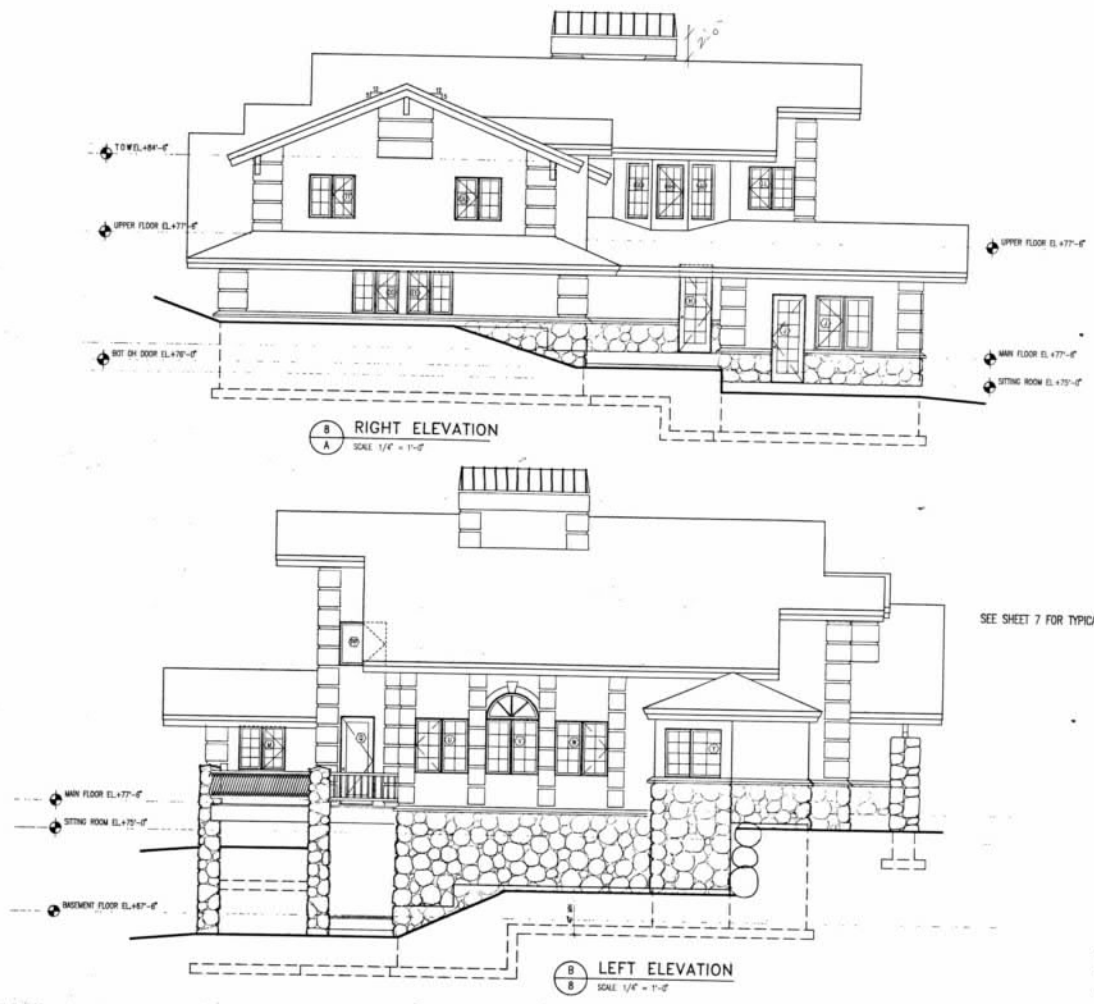
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

- ▲ ACRYLIC STUCCO ON POLYURETHANE FOAM GYPSUM, 8-MILL, OR STD IN DETAIL AS SHOWN ON ELEVATIONS
- ▲ ROOF ARCHITECTURAL AS ASPHALT SHINGLES, 1/8" SHY IN USE BELTFRAME 4" UP MAIN SURFACE
- ▲ TYPICAL EXTERIOR WALL 2x6 STUDS @ 16" O.C. 1/2" CHIP BOARD SHEATHING STAPLED WITH 18 GA. STAPLES, 4" CORNLS, 6" FIELDS, ACRYLIC STUCCO AS SHOWN, INSULATION R-19, 4 MIL VAPORBARRIER @ 1/2" SHY INS
- ▲ EXTRUDED ALUMINUM SOFFIT
- ▲ TYPICAL EAVES - 1x4 CEDAR, 1x4 CAP PRESS WITH 1/4" PINE BACK UP. COVER WITH ALUMINUM SET DETAIL
- ▲ RAILING 2x4 TOP & BOTTOM RAILING W/ FORMED 1-1/4" VERTICAL STRIPS
- ▲ TYPICAL COLUMN 2'-0" SQUARE STONE W/STAINLESS STEEL STRUCTURAL COLUMN
- ▲ 30 GA METAL CHIMNEY CAP
- ▲ CONCRETE BEHIND CHIMNEY
- ▲ SPLIT GRANITE STONE VENEER USE 4x4x1/4" BASE, WHILE WITH 3/4" CORNERS JACKERS AT 24" O.C. WIDE ACROSS & 16" TC WIDE



BACK ELEVATION
SCALE: 1/4" = 1'-0"

11854



SEE SHEET 7 FOR TYPICAL NOTES

DEC 01 1981
PARK CITY CORPORATION

THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 849-0071

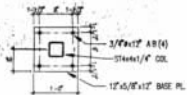
BCA

ELEVATIONS

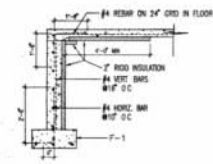
LOIS & TRACY CHEATHAM

SHEET NO. 8
APPROVED
JAN 11 1982

- △ 3 x 6 WALL STUDS @ 16" O.C. TREATED PLATE, 1/2" EDGE PLUMWOOD ONE SIDE ONLY, USE 5/8" x 1/2" ANCHOR BOLTS TO FOOTING, USE 1/4" FEET WHERE CONTACT WITH CONCRETE.
- △ 3 x 10 LUGS EACH ANCHOR TO CONCRETE WITH 3/4" x 1/2" ANCHOR BOLTS SPACED @ 16" O.C. USE 1/4" FEET AT CONCRETE, USE SHAPES LUGS TO JOIST HANGERS.
- △ TYPICAL FOUNDATION WALL 12" THICK REINFORCE WITH #4 @ 16" O.C. VERTICAL, #4 @ 16" O.C. HORIZONTAL, USE 5/8" x 1/2" ANCHOR BOLTS @ 24" O.C. USE INSULATION R-11 ON INSIDE OF WALL.
- △ FOUNDATION VENT WITH BUG SCREEN AND DAMPER CONTROL.
- △ CONCRETE SLAB 8" THICK REINFOR 3/4" O.C. EACH WAY ON 4" GRAVEL DOWEL TO FOUNDATION WALL.
- △ PERFORATED DRAIN TO DRAINAGE SINKHOLE WITH GRAVEL AND COVER WITH MANHOLE FABRIC.
- △ 12" x 4" SINK TUB REINFORCE WITH 4-#4 VERTICAL & 3-#3 TIES 16" O.C. USE SHAPES UPON AT TOP.
- △ 24" SQUARE TIE REINFORCE WITH 4-#4 VERTICAL & 3-#3 TIES 16" O.C. SEE PLAN FOR BASE PLATE DETAIL.
- △ LOWER DECK 24" x 12" O.C. WITH 3-1/2" x 1/2" GLUE LAM PLY. USE LUGS TO JOIST HANGERS. BEAM GLUE LAMS ON COLUMN BASE PLATES.



2 TYPICAL BASE PLATE
SCALE 1" = 1'-0"

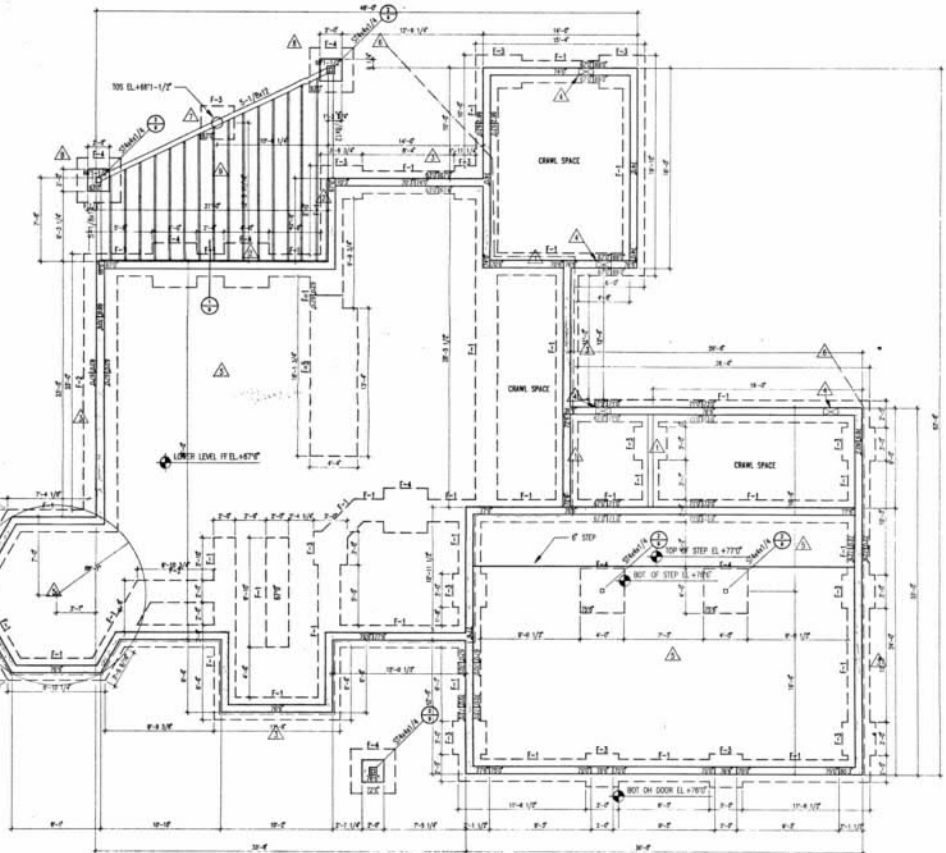


1 FOUND DET.
SCALE 1/2" = 1'-0"

SOIL BEARING 1500 PSF

FOOTING SCHEDULE									
MARK	WIDTH	LENGTH	THICK	CROSSWISE REIN.			LENGTHWISE REIN.		
				NO.	SIZE	SPAC.	NO.	SIZE	SPAC.
F-1	2'-0"	CONC.	12"	NONE	3	#4	CONC.	7"	
F-2	2'-0"	CONC.	12"	NONE	5	#4	CONC.	12"	
F-3	2'-0"	3'-0"	8"	#4	2'-0"	8"	#4	2'-0"	8"
F-4	4'-0"	4'-0"	8"	#4	2'-0"	8"	#4	2'-0"	8"
F-5	4'-0"	12'-0"	12"	3	#4	2'-10"	1	#4	12'-0"

MIN. CONCRETE 3-1/2" MIN. 3000 PSI
MINIMUM WALL STEEL #4 @ 16" O.C. VERTICAL
#4 @ 16" O.C. HORIZONTAL



FOOTING & FOUNDATION PLAN
SCALE 1/4" = 1'-0"

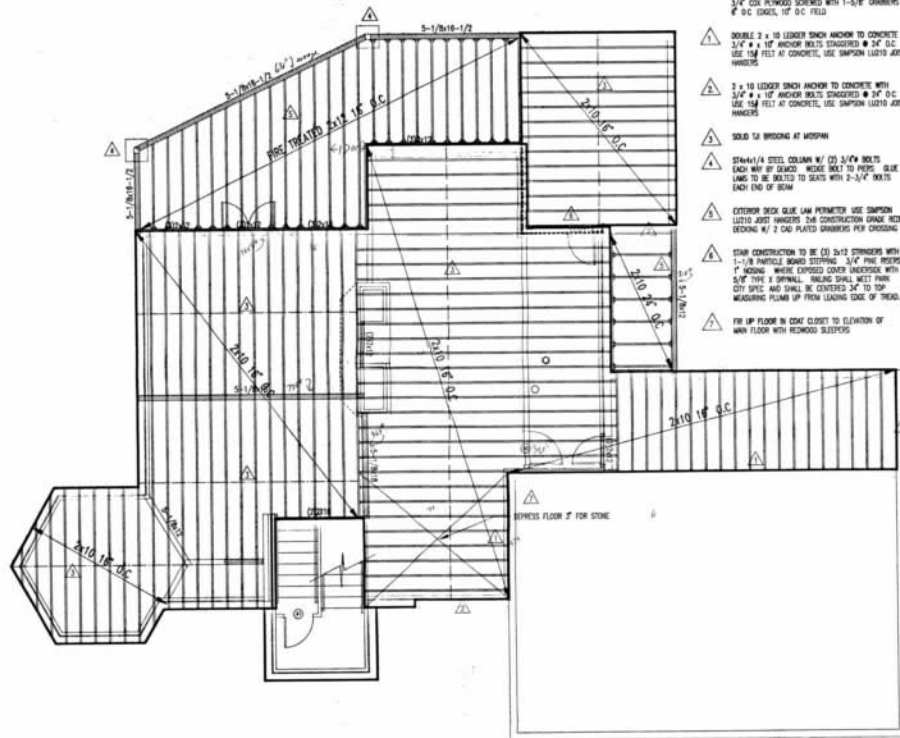
RECEIVED
DEC 8 1994
PARK CITY CORPORATION

THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 648-0071



FOOTING & FOUNDATION PLAN
LOIS & TRACY CHEATHAM

SHEET NO. 9
APPROVED
JAN 3 1995
PARK CITY BUILDING



- MAIN FLOOR CONSTRUCTION 2x10 @ 16" O.C. WITH 3/4" OSB PLYWOOD SOURED WITH 1-5/8" CHAIRS. # 5 S.C. JOISTS, 10" O.C. FILL.
- DOUBLE 2 x 10 LEADER BRANCH ANCHOR TO CONCRETE WITH 3/4" # 4 10" ANCHOR BOLTS STRAPPED @ 24" O.C. USE 15# FILL AT CONCRETE, USE SAMPSON LUGS TO JUST HANGERS.
- 2 x 10 LEADER BRANCH ANCHOR TO CONCRETE WITH 3/4" # 4 10" ANCHOR BOLTS STRAPPED @ 24" O.C. USE 15# FILL AT CONCRETE, USE SAMPSON LUGS TO JUST HANGERS.
- SOLID 12" BRIDGING AT HOSPITAL.
- STAINLESS STEEL COLUMN W/ (2) 3/4" # 4 BOLTS EACH WAY OF GROUND. WEDGE BOLT TO POST. BLUE LAMBS TO BE ADDED TO SLABS WITH 2-3/4" BOLTS EACH END OF BEAM.
- EXTERIOR BRICK BLUE 1/4" PERIMETER USE SAMPSON LUGS TO JUST HANGERS 2x4 CONSTRUCTION GRADE RECONNO BECKING W/ 2 CAR PLATED BRACKERS PER CROSSING.
- STAIR CONSTRUCTION TO BE (2) 2x12 STRINGERS WITH 1-1/8" PARTICLE BOARD STEPPING 3/4" PINE RISERS, 1" WOOD. WEDGE EXPOSED CORNER BRACKET WITH 5/8" TYPE X SPINALL. BALING SHALL MEET PARK CITY SPEC. AND SHALL BE CENTERED 34" TO TOP MEASURING PLUMB UP FROM LEADING EDGE OF TREAD.
- FOR UP FLOOR IN CASE CLOSET TO ELEVATION OF MAIN FLOOR WITH RECONNO SLEEPERS.

A
10
MAIN LEVEL FLOOR FRAMING
SCALE 1/4" = 1'-0"

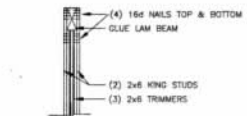
THE BRIDGE GROUP ARCHITECTS
P.O. BOX 402, PARK CITY, UT
(801) 448-0071



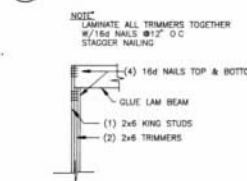
MAIN LEVEL FLOOR FRAMING
LOIS & TRACY CHEATHAM

PREPARED BY
DEC 8 1994
PARK CITY CORPORATION

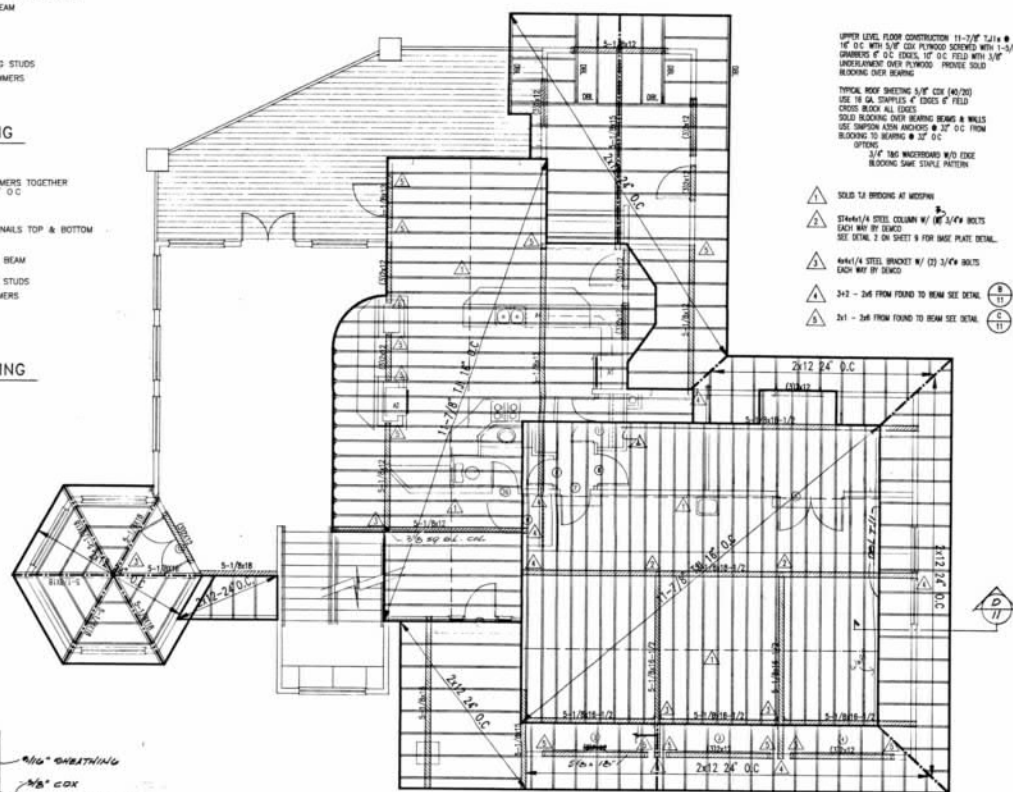
SHEET NO.
10
APPROVED
JAN 8 1995
PARK CITY CORPORATION



B BEAM BEARING
SCALE 1/2" = 1'-0"

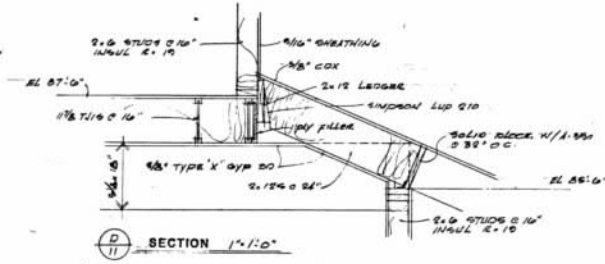


C BEAM BEARING
SCALE 1/2" = 1'-0"



A LOWER ROOF & UPPER FLOOR FRAMING
SCALE 1/4" = 1'-0"

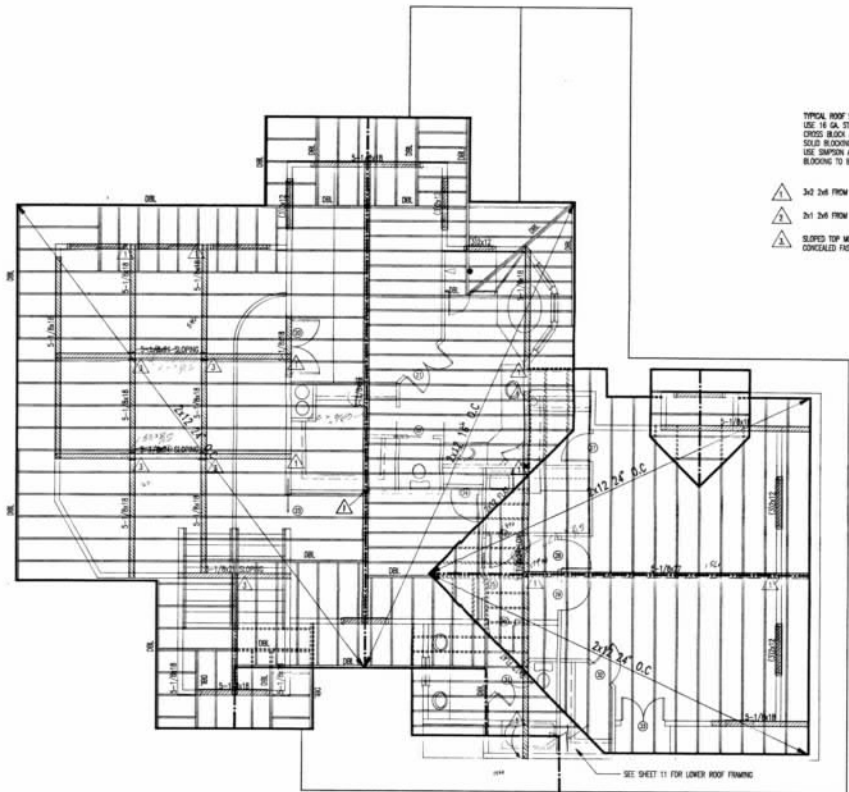
- UPPER LEVEL FLOOR CONSTRUCTION 11-3/4" 1/2" x 1/2" O.C. WITH 5/8" COX PLANKS SCHEDULED WITH 1-1/2" SHIMMERS AT O.C. JOISTS, 1/2" O.C. FELD WITH 3/4" UNDERLAINMENT OVER PLANKS. PROVIDE SOLID BLOCKING OVER BEARING.
- TYPICAL ROOF SHEETING 3/4" COX (40/20) USE 16 GA. SHAPES AT EDGES OF FELD CROSS BLOCK ALL JOISTS. SOLID BLOCKING OVER BEARING BEAMS & WALLS. USE SHIMMERS AGAIN JOISTS @ 12" O.C. FROM BLOCKING TO BEARING @ 12" O.C.
- NOTES:
3/4" 16G W/BACKWOOD W/TO EDGE BLOCKING SAME SHAPE PATTERN.
- △ SOLID 1/2" BRIDGING AT JOISTS
 - △ STEEL/1/4" STEEL COLUMN W/ 1/2" 3/4" BOLTS EACH WAY BY JOIST
 - △ 1/4" 1/4" STEEL BRACKET W/ (2) 3/4" BOLTS EACH WAY BY JOIST
 - △ 2x12 - 2x6 FROM FLOOR TO BEAM SEE DETAIL B
 - △ 2x12 - 2x6 FROM FLOOR TO BEAM SEE DETAIL C



THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 644-0071

LOWER ROOF & UPPER FLOOR FRAMING
LOIS & TRACY CHEATHAM

SHEET NO.
APPROVED
JAN 22 1990
PARK CITY BUILDING

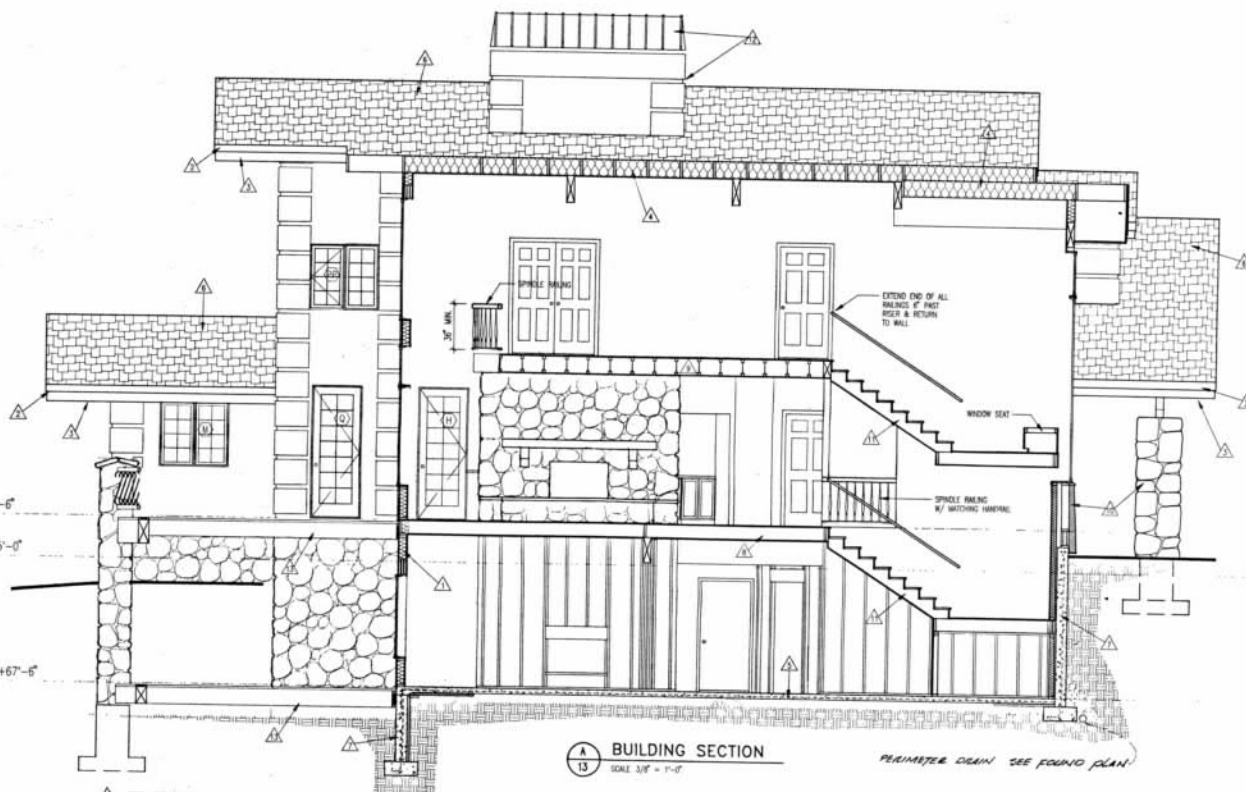


A
 12
 UPPER ROOF FRAMING PLAN
 SCALE: 1/4" = 1'-0"

THE BRIDGE GROUP ARCHITECTS
 P.O. BOX 400, PARK CITY, UT
 (801) 948-0071

UPPER ROOF FRAMING PLAN
 LOIS & TRACY CHEATHAM

SHEET NO.
 12
 PREPARED
 JAN 31 1990
 PARK CITY BUILDING
 INSPECTION



BUILDING SECTION
SCALE: 3/8" = 1'-0"

PERIMETER DRAIN SEE FOUND PLAN

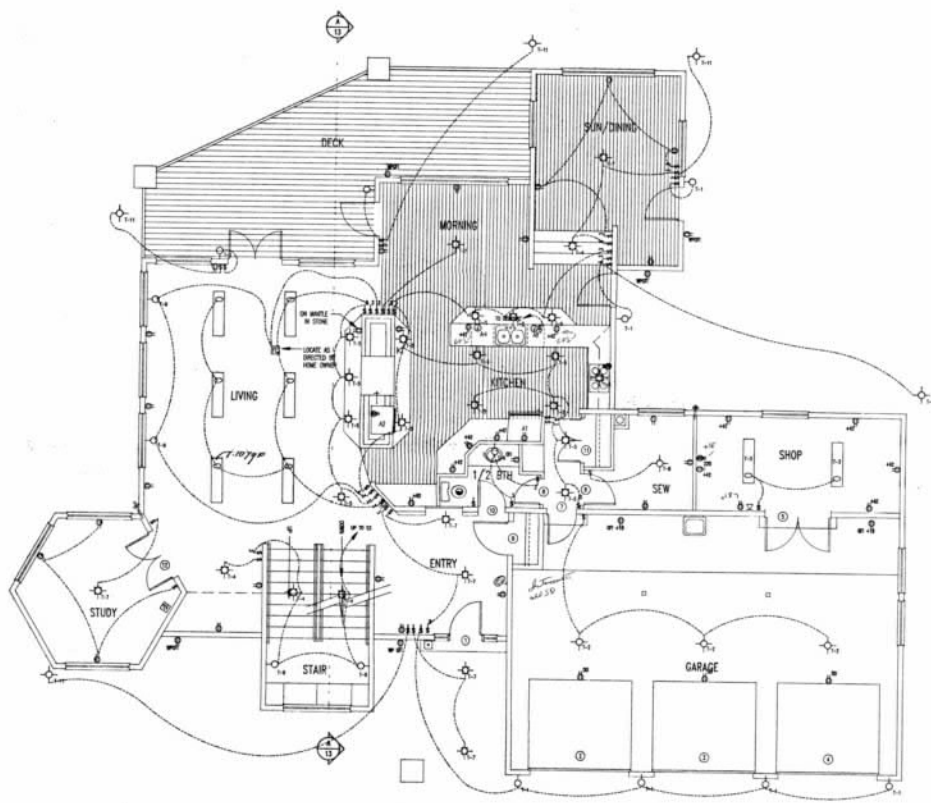
- ▲ TYPICAL EXTERIOR WALL 2 x 8 STUDS @ 16" O.C. BATT INSULATION R-19 7/8" MIN. SPACING 13 LB FILL DRIVE OR R-WALL STUCCO EXTERIOR ON INSIDE USE 4 MIL. VESSELEN AND 1/2" GIP SO
- ▲ TYPICAL FACIA 2 x 12 ROUGH FACIA 1 x 8 PINE WITH 1 x 4 PINE BACK-UP 1 x 8 PINE CAP TRIM GLAD WITH 30 GAUGE ALUMINUM FACIA
- ▲ ALUMINUM SOFFIT
- ▲ ROOF CONSTRUCTION 2 x 12 SET FRAMING PLANS FOR SPACING INSULATION R-38 4 MIL. VESSELEN 1/2" GIP INS. 5/8" COX PLUMBED CROSS BLOCKS STAPLED WITH 18 GAUGE 4" O.C. EDGES OF OLD FIELD SOLID BLOCK ALL BEARING USE ALUM. ANCHORS FROM BLOCK TO FOOTING ON BEAM @ 48" O.C.
- ▲ TYPICAL CONCRETE SLAB 4" THICK WITH #4 @ 24" O.C. EACH WAY ON 4" GRAVEL BASE
- ▲ TYPICAL ROOF CONCERNING 158 FEET DRY IN USE BETWEEN 4'-0" UP WARM SURFACE, 300# CLASS "X" ARCHITECTURAL, 80 ASPHALT SHINGLES
- ▲ TYPICAL FOUNDATION WALL 4" THICK REINFORCE WITH #4 @ 16" O.C. VERTICAL #4 @ 16" O.C. HORIZONTAL USE 5/8" x 16" ANCHOR BOLTS @ 24" O.C. USE INSULATION R-15 ON INSIDE OF WALL
- ▲ MAIN FLOOR CONSTRUCTION 2x10 @ 16" O.C. WITH 3/4" COX PLUMWOOD GLEED & SCAINED WITH 1-5/8" SHINGLES @ 8" O.C. EDGES & 12" O.C. IN THE FIELD
- ▲ UPPER FLOOR CONSTRUCTION 11-7/8" 2x10 @ 16" O.C. WITH 5/8" COX PLUMWOOD GLEED & SCAINED WITH 1-5/8" SHINGLES @ 8" O.C. EDGES, 12" O.C. IN THE FIELD WITH 3/8" UNDERLAMENT
- ▲ DECK SHIMME STONE BENEATH USE 3/4" x 1/4" BASE ANGLE WITH 3/4" CHOK ANCHORS AT 24" O.C. WIRE WITH 8 #10 REINFORC
- ▲ CEILING STRUCTURE 1/2" TRUSS 8x8" BEAMS PARK CITY APPROVED HANGING 3/4" AT 24" O.C. WITH 2" x 7" CEILING BOARD UNDER STAIRS
- ▲ CHIMNEY CAP & CHIMNEY TO GAUGE - PAINT USE CHIMNEY CAP WITH CRACKS BEHIND CHIMNEY
- ▲ TYPICAL DECK FRAMING FIRE TREATED 5x8x16" G.L. PINE TREATED 2x12 @ 16" O.C. USE SHIMMER LIFTED HANGERS FIRE TREATED 2x4 PLUMBED DECKING USE 2x4 PLATED SHIMMERS PER CROSSING

DEC 6 x 1991
PARK CITY CORPORATION

THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 648-0071

BUILDING SECTION
LOIS & TRACY CHEATHAM

SHEET NO. 13
APPROVED
JAN 11 1992
PARK CITY BUILDING



A
 E1
 MAIN FLOOR ELECTRICAL PLAN
 SCALE 1/4" = 1'-0"

- ELECTRICAL NOTES
1. ELECTRICAL PANEL TO COMPLY WITH NEC-110-18
 2. LIGHTS IN CLOSETS TO MEET NEC-410-8
 3. ALL BATH, GARAGE & OUTSIDE LIGHT & OUTLETS TO BE GFI PROTECTED

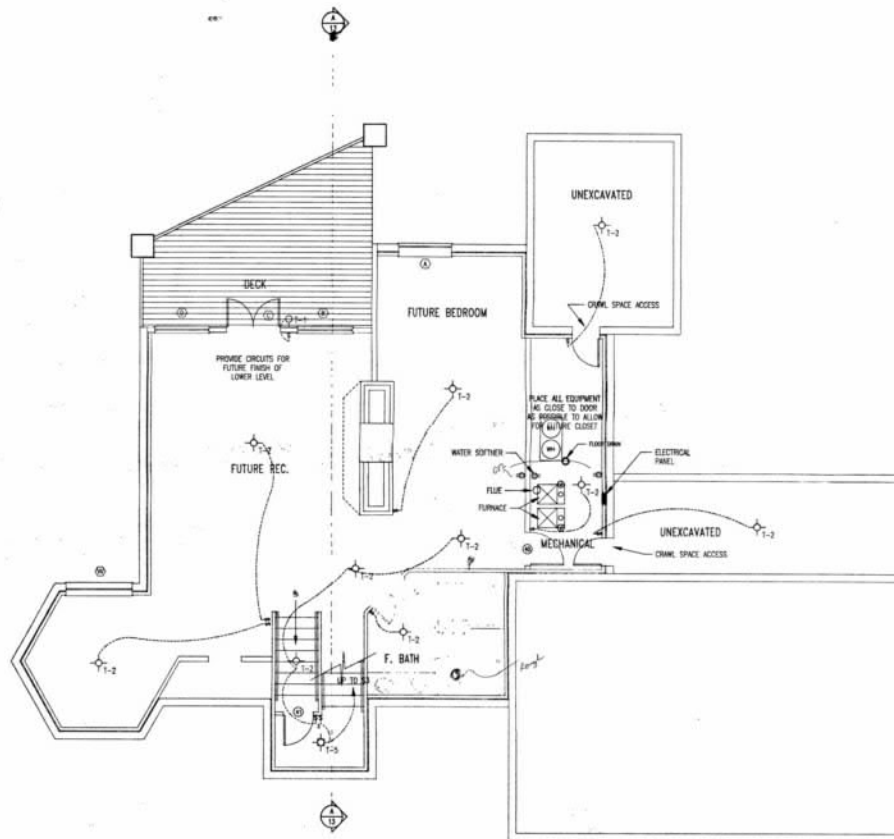
PREPARED BY
 DEC 01 1991
 PARK CITY CORPORATION

SHEET NO
 E1
 APPROVED
 JAN 01 1992
 LOIS & TRACY CHEATHAM

THE BRIDGE GROUP ARCHITECTS
P.O. BOX 400, PARK CITY, UT
(801) 844-0071

MAIN FLOOR ELECTRICAL PLAN

LOIS & TRACY CHEATHAM



LOWER LEVEL ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

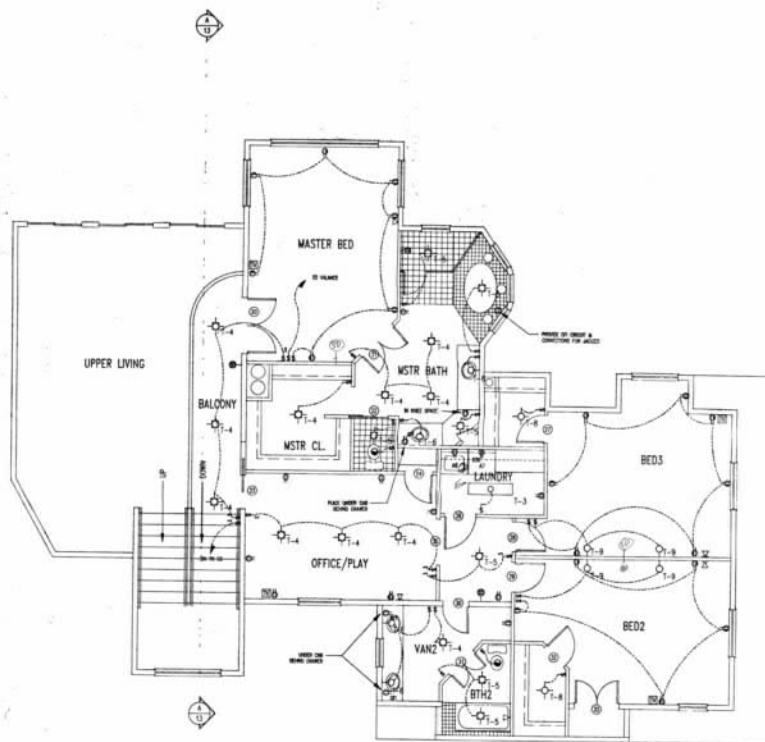
DEC 04 1994
PARK CITY CORPORATION

THE BRIDGE GROUP ARCHITECTS
P.O. BOX 455, PARK CITY, UT
(801) 949-5071

BCA

LOWER LEVEL ELECTRICAL PLAN
LOIS & TRACY CHEATHAM

SHEET NO
E2
APPROVED
JAN 31 1995



A
E3
 UPPER LEVEL ELECTRICAL PLAN
 SCALE: 1/8" = 1'-0"

PREPARED BY
 DEC 6 • 1990
 PARK CITY CORPORATION

SHEET NO.
 E3
 APPROVED
 JAN 9 1 1991
 PARK CITY BUILDING

THE BRIDGE GROUP ARCHITECTS
 P.O. BOX 400, PARK CITY, UT
 (801) 649-0071



UPPER LEVEL ELECTRICAL PLAN
 LOIS & TRACY CHEATHAM

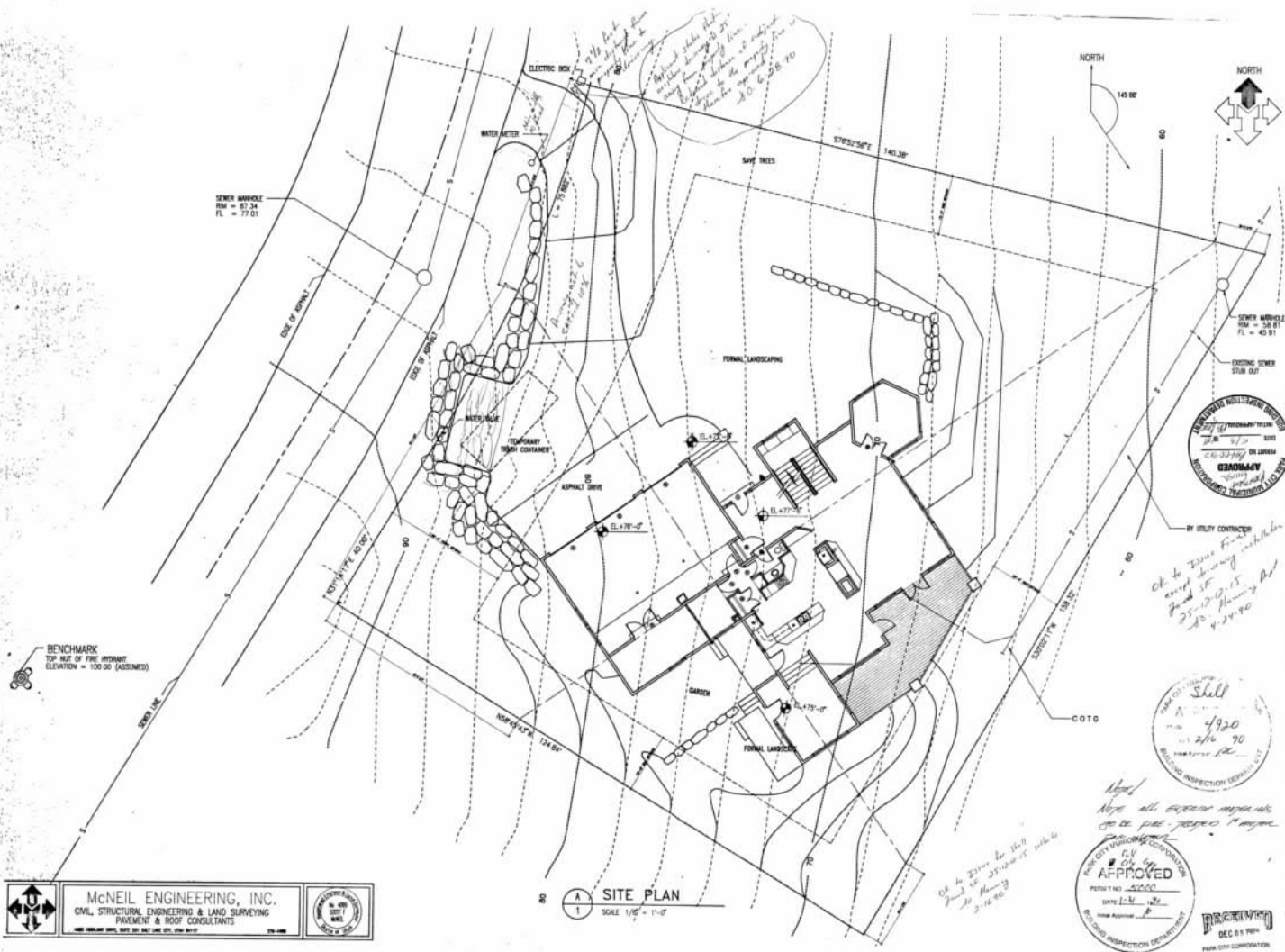


McNEIL ENGINEERING, INC.
 CIVIL, STRUCTURAL ENGINEERING & LAND SURVEYING
 PAVEMENT & ROOF CONSULTANTS
1000 N. 10TH ST. SUITE 100 DENVER, CO 80202





SITE PLAN
 SCALE 1/8" = 1'-0"





APPROVED
 DATE 1-11-90
 FOR CITY INSPECTION DEPARTMENT



APPROVED
 DATE 1-11-90
 FOR CITY INSPECTION DEPARTMENT



APPROVED
 DATE 1-11-90
 FOR CITY INSPECTION DEPARTMENT



THE BRIDGE GROUP ARCHITECTS
 P.O. BOX 400, PARK CITY, UT
 (801) 848-0071

LOT 8 IRON CANYON SUB.
 2404 IRON CANYON DRIVE, PARK CITY, UT

LOIS & TRACY CHEATHAM

SHEET NO
1

City Council Staff Report



Subject: 1271 Lowell Avenue Units B302 and B401
Application: PL-22-05425
Author: Jaron Ehlers, Planning Technician
Date: April 27, 2023
Type of Item: Condominium Plat Amendment

Recommendation

(I) Review the proposed King's Crown Second Amended Combining Units B302 and B401 Plat Amendment, (II) hold a public hearing, and (III) consider approving the proposed Plat Amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Ordinance 2023-22 (Exhibit A).

Description

Applicant: Braso V, LLC
Location: 1271 Lowell Avenue
Zoning District: Recreation Commercial
Adjacent Land Uses: Multi-Unit and Single-Family Dwellings
Reason for Review: Plat Amendments require Planning Commission recommendation and City Council action¹

LMC Land Management Code
RC Recreation Commercial

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

The Applicant is proposing a Condominium Plat Amendment to combine units B302 and B401 of the King's Crown Condominiums into one unit.

On March 8, 2023, the Planning Commission reviewed, held a public hearing, and forwarded a positive recommendation for the proposed Plat Amendment ([Staff Report](#) | [Audio](#)). The Planning Commission requested that a report be given to City Council on the status of the Affordable Housing Obligation for King's Crown. That is detailed as Analysis IV in this staff report.

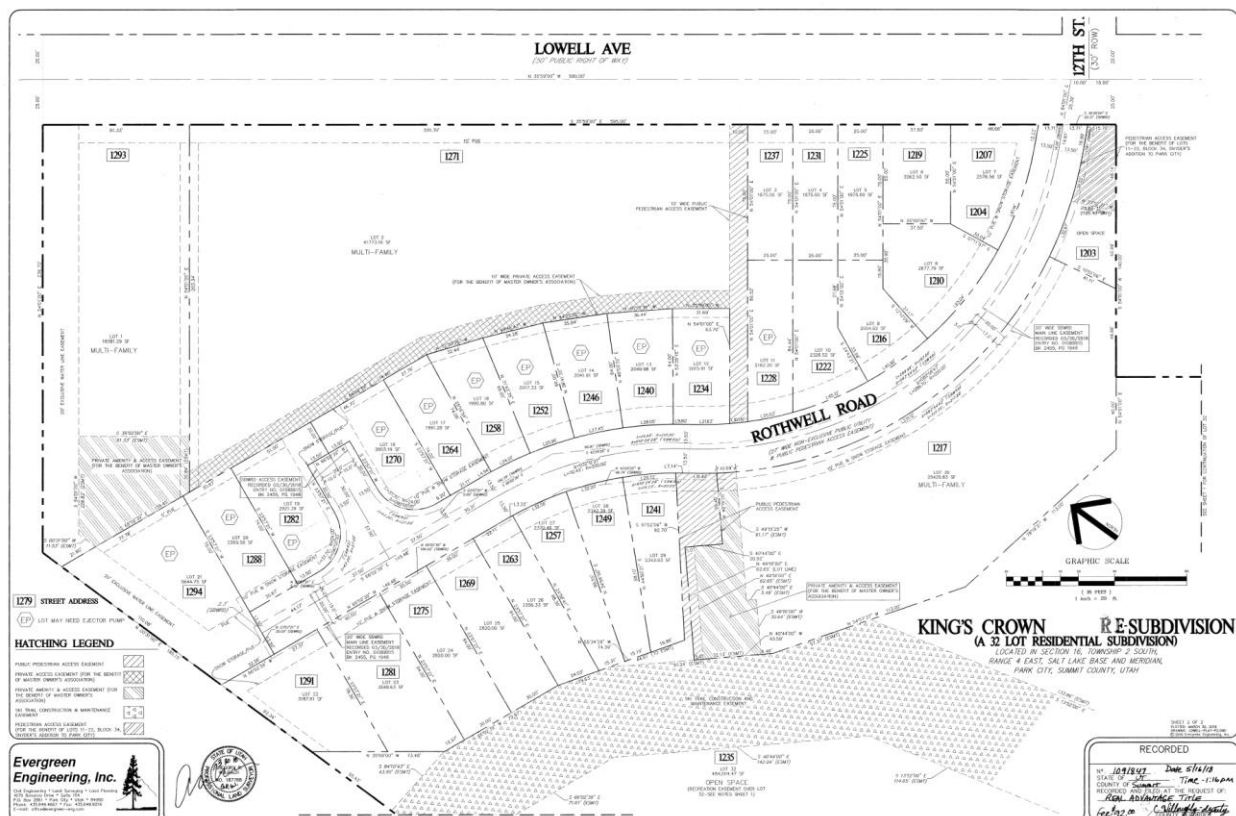
Background

¹ LMC [§ 15-7.1-2\(B\)](#)

On January 10, 2018, the Planning Commission approved the King's Crown Master Planned Development (MPD) and Conditional Use Permit (CUP) ([Minutes](#)) (Exhibit E). The MPD and CUP approval included the following:

- 27 Single-Family Lots
- Seven townhomes on Lot 30
- King's Crown Workforce Condominiums A on Lot 1
- King's Crown Condominiums B | C | D on Lot 2
- Over 11 acres of Open Space on Lots 31 and 32

On February 1, 2018, City Council approved the King's Crown Re-Subdivision Plat, creating Open Space Parcels and Single-Family Dwelling and Multi-Family Dwelling Lots for the development of the Master Planned Developments, shown below. (Units B302 and B401 were proposed to be in Building B/C on Lot 2 with 12 residential units.)



On May 22, 2019, the Planning Commission approved a modification to the MPD/CUP, reallocating square footage and increasing the number of units within Buildings B/C from 12 to 14 ([Staff Report](#) | [Minutes](#), p. 46).

On June 20, 2019, the City Council adopted [Ordinance No. 2019-34](#), approving the King's Crown Condominium Plat for Buildings B | C | D on Lot 2 ([Staff Report](#); [Minutes](#), p. 8-9). This Ordinance increased the total units within Buildings B/C from 14 to 15. However, this plat amendment was not recorded, and the Applicant proposed additional

changes.

On November 21, 2019, the City Council enacted Ordinance No. 2019-56, approving the King's Crown Condominium Plat, establishing 15 residential units within Buildings B/C ([Staff Report](#) | [Minutes](#) | [Ordinance](#)).

KING'S CROWN CONDOMINIUMS
- A UTAH CONDOMINIUM PROJECT -
A CONDOMINIUM PROJECT LOCATED WITHIN DISTRICT 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION
LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 216

- On April 28, 2022, the City Council approved [Ordinance No. 2022-09](#), combining Lots 23 and 24 into one Lot, reducing the Single-Family Dwellings for the MPD from 26 to 25 (see below):

742

Floor Area greater than 1,000 sq. ft. and less than 2,000 sq. ft.	1.5 per Dwelling Unit
Floor Area greater than 2,000 sq. ft.	2 per Dwelling Unit

The combined unit will have a floor area of 4,861 sq. ft. which requires two parking stalls to meet the required parking. There are already two parking stalls provided for the existing units and no changes to parking are proposed. Staff proposes Condition of Approval 4 which states: “Two parking stalls shall remain assigned to the combined Unit B401.”

(III) The proposal to combine these two units complies with the Plat Amendment requirements outlined in LMC Chapter 15-7.1.

LMC [§ 15-7.1-6\(G\)](#) requires the following for combining adjoining condominium units within a condominium plat:

The combination does not:

- Impair the structural integrity or mechanical systems of the building or either unit
- Reduce the support of any portion of the common areas and facilities or another unit
- Violate Utah Code or the IBC

On February 28, 2023, the Building Department reviewed and confirmed the unit combination complies with the above requirements.

Plat Amendments shall be reviewed according to LMC [§ 15-7.1-6](#) *Final Subdivision Plat* and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

LMC [§ 15-15-1](#) defines *Good Cause* as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

Staff finds Good Cause for this Plat Amendment because it reduces the number of residential units within the King’s Crown MPD/CUP without increasing square footage or density. Condition of Approval 5 states “no additional density unit is available by virtue of this combination.” Additionally, the unit combination does not modify affordable housing obligations because Affordable Unit Equivalents are based on Residential Unit Equivalents (total square footage) for the King’s Crown Master Planned Development and no changes to project square footage are proposed.

(IV) During the March 8, 2023, Meeting, the Planning Commission requested an update be provided to City Council on the Kings Crown Development Affordable Housing obligations.

This report was prepared by the Housing Staff. On September 17, 2020, the City Council approved a Third Amendment to the Affordable Mitigation Plan ([Minutes](#), p. 25-27 | [Staff Report](#)). The Third Amended Kings Crown Affordable Mitigation Plan has been attached as Exhibit F.

The Kings Crown MPD was approved under Housing Resolution 03-2017, generating an affordable housing obligation equal to 15% of the market residential units in the MPD. The originally approved Kings Crown MPD involved a variety of residential types, condominiums, townhomes, and single-family homes totaling to 59 units. At 15% of 59, the housing obligation generated by the MPD was 8.85 Affordable Unit Equivalents (AUEs). At 900 SF per AUE, this equals 7,965 SF.

The housing obligation was fulfilled in the provision of 11 deed restricted units totaling to 11,574 SF as follows:

1. Nine (9) two- and three-bedroom affordable units totaling to 9,697 SF in Building A (affordable to households earning an average of 76% of AMI);
1. One (1) attainable unit (150% AMI, HUD Income Limits) of 1,160 SF in Building A; and
2. One (1) affordable unit of 717 SF in Building B (affordable to a household earning 80% of AMI).

The combination of units or single-family lots, though a reduction in total residential units, does not reduce the housing obligation that was based on the approved MPD, 8.85 AUEs.

Condition of Approval 5 states no adjustment is made to the affordable housing plan as part of this plat. As a result, the King's Crown Master Planned Development will continue to exceed the required AUEs.

(V) The Development Review Committee reviewed the application on February 7, 2023 and did not identify any issues.²

Department Review

The Planning Department, Engineering Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and

² The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

posted notice to the property on February 22, 2023. Staff mailed courtesy notice to property owners within 300 feet on February 22, 2023. The *Park Record* published notice on February 22, 2023.³

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The City Council may approve Ordinance No. 2023-22, Approving King's Crown Second Amended Combining Units B302 and B401 Plat Amendment; or
- The City Council may deny Ordinance No 2023-22, Denying King's Crown Second Amended Combining Units B302 and B401 Plat Amendment; or
- The City Council may request additional information for Ordinance No. 2023-22 for the King's Crown Second Amended Combining Units B302 and B401 Plat Amendment and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Ordinance No. 2023-22 and proposed plat

Exhibit B: King's Crown Condominiums, First Amended.

Exhibit C: HOA Approval

Exhibit D: January 10, 2018, MPD-CUP Final Action Letter

Exhibit E: February 10, 2021, Amended Final Action Letter

Exhibit F: Third Amended Kings Crown Affordable Mitigation Plan

³ LMC [§ 15-1-21](#)

Ordinance No. 2023-22

AN ORDINANCE APPROVING THE KINGS CROWN CONDOMINIUMS, SECOND AMENDED COMBINING UNITS B302 & B401, LOCATED AT 1271 LOWELL AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as 1271 Lowell Avenue have petitioned the City Council to amend the Kings Crown Condominiums, First Amended within the Residential Commercial Zoning District; and

WHEREAS, on February 22, 2023, staff posted notice to the property according to the requirements of the Land Management Code; and

WHEREAS, staff mailed courtesy notice to all affected property owners on February 22, 2023, and legal notice was published in the Park Record and on the Park City and Utah Public Notice websites; and

WHEREAS, the Planning Commission held a public hearing on March 8, 2023;

WHEREAS, on March 8, 2023, the Planning Commission forwarded a Positive recommendation to the City Council; and

WHEREAS, on April 27, 2023, the City Council held a public hearing; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Kings Crown Condominiums, Second Amended Combining Units B302 and B401; and

WHEREAS, the Kings Crown Condominiums, Second Amended Combining units B302 and B401 will not cause undue harm to adjacent property owners.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Kings Crown Condominiums Second Amended Combining Units B302 & B401, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Applicant proposes combining Units B302 & B401 within the King's Crown Condominiums in the Recreation Commercial Zoning District.
2. On January 10, 2018, the Planning Commission approved the King's Crown Master Planned Development (MPD) and Conditional Use Permit (CUP). The MPD and CUP approval included the following:
 - 27 Single-Family Lots
 - Seven townhomes on Lot 30

- King's Crown Workforce Condominiums A on Lot 1
 - King's Crown Condominiums B | C | D on Lot 2
 - Over 11 acres of Open Space on Lots 31 and 32
3. On February 1, 2018, City Council approved the King's Crown Re-Subdivision Plat, creating Open Space Parcels and Single-Family Dwelling and Multi-Family Dwelling Lots for the development of the Master Planned Developments, shown below. (Units B302 and B401 were proposed to be in Building B/C on Lot 2 with 12 residential units.)
 4. On May 22, 2019, the Planning Commission approved a modification to the MPD/CUP, reallocating square footage and increasing the number of units within Buildings B/C from 12 to 14.
 5. On June 20, 2019, the City Council adopted Ordinance No. 2019-34, approving the King's Crown Condominium Plat for Buildings B | C | D on Lot 2. This Ordinance increased the total units within Buildings B/C from 14 to 15. However, this plat amendment was not recorded and the Applicant proposed additional changes.
 6. On November 21, 2019, the City Council enacted Ordinance No. 2019-56, approving the King's Crown Condominium Plat, establishing 15 residential units within Buildings B/C.
 7. On February 10, 2021, the Planning Commission amended the King's Crown Master Planned Development regarding Building D. On February 25, 2021, the City Council enacted Ordinance No. 2021-11 approving the First Amendment to the King's Crown Condominium plat.
 8. Since the approval of the MPD/CUP, residential units have been combined:
 - On January 7, 2021, the City Council approved Ordinance No. 2021-03, combining Lots 27, 28, and 29 into two Lots, reducing the Single-Family Dwellings for the MPD from 27 to 26.
 - On April 28, 2022, the City Council approved Ordinance No. 2022-09, combining Lots 23 and 24 into one Lot, reducing the Single-Family Dwellings for the MPD from 26 to 25.
 9. On October 19, 2022, the Applicant submitted a complete Plat Amendment application to combine Units B302 and B401 within Building B on Lot 2.

Conclusions of Law:

1. Neither the public nor any person will be materially injured by the proposed plat amendment.
2. Approval of the plat amendment, subject to the conditions of approval, will not adversely affect the health, safety and welfare of the citizens of Park City.
3. The proposed Plat Amendment complies with Recreation Commercial (RC) Zoning District requirements outlined in LMC Chapter 15-2.16.
4. The proposal, as conditioned, complies with LMC § 15-3-6, Parking Ratio Requirements.
5. The proposal to combine these two units complies with the Subdivision Procedures outlined in LMC Chapter 15-7.1.
6. There is Good Cause for this Plat Amendment because it reduces the number of residential units within the King's Crown MPD/CUP without increasing square

footage or density. Additionally, the unit combination does not modify affordable housing obligations because Affordable Unit Equivalents are based on Residential Unit Equivalents (total square footage) and no changes to project square footage are proposed.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one year, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. There will be no external changes or expansion of the existing building footprint.
4. Two parking stalls shall remain assigned to the combined Unit B401 and the parking required under the MPD remains unchanged.
5. No additional density unit is available by virtue of this combination and no adjustment are being made to affordable housing plan as part of this plat.

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

PASSED AND ADOPTED this 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

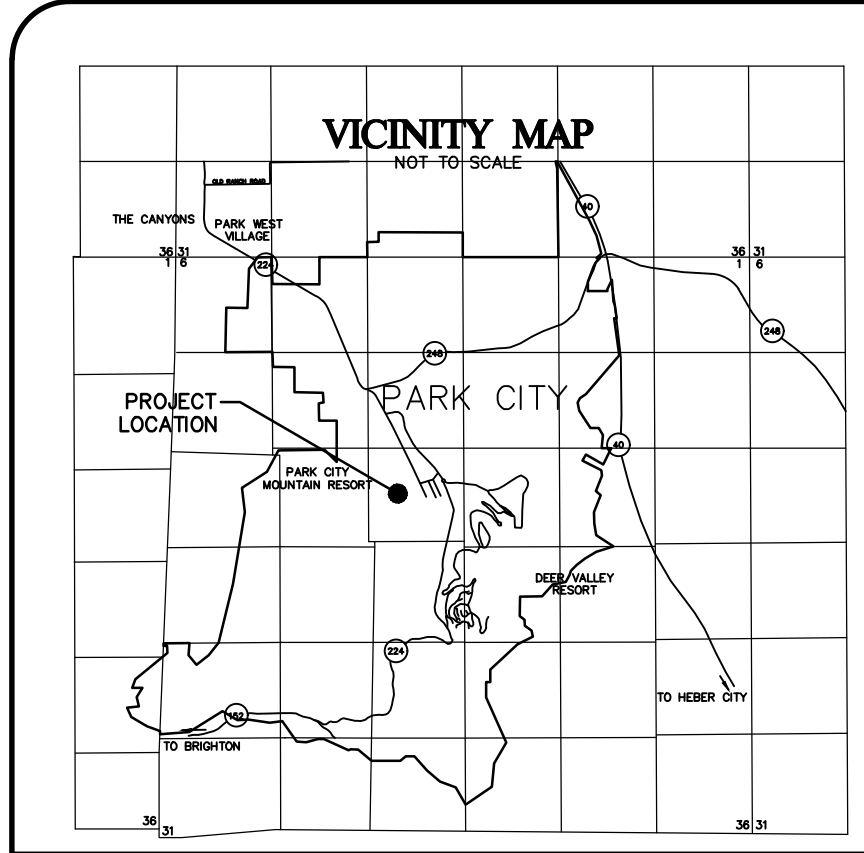
Nann Worel, MAYOR

ATTEST:

City Recorder

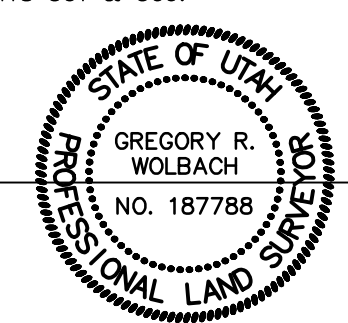
APPROVED AS TO FORM:

City Attorney's Office

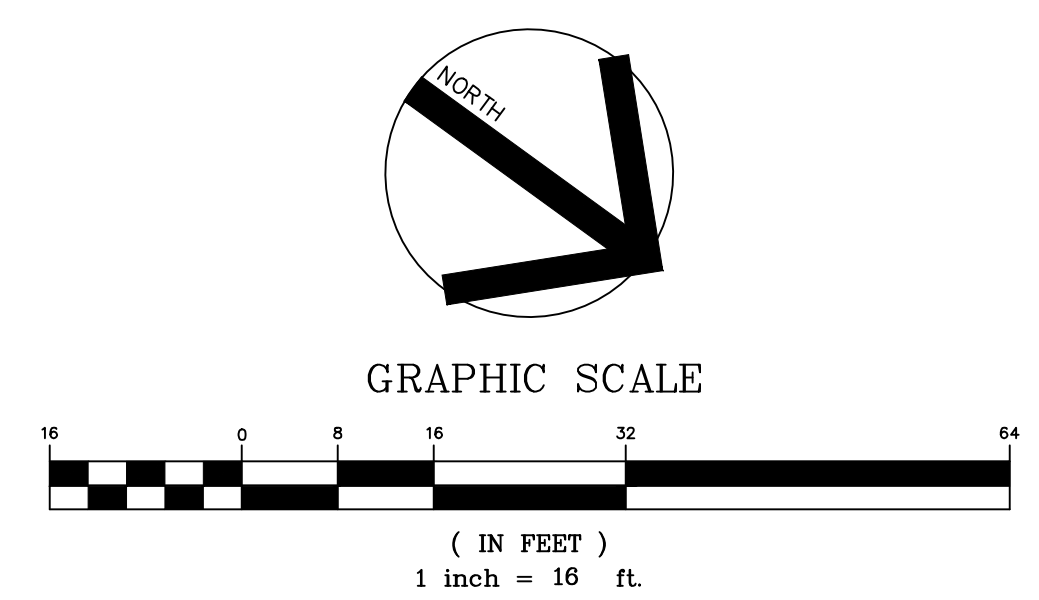


SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NUMBER 187788 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I DO FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS AMENDED CONDOMINIUM PLAT, IN ACCORDANCE WITH SECTION 57-8-13, HEREAFTER TO BE KNOWN AS ROYAL PLAZA FOURTH AMENDED COMBINING UNITS 301 & 309.



GREGORY R. WOLBACH, PLS NO. 187788 DATE: _____

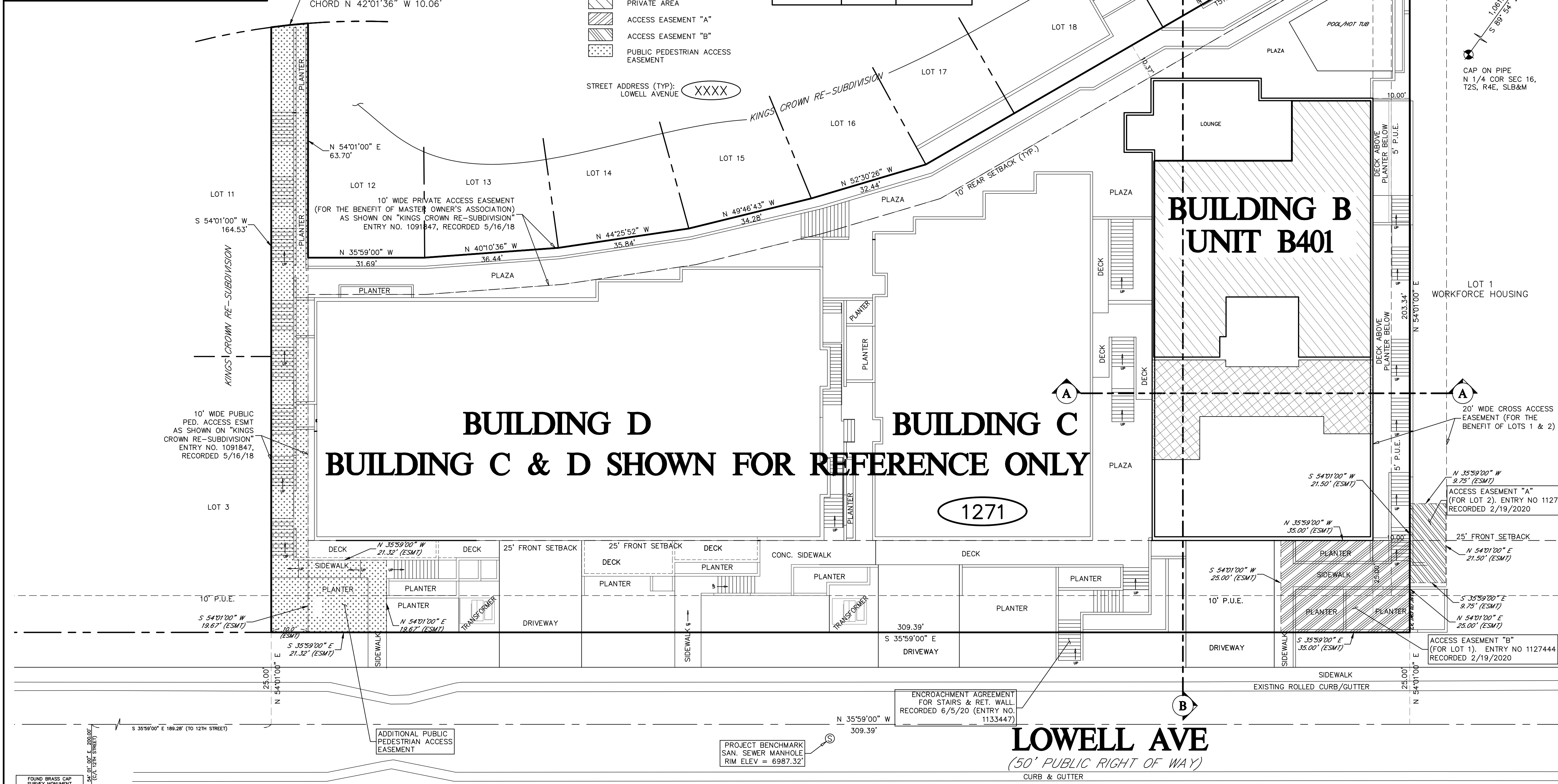


HATCHING LEGEND

[Pattern]	COMMON AREA
[Pattern]	LIMITED COMMON AREA
[Pattern]	PRIVATE AREA
[Pattern]	ACCESS EASEMENT "A"
[Pattern]	ACCESS EASEMENT "B"
[Pattern]	PUBLIC PEDESTRIAN ACCESS EASEMENT

AREA TABULATIONS

LEVEL 4	UNIT B401	PRIVATE	1796 SF	LIMITED COMMON	410 SF
LEVEL 5	UNIT B401	PRIVATE	3065 SF	LIMITED COMMON	1100 SF
TOTAL			4861 SF		1510 SF



LEGAL DESCRIPTION

UNIT B302 AND UNIT B401, IN BUILDING B, CONTAINED WITHIN THE KING'S CROWN CONDOMINIUMS, FIRST AMENDED, AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED IN SUMMIT COUNTY, UTAH, AS ENTRY NO. 1123377 AND FIRST AMENDED SURVEY MAP RECORDED AS ENTRY NO. 1161493, AND IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND BYLAWS OF THE KING'S CROWN AT PARK CITY, RECORDED IN SUMMIT COUNTY, UTAH, ON MAY 16, 2018, AS ENTRY NO. 1091848, IN BOOK 2462, AT PAGE 1532, OF THE OFFICIAL RECORDS, AND ALL AMENDMENTS THERETO.

NOTES:

1. BASIS OF BEARING: NORTH 35°59'00" WEST BETWEEN FOUND AND ACCEPTED EMPIRE AVENUE SURVEY MONUMENTS, AS SHOWN HEREON.
2. PROJECT BENCHMARK ELEVATION = 6987.32'. SANITARY SEWER MANHOLE RIM IN LOWELL AVENUE, AS SHOWN HEREON.
3. THE PURPOSE OF THIS PLAT IS TO COMBINE UNITS B302 AND B401 OF "KING'S CROWN CONDOMINIUMS, FIRST AMENDED", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, ENTRY NO. 1161493.
4. THE UNITS OF THIS CONDOMINIUM PLAT ARE SERVED BY PRIVATE LATERAL WASTEWATER LINES THAT CROSS THE COMMON AREA. "THE KING'S CROWN CONDOMINIUM OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF THE PRIVATE LATERAL WASTEWATER LINES WITHIN THE COMMON AREA.
5. COMMON AREAS WITHIN THE PLAT ARE DEDICATED FOR PRIVATE UTILITIES, INCLUDING PRIVATE LATERAL WASTEWATER LINES.
6. BUILDING DEPARTMENT APPROVAL OF A FIRE SPRINKLER PLAN IS REQUIRED.
7. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2021-11.
8. ALL CONDITIONS OF APPROVAL OF THE AMENDED MASTER PLANNED DEVELOPMENT, CONDITIONAL USE PERMIT, KING'S CROWN RE-SUBDIVISION PLAT ORDINANCE NO. 2018-05, AND ORDINANCE NO. 2019-51, AND AMENDED HOUSING MITIGATION PLAN SHALL CONTINUE TO APPLY.
9. UNIT MEASUREMENTS SHOWN HEREON ARE FINISHED SURFACE OF INSIDE WALL TO FINISHED SURFACE OF INSIDE WALL (ON SHEET 2).
10. THE SIDE SETBACK FOR THE SOUTHERN BOUNDARY OF LOT 2 SHALL EXCEED THE CODE-REQUIRED SETBACK OF 10' AND SHALL RETAIN A 12' SIDE SETBACK.
11. NOTES SHOWN ON KING'S CROWN RE-SUBDIVISION PLAT ARE NOT VACATED PER THIS CONDOMINIUM PLAT.
12. KING'S CROWN HOA SHALL BE RESPONSIBLE FOR SNOW REMOVAL AND MAINTENANCE OF STAIRS ALONG SOUTHERN PROPERTY LINE FROM LOWELL AVENUE TO ROTHWELL ROAD.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT BY THE VIRTUE OF A CORPORATE RESOLUTION, BRASO V, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE "KING'S CROWN CONDOMINIUMS SECOND AMENDED COMBINING UNITS B302 & B401", DOES HEREBY CERTIFY THAT HE HAVE CAUSED THIS PLAT TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2022.

BRASO V, LLC, A FLORIDA LIMITED LIABILITY COMPANY

BY: _____, XX, MANAGER

CORPORATE ACKNOWLEDGMENT

STATE OF _____) : ss
COUNTY OF _____)
PERSONALLY APPEARED BEFORE ME THIS _____ DAY OF _____, 2022, THE FOLLOWING: XX, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS MANAGER OF BRASO V, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____
NOTARY PUBLIC _____
RESIDING IN _____
OWNERS DEDICATION AND CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENTS THAT THE KING'S CROWN CONDOMINIUMS OWNERS ASSOCIATION, INC., A UTAH NON-PROFIT CORPORATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS OF KING'S CROWN, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT PREPARED. THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THIS AMENDED CONDOMINIUM PLAT, HEREAFTER TO BE KNOWN AS "KING'S CROWN CONDOMINIUMS SECOND AMENDED COMBINING UNITS B302 & B401".

KING'S CROWN CONDOMINIUMS OWNERS ASSOCIATION, INC.
A UTAH NON-PROFIT CORPORATION
BY: _____, RORY MURPHY, PRESIDENT

ACKNOWLEDGMENT

STATE OF _____) : RORY MURPHY, PRESIDENT
COUNTY OF _____) : KING'S CROWN CONDOMINIUMS OWNERS ASSOCIATION, INC.
A UTAH NON-PROFIT CORPORATION

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (or proven on the basis of satisfactory evidence) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE IS PRESIDENT OF KING'S CROWN CONDOMINIUMS OWNERS ASSOCIATION, INC., AND THAT SAID DOCUMENT WAS SIGNED BY HIM ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS (OR RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID _____ ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, _____ STATE _____

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1678 Sidewinder Drive, Unit C
P.O. Box 2861 • Park City • Utah • 84060
Phone: 801.557.5482
E-mail: amoran@evergreen-eng.com

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 20____

JEFF WARD,
GIS COORDINATOR/ADDRESSING AUTHORITY

CITY ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 20____

CITY ENGINEER _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ AD 20____

BY: _____
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ 10TH DAY OF _____ A.D. 20____

CHAIR _____

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____

CITY ATTORNEY _____

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____

MAYOR _____

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____

CITY RECORDER _____

RECORDED

Nº. _____
STATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF: _____

COUNTY RECORDER _____

Architectural section drawing of a building facade. The drawing shows a cross-section of the building with various units and levels. The units are labeled as UNIT B302, UNIT B301 (SHOWN FOR REFERENCE ONLY), UNIT B202 (SHOWN FOR REFERENCE ONLY), UNIT B201, UNIT B103 (SHOWN FOR REFERENCE ONLY), UNIT B102 (SHOWN FOR REFERENCE ONLY), and UNIT B101. The building is situated above a PARKING GARAGE B. The drawing includes dimensions for the units and the overall building width. The levels are indicated on the right side of the drawing: LEVEL B.4/C.3 FFE=7022'-4", CEILING=7020'-10", LEVEL B.3/C.2 FFE=7011'-4", CEILING=7009'-10", LEVEL B.2/C.1 FFE=7000'-4", CEILING=6998'-10", LEVEL B.1/C.0 FFE=6988'-6", CEILING 6984'-11", and LEVEL B.0 FFE=6976'-6". The drawing also shows the DECK B302 (L.C.), DECK B201 (L.C.), and DECK B101. The overall width of the building is 95.33'.

DECK B302 (L.C.)

59.36'

LEVEL B.4/C.3 FFE=7022'-4"

CEILING=7020'-10"

LEVEL B.3/C.2 FFE=7011'-4"

CEILING=7009'-10"

LEVEL B.2/C.1 FFE=7000'-4"

CEILING=6998'-10"

LEVEL B.1/C.0 FFE=6988'-6"

CEILING 6984'-11"

LEVEL B.0 FFE=6976'-6"

UNIT B302

UNIT B301 (SHOWN FOR REFERENCE ONLY)

UNIT B202 (SHOWN FOR REFERENCE ONLY)

UNIT B201

UNIT B103 (SHOWN FOR REFERENCE ONLY)

UNIT B102 (SHOWN FOR REFERENCE ONLY)

UNIT B101

DECK B302 (L.C.)

DECK B201 (L.C.)

DECK B101

PARKING GARAGE B

95.33'

4.12'

9.50'

27.78'

CROSS SECTION B-B
BUILDING B

PLAZA

POOL LOUNGE
(REFERENCE ONLY)

OWNER'S LOUNGE
(SHOWN FOR REFERENCE ONLY)

UNIT B302

UNIT B302

UNIT B202
(SHOWN FOR REFERENCE ONLY)

UNIT B103
(SHOWN FOR REFERENCE ONLY)

PARKING GARAGE B
(SHOWN FOR REFERENCE ONLY)

CEILING=7032'-4"

LEVEL B.4/C.3 FFE=7022'-4"

CEILING=7020'-10"

LEVEL B.3/C.2 FFE=7011'-4"

CEILING=7009'-10"

LEVEL B.2/C.1 FFE=7000'-4"

CEILING=6998'-10"

LEVEL B.1/C.0 FFE=6988'-6"

CEILING 6984'-11"

LEVEL B.0 FFE=6976'-6"

Dimensions: 10.00', 53.23', 27.07', 9.50', 74.02', 12.81'

UNIT B301
2,677 SF
(NO CHANGES)

UNIT B302
1,796 SF

DECK C201(LC)
85 SF

DECK B302(LC)
110 SF

DECK B301 (L.C.)
(NO CHANGE)

DECK B302 (L.C.)
300 SF

GYM

LOUNGE

ELEV.

CL. (CLOSET)

FIRE EXIT

UP

DN

22.86'

22.11'

9.20'

3.09'

5.75'

10.48'

2.95'

3.44'

4.69'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

28.81'

15.33'

12.54'

13.33'

7.80'

0.77'

28.66'

5.01'

3.00'

12.81'

16.58'

4.12'

54.33'

26.58'

26.58'

28.58'

4.12'

3.30'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

28.81'

15.33'

12.54'

13.33'

7.80'

0.77'

28.66'

5.01'

3.00'

12.81'

16.58'

4.12'

54.33'

26.58'

26.58'

28.58'

4.12'

3.30'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

28.81'

15.33'

12.54'

13.33'

7.80'

0.77'

28.66'

5.01'

3.00'

12.81'

16.58'

4.12'

54.33'

26.58'

26.58'

28.58'

4.12'

3.30'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

28.81'

15.33'

12.54'

13.33'

7.80'

0.77'

28.66'

5.01'

3.00'

12.81'

16.58'

4.12'

54.33'

26.58'

26.58'

28.58'

4.12'

3.30'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

28.81'

15.33'

12.54'

13.33'

7.80'

0.77'

28.66'

5.01'

3.00'

12.81'

16.58'

4.12'

54.33'

26.58'

26.58'

28.58'

4.12'

3.30'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

28.81'

15.33'

12.54'

13.33'

7.80'

0.77'

28.66'

5.01'

3.00'

12.81'

16.58'

4.12'

54.33'

26.58'

26.58'

28.58'

4.12'

3.30'

2.75'

2.30'

3.17'

3.73'

1.02'

14.35'

10.00'

8.67'

7.58'

6.25'

1.37'

5.08'

1.02'

3.17'

12.28'

25.01'

24.20'

25.52'

37.00'

10.02'

UNIT B302
3,065 SF

DECK B302 (L.C.)
1,100 SF

DECK C301 (L.C.)

LOUNGE

ELEV.

FIREPLACE

PLAZA

POOL/HOT TUB

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

GRAPHIC SCALE

(IN FEET)
1 inch = 16 ft.

NO. _____ **RECORDED**
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____

HATCHING LEGEND

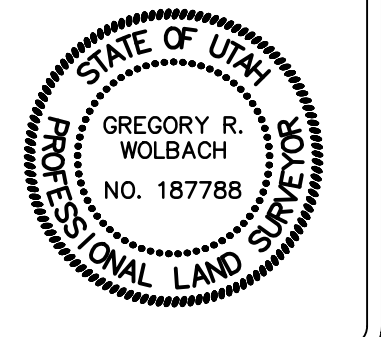
	COMMON AREA
	LIMITED COMMON AREA
	PRIVATE AREA

NO. _____	RECORDED
DATE _____	
STATE OF _____	
CITY OF _____	
RECORDED AT THE REQUEST OF _____	
FFFS _____	CITY RECORDER _____



**Evergreen
Engineering, Inc.**

Civil Engineering • Land Surveying • Land Planning
 P.O. Box 1000 • Park City • Utah • 84060
 Phone: 801-557-5488
 E-mail: amoran@evergreen-eng.com

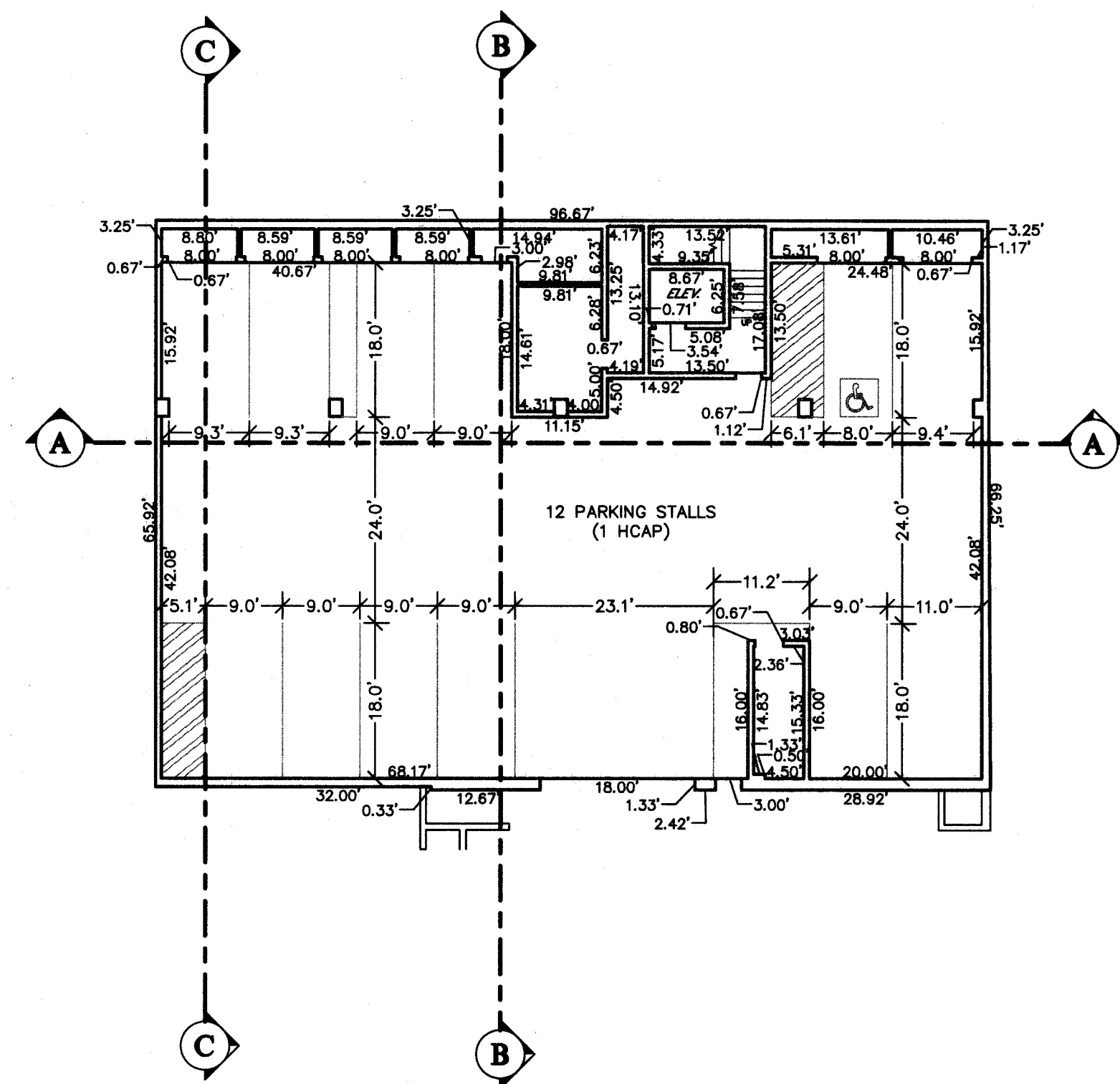
[illegible]

DESIGNED BY:
WOW
DRAWN BY:
ADM
CHECKED BY:
ADM

KING'S CROWN CONDOMINIUMS SECOND AMENDED COMBINING UNITS B302 & B401 FLOOR PLANS & BUILDING SECTION

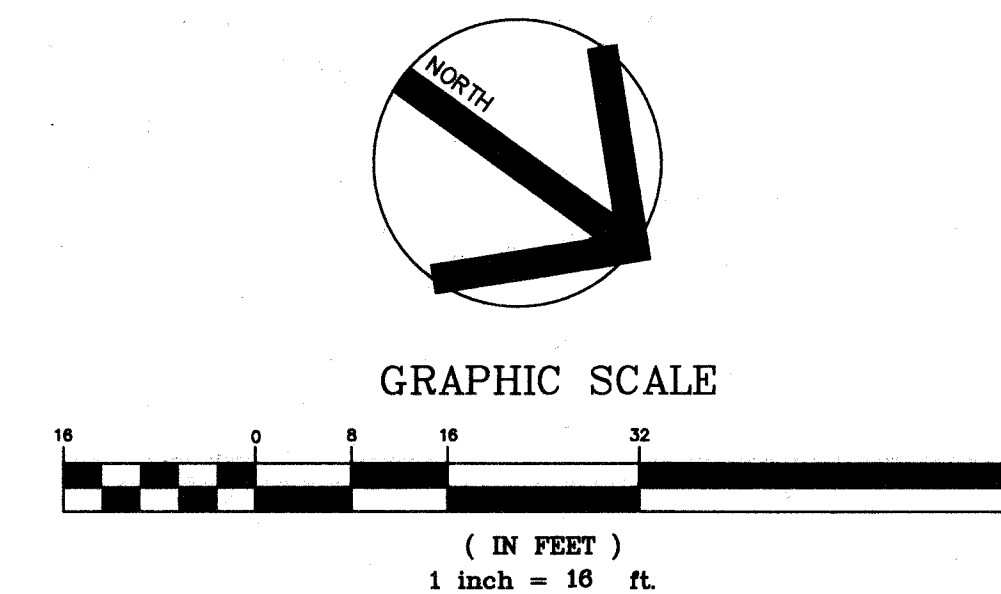
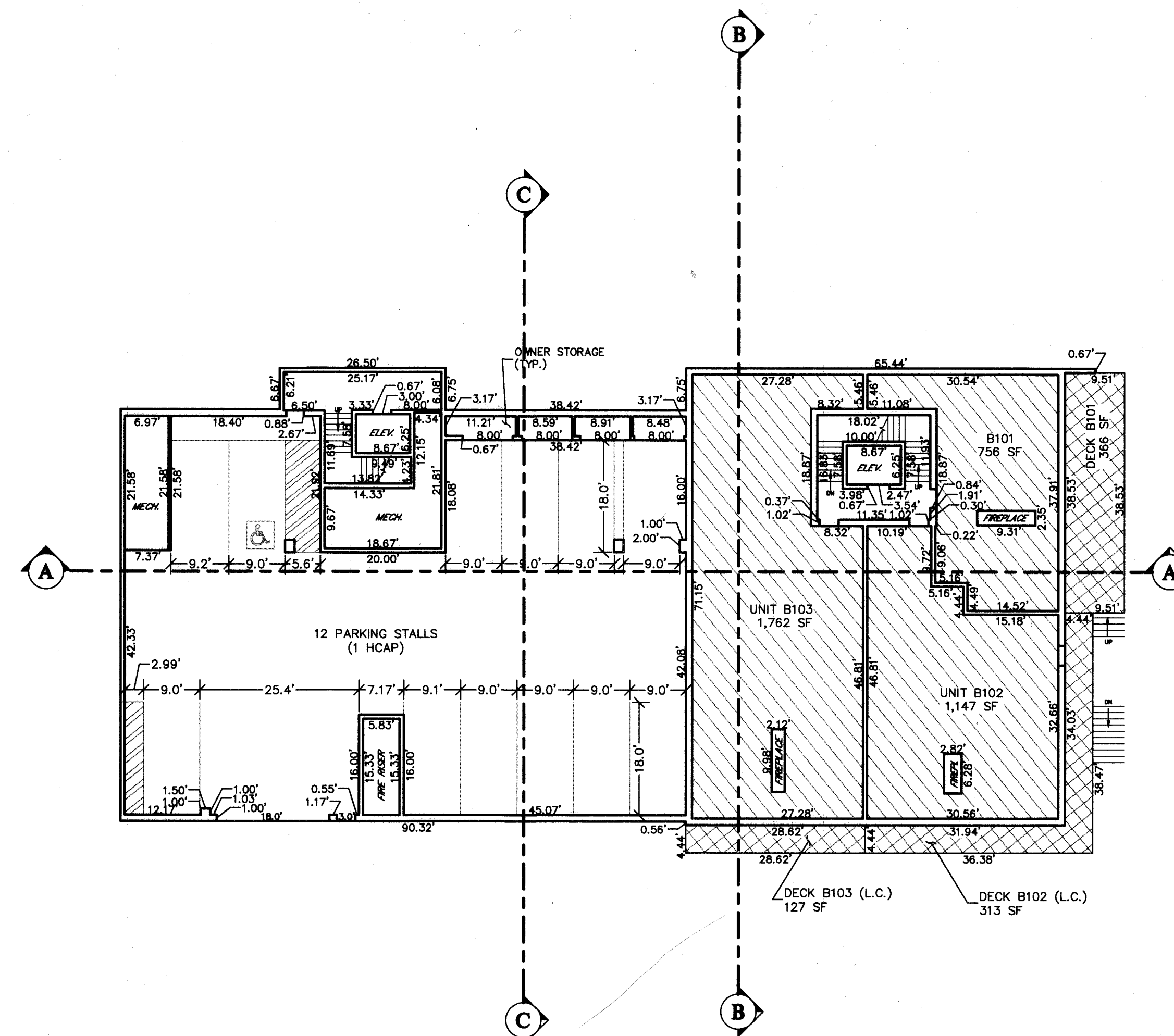
SHEET 2 OF 2

LEVEL 1
BUILDING B
PARKING LEVEL



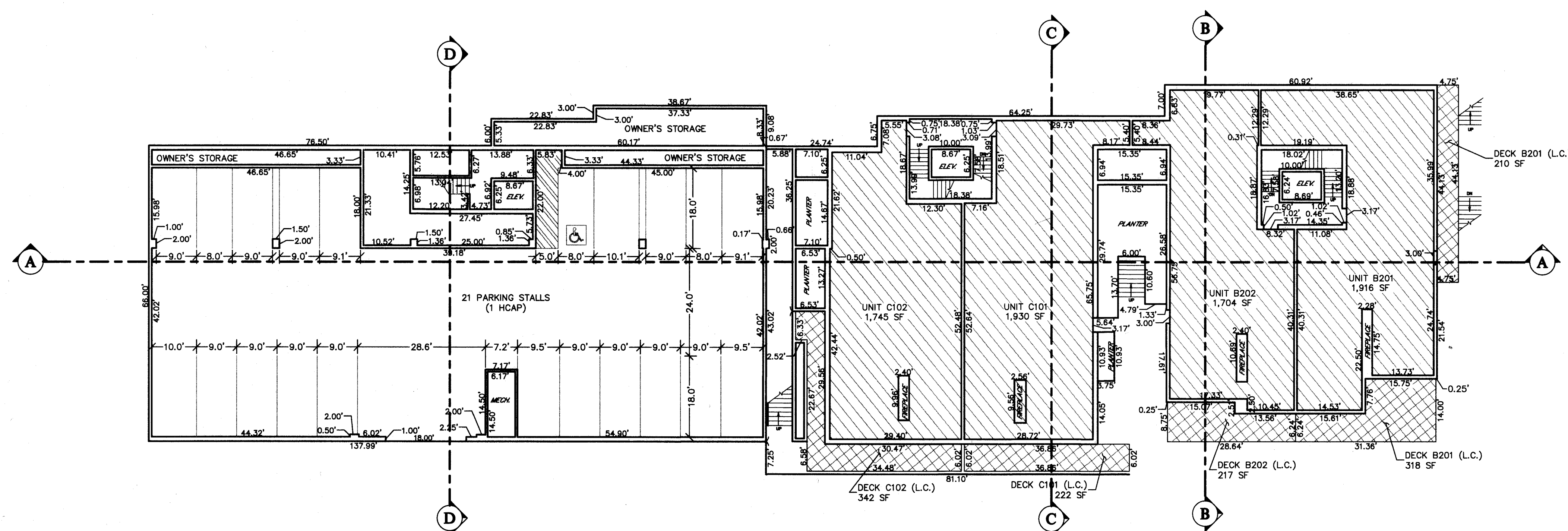
LEVEL 2
BUILDING B
UNITS B101, B102, B103

BUILDING C
PARKING LEVEL



LEVEL 3
BUILDING B
UNITS B201, B202

BUILDING C
UNITS C101, C102
BUILDING D
PARKING LEVEL



HATCHING LEGEND

 COMMON AREA
 LIMITED COMMON AREA
 PRIVATE AREA

PLOT DATE: APRIL 1, 2021

NO. _____ DATE _____ STATE _____ CITY OF _____ RECORD _____

RECORDED

ENTRY NO. 01161493

04/19/2021 04:41:48 PM B: 2558 P: 0729

Plant PAGE 1/1

RHONDA FRANCIS SUMMIT COUNTY RECORDER

FEE 254.00 BY METRO NATIONAL TITLE

FFFS

CITY RECORDER

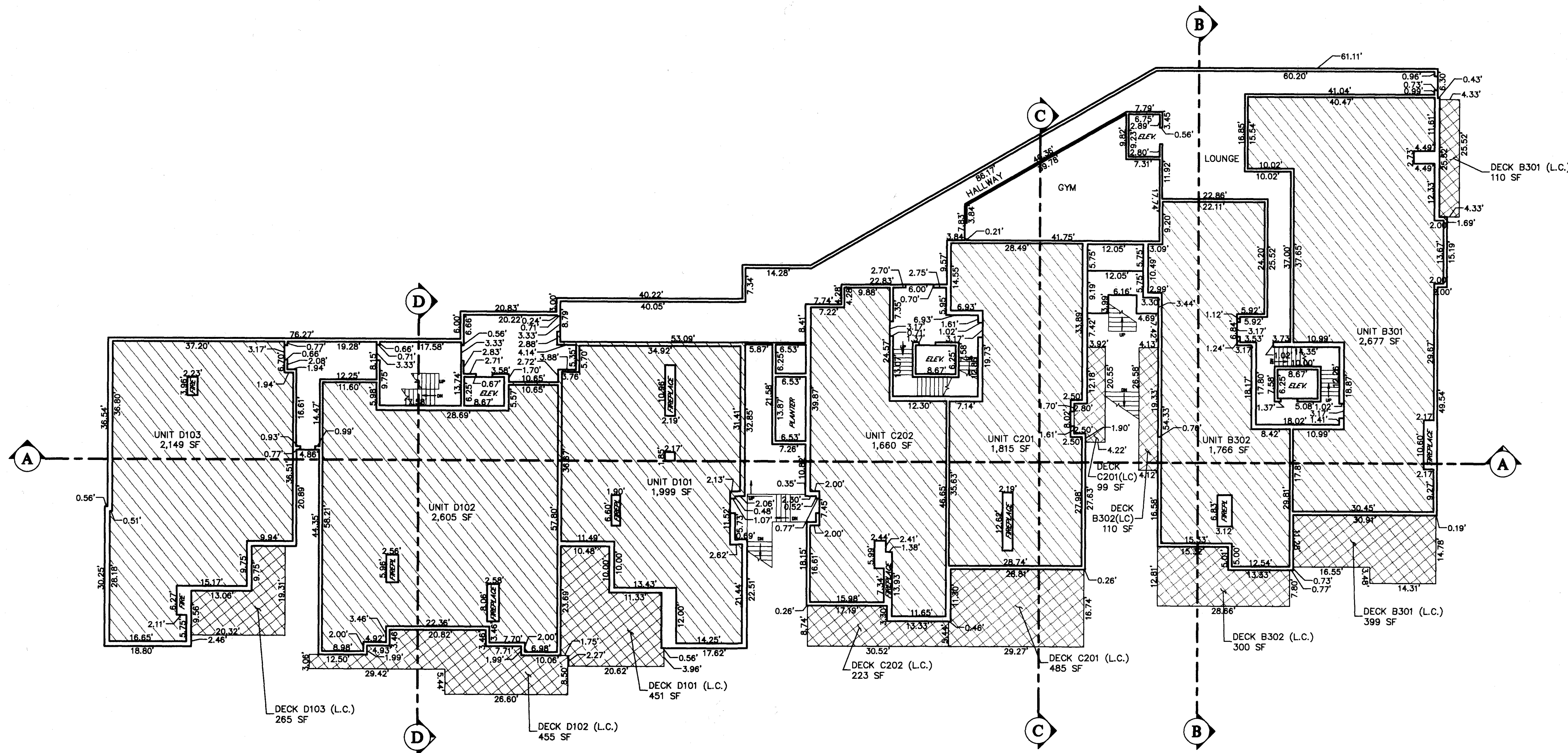
**KING'S CROWN CONDOMINIUMS, 1ST AMENDED
FLOOR PLANS - LEVELS 1, 2 & 3**

FOR: **CRG PARTNERS**

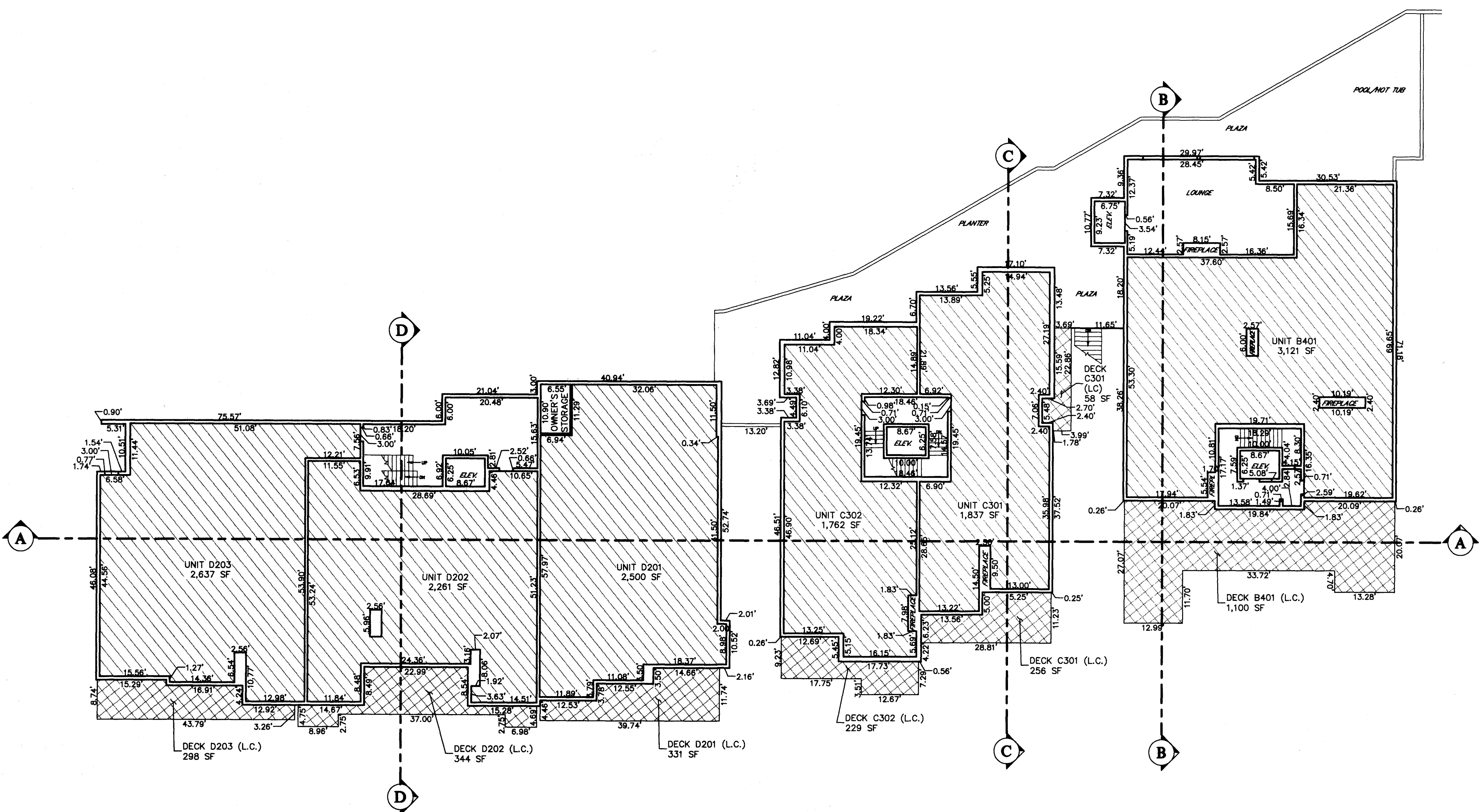
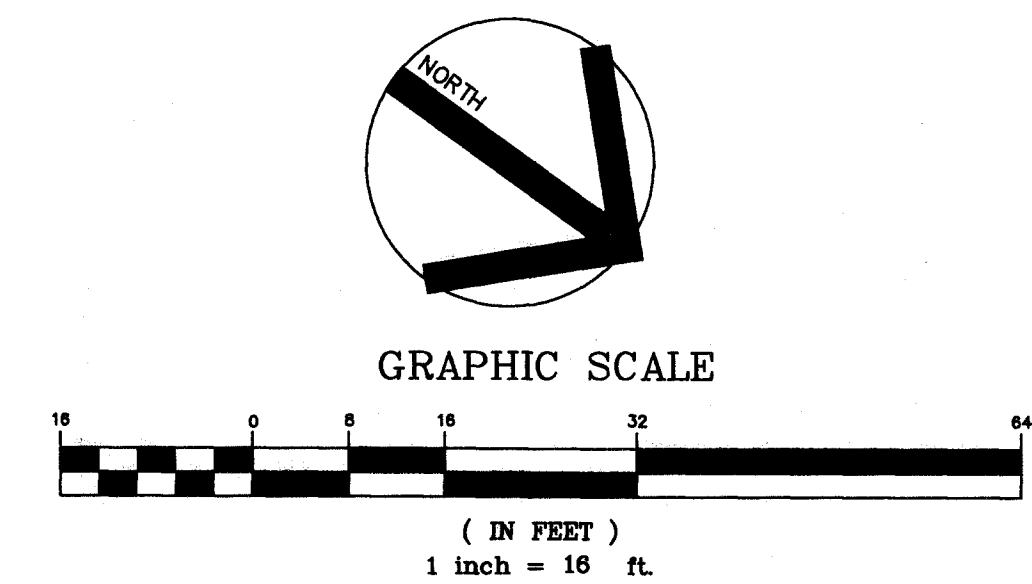
SHEET 2 OF 4

KINGS CROWN CONDOMINIUMS FIRST AMEDNED

752



LEVEL 4
BUILDING B
 UNITS B301, B302
BUILDING C
 UNITS C201, C202
BUILDING D
 UNITS D101, D102, D103



LEVEL 5
BUILDING B
 UNITS B401
BUILDING C
 UNITS C301, C302
BUILDING D
 UNITS D201, D202 & D203

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

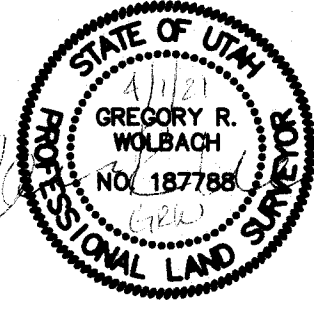
NO. _____
 DATE _____
 STATE OF _____
 CITY OF _____
 RECORDED A _____

RECORDED
ENTRY NO. 01161493
 04/19/2021 04:41:48 PM B: 2658 P: 0729
 PLAT PAGE 1/1
 SUNDOWN SERVICES, SUMMIT COUNTY RECORDER
 FEE: 254.00 BY METRO NATIONAL TITLE

FEES _____ CITY RECORDER _____

PLOT DATE: APRIL 1, 2021

**KING'S CROWN CONDOMINIUMS, 1ST AMENDED
 FLOOR PLANS - LEVELS 4 & 5**

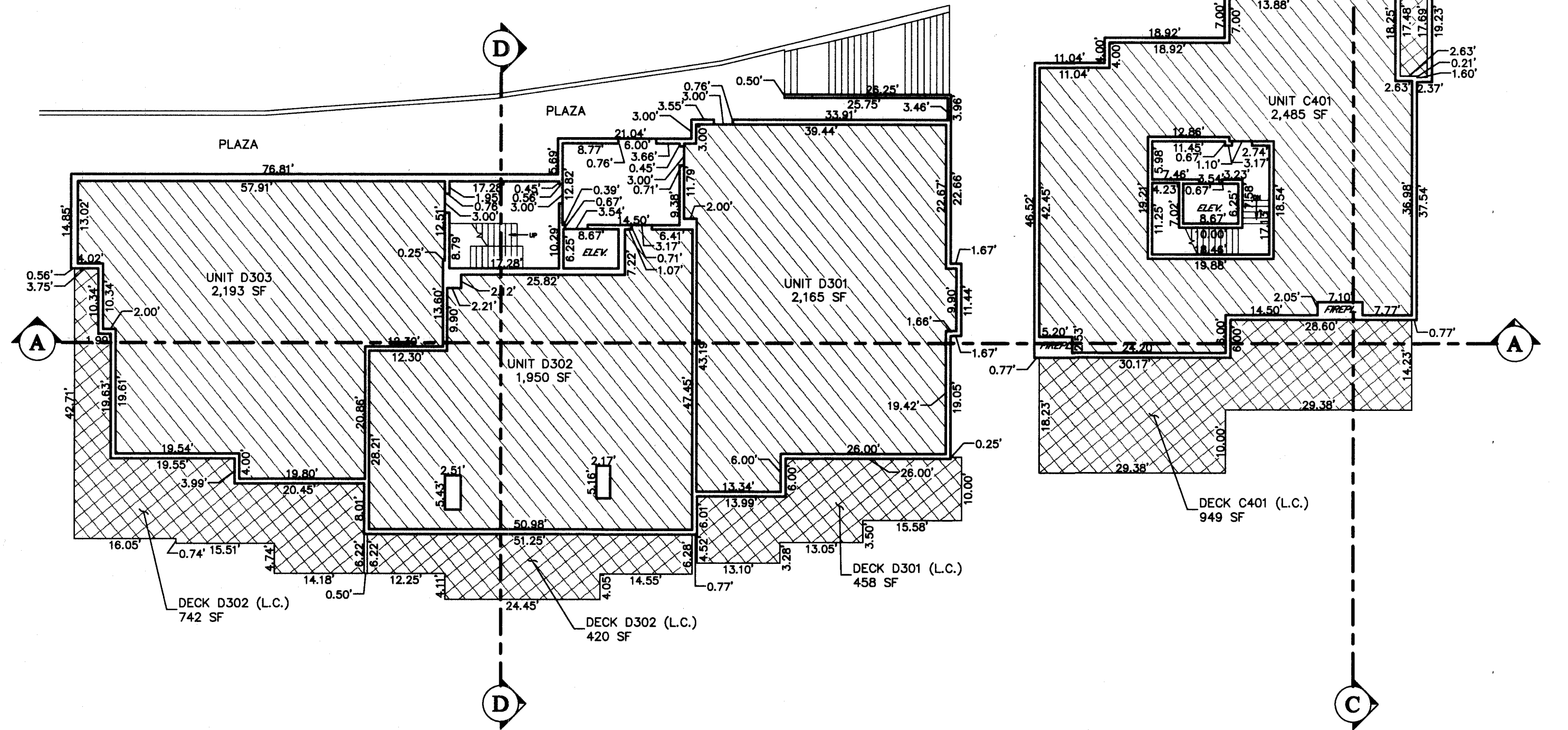


DESIGNED BY:
 WOW
 DRAWN BY:
 ADM
 CHECKED BY:
 ADM

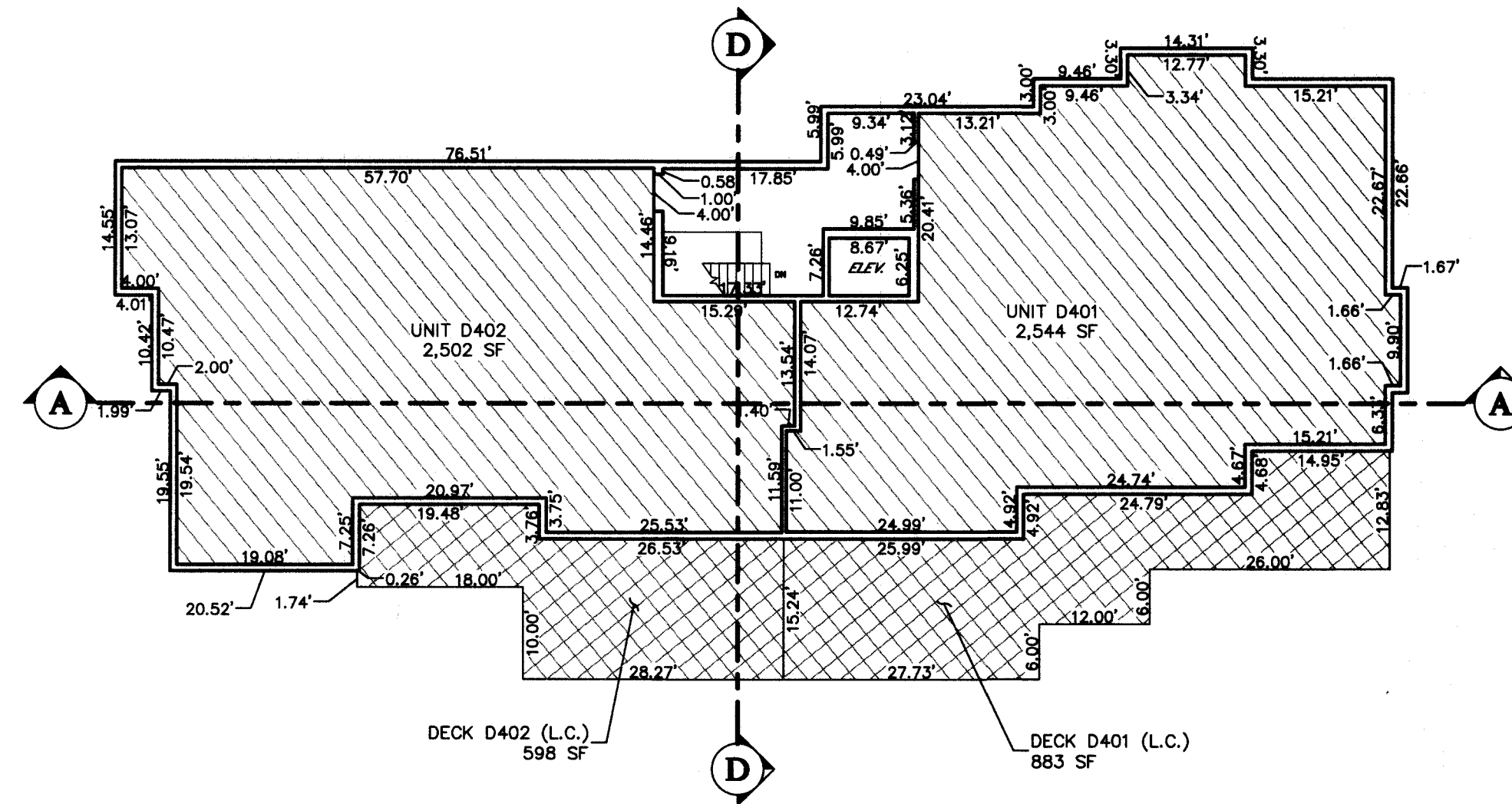
DATE	BY	REVISIONS	COMMENTS

Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 P.O. Box 2881 • Park City • Utah • 84060
 Phone: 801-557-5482
 E-mail: amand@evergreen-eng.com

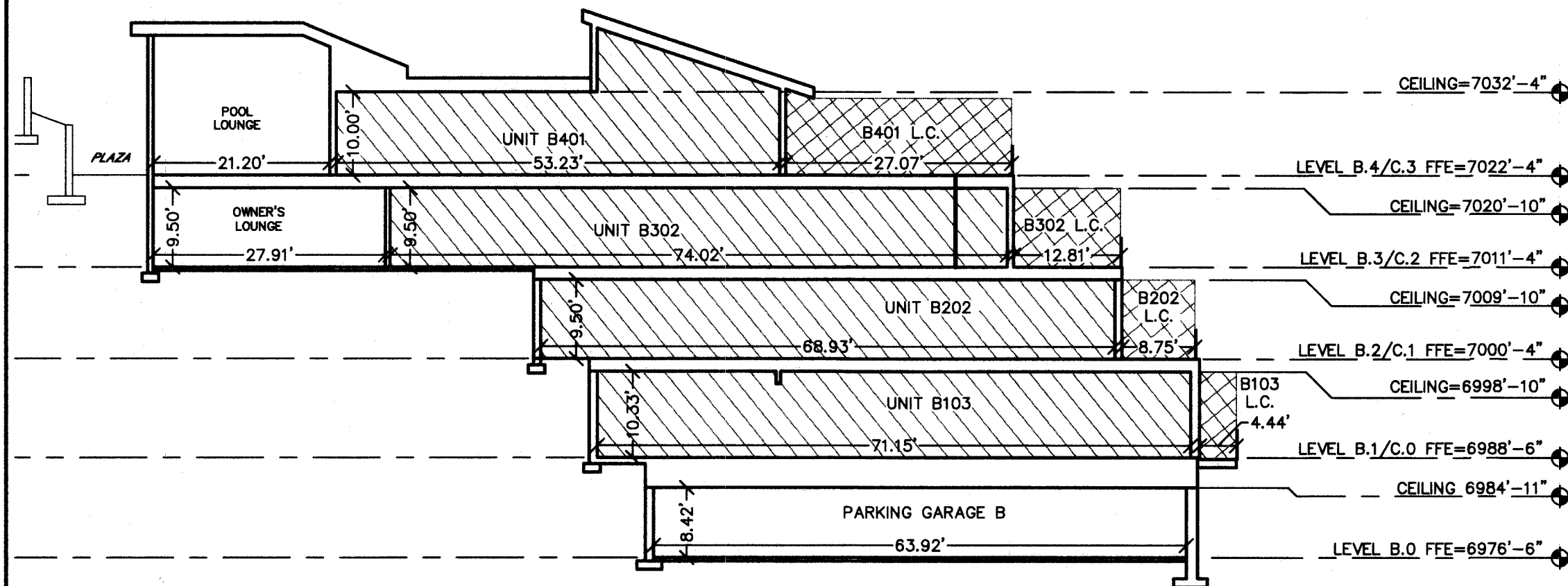
LEVEL 6
BUILDING C
 UNIT C401
BUILDING D
 UNITS D301, D302 & D303



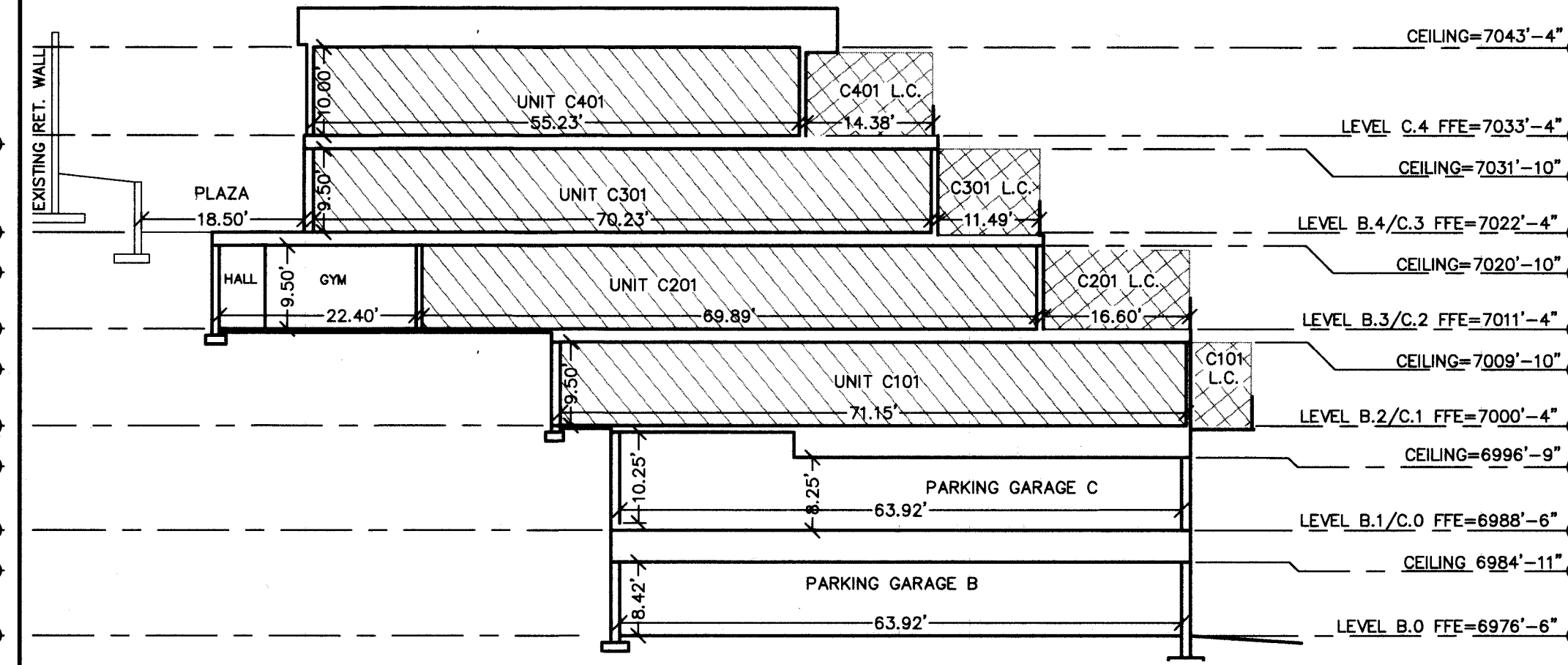
LEVEL 7
BUILDING D
 UNITS D401 & D402



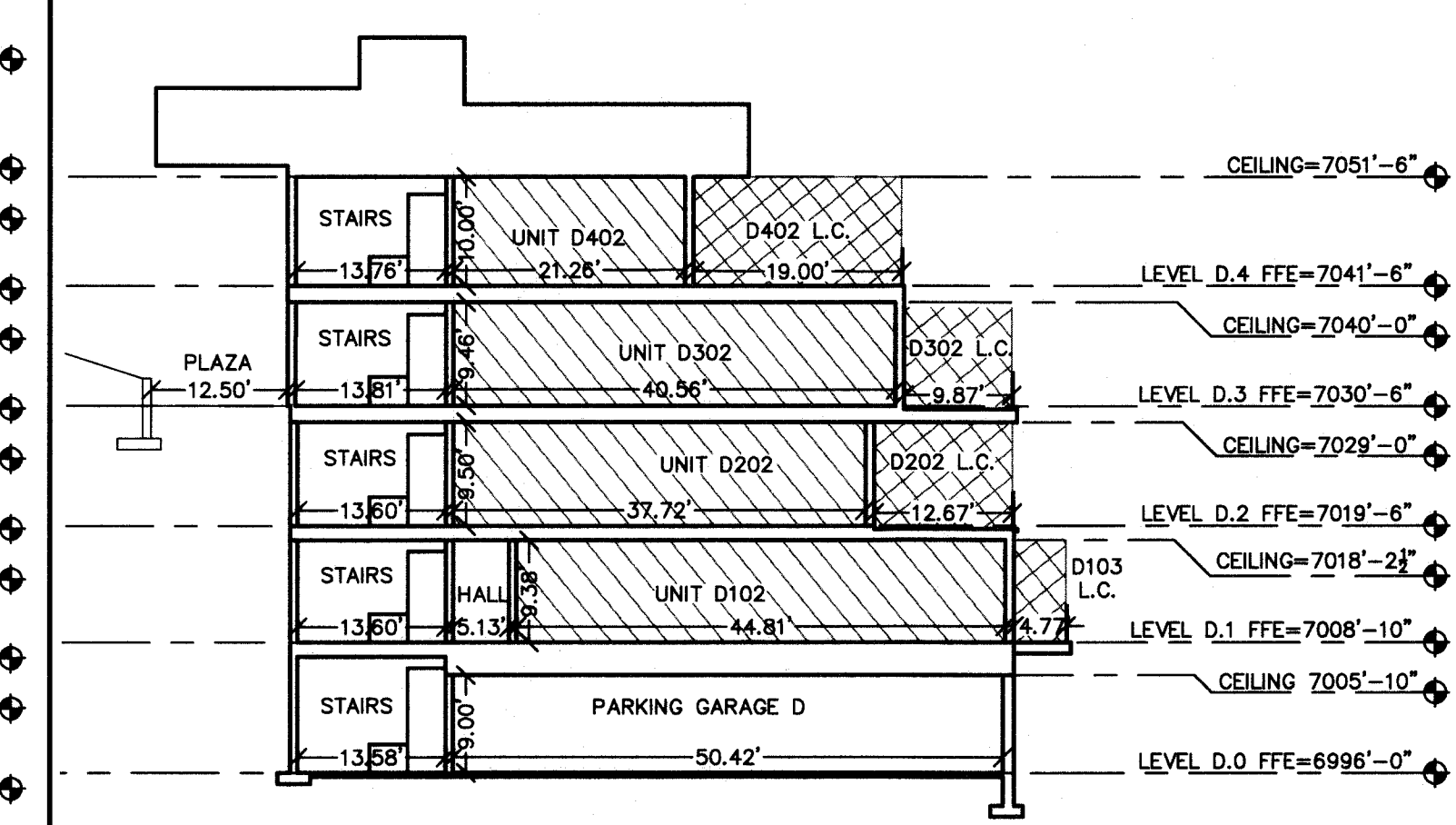
BUILDING B CROSS SECTION



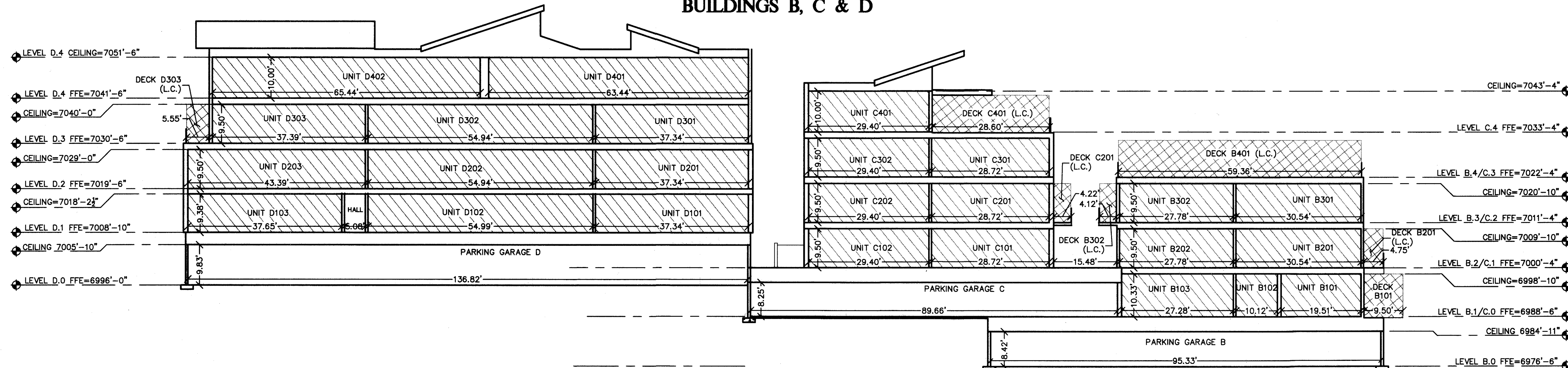
BUILDING C CROSS SECTION



BUILDING D CROSS SECTION



BUILDINGS B, C & D



HATCHING LEGEND

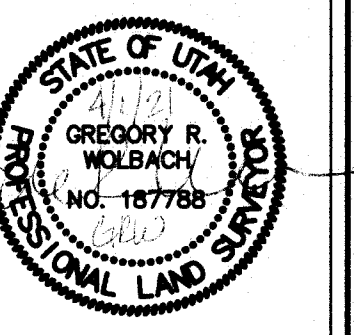
[Pattern]	COMMON AREA
[Pattern]	LIMITED COMMON AREA
[Pattern]	PRIVATE AREA

NO. _____
 DATE _____
 STATE OF _____
 CITY OF _____
 RECORDED AT _____
 FEES _____

RECORDED
ENTRY NO. 01161493
 04/19/2021 04:41:48 PM B: 2858 P: 0729
 PLAT PAGE 1/1
 RECORDING FEE \$24.00 BY METRO NATIONAL TITLE
 CITY RECORDER

Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 P.O. Box 2861 • Park City • Utah • 84060
 Phone: 801-557-5462
 E-mail: info@evergreen-eng.com

DATE	BY	COMMENTS



DESIGNED BY:
 WOW
 DRAWN BY:
 ADM
 CHECKED BY:
 ADM

KING'S CROWN CONDOMINIUMS, 1ST AMENDED
FLOOR PLANS - LEVELS 6 & 7
BUILDING CROSS-SECTIONS
 FOR: CRG PARTNERS
 JOB NO. 1026
 PLOT DATE: APRIL 1, 2021

September 20, 2022

RE: Combination of Units B401 and B302 in Building B, King's Crown Condominiums

To Whom It Concerns:

The King's Crown Condominium Owner's Association hereby approves the combination of Units B401 and B302 in the B Building of the King's Crown Condominiums. The property is located at 1271 Lowell Avenue in Park City, Utah 84060. Please do not hesitate to contact me with any questions or concerns regarding this approval.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Murphy", is written over the printed name.

Rory Murphy, President
King's Crown Condominium Owner's Association
paladinparkcity@aol.com
435-640-5068



22 January 2018

Rory Murphy
1887 Gold Dust Lane, Suite 301
Park City, Utah 84060

Re: King's Crown Master Planned Development and Conditional Use Permit

Rory:

On January 10, 2018, the Planning Commission of Park City approved your Master Planned Development (application no. PL-17-03515) and Conditional Use Permit (PL-17-03566), subject to the following findings of fact, conclusions of law, and conditions of approval:

Master Planned Development & Conditional Use Permit Findings of Fact:

1. The subject site is located at 1201 – 1299 Lowell Avenue.
2. The subject site is within the RC, ROS, and SLO District.
3. The proposed development takes place roughly over 30% of the property, all contained within the RC District located adjacent to Lowell Avenue towards the northeast of the subject site.
4. The applicant proposes to build three (3) multi-unit buildings with access off Lowell Avenue, a private road/drive to be known as Rothwell Road, and a townhouse building with access off Rothwell Road.
5. The proposed private road/drive begins at the 12th Street / Lowell Avenue intersection which then curves up to a hammer-head turn around.
6. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548 feet long.
7. The applicant also proposes to develop 27 single-family lots, 4 of which would be accessed off Lowell Avenue, and the remaining 24 would be accessed off Rothwell Road (15 on the west side of the private road and 8 on the east side of the private road).
8. The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.
9. The MPD includes a total of 32 lots.
10. The MPD includes seven (7) deed restricted affordable housing condominium

- units (8.55 affordable unit equivalents).
11. The MPD includes eight (8) additional non-required deed restricted affordable housing condominium units (9.07 affordable unit equivalents).
 12. The MPD includes 11.2 acres of platted open space in the form of large tracts of contiguous natural open space that does not include open space area around the units, equating to 74.6%. The total open space percentage is 83.9.
 13. The MPD includes 23 market rate condominiums, 7 market rate townhomes, and 27 market rate single family detached houses.
 14. Building A is a multi-unit dwelling, listed as a conditional use.
 15. Building A has 15 residential affordable housing units.
 16. Building A has the following square footage:
 - a. Residential: 16,520
 - b. Mechanical: 256
 - c. Internal circulation (hallways and stairs): 1,833
 - d. Parking and vehicular circulation: 5,571
 - e. Overall: 24,180
 17. Building A has 18 parking spaces located in an enclosed underground parking garage.
 18. Building A has vehicular access off Lowell Avenue through one (1) driveway.
 19. Building A has 5 stories above the parking garage.
 20. Building A is on proposed lot 1.
 21. Affordable housing residential units do not count towards residential Unit Equivalents.
 22. Building B/C is a multi-unit dwelling, listed as a conditional use.
 23. Building B/C has 12 residential units.
 24. Building B/C has the following square footage:
 - a. Residential: 28,253 (14.13 residential Unit Equivalents)
 - b. Mechanical: 375
 - c. Internal circulation (hallways, stairs, and elevator): 1,133
 - d. Parking and vehicular circulation: 9,305
 - e. Overall: 39,066
 25. Building B/C has 21 parking spaces located in enclosed underground parking garages.
 26. Building B/C has vehicular access off Lowell Avenue through two (2) separate driveways.
 27. Building B/C has 4 stories above the parking garage
 28. Building B/C is on proposed lot 2
 29. Building D is a multi-unit dwelling, listed as a conditional use.
 30. Building D has 11 residential units
 31. Building D has the following square footage:
 - a. Residential: 24,590 (12.30 residential Unit Equivalents)
 - b. Mechanical: 166
 - c. Internal circulation (hallways, stairs, and elevator): 1,827
 - d. Parking and vehicular circulation: 8,313
 - e. Overall: 34,896
 32. Building D has 22 parking spaces located in an enclosed underground parking

- garage.
33. Building D has vehicular access off Lowell Avenue through one (1) driveway.
 34. Building D has 4 stories above the parking garage.
 35. Building D is on proposed lot 2.
 36. Townhomes Building is a multi-unit dwelling, listed as a conditional use.
 37. Townhomes Building has 7 residential units
 38. Townhomes Building is 29,005 (14.50 residential Unit Equivalents).
 39. Townhomes Building has 14 parking spaces, 2 within each parking garage.
 40. Townhomes Building has vehicular access off proposed private drive through individual driveways.
 41. Townhomes Building has 3 stories above the garage level.
 42. Townhomes Building is on proposed lot 30
 43. Single-family dwellings are an allowed use within the District.
 44. The applicants request to plat 27 lots to accommodate one (1) single-family dwelling on each lot.
 45. The approximate buildable square footage of the single family dwellings is 71,880 (35.94 residential Unit Equivalents).
 46. The single-family dwellings require 54 parking spaces, 2 within each lot as required.
 47. The single-family dwellings have vehicular access off proposed private drive through individual driveways and four (4) off Lowell Avenue.
 48. The single family lots are on proposed lots 3-29.
 49. The applicant proposed two (2) lots to be re-platted as open space.
 50. Proposed open space Lot 31 is 2,106.4 square feet with retaining walls and stair access to adjacent property to the south.
 51. Proposed open space Lot 32 is 487,798.29 square feet (11.2 acres).
 52. Proposed open space Lot 32 is to house an accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners.
 53. The proposed accessory building on Lot 32 is located on the RC District.
 54. Accessory buildings are an allowed use with the RC District.
 55. Restrooms/lockers are considered residential accessory space and does not count towards Unit Equivalents.
 56. The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:
 - a. RC District: 199,867 sf. (4.59 acres)
 - b. RC District within the SLO Zone: 78,654 sf. (1.81 acres)
 - c. ROS District: 84,194 sf. (1.93 acres)
 - d. ROS District within the SLO Zone: 291,145 sf. (6.68 acres)
 57. The applicant proposes to build solely within the zoning boundaries of the RC District. The applicant does not request to build within the boundary of the RC District/SLO, or within the ROS District, and these areas would be dedicated as open space.
 58. Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0.
 59. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings.
 60. The RC District does not provide a FAR standard for single-family dwelling lots,

- but rather, a minimum lot area requirement of 1,875 sf.
61. The proposal contains a total FAR of 0.41 ($80,963 \div 199,867$) for multi-unit dwellings.
 62. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density ($199,867 - 80,963$).
 63. In applying the floor area not used for multi-unit dwelling for single-family dwellings, this would create approximately 63 residential lots (applying the minimum lot area of 1,875 square feet).
 64. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.
 65. A residential Unit Equivalent is 2,000 square feet.
 66. The applicant proposes the construction of the following 30 residential units and the allotment of 27 lots:
 - a. 12 flats within multi-unit Building B/C totaling 27,683 square feet (13.84 residential Unit Equivalents).
 - b. 11 flats within multi-unit Building D totaling 24,255 square feet (12.13 residential Unit Equivalents).
 - c. 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents).
 - d. 27 lots to accommodate one (1) future single-family dwelling on each lot which would be approximately 71,880 square feet (35.94 residential Unit Equivalents).
 67. The applicant requests to maintain the MPD setback of 25 feet around the perimeter of the entire development, with the exception of seven (7) future single-family residential Lots 3-7 and 21-22.
 68. Applicant seeks the following setback reductions as allowed by the Code, if granted by the Planning Commission:
 - a. Proposed Lot 3-7 front setback reduction to ten feet (10').
 - b. Proposed Lot 21 side setback reduction to twenty feet (20').
 - c. Proposed Lot 22 side setback reduction to ten feet (10').
 69. The proposed setback reductions as described above matches the abutting zone setbacks and all aspect of the project will comply with applicable Building and Fire codes. The reductions do not increase project density, maintain the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and they meet open space requirements of the MPD.
 70. The proposed setback reductions are in compliance with LMC MPD provisions.
 71. All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 [...].
 72. The site contains a total of 653,759 square feet. The site contains 17,012 square feet of hard-scaped plazas equating to 2.6% of the site and 531,519 square feet (12.20 acres) equating to 81.3% of natural open space.
 73. The applicant proposes to designate the use of the two (2) open space lots on the proposed Re-Subdivision (plat).
 74. The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See building by building requirement:

- a. Affordable Housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces.
 - b. Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces.
 - c. Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces.
 - d. Townhome building requires 14 parking spaces based on the size of the units, two (2) parking spaces per unit. Proposed building contains 14 parking spaces.
 - e. Single-family dwelling residential lots require 54 parking spaces, based on unit count. These 27 residential lots would require a minimum of 2 parking spaces per unit.
75. The proposal complies with the provisions of the building height parameters for multi-unit buildings listed under LMC § [15-2.16-4 Building Height](#) and single-family dwellings listed under LMC § [15-2.16-5 Special Requirements For Single Family And Duplex Dwellings \(subsection L-M\)](#), including all applicable height exceptions as allowed in the LMC.
 76. The applicant does not seek additional height under the MPD parameters listed under LMC § [15-6-5 MPD Requirements, Sub-section F](#).
 77. The project has been designed to maintain the existing neighborhood development pattern, with the larger scale buildings located alongside the existing multi-family.
 78. The proposed plan uses the massing of the buildings to mitigate the need for retaining walls by burying the buildings into the hillside. The balance of the required retaining walls has been stepped in shorter wall sections to reduce/eliminate tall retaining walls.
 79. Roads and utility lines are proposed to work with the existing grades to the greatest extent possible, as indicated on the civil site and grading plans. Areas of the deepest cuts are mitigated by using the townhome buildings to step up the hill.
 80. All trails proposed with the MPD are incorporated into open space elements and in some areas are maintained and improved in their existing locations. Trail easements will be platted on the final recorded subdivision plats. Staff recommends adding a public recreation easement on Rothwell Road (private road) connecting to trail network on the mountain.
 81. The City requests to secure a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access.
 82. The City requests to prepare a public trail plan for the open space parcel, provide for trail 'corridors' subject to final alignment, which would be part of the recorded development agreement. The applicant stipulates to this condition of approval.
 83. There are sufficient areas adjacent to the streets, driveways, and parking areas to store snow.
 84. The MPD shall comply with the trash storage and collection and recycling regulations contained herein.
 85. There are no commercial or non-residential uses with this project, and all off-

street parking requirements are met within the project. The bus stop/ transportation area is located yards away from the project at the resort base. The applicant is considering placing an e-bike sharing station on site on Lowell Avenue for public use.

86. The submitted landscape plans specify the maximum area allowed for lawn or turf is limited to fifty percent (50%) of the total Area allowed to be disturbed and not covered by Buildings and other hard surfaces.
87. Drought tolerant species and species native to the area are stipulated in the Guidelines. Native rock and boulders are stipulated as allowed within the LMC.
88. Lighting is proposed to comply with requirements of LMC Chapter 15-5, Architectural Review and is further spelled out in the Guidelines.
89. No development within the MPD is located within the SLO with the exception of trails, which are an allowed use in the SLO.
90. The proposal includes 200% of the required Affordable Housing as required by the current housing resolution (03-2017).
91. The current affordable housing proposal, which is developed through the Affordable Housing Staff and the Affordable Housing Authority (The City Council), is shown on a table within this staff report. The Staff and the Affordable Housing Authority retain the final say on these figures.
92. The proposal does not create additional demands for child care.
93. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property.
94. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.
95. The proposal fulfills the following goals and objectives of the General Plan.
96. A cultural survey ([Exhibit O - Cultural Survey](#)) was prepared revealing the only significant historical element on site was the Crescent Tramway, which will remain as the existing ski/ bike trail on the property. There are no historic structures on site.
97. LMC § 15-6-4 (G) states that once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement and shall be submitted to the Planning Department within six (6) months of MPD approval, for ratification by the Planning Commission..
98. Multi-unit dwellings and Master Planned Developments are listed as a conditional uses in the RC District.
99. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes one (1) building housing the affordable housing units that exceeds the required affordable housing requirements.
100. There are certain uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
101. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.
102. The project is located on Lowell Avenue, between 12th and 13th Street.

103. The four (4) multi-unit dwellings are located at the lower portion of the subject site.
104. A traffic study (Triton Engineering, June, 2017) was provided by the applicant and reviewed by the City indicating that study intersections are anticipated to continue operating at acceptable levels of service.
105. Capacity of existing streets can handle anticipated normal traffic especially based on the fact that maximum density is not being pursued by the applicant.
106. Utilities necessary for these proposed uses are available at or near the site.
107. Final utility plans, including grading and storm water run-off plans will be required at time of building permit review.
108. The proposed plans have been reviewed by the City and the Park City Fire District for compliance and meet the requirements for emergency vehicle access based on the close proximity to Lowell Avenue and the direct connection of the private drive.
109. The proposed conditional use meets all LMC parking regulations.
110. The internal circulation plan incorporated on the site plan showing proposed access to existing trails as well community access point to the trails and ski runs.
111. Adjoining uses mirror the uses proposed in this project, and no separation is required. In fact, the project is providing community access through to adjacent open space.
112. The project has been designed to mirror the existing neighborhood development patterns.
113. The larger mass buildings are located adjacent to the larger buildings on Lowell, and the project homes mirror the East side of Lowell, with the townhomes continuing the townhome pattern as well.
114. As designed, approximately 82 percent of the project is contiguous open space, with access to skiing and bike trails.
115. All signs and lighting for the project will be approved through the Master Sign Plan application process and through building department review for compliance with the LMC.
116. The physical design of the proposed additions and new buildings, in terms of mass, scale, style, design and architectural detailing.
117. The proposed buildings complement the existing neighborhood in architectural character, materials, colors, mass and scale.
118. Proposed materials consist of metal and membrane roofing, wood and metal siding, natural stone and other elements consistent with the existing buildings.
119. This project will not create any of the conditions listed that are not normally associated in the residential nature of the proposed use.
120. There will be no commercial delivery or service vehicles to the project as the entire project is residential. Typical residential delivery service will utilize residential streets and driveways.
121. Trash and Recycling will mirror the existing Old Town pattern and usage with small residential trash bins, and shall comply with the required regulation listed under Master Planned Developments.
122. All condominiums will be sold as wholly owned condominiums and be required to follow local guidelines relative to other uses, the same applies to the single-family

- lots.
123. The proposed development is not within any environmentally sensitive lands, physical mine hazards, historic mine waste, or Park City Soils Ordinance.
 124. The site is within steep slopes found throughout the site.
 125. The overall proposal, both Multi-Unit Dwellings (conditional use) and single-family detached houses (allowed use) takes place over approximately 30% of the entire site.
 126. The Applicant provided [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations, with the](#) placement, volume and height of on-mountain waste rock on a map showing the placement areas for waste rock
 127. Applicant indicates a verbal agreement with Park City Mountain representatives to place the material from the multi-unit buildings and road construction on Park City Mountain.
 128. [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#) also shows the proposed study of the corresponding volumes and depths of the waste material on adjacent property.
 129. Applicant indicates that all waste material must be certified as environmentally clean, compacted in no more than 2-foot lifts (to achieve a 90%+ compaction) covered with six inches (6") of topsoil, seeded with a native grass mix and sod placed over the grass seeds.
 130. Applicant demonstrates that the maximum depth would be 5 feet, tapering off to 0 feet.
 131. Applicant proposes to transport the excavated material to the neighboring property without the necessity of using City streets. It is the Applicant's responsibility to seek such permission with the neighboring site.
 132. Applicant explains that in the highly unlikely case that they are unable to secure a written agreement with the Park City Mountain, the excavation material would be disposed of by the traditional method used in the vast majority of construction projects to be approved by the City prior to issuance of building permits.
 133. The applicant estimates 14,400 cubic yards of material (includes swell) which would equate to 1,440 truckloads (at 10 yds. / truck).
 134. As a Condition of Approval, the applicant has indicated that they would not undergo excavation or footings and foundation work on the multi-family buildings or the access road during the winter season from Christmas through April 1st.
 135. Applicant has indicated that they will instruct construction staff to keep delivery trucks off the streets during the peak busy times of between 8:30 am and 10:00 am as well as the peak afternoon times of 3:30 pm through 4:30 pm.
 136. Applicant agrees to not deliver materials during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
 137. Applicant has provided the approximate excavation quantities of the 27 single-family dwellings which would be approximately 7500 cubic yards.
 138. The applicant does not plan on building the 27 single-family dwellings but plans to sell the lots to individuals and/or builders.
 139. The Chief Building official has studied the applicant's preliminary Construction

Mitigation Plan and finds that the proposal is in compliance with current Building Department policies.

- 140. Construction Mitigation Plan will be finalized by the Building Dept. once building permits are submitted by the applicant.
- 141. The applicant stipulates to the conditions of approval.
- 142. The discussion in the Analysis section is incorporated herein.

Master Planned Development Conclusions of Law

- A. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
- B. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
- C. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
- D. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
- E. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- F. [REDACTED]
- G. [REDACTED]
- H. [REDACTED]
- I. [REDACTED]
- J. T [REDACTED]
- K. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- M. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
- N. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
- O. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditional Use Permit Conclusions of Law:

1. The proposal satisfies the Conditional Use Permit review criteria as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-16).
2. The proposal complies with all requirements of this LMC.
3. The Uses will be Compatible with surrounding Structures in Use, scale, mass
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Master Planned Development & Conditional Use Permit Conditions of Approval:

1. All standard project conditions shall apply.
2. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control. Storm-water management, and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.
3. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed predevelopment drainage conditions and special consideration shall be made to protect any wetlands delineated on and adjacent to the site.
4. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program.
5. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD review, shall be submitted with the final subdivision plat.
6. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
7. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plat, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.
8. An Affordable Housing Plan shall be approved by the Park City Housing Authority prior to issuance of any building permits for units within the MPD and deed restrictions shall be recorded.

9. As a condition precedent to receiving a certificate of occupancy for any market rate unit the City shall be provided with proof of compliance with the approved Affordable Housing Plan.
10. A master sign plan for the project shall be submitted, reviewed for compliance with the Park City Sign Code, and approved by the City, as a condition precedent to issuance of any individual sign permits.
11. Approval of this Master Planned Development is subject to LMC Chapter 6- Master Planned Developments and shall expire two years from the date of execution of the Development Agreement unless Construction, as defined by the Uniform Building Code, has commenced on the project.
12. Once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement. The Development Agreement must be submitted to the Planning Department for ratification by the Planning Commission within 6 months of this approval. The Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.
13. Timing of completion of all required items and public benefits shall be further described and stated in the Development Agreement.
14. Vegetation and landscaping will be planted in such a manner that screening of adjacent properties is to be consistent with approved landscape plans. The applicant recognizes that the City Engineer have final authority on landscape placement in required easement areas.
15. All interior roads shall be constructed to Park City Engineering standards. Final grades, storm drainage and width to be approved by the City Engineer.
16. Interior roads are proposed to be private and maintained by the HOA.
17. An HOA shall be in place to maintain and govern the property.
18. An open space use plan shall be approved by the Park City Planning Department and shall be included as part of the development agreement. Such uses shall be consistent with the LMC and shall include ski runs, hiking/biking trails and related ski improvements such as snow making and signage as needed and appropriate.
19. A trails master plan that is consistent with the city's needs and desires shall be forwarded by the City Trails personnel and approved by both the applicant and the Park City Planning Department, which would be part of the recorded development agreement.
20. The applicant shall allow a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access, and shall be shown on the plat.
21. The proposal shall comply with all Architectural Design Guidelines outlined in LMC § 15-5-5 which includes prohibited architectural styles and motifs, prohibited siding materials, design ornamentation, number of exterior wall materials, roofing materials, roof shapes, solar panels and skylights, window treatments, Lighting, trash and recycling enclosures, mechanical equipment, patios and driveways, and landscaping. Materials color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on January 10, 2018.

22. The proposal shall comply with the trash storage and collection parameters with the language outlined in LMC § 15-5-5(G).
23. The proposal shall not undergo excavation or footings and foundation work on the multi-family buildings or the access road (Rothwell Road) during the winter season from Christmas (December 25) through April 1st.
24. Materials shall not be delivered during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
25. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on January 10, 2018.
26. The applicant shall record a plat prior to selling individual units.
27. A deed restriction all affordable housing units shall be recorded prior building permit issuance.
28. The CCRs shall be submitted with the plat for review and approval by the City prior to final plat recordation.
29. The CCRs submitted with condominium plats that include any deed restricted affordable housing units shall limit the HOA dues related to the deed restricted employee housing unit in order to ensure that the units remain affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the units (or exempt the units from HOA fees) to ensure that the units don't lose their affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
30. The Conditional Use Permit shall expire on January 10, 2019, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
31. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Department, and shall be in substantial conformance with the plans reviewed by the Planning Commission on January 10, 2018.
32. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
33. This development is part of a common development that is greater than one (1) acre. This development shall meet the MS4 storm water requirements.

Please be aware that this approval in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

As the applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission meeting are available in the Planning Department office.

If you have questions regarding your applications or the action taken please don't hesitate to contact me at 435-615-5064 or fastorga@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Astorga". The signature is fluid and cursive, with a long horizontal stroke at the end.

Francisco Astorga, AICP
Senior Planner



22 January 2018

Amended 22 May 2019

Amended 23 September 2020

Amended 10 February 2021

Rory Murphy
1887 Gold Dust Lane, Suite 301
Park City, Utah 84060

Re: King's Crown Master Planned Development and Conditional Use Permit

Rory:

On January 10, 2018, the Planning Commission of Park City approved your Master Planned Development (application no. PL-17-03515) and Conditional Use Permit (PL-17-03566), and on May 22, 2019, the Commission approved modifications outlined in red below (PL-19-04214), and on September 23, 2020, the Commission approved modifications outlined in orange below (PL-20-04612), and on January 27, 2021, the Commission determined the King's Crown Condominiums First Amended Plat specific to Building D constituted a substantive MPD modification and continued the discussion to February 10, 2021, and on February 10, 2021, the Commission approved the substantive modifications outlined in blue below (PL-21-04739 and PL-21-04758) subject to the following findings of fact, conclusions of law, and conditions of approval:

Master Planned Development & Conditional Use Permit Findings of Fact:

1. The subject site is located at 1201 – 1299 Lowell Avenue.
2. The subject site is within the RC, ROS, and SLO District.
3. The proposed development takes place roughly over 30% of the property, all contained within the RC District located adjacent to Lowell Avenue towards the northeast of the subject site.
4. The applicant proposes to build ~~three (3)~~ four multi-unit buildings with access off Lowell Avenue, a private road/drive to be known as Rothwell Road, and a townhouse building with access off Rothwell Road.
5. The proposed private road/drive begins at the 12th Street / Lowell Avenue intersection which then curves up to a hammer-head turn around.
6. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548

- feet long.
7. The applicant also proposes to develop 27 single-family lots, 4 of which would be accessed off Lowell Avenue, and the remaining 24 would be accessed off Rothwell Road (15 on the west side of the private road and 8 on the east side of the private road).
 8. The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.
 9. The MPD includes a total of 32 lots.
 10. The MPD includes ~~seven (7)~~ eight (8) ~~ten (10)~~ deed restricted affordable housing condominium units, nine (9) located in the Workforce Housing Condominiums and one (1) located in the King's Crown Condominiums Building B (Unit B101) (~~8.55 8.85 11.61~~ affordable unit equivalents).
 11. The MPD includes ~~eight (8)~~ one (1) additional non-required deed restricted affordable attainable housing condominium units in the Workforce Housing Condominiums Building A (~~9.07 1.29~~ affordable unit equivalents).
 12. The MPD includes 11.2 acres of platted open space in the form of large tracts of contiguous natural open space that does not include open space area around the units, equating to 74.6%. The total open space percentage is 83.9.
 13. The MPD includes ~~23 25~~ 31 market rate condominiums, 7 market rate townhomes, and 27 market rate single family detached houses.
 14. Building A is a multi-unit dwelling, listed as a conditional use.
 15. Building A has ~~45~~ nine (9) residential affordable housing units, one (1) attainable housing unit, and five (5) market rate housing units.
 16. Building A has the following square footage:
 - a. Residential: 16,520
 - b. Mechanical: 256
 - c. Internal circulation (hallways and stairs): 1,833
 - d. Parking and vehicular circulation: 5,571
 - e. Overall: 24,180
 17. Building A has 18 parking spaces located in an enclosed underground parking garage.
 18. Building A has vehicular access off Lowell Avenue through one (1) driveway.
 19. Building A has 5 stories above the parking garage.
 20. Building A is on proposed lot 1.
 21. Affordable housing residential units do not count towards residential Unit Equivalents.
 22. Building B/C is a multi-unit dwelling, listed as a conditional use.
 23. Building B/C has ~~42~~ fourteen (14) market-rate residential units, and one (1) affordable unit (Unit B101).
 24. Building B/C has the following square footage:
 - a. Residential: ~~28,253 27,218 27,687~~ (~~44.13 13.61 13.84~~ residential Unit Equivalents) (Affordable Unit B101 does not count toward Residential Unit Equivalents and is 756 square feet)
 - b. Mechanical: ~~375-957~~
 - c. Internal circulation (hallways, stairs, and elevator): ~~1,133-2,664~~
 - d. Parking and vehicular circulation: ~~9,305 10,593~~

- e. Overall: ~~39,066~~ ~~49,281~~ 43,976
- 25. Building B/C has 21 25 parking spaces located in enclosed underground parking garages.
- 26. Building B/C has vehicular access off Lowell Avenue through two (2) separate driveways.
- 27. Building B/C has 4 stories above the parking garage
- 28. Building B/C is on proposed lot 2
- 29. Building D is a multi-unit dwelling, listed as a conditional use.
- 30. Building D has ~~11~~ ~~12~~ 11 residential units
- 31. Building D has the following square footage:
 - a. Residential: ~~24,590~~ ~~24,250~~ 25,505 (~~12.30~~ ~~12.15~~ 12.75 residential Unit Equivalents)
 - b. Mechanical: ~~166~~ 528
 - c. Internal circulation (hallways, stairs, and elevator): ~~1,827~~ 2,252
 - d. Parking and vehicular circulation: ~~8,313~~ 7,865
 - e. Owner's storage (platted common): 724
 - f. Overall: ~~34,896~~ ~~35,619~~
- 32. Building D has 22 21 parking spaces located in an enclosed underground parking garage.
- 33. Building D has vehicular access off Lowell Avenue through one (1) driveway.
- 34. Building D has 4 stories above the parking garage.
- 35. Building D is on proposed lot 2.
- 36. Townhomes Building is a multi-unit dwelling, listed as a conditional use.
- 37. Townhomes Building has 7 residential units
- 38. Townhomes Building is 29,005 (14.50 residential Unit Equivalents).
- 39. Townhomes Building has 14 parking spaces, 2 within each parking garage.
- 40. Townhomes Building has vehicular access off proposed private drive through individual driveways.
- 41. Townhomes Building has 3 stories above the garage level.
- 42. Townhomes Building is on proposed lot 30
- 43. Single-family dwellings are an allowed use within the District.
- 44. The applicants request to plat 27 lots to accommodate one (1) single-family dwelling on each lot.
- 45. The approximate buildable square footage of the single family dwellings is 71,880 (35.94 residential Unit Equivalents).
- 46. The single-family dwellings require 54 parking spaces, 2 within each lot as required.
- 47. The single-family dwellings have vehicular access off proposed private drive through individual driveways and four (4) off Lowell Avenue.
- 48. The single family lots are on proposed lots 3-29.
- 49. The applicant proposed two (2) lots to be re-platted as open space.
- 50. Proposed open space Lot 31 is 2,106.4 square feet with retaining walls and stair access to adjacent property to the south.
- 51. Proposed open space Lot 32 is 487,798.29 square feet (11.2 acres).
- 52. Proposed open space Lot 32 is to house an accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners.

53. The proposed accessory building on Lot 32 is located on the RC District.
54. Accessory buildings are an allowed use with the RC District.
55. Restrooms/lockers are considered residential accessory space and does not count towards Unit Equivalents.
56. The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:
 - a. RC District: 199,867 sf. (4.59 acres)
 - b. RC District within the SLO Zone: 78,654 sf. (1.81 acres)
 - c. ROS District: 84,194 sf. (1.93 acres)
 - d. ROS District within the SLO Zone: 291,145 sf. (6.68 acres)
57. The applicant proposes to build solely within the zoning boundaries of the RC District. The applicant does not request to build within the boundary of the RC District/SLO, or within the ROS District, and these areas would be dedicated as open space.
58. Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0.
59. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings.
60. The RC District does not provide a FAR standard for single-family dwelling lots, but rather, a minimum lot area requirement of 1,875 sf.
61. The proposal contains a total FAR of 0.41 ($80,963 \div 199,867$) for multi-unit dwellings.
62. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density ($199,867 - 80,963$).
63. In applying the floor area not used for multi-unit dwelling for single-family dwellings, this would create approximately 63 residential lots (applying the minimum lot area of 1,875 square feet).
64. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.
65. A residential Unit Equivalent is 2,000 square feet.
66. The applicant proposes the construction of the following ~~30~~ 32 residential units and the allotment of 27 lots:
 - a. ~~42~~ 14 flats ~~and one (1) affordable unit (B101)~~ within multi-unit Building B/C totaling ~~27,683~~ 27,218 ~~27,687~~ square feet (~~13.84~~ 13.61 ~~13.84~~ residential Unit Equivalents). (~~Affordable Unit B1010 does not count toward Residential Unit Equivalents and is 756 square feet~~).
 - b. ~~44~~ 12 ~~11~~ flats within multi-unit Building D totaling ~~24,255~~ 24,250 ~~25,505~~ square feet (12.13 residential Unit Equivalents).
 - c. 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents).
 - d. 27 lots to accommodate one (1) future single-family dwelling on each lot which would be approximately 71,880 square feet (35.94 residential Unit Equivalents).
67. The applicant requests to maintain the MPD setback of 25 feet around the perimeter of the entire development, with the exception of seven (7) future single-family residential Lots 3-7 and 21-22.
68. Applicant seeks the following setback reductions as allowed by the Code, if

granted by the Planning Commission:

- a. Proposed Lot 3-7 front setback reduction to ten feet (10').
 - b. Proposed Lot 21 side setback reduction to twenty feet (20').
 - c. Proposed Lot 22 side setback reduction to ten feet (10').
69. The proposed setback reductions as described above matches the abutting zone setbacks and all aspect of the project will comply with applicable Building and Fire codes. The reductions do not increase project density, maintain the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and they meet open space requirements of the MPD.
70. The proposed setback reductions are in compliance with LMC MPD provisions.
71. All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 [...].
72. The site contains a total of 653,759 square feet. The site contains 17,012 square feet of hard-scaped plazas equating to 2.6% of the site and 531,519 square feet (12.20 acres) equating to 81.3% of natural open space.
73. The applicant proposes to designate the use of the two (2) open space lots on the proposed Re-Subdivision (plat).
74. The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See building by building requirement:
- a. Affordable Housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces.
 - b. Building B/C requires ~~21~~ 24 parking spaces based on the size of the units. The proposed building contains 21 parking spaces.
 - c. Building D requires ~~21~~ ~~20~~ 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces.
 - d. Townhome building requires 14 parking spaces based on the size of the units, two (2) parking spaces per unit. Proposed building contains 14 parking spaces.
 - e. Single-family dwelling residential lots require 54 parking spaces, based on unit count. These 27 residential lots would require a minimum of 2 parking spaces per unit.
75. The proposal complies with the provisions of the building height parameters for multi-unit buildings listed under LMC § [15-2.16-4 Building Height](#) and single-family dwellings listed under LMC § [15-2.16-5 Special Requirements For Single Family And Duplex Dwellings \(subsection L-M\)](#), including all applicable height exceptions as allowed in the LMC.
76. The applicant does not seek additional height under the MPD parameters listed under LMC § [15-6-5 MPD Requirements, Sub-section F](#).
77. The project has been designed to maintain the existing neighborhood development pattern, with the larger scale buildings located alongside the existing multi-family.
78. The proposed plan uses the massing of the buildings to mitigate the need for retaining walls by burying the buildings into the hillside. The balance of the required retaining walls has been stepped in shorter wall sections to reduce/eliminate tall retaining walls.

79. Roads and utility lines are proposed to work with the existing grades to the greatest extent possible, as indicated on the civil site and grading plans. Areas of the deepest cuts are mitigated by using the townhome buildings to step up the hill.
80. All trails proposed with the MPD are incorporated into open space elements and in some areas are maintained and improved in their existing locations. Trail easements will be platted on the final recorded subdivision plats. Staff recommends adding a public recreation easement on Rothwell Road (private road) connecting to trail network on the mountain.
81. The City requests to secure a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access.
82. The City requests to prepare a public trail plan for the open space parcel, provide for trail 'corridors' subject to final alignment, which would be part of the recorded development agreement. The applicant stipulates to this condition of approval.
83. There are sufficient areas adjacent to the streets, driveways, and parking areas to store snow.
84. The MPD shall comply with the trash storage and collection and recycling regulations contained herein.
85. There are no commercial or non-residential uses with this project, and all off-street parking requirements are met within the project. The bus stop/ transportation area is located yards away from the project at the resort base. The applicant is considering placing an e-bike sharing station on site on Lowell Avenue for public use.
86. The submitted landscape plans specify the maximum area allowed for lawn or turf is limited to fifty percent (50%) of the total Area allowed to be disturbed and not covered by Buildings and other hard surfaces.
87. Drought tolerant species and species native to the area are stipulated in the Guidelines. Native rock and boulders are stipulated as allowed within the LMC.
88. Lighting is proposed to comply with requirements of LMC Chapter 15-5, Architectural Review and is further spelled out in the Guidelines.
89. No development within the MPD is located within the SLO with the exception of trails, which are an allowed use in the SLO.
90. The proposal ~~includes 200% of~~ exceeds the required Affordable Housing as required by the current housing resolution (03-2017) by 3.19 Affordable Unit Equivalents.
91. The current affordable housing proposal, which is developed through the Affordable Housing Staff and the Affordable Housing Authority (The City Council), is shown ~~below on a table within this staff report~~. The Staff and the Affordable Housing Authority retain the final say on these figures.

Kings Crown Affordable Housing Requirement		
	Current	Proposed
Market Rate Units	60	65
Affordable Housing Units Required	9	9.75
Required Square Footage	8100	8775
Proposed Affordable Housing Units	17.79	12.91
Proposed Square Footage	16013	11616

92. The proposal does not create additional demands for child care.
93. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property.
94. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.
95. The proposal fulfills the following goals and objectives of the General Plan.
96. A cultural survey ([Exhibit O - Cultural Survey](#)) was prepared revealing the only significant historical element on site was the Crescent Tramway, which will remain as the existing ski/ bike trail on the property. There are no historic structures on site.
97. LMC § 15-6-4 (G) states that once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement and shall be submitted to the Planning Department within six (6) months of MPD approval, for ratification by the Planning Commission..
98. Multi-unit dwellings and Master Planned Developments are listed as a conditional uses in the RC District.
99. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes ~~one (1) building housing the Building A with nine (9) affordable housing units, one (1) attainable housing unit, and five (5) market-rate units. that exceeds the required affordable housing requirements.~~
100. There are certain uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
101. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.
102. The project is located on Lowell Avenue, between 12th and 13th Street.
103. The four (4) multi-unit dwellings are located at the lower portion of the subject site.
104. A traffic study (Triton Engineering, June, 2017) was provided by the applicant and reviewed by the City indicating that study intersections are anticipated to continue operating at acceptable levels of service.
105. Capacity of existing streets can handle anticipated normal traffic especially based on the fact that maximum density is not being pursued by the applicant.
106. Utilities necessary for these proposed uses are available at or near the site.
107. Final utility plans, including grading and storm water run-off plans will be required

at time of building permit review.

108. The proposed plans have been reviewed by the City and the Park City Fire District for compliance and meet the requirements for emergency vehicle access based on the close proximity to Lowell Avenue and the direct connection of the private drive.
109. The proposed conditional use meets all LMC parking regulations.
110. The internal circulation plan incorporated on the site plan showing proposed access to existing trails as well community access point to the trails and ski runs.
111. Adjoining uses mirror the uses proposed in this project, and no separation is required. In fact, the project is providing community access through to adjacent open space.
112. The project has been designed to mirror the existing neighborhood development patterns, [outlined in the King's Crown Re-Subdivision Plat \(Summit County Recorder Entry No. 1091847\)](#).
113. The larger mass buildings are located adjacent to the larger buildings on Lowell, and the project homes mirror the East side of Lowell, with the townhomes continuing the townhome pattern as well, [outlined in the King's Crown Re-Subdivision Plat \(Summit County Recorder Entry No. 1091847\)](#).
114. As designed, approximately 82 percent of the project is contiguous open space, with access to skiing and bike trails.
115. All signs and lighting for the project will be approved through the Master Sign Plan application process and through building department review for compliance with the LMC.
116. The physical design of the proposed additions and new buildings, in terms of mass, scale, style, design and architectural detailing.
117. The proposed buildings complement the existing neighborhood in architectural character, materials, colors, mass and scale.
118. Proposed materials consist of metal and membrane roofing, wood and metal siding, natural stone and other elements consistent with the existing buildings.
119. This project will not create any of the conditions listed that are not normally associated in the residential nature of the proposed use.
120. There will be no commercial delivery or service vehicles to the project as the entire project is residential. Typical residential delivery service will utilize residential streets and driveways.
121. Trash and Recycling will mirror the existing Old Town pattern and usage with small residential trash bins, and shall comply with the required regulation listed under Master Planned Developments.
122. All condominiums will be sold as wholly owned condominiums and be required to follow local guidelines relative to other uses, the same applies to the single-family lots.
123. The proposed development is not within any environmentally sensitive lands, physical mine hazards, historic mine waste, or Park City Soils Ordinance.
124. The site is within steep slopes found throughout the site.
125. The overall proposal, both Multi-Unit Dwellings (conditional use) and single-family detached houses (allowed use) takes place over approximately 30% of the entire site.

126. The Applicant provided [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#), with the placement, volume and height of on-mountain waste rock on a map showing the placement areas for waste rock
127. Applicant indicates a verbal agreement with Park City Mountain representatives to place the material from the multi-unit buildings and road construction on Park City Mountain.
128. [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#) also shows the proposed study of the corresponding volumes and depths of the waste material on adjacent property.
129. Applicant indicates that all waste material must be certified as environmentally clean, compacted in no more than 2-foot lifts (to achieve a 90%+ compaction) covered with six inches (6") of topsoil, seeded with a native grass mix and sod placed over the grass seeds.
130. Applicant demonstrates that the maximum depth would be 5 feet, tapering off to 0 feet.
131. Applicant proposes to transport the excavated material to the neighboring property without the necessity of using City streets. It is the Applicant's responsibility to seek such permission with the neighboring site.
132. Applicant explains that in the highly unlikely case that they are unable to secure a written agreement with the Park City Mountain, the excavation material would be disposed of by the traditional method used in the vast majority of construction projects to be approved by the City prior to issuance of building permits.
133. The applicant estimates 14,400 cubic yards of material (includes swell) which would equate to 1,440 truckloads (at 10 yds. / truck).
134. As a Condition of Approval, the applicant has indicated that they would not undergo excavation or footings and foundation work on the multi-family buildings or the access road during the winter season from Christmas through April 1st.
135. Applicant has indicated that they will instruct construction staff to keep delivery trucks off the streets during the peak busy times of between 8:30 am and 10:00 am as well as the peak afternoon times of 3:30 pm through 4:30 pm.
136. Applicant agrees to not deliver materials during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
137. Applicant has provided the approximate excavation quantities of the 27 single-family dwellings which would be approximately 7500 cubic yards.
138. The applicant does not plan on building the 27 single-family dwellings but plans to sell the lots to individuals and/or builders.
139. The Chief Building official has studied the applicant's preliminary Construction Mitigation Plan and finds that the proposal is in compliance with current Building Department policies.
140. Construction Mitigation Plan will be finalized by the Building Dept. once building permits are submitted by the applicant.
141. The applicant stipulates to the conditions of approval.
142. The discussion in the Analysis section is incorporated herein.

Master Planned Development Conclusions of Law

- A. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
- B. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
- C. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
- D. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
- E. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- F. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
- G. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
- H. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
- I. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
- J. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
- K. The MPD has been noticed and public hearing held in accordance with this Code.
- L. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
- M. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
- N. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
- O. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditional Use Permit Conclusions of Law:

- 1. The proposal satisfies the Conditional Use Permit review criteria as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-16).
- 2. The proposal complies with all requirements of this LMC.
- 3. The Uses will be Compatible with surrounding Structures in Use, scale, mass
- 4. The effects of any differences in Use or scale have been mitigated through careful planning.

Master Planned Development & Conditional Use Permit Conditions of Approval:

1. All standard project conditions shall apply.
2. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control. Storm-water management, and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.
3. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed predevelopment drainage conditions and special consideration shall be made to protect any wetlands delineated on and adjacent to the site.
4. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program.
5. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD review, shall be submitted with the final subdivision plat.
6. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
7. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plat, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.
8. An Affordable Housing Plan shall be approved by the Park City Housing Authority prior to issuance of any building permits for units within the MPD and deed restrictions shall be recorded.
9. As a condition precedent to receiving a certificate of occupancy for any market rate unit the City shall be provided with proof of compliance with the approved Affordable Housing Plan.
10. A master sign plan for the project shall be submitted, reviewed for compliance with the Park City Sign Code, and approved by the City, as a condition precedent to issuance of any individual sign permits.

11. Approval of this Master Planned Development is subject to LMC Chapter 6- Master Planned Developments and shall expire two years from the date of execution of the Development Agreement unless Construction, as defined by the Uniform Building Code, has commenced on the project.
12. Once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement. The Development Agreement must be submitted to the Planning Department for ratification by the Planning Commission within 6 months of this approval. The Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.
13. Timing of completion of all required items and public benefits shall be further described and stated in the Development Agreement.
14. Vegetation and landscaping will be planted in such a manner that screening of adjacent properties is to be consistent with approved landscape plans. The applicant recognizes that the City Engineer have final authority on landscape placement in required easement areas.
15. All interior roads shall be constructed to Park City Engineering standards. Final grades, storm drainage and width to be approved by the City Engineer.
16. Interior roads are proposed to be private and maintained by the HOA.
17. An HOA shall be in place to maintain and govern the property.
18. An open space use plan shall be approved by the Park City Planning Department and shall be included as part of the development agreement. Such uses shall be consistent with the LMC and shall include ski runs, hiking/biking trails and related ski improvements such as snow making and signage as needed and appropriate.
19. A trails master plan that is consistent with the city's needs and desires shall be forwarded by the City Trails personnel and approved by both the applicant and the Park City Planning Department, which would be part of the recorded development agreement.
20. The applicant shall allow a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access, and shall be shown on the plat.
21. The proposal shall comply with all Architectural Design Guidelines outlined in LMC § 15-5-5 which includes prohibited architectural styles and motifs, prohibited siding materials, design ornamentation, number of exterior wall materials, roofing materials, roof shapes, solar panels and skylights, window treatments, Lighting, trash and recycling enclosures, mechanical equipment, patios and driveways, and landscaping. Materials color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on January 10, 2018.
22. The proposal shall comply with the trash storage and collection parameters with the language outlined in LMC § 15-5-5(G).
23. The proposal shall not undergo excavation or footings and foundation work on the multi-family buildings or the access road (Rothwell Road) during the winter season from Christmas (December 25) through April 1st.

24. Materials shall not be delivered during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
25. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on January 10, 2018.
26. The applicant shall record a plat prior to selling individual units.
27. A deed restriction all affordable housing units shall be recorded prior building permit issuance.
28. The CCRs shall be submitted with the plat for review and approval by the City prior to final plat recordation.
29. The CCRs submitted with condominium plats that include any deed restricted affordable housing units shall limit the HOA dues related to the deed restricted employee housing unit in order to ensure that the units remain affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the units (or exempt the units from HOA fees) to ensure that the units don't lose their affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
30. The Conditional Use Permit shall expire on January 10, 2019, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
31. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Department, and shall be in substantial conformance with the plans reviewed by the Planning Commission on January 10, 2018.
32. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
33. This development is part of a common development that is greater than one (1) acre. This development shall meet the MS4 storm water requirements.

Please be aware that this approval in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

As the applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission meeting are available in the Planning Department office.

If you have questions regarding your applications or the action taken please don't hesitate to contact me at 435-615-5064 or fastorga@parkcity.org.

Sincerely,



Francisco Astorga, AICP
Senior Planner



John Phillips
Planning Commission Chair
Amended September 23, 2020
Amended February 10, 2021

**THIRD AMENDED AFFORDABLE HOUSING MITIGATION PLAN FOR THE KINGS
CROWN PROJECT FINDINGS OF FACT, CONCLUSIONS OF LAW AND
CONDITIONS OF APPROVAL**

WHEREAS, the owners of the Kings Crown Project located on Lowell Avenue and Rothwell Road have a total housing obligation of 8,775 SF equaling 9.75AUEs.

WHEREAS, the Park City Housing Authority approved a Housing Mitigation Plan on August 30, 2018, for the construction of a 15-unit building, Building A, to provide seven Affordable units priced affordable to households earning an average of 76% of AMI and eight Attainable units priced affordable to households at 150% of AMI.

WHEREAS, the Park City Housing Authority approved an amendment to the Housing Mitigation Plan on May 29, 2019, adding another AUE to Building B to meet an increase in the number of residential units due to a change in project design. The amendment also lifted the income limits for the remaining Attainable units which hadn't sold after 10 months of advertising.

WHEREAS, the Park City Housing Authority approved a 2nd amendment to the Housing Mitigation Plan on November 21, 2019 allowing the AUE in Building B to be changed from common space to private.

NOW, THEREFORE, the Housing Authority of Park City, Utah hereby approves the 3rd Amendment to the Housing Mitigation Plan as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Housing Mitigation Plan submitted by the Applicant is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact:

1. The applicable Development Agreement was recorded June 14, 2018 for the Kings Crown Master Planned Development (MPD).
2. Housing Resolution 03-2017 Section 8 requires that affordable housing shall be provided equal to 15% of the market residential units in an MPD. The total residential units proposed in the MPD are sixty-five (65), 15% equals 9.75 Affordable Unit Equivalents (AUEs) totaling 8,775 SF. This requirement is met by providing 12.91 AUEs (11,616) of affordable housing averaging less than 80% of AMI. Each AUE is measured as 900 square feet of interior space.
3. The Housing Mitigation Plan was recommended for approval by the Planning Commission to the Park City Housing Authority on August 8, 2018.
4. The applicant proposes to build:
 - a. 9,697 SF of affordable housing comprised of nine (9) two and three bedroom units varying in size from 997 SF to 1,377 SF within Building A;
 - b. one (1) 1,163 SF attainable unit (150% AMI, HUD Income Limits) in the same Building A; and
 - c. One (1) unit of 756 SF in Building B.

5. The Applicant proposes to price the nine affordable units at an average household AMI of 77% (\$57,834 to \$85,680 annual household income based on the Resolution definition of household size) and one unit at attainable to 150% of AMI depending on the household size (\$128,520 to \$219,600 annual household income).
6. The Applicant proposes to plat the 756 SF, one-bedroom unit in Building B (B101) as a private unit and set rent affordable to a household at 45% of AMI.
7. Under Section 9 of the Housing Resolution, Applicant is requesting to use Alternative Distribution Ratios so that instead of building 4 townhomes, 1 single family home and 3.5 condominiums, they build 11 affordable/attainable Units in two buildings.
8. Housing Resolution 03-2017 allows for waivers by the Housing Authority.
9. The Applicant has requested the Housing Authority waive pursuant to Section 19 of Housing Resolution 03-2017 requirements related to construction timing and delivery of the affordable housing units, specifically Sections 11 (Timing of Occupancy) which states that the affordable units must be delivered in proportional timing to the market units & 14A (Construction of Market Units) which states that Affordable units shall be made available for occupancy on approximately the same schedule as a project's market units; except that Certificates of Occupancy for the last ten percent of the market units shall be withheld until Certificates of Occupancy have been issued for all of the inclusionary units.
10. The waiver provision states that the City Council may waive all or part of the requirements of this Resolution in exchange for enhanced project affordability or livability including but not limited to the incorporation of sustainable building practices and systems in the unit design and development.
11. The Applicant will build the affordable/attainable building to green building standards in compliance with Section 9.B.5 of Housing Resolution 03-2017.
12. In addition, in order to meet the spirit of the Housing Resolution timing requirements, applicant proposes that:
 - a. CRH will post a Performance Bond in an amount equal to the construction cost and in a form acceptable to the City for the completion of the Affordable Housing building.
 - b. If the construction timing of the affordable housing building deviates more than 120 days from the proposed construction, the Applicant shall appear before the Park City Housing Authority within 30 days to explain the timing discrepancy and propose a remedy. The Housing Authority shall at that time have the right to require that the applicant post a 100% cash (or cash equivalent) guarantee for the remaining portion of the affordable housing building to be constructed.

Conclusions of Law:

1. The conditions of the Development Agreement between CRH Partners, LLC and Park City Municipal Corporation recorded on June 14, 2018 related to Affordable Housing have been met by this plan.
2. This plan complies with Park City Housing Resolution 03-2017.

3. Housing Authority approves a waiver of the Housing Resolution timing of construction and delivery of the affordable housing units.

Conditions of Approval:

1. The Affordable Housing building will be the first building to draw a building permit.
2. No Certificate of Occupancy will be granted for the Crown Homes (market townhomes) prior to receiving the CO for the affordable/attainable building.
3. CRH will post a Performance Bond equal to the cost of construction and in a form acceptable to the City for the construction of the Affordable Housing building.
4. If the construction timing of the affordable housing building deviates more than 120 days from the proposed construction, the Applicant shall appear before the Park City Housing Authority within 30 days to explain the timing discrepancy and propose a remedy. The Housing Authority shall at that time have the right to require that the applicant post a 100% cash (or cash equivalent) guarantee for the remaining portion of the affordable housing building to be constructed.
5. Units will be sold at pricing as follows:

Unit	Price	Bedrooms	Bathrooms
A-101	1,349	3	
A-102 ADA	1,000	2	
A-201	1,000	2	
A-202	998	2	
A-203	1,377	3	
A-303	1,000	2	
A-304	997	2	
A-301	989	2	
A-302	987	2	
A-502	1,163	3	

6. Deed Restrictions shall be recorded against 11 units in a form approved by the City Attorney.
7. CCRs for the Affordable/Attainable building will include a provision that HOA fees won't increase more than three percent (3%) per year.
8. Initial HOA dues shall not exceed an average of \$250 per month per unit excluding utilities and internet and/or an average of \$370 per month per unit including utilities and internet.
9. Ten units within Building A, the affordable/attainable building shall be sold to Qualified Buyers as defined in the recorded Deed Restriction.

10. One Unit within Building B will be rented to Qualified Renters defined in the recorded Deed Restriction, or if sold, to a Qualified Buyer as defined in the recorded Deed Restriction.
11. All sales shall be approved in writing by the City Affordable Housing Office.
12. Housing Authority waived the Housing Resolution 03-2017 construction timing and delivery of the affordable housing units Sections 11 and 14.A.
13. The 756 SF one-bedroom unit in Building B (B101) shall be platted as a private unit and rent shall be set affordable to a household at 45% of AMI (\$39,528 maximum income for a family of two and \$988 monthly rent in 2019) and shall be inclusive of HOA dues. HOA dues may not be charged separately to the lease holder of Unit B101.
14. The developer is required to amend the MPD/CUP Final Action Letter and the Development Agreement to reflect the changes approved in this plan.

SECTION 2. EFFECTIVE DATE. This approval shall take effect upon adoption and execution.

PASSED AND ADOPTED this 17th day of September, 2020

PARK CITY HOUSING AUTHORITY

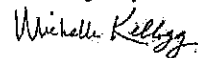
DocuSigned by:



03d01040DC42461...
Andy Beerman, Chair

Attest:

DocuSigned by:



E6F005B533F431...
Michelle Kellogg, City Recorder

Approved as to Form:



Margaret Plane, Special Counsel

Council Agenda Item Report

Meeting Date: April 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: NEW BUSINESS

Subject:

Consideration to Sign the 20-year Appendix with Rocky Mountain Power for the Elektron Solar Project I
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Appendix Renewable Energy Project Staff Report](#)

[Exhibit A: Elektron-Amended Appendix](#)



City Council Staff Report

Subject: Appendix for Renewable Energy Service Contract
Author: Luke Cartin
Department: Sustainability
Date: April 27, 2023

Executive Summary

Park City set an ambitious goal to source 100% renewable electricity by 2022 for City operations and 2030 community-wide. As a result, Park City and five key partners entered into Renewable Energy Service Contract with Rocky Mountain Power to bring a solar facility online at the end of 2022. The complex project was ultimately delayed by one year due to a Department of Commerce investigation into solar panel manufacturing and unavoidable pandemic-related supply and construction challenges.

The recommended contract Appendix provides a comprehensive project update and a new date (fourth quarter 2023) for bringing the solar facility online. Fortunately, due to previously negotiated contractual terms, there is no cost increase to PCMC due to the project delays.

The amended Appendix is the final procedural step to bring this project fully online.

Background

- On September 22, 2016, City Council passed Resolution 23-2016 to set 100% renewable electricity goals by 2022 for municipal operations.
- On February 23, 2017, Park City and Rocky Mountain Power entered into a Joint Clean Energy Cooperative Statement to work together to source 100% renewable electricity for City operations and community-wide.
- On November 8, 2017, City Council approved the Engineering and Professional Services Agreement with Rocky Mountain Power to pursue a renewable energy facility, model City electricity needs, complete regulatory filings and sign a power purchase agreement with a renewable developer.
- On November 21, 2019, City Council approved the Renewable Energy Service Contract with Rocky Mountain Power to contract with a solar developer for a Power Purchase Agreement not to exceed \$22,000 in annual cost.
- On July 30, 2020, City Council directed staff to pursue a 20-year contract project term.
- On March 3, 2023, the Sustainability Team provided a comprehensive update to City Council.

Discussion

Park City Municipal needs electricity to power a myriad of critical community infrastructure, such as streetlights, facilities, water pumps, filtration systems, and transit buses. The electricity cost for City operations is greater than \$2 million annually. To

meet 100% renewable electricity goal for City operations, rooftop solar alone cannot meet the need.

As a result, Park City sought to amplify its future electricity sustainability efforts through collaboration and partnership with other large community energy users to pursue a major renewable project jointly. Salt Lake City Government, Summit County Government, Park City Mountain, Deer Valley Resort, and Utah Valley University jointly agreed to investigate a Utah-based renewable facility.

The project closely followed the Utah regulatory process, first issuing a Request for Proposals to investigate market-ready renewable projects. The customers and Rocky Mountain Power vetted a variety of projects, and the renewable partnership was ultimately selected.

To bring a project of this magnitude online, contractual terms and conditions were required and filed by all parties. For example, Park City and Rocky Mountain Power signed a Renewable Energy Service Contract (RESC). The Contract provides the terms between RMP and the customer (PCMC) for the renewable energy project, and then individual projects are listed as appendices to the underlying contract.

On July 30, 2020, after deliberation, City Council pursued the 20-year option for the RMP project. Amazingly, the project was largely on track until April 2022. In April, the Department of Commerce opened an anti-dumping investigation into the solar panels.. A potential 250% retroactive tariff could have resulted in significant cost impacts. Our project was not alone; the uncertainty impacted over 80% of large-scale United States solar projects.

In June 2022, the Federal government paused the potential tariffs for two years to allow projects already under construction, such as ours, to reach completion. Though a positive outcome, the temporary delay ultimately rippled through the solar panel supply chain and delayed our project's delivery.

As a result, Park City worked with the other partners and customers, the solar project construction team, and RMP to update the construction timeline and other contractual terms. The goal was to complete the Project without additional cost increases. The solar project developer notified RMP and the customers of the amended construction timeline of completion by the end of 2023. Due to the delay, Park City worked with RMP to renegotiate the damages payment structure if the Project further underperformed or was not completed.

Confidential Information:

The solar power purchase agreement cost per megawatt hour and the utility avoided cost are confidential and protected under Utah Code § 63G-2-305(1)-(2). Park City Municipal's annual payment is calculated from these costs and is locked in for the 20-year term previously approved and now amended in the Appendix.

As always, Park City could exit the contract by:

- Paying the remainder cost of the contract;
- Transferring its share of the solar to another participating customer in the contract; or
- Selling electricity and renewable energy credits on the market.

However, given the multi-year partnership, we strongly recommend continuing our significant involvement in Utah's premier renewable energy solar partnership project.

Options for City Council to Consider

Option 1: Sign the 20-year Appendix with RMP for the Elektron Solar Project I.

Option 2: Do not sign the appendix. This would end pursuing this solar project and staff would continue to seek other, far more difficult alternatives.

Department Review

Sustainability, Legal and Executive

Attachment

Exhibit A: Elektron Amended Appendix

AMENDED AND RESTATED RENEWABLE RESOURCE APPENDIX I

**Amended and Restated Appendix I to Renewable Energy Service Contract (Schedule 34)
Between Rocky Mountain Power and Park City Municipal Corporation
Re: Elektron Solar Project**

Background

1. On September 18, 2020, PacifiCorp, an Oregon Corporation (“PacifiCorp” or “Company”) and Elektron Solar, LLC (“Seller”), entered into that certain Power Purchase Agreement (Schedule 34 – Renewable Energy – Solar – 20 Years) for the Elektron Solar project (as amended, the “PPA”).
2. On September 18, 2020, PacifiCorp and Park City Municipal Corporation (“Customer”) agreed to incorporate Renewable Resource Appendix I (“Appendix I”) to the Renewable Energy Service Contract between the Parties, dated as of December 16, 2019 and as amended January 21, 2020 (the “RESC”). Appendix I constitutes a “Renewable Resource Appendix” within the meaning of the RESC.
3. At Customer’s request and with its approval, on October 31, 2022, PacifiCorp and Seller agreed to amend the PPA (“PPA First Amendment”).
4. As a condition to the effectiveness of the PPA First Amendment, PacifiCorp and Customer have agreed to amend and restate this Appendix I, as provided below.

Terms of Amended and Restated Renewable Resource Appendix I.

The terms of this Amended Appendix I are as follows:

This Amended and Restated Renewable Resource Appendix I (“Amended Appendix I”) amends and restates the terms of the original Appendix I as of the effective date referenced below concerning the Customer Renewable Resource referenced below. This Amended Appendix I supplements, forms a part of, and is subject to the terms of the RESC and shall constitute a “Renewable Resource Appendix” within the meaning of the RESC.

Notwithstanding the foregoing, in the event of any inconsistency between a provision of the RESC and a provision of this Amended Appendix I, the provision of this Amended Appendix I shall control for purposes of the Customer Renewable Resource referenced below. Capitalized terms used in this Amended Appendix I and not otherwise defined will have the respective meanings assigned in the RESC or, if not defined therein, in the PPA.

Facility Contract:	Power Purchase Agreement (Schedule 34 - Renewable Energy – Solar – 20 years)
Effective Date of Amended Appendix I:	This Amended Appendix I will become effective and binding on Company and Customer when it is executed and delivered by both Parties.
Seller/Facility Owner:	Elektron Solar LLC, a Delaware limited liability company

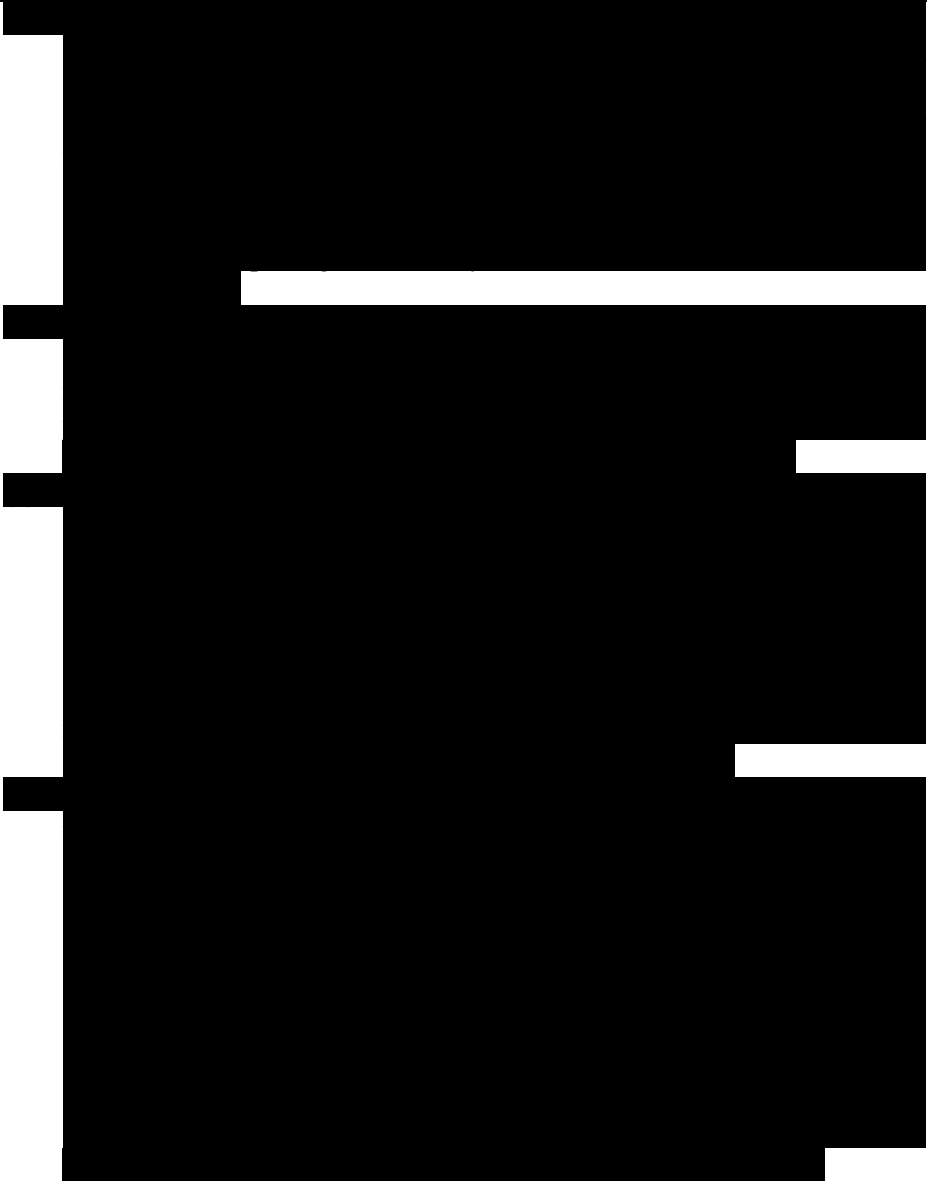
Buyer:	PacifiCorp
Resource Type:	Photovoltaic Solar; Single Axis Tracking
Facility Name:	Elektron Solar ("Facility" or "Project")
Facility Size:	80 MW AC Expected
Customer's Share of kWh and Green Tags:	• 47.71% of the Renewable Supply, estimated at 12,500 MWh during the first 12 months. Other customers with Schedule 34 contracts with the Company (each, "Another Participant") have agreed to purchase the remaining Output of the Facility. • No more often than once per Contract Year, Customer and Another Participant may submit a written request asking Company to deliver a specified percentage of the Renewable Supply otherwise intended for Customer under this Amended Appendix I to Another Participant under such Other Participant's appendix relating to the Facility for a specified period of time. Company will use commercially reasonable efforts to notify Customer and the Other Participant within 30 days whether, and under what conditions, Company will honor such request beginning with a future billing period specified by Company. • Customer may submit a written request asking Company to amend the PPA and/or this Amended Appendix I to accommodate a sale by Seller of a specified percentage of the Renewable Supply otherwise intended for Customer under this Amended Appendix I to another customer, program or wholesale purchaser. Customer and Company will discuss such request in good faith.
Product:	Renewable Energy and Green Tags
Project In-Service Date:	Schedule Commercial Operation Date of December 31, 2023 Guaranteed Commercial Operation Date of March 31, 2024, which cannot be extended later than June 1, 2024 due to [REDACTED]
Termination Date of Amended Appendix I	• Upon termination of the PPA by Company; • Upon Customer's termination of this Amended Appendix I, subject to payment of an Early Termination Payment; or • 20 years after COD; provided that this Amended Appendix I may be terminated early without an Early Termination Payment if Customer and Company reach a mutually-acceptable written agreement for an assignment, sale or transfer of Customer's entire share of the Renewable Supply for the entire remaining term of this Amended Appendix I.
Options	None
PPA Price after COD:	• [REDACTED] • [REDACTED]
Test Energy Price:	[REDACTED] per MWh; Company shall purchase and deliver to Customer Test Energy and associated Green Tags from the Project.
Point of Delivery:	Craner Flat Substation, Tooele County, Utah
Estimated Annual Production:	See Attachments 1 for estimated annual production to be sold under the PPA; Customer's share of the actual annual production is as specified above.

Curtailment Provisions:	[REDACTED]
Net Renewable Supply Charge:	[REDACTED] [REDACTED]
Total Charges and Payment Arrangements:	- For all Power and Energy delivered by Company to Customer, Customer shall pay Company the Applicable Electric Service Schedule Rates, exclusive of the EBA Surcharge, but including the Applicable EBA Surcharge. - For all kWh of Renewable Supply delivered by Seller to Company on behalf of Customer, Customer shall pay Company [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Timing and Performance Guarantees Provided by Seller and Associated Damages:	The following summary of PPA terms in this Section regarding timing and performance guarantees provided by Seller in the PPA is provided for the convenience of the Parties only. If not otherwise defined in this Appendix or the REC, initially-capitalized terms have the meaning assigned in the PPA. [REDACTED]
Treatment of PPA Damages:	[REDACTED] [REDACTED]

	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Credit Support:	Section 8 of the PPA specifies Seller's security and credit support requirements under the PPA, including [REDACTED]

	• [REDACTED]
Facility Contract Rights, Notices, Events of Default, Remedies, Termination	[REDACTED]

	 (8) Notwithstanding anything in this Amended Appendix I or the RESC to the contrary, all of Customer's commitments to pay money under this Amended Appendix I and the RESC shall be subject to the appropriation of funds approved by Customer's governing body and the limitations on future budget commitments provided under applicable Utah law, including the Utah Constitution. If at any time (x) Customer's governing body fails to appropriate funds sufficient for Customer to perform its obligations under this Amended Appendix I, (y) in response to a claim by Company that Customer breached any obligation to pay money under this Amended Appendix I, Customer raises as a defense any provision of Utah law limiting the power of local governmental entities to make future budget commitments, or (z) a court of competent jurisdiction determines that any of Customer's obligations to pay money under this Appendix are not enforceable as the result of the application of any provision of Utah law limiting the power of local governmental entities to make future budget commitments, then (a) Customer shall be deemed to have terminated the
--	---

	RESC in its entirety, including this Amended Appendix I, (b) Company shall be relieved of its obligations under this Amended Appendix I, and (c) Section 10.3 of the RESC shall apply.
Green Tags:	Company's monthly statement to Customer under the RESC will include the number of Green Tags generated during the Billing Period, including Green Tags associated with Test Energy prior to the Commercial Operation Date. Within ninety (90) days after Customer has paid Company's monthly statement relating to such Billing Period, or within the thirty (30) days following any Green Tags being made available in the WREGIS system, whichever is later, Company shall transfer to Customer WREGIS Certificates for all Green Tags associated with Customer's share of Green Tags from the Facility relating to such Billing Period. Company shall transfer all such Green Tags to Customer's WREGIS account in accordance with instructions from Customer and applicable WREGIS rules and requirements, as the same may be amended from time to time. Upon written request by Customer, Company shall retain the Green Tags in the Company's WREGIS account and retire them on Customer's behalf. Customer shall pay all costs incurred by Company in transferring Green Tags to Customer and/or retiring them on Customer's behalf.
Early Termination Payment	Customer may elect to terminate this Amended Appendix I, subject to payment of an Early Termination Payment as determined pursuant to Exhibit F to the RESC.

[Signature Page(s) Follow]

IN WITNESS WHEREOF, the parties have executed this Amended and Restated Renewable Resource Appendix I effective as of the last date set forth below when this Amended and Restated Renewable Resource Appendix I has been duly executed by both Company and Customer.

ROCKY MOUNTAIN POWER

PARK CITY MUNICIPAL
CORPORATON

By: _____

Name:

Title:

Date:

By: _____

Name:

Title:

Date:

ATTACHMENT 1 TO AMENDED AND RESTATED RENEWABLE RESOURCE
APPENDIX I

Estimated Annual Production

Contract Year	Calendar Year During Which Contract Year Commences (Expected)	Estimated Annual Production (MWh)
1	2023	26,200
2	2024	26,095
3	2025	25,991
4	2026	25,887
5	2027	25,783
6	2028	25,680
7	2029	25,577
8	2030	25,475
9	2031	25,373
10	2032	25,272
11	2033	25,171
12	2034	25,070
13	2035	24,970
14	2036	24,870
15	2037	24,771
16	2038	24,672
17	2039	24,573
18	2040	24,475
19	2041	24,377
20	2042	24,279